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September 25, 2020

VIA EMAIL
Latrice Haggerty
Project Officer
U.S. EPA Region 6
Haggerty.latrice@epa.gov

Re: EPA's Denial of Continued Air Monitoring in LaPlace, LA

Dear Latrice Haggerty,

This letter is to confirm our conversation of two days ago, September 23, 2020, wherein you informed us that you denied our request to contract with Weston Solutions, Inc. for continuation of periodic air monitoring of chloroprene emissions from the DuPont/Denka Plant in LaPlace, LA. You stated that your decision was based on your authority and directions as Project Officer and a "conflict of interest." We pointed out that our interest is aligned with the Environmental Protection Agency, i.e., to continue, in the same manner, utilizing the same protocol, and the same laboratory, Eastern Research Group (ERG), as was used by the EPA so that the data collection remained consistent. We even offered to reimburse the EPA (approximately $4,000/month) for the cost of Weston and ERG to continue the monitoring if you preferred for those contractors to work directly with the EPA rather than for our firm.

Despite your assurances to get back to us the next day (September 24, 2020) regarding that matter, you did not. We did receive a call today, September 25, 2020, from Justin Lannen, Esq. and Providence Spina, Esq. With them, we discussed our request for the EPA to continue chloroprene air monitoring so that the LaPlace community in general along with our 6,000+ clients in particular can continue to be informed about the chloroprene concentrations in the air that they breathe.

As you know, the newly implemented SPod monitoring is not triggered by chloroprene emissions and is not collected on a regular periodic basis and therefore does not allow for the collection of data necessary to calculate an "average ambient air concentration" of chloroprene in the community surrounding the DuPont/Denka Plant. The most obvious conflicting interest with the EPA in continuing the periodic sampling of chloroprene in the air surrounding the Plant is with the operators of the Plant, which Plant is the only source of chloroprene in the United States.

For the past three years, since 2016, the EPA has wisely conducted chloroprene monitoring in order to determine, not just the concentration of chloroprene from stack emissions reported by DuPont/Denka's Plant operations, but more importantly, the concentration of

chloroprene in the ambient air in the surrounding community.

For the last 10 years, DuPont/Denka have been trying to influence your agency, the EPA, to change the recommendation of limiting chronic exposure to chloroprene to no more than 0.2 $\mu g/m^3$ as set forth in the 2010 IRIS Assessment. Those efforts have been rejected two times thus far, in a January 25, 2018 Denial of Denka's Request for Correction, and in a July 17, 2019 letter to Denka pausing its request for reconsideration until after a peer review of its proposed PBPK Model, which is still ongoing.

To be clear, our request is:

1) For the EPA to continue periodic air monitoring for chloroprene, or in the alternative;
2) For the EPA to continue periodic air monitoring with our agreement to reimburse the EPA the approximate $4,000/month cost thereof; or
3) To allow the current contractors and laboratory to contract with us to continue the exact same chloroprene monitoring protocol.

Each of these alternatives will promote transparency by allowing the Community to be informed regarding the concentrations of chloroprene to which they are being exposed, without which they are incapable of knowing.

We request an opportunity to meet with authorized representatives regarding our requests. We are available for a meeting in Dallas or any other location after October 6, 2020. Please let us know what dates and times work for you. Thank you.

Sincerely,

Hugh P. Lambert, Esq.

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