To: Johnson, Alisha[Johnson.Alisha@epa.gov]
From: Feldt, Lisa
Sent: Wed 1/15/2014 1:27:31 PM
Subject: RE: WV spill

Thanks. Are you aware of any authorities that might come to bear with CWA/SDWA. Has that come up?

Lisa Feldt

Associate Deputy Administrator

Office of the Administrator

Environmental Protection Agency

office: 202-564-4711

From: Johnson, Alisha
Sent: Wednesday, January 15, 2014 8:25 AM
To: Reynolds, Thomas; Feldt, Lisa; Keyes-Fleming, Gwendolyn
Subject: Re: WV spill

The last graph of our general statement addresses that we continue to look into regulatory issues. On TSCA specifically, here is our response:

4-methylcyclohexane was one of more than 60,000 chemicals in commerce when the Toxic Substances Control Act (TSCA) was passed in 1976. The 1976 statute "grandfathered" in existing chemicals, and provided EPA with very limited ability to require testing on those existing chemicals to determine if they are safe. EPA continues to support much needed legislative reform to ensure that the Agency has updated authority to more effectively assess and regulate potentially harmful chemicals.

EPA Statement on Response:

EPA continues to work closely with other Federal and State agencies in West Virginia as they begin implementing a plan for getting the water system back on-line. The State of West Virginia and the West Virginia American Water Company (WVAWC) are developing a plan for flushing the system, along with sampling and analysis, that will allow residents to begin using their water

as soon as possible. State and Federal (ATSDR/CDC) health officials have agreed that a level of 1 part per million (ppm) of methylcyclohexanemethanol is protective of public health and the State/WVAWC will use the flushing process to assure that the 1 ppm level is achieved throughout the system. The EPA supports this approach and has offered sampling and monitoring assistance to the State during the restart efforts
As these efforts are already underway, EPA is also examining state and federal response authorities associated with the incident to determine next steps and the environmental laws and regulations applicable to the facility. This review will help inform EPA's activities going forward.

From: Reynolds, Thomas
Sent: Wednesday, January 15, 2014 8:16:21 AM
To: Feldt, Lisa; Keyes-Fleming, Gwendolyn; Johnson, Alisha
Subject: Re: WV spill

+ alisha who is point on this for us

From: Feldt, Lisa
Sent: Wednesday, January 15, 2014 8:12:09 AM
To: Reynolds, Thomas; Keyes-Fleming, Gwendolyn
Subject: RE: WV spill

Thanks do we have a statement we are using related to this.

Lisa Feldt

Associate Deputy Administrator

Office of the Administrator

Environmental Protection Agency

office: 202-564-4711

From: Reynolds, Thomas
Sent: Tuesday, January 14, 2014 8:44 PM
To: Feldt, Lisa; Keyes-Fleming, Gwendolyn

Subject: Re: WV spill

We are media inquires like this. And the answer is tsca reform. Given the various loopholes.

From: Feldt, Lisa
Sent: Tuesday, January 14, 2014 8:18:21 PM
To: Keyes-Fleming, Gwendolyn; Reynolds, Thomas
Subject: Fw: WV spill

Please see below. Are either of you getting same lines of inquiry from WH? Lisa

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From: McConville, Drew Ex. 6 - Personal Privacy
Sent: Tuesday, January 14, 2014 6:47:07 PM
To: Feldt, Lisa
Subject: RE: WV spill

Not recently, but I call him if he's the right person. As I mentioned in voicemail, one of the big questions we're getting is about what federal role there is in preventing spills like this. Wasn't sure if that was strictly a Mathy question or whether it's a SDWA/CWA question too. TSCA testing requirements (or lack of) have also been raised by some news stories, prompted by EDF and others who are pushing for legislation. Regardless, would be good to talk to whomever within the agency is figuring out the answer to those questions, which I know our press folks are receiving. Thanks!

From: Feldt, Lisa [mailto:Feldt.Lisa@epa.gov]
Sent: Tuesday, January 14, 2014 6:38 PM
To: McConville, Drew
Subject: RE: WV spill

I'll give you a call tomorrow. I am not specifically doing anything on this at this time. Have you connected with mathy?'

Lisa Feldt

Associate Deputy Administrator

Office of the Administrator

Environmental Protection Agency

office: 202-564-4711

From: McConville, Drew [m Ex. 6 - Personal Privacy
Sent: Tuesday, January 14, 2014 6:09 PM
To: Feldt, Lisa
Subject: WV spill

Hi Lisa – will you or someone else on your team have a chance to connect on this for a few mins before too late in the morning tomorrow? Getting more inquiries from folks here, and it would be helpful to understand what processes are happening to answer questions being posed internally and by the press. If you're getting similar questions from others here in the WH, pls let me know (despite best efforts, it happens sometimes).

Thanks!

Drew

Drew McConville

Senior Advisor to the Chair

White House Council on Environmental Quality

Ex. 6 - Personal Privacy