To: Feeley, Drew (Robert)[feeley.robert@epa.gov]
From: Yamada, Richard (Yujiro)
Sent: Fri 9/22/2017 5:46:55 PM
Subject: FW: Formaldehyde - TIMELY

From: Beck, Nancy
Sent: Thursday, September 7, 2017 9:50 PM
To: Dravis, Samantha <dravis.samantha@epa.gov>
Cc: Yamada, Richard (Yujiro) <yamada.richard@epa.gov>
Subject: Re: Formaldehyde - TIMELY

Samantha,

Richard and I were talking about this assessment yesterday. My understanding is that before there is a public release, the IRIS assessment will need to first undergo review inside the agency, giving programs like OCSPP, which has equities here, an opportunity to review. After internal agency review, the assessment should go to interagency review--before release to the public.

I'm not sure of the timing for internal agency review but I did not think it was imminent. Richard can confirm.

Nancy.

Nancy B. Beck, Ph.D., DABT
Deputy Assistant Administrator, OCSPP
P: 202-564-1273
M: 202-731-9910
Beck.Nancy@epa.gov

On Sep 7, 2017, at 9:39 PM, Dravis, Samantha <dravis.samantha@epa.gov> wrote:

Nancy: Can you look into this?

Sent from my iPhone

Begin forwarded message:

From: "Newberry, Edward" <edward.newberry@squirepb.com>
Date: September 7, 2017 at 5:18:16 PM EDT

To: "dravis.samantha@epa.gov" <dravis.samantha@epa.gov>
Subject: Formaldehyde - TIMELY

Hi Sam,

I just received an urgent call from one of our clients, who manufactures, among other things, formaldehyde. They have been told that Tina Bahadori, Director of NCEA at EPA, (she a career employee who assumed the director job this past January) , has told people that she will release – as soon as next week – a toxicological assessment for formaldehyde. That assessment is expected to claim, based on a single small and flawed (flawed according to the National Academy of Sciences) study of Chinese workers that has been contradicted by other credible research, a link between formaldehyde and leukemia. According to the industry, the negative impacts of releasing such a study, particularly one that is contradicted by the weight of scientific evidence, are broad and enormous and this is the highest issue for the company. Other big companies like Georgia Pacific and others would be affected as well.

Senior management would like to meet with the Administrator as soon as possible – critical because they are told release of the report may come next week. Is that something that can be arranged? I am calling the Scott's office (I left a message for Millan) as well but wanted to give you a head's up and see if you could help. I am told that Ryan has been briefed on this and another colleague of mine is reaching out to him.

Hope you are well. I also wanted to follow up on the Potash Corporation issue we discussed a couple of weeks ago (summary below). Client (PCS) is eager to meet with you and the others as we discussed. Any chance we can get something set up for next week?

Thanks Sam.

Ed

Begin forwarded message:

From: "Newberry, Edward" <edward.newberry@squirepb.com>
Date: August 25, 2017 at 5:04:13 PM EDT
To: "dravis.samantha@epa.gov" <dravis.samantha@epa.gov>
Cc: "Winters, Karen A." <karen.winters@squirepb.com>, "Jessica.DeMonte@potashcorp.com" <Jessica.DeMonte@potashcorp.com>
Subject: PotashCorp

Sam,

Thanks for talking with me earlier this week. We represent PotashCorp, the largest fertilizer company in the world producing potash, nitrogen and phosphate. Its subsidiary PCS Phosphate, has two phosphate mines in the US, one of which is located in Aurora, North Carolina.

As we discussed, we'd like to come in and visit with you, Brittany and Mandy Gunasakara about a rule implemented during the Obama-era. See *Phosphoric Manufacturing and Phosphate Fertilizer Production RTR and Standards of Performance for Phosphate Processing, 80 Fed. Reg. 50386 (August 19, 2015*). The rule establishes mercury emissions limits for existing calciners (a calciner is a rotating steel cylinder used to heat and process the phosphate rock). The Aurora calciners are the only calciners in the country subject to the limit. The mercury limit is based on a statistically limited data set not representative of existing conditions. The limit also fails to take into account the variability of the mercury in the phosphate rock, which PCS Phosphate has no ability to control.

In setting the limit, US EPA determined that there was no adverse health risk associated with mercury emissions from the Aurora facility. EPA's Research Triangle Park office has expressed interest in working with PCS Phosphate to revise the limits, but has indicated they need direction from EPA headquarters.

The issue is critical because the projected cost of emissions controls may impact the viability of the facility, along with the jobs of its 850 employees and the hundreds of collateral businesses and jobs that support the facility and its operations. Moreover, controls are untested and may in fact prove not to be feasible.

North Carolina has already provided PCS Phosphate with what relief they can, however a new limit must be set and addressed through a rule revision on the federal level.

I would appreciate it if you were able to meet with me and my partner, Karen

Winters, along with Jessica DeMonte, senior counsel for PCS. We are flexible on scheduling however anytime next Wednesday or Thursday or the week of September 11 would be best.

Thanks again. I look forward to seeing you.

Ed

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46 Offices in 21 Countries

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