Message

From: Passe, Loraine [Passe.Loraine@epa.gov]
Sent: 4/5/2021 4:45:04 PM
To: Le, Madison [Le.Madison@epa.gov]; Schmit, Ryan [schmit.ryan@epa.gov]
CC: Edelstein, Rebecca [Edelstein.Rebecca@epa.gov]; Lee, Virginia [Lee.Virginia@epa.gov]; Williamson, Tracy [Williamson.Tracy@epa.gov]; Fehrenbacher, Cathy [Fehrenbacher.Cathy@epa.gov]
Subject: RE: Letter re: EPA approval of new PFAS under TSCA
Attachments: EPA response to Earthjustice PFAS letter_DRAFT_v1_PTSLO RE-lpCLEAN_ML -lp(003).docx

Hi Madison-

Responses to your comments are in attached. I'll send OGC our responses to their comments and then this should be ready to share with Tala.

Loraine Passe
New Chemicals Division
Office of Pollution Prevention and Toxics
U.S. Environmental Protection Agency
Phone: (202) 564-9064

From: Le, Madison <Le.Madison@epa.gov>
Sent: Monday, April 5, 2021 10:40 AM
To: Passe, Loraine <Passe.Loraine@epa.gov>; Schmit, Ryan <schmit.ryan@epa.gov>
Cc: Edelstein, Rebecca <Edelstein.Rebecca@epa.gov>; Lee, Virginia <Lee.Virginia@epa.gov>; Williamson, Tracy <Williamson.Tracy@epa.gov>; Fehrenbacher, Cathy <Fehrenbacher.Cathy@epa.gov>
Subject: RE: Letter re: EPA approval of new PFAS under TSCA

Loraine,

I added a few comment bubbles. Can you take a quick look before sending up to Tala for review? Thanks.

Madison H. Le
Division Director
New Chemicals Division
USEPA/OCSPP/OPPT
Direct: 202-564-5754
Cell: 202-507-3062

From: Passe, Loraine <Passe.Loraine@epa.gov>
Sent: Monday, April 5, 2021 10:02 AM
To: Schmit, Ryan <schmit.ryan@epa.gov>
Cc: Edelstein, Rebecca <Edelstein.Rebecca@epa.gov>; Lee, Virginia <Lee.Virginia@epa.gov>; Williamson, Tracy <Williamson.Tracy@epa.gov>; Fehrenbacher, Cathy <Fehrenbacher.Cathy@epa.gov>; Le, Madison <Le.Madison@epa.gov>
Subject: RE: Letter re: EPA approval of new PFAS under TSCA

Hi Ryan-
Here's a redline and clean version incorporating your comments and those from OGC.

Next steps I believe are to share back with OGC and then Tala?

Loraine Passe
New Chemicals Division
Office of Pollution Prevention and Toxics
U.S. Environmental Protection Agency
Phone: (202) 564-9064

From: Schmit, Ryan <schmit.ryan@epa.gov>
Sent: Monday, April 5, 2021 9:16 AM
To: Passe, Loraine <Passe.Loraine@epa.gov>
Cc: Edelstein, Rebecca <Edelstein.Rebecca@epa.gov>; Lee, Virginia <Lee.Virginia@epa.gov>; Williamson, Tracy <Williamson.Tracy@epa.gov>; Fehrenbacher, Cathy <Fehrenbacher.Cathy@epa.gov>; Childs, Elizabeth <childs.elizabeth@epa.gov>; Le, Madison <Le.Madison@epa.gov>
Subject: RE: Letter re: EPA approval of new PFAS under TSCA

Hi Loraine,
A few additional comments from me on this one. Is the final SNUR at issue in the pipeline for sometime soon? I'll check with Tom Lalley in OPS on signature.
Thanks,
Ryan

From: Le, Madison <Le.Madison@epa.gov>
Sent: Wednesday, March 31, 2021 3:47 PM
To: Chandrasekaran, Devi <Chandrasekaran.Devi@epa.gov>; Kaczmarek, Chris <Kaczmarek.Chris@epa.gov>; Childs, Elizabeth <childs.elizabeth@epa.gov>; Schmit, Ryan <schmit.ryan@epa.gov>
Cc: Passe, Loraine <Passe.Loraine@epa.gov>; Edelstein, Rebecca <Edelstein.Rebecca@epa.gov>; Lee, Virginia <Lee.Virginia@epa.gov>; Williamson, Tracy <Williamson.Tracy@epa.gov>; Fehrenbacher, Cathy <Fehrenbacher.Cathy@epa.gov>; Sadowsky, Don <Sadowsky.Don@epa.gov>; Payne, Allison <Payne.Allison@epa.gov>; Thaler, Elizabeth <thaler.elizabeth@epa.gov>
Subject: RE: Letter re: EPA approval of new PFAS under TSCA

Thanks, Devi.

Loraine is going to work with the team, including Ryan and we will get back to OGC if we have any questions. Thanks!

Madison H. Le
Division Director
New Chemicals Division
USEPA/OCSPP/OPPT
Direct: 202-564-5754
Cell: 202-507-3062

From: Chandrasekaran, Devi <Chandrasekaran.Devi@epa.gov>
Sent: Tuesday, March 30, 2021 4:47 PM
To: Le, Madison <Le.Madison@epa.gov>; Kaczmarek, Chris <Kaczmarek.Chris@epa.gov>; Childs, Elizabeth <childs.elizabeth@epa.gov>; Schmit, Ryan <schmit.ryan@epa.gov>
Cc: Passe, Loraine <Passe.Loraine@epa.gov>; Edelstein, Rebecca <Edelstein.Rebecca@epa.gov>; Lee, Virginia <Lee.Virginia@epa.gov>; Williamson, Tracy <Williamson.Tracy@epa.gov>; Fehrenbacher, Cathy <Fehrenbacher.Cathy@epa.gov>; Sadowsky, Don <Sadowsky.Don@epa.gov>; Payne, Allison <Payne.Allison@epa.gov>; Thaler, Elizabeth <thaler.elizabeth@epa.gov>
Subject: RE: Letter re: EPA approval of new PFAS under TSCA

Hi Madison,

Attached are our comments & edits on the draft response. Let us know if you have questions or would like to discuss anything further.

Devi Chandrasekaran
Pesticides and Toxic Substances Law Office
Office of General Counsel
U.S. Environmental Protection Agency
202-564-7268

From: Chandrasekaran, Devi
Sent: Monday, March 29, 2021 9:45 AM
To: Le, Madison <Le.Madison@epa.gov>; Kaczmarek, Chris <Kaczmarek.Chris@epa.gov>; Childs, Elizabeth <childs.elizabeth@epa.gov>; Schmit, Ryan <schmit.ryan@epa.gov>
Cc: Passe, Loraine <Passe.Loraine@epa.gov>; Edelstein, Rebecca <Edelstein.Rebecca@epa.gov>; Lee, Virginia <Lee.Virginia@epa.gov>; Williamson, Tracy <Williamson.Tracy@epa.gov>; Fehrenbacher, Cathy <Fehrenbacher.Cathy@epa.gov>; Sadowsky, Don <Sadowsky.Don@epa.gov>; Payne, Allison <Payne.Allison@epa.gov>; Thaler, Elizabeth <thaler.elizabeth@epa.gov>
Subject: RE: Letter re: EPA approval of new PFAS under TSCA

Hi Madison,

We're taking a look at the letter and draft response and will get back to you with our comments.

Devi Chandrasekaran
Pesticides and Toxic Substances Law Office
Office of General Counsel
U.S. Environmental Protection Agency
202-564-7268

From: Le, Madison <Le.Madison@epa.gov>
Sent: Monday, March 29, 2021 6:55 AM
To: Kaczmarek, Chris <Kaczmarek.Chris@epa.gov>; Childs, Elizabeth <childs.elizabeth@epa.gov>; Chandrasekaran, Devi <Chandrasekaran.Devi@epa.gov>; Schmit, Ryan <schmit.ryan@epa.gov>
Cc: Passe, Loraine <Passe.Loraine@epa.gov>; Edelstein, Rebecca <Edelstein.Rebecca@epa.gov>; Lee, Virginia <Lee.Virginia@epa.gov>; Williamson, Tracy <Williamson.Tracy@epa.gov>; Fehrenbacher, Cathy <Fehrenbacher.Cathy@epa.gov>
Subject: RE: Letter re: EPA approval of new PFAS under TSCA

Ryan and Chris/OGC,

Attach is the draft response per Tala's request (and original letter for reference). Please review and provide any suggested edits.

I'm not sure about timing on the response but Michal's email seem to indicate that we may want to signal something on EPA's policy approach for PFAS soonish.

Loraine - can you work with Ryan and OGC on
next steps? Thanks.

Madison H. Le

Division Director
New Chemicals Division
USEPA/OCSPP/OPPT
Direct: 202-564-5754
Cell: 202-507-3062

From: Le, Madison
Sent: Friday, March 26, 2021 2:19 PM
To: Kaczmarek, Chris <Kaczmarek.Chris@epa.gov>; Childs, Elizabeth <childs.elizabeth@epa.gov>; Chandrasekaran, Devi <Chandrasekaran.Devi@epa.gov>
Cc: Passe, Loraine <Passe.Loraine@epa.gov>; Edelstein, Rebecca <Edelstein.Rebecca@epa.gov>; Lee, Virginia <Lee.Virginia@epa.gov>; Williamson, Tracy <Williamson.Tracy@epa.gov>
Subject: FW: Letter re: EPA approval of new PFAS under TSCA
Importance: High

Chris,

Please see Tala's email below (and the attached letter). Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Any thoughts? We are free today if you have a few mins to talk through this. Thanks!

Madison H. Le
Division Director
New Chemicals Division
USEPA/OCSPP/OPPT
Direct: 202-564-5754
Cell: 202-507-3062

From: Henry, Tala <Henry.Tala@epa.gov>
Sent: Friday, March 26, 2021 1:25 PM
To: Le, Madison <Le.Madison@epa.gov>
Cc: Collazo Reyes, Yvette <CollazoReyes.Yvette@epa.gov>; Freedhoff, Michal <Freedhoff.Michal@epa.gov>
Subject: FW: Letter re: EPA approval of new PFAS under TSCA

Madison,
Many/most/all of the signers of the letter are litigants in the PFAS Section 21 Petition.
Please have you team prepare a Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Thank you.

Tala R. Henry, Ph.D.
Deputy Director

Office of Pollution Prevention & Toxics

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

From: Jonathan Kalmuss-Katz <jkalmusskatz@earthjustice.org>
Sent: Friday, March 26, 2021 12:25 PM
To: Freedhoff, Michal <Freedhoff.Michal@epa.gov>
Cc: Tyler, Tom <Tyler.Tom@epa.gov>; Le, Madison <Le.Madison@epa.gov>; Henry, Tala <Henry.Tala@epa.gov>; Collazo Reyes, Yvette <CollazoReyes.Yvette@epa.gov>
Subject: Letter re: EPA approval of new PFAS under TSCA

Dear Assistant Administrator Freedhoff:

The 18 undersigned organizations submit this letter objecting to EPA's approval of new per- and polyfluoroalkyl substances (PFAS) and new uses of previously approved PFAS, as reflected most recently in EPA's March 10, 2021 Federal Register publication of "Certain New Chemicals or Significant New Uses; Statements of Findings for January through December 2020." For the reasons set forth in the letter, we urge EPA to stop approving PFAS under TSCA Section 5 and to address the flaws in EPA's new chemical review process that have facilitated the approval of prior PFAS.

If you have any questions about the attached letter, please don't hesitate to contact me.

Respectfully submitted,

Advance Carolina
Center for Environmental Health
Clean Cape Fear
Clean Haw River
Clean and Healthy New York
Defend Our Health
Democracy Green
Earthjustice
Environmental Defense Fund
Environmental Working Group
GreenCAPE
Merrimack Citizens for Clean Water
Mothers For Safe Air & Safe Water Force
Natural Resources Defense Council
Safer Chemicals Healthy Families
Sierra Club
Toxic Free North Carolina
Union of Concerned Scientists

Jonathan Kalmuss-Katz
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Pronouns: he/him/his
earthjustice.org

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