Message

From: Turk, David [Turk.David@epa.gov]
Sent: 10/29/2020 4:22:49 PM
To: Griffin, Stephanie [griffin.stephanie@epa.gov]
Subject: RE: Petition to Require Testing on PFAS Under Section 21 of TSCA

Did we end up with an updated count/estimate for the overlap between the 8a and petition?

From: Griffin, Stephanie <griffin.stephanie@epa.gov>
Sent: Wednesday, October 21, 2020 11:17 AM
To: Turk, David <Turk.David@epa.gov>
Subject: RE: Petition to Require Testing on PFAS Under Section 21 of TSCA

In short: there's not a great overlap from what we can tell. From Kathy earlier:
Several chemicals do not meet our working definition of PFAS, are not on the TSCA Inventory, and some are on the inventory but are not active. It should be noted that several of the ones that do not meet our definition (the polyethers) may be on the TSCA Inventory as a component of a UVCB mixture where other components meet our definition.

Tomorrow's call with Tala will go over this in more detail. Let me know if you'd like me to forward you the invite in case you want to join.

From: Turk, David <Turk.David@epa.gov>
Sent: Wednesday, October 21, 2020 11:03 AM
To: Griffin, Stephanie <griffin.stephanie@epa.gov>
Subject: RE: Petition to Require Testing on PFAS Under Section 21 of TSCA

Thanks. Do we know the intersection between this list and our likely 8a rule list?

From: Griffin, Stephanie <griffin.stephanie@epa.gov>
Sent: Wednesday, October 21, 2020 9:42 AM
To: Turk, David <Turk.David@epa.gov>
Subject: FW: Petition to Require Testing on PFAS Under Section 21 of TSCA

Just as an FYI, Tala wants to meet tomorrow to go over the spreadsheet Kathy produced showing which of the chemicals listed on the section 21 petition are included in the data call or on the Inventory. (attached the sheet)

From: Henry, Tala <Henry.Tala@epa.gov>
Sent: Wednesday, October 21, 2020 8:57 AM
To: Schechter, Kathryn <Schechter.Kathryn@epa.gov>; Griffin, Stephanie <griffin.stephanie@epa.gov>
Cc: Lee, Virginia <Lee.Virginia@epa.gov>
Subject: RE: Petition to Require Testing on PFAS Under Section 21 of TSCA

I have some questions about the TSCA status columns...can you guys look for a half hour to discuss? (today is almost solidly booked for me, but maybe tomorrow...OR we could meet before or after the Sect 21 meeting tomorrow, I am free then

Tala R. Henry, Ph.D.
Deputy Director

Office of Pollution Prevention & Toxics

T: 202-564-2959
E: henry.tala@epa.gov

From: Schechter, Kathryn <Schechter.Kathryn@epa.gov>
Sent: Tuesday, October 20, 2020 3:43 PM
To: Griffin, Stephanie <griffin.stephanie@epa.gov>; Henry, Tala <Henry.Tala@epa.gov>
Cc: Lee, Virginia <Lee.Virginia@epa.gov>
Subject: RE: Petition to Require Testing on PFAS Under Section 21 of TSCA

Thanks. Here is what I have. Several chemicals do not meet our working definition of PFAS, are not on the TSCA Inventory, and some are on the inventory but are not active. It should be noted that several of the ones that do not meet our definition (the polyethers) may be on the TSCA Inventory as a component of a UVCB mixture where other components meet our definition. I put it all into a spreadsheet for everyone to review.

As for the ones that do not have CAS numbers, I may not be able to say much about them as they may be on the confidential inventory. Looks like they are byproducts…

Kathy

Dr. Kathy Schechter
Chemist, Industrial Chemistry Branch (MC-7406M)
1201 Constitution Ave., NW
Washington, DC 20460
Telephone: (202) 564-8589
Fax: (202) 564-8679

From: Griffin, Stephanie <griffin.stephanie@epa.gov>
Sent: Tuesday, October 20, 2020 1:31 PM
To: Schechter, Kathryn <Schechter.Kathryn@epa.gov>
Subject: FW: Petition to Require Testing on PFAS Under Section 21 of TSCA

Hi Kathy,
First off, I'm sorry I missed you last week as I started taking over some of Hannah's responsibilities for the 8(a) data call. I'm looking forward to working with you more closely over the next few months!

If you haven't already received it, here is the section 21 petition for 54 PFAS. Would you be able to confirm if these are all included on the data call's list so far? I believe Tala was also interested in knowing their Inventory active/inactive statuses.

Thanks,
Stephanie Griffin
Toxics Release Inventory Program
U.S. Environmental Protection Agency
(202) 564-1463
Griffin.Stephanie@epa.gov

From: Lee, Virginia <Lee.Virginia@epa.gov>
Sent: Thursday, October 15, 2020 12:27 PM
To: Griffin, Stephanie <griffin.stephanie@epa.gov>
Cc: Turk, David <Turk.David@epa.gov>
Subject: FW: Petition to Require Testing on PFAS Under Section 21 of TSCA

Steph, as mentioned, here's he citizen petition that lists the 54 PFAS chemicals that they're demanding test rules for. It would be good to crosswalk this w/our PFAS 8a rule definition scope to make sure these 54 PFAS are included.

Virginia Lee
Associate Chief
Chemical Information and Testing Branch
U.S. Environmental Protection Agency
Office of Pollution Prevention and Toxics
Phone: (202) 564-4142

From: Le, Madison <Le.Madison@epa.gov>
Sent: Wednesday, October 14, 2020 10:34 AM
To: Lee, Virginia <Lee.Virginia@epa.gov>; Widawsky, David <Widawsky.David@epa.gov>; Turk, David <Turk.David@epa.gov>; Reisman, Larry <Reisman.Larry@epa.gov>
Cc: Henry, Tala <Henry.Tala@epa.gov>; Passe, Loraine <Passe.Loraine@epa.gov>
Subject: RE: Petition to Require Testing on PFAS Under Section 21 of TSCA

Here you go.

Madison H. Le
Division Director
USEPA/OCSPP/OPPT
Direct: 202-564-5754
Cell: Ex. 6 Personal Privacy (PP)

From: Lee, Virginia <Lee.Virginia@epa.gov>
Sent: Wednesday, October 14, 2020 9:36 AM
To: Le, Madison <Le.Madison@epa.gov>; Widawsky, David <Widawsky.David@epa.gov>; Turk, David <Turk.David@epa.gov>; Reisman, Larry <Reisman.Larry@epa.gov>
Cc: Henry, Tala <Henry.Tala@epa.gov>; Passe, Loraine <Passe.Loraine@epa.gov>
Subject: RE: Petition to Require Testing on PFAS Under Section 21 of TSCA

Madison, could you send the petition attachment? Thank you!

Virginia Lee
Associate Chief
Chemical Information and Testing Branch
U.S. Environmental Protection Agency
Office of Pollution Prevention and Toxics
Phone: (202) 564-4142

From: Le, Madison <Le.Madison@epa.gov>
Sent: Wednesday, October 14, 2020 8:11 AM
To: Widawsky, David <Widawsky.David@epa.gov>; Turk, David <Turk.David@epa.gov>; Reisman, Larry <Reisman.Larry@epa.gov>; Lee, Virginia <Lee.Virginia@epa.gov>
Cc: Henry, Tala <Henry.Tala@epa.gov>; Passe, Loraine <Passe.Loraine@epa.gov>
Subject: Fwd: Petition to Require Testing on PFAS Under Section 21 of TSCA

FYI

Sent from my iPhone

Begin forwarded message:

From: "Dunn, Alexandra" <dunn.alexandra@epa.gov>
Date: October 14, 2020 at 7:55:54 AM EDT
To: "Fischer, David" <Fischer.David@epa.gov>, "Collazo Reyes, Yvette" <CollazoReyes.Yvette@epa.gov>, "Henry, Tala" <Henry.Tala@epa.gov>, "Le, Madison" <Le.Madison@epa.gov>, "Canavan, Sheila" <Canavan.Sheila@epa.gov>, "Dennis, Allison" <Dennis.Allison@epa.gov>, "Dunton, Cheryl" <Dunton.Cheryl@epa.gov>
Subject: RE: Petition to Require Testing on PFAS Under Section 21 of TSCA

Please work on a desk statement as we will get questions on this today.

Alexandra Dapolito Dunn, Esq.
Assistant Administrator
Office of Chemical Safety and Pollution Prevention
US Environmental Protection Agency
Washington, DC

From: bobsussman1 **Ex. 6 Personal Privacy (PP)**
Sent: Wednesday, October 14, 2020 7:35 AM
To: Wheeler, Andrew <wheeler.andrew@epa.gov>; Dunn, Alexandra <dunn.alexandra@epa.gov>; Fischer, David <Fischer.David@epa.gov>; Collazo Reyes, Yvette <CollazoReyes.Yvette@epa.gov>; Henry, Tala <Henry.Tala@epa.gov>; Le, Madison <Le.Madison@epa.gov>; Canavan, Sheila <Canavan.Sheila@epa.gov>
Cc: 'Thomas Fox' <tom@ceh.org>; 'Andrea Braswell' <Andrea@ceh.org>
Subject: Petition to Require Testing on PFAS Under Section 21 of TSCA

Dear EPA Administrator Wheeler:

I am enclosing a petition under section 21 of the Toxic Substances Control Act (TSCA) by six public health and environmental justice organizations in North Carolina: Center for Environmental Health, Cape Fear River Watch, Clean Cape Fear, NC Black Alliance, Democracy Green and Toxic Free NC. The petition requests that that the Environmental Protection Agency (EPA) require health and environmental effects testing on 54 Per- and Polyfluoroalkyl Substances (PFAS) manufactured by The Chemours Company (Chemours) at its chemical production facility in Fayetteville, North Carolina. The petition seeks issuance of a rule or order under section 4 of TSCA compelling Chemours to fund and carry out this testing under the direction of a panel of independent scientists. The 54 PFAS have been found in human blood, drinking water, groundwater, soil, air, and locally produced food adjacent to and downstream of the Fayetteville plant as a result of emissions and discharges spanning decades. Despite this extensive exposure, little testing has been conducted on the 54 PFAS and Cape Fear communities lack information on the health impacts to which they and their families have been subjected. As demonstrated in the petition, the 54 PFAS meet the criteria for testing in section 4(a) of TSCA.

PFAS "forever chemicals" are a large group of nearly 5,000 synthetic chemicals that are readily transported around the globe and build up in people and wildlife. These chemicals take thousands of years to break down in the environment and can remain in our bodies for decades. Certain PFAS are pervasive in the blood of the US population. The enclosed petition builds on existing scientific understanding of the properties of PFAS as a class by proposing that the 54 PFAS produced by Chemours be tested for the adverse health and environmental effects that have been linked to well-studied class members, such as PFOA and PFOS. These end-points include cancer, thyroid disease, birth defects, hormone disruption, decreased fertility, immune system suppression, The proposed testing includes

studies in laboratory animals as well as research into the relationship between health outcomes and PFAS exposure among people in Cape Fear communities. Studies to determine effects on fish and how the PFAS behave in the environment would also be conducted.

While the proposed testing is critical to understand the health and environmental impacts of these PFAS on Cape Fear communities, it should not delay essential steps to phase out manufacture and use of PFAS in North Carolina and the entire US based on the demonstrated characteristics of the PFAS class. Nor should it delay implementation of measures now in place to restrict or eliminate environmental releases from the Chemours facility.

We look forward to the Agency's response to the petition and plan to follow-up on the petition with your staff.

Respectfully submitted

Robert M. Sussman
Sussman & Associates
3101 Garfield Steet, NW
Washington DC 20008
Ex. 6 Personal Privacy (PP)
202-758-2227 (O)

Counsel for Petitioners