To: Cleland-Hamnett, Wendy[Cleland-Hamnett.Wendy@epa.gov]
From: Flattery, Priscilla
Sent: Tue 2/18/2014 5:26:21 PM
Subject: RE: Meeting with Hill staff on CDR and WV.

Here is what we initially found

CDR:

· TSCA's 2012 Chemical Data Reporting (CDR) Rule requires manufacturers to submit information on chemicals they produce domestically or import in the US in amounts of 25,000 pounds or more at each of their sites.

· Eastman Kodak submitted reports for the production of 4-methylcyclohexanemethanol in 2010 and 2011 at a facility in Kingsport, TN. They claimed the production volume as CBI.

· There were no reports on this chemical from the WV facility which could mean that they only process the chemical there or the production volume was below the 25,000 threshhold.

8(e) Reporting:

· Section 8(e) of TSCA requires chemical manufacturers to notify EPA immediately if they have information or studies that indicate a substantial risk of injury to health or the environment. EPA has not identified receiving any studies on this chemical.

· Based on the information in the MSDS included in recent press reports, it does not appear that their studies would meet the trigger for reporting under Section 8(e).

From: Cleland-Hamnett, Wendy
Sent: Tuesday, February 18, 2014 12:14 PM
To: Flattery, Priscilla
Subject: FW: Meeting with Hill staff on CDR and WV.

Did we get RAD to look at studies from 8e perspective earlier?

Wendy Cleland-Hamnett

Director

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From: Doa, Maria
Sent: Tuesday, February 18, 2014 12:11 PM
To: Cleland-Hamnett, Wendy
Cc: Flattery, Priscilla; Henry, Tala
Subject: Fw: Meeting with Hill staff on CDR and WV.

Wendy,

Just following up on this. I think we need RAD to make the determination on whether the data meet the section 8(e) data. I mentioned this to Tala. I didn't know if you wanted us to get the info and make the determination.

Thanks

From: Doa, Maria
Sent: Thursday, February 13, 2014 11:12:30 AM
To: Cleland-Hamnett, Wendy; Flattery, Priscilla; Kaiser, Sven-Erik
Subject: Meeting with Hill staff on CDR and WV.

Following is a summary of the discussion with the Hill yesterday. Sven please add anything I missed.

There was a discussion of CDR and TSCA sections 4, 8(d), and 8(e).

We discussed why Eastman reported to CDR and why Freedom Industries did not. We discussed why the health and safety studies were not reported under CDR. The Hill folks seemed clear on both facets.

I was asked whether EPA should issue a section 8(d) rule on the WV chemicals. I told them I could not respond to that. I was asked if section 8(d) could be used to make the company conduct studies. I said no that would be section 4.

I was then asked whether EPA should issue a section 4 rule. I told them I could not respond on whether we should. We discussed the findings that needed to be made and the timing of doing a rule.

The Hill folks discussed doing a section 8(d) rule as a prelude to a section 4 rule but it was pointed out that Eastman had already made available summaries of the studies so there may not be a need for a section 8(d) rule. We did not discuss that others may have data that could come in in response to a section 8(d) rule.

They also asked if the Eastman studies would warrant a section 8(e) notification. I told them we would need to get back to them. (There was a somewhat vague statement on this in earlier correspondence so I did not feel comfortable saying definitively no. I don't know to what degree RAD looked at the information made that determination).

There was also a question on the storage facility and TRI. I explained a little about the basics of TRI and said I would talk to the program and get them the answer.

Maria J. Doa, Ph.D.

Director

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