

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

ASBESTOS DISEASE AWARENESS
ORGANIZATION,

Plaintiff,

v.

NATIONAL PARK SERVICE,
DEPARTMENT OF THE INTERIOR,
U.S. DEPARTMENT OF LABOR –
OCCUPATIONAL SAFETY AND
HEALTH ADMINISTRATION,
ENVIRONMENTAL PROTECTION
AGENCY and EXECUTIVE OFFICE OF
THE PRESIDENT

Defendants.

No. 1:26-cv-00029-RJL

**PLAINTIFF’S MOTION TO REQUIRE DEFENDANTS TO SUBMIT DECLARATIONS
AND VAUGHN INDEXES AND COMPLY WITH THE COURT’S AUGUST 5 ORDER**

Plaintiff Asbestos Disease Awareness Organization (ADAO) hereby moves to compel defendants to take further actions to assure full compliance with plaintiff’s November 2025 Freedom of Information Act (FOIA) and the Court’s August 5, 2026 decision and order granting partial summary judgment for plaintiff. The motion seeks to (1) require defendants Department of Labor (DOL) and National Park Service (NPS) to file detailed declarations describing the file searches they conducted in response to ADAO’s FOIA requests, including accounting for apparent gaps and omissions in the documents they produced to plaintiff; (2) require DOL and NPS to submit “Vaughn Indexes” justifying their withholding of responsive

documents based on various FOIA exemptions; and (3) direct defendant Department of Interior (DOI) to meet its obligations under the Court's August 5 order by conducting a file search for responsive documents and making a FOIA "determination" in accordance with the Order's requirements.

ADAO further moves that the Court set a deadline of 15 working days for defendants to carry out these directives.

ADAO counsel reached out to defendants' counsel to ascertain defendants' position on this motion but never received a response.

Attached are a Memorandum in support of the motion, relevant documents supporting the motion and a proposed order.

Dated: October 14, 2026

Respectfully submitted,

/s/ Robert M. Sussman

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NATIONAL PARK SERVICE,
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No. 1:26-cv-00029-RJL

**MEMORANDUM IN SUPPORT OF PLAINTIFF’S MOTION TO REQUIRE
DEFENDANTS TO SUBMIT DECLARATIONS AND VAUGHN INDEXES AND FULLY
COMPLY WITH THE COURT’S AUGUST 5 ORDER**

INTRODUCTION

It has now been nearly a year since the White House East Wing was demolished to permit construction of a massive ballroom on the White House grounds. As the demolition progressed during October 2025, widespread [concern](#) was expressed about releases of asbestos, a lethal carcinogen that likely was embedded in the East Wing during earlier repairs and renovations. In response to press inquiries, a White House official [maintained](#) that, prior to the demolition, "a very extensive abatement and remediation assessment . . . was done in September" and

“comp[lied] with all applicable federal standards.” However, despite numerous follow-up requests by the media, members of Congress and plaintiff Asbestos Disease Awareness Organization (ADAO), the White House did not confirm the presence of asbestos in the East Wing or make any additional information about the purported abatement publicly available.

Thus, in early November 2025, ADAO submitted requests under the Freedom of Information Act (FOIA) to 8 agencies and White House entities with possible knowledge of the East Wing demolition and related asbestos abatement activities. ECF 1 ¶¶55-57. These requests sought documentation of the level and extent of asbestos contamination within the East Wing, the procedures followed to remove this asbestos, the protections afforded to construction workers, White House staff and occupants of nearby buildings potentially exposed to asbestos, how the asbestos was disposed of after removal and compliance with federal and District of Columbia asbestos abatement requirements. After waiting in vain for responses to its requests, plaintiff filed suit under FOIA on January 7, 2026 (ECF 1) and moved for partial summary judgment on February 9, 2026 (ECF 7).

On August 5, the Court issued a decision granting partial summary judgment for ADAO. ECF 27. The accompanying Order directed the three agencies subject to the decision – the Department of Labor (DOL), Department of Interior (DOI) and National Park Service (NPS) – “to make determinations on plaintiff’s pending FOIA requests within 10 working days” and to “file a status report indicating the proposed production timeline for [these] requests” within 15 days thereafter. ECF 28. In response to this Order, plaintiff has now received FOIA

“determinations” from DOL and NPS and both agencies have released small numbers of documents with redactions to ADAO.¹

These documents appear to confirm that asbestos was identified in the East Wing during an assessment in September 2025 and that an abatement was performed between September 24 and October 17, 2025 by two subcontractors to Clark Construction, the general contractor for the ballroom project. However, no reports and supporting data documenting the initial assessment, subsequent abatement efforts and follow-up actions were disclosed to plaintiff. As a result, ADAO and the public remain in the dark about the extent of asbestos contamination, the risks of asbestos releases to White House employees, visitors, bystanders and occupants of nearby buildings, how and where the removed asbestos was disposed of, and whether the abatement fully implemented the safeguards and protections required by federal and DC regulations.

The released documents also reveal that reports and related information documenting the presence of asbestos and the abatement process were withheld not just from ADAO but from agencies of the Executive Branch and the District of Columbia with enforcement responsibilities under federal law for asbestos abatement at federal buildings. According to the released documents, DOL, NPS and DC Department of Energy and Environment (DOEE) all repeatedly sought access to these materials. However, White House officials and Clark Construction rejected these requests, citing the requirement for confidentiality in the agreement between Clark and the White House governing the East Wing demolition and construction of the ballroom. Thus, OSHA and DOEE were stymied from performing their statutory duties to protect workers

¹ The documents received from DOL are included in Attachment 1 and those received from NPS are included in Attachment 2.

and the public from unsafe asbestos exposure and NPS was hamstrung from assuring that federally-managed parkland was free from asbestos contamination.

Given these concerns and the many gaps in the released documents, it is critical to assure that DOL, DOI and NPS have performed full and diligent searches of their files. There is reason to believe that these searches were inadequate. The released documents refer to relevant emails and other documents that are likely covered by ADAO's FOIA requests but the two agencies have not produced, indicating that their file searches were incomplete. Therefore, plaintiff is moving to require DOL and NPS to promptly submit declarations that demonstrate that they have conducted a "search reasonably calculated to uncover all relevant documents." *Weisberg v. Department of Justice*, 705 F.2d 1344, 1350–51 (D.C.Cir.1983). With the aid of counsel, the Court would then examine these declarations and order OSHA and DOI to expand the scope of their searches if warranted.

It is also essential that the Court examine whether redacted portions of these responses meet the criteria for withholding in FOIA's exemptions. To that end, plaintiff is also moving that the Court further order DOL and NPS to promptly prepare and submit "Vaughn Indexes" of all material withheld in whole or in part. In accordance with decisions of the Circuit, these indexes must "explain specifically which of the nine statutory exemptions to FOIA's general rule of disclosure supports the agency's decision to withhold a requested document or to delete information from a released document." *Founding Church of Scientology of Washington, D. C., Inc. v. Bell*, 603 F.2d 945, 947 (D.C. Cir. 1979).

Plaintiff requests that the Court set deadlines of 15 working days for defendants to submit declarations and *Vaughn* indexes as described above. Given defendants' repeated efforts to block disclosure of relevant documents and delay resolution of this case and their continued

withholding of such documents despite the obligations imposed by the Court’s August 5 Order, these necessary steps to assure full FOIA compliance must be completed as soon as possible.

Finally, the Court’s August 5 Order specifically ordered both DOI and NPS to make “determinations” on plaintiff’s FOIA requests and thereafter produce responsive documents. However, only NPS has complied with this requirement. While DOI’s counsel has maintained that NPS’s response is on behalf of DOI as a whole, its August 20 “preliminary determination” makes no mention of any file searches by other DOI offices and programs. For example, the DOI Secretary’s Office could well have overseen NPS Decisions about the East Wing demolition and the removal of soil and debris to East Potomac Park in DC and therefore would be in possession of documents responsive to plaintiff’s FOIA request. The Court should therefore order DOI to conduct a search for responsive documents in compliance with the August 5 Order and make a FOIA “determination” within 15 working dates as the Order required.

WHAT THE RELEASED DOCUMENTS SHOW

Department of Labor

The 11 pages of responsive documents received from DOL span the period October 31, 2025 to November 18, 2025. Highlights from these documents are described below. The documents show that, in response to a complaint about worker safety, the Baltimore Area Office of DOL’s Occupational Safety and Health Administration (OSHA) initiated an investigation to determine whether Clark Construction followed required safeguards against unsafe asbestos exposure during the East Wing demolition.² However, after Clark failed to provide reports

² OSHA’s concerns reflected its responsibility for implementing its regulations for worker protection during asbestos abatement at construction sites. 40 CFR Part 61, Subpart M; 29 CFR §1926.1101. These regulations govern asbestos abatement at federally owned buildings as well as commercial and industrial sites. In DC, DOEE is responsible for assuring compliance with the OSHA regulations.

documenting the abatement process as OSHA requested, it appears that OSHA Headquarters never responded to the Area Office's request for guidance on next steps and the investigation was discontinued.

1. On October 31, 2025, the OSHA Baltimore Area Office issued a "Referral Report" for "Employees exposed to asbestos [at the] East Wing of the White House." The Report identified 1600 Pennsylvania Ave NW in DC (the address of the White House) as the worksite where asbestos exposure occurred and named Clark Construction as the site manager. According to the Report, OSHA planned to investigate the reports of asbestos exposure and intended to contact Clark by email and letter to obtain more information.

2. The same day, the Baltimore Office sent a letter to Clark citing reports of alleged asbestos exposure at the East Wing and requesting that it "immediately investigate the alleged conditions and make any necessary corrections or modifications." The letter directed Clark to provide a written response by no later than November 7, 2025, including "supporting documentation of your findings" such as "any applicable measurements or monitoring results; photographs/video that you believe would be helpful; and a description of any corrective action you have taken or are in the process of taking, including documentation of the corrected condition." The letter also directed required Clark to "post a copy of this letter where it will be readily accessible for review by all of your employees, and to return a copy of the signed Certificate of Posting" to OSHA.

3. In a telephone conversation with OSHA on November 6, 2025, a Clark representative explained that because of "agreements they signed they are not allowed to release any reports regarding the project" to OSHA.

4. The same day, Clark's Regional Safety Director responded by letter to the OSHA complaint, concluding that its investigation "found that no hazard exists." According to the letter, an asbestos abatement "was performed between September 24, 2025 and October 17, 2025, prior to the above-grade demolition work commencing on October 20, 2025." This abatement was triggered by "an environmental assessment of all areas requiring demolition" conducted in September 2025 by Clark's demolition subcontractor. Because the assessment apparently found asbestos throughout the East Wing, Potomac Abatement, a subcontractor of Clark, "followed a site-specific asbestos removal plan for all areas with asbestos-containing materials (ACM)." These "abatement operations were overseen by a third-party Industrial Hygienist, Advanced Environmental Consultants (AEC), which performed all required air monitoring and sampling of work areas" and "provided a final clearance report to Clark Construction on October 29, 2025."

5. Neither this report nor other reports and backup documentations identified in Clark's letter were provided to OSHA as it had requested. Clark also declined to post the notice to employees of potential asbestos hazards that OSHA's letter had required, citing the "findings" of Clark's subcontractors.

6. During the 11 days following receipt of Clark's letter, there were additional communications within OSHA offices about the East Wing asbestos abatement. The released documents refer to several emails to higher-ups in OSHA reporting on the activities of the Baltimore Area Office but these emails were not included in OSHA's response to ADAO's FOIA request. Moreover, according to the released documents, on November 7, 2025, Area Office employees requested guidance from Headquarters on whether "to meet with the Clark representative to review their asbestos abatement/demolition records" but were advised not to take "action until Region hears from National Office." An OSHA chronology of its actions on

the East Wing demolition circulated internally on November 18 stated that the Area Office was still “waiting to hear from the [National Office] on next steps.”

6. There is no indication in the released documents that OSHA Headquarters provided further direction to the Area Office, obtained Clark’s “abatement/demolition records,” or otherwise followed-up on Clark’s compliance with OSHA asbestos abatement requirements for building demolitions. It is possible that the files of OSHA Headquarters reflect such actions but were not produced because OSHA only searched records of the Baltimore Area Office in response to ADAO’s FOIA request.

National Park Service

The NPS FOIA response is 49 pages long and the produced documents date from October 3 to December 15, 2025. Again, highlights of these documents are presented below. Overall, the documents reflect DOEE’s persistent but apparently unsuccessful efforts to obtain NPS’s assistance in examining whether Clark’s asbestos assessment, abatement and disposal actions complied with DC and federal asbestos regulations. In addition, they describe NPS’s attempts to understand and offer advice on how asbestos and other waste materials were being handled and disposed of following the demolition and whether they were contained in the large volumes of soil and debris transferred from the demolition site to DC’s East Potomac Park, an NPS property containing a public golf course. The documents reveal that Clark and the White House limited NPS’s access to critical information about the demolition and asbestos abatement process although NPS ultimately conducted monitoring of soil and debris transferred from the demolition site to East Potomac Park. What this monitoring showed and whether asbestos was found is not clear from the released documents because no monitoring records were included in the released documents. The documents also reveal that Clark and the White House failed to

make necessary filings under the Clean Water Act and that, following complaints by DOEE, NPS belatedly sought to remedy these violations. Whether the required submissions to DOEE were ultimately made is unclear.

1. In mid-October, 2025, DOEE reached out to NPS for information about the presence of asbestos in the East Wing and its abatement and disposal during the demolition. On October 17, 2025, an initial call occurred between DOEE and NPS. On October 18, 2025, an email from Matthew Mohler of NPS informed DOEE that he would be the point person for future communications and would participate in a DOEE visit to the demolition site on October 20.

2. The following day, Meredith Upchurch, Associate Director of DOEE's Regulatory Review Division, emailed several NPS personnel that, after "see[ing] the demolition photos from White House," DOEE was "concerned about building debris being brought to the stockpile" and asked whether "the contractor [was] separating building debris from soil excavation and ensuring no building material will be part of the stockpile." The email emphasized that "[w]e are especially concerned about other building debris contamination, including asbestos."

3. A day later, on October 22, 2025, Ms. Upchurch emailed Tammy Stidham of NPS to request an explanation of the "environmental processes and permitting that should be occurring" for the White House "demolition and construction project." She emphasized that "[t]here are several environmental items of concern . . . and the most urgent and concerning is potential asbestos that may be part of the demolition." She asked NPS to "put the construction team in touch with the DOEE experts to ensure safety of the workers."

4. Ms. Upchurch's request for information on "permitting that should be occurring" plainly referred to DC's asbestos abatement regulations, which are enforced by DOEE. Title 20 DCMR Ch. 8, Asbestos Abatement and Control. The DC regulations incorporate by reference EPA and

OSHA asbestos removal and abatement requirements. They require issuance of an Asbestos Abatement Permit in advance of asbestos removal at demolition sites in the District of Columbia. To obtain a permit, contractors must submit a detailed notification package online to DOEE at least 10 working days before abatement begins. Under the regulations, only licensed asbestos abatement contractors may obtain a permit.

5. Ms. Stidham of NPS responded to Ms. Upchurch's email later on October 22, indicating "that NPS is not managing the project" and promising "to get you an appropriate contact." However, the released documents provide no evidence that DOEE subsequently connected with the White House or Clark about the East Wing asbestos abatement. Nor do the documents indicate that DOEE was provided with materials documenting compliance with federal and DC permitting requirements and procedures for safe handling, removal and disposal of asbestos and protection of exposed workers.³

6. Ms. Upchurch's requests to NPS were reinforced in an October 27, 2025 email to NPS from Jayne Brown, DOEE's Associate Director for Inspection and Enforcement. She asked whether "NPS [was] involved at all in the movement of construction debris from the White House to the Strittmatter site(s)," "where that location is" and whether NPS had "any contacts with that side of the construction project."

7. NPS's initial response to DOEE's concerns reflected its limited knowledge about the handling, treatment and disposal of debris from the demolition. In an October 21 email to Ms. Upchurch of DOEE, Matthew Mohler of NPS wrote that the agency "shared your concern about

³ In response to a FOIA request from ADAO, DOEE produced two permit notifications, dated February 14, 2025 and April 25, 2025, for asbestos abatement work performed at the White House Executive Residence but provided no permits or other documents pertaining to asbestos abatement prior to the East Wing demolition.

the debris” but had been “assured that there will be no construction debris coming to the site.” Then, in a October 26 email to Ms. Brown of DOEE, Mr. Mohler wrote that “NPS really does not have any oversight on this hauling other than finding a location to put it and trying to follow the proper environmental permitting to the best of our ability with the short notice we were given.” Mr. Mohler recommended that DOEE reach out to the Clark Project Manager for further information.

8. As the removal of soil and debris from the demolition to East Potomac Park continued into November, NPS became more engaged in overseeing the process. According to a November 17, 2025 email to her colleagues from Jennifer Phillippe, NPS Contaminated Sites Project Manager, an NPS contractor (Jacobs Engineering Group) began on-site monitoring of trucks and collection of soil samples on October 28, 2025. Due to the large volume of transferred material, Ms. Phillippe notes that “sampling is being slowed down and additional weeks of Jacobs monitoring will be needed.”⁴

9. Her email also indicates that “NPS is only supposed to be receiv[ing] soil, no demolition debris” but “[s]everal trucks have been turned back due to debris.” Moreover, demolition debris was found in samples of soil unloaded from trucks and stockpiled in the Park: “Debris, such as pipes, metal cables, and concrete continue to be ‘picked out’ after imported material is spread” around the Park.

10. The results of NPS sampling are not presented in the released documents.⁵ However, the November 17 email reports that “[w]e did run an asbestos sample on a piece of pipe that was

⁴ According to a February 9, 2026 New York Times [story](#), NPS “estimated that there would be 30,000 cubic yards of soil in all. That would be about 2,000 truckloads.”

⁵ In late April, NPS posted on its Website an [Interim Sampling Report](#) from Jacobs. According to a Times [story](#), “the Trump administration dumped debris from the demolition of the White House East Wing has tested positive for lead, chromium and other toxic metals.” The Jacobs

suspected to contain asbestos and it came back negative.” The released documents do not indicate whether other debris samples were analyzed for asbestos and what these analyses showed.

11. To understand the composition of the demolition debris, NPS sought to obtain Clark’s Hazardous Material Survey Report (HMSR) for the East Wing. However, as reported in a November 12, 2025 email from Daniel Copenhaver of NPS, “[t]he answer is, it is on site, and available to us for review only. No written or electronic form will be made available. I asked if NPS signed an NDA could we get a copy? The answer was no.” The released documents do not reveal whether NPS viewed the HMSR on site and what hazardous materials it identified.

12. As described in Ms. Phillippe’s November 17 email, DOEE was also concerned that neither Clark nor the White House had filed a Construction Permit (GCP) application for the East Wing demolition and a Stormwater Pollution Prevention Plan (SWPPP) for the transfer of soil removed during the demolition to East Potomac Park. Both of these documents were required by Environmental Protection Agency (EPA) regulations under the Clean Water Act. After EPA’s Office of Water intervened in response to DOEE’s complaint, NPS took “full responsibility/control for the GCP and SWPP including completing all mitigations, monitoring, and reporting.” The released documents do not indicate the current status of these two documents or provide copies.

I. DOL and NPS Should be Required to Submit Detailed Declarations Describing the Searches They Conducted for Documents Responsive to the FOIA Requests

report noted that “[a]sbestos was reported as not detected” but three samples had not been analyzed for asbestos. Jacob’s sampling and testing continued fter the Interim Report was posted but further results have not been made available.

Where there are questions about the adequacy of an agency's response to a FOIA request, the decisions of this Circuit call for the agency to submit a declaration demonstrating that it has conducted a "search reasonably calculated to uncover all relevant documents." *Weisberg v. Department of Justice*, 705 F.2d 1344, 1350–51 (D.C.Cir.1983). For a declaration to be "reasonably detailed," it must "set[] forth the search terms and the type of search performed, and aver[] that all files likely to contain responsive materials (if such records exist) were searched." *Oglesby v. U.S. Dep't of Army*, 920 F.2d 57, 68 (D.C. Cir. 1990). Declarations that "do not denote which files were searched or by whom, do not reflect any systematic approach to document location, and do not provide information specific enough to enable [the plaintiff] to challenge the procedures utilized" are insufficient to support summary judgment for the agency. *Weisberg v. U.S. Dep't of Justice*, 627 F.2d 365, 371 (D.C. Cir. 1980).

These elements are essential because "[a] reasonably detailed affidavit, setting forth the search terms and the type of search performed ... is necessary to afford a FOIA requester an opportunity to challenge the adequacy of the search and to allow the district court to determine if the search was adequate in order to grant summary judgment." *Oglesby*, 920 F.2d at 68. Thus, a declaration containing "no information about the search strategies of the [agency] components charged with responding to [a] FOIA request" and providing no "indication of what each [component's] search specifically yielded" is inadequate to carry the government's burden. *Morley v. CIA*, 508 F.3d 1108, 1122 (D.C. Cir. 2007); *see also, e.g., Aguiar v. Drug Enforcement Administration*, 865 F.3d 730, 738–39 (D.C. Cir. 2017) (affidavit identifying agency offices "tasked with conducting a search" of specific files but not explaining "how [the offices] searched within those files" was insufficient); *DeBrew v. Atwood*, 792 F.3d 118, 121–22 (D.C. Cir. 2015) (affidavit identifying agency employees tasked with conducting search, explaining why those

employees were chosen, and detailing search's results insufficient “because it [did] not disclose the search terms used by the [agency] and the type of search performed). ”

Here, the documents released by DOL contain references to various emails within OSHA and between OSHA and Clark and to communications between the Baltimore Area Office and OSHA headquarters. However, records of these emails and communications were not included in DOL’s FOIA response. This suggests that either the search of the Baltimore Area Office was incomplete or that it did not extend to records maintained at DOL and OSHA Headquarters. A declaration describing the limitations of DOL’s search could warrant a more comprehensive search of DOL files for responsive documents.

The NPS documents also contain potentially significant gaps. For example, there are no records of information provided by NPS or Clark to DOEE in response to its requests and no communications between NPS and DOEE after October 26 are included in the released documents even though NPS’s internal documents refer to concerns DOEE raised with NPS after that date. In addition, internal NPS documents indicate that an NPS contractor (Jacobs Engineering Group) was tasked with sampling and analyzing samples of soil and debris from the East Wing demolition that were deposited in East Potomac Park. Asbestos was one of the hazardous constituents for which Jacobs analyzed so the records of its measurements would be responsive to ADAO’s FOIA request. Moreover, because of the multiple truckloads of soil and debris transported from the White House grounds to the Park, it appears that Jacobs’ sampling program continued for several weeks and produced voluminous data. Yet even though these data and related documents were undoubtedly provided to NPS, they were not included in its released documents and very few of these documents mention the sampling procedures and findings. A detailed declaration from NPS addressing this omission could result in an expanded search of its

files and release of additional documents regarding the sampling and analysis of soil and debris from the East Wing demolition.

II. DOL and NPS Should be Required to Provide “Vaughn” Indexes Justifying the Withholding of Redacted Information under FOIA Exemptions

Four pages of the DOL released documents redact names of OSHA employees under FOIA Exemption (b)(7)(C), 5 U.S.C. § 552(b)(7)(C).

Several pages of the NPS are redacted in whole or in part. NPS’s September 2026 letter to ADAO explains these redactions as follows:

- Three pages are in part being withheld under FOIA Exemption 4, 5 U.S.C. § 552(b)(4), which protects “trade secrets and commercial or financial information obtained from a person [that is] privileged or confidential.”
- Eight pages in part and twelve pages in full are being withheld under FOIA Exemption 5, 5 U.S.C. § 552(b)(5), which creates a “deliberative process privilege” for certain internal agency documents.
- Seventeen pages are being withheld in part in part under FOIA Exemption 6, 5 U.S.C. § 552(b)(6), which protects “personnel and medical files and similar files the “disclosure of which would constitute a clearly unwarranted invasion of personal privacy.”

Where documents are withheld from disclosure in whole or in part under FOIA exemptions, courts typically require a detailed document-by document description of the redacted information and explanation of the rationale for withholding. This description is often called a “Vaughn Index” in recognition of the DC Circuit’s seminal decision in *Vaughn v. Rosen*, 484 F.2d 820 (D.C. Cir. 1973). According to the DC Circuit, “[w]e have observed repeatedly that the Vaughn index is critical to effective enforcement of FOIA. Without such an index neither reviewing courts nor individuals seeking agency records can evaluate an agency's response to a request for government records.” *Founding Church of Scientology of Washington, D. C., Inc. v. Bell*, 603 F.2d 945, 947 (D.C. Cir. 1979)

To perform these functions, a *Vaughn* index must correlate each withheld document, or portion thereof, with a particular FOIA exemption. *Vaughn v. Rosen*, 484 F.2d at 827. For each document withheld, the index must “provide a relatively detailed justification, specifically identifying the reasons why a particular exemption is relevant and correlating those claims with the particular part of a withheld document to which they apply.” *Judicial Watch v. FDA*, 449 F.3d at 146 (citation omitted). The agency should “disclose as much information as possible without thwarting the exemption's purpose.” *Hall v. Dep't of Justice*, 552 F.Supp.2d 23, 27 (D.D.C.2008) (quoting *King v. Dep't of Justice*, 830 F.2d 210, 224 (D.C. Cir.1987)). “Conclusory and generalized allegations of exemptions are unacceptable.” *Morley v. CIA*, 508 F.3d 1108, 1115 (D.C.Cir.2007) (citations omitted).

The Court should require DOL and NPS to provide *Vaughn* indices meeting these requirements for all redacted information claimed to be exempt from FOIA disclosure.

III. The Court Should Direct DOI to Provide a FOIA Response In Accordance with its August 5 Order

NPS is an office within DOI, a large Department that houses multiple programs. Plaintiff submitted separate FOIA requests on November 6-7, 2025 to DOI and NPS and named both entities as defendants in its January 7, 2016 Complaint. ECF 1 ¶¶ 15, 16, 56-59. The two entities separately acknowledged receipt of ADAO's requests. In its February 9, 2026 motion, plaintiff sought partial summary judgment against both DOI and NPS individually. ECF 7. Defendants opposed summary judgment on various grounds but did not claim at that DOI had no responsibilities under FOIA separate from those of NPS. ECF 17.

In its August 5 opinion granting ADAO's motion, the Court found that “there is no dispute that defendants DOL, NPS, and DOI have failed to make the requisite ‘determinations’ within FOIA's statutory timeline” and “defendants must make ‘determinations’ on plaintiff's

requests in ten working days.” ECF 27 at 4. The accompanying Order directed that “defendants Department of Labor, Department of Interior, and National Park Service shall make determinations on plaintiff’s pending FOIA requests within 10 working days” and, 15 days after meeting this obligation, “shall file a status report indicating the proposed production timeline for plaintiff’s pending FOIA requests.” ECF 28.

However, on August 20, 2026, ADAO received a “determination” from NPS but not DOI. Attachment 3. When plaintiff’s counsel expressed concern about this omission to defendants’ counsel, she responded that:

“[T]he Department of Interior does not centrally or directly reply to FOIA requests on its own behalf. Instead, its components do so on its behalf. As you appropriately made your FOIA request to the NPS (a component of the Department), NPS appropriately made the determination on behalf of itself and the Department.”⁶

However, NPS’s determination did not indicate that it had consulted with other components of DOI or with the [Departmental FOIA Office](#), which is located within the Office of the Solicitor and helps to “coordinate high profile or multi-bureau/office request issues.” Nor did it indicate that a file search had been conducted for any DOI component other than NPS. Thus, counsel’s claim that NPS’ determination was made “on behalf of ... the Department” was without basis.

The East Wing demolition and ballroom project were high visibility issues widely covered by the media and of direct interest to President Trump. It stands to reason that DOI’s Secretary and other high-ranking officials were following these issues closely and communicating about them with both NPS and senior White House staff. It was for this very reason that plaintiff submitted separate FOIA requests to DOI and NPS. Clearly, DOI had an

⁶ August 26, 2026 email from AUSA Sian Jones to Robert Sussman, ADAO counsel.

obligation to search the files of its Secretary's Office and other units that could possess relevant records responsive to plaintiff's request.

Accordingly, the Court should enforce its order requiring a FOIA determination by DOI and again direct it to respond separately to plaintiff's FOIA request within 15 working days. If it still fails to respond, the Court should consider imposing appropriate sanctions.

CONCLUSION

The Court should grant ADAO's motion and order DOL and NPS to promptly submit declarations describing their file searches and Vaughn Indices for withheld information and further order DOI to make a FOIA determination and produce documents as required by the Court's August 5 Order. The Order should require submission of declarations and Vaughn Indexes within 15 working days and direct DOI to similarly complete its file search and "determination" within the same timeframe.

A draft order is attached.

October 14, 2026

Respectfully submitted,

/s/ Robert M. Sussman

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ATTACHMENT 1 TO PLAINTIFF'S MOTION FOR FURTHER RELIEF

**Documents Produced to Plaintiff by Defendant Department of
Labor Under FOIA**

Streets, April - OSHA

From: (b) (7)(C) - OSHA
Sent: Tuesday, November 18, 2025 2:02 PM
To: McGowan, Larry - OSHA; Kim, Jennifer M. - OSHA
Subject: RE: OSHA's Huddle Flags 11.18.25
Attachments: Referral Report_2362132_10312025111621.docx; UPA 2362132 Clark Construction Initial Ltr ER Ltr.pdf; EWM OSHA Complaint Response_Signed.pdf

It looks like the contractor is Clark Construction. **UPA# 2362132**

The Region/AO handled it by phone/fax initially but based on their diary, they are waiting to hear from the N/O on next steps.

Here's the diary sheet from OIS (below) and a copy of the referral report, complaint letter and employer response, attached.

Date	Time	Event
11-07-2025	11:19 AM	AD instructed CSHO no action until Region hears from National Office.
11-07-2025	10:53 AM	Emailed AD to determine if CSHO needs to meet with the Clark representative to review their asbestos abatement/demolition records.
11-07-2025	06:11 AM	Read email response sent on 11/06/2025 from employer.
11-06-2025	02:25 PM	Sent AAD email regarding conversation with Clark.
11-06-2025	01:50 PM	Division President provided a summary of activities that occurred leading up to the demolition of the East Wing of the White House. He stated agreements they signed they are not allowed to release any reports regarding the project. He stated he show them to OSHA in person. He stated he will be sending us a timeline of activities tomorrow in response to our request. Informed AAD who instructed CSHO to send him an email regarding this issue.
10-31-2025	12:57 PM	Employer letter emailed and OIS updated.
10-31-2025	12:28 PM	Was asked to enter as referral but generated and uploaded a complaint letter for employer as did not see a referral letter. Notified AD via phone and email, letter was uploaded to casefile.

10-31-2025	12:08 PM	One of the representatives called back and gave the contact information for the Eastern Regional Safety Director
10-31-2025	11:55 AM	Entered in system as media referral. Proceeded to call various numbers for Clark to get a contact person. Left voicemail for call back.

Thanks,

(b) (7)(C)

(b) (7)(C)

(b) (7)(C), DEP/OHE

Occupational Safety and Health Administration

U.S. Department of Labor



OSHA[®]

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION
UNITED STATES DEPARTMENT OF LABOR

From: McGowan, Larry - OSHA <McGowan.Larry@dol.gov>

Sent: Tuesday, November 18, 2025 12:31 PM

To: (b) (7)(C) - OSHA (b) (7)(C); Kim, Jennifer M. - OSHA <Kim.Jennifer.M@dol.gov>

Subject: RE: OSHA's Huddle Flags 11.18.25

Interesting... Maybe see if PHI/BWAO has anything yet on their media referral investigation of the demo contractor, ACECO?

From: (b) (7)(C) - OSHA (b) (7)(C)

Sent: Monday, November 17, 2025 2:36 PM

To: McGowan, Larry - OSHA <McGowan.Larry@dol.gov>

Cc: Kim, Jennifer M. - OSHA <Kim.Jennifer.M@dol.gov>

Subject: FW: OSHA's Huddle Flags 11.18.25

I'm sure you both have seen these emails but sharing the consolidated list I prepared (below) for OAS today. The one that caught my eye was the potential asbestos exposure in the WH demo project (<https://abcnews.go.com/US/critics-question-white-house-contractors-cut-corners-asbestos/story?id=127001299>).

Thanks,

(b) (7)(C)

(b) (7)(C)

(b) (7)(C) DEP/OHE

Occupational Safety and Health Administration

U.S. Department of Labor



OSHA[®]

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION
UNITED STATES DEPARTMENT OF LABOR

From: (b) (7)(C) OSHA

Sent: Monday, November 17, 2025 2:33 PM

To: Moon, Lillian C - OSHA <Moon.Lillian.C@dol.gov>; Asplen, Michael R - OSHA <Asplen.Michael.R@dol.gov>; Lemay, Heather - OSHA <Lemay.Heather@dol.gov>

Cc: Koroll, Kenneth - OSHA <Koroll.Kenneth@dol.gov>; Brian A. Rizzo <Rizzo.Brian.A@dol.gov>; Cline, Prentice - OSHA <Cline.Prentice@dol.gov>; (b) (7)(C) - OSHA (b) (7)(C) @dol.gov>

Subject: OSHA's Huddle Flags 11.18.25

Please find OSHA's Huddle Flag(s) for tomorrow, below.

Huddle Flag:

- 11/13/25: In Corpus Christi, Texas, an employee of a staging and rigging company fatally fell approximately 60-feet from a catwalk while trying to transfer stage current counterweights. The Corpus Christi Area Office (Dallas Region) is investigating the incident.

Here are additional items that were submitted during the shutdown:

- 11/12/25: Four workers were performing routine maintenance at a natural gas tank farm near Sidney, NE, when a valve body was dropped causing a leak and fire. Three workers survived with minor injuries, but the fourth worker succumbed to his injuries. The Omaha Area Office (Kansas City Region) is investigating the incident.
- 11/7/25: In Weatherford, OK, a worker was fatally injured after being struck-by a transportation vehicle on the worksite of an oil and gas company. The Oklahoma City Area Office (Dallas Region) is responding to the incident.
- 11/6/25: At an oil and gas site near Iraan (Crockett County), TX, a worker fell to his death, from a beam to the ground below, while guiding the horse head of a pump jack. The El Paso Area Office (Dallas Region) is responding to the incident.
- 11/4/25: At least 12 persons, including 3 flight crew members, were fatally injured in a plane crash at the Louisville International Airport in Kentucky. Initial reports indicate that the incident occurred during takeoff, which would make this either Federal Aviation Administration (FAA) or National Transportation Safety Board (NTSB) jurisdiction. The Kentucky OSHA State Plan (Birmingham Region) is monitoring the incident.
- 11/3/25: In New Orleans, LA, a crew member of a film company was preparing the site for production, when his head contacted overhead power lines and electrocuted him. The Baton Rouge Area Office (Birmingham Region) is investigating the incident.
- 10/31/25: An employee of the VA in Little Rock, AR, was found in the bathroom with a bag over his head in what the site believes is a possible suicide. The Little Rock Area Office (Birmingham Region) is investigating the fatal incident.
- 10/30/25: Open-source media reported allegations of potential asbestos exposure during demolition of the East Wing of the White House. OSHA has not confirmed any such exposure. The Baltimore-Washington Area Office (Philadelphia Region) is currently investigating these allegations with the general contractor.
- 10/24/25: A crane operating from a barge on the Mystic River in Everett, MA, collapsed, fatally injuring two workers (the crane operator and another worker). The Andover Area Office (Boston Region) is investigating the incident.
- 10/23/25: A linesman in Marion, TX, from a subcontractor of a powerline company was electrocuted while performing maintenance work on a distribution tower. The Austin Area Office (Dallas Region) is investigating.
- 10/16/25: In Swansea, MA, a worker at a therapeutic residential school that provides comprehensive treatment to youth and young adults with mental health issues, behavioral difficulties, and complex trauma histories, was fatally injured after being kicked in the chest by a teen while trying to restrain her. The Braintree Area Office (Boston Region) is investigating the incident.
- 10/13/25: Four employees were hospitalized with carbon monoxide poisoning, while using a gas-powered pressure washer inside a grocery store in Plaistow, NH. A total of 14 workers were exposed. The Concord Area Office (Boston Region) is investigating the incident.

- 10/11/25: At least 15 workers were hospitalized in Coffeyville, KS, after becoming exposed to an ammonia release at a nitrogen plant. The Wichita Area Office (Kansas City Region) is investigating the incident.
- 10/8/25: At least 5 construction contractors in Stuart, FL, were injured in an explosion while performing work on kitchen equipment at a golf club (ATOGEE Golf Club). Two of the plumbers were airlifted to Orlando regional Medical Center. The Fort Lauderdale Area Office (Atlanta Region) is investigating the incident.
- 10/7/25: OSHA received a referral from the local building department in Revere, MA, where a worker experienced a fatal fall from a roof while performing residential construction activities. OPA received a media inquiry from the local news channel, WCVB, and did not respond due to lapse in appropriations. The Braintree Area Office (Boston Region) is investigating the incident.

Thanks,

(b) (7)(C)

(b) (7)(C)

(b) (7)(C)

, DEP/OHE

Occupational Safety and Health Administration

U.S. Department of Labor



OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION
UNITED STATES DEPARTMENT OF LABOR

U.S. Department of Labor

Occupational Safety and Health Administration

Referral Report

October 31, 2025 11:16 AM

Receipt Information				
RID	UPA Number	Receipt Date	Receipt Time	Receipt Type
0316100	2362132	10/31/2025	10:54 AM	Media

Electronic Complaint Type	Electronic Complaint Number
---------------------------	-----------------------------

Establishment Name	CLARK CONSTRUCTION	Doing Business As (DBA)		
Related Inspections				
Industry & Ownership	Primary NAICS	236220 - Commercial and Institutional Building Construction	Ownership	Private Sector
Type Of Business	Commercial Construction			

Site Information					
Street Address 1:	1600 Pennsylvania Ave NW				
Street Address 2:					
County:	DISTRICT OF COLUMBIA				
City:	WASHINGTON	State:	DC	Zip:	20500
Management Official	Justin Rihn	E-Mail:	justin.rihn@clarkconstruction.com		
Phone Number:		Fax Number:			

Business Address					
Street Address 1:	1000 MASSACHUSETTS AVE. NW				
Street Address 2:					
County:	DISTRICT OF COLUMBIA				
City:	Washington	State:	DC	Zip:	20001
Country:	UNITED STATES OF AMERICA				

Mailing Address	
Street Address 1:	7500 OLD GEORGETOWN RD

Street Address 2:					
County:	MONTGOMERY				
City:	Bethesda	State:	MD	Zip:	20814
Country:	UNITED STATES OF AMERICA				

HAZARD DESCRIPTION/LOCATION. Describe briefly the hazard(s) which you believe exist. Include the approximate number of employees exposed to or threatened by each hazard. Specify the particular building or worksite where the alleged violation exists.

Employees exposed to asbestos

East Wing of the White House

Source Information			
Source Type	Media	If Other, Specify	
Source Name	Washington Post	Phone	
Source Address	UNITED STATES OF AMERICA		
Source E-mail Address			
Send Referral Results?		Reason if no UPA results sent	

Referral Actions					
Action Date	Action Type	Date Response Due	Communication Method	Type of Letter-Reason	Other – Status
10/31/2025	Contact with Employer	11/07/2025	Phone Discussion	Initiate Inquiry by Phone/Email to be followed by Letter	
10/31/2025	Valid = Y				

Referral Responses				
Date Response Received	Type Response Received	Evaluation	Evaluated By	Other

RRI Investigation Information

# Hospitalizations	# of Amputations	# of Eye Injuries	Event Date	Event Time
Has this happened before?		Is the hazard still present?		Date employer's response sufficient to close investigation

What was employee doing just before incident occurred?	
What happened?	
What was the injury or illness?	
What was the object or substance that directly harmed the employee?	

RRI Corrective Actions	
Corrective Action Keywords	
Additional Relevant Information	
Inadequate Employer Response Description	

Program Information	
National Emphasis	
Local/State-Emphasis	
State Strategic Initiatives	

Additional Codes			
Code Type	Code ID	Code Value	Code Description

U.S. Department of Labor

Occupational Safety and Health Administration
Baltimore Area Office
1099 Winterson Road
Suite 140
Linthicum, MD 21090



October 31, 2025

Justin Rihn
Clark Construction
7500 Old Georgetown Rd
Bethesda, MD 20814
justin.rihn@clarkconstruction.com

RE: OSHA Complaint No. 2362132

Dear Justin Rihn:

On October 31, 2025, the Occupational Safety and Health Administration (OSHA) received notice of alleged workplace hazard(s) at your worksite at:

1600 Pennsylvania Ave NW
Washington, DC 20500

We notified you by telephone of these alleged hazards on October 31, 2025. The specific nature of the alleged hazards is as follows:

Allegation: Employees exposed to asbestos

Location: East Wing of the White House

We have not determined whether the hazards, as alleged, exist at your workplace, and we do not intend to conduct an inspection at this time. However, because allegations of violations and/or hazards have been made, we request that you immediately investigate the alleged conditions and make any necessary corrections or modifications. Please advise me in writing, no later than **November 7, 2025**, of the results of your investigation. You must provide supporting documentation of your findings. This includes any applicable measurements or monitoring results; photographs/video that you believe would be helpful; and a description of any corrective action you have taken or are in the process of taking, including documentation of the corrected condition. Please feel free to contact the office at (410) 865-2055 if you have any questions or concerns.

This letter is not a citation or a notification of proposed penalty which, according to the Occupational Safety and Health Act, may be issued only after an inspection or investigation of the workplace. It is our goal to ensure that hazards are promptly identified and eliminated. Please take immediate corrective action where needed. **If we do not receive a response from you by November 7, 2025, indicating that appropriate action has been taken or that no hazard exists and why, an OSHA inspection will be conducted.** An inspection may include a review of the following: injury and illness records, hazard communication, personal protective equipment,

emergency action or response, bloodborne pathogens, confined space entry, lockout/tagout, and related safety and health issues.

Please also be aware that OSHA conducts random inspections to verify that corrective actions asserted by the employer have actually been taken.

If you need assistance in resolving the issues alleged in this complaint, you may contact the OSHA on-site consultation service. This program offers free and confidential assistance to small and medium-sized businesses in all states across the country, with priority given to high-hazard worksites. If necessary, a consultant will visit your workplace and assess the validity of the complaint item(s). In addition, you will be provided with methods of correcting the hazard, where applicable. To discuss or request these services, contact the consultation project in your respective state. The addresses and telephone numbers may be found by entering your state in the form at the OSHA Consultation Directory website:

[OSHA's Consultation Directory \(Text Version\) | Occupational Safety and Health Administration](#)

You are requested to post a copy of this letter where it will be readily accessible for review by all of your employees, and to return a copy of the signed Certificate of Posting (Attachment A) to this office. In addition, you are requested to provide a copy of this letter and your response to a representative of any recognized employee union or safety committee that exist at your facility. Failure to do this may result in an on-site inspection. The complainant has been furnished a copy of this letter and will be advised of your response. Section 11(c) of the Occupational Safety and Health Act provides protection for employees against discrimination because of their involvement in protected safety and health activity.

If you have any questions regarding this matter, please contact our office. The contact information is listed on the first page of this document. Your interest in the safety and health of your employees is appreciated.

Sincerely,



Nadira Janack
Area Director

Attachment A

**CERTIFICATE OF POSTING
OSHA NOTIFICATION OF ALLEGED HAZARD(S)**

Employer Name: Clark Construction
Complaint Number: 2362132

Date of Posting: _____

Date Copy Given to an Employee Representative: _____

On behalf of the employer, I certify that a copy of the complaint letter received from the Occupational Safety and Health Administration (OSHA) was posted in a place where it is readily accessible for review by all employees, or near such location where the violation occurred, and such notice has been given to each authorized representative of affected employees, if any. This notice was or will be posted for a minimum of ten (10) days or until the hazardous conditions referenced in the letter are corrected.

Signature

Title

Employer/Establishment name



November 6, 2025

Nadira Janack
Compliance Safety and Health Officer
Occupational Safety and Health Administration
U.S. Department of Labor
1099 Winterson Road Suite 140
Linthicum, MD 21090

RE: OSHA Complaint No 2362132

Dear Ms. Janack,

This letter is in response to OSHA Complaint No. 2362132 sent to Clark Construction Group on October 31, 2025. We investigated the complaint regarding potential employee exposure to asbestos hazards noted in your letter and found that no hazard exists. Specifically, we found:

- In September 2025, AECOM (the engineering firm on the project) conducted an environmental assessment of all areas requiring demolition.
- The removal of asbestos-containing material was contracted to Potomac Abatement.
- Potomac Abatement submitted and followed a site-specific asbestos removal plan for all areas with asbestos-containing materials (ACM) identified in the AECOM environmental assessment.
 - Potomac Abatement's plan outlined their means, methods and exposure control measures, including, but not limited to, barriers, engineering controls, Personal Protective Equipment (PPE), and required training for workers and supervisors. The plan was designed to protect any workers engaged in abatement, as well as protect and prohibit access to workers not involved in the abatement operation.
- Potomac's abatement operations were overseen by a third-party Industrial Hygienist, Advanced Environmental Consultants (AEC), which performed all required air monitoring and sampling of work areas before, during, and after the ACM removal took place.
- AEC provided a final clearance report to Clark Construction on October 29, 2025, confirming that all work was performed with safe and compliant methods and worker protection in place, and that all airborne asbestos samples were in compliance with applicable standards.
- AEC's report concluded that all areas and materials identified in the AECOM Environmental report were abated by Potomac Abatement, had been sampled, and the samples showed that all ACM had been removed in those areas to levels compliant with applicable regulations.
 - The Report includes a Daily Activity Log and Phase Contrast Microscopy (PCM) Analytical Results.
 - This work was performed between September 24, 2025 and October 17, 2025, prior to the above-grade demolition work commencing on October 20, 2025.

In light of the above findings, our understanding is that no posting of the allegation is required.

We are happy to meet so you have an opportunity to review the documentation referenced above.

Sincerely,

A handwritten signature in cursive script that reads "Justin Rihn".

Justin Rihn CSP, CHST
Regional Safety Director
Clark Construction Group

ATTACHMENT 2 TO PLAINTIFF'S MOTION FOR FURTHER RELIEF

**Documents Produced to Plaintiff by Defendant National Park
Service Under FOIA**

From: "Stidham, Tammy" <Tammy_Stidham@nps.gov>

To: "Wagman, Nick" <nicholas_wagman@nps.gov>, "Stanwich, John" <John_Stanwich@nps.gov>

Subject: Fw: [EXTERNAL] White House project

Date: Wed, 22 Oct 2025 19:37:36 -0000

Importance: Normal

Tammy Stidham

Associate Regional Director- Lands and Planning
National Park Service
1100 Ohio Drive SW
Washington, DC 20242
voice- (202)619-7474
mobile- (202)438-0028
tammy_stidham@nps.gov

From: Upchurch, Meredith (DOEE) <meredith.upchurch1@dc.gov>

Sent: Wednesday, October 22, 2025 1:55 PM

To: Stidham, Tammy <Tammy_Stidham@nps.gov>

Subject: [EXTERNAL] White House project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Hi Tammy-

I'm following up on my phone message. DOEE is looking for a contact who is managing the white house demolition and construction project. Is NPS managing the project? We want to discuss the environmental processes and permitting that should be occurring on the project. There are several environmental items of concern, such as erosion sediment control, stormwater management, lead based paint, air quality, and the most urgent and concerning is potential asbestos that may be part of the demolition. We would like to put the construction team in touch with the DOEE experts to ensure safety of the workers.

Thanks for any help you can provide,
Meredith

Meredith Upchurch, PE, ASLA
Associate Director
Regulatory Review Division
Department of Energy & Environment
Government of the District of Columbia
1200 First Street NE, 5th Floor
Washington, DC 20002
Phone: (202) 535-2248

Cell: (b) (6)

Web: <http://doee.dc.gov>

From: "Stidham, Tammy" <Tammy_Stidham@nps.gov>

To: "Nersesian, Jen T" <Jen_Nersesian@nps.gov>

Subject: Fw: [EXTERNAL] White House project

Date: Wed, 22 Oct 2025 18:22:20 +0000

Importance: Normal

Tammy Stidham

Associate Regional Director- Lands and Planning
National Park Service
1100 Ohio Drive SW
Washington, DC 20242
voice- (202)619-7474
mobile- (202)438-0028
tammy_stidham@nps.gov

From: Upchurch, Meredith (DOEE) <meredith.upchurch1@dc.gov>

Sent: Wednesday, October 22, 2025 1:55 PM

To: Stidham, Tammy <Tammy_Stidham@nps.gov>

Subject: [EXTERNAL] White House project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Hi Tammy-

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Thanks for any help you can provide,
Meredith

Meredith Upchurch, PE, ASLA
Associate Director
Regulatory Review Division
Department of Energy & Environment
Government of the District of Columbia
1200 First Street NE, 5th Floor
Washington, DC 20002
Phone: (202) 535-2248
Cell: (b) (6)

Web: <http://doee.dc.gov>

From: "Mohler, Matthew J" <matthew_mohler@nps.gov>

To: "Brown, Jayne (DOEE)" <jayne.brown@dc.gov>, "Yetter, Ryan E" <ryan_yetter@nps.gov>, "Copenhaver, Dan" <Daniel_Copenhaver@nps.gov>

Cc: "Upchurch, Meredith (DOEE)" <meredith.upchurch1@dc.gov>, "Gonzalez, Pablo (DOEE)" <pablo.gonzalez@dc.gov>, "Woldeyesus, Kokob (DOEE)" <Kokob.Woldeyesus@dc.gov>, "Palmer, Cameron (DOEE)" <cameron.palmer@dc.gov>, "Bautista, Julianne (DOEE)" <julienne.bautista@dc.gov>, "Watkins, Matt (DOEE)" <matt.watkins@dc.gov>

Subject: Re: [EXTERNAL] East Potomac Park Stockpile DOEE-NPS Coordination

Date: Mon, 27 Oct 2025 15:56:50 +0000

Importance: Normal

Inline-Images: image001.png; image002.png; image003.png

Good morning Jayne,

The NPS really does not have any oversight on this hauling other than finding a location to put it and trying to follow the proper environmental permitting to the best of our ability with the short notice we were given.

We were told some of the material was being taken to DC materials in n Maryland as I noted previously but I do not have any more details than that.

You could reach out to (b) (6), the PM with Clark, or I know Pablo noted he had worked with (b) (6) from Strittmatter previously and they may be able to provide more insight.

Sorry I'm not able to be more help.
Matt

Get [Outlook for iOS](#)

From: Brown, Jayne (DOEE) <jayne.brown@dc.gov>

Sent: Monday, October 27, 2025 10:41:41 AM

To: Mohler, Matthew J <matthew_mohler@nps.gov>; Yetter, Ryan E <ryan_yetter@nps.gov>; Copenhaver, Dan <Daniel_Copenhaver@nps.gov>

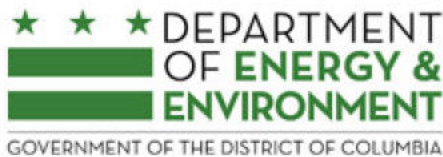
Cc: Upchurch, Meredith (DOEE) <meredith.upchurch1@dc.gov>; Gonzalez, Pablo (DOEE) <pablo.gonzalez@dc.gov>; Woldeyesus, Kokob (DOEE) <Kokob.Woldeyesus@dc.gov>; Palmer, Cameron (DOEE) <cameron.palmer@dc.gov>; Bautista, Julianne (DOEE) <julienne.bautista@dc.gov>; Watkins, Matt (DOEE) <matt.watkins@dc.gov>

Subject: RE: [EXTERNAL] East Potomac Park Stockpile DOEE-NPS Coordination

Hi Matt,

Quick follow up from last week. Is NPS involved at all in the movement of construction debris from the White House to the Strittmatter site(s)? Do you know where that location is or have any contacts with that side of the construction project?

Thanks,



JAYNE BROWN

Associate Director, Inspection and Enforcement

Department of Energy and Environment

1200 First Street NE, 6th Floor

Washington DC, 20002

Mobile: (b) (6)

jayne.brown@dc.gov

green.dc.gov

From: Mohler, Matthew J <matthew_mohler@nps.gov>

Sent: Tuesday, October 21, 2025 11:02 AM

To: Upchurch, Meredith (DOEE) <meredith.upchurch1@dc.gov>; Gonzalez, Pablo (DOEE) <pablo.gonzalez@dc.gov>; Woldeyesus, Kokob (DOEE) <Kokob.Woldeyesus@dc.gov>; Palmer, Cameron (DOEE) <cameron.palmer@dc.gov>; Brown, Jayne (DOEE) <jayne.brown@dc.gov>; Bautista, Julianne (DOEE) <julienne.bautista@dc.gov>; Watkins, Matt (DOEE) <matt.watkins@dc.gov>

Cc: Copenhagen, Dan <Daniel_Copenhagen@nps.gov>; Yetter, Ryan E <ryan_yetter@nps.gov>

Subject: Re: [EXTERNAL] East Potomac Park Stockpile DOEE-NPS Coordination

CAUTION: This email originated from outside of the DC Government. Do not click on links or open attachments unless you recognize the sender and know that the content is safe. If you believe that this email is suspicious, please forward to phishing@dc.gov for additional analysis by OCTO Security Operations Center (SOC).

Hi Meredith,

The NPS shared your concern about the debris as well. We have been assured there will be no construction debris coming to the site. All of construction debris is going to DC Materials (Strittmatter site), especially concrete debris they can recycle.

Everything being brought to the stockpile will be all soil and backfill material. A lot of the backfill material is CR-6 and it is being separated to be used as a turnaround within the stockpile site and will be used to repair the access road as needed.

I am out on site today. Let me know if you have any other questions.

Thanks,
Matt

From: Upchurch, Meredith (DOEE) <meredith.upchurch1@dc.gov>

Sent: Tuesday, October 21, 2025 9:27 AM

To: Mohler, Matthew J <matthew_mohler@nps.gov>; Gonzalez, Pablo (DOEE) <pablo.gonzalez@dc.gov>; Woldeyesus, Kokob (DOEE) <Kokob.Woldeyesus@dc.gov>; Palmer, Cameron (DOEE) <cameron.palmer@dc.gov>; Brown, Jayne (DOEE) <jayne.brown@dc.gov>; Bautista, Julianne (DOEE) <julienne.bautista@dc.gov>; Watkins, Matt (DOEE) <matt.watkins@dc.gov>

Cc: Copenhagen, Dan <Daniel_Copenhagen@nps.gov>; Yetter, Ryan E <ryan_yetter@nps.gov>

Subject: RE: [EXTERNAL] East Potomac Park Stockpile DOEE-NPS Coordination

Hi Matt & NPS team –

We've seen the demolition photos from White House and are concerned about building debris being brought to the stockpile. Is the contractor separating building debris from soil excavation and ensuring no building material will be part of the stockpile. We are especially concerned about other building debris contamination, including asbestos.

Thanks, Meredith

Meredith Upchurch, PE, ASLA
Associate Director
Regulatory Review Division
Department of Energy & Environment
Government of the District of Columbia
1200 First Street NE, 5th Floor
Washington, DC 20002
Phone: (202) 535-2248
Cell: (b) (6)
Web: <http://doee.dc.gov>

From: Mohler, Matthew J <matthew_mohler@nps.gov>
Sent: Monday, October 20, 2025 11:20 AM
To: Gonzalez, Pablo (DOEE) <pablo.gonzalez@dc.gov>; Upchurch, Meredith (DOEE) <meredith.upchurch1@dc.gov>; Tan, Mark (DOEE) <mark.tan@dc.gov>; Woldeyesus, Kokob (DOEE) <Kokob.Woldeyesus@dc.gov>; Palmer, Cameron (DOEE) <cameron.palmer@dc.gov>
Cc: Copenhagen, Dan <Daniel_Copenhagen@nps.gov>; Yetter, Ryan E <ryan_yetter@nps.gov>
Subject: Re: [EXTERNAL] East Potomac Park Stockpile DOEE-NPS Coordination

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Good morning Pablo,
That will be fine. I will see you there.

Also, I need to make a correction to my previous message. Dan's correct cell phone is (b) (6). I had the last 4 numbers incorrect.

Finally, (b) (6) is Site Superintendent for Clark Construction. His phone number is (b) (6).

Matthew J. Mohler, P.E.
LRF Coordinator
Facilities, Design and Construction
National Capital Region
302 E. Main Street, Sharpsburg, MD 21782-1727
202-674-3845 (mobile)



From: Gonzalez, Pablo (DOEE) <pablo.gonzalez@dc.gov>
Sent: Monday, October 20, 2025 10:27 AM
To: Mohler, Matthew J <matthew_mohler@nps.gov>; Upchurch, Meredith (DOEE) <meredith.upchurch1@dc.gov>; Tan, Mark (DOEE) <mark.tan@dc.gov>; Woldeyesus, Kokob (DOEE) <Kokob.Woldeyesus@dc.gov>; Palmer, Cameron (DOEE) <cameron.palmer@dc.gov>
Cc: Copenhagen, Dan <Daniel_Copenhagen@nps.gov>; Yetter, Ryan E <ryan_yetter@nps.gov>
Subject: RE: [EXTERNAL] East Potomac Park Stockpile DOEE-NPS Coordination

Good morning Matthew,

On Tuesday October 21, 2025, we can meet at East Potomac Park between 9:30 – 10:00 AM. Let me know if this time is good for you.

Thanks,

Pablo A. Gonzalez
Environmental Engineer



Government of the District of Columbia
Inspection and Enforcement Division
Construction Stormwater Branch
1200 First St., NE 6th Floor 629-H
Washington, DC 20002

(b) (6) Direct

Email: Pablo.Gonzalez@dc.gov

<http://green.dc.gov>

From: Mohler, Matthew J <matthew_mohler@nps.gov>

Sent: Saturday, October 18, 2025 7:35 AM

To: Upchurch, Meredith (DOEE) <meredith.upchurch1@dc.gov>; Gonzalez, Pablo (DOEE) <pablo.gonzalez@dc.gov>; Tan, Mark (DOEE) <mark.tan@dc.gov>; Woldeyesus, Kokob (DOEE) <Kokob.Woldeyesus@dc.gov>; Palmer, Cameron (DOEE) <cameron.palmer@dc.gov>

Cc: Copenhaver, Dan <Daniel_Copenhaver@nps.gov>; Yetter, Ryan E <ryan_yetter@nps.gov>

Subject: [EXTERNAL] East Potomac Park Stockpile DOEE-NPS Coordination

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You don't often get email from matthew_mohler@nps.gov. [Learn why this is important](#)

Good morning DOEE team,

Thank you again for meeting and discussing the project at east Potomac Park on short notice.

I wanted to let you know that I will be the primary point of contact for NPS. My cell phone number is 202-674-3845. The alternate contact for the NPS will be Dan Copenhaver (copied on this email). His number is (b) (6).

Dan will likely be on site Monday and I am planning to be there Tuesday and would be happy to meet with Pablo to when he goes on site. Please let me know what time you plan to arrive and I will meet you there.

Due to the current government shutdown, we will likely be doing on site inspection by committee, but Dan and I are happy to coordinate any access for visits.

The primary POC for the contractor is (b) (6) from Clark Construction. I will provide his contact info on Monday. We will let him know DOEE plans to be on site Tuesday and can ask that he or one of his representatives be available to meet as a brief kickoff meeting once we know what time to plan for.

NPS will continue working on the ESC plans and we hope to submit to the SGS system by COB Wednesday, 10/22. We will include notes and recommendations from our discussions yesterday.

Thank you again for your time and please do not hesitate to reach out if you have any questions or concerns.

Thanks,
Matt

Matthew Mohler, PE
NPS - NCR LRF coordinator
Cell: 202-674-3845

From: Upchurch, Meredith (DOEE)
Sent: Friday, October 17, 2025 12:34:48 PM
To: Upchurch, Meredith (DOEE) <meredith.upchurch1@dc.gov>; Gonzalez, Pablo (DOEE) <pablo.gonzalez@dc.gov>; Mohler, Matthew J <matthew_mohler@nps.gov>; Tan, Mark (DOEE) <mark.tan@dc.gov>; Woldeyesus, Kokob (DOEE) <Kokob.Woldeyesus@dc.gov>; Palmer, Cameron (DOEE) <cameron.palmer@dc.gov>
Subject: [EXTERNAL] East Potomac Park Stockpile DOEE-NPS Coordination
When: Friday, October 17, 2025 1:00 PM-1:30 PM.
Where: Microsoft Teams Meeting; Room 674

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Tenant key: (b) (6)

Video ID: (b) (6)

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[Org help](#)

To: "Caldwell, Michael A" <Mike_Caldwell@nps.gov>, "Fondriest, Elisabeth" <elisabeth_fondriest@nps.gov>, "Hoaglund, Jordan W" <jordan_hoaglund@nps.gov>
Cc: "Barron, Bethany A" <Bethany_Barron@nps.gov>, "Bergsma, Karen" <Karen_Bergsma@nps.gov>

Subject: RE: Update by 11 am today if possible --- Re: EWM-East Potomac Golf Course and ECCB (Jacobs) Tech Support Contract

Date: Mon, 17 Nov 2025 16:14:29 -0000

Importance: Normal

Embedded: unnamed; unnamed(1)

Mike,

Apologies for the delay in providing this update. Last week included unexpected (and daily) changes regarding preparation of the Stormwater Pollution Prevention Plan (SWPPP) for the golf course and I was hoping to (b) (5)

I believe (b) (5) I've broken down updates into the following three categories (as best I could): the EWM-Golf Course Project, ECCB Jacobs Tech Support Contract (as if pertains to lost projects due to redirected funding), and Cleanup Program Concerns.

EWM-Golf Course Project

- Approximately 4500 to 5000 cubic yards of material (including material to construct the haul road was imported between 10/18 and 11/13).
- NPS is only supposed to be received soil, no demolition debris. Several trucks have been turned back due to debris. Debris, such as pipes, metal cables, and concrete continue to be "picked out" after imported material is spread.
- NPS has requested a copy of the Hazardous Materials Survey Report from Clark and been denied a copy. However, NPS can view a copy of the report at the White House (Moss is supposed to do this, I believe today).
- Jacobs began on-site monitoring of trucks and sample collection on 10/28. Prior monitoring of trucks was completed by NPS volunteers.
- Jacobs has collected 10 baseline samples, 14 stockpile samples, and 3 haul road material samples as of 11/12.
- Based on the pace of import of material (est. at ~300 cy/day) and the total volume of material to be imported (30,000 cy), the stockpile sampling is being slowed down and additional weeks of Jacobs monitoring will be needed. My current forecasting shows that (b) (5)
- The estimated level of effort on the tech support contract for Jacobs monitoring and sampling was (b) (5) (see estimated costs as of 11/10 and current contract burn rate in attached email)
- EPA Division of Water personnel began visiting the golf course after receiving a complaint from the DC Division of Energy and Environment that there was no General Construction Permit (GCP) or SWPPP filed for the Site.
- A misunderstanding between DOI/Clarke/NPS regarding the SWPPP was resolved on 11/10 with NPS taking full responsibility/control for the GCP and SWPP including completing all mitigations, monitoring, and reporting.
- NCR Regional Staff are preparing (b) (5)

Non-Responsive

Non-Responsive

Preferably by 11 am.

(b) (5)

(b) (5)

Thx

Mike Caldwell

National Park Service

Associate Director - [Park Planning, Facilities and Lands](#)

1849 C Street; Room 3329

Washington, DC 20240

[202-308-2652](tel:202-308-2652) (cell)

[202-354-1836](tel:202-354-1836) (direct)

Available daily (M-F) from 6:15 am to 4:15 pm ET

From: Phillippe, Jennifer E <jennifer_phillippe@nps.gov>

Sent: Friday, October 24, 2025 5:58 PM

To: Fondriest, Elisabeth <elisabeth_fondriest@nps.gov>; Hoaglund, Jordan W <jordan_hoaglund@nps.gov>

Cc: Barron, Bethany A <Bethany_Barron@nps.gov>; Caldwell, Michael A <Mike_Caldwell@nps.gov>

Subject: EWM-East Potomac Golf Course and ECCB (Jacobs) Tech Support Contract

Elisabeth,

Non-Responsive

Non-Responsive



Let me know if you need additional information.

Thanks!

Jenny

Jennifer Phillippe, LPG (she/her)
Contaminated Sites Project Manager
U.S. National Park Service
Environmental Compliance and Cleanup Branch (ECCB) - WASO

Jennifer_Phillippe@nps.gov

From: "Phillippe, Jennifer E" <jennifer_phillippe@nps.gov>

To: "Caldwell, Michael A" <Mike_Caldwell@nps.gov>, "Fondriest, Elisabeth" <elisabeth_fondriest@nps.gov>, "Hoaglund, Jordan W" <jordan_hoaglund@nps.gov>

Cc: "Barron, Bethany A" <Bethany_Barron@nps.gov>, "Bergsma, Karen" <Karen_Bergsma@nps.gov>

Subject: RE: Update by 11 am today if possible --- Re: EWM-East Potomac Golf Course and ECCB (Jacobs) Tech Support Contract

Date: Mon, 17 Nov 2025 17:00:13 -0000

Importance: Normal

Embedded: unnamed; unnamed(1)

Mike,

Apologies for the delay in providing this update. Last week included unexpected (and daily) changes regarding preparation of the Stormwater Pollution Prevention Plan (SWPPP) for the golf course and I was hoping to (b) (5)

I believe (b) (5) I've broken down updates into the following three categories (as best I could): the EWM-Golf Course Project, ECCB Jacobs Tech Support Contract (as if pertains to lost projects due to redirected funding), and Cleanup Program Concerns.

EWM-Golf Course Project

- Approximately 4500 to 5000 cubic yards of material (including material to construct the haul road was imported between 10/18 and 11/13).
- NPS is only supposed to be received soil, no demolition debris. Several trucks have been turned back due to debris. Debris, such as pipes, metal cables, and concrete continue to be "picked out" after imported material is spread.
- NPS has requested a copy of the Hazardous Materials Survey Report from Clark and been denied a copy. However, NPS can view a copy of the report at the White House (Moss is supposed to do this, I believe today).
- We did run an asbestos sample on a piece of pipe that was suspected to contain asbestos and it came back negative.
- Jacobs began on-site monitoring of trucks and sample collection on 10/28. Prior monitoring of trucks was completed by NPS volunteers.
- Jacobs has collected 10 baseline samples, 14 stockpile samples, and 3 haul road material samples as of 11/12.
- Based on the pace of import of material (est. at ~300 cy/day) and the total volume of material to be imported (30,000 cy), the stockpile sampling is being slowed down and additional weeks of Jacobs monitoring will be needed. My current forecasting shows that (b) (5)
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- A misunderstanding between DOI/Clarke/NPS regarding the SWPPP was resolved on 11/10 with NPS taking full responsibility/control for the GCP and SWPP including completing all mitigations, monitoring, and reporting.

ECCB Jacobs Tech Support Contract

Non-Responsive

[illegible]

Cleanup Program Concerns

Non-Responsive

- **Prevalence:** The proportion of individuals in a population who have a disease at a specific point in time.
- **Incidence:** The number of new cases of a disease occurring in a population during a specific time period.

• Non-Responsive

Again, apologies for the slow response. Please let me know if you need more information on anything. I'll put a calendar reminder to provide a weekly update (so it's not so long, but no guarantees). I can also set up a short meeting at some frequency if that's more convenient. Just let me know. We have our regular project meetings of Fridays with Jacobs.

Thanks!

Jenny

Jennifer Phillippe, LPG (she/her)
Contaminated Sites Project Manager
U.S. National Park Service
Environmental Compliance and Cleanup Branch (ECCB) - WASO
Jennifer_Phillippe@nps.gov

From: Caldwell, Michael A <Mike_Caldwell@nps.gov>
Sent: Monday, November 17, 2025 3:40 AM
To: Phillippe, Jennifer E <jennifer_phillippe@nps.gov>; Fondriest, Elisabeth <elisabeth_fondriest@nps.gov>; Hoaglund, Jordan W <jordan_hoaglund@nps.gov>
Cc: Barron, Bethany A <Bethany_Barron@nps.gov>; Bergsma, Karen <Karen_Bergsma@nps.gov>
Subject: Update by 11 am today if possible --- Re: EWM-East Potomac Golf Course and ECCB (Jacobs) Tech Support Contract

Can I get an update on this today

Preferably by 11 am.

(b) (5)

(b) (5)

Thx

Mike Caldwell
National Park Service
Associate Director - [Park Planning, Facilities and Lands](#)
1849 C Street; Room 3329
Washington, DC 20240

[202-308-2652](tel:202-308-2652) (cell)
[202-354-1836](tel:202-354-1836) (direct)

Available daily (M-F) from 6:15 am to 4:15 pm ET

From: Phillippe, Jennifer E <jennifer_phillippe@nps.gov>

Sent: Friday, October 24, 2025 5:58 PM

To: Fondriest, Elisabeth <elisabeth_fondriest@nps.gov>; Hoaglund, Jordan W <jordan_hoaglund@nps.gov>

Cc: Barron, Bethany A <Bethany_Barron@nps.gov>; Caldwell, Michael A <Mike_Caldwell@nps.gov>

Subject: EWM-East Potomac Golf Course and ECCB (Jacobs) Tech Support Contract

Elisabeth,

Non-Responsive



Non-Responsive



Let me know if you need additional information.

Thanks!

Jenny

Jennifer Phillippe, LPG (she/her)
Contaminated Sites Project Manager
U.S. National Park Service
Environmental Compliance and Cleanup Branch (ECCB) - WASO
Jennifer_Phillippe@nps.gov

From: "Upchurch, Meredith (DOEE)" <meredith.upchurch1@dc.gov>

To: "Stidham, Tammy" <Tammy_Stidham@nps.gov>

Subject: RE: [EXTERNAL] White House project

Date: Wed, 22 Oct 2025 20:12:22 +0000

Importance: Normal

Thanks for the quick response Tammy. I appreciate that information.

Meredith Upchurch, PE, ASLA
Associate Director
Regulatory Review Division
Department of Energy & Environment
Government of the District of Columbia
1200 First Street NE, 5th Floor
Washington, DC 20002
Phone: (202) 535-2248
Cell: (b) (6)
Web: <http://doee.dc.gov>

From: Stidham, Tammy <Tammy_Stidham@nps.gov>

Sent: Wednesday, October 22, 2025 3:39 PM

To: Upchurch, Meredith (DOEE) <meredith.upchurch1@dc.gov>

Subject: Re: [EXTERNAL] White House project

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Meredith

NPS is not managing the project let me get you an appropriate contract.

I will circle back as soon as I can n

Tammy

Tammy Stidham

Associate Regional Director- Lands and Planning
National Park Service
1100 Ohio Drive SW
Washington, DC 20242
voice- (202)619-7474
mobile- (202)438-0028
tammy_stidham@nps.gov

From: Upchurch, Meredith (DOEE) <meredith.upchurch1@dc.gov>

Sent: Wednesday, October 22, 2025 1:55 PM

To: Stidham, Tammy <Tammy_Stidham@nps.gov>

Subject: [EXTERNAL] White House project

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Hi Tammy-

I'm following up on my phone message. DOEE is looking for a contact who is managing the white house demolition and construction project. Is NPS managing the project? We want to discuss the environmental processes and permitting that should be occurring on the project. There are several environmental items of concern, such as erosion sediment control, stormwater management, lead based paint, air quality, and the most urgent and concerning is potential asbestos that may be part of the demolition. We would like to put the construction team in touch with the DOEE experts to ensure safety of the workers.

Thanks for any help you can provide,
Meredith

Meredith Upchurch, PE, ASLA
Associate Director
Regulatory Review Division
Department of Energy & Environment
Government of the District of Columbia
1200 First Street NE, 5th Floor
Washington, DC 20002
Phone: (202) 535-2248
Cell: (b) (6)
Web: <http://doee.dc.gov>

"Trusso, Anthony G" <Anthony_Trusso@nps.gov> 10/27/2025 6:58 PM

Hi John, we had a call come in over at NAMA from a (b) (6) from Virginia Beach. She said she and about 150 senior citizens from Virginia Beach were in town for a march recently and were concerned with asbestos at the White House. She said she is working with Senator Warner's office and was inquiring about any information related to permits or soil monitoring being done. Was told to forward her information to you.

(b) (6)

(b) (6)

Email: (b) (6)

From: "Stanwich, John" <John_Stanwich@nps.gov>

To: "Porsia, Sara C" <sara.porsia@sol.doi.gov>

Subject: Fw: [EXTERNAL] East Wing Modernization Project

Date: Mon, 15 Dec 2025 19:34:55 -0000

Importance: Normal

John Stanwich
National Park Service Liaison to the White House
voice: (202) 219-0322
cell: (202) 438-1200

From: Martin, Heather D. EOP/OA (b) (6)
Sent: Monday, December 15, 2025 2:34 PM
To: Stanwich, John <John_Stanwich@nps.gov>
Cc: Fisher, Joshua EOP/WHO (b) (6); Hunter, Caroline C. EOP/OA (b) (6); Porsia, Sara C <sara.porsia@sol.doi.gov>
Subject: RE: [EXTERNAL] East Wing Modernization Project

Hi John, I also wanted to clarify that abatement activities related to certain hazardous materials within the facility were performed during the months of September and October, and structural demolition commenced on October 20, 2025. Additionally, (b) (5)

[REDACTED]

From: Stanwich, John <John_Stanwich@nps.gov>
Sent: Monday, December 15, 2025 1:08 PM
To: Martin, Heather D. EOP/OA (b) (6)
Cc: Fisher, Joshua EOP/WHO (b) (6)
Subject: Re: [EXTERNAL] East Wing Modernization Project

Heather:

Thank you for the advisement. I appreciate the information.

Best regards,
John

John Stanwich
National Park Service Liaison to the White House
voice: (202) 219-0322
cell: (202) 438-1200

From: Martin, Heather D. EOP/OA (b) (6)
Sent: Monday, December 15, 2025 12:46 PM
To: Stanwich, John <John.Stanwich@nps.gov>
Cc: Fisher, Joshua EOP/WHO (b) (6)
Subject: [EXTERNAL] East Wing Modernization Project

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Good afternoon John, just for your information The Executive Office of the President intends to (b) (5)
(b) (5) It is my understanding that (b) (5)

Heather Martin
(b) (6)

From: "Wagman, Nick" <nicholas_wagman@nps.gov>

To: "Gibbons, Jack P" <jack_gibbons@nps.gov>, "Lazenby, Victoria R" <victoria_lazenby@nps.gov>, "Tyler, Rachel E" <rachel_tyler@nps.gov>, "Stanwich, John" <John_Stanwich@nps.gov>, "Boyle, Jaime L" <Jaime_Boyle@nps.gov>

Subject: Fw: [EXTERNAL] EWM - Look-Ahead Schedule 10/6/2025

Date: Fri, 3 Oct 2025 18:47:44 +0000

Importance: Normal

Attachments: EWM_Summary_Tracking_-_10-06-25.pdf

Respectfully,
Nick

Nick Wagman, P.E.
Director, Design & Construction
The White House and President's Park
1849 C Street NW, Rm 1426
Washington, DC 20240
cell: (202) 680-2114

From: (b) (4)

Sent: Friday, October 3, 2025 1:30 PM

To: Zakaria, Hannah EOP/WHO (b) (6); steven.paska_contact <steven.paska@ussd.dhs.gov>; Hamrick, Geoffrey W. CIV WHMO/HQ (b) (6); External (b) (6) - Craig G. Mauss (b) (6); andrew.koffarnus.ussd_contact <andrew.koffarnus@ussd.dhs.gov>; Thapar, Zachary R. EOP/WHO (b) (6); BLAKE RAABE (UDW) <braabe@ussd.dhs.gov>; TRobinson_contact (b) (6); (b) (6); McKone, Jack EOP/WHO (b) (6); (b) (4); (b) (4); (b) (4); Wagman, Nick <nicholas_wagman@nps.gov>; Mahon, Nicholas A. CTR WHMO/HQ (b) (6); (b) (4); (b) (6); (b) (4); (b) (4)

Subject: [EXTERNAL] EWM - Look-Ahead Schedule 10/6/2025

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Below please see attached PDF of the look ahead schedule for your reference and highlighted a few key items.

- C12 Booth relocation (b) (4)
- Soft booth (b) (4)
- East Tradesmen fencing (b) (4)
- South half of new Duct bank (b) (4)
- Exterior Demo of windows (b) (4)
- Abatement crews (b) (4)

Please let me know if you have any questions or concerns.

--

Thanks

(b) (4)

CLARK CONSTRUCTION GROUP, LLC

7500 Old Georgetown Road | Bethesda MD | 20814

Mobile (b) (4)

www.clarkconstruction.com

Job Name: EWM Enabling Schedule																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																					
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From: "Stanwich, John" <John_Stanwich@nps.gov>

To: "Stanwich, John J. EOP/Exec-Res" (b) (6)

Subject: Communication

Date: Thu, 23 Oct 2025 19:17:28 -0000

Importance: Normal

Attachments: DOEE_Message_-_10-23-2025.docx

John Stanwich

National Park Service Liaison to the White House

voice: (202) 219-0322

cell: (202) 438-1200

I'm following up on my phone message. DOEE is looking for a contact who is managing the white house demolition and construction project. Is NPS managing the project? We want to discuss the environmental processes and permitting that should be occurring on the project. There are several environmental items of concern, such as erosion sediment control, stormwater management, lead based paint, air quality, and the most urgent and concerning is potential asbestos that may be part of the demolition. We would like to put the construction team in touch with the DOEE experts to ensure safety of the workers.

Thanks for any help you can provide,

Meredith

Meredith Upchurch, PE, ASLA

Associate Director

Regulatory Review Division

Department of Energy & Environment

Government of the District of Columbia

1200 First Street NE, 5th Floor

Washington, DC 20002

Phone: (202) 535-2248

Cell: (b) (6)

Web: <http://doee.dc.gov>

From: "Wagman, Nick" <nicholas_wagman@nps.gov>

To: "Clark, Ed W" <Ed_W_Clark@nps.gov>

Cc: "Nersesian, Jen T" <Jen_Nersesian@nps.gov>, "Stanwich, John" <John_Stanwich@nps.gov>

Subject: Materials for Tomorrow's Ballroom Meeting

Date: Wed, 22 Oct 2025 21:33:18 +0000

Importance: Normal

Attachments: 2025-10-23_Status_Update_DOI_WASO.pptx

Good afternoon, Ed,

Materials for tomorrow's ballroom meeting are respectfully submitted.

Do you know if the meeting will be at 1pm or 2pm? I have invites for both times currently.

Respectfully,
Nick

Nick Wagman, P.E.
Director, Design & Construction
The White House and President's Park
1849 C Street NW, Rm 1426
Washington, DC 20240
cell: (202) 680-2114

National Park Service
The White House and President's Park (WHHO)
White House East Wing Modernization Project
October 23, 2025 – DOI & NPS Leadership Meeting
Deliberative Staff Draft



(b) (5)

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"Copenhaver, Dan" <Daniel_Copenhaver@nps.gov> 11/12/2025 2:31 PM

Clark responded to my request to obtain a copy of the Hazardous Material Survey Report (HMSR). The answer is, it is on site, and available to us for review only. No written or electronic form will be made available. I asked if NPS signed an NDA could we get a copy? The answer was no.

Rudley, Moss <Moss_Rudley@nps.gov> +surprised 11/12/2025 2:40 PM

"Phillippe, Jennifer E" <jennifer.phillippe@nps.gov> 11/12/2025 3:16 PM

Copenhaver, Dan

Clark responded to my request to obtain a copy of the Hazardous Material Survey Report (HMSR). The answer is, it is on site, and available to us for review only. No written or electronic form will be made available. I asked if NPS signed an NDA could we get a copy? The answer was no.

By on site, do they mean the White House?

"Copenhaver, Dan" <Daniel_Copenhaver@nps.gov> 11/12/2025 3:37 PM

That is my understanding.

Non-Responsive

"Rudley, Moss" <Moss_Rudley@nps.gov> 11/13/2025 8:41 PM

That would be great. I also have a need to see the HMS for the east wing? Clark has indicated there is a hard copy we can view. Its related to the dirt we are getting.

"Wagman, Nick" <nicholas wagman@nps.gov> 11/13/2025 8:43 PM

HMS?

"Rudley, Moss" <Moss_Rudley@nps.gov> 11/13/2025 8:45 PM

hazardous Materials Survey.

"Wagman, Nick" <nicholas wagman@nps.gov> 11/13/2025 8:48 PM

Oh I see. I do not have that document. Who have you been chatting with at Clark?

"Rudley, Moss" <Moss_Rudley@nps.gov> 11/13/2025 8:53 PM

Dan Copenhaver..... has been talking to (b) (6) ?

Wagman, Nick <nicholas_wagman@nps.gov> +like 11/13/2025 8:53 PM

"Wagman, Nick" <nicholas_wagman@nps.gov> 11/13/2025 8:53 PM

Do you want to make plans to connect with him on Tuesday?

"Rudley, Moss" <Moss_Rudley@nps.gov> 11/13/2025 8:54 PM

I will yes.

"Wagman, Nick" <nicholas_wagman@nps.gov> 11/13/2025 8:58 PM

Great! Tuesday is pretty wide open, I have some meetings 9 10 with USSS and then there is a 2pm call for (b) (6)'s project (which he'll be on too). So between 10 2 or after 3 would be good.

"Rudley, Moss" <Moss_Rudley@nps.gov> 11/13/2025 9:06 PM

Let's do 11am?

Wagman, Nick <nicholas_wagman@nps.gov> +like 11/14/2025 5:46 PM

"Rudley, Moss" <Moss_Rudley@nps.gov> 11/13/2025 9:07 PM

Send me what I need for security

"Rudley, Moss" <Moss_Rudley@nps.gov> 11/13/2025 9:07 PM

And where to meet you.

ATTACHMENT 3 TO PLAINTIFF'S MOTION FOR FURTHER RELIEF

**Preliminary Determination by Defendant National Park
Service on Plaintiff's FOIA Request**



United States Department of the Interior

NATIONAL PARK SERVICE

1849 C Street, N.W.

Room 2214

Washington, DC 20240

IN REPLY REFER TO:

DOI-2026-001006

08/20/2026

Linda Reinstein
Asbestos Disease Awareness Organization
1525 Aviation Boulevard, Suite 318
Redondo Beach, California 90278

Via email: linda@asbestosdiseaseawareness.org and bobsussman1@comcast.net

Dear Linda Reinstein:

We are writing regarding Freedom of Information Act (FOIA) request numbered **DOI-2026-001006** and the FOIA lawsuit captioned as *Asbestos Disease Awareness Organization v. National Park Service et al, No. 1:26-cv-00029-RJL (D.C.)*.

Request **DOI-2026-001006**, submitted on November 5, 2025 seeks the following:

[C]opies of asbestos abatement permits issued for the East Wing demolition and all related records that refer, relate to, address, document or reflect:

1. Any “hazardous material abatement” conducted in relation to the East Wing renovation.
2. The “abatement and remediation assessment” that was performed and how that assessment was “followed.”
3. 3. [sic] All actions that were taken to comply with applicable federal and District Columbia standards, such as the EPA Asbestos NESHAP (40 C.F.R. Part 61, Subpart M), OSHA Asbestos Construction Standards (29 CFR 1926.1101), and District of Columbia Asbestos Control Regulations (Chapter 20-800), including the following:
 - a. Inspection and testing of the East Wing prior to demolition or renovation to identify the presence of asbestos-containing material;
 - b. Asbestos abatement licenses issued to contractors performing asbestos abatement activities for the East Wing;
 - c. Permits issued authorizing asbestos abatement work for the East Wing;

- d. Notification submissions to licensing and permitting authorities in advance of permit issuance and the commencement of asbestos abatement work;
- e. Adherence to work practice standards to prevent asbestos emissions and safe removal of asbestos-containing materials, including monitoring of asbestos levels, use of respirators and other personal protective equipment to prevent worker exposure, installation of exhaust ventilation, negative pressure enclosures and glove-bag procedures, wetting all asbestos containing material to prevent airborne releases that could endanger bystanders or workers, and sealing the removed material in leak-tight containers;
- f. Presence of an onsite representative trained in the regulatory provisions and the means of compliance;. [sic]
- g. Training and education of abatement workers;
- h. Warning signs and physical barriers to prevent bystanders and unauthorized personnel from entering asbestos abatement areas;
- i. Handling, securing and labeling procedures to prevent air releases of removed asbestos while transporting it from the demolition site to an asbestos landfill;
- j. Disposal of asbestos waste at a landfill implementing special requirements for handling and securing the waste to prevent air releases;
- k. Records maintained by contractors, waste shippers, disposal sites and government oversight personnel for all stages of the inspection, abatement and disposal process.

At this time, we have gathered the responsive material and conducted an initial survey to identify the quantity and nature of the records. However, we have not reached a final decision on whether responsive material is exempt from release.

We have identified approximately forty-six (46) pages of material as potentially responsive to your request. We intend to comply with your request. We expect to invoke Exemption 4, because some of the materials contain commercial or financial information obtained from a person that is privileged or confidential. We expect to invoke the deliberative process privilege of Exemption 5, because this set of records includes some internal deliberations and drafts. We also expect to invoke Exemption 6, because some of the materials contain personal information of members of the public. For all the materials, we will segregate and release information appropriately where there would be no foreseeable harm caused by the release.

As this matter is in litigation, if you have any questions about this response to your request, we will timely communicate through our attorney of record, Sian Jones of the U.S. Attorney's Office.

Sincerely,

Nicholas Banco
Freedom of Information Act Officer
National Park Service