



TRUMP EPA POLITICAL APPOINTEES SCRAMBLED TO OFFER FREE PASS TO POLLUTE

Internal emails offer window into industry insiders' influence over EPA decision-making

In March, Environmental Defense Fund filed a [Freedom of Information Act \(FOIA\) request](#) seeking all records related to Environmental Protection Agency Administrator Lee Zeldin's invitation for industrial pollution sources to request exemptions from key Clean Air Act standards. EDF filed [suit](#) in April after EPA failed to produce the records or otherwise respond to the FOIA request by the legal deadline.

Below are some key takeaways from the [newly released records](#).

Exemptions process was driven by Trump political appointees with industry ties

- The design of the exemption process and website for industry appears to be driven primarily by Trump political appointee [Aaron Szabo](#), Assistant Administrator of the EPA Office of Air and Radiation, formerly a [lobbyist](#) for energy clients such as Duke Energy and the American Fuel and Petrochemical Manufacturers Association (AFPM), as well as a [contributor](#) to the EPA chapter of Project 2025's deregulatory blueprint (see, e.g., pages 63, 203).
- It was Szabo, for example, who directed EPA staff to launch the exemptions website on March 24 (see page 141), approved the website before posting (see page 78), directed the AirAction email address be set up to receive exemption requests (see page 63), and, following requests from industry seeking more information, directed the email to industry announcing the website with step-by-step instructions for requesting exemptions (see page 225).
- Other Trump political appointees at EPA who appear involved in the development or implementation of the exemption process include a former representative for the industry trade association that had [requested](#) and [received](#) a 2-year exemption from hazardous pollution limits for its member companies: Abigale Tardif, Principal Deputy Assistant Administrator of the EPA Office of Air and Radiation, formerly Manager, Federal Government Affairs, AFPM, policy [analyst](#) for the Koch-funded network Americans for Prosperity, and [worked](#) for Marathon Petroleum, as well as Alex Dominguez, Deputy Assistant Administrator for Mobile Sources of the EPA OAR, formerly a [lobbyist](#) for American Petroleum Institute, NRG Energy, and Oneok (see pages 194-195, 205).

EPA met with industry representatives ahead of exemptions announcement

- Talen Energy, the parent company of the [Colstrip coal plant](#) in Montana, met with Trump EPA appointee Abigale Tardif multiple times this spring and emailed Tardif regarding their 2-year exemption request (see pages 194-195). The Trump administration later [granted](#) the Colstrip plant an exemption from standards for mercury and other toxic pollutants.
- One record indicates that a meeting took place on March 6 between “industry” and EPA’s Office of Air & Radiation (OAR) titled “Clean Air Action Section 112” – prior to the [March 12 public announcement](#) of the exemption process (see page 182). Tardif sought to schedule an internal OAR meeting about “Commercial Sterilizers NESHAP RTR and CAA section 112(i)(4) ‘Presidential Exemption’ Compliance Exemption” to “discuss the CAA section 112(i)(4) Presidential compliance extension process,” stating that “it would be beneficial to have this briefing before the OAR meeting with industry on 3/6/2025” (see page 182).

Development of the exemptions process was rushed and confused

- Several records indicate that EPA career staff did not have information about the exemption process being developed or did not have advance awareness of parts of the announcement. (see, e.g., pages 62, 196)
- The records show a rushed and confused process of assembling the exemptions website and email campaign, which EPA titled “industry notification list” (see, e.g., pages 28-29). Although EPA first released a [fact sheet](#) offering the presidential exemptions as part of its [announcement of 31 deregulatory actions](#) on March 12 and provided a March 31 deadline for industry to submit applications, much of the process for refining the application requirements, setting up the AirAction email address for industry to submit exemption applications, and posting of the informational website occurred in just the few days before the launch of an [EPA webpage](#) about the exemption process on March 24 (see, e.g., pages 5, 151, 153). Internal communications show the confusion of agency career staff about even the deadline and other basic contours of the exemption solicitation, let alone what materials companies should provide to substantiate their exemption requests (see, e.g., pages 62, 196).

EDF will continue to diligently pursue and make available to the public records produced through FOIA to shine a light on the administration’s unlawful granting of scores of exemptions to allow industrial facilities to skirt essential clean air rules. We all have a right to understand how our government is making decisions about these vital health protections.

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