Message

From: Stacey Phillips [Stacey.Phillips@Milliken.com]
Sent: 10/31/2018 8:54:09 PM
To: Odusote, Gloria [odusote.gloria@epa.gov]
CC: Elaine Hare-Sturm [Elaine.Hare-Sturm@Milliken.com]
Subject: RE: Milliken - PMN Path Forward

Hi Gloria,

Thanks for your quick reply. Mr. Moffat suggested the division director because he thought it would be helpful to make a decision quickly; I spoke with him this afternoon, and he thought the branch chief may also be helpful, but we will defer to you as to whomever you think would be helpful for the discussion.

Please move forward with sanitizing and sending the updated Engineering Report. I think that will be helpful prior to our discussion. We would like a couple of days to review it prior to a call, so maybe we can discuss dates once you have the sanitized report ready to send to us. I suggested a call, but if an in person meeting would be preferred, we can certainly arrange that on our end if it would be easier for you. Please just let me know.

Best regards,
Stacey

From: Odusote, Gloria <odusote.gloria@epa.gov>
Sent: Wednesday, October 31, 2018 12:25 PM
To: Stacey Phillips <Stacey.Phillips@Milliken.com>
Cc: Elaine Hare-Sturm <Elaine.Hare-Sturm@Milliken.com>
Subject: RE: Milliken - PMN Path Forward

Hi Stacey,
I think we should have a call before I schedule a director-level meeting. A meeting with that many people that includes the branch chief and the division director would take time to set up as I will have to arrange around many people's schedules. Also as you know, we usually ask submitter to expect up to 2 weeks to sanitize documents as there is generally a queue for preparing sanitized documents. I can prepare the updated engineering report but we will require time to sanitize.

Best,
Gloria

From: Stacey Phillips [mailto:Stacey.Phillips@Milliken.com]
Sent: Wednesday, October 31, 2018 11:12 AM
To: Odusote, Gloria <odusote.gloria@epa.gov>
Cc: Elaine Hare-Sturm <Elaine.Hare-Sturm@Milliken.com>
Subject: Milliken - PMN Path Forward
Importance: High

Hi Gloria,

I hope you are having a good week. I was able to follow up with Milliken's external consultants at Ramboll about the ecotox discussion you and I had last week regarding the company's PMN. Milliken still has questions about EPA's interpretation and conclusions and how it plans to proceed with the PMN determination. Our business leadership asked

that the progress be reviewed by our external legal counsel, Phil Moffat at Verdant Law, PLLC, since it appears that a consent order or SNUR may be issued, based on our current understandings of the Agency's assessment.

Mr. Moffat suggested that, to get the PMN closed out in a timely manner, Milliken should elevate the discussion within the New Chemicals Management Branch/Chemical Control Division to get a clear understanding of the path forward. Therefore, we ask that you schedule a conference call to discuss the proposed determination, the basis for that proposed determination for both intended and reasonably foreseen uses, and the timing of resolution. Milliken has information that EPA may find helpful, especially concerning reasonably foreseen uses.

For the call, Mr. Moffat has proposed a conversation with you, the ecotoxicologist, the engineer/exposure assessor, and your branch chief, plus the division director, but only if you think that level of participation would be helpful. If there's anyone else you feel is appropriate to include from the Agency, please invite them too. Milliken will ask Mr. Moffat to participate along with David Liu and Linda Martello from Ramboll, Elaine Hare-Sturm, Milliken Director of Regulatory Affairs, Drew Horton, Milliken in-house legal counsel, and myself.

In addition, I again would like to request a copy of the finalized Engineering Report before the call. I only have the draft copy you provided back in the summer. Please fax this over in the next few days so the Milliken team can review it prior to our call. My fax number is 864-503-2430.

Please let me know your team's availability for a call. I think we would both like to get this one completed and moved along, so I hope this will quickly answer everyone's questions and concerns. I know our suspension extension should run us through next Tuesday, November 6th, so we will need to extend this again if we can't get a call prior to that time.

I really appreciate your assistance to date.

Kind regards,
Stacey

Stacey Phillips
Senior Regulatory Manager
Milliken Chemical Division
920 Milliken Road, M-209
Spartanburg, SC 29303
T 864.503.6354
Stacey.Phillips@Milliken.com

Confidentiality and Commercial Terms and Conditions Notice:

This message may contain privileged or confidential information and is intended only for the use of the addressee. Please advise immediately if you or your employer do not consent to e-mail for messages of this kind. If you are not the addressee, or person responsible for delivering this message to the person addressed, you may not copy or deliver this to anyone else. If you receive this message by mistake, please notify the sender immediately by return e-mail. All commercial transactions, offers and acceptances are exclusively subject/limited to and conditioned upon our terms posted at our Terms and Conditions page. We object to and reject any additional/different terms and conditions unless we expressly agree to them in writing.

Privacy Terms:

We have updated our Data Protection Notices to meet the high data protection standards set by the new European General Data Protection Regulation ("GDPR").

The changes are effective 25 May 2018. You have the right to object to the processing of personal data for direct marketing purposes at any time. For more information about our data protection practices and to view a copy of our Data Protection Notices please refer to our Privacy page.