

DATE: OCTOBER 4, 2019

TIME 3:57 p.m.

INTERVIEWER: KEVIN GREENE AND TOM BEERS
EAGLE INTEL SERVICES

CONTRACTOR: NORTH CAROLINA GENERAL ASSEMBLY AND SUBCOMMITTEE
ON THE ACP

PARTIES PRESENT: KEVIN GREENE
TOM BEERS
BILL LANE, DEQ
LINDA CULPEPPER, DEQ DIVISION WATER RESOURCES,
DIRECTOR
DREW HARGROVE, DEQ

1 KEVIN GREENE: Today's date is October 4, 2019. My name is Kevin Greene and I am
2 with Eagle Intel Services. We have been contracted by the North Carolina General Assembly
3 Subcommittee on the ACP to gather facts and report those facts and information back to them.
4 We are here today to interview you and this interview is being recorded. I would like for each
5 individual present to state your name, position and acknowledge that you are aware that this is
6 being recorded. And I will start with Tom.

7 TOM BEERS: I am Tom Beers. I am an investigator with Eagle Intel Services and I
8 understand this is being recorded.

9 BILL LANE: Bill Lane, DEQ, and I understand its being recorded.

10 LINDA CULPEPPER: Linda Culpepper, DEQ, Division Water Resource Director and I
11 understand that this is being recorded.

12 DREW HARGROVE: Drew Hargrove with DEQ. I understand this is being recorded.

13 KEVIN GREENE: Thank you and I believe Mr. Lane would like to add something.

14 BILL LANE: Yes, just a couple of notes. Based upon an agreement of the parties, This
15 agreement will last no longer, I'm sorry, this interview will last no longer than an hour. We are
16 beginning at 3:57 so we will finish no later than 4:57 and the only questions to be presented to
17 Ms. Culpepper will be related to the 401 Water Quality Certification for the Atlantic Coast
18 Pipeline, not other projects that she works on or anything in her personal life. Thank you.

19 KEVIN GREENE: And thank you. Thank you for being here. You already stated your
20 name. Could you just give us a brief back ground of your employment history with DEQ?

21 LINDA CULPEPPER: I began employment in November, 1988, in the Division of
22 Water, excuse me the Division of Waste Management and transitioned over to the Division of
23 Water Resources in early, 2016 and have been employed since then.

1 KEVIN GREENE: And in the same position from 2016 to current?

2 LINDA CULPEPPER: I came into the Division of Water Resources as a Deputy
3 Director and then Interim Director and then Director.

4 KEVIN GREENE: OK. During 2017, I believe through 2017 and the beginning of
5 January, or all of January, what was your official position?

6 LINDA CULPEPPER: Deputy Director transitioning into Director, or excuse me,
7 Interim Director, transitioning into Director.

8 KEVIN GREENE: OK. Which, same duties and responsibilities of those positions?

9 LINDA CULPEPPER: Essentially.

10 KEVIN GREENE: And what would that be?

11 LINDA CULPEPPER: As the Director?

12 KEVIN GREENE: Yes ma'am.

13 LINDA CULPEPPER: Policy and implementation of all of our statutes, rules,
14 responsibilities.

15 KEVIN GREENE: OK. And did you have the ultimate authority over 401 Water
16 Permits?

17 LINDA CULPEPPER: The 401 Permits are in our permitting section, led by Jeff
18 Poupart, who is the Section Chief. He reports to the Deputy Director, which is Jim Gregson.

19 KEVIN GREENE: OK.

20 LINDA CULPEPPER: And the Jim Gregson reports to me.

21 KEVIN GREENE: Alright, during this time period, 2017, was Jim Gregson the Deputy
22 Director at that time?

1 LINDA CULPEPPER: I would have to go back and look at the timing when he became
2 Deputy Director.

3 KEVIN GREENE: OK. And the chain of command, who do you answer too?

4 LINDA CULPEPPER: Sheila Holman.

5 KEVIN GREENE: Sheila Holman and then Holman answers to the Secretary?

6 LINDA CULPEPPER: I assume it's the Secretary.

7 KEVIN GREENE: OK, OK. What - Primarily what was your involvement with the
8 Atlantic Coast Pipeline Permitting process?

9 LINDA CULPEPPER: Once they had the basic outline of the permit and I participated in
10 Division or Department conversations on the Permit and meetings. I attended at least one of the
11 listening sessions. I believe it was down in Roberson County, when we were engaged in public
12 Stakeholder.

13 KEVIN GREENE: OK. And were you involved in the daily activities? Or how much
14 information was usually relayed to you regarding the process?

15 LINDA CULPEPPER: Typically it was in the meetings.

16 KEVIN GREENE: OK. And these meetings occurred how often?

17 LINDA CULPEPPER: I do not recall how often.

18 KEVIN GREENE: On a regular basis?

19 LINDA CULPEPPER: Yes

20 KEVIN GREENE: Or as needed?

21 LINDA CULPEPPER: They were on a regular basis.

22 KEVIN GREENE: And who was normally present during these meetings?

23 LINDA CULPEPPER: The permitting staff from the 401.

1 KEVIN GREENE: Which are, those people would be?

2 LINDA CULPEPPER: I honestly cannot recall if Jeff Poupart himself was there, Karen
3 Higgins at the time was the Branch Head.

4 KEVIN GREENE: OK. And anyone else, the Hearing Officer?

5 LINDA CULPEPPER: At that point in time when the Hearing Officer was engaged in
6 the process and Brian Wrenn, he works in our Water Sciences section.

7 KEVIN GREENE: Alright, and were there other meetings within the Department that
8 you would come together and discuss the ACP Permitting, not just on the 401?

9 LINDA CULPEPPER: Honestly, I don't recall. When I was at the meetings I was
10 focused on the 401 component of the permit.

11 KEVIN GREENE: But, I guess my question would be were there other divisions present
12 during these meetings?

13 LINDA CULPEPPER: There were other divisions, right, that were involved in
14 permitting.

15 KEVIN GREENE: OK. And you were an Interim or preparing to be Director since
16 2016. Were you involved in the pre-application process for the ACP?

17 LINDA CULPEPPER: When I came in 2016, I was the Deputy Director and this
18 permitting function reported to the Director, Jay Zimmerman.

19 KEVIN GREENE: OK.

20 LINDA CULPEPPER: So, this permitting program has never been a direct report to me,
21 but I am responsible as the Division Director for all of their work.

1 KEVIN GREENE: OK. Thank you. And, in your position capacity, obviously you've
2 been involved with a lot of projects. How would you rate the ACP project, specifically the 401
3 Water Permitting process compared to others on a scale basis or information basis?

4 LINDA CULPEPPER: I would have to ask for some clarity. Technically, complexity or
5 I don't I

6 KEVIN GREENE: How would you - is there any way that you would categorize projects
7 or are they categorized?

8 LINDA CULPEPPER: Not in my mind, I don't approach it that way.

9 KEVIN GREENE: OK. Alright. Did this particular project - were there any anomalies
10 or abnormal things going on in the process, the permitting process that was unusual or different
11 from others?

12 LINDA CULPEPPER: I had not gone through very many 401 processes before, so I
13 don't have a bench mark for you to describe.

14 KEVIN GREENE: OK. Alright, I am just going to go through just a couple things
15 briefly and then we will get into more specifics, but, we pulled off the DEQ web site where your
16 staff files are located. And I pulled just a few documents here from yours and I want to show
17 you. Not yours, this is yours. If you just want to flip through that to see if those appear to be
18 your notes. Sorry.

19 LINDA CULPEPPER: That's OK. I assume it wants to go on this page.

20 BILL LANE: There is one on every page.

21 LINDA CULPEPPER: They look to be my handwriting and my notes.

22 KEVIN GREENE: OK. Do you recall making those notes?

1 LINDA CULPEPPER: I would have to look at each one if you want me to respond to
2 each page.

3 KEVIN GREENE: OK. And I will ask just a couple of questions regarding each one.

4 LINDA CULPEPPER: OK.

5 KEVIN GREENE: There are some blank spaces on these. Is that a redaction? Or were
6 they submitted that way?

7 LINDA CULPEPPER: I do not recall. I can see that there are some other topics spliced
8 in, or put, copied in here, so, I don't recall.

9 KEVIN GREENE: Would, how would those notes be entered into the public file?
10 Would you do it, would you actually redact that like it is, or would someone else do that?

11 LINDA CULPEPPER: I do not recall.

12 KEVIN GREENE: OK. Alright, if I can just do that.

13 LINDA CULPEPPER: Sure

14 KEVIN GREENE: OK. Here is a note and I've got it highlighted, if you can just review
15 that particular not and read it into the record if you would?

16 LINDA CULPEPPER: Yeah, I am having trouble reading my writing.

17 TOM BEERS: You're like me.

18 LINDA CULPEPPER: Looks like Wednesday, December 20, I cannot read the word, it
19 looks like adding cumulative impact, the next line is meeting with and I do not, I can't read that
20 the next words are Hearing Officer Report Thursday, final recommendation next week, is the
21 final line that's highlighted.

22 KEVIN GREENE: OK. Do you have any recollection of making that note and more
23 specifics regarding that?

1 LINDA CULPEPPER: I do not.

2 KEVIN GREENE: OK. What would be, how would, what would be your inference as to
3 what that means?

4 LINDA CULPEPPER: Directly, Wednesday the 20th it looks like there is additional
5 information or something related to cumulative impact.

6 KEVIN GREENE: OK. And cumulative impact is a, tell me what cumulative impact is,
7 if you would please?

8 LINDA CULPEPPER: The total impact of a project looking at them in totality.

9 KEVIN GREENE: And is that part of the 401 process for the permitting?

10 LINDA CULPEPPER: Right. The second line says Hearing Officer Report, Thursday.

11 KEVIN GREENE: OK. And I don't even know what day the 20th is, but I am assuming
12 that you would be talking about an upcoming Thursday, so probably the next Thursday, after the
13 20th. And I apologize for not looking at the calendar, but that is you were expecting to see it at
14 that point in time?

15 LINDA CULPEPPER: My notes seem to indicate Hearing Officer Report Thursday. I
16 don't know if I was anticipating seeing it, or if there was going to be a discussion on it, I don't
17 know from these notes.

18 KEVIN GREENE: OK.

19 BILL LANE: Is there a date on these notes? I don't see a date.

20 KEVIN GREENE: No, just the reference to December 20.

21 LINDA CULPEPPER: Which says it's Wednesday, I can read that writing. Wednesday,
22 the 20th. But I don't know if Thursday means the next day.

23 KEVIN GREENE: Right, or the following, maybe Christmas.

1 LINDA CULPEPPER: I do not know.

2 KEVIN GREENE: OK. Thank you. I will actually go forward while we are reviewing
3 this. If you can just look at the next one that is highlighted.

4 LINDA CULPEPPER: OK.

5 KEVIN GREENE: And what does it say?

6 LINDA CULPEPPER: Brian, cumulative impact sufficient response – is the first line.
7 Send draft to Karen and Jennifer to review. The third line is comments done tomorrow. The
8 forth line – meet Monday.

9 KEVIN GREENE: OK. And do you recall when those notes were made?

10 LINDA CULPEPPER: No sir, I don't see anything on the sheet that would indicate.

11 KEVIN GREENE: Would that indicate that the review of the Hearing Officer's Report
12 was going to be complete, or completed or what?

13 LINDA CULPEPPER: It does not reference the Hearing Officer's Report.

14 KEVIN GREENE: Oh, I'm sorry, I think it was a reference to Brian. What was that
15 reference?

16 LINDA CULPEPPER: Cumulative Impact sufficient response.

17 KEVIN GREENE: OK. And do you know what that was in response to?

18 LINDA CULPEPPER: I don't. I know we were doing add info requests.

19 KEVIN GREENE: OK. And I believe that we have the fourth add info request and it
20 specifically was talking about the cumulative impact and that was a request on that. So would
21 that indicate that that was received?

22 LINDA CULPEPPER: I cannot tell from the notes.

1 TOM BEERS: When you made those notes, what information were you making those
2 notes from? Was someone telling you this information? Or was this

3 LINDA CULPEPPER: I don't, from reading the notes, I don't have that context.

4 KEVIN GREENE: OK. Let's see. Then there is a, there appears to be a meeting on
5 January 19, if you can just look at that and kind of review that page and first of all, who was
6 present during that meeting, according to these notes?

7 LINDA CULPEPPER: According to the notes, I typically will document names, so Jeff
8 Geisler, Godrun Thompson, David Neal, Secretary Reagan, Shelia Holman, Bill Lane, Doug
9 Heyl are listed.

10 KEVIN GREENE: OK. And the date on that was

11 LINDA CULPEPPER: January 19, 2018.

12 KEVIN GREENE: Alright, I know you briefly reviewed it a few minutes ago. What
13 seems to be, what's the meeting about?

14 LINDA CULPEPPER: So, there is information regarding the ACP. There is information
15 regarding our community. EJ, engagement conference, and we are looking at economic
16 development with the Department of Commerce in the rural area. So there seems to be a variety
17 of topics.

18 KEVIN GREENE: Would any of those pertain to the 401 permit?

19 LINDA CULPEPPER: I have a header listing on line 4, I want update on ACP and then I
20 have some notes regarding SELC and Jeff Geisler.

21 KEVIN GREENE: Are they within the Water Resource Department? I am not familiar
22 with who they are? What are their positions?

1 LINDA CULPEPPER: I am listing SELC, I do Godrun Thompson, I do not know. That
2 point of contact for sure. I have a headnote with it for utilities/FERC. David Neal, I have a
3 notation signaling air and Environmental Justice as EJ.

4 KEVIN GREENE: OK. And do you recall that meeting on the 19th?

5 LINDA CULPEPPER: I do not recall it specifically, no.

6 KEVIN GREENE: And I believe the permit was issued on the 26th of January. So it
7 would have been one week prior to that. Is there any discussion as to when the permit was going
8 to be issued at that point in time? The 401 specifically?

9 LINDA CULPEPPER: Let me look through it again. I did not see it when I first look
10 through. I do not see any indication on timing of permit. What I see are notes regarding
11 comments made by other participants in the meeting.

12 KEVIN GREENE: And when you say other participants, are those from other divisions?

13 LINDA CULPEPPER: The ones that I have read out load their names.

14 KEVIN GREENE: Right, and what divisions are they? Because, I think you made a
15 reference to SLE something.

16 LINDA CULPEPPER: Southern Environmental Law Center, SELC, Jeff Geisler,
17 Godrun Thompson, David Neal. Those are not DEQ employees.

18 KEVIN GREENE: OK. And do you know why they were present?

19 LINDA CULPEPPER: I apologize, I do not recall this meeting specifically.

20 KEVIN GREENE: OK. Thank you.

21 TOM BEERS: I'm going to show you, these are some emails that came from the DEQ
22 web site as well.

23 LINDA CULPEPPER: OK.

1 TOM BEERS: I'm just going to let you start - become familiar with those. They are
2 mostly December, January.

3 LINDA CULPEPPER: OK.

4 BILL LANE: Do you need them back?

5 TOM BEERS: Well, I just need this first page. It looks like December 14, Karen
6 Higgins reaches out to Bridgette, is that your Assistant?

7 LINDA CULPEPPER: There are several assistance, I apologize.

8 TOM BEERS: Yeah, there are a few.

9 LINDA CULPEPPER: Morris McLawhorn was our Administrative Secretary.

10 TOM BEERS: So, it looks like she is trying to schedule a meeting to review the HO, the
11 Hearing Officer's Report.

12 LINDA CULPEPPER: OK.

13 TOM BEERS: Is that what - do you recall that?

14 LINDA CULPEPPER: Laughs

15 TOM BEERS: Of course not.

16 LINDA CULPEPPER: I apologize, but

17 TOM BEERS: So, yeah, so that's what it looks like.

18 LINDA CULPEPPER: It appears to be setting up a meeting.

19 TOM BEERS: So then, in the next email, Brian Wrenn is got an email to Sarah Rice
20 saying that she, that Linda has scheduled a meeting to discuss ACP hearing officer on January 4
21 and I am finalizing the HO Report, Hearing Officer's Report, I think that means - and I hope to
22 have a draft to Karen Higgins and Jennifer early next week. So he is looking to get some

1 Environmental Justice statement in this, but it looks like they are going forward trying to finalize
2 this Hearing Officer's Report to give to you to review on January 4. Do you recall that?

3 LINDA CULPEPPER: I don't recall the timing, but.

4 TOM BEERS: Just constant with what you would recollect in the overall process?

5 LINDA CULPEPPER: It is consisting with the permitting process, yes.

6 TOM BEERS: So that was in December that they set this up. Moving on to January 3,
7 you saw these emails where it looks like Brian Wrenn and Karen Higgins are basically finalizing
8 this Hearing Officer's Report. Does that reflect what those emails are, on January 3, they look
9 like they are making edits to get ready to review with you. That is what it looks like to me?

10 BILL LANE: Ms. Culpepper is not copied on any. None of these emails are sent to her.

11 TOM BEERS: Right.

12 BILL LANE: So she is reading other people's emails.

13 TOM BEERS: Correct. I am just trying to put a time line to refresh her memory of how
14 this final review process went.

15 LINDA CULPEPPER: OK

16 TOM BEERS: So, on January 4th there is an email chain, Brian Wren and Bridget
17 Munger and it looks like she has made a request to Brian Wrenn to get the Hearing Officer's
18 Report. Do you recall that? Before you reviewed it?

19 LINDA CULPEPPER: I don't recall there exchanges between each other.

20 TOM BEERS: Do you recall rather than you review this Hearing Officer's Report that it
21 was going to be reviewed by the Secretary's Office before you got to review it?

22 LINDA CULPEPPER: I don't recall it. I do see in these emails that there is a reference
23 to that.

1 TOM BEERS: Does that refresh your recollection that they were going to review this
2 report before you?

3 LINDA CULPEPPER: I apologize, it has been long enough ago, I don't have recall on
4 that.

5 BILL LANE: Again, Ms. Culpepper did not send or receive any of these emails.

6 TOM BEERS: Right. I didn't say that, I'm just asking if she remembers how, if she
7 knew the Secretary's Office reviewed the Hearing Officer's Report prior to you?

8 LINDA CULPEPPER: I do not recall.

9 TOM BEERS: Do you remember when you first got a copy to review?

10 LINDA CULPEPPER: I don't recall a date, no. I apologize.

11 TOM BEERS: Do you recall any conversation with someone from the Secretary's Office
12 about reviewing the Hearing Officer's Report?

13 LINDA CULPEPPER: We would, during our periodic meetings, we would discuss
14 timing for when we thought we would have the Hearing Officer's Report ready. So that was a
15 point of discussion.

16 TOM BEERS: So do you recall the Secretary's Office when we will review this? You
17 don't recall?

18 LINDA CULPEPPER: I apologize, I do not recall.

19 TOM BEERS: In any of your meetings do you recall any of your conversations about the
20 Secretary's Office being involved with the approval of the 401 Permit?

21 LINDA CULPEPPER: We would go over items to understand how close are we? Do we
22 have enough information? And what our technical review on that, if we were moving toward an
23 issuance or a denial, so those were points of conversation.

1 TOM BEERS: Let's see, the first. It looks to me that January 22, that's the first email
2 where I see that you got a copy of the Hearing Officer's Report.

3 LINDA CULPEPPER: OK. Thank you.

4 TOM BEERS: Do you recall getting it that day? That is the day it was signed, but I can.

5 LINDA CULPEPPER: I don't recall.

6 TOM BEERS: OK, you don't recall any, going from having a meeting to review the
7 Hearing Officer's Report and then finding out that you aren't going to review it until the 22nd.
8 You don't recall that big gap in time in any conversation that would have taken place? Why you
9 are not going to look at this anymore?

10 LINDA CULPEPPER: We were going through different technical points for the permit,
11 so there were sometime in there we were looking at do we have enough information. So, I recall
12 that there were those iterations and there were some gaps in time gathering the information with
13 the staff working on the project.

14 TOM BEERS: Do you recall any changes that were made to the Hearing Officer's
15 Report, from the 4th until the 22nd? I am just asking if you recall? This is a big, it's quite a gap in
16 time for something that was going to happen on the 4th and then - that is when you were going to
17 first review it - and then the 22nd is the first time you see it. I just wonder if you recollect any
18 conversation about that?

19 LINDA CULPEPPER: Yeah, and I have shared what I recall, is just our technical issues
20 going through it to make sure we dot all the t's, or dot all the I's, cross the t's.

21 TOM BEERS: Who at the Secretary's Office would have asked for that? To see that
22 report, who would have been the person to ask for that? In your experience working there, who
23 would it have been? It just says Secretary's Office is going to review it?

1 BILL LANE: That is speculation in this case.

2 TOM BEERS: Well, in your experience working with the Secretary's Office, who has
3 the expertise to look at something like this? Anyone?

4 LINDA CULPEPPER: I really don't have a lot of history working on these. This is one
5 of the earlier ones in my capacity as the Director, to be able to look at it, so I apologize, I do not
6 have that frame of reference for you.

7 TOM BEERS: Right, OK.

8 KEVIN GREENE: In going back to this timeframe, cause from your notes, on that
9 Wednesday the 20th and then we are saying Hearing Officer Report on Thursday. So that is a
10 month away - of course there are holidays in there too. So, did you ever question what's going
11 on, where is the Hearing Officer's Report?

12 LINDA CULPEPPER: We have those periodic meetings to hear those- where those
13 questions are being asked.

14 KEVIN GREENE: OK. And so were you apprised of the steps that were being taken as
15 to this person is going to review it at this point in time and this person is going to review it.
16 Were you aware of how it was going to progress?

17 LINDA CULPEPPER: I don't recall the logistics of those reviewed processes or I don't,
18 I apologize.

19 KEVIN GREENE: OK. And once everything was submitted to you – the 22nd?

20 TOM BEERS: Yes, the 22nd.

21 LINDA CULPEPPER: Yeah, the 22nd.

22 KEVIN GREENE: 22nd, do you recall what was provided to you on the 22nd?

1 LINDA CULPEPPER: The attachment indicates ACP Hearing Officer's Report
2 01222018. as a PDF file. So I assume that is what was attached.

3 KEVIN GREENE: OK. And with that attachment, you had the Hearing Officer's
4 Report. When everything typically comes to you for your review, what is in the package, before
5 it goes out the door saying here is your permit?

6 LINDA CULPEPPER: So, the ones that I see are very limited number 401's. They are
7 the ones that have had a Public Hearing or if there is a denial, then the Director is the signator on
8 that, so there are very few of those. So for this, I assumed I got the Hearing Officer's Report,
9 which went through the Public Comment and the listening sessions that we had associated with
10 the Application.

11 KEVIN GREENE: And, when you reviewed it. I am assuming that you reviewed the
12 Hearing Officer's Report. Did you have any questions or concerns at that time?

13 LINDA CULPEPPER: I cannot recall. I had questions and I cannot recall a distinction
14 between the actual permit and the Hearing Officer's Report. But I recall asking questions. I
15 would assume probably of both documents. I typically have questions. But I can't recall
16 specifics of what questions did I ask? And in which the permit itself or of the Hearing Officer's
17 Report.

18 KEVIN GREENE: So you have both documents there at that point in time.

19 LINDA CULPEPPER: I cannot tell you that, I don't have recollection of when I actually
20 had the Permit.

21 KEVIN GREENE: OK. Did you see the draft denial letter?

1 LINDA CULPEPPER: I do recall seeing the draft denial letter. They had presented it
2 together the same day with. My recollection is they presented it the same day with the approval
3 letter.

4 KEVIN GREENE: OK. And do you recall what date that was?

5 LINDA CULPEPPER: I do not recall.

6 KEVIN GREENE: OK. And have you, how many other times had you seen a draft
7 denial letter presented with the Permit and the Hearing Officer's Report?

8 LINDA CULPEPPER: I believe this is the first one that I had seen, the first 401 and I
9 believe that was the first time I had seen the denial and the approval for a 401.

10 KEVIN GREENE: The recommendation.

11 LINDA CULPEPPER: And when I asked staff about it, they indicated that they had had
12 procedure in the past that that is what they did to prepare. At one point they had prepared one
13 and not the other and there was a recommendation to move forward with both when they came to
14 the Director's office, they would have both documents.

15 KEVIN GREENE: OK. Do you recall the draft denial letter, the contents of it?

16 LINDA CULPEPPER: Not the content of it. I remember seeing though, with the
17 approval letter. I have permitting experience in the other division.

18 KEVIN GREENE: OK. Did you have something?

19 TOM BEERS: No, It looks like on the 25th, it looks like you've got – Someone dropped
20 off to Bridgette in your office the hard copy of those.

21 LINDA CULPEPPER: OK.

22 TOM BEERS: The documents that was on the 25th.

23 LINDA CULPEPPER: OK. Thank you.

1 TOM BEERS: Which was a Thursday. Maybe that corresponds with the note.

2 KEVIN GREENE: December

3 TOM BEERS: Oh, that was December?

4 KEVIN GREENE: That was December.

5 TOM BEERS: I thought there was another one that was undated.

6 KEVIN GREENE: Yeah. So do you recall what happened at that point? When

7 everything was dropped off?

8 LINDA CULPEPPER: I don't recall dates or

9 KEVIN GREENE: Right.

10 LINDA CULPEPPER: I assume I received this, but

11 KEVIN GREENE: So it was issued on the 26th. What is the procedure of how that's

12 done?

13 LINDA CULPEPPER: I would do a final review. What I do recall on the day I signed

14 and if you are indicating that it was the 26th.

15 KEVIN GREENE: Yes ma'am.

16 LINDA CULPEPPER: OK. On the day I signed it, there was one lingering edit that I

17 had wanted made and I don't recall what that edit was, but I remember asking staff to make that

18 edit. I apologize, but I do not remember what it was.

19 KEVIN GREENE: OK. I mean obviously it wasn't significant to the issuance of the

20 permit.

21 LINDA CULPEPPER: I have no idea what it. I can't recall what it was.

22 KEVIN GREENE: OK. And who was aware that the permit was going to be signed on

23 the 26th?

1 LINDA CULPEPPER: I do not know in totality who was involved. I believe our Public
2 Information Officer.

3 KEVIN GREENE: And that would be?

4 LINDA CULPEPPER: At the time, I believe it would have Bridget Munger, was with us
5 at the time.

6 KEVIN GREENE: Any other people? or I guess

7 LINDA CULPEPPER: I assume the Permit, Brian Wrenn, as the Hearing Officer and
8 Karen Higgins, as the Permitting Branch Head.

9 KEVIN GREENE: OK. Would you notify anyone above your position?

10 LINDA CULPEPPER: When we have significant being issued, I do notify Shelia
11 Holman that we are issuing a permit and same thing sometimes with enforcement.

12 KEVIN GREENE: OK. Do you recall if that was who you actually notified?

13 LINDA CULPEPPER: I don't recall.

14 KEVIN GREENE: And would that be typically on the same day? Or would it be prior
15 too? How would that normally shake out?

16 LINDA CULPEPPER: The Public Information Officers for significant permits do what
17 to know before the issuance so that they can prepare if they do get media inquiry. We try to let
18 them know, this is coming so that they can have talking points ready. If there is anything that is
19 controversial.

20 KEVIN GREENE: OK. Did you notify the Secretary's Office that it was?

21 LINDA CULPEPPER: I assume. I don't recall who I notified. But I would assume my
22 typical protocol is to let Shelia know when I am signing.

1 KEVIN GREENE: Where you aware of the mitigation fund that was being negotiated
2 outside of DEQ? The 57.8 million dollars? Where you aware of that at the time of the permit
3 certification?

4 LINDA CULPEPPER: I was not aware of that fund at the time I signed this permit. I
5 found out about it through the media, afterwards.

6 KEVIN GREENE: OK. So there was not discussion about how it could be used for
7 cumulative impact or whatever?

8 LINDA CULPEPPER: No, sir. I found out after, via the media.

9 KEVIN GREENE: OK. And did you find anything unusual about the permitting
10 process or was there anything, any outside forces creating hurdles for it that you could see?

11 LINDA CULPEPPER: No. We added additional listening sessions for the public. That
12 to me was an extra step. My experience in solid waste management with landfills, we would
13 also try to engage the public in a very thorough way to try to make sure that anyone who had
14 comments or issues to make sure they were heard. And we understood concerns. So I equated
15 that additional step to my experience in a different – in the other division.

16 KEVIN GREENE: OK. Is that a decision that you made to have the listening sessions?

17 LINDA CULPEPPER: I don't believe that it was me personally. I think it was a
18 discussion point during our meetings.

19 KEVIN GREENE: Meetings with?

20 LINDA CULPEPPER: Our periodic meetings on the Pipeline.

21 KEVIN GREENE: OK. Would that have come from the Secretary's Office, or other
22 individuals within the divisions?

1 LINDA CULPEPPER: I believe that it was at the meetings where we had different
2 divisions represented as well as the Secretary's Office. But I do not recall details of who
3 initiated a conversation on the topic.

4 KEVIN GREENE: OK.

5 TOM BEERS: That's all I have.

6 LINDA CULPEPPER: OK

7 KEVIN GREENE: That's all we have.

8 LINDA CULPEPPER: Alright.

9 KEVIN GREENE: We certainly appreciate.

10 LINDA CULPEPPER: Absolutely.

11 KEVIN GREENE: Thank you for your duties and all that you do. So at this time, it is
12 4:38 and I want to turn the recorders off.