Message

From: Sullivan, Andrew [sullivan.andrew@epa.gov]
Sent: 6/24/2020 6:25:03 PM
To: Kelly Mayo [kmayo@knoellusa.com]
CC: Edelstein, Rebecca [Edelstein.Rebecca@epa.gov]; Yan, James [Yan.James@epa.gov]; Moss, Kenneth [Moss.Kenneth@epa.gov]; Sullivan, Andrew [sullivan.andrew@epa.gov]
Subject: Redacted Reports Attached RE: Agreement to authorize transmittal of TSCA CBI via Outlook email with designated Agency representatives during the modified working conditions due to COVID-19
Attachments: P-20-XXXX Exposure Report 06-17-20 No CBI Third Party Sanitized AMS ND.pdf; P-20-XXXX_ENG Report_06-16-20 Third Party Sanitized AMS ND_Redacted.pdf

Hello Kelly,

I have attached the 2 redacted reports you requested and will send you the password to access the reports in a separate email. Please confirm (reply all) that you've received and can access the reports. Thank you.

Best,

Andrew (Drew) Sullivan | Program Manager
New Chemicals Management Branch
Chemical Control Division
U.S. EPA Office of Pollution Prevention and Toxics
Phone: 202-564-0605
Fax: 202-564-9490
DO NOT SEND CBI TO THIS EMAIL

From: Kelly Mayo <kmayo@knoellusa.com>
Sent: Wednesday, June 24, 2020 11:48 AM
To: Sullivan, Andrew <sullivan.andrew@epa.gov>
Cc: Edelstein, Rebecca <Edelstein.Rebecca@epa.gov>; Yan, James <Yan.James@epa.gov>; Moss, Kenneth <Moss.Kenneth@epa.gov>
Subject: RE: Agreement to authorize transmittal of TSCA CBI via Outlook email with designated Agency representatives during the modified working conditions due to COVID-19

Hi Drew,

Attached is the signed authorization form.

-Kelly

Kelly E. Mayo-Bean
Senior Regulatory Scientist
knoell USA, LLC
kmayo@knoellusa.com
Phone: 610-558-3001 ext. 163
Fax: 484.592.0340

From: Sullivan, Andrew [mailto:sullivan.andrew@epa.gov]
Sent: Tuesday, June 23, 2020 3:16 PM
To: Kelly Mayo <kmayo@knoellusa.com>
Cc: Sullivan, Andrew <sullivan.andrew@epa.gov>; Edelstein, Rebecca <Edelstein.Rebecca@epa.gov>; Yan, James <Yan.James@epa.gov>; Moss, Kenneth <Moss.Kenneth@epa.gov>
Subject: Agreement to authorize transmittal of TSCA CBI via Outlook email with designated Agency representatives during the modified working conditions due to COVID-19

Hello Kelly,

I've attached the authorization form for you to fill out, please note there are 2 places to add the PMN case number. I will send you the 2 redacted reports that we talked about earlier today after I receive the signed authorization form. Here are the formal instructions.

Dear Company Contact:

In an effort to encourage social distancing and help reduce community spread of COVID-19, most EPA staff have been authorized to telework. With a majority of EPA staff now teleworking from remote sites, some minor changes to the normal TSCA section 5 review processes, including the TSCA section 5(a)(3) determination processes, are required. Specifically, the normal process by which section 5(a)(3)(C) determination documents, section 5(e) orders, and assessment reports are transmitted to submitters, because they contain information claimed as CBI, are hard copies submitted by the mail or courier services and via fax machines. These methods of delivery are not available from remote sites and therefore other means of transmitting this information must be utilized.

Given this extraordinary situation, and to avoid delay in addressing TSCA section 5 requirements, the Agency is offering an option to allowed affected persons to agree to allow EPA to transmit these materials via normal non-encrypted Outlook email. If you agree to this, the Agency will transmit these documents to you via email during the period in which a majority of EPA staff is teleworking. In the absence of this agreement EPA may need to extend the review period for your submission or issue a unilateral order under Section 5(e). Please note that EPA is not requiring companies to agree to transmission via email. Rather this communication explains the constraints we are acting under, and the delays that would result in the absence of email transmission. Companies are free to choose as appropriate.
Also, please note that agreeing to this process is a limited waiver of the TSCA CBI procedural protections, which generally restricts the transmission of CBI over a non-encrypted email system. That said, EPA's email system is compliant with all applicable Federal government information security provisions, including the Federal Information Security Management Act, and EPA's email systems meet the level of protection required for storing and transmitting CBI. Furthermore, your agreement will not constitute a waiver of substantive CBI protections, meaning that the information transmitted and claimed as confidential will only be disclosed consistent with TSCA, other applicable laws, and associated implementing regulations.

If you wish to grant EPA a limited waiver to transmit the materials via EPA's email system during the period in which a majority of EPA staff is teleworking, please have your authorized representative complete (e.g., **add the case number to the body and heading**), sign, and return the attached to Rebecca Edelstein (Edelstein.Rebecca@epa.gov) as well as to any EPA staff who were cc'd on the email sent to you. If you have any questions about this communication or the described process, please contact Rebecca Edelstein at (202) 564-1667 or the EPA Program Manager assigned to the case.

Best,

Andrew (Drew) Sullivan | Program Manager
New Chemicals Management Branch
Chemical Control Division
U.S. EPA Office of Pollution Prevention and Toxics
Phone: 202-564-0605
Fax: 202-564-9490
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From: Kelly Mayo <kmayo@knoellusa.com>
Sent: Tuesday, June 23, 2020 1:45 PM
To: Sullivan, Andrew <sullivan.andrew@epa.gov>
Subject: RE: EPA Contact for PMN ending in "96"

Hi Andrew,

Happy Tuesday. Can you provide me with the current status of this case please?

-Kelly

Kelly E. Mayo-Bean
Senior Regulatory Scientist
knoell USA, LLC
kmayo@knoellusa.com
Phone: 610-558-3001 ext. 163
Fax: 484.592.0340

From: Sullivan, Andrew [mailto:sullivan.andrew@epa.gov]
Sent: Friday, June 5, 2020 10:36 AM
To: Kelly Mayo <kmayo@knoellusa.com>
Subject: EPA Contact for PMN ending in "96"

Hello Kelly,

I just wanted to introduce myself, I am the program manager for above case. Feel free to reach out to check in anytime about the status of the case. Your case is currently scheduled to go to our Scoping meeting on 06-09-20 to determine how EPA will complete the Risk Assessment for the case.

I will be in touch to discuss the case soon.

Best,

Andrew (Drew) Sullivan | Program Manager
New Chemicals Management Branch
Chemical Control Division
U.S. EPA Office of Pollution Prevention and Toxics
Phone: 202-564-0605
Fax: 202-564-9490
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