From: Lynn Beasley
To: Tracy Atagi
Subject: Fw: EJ Contacts for the CERCLA/EPCRA ARE Rule
Date: 11/02/2010 12:10 PM

Hi Tracy,

Would you have some time to talk about incorporating EJ analysis in rule making?

I am re-evaluating a final rule that was published in Dec 2008 (effective 1/20/2009). We just got a remand from the D.C. Circuit Court of Appeals (without vacatur). The rule, CERCLA/EPCRA Administrative Reporting Exemption for Air Releases of Hazardous Substances from Animal Waste at Farms, provides a full exemption from CERCLA notification requirements and a partial exemption from EPCRA notification requirements. For the re-evaluation, we may (most likely will) be adding back most of the requirements for farms to report their releases under CERCLA and/or EPCRA.

This is a notification regulation, but depending on how the Agency looks at it, we could interpret that there are EJ impacts.

If you have anything that you could share (and I could read ahead about), that would be great too.

thanks,

Lynn M Beasley
Regulation and Policy Development Division (5104A)
Office of Emergency Management
Office of Solid Waste and Emergency Response
(202) 564-1965
(202) 309-4538 (cell)
(202) 564-2625 (fax)

----- Forwarded by Lynn Beasley/DC/USEPA/US on 11/02/2010 12:04 PM -----

From: Richard Mattick/DC/USEPA/US
To: Lynn Beasley/DC/USEPA/US@EPA
Date: 10/28/2010 04:36 PM
Subject: Fw: EJ Contacts for the CERCLA/EPCRA ARE Rule

Lynn,

I talked with our EJ contact here. Probably best to a follow-up send an email directly to Pat and Andrew with a cc: to Marsha to get the ball rolling. I will stop down and let them know that you will be calling. Also, I would definitely talk with Tracy as discussed---she has done a bunch of briefings and issue papers on the EJ topic. If you decide to have a meeting on this, please let me know.

Richard Mattick, M.S., J.D.
Policy Analysis and Regulatory Management Staff
U.S. Environmental Protection Agency
Office of Solid Waste and Emergency Response
1200 Pennsylvania Ave, NW. (MC 5103T)
Washington, DC 20460
Ph: 202-566-1926 Fax:202-566-1934

----- Forwarded by Richard Mattick/DC/USEPA/US on 10/28/2010 04:32 PM -----

From: Richard Mattick/DC/USEPA/US
To: Lynn Beasley/DC/USEPA/US@EPA
Cc: Nick Hilosky/DC/USEPA/US@EPA, Tracy Atagi/DC/USEPA/US@EPA, Gerain Perry/DC/USEPA/US@EPA
Date: 09/29/2010 04:13 PM
Subject: EJ Contacts for the CERCLA/EPCRA ARE Rule

Lynn,

The official OSWER contacts for EJ are in Marsha Minter's office in IPCO--Pat Carey and Andrew Baca

Nick Hilosky is our EJ expert here in PARMS.

Also if you want to do some brainstorming first, you may want to talk with Tracy Atagi, in ORCR who is in the throws of a major EJ analysis for the DSW rule, and has a lot of hands on experience.

Hope this helps.

Richard Mattick, M.S., J.D.
Policy Analysis and Regulatory Management Staff
U.S. Environmental Protection Agency
Office of Solid Waste and Emergency Response
1200 Pennsylvania Ave, NW. (MC 5103T)
Washington, DC 20460
Ph: 202-566-1926 Fax:202-566-1934