From:	Dana Tulis
To:	Lynn Beasley
Cc:	beasley.lynn; Craig Matthiessen; Kawana Cohen-Hopkins; Kim Jennings; MaryAnn Petrole; Patrick Easter
Subject:	Re: Materials for Early Guidance Meeting (12/16/2010): CERCLA/EPCRA Reporting Requirements for Air Releases of Hazardous Substances from Animal Waste at Farms
Date:	12/13/2010 02:33 PM

Thanks Lynn.

Maryann, please review and let's get back out to Rick Mattick ASAP.

Folks, in the future, let's get materials out to Matt for review in advance before sending to Rick to avoid last minute hold ups, we know he will have comments, so might as well get sooner than later. Thanks all, nice work on this paper.

▼ Lynn Beasley

----- Original Message -----
From: Lynn Beasley
Sent: 12/13/2010 02:22 PM EST
To: Lynn Beasley
Cc: beasley.lynn@epa.gov; Craig Matthiessen; Dana Tulis; Kawana Cohen-Hopkins; Kim Jennings; MaryAnn Petrole; Patrick Easter
Subject: Re: Materials for Early Guidance Meeting (12/16/2010): CERCLA/EPCRA Reporting Requirements for Air Releases of Hazardous Substances from Animal Waste at Farms

MaryAnn,

I took another look at Matt's comments. As a result I made a couple of edits to slide 12. Added phrase, "but consider data generated as it becomes available" under the Air Monitoring bullet. Removed question about using the same farm universe.

[attachment "EARLY GUIDANCE 12-16-10.pptx" deleted by Dana Tulis/DC/USEPA/US]

It is true that Matt was not in the review loop prior to Dana T reviewing the package on Thursday.

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(202) 309-4538 (cell)
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▼ Lynn Beasley---12/13/2010 02:01:08 PM---MaryAnn, Per our conversation - I've updated slides 9 and 11 (from your note below).

From:	Lynn Beasley/DC/USEPA/US
To:	MaryAnn Petrole/DC/USEPA/US@EPA
Cc:	Dana Tulis/DC/USEPA/US@EPA, Kawana Cohen-Hopkins/DC/USEPA/US@EPA, Patrick Easter/DC/USEPA/US@EPA, Kim Jennings/DC/USEPA/US@EPA, beasley.lynn@epa.gov, Craig Matthiessen/DC/USEPA/US@EPA
Date:	12/13/2010 02:01 PM

Subject: Re: Materials for Early Guidance Meeting (12/16/2010): CERCLA/EPCRA Reporting Requirements for Air Releases of Hazardous Substances from Animal Waste at Farms

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MaryAnn,

Per our conversation - I've updated slides 9 and 11 (from your note below).

[attachment "EARLY GUIDANCE 12-16-10.pptx" deleted by Lynn Beasley/DC/USEPA/US]

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▼ MaryAnn Petrole---12/09/2010 05:38:23 PM---Lynn based on the notes I took from Barry, I believe that you covered his points. I did think that

From: MaryAnn Petrole/DC/USEPA/US
To: Lynn Beasley/DC/USEPA/US@EPA
Cc: Dana Tulis/DC/USEPA/US@EPA, Kawana Cohen-Hopkins/DC/USEPA/US@EPA
Date: 12/09/2010 05:38 PM
Subject: Re: Materials for Early Guidance Meeting (12/16/2010): CERCLA/EPCRA Reporting Requirements for Air Releases of Hazardous Substances from Animal Waste at Farms

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Lynn
based on the notes I took from Barry, I believe that you covered his points. I did think that we did not want to use the word "option" and and would recommend that slide 9 just say Regulatory Approaches for Consideration and just list them under CERCLA and EPCRA as you have done , but take out Option 1, 2, 3. I also had a note to keep this option on the table [redacted].

I also had another note that was direction from Barry for the future to check with the regions to see if EPA ever responded due to a report and to put a memo together to prepare a record that we don't need the reports to respond - and write up questions for OGC since it seemed that they were confused about the CERCLA reporting - but I may have misinterpreted what Barry was asking.

I am out tomorrow - Dana is here and once you get her OK you can send to the workgroup. I walked away from the pre-brief with the plan that while Mathy or Barry would kick off the workgroup - Dana would brief.

Maryann Petrole
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▼ Lynn Beasley---12/09/2010 08:05:29 AM---Dana/MaryAnn, I have further streamlined the slides for "Regulatory Approach - Development of Option

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To: Dana Tulis/DC/USEPA/US@EPA, MaryAnn Petrole/DC/USEPA/US@EPA
Cc: beasley.lynn@epa.gov, Craig Matthiessen/DC/USEPA/US@EPA, Earl Salo/DC/USEPA/US@EPA, Erik Swenson/DC/USEPA/US@EPA, Kawana Cohen-Hopkins/DC/USEPA/US@EPA, Kim Jennings/DC/USEPA/US@EPA, Patrick Easter/DC/USEPA/US@EPA
Date: 12/09/2010 08:05 AM
Subject: Re: Materials for Early Guidance Meeting (12/16/2010): CERCLA/EPCRA Reporting Requirements for Air Releases of Hazardous Substances from Animal Waste at Farms

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Dana/MaryAnn,

I have further streamlined the slides for "Regulatory Approach - Development of Options" to avoid getting too into the weeds during the Early Guidance meeting. I removed the detail under options that needs a greater level of fleshing out than is appropriate for the EG meeting (i.e., the workgroup will explore further and prior to Options Selection).

The changes will keep the focus on levels of reporting (i.e., degree of exemptions) rather than details/mechanism of reporting.

[attachment "EARLY GUIDANCE 12-16-10.pptx" deleted by Lynn Beasley/DC/USEPA/US]

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▼ Lynn Beasley---12/08/2010 03:44:57 PM---thanks Erik. Remember this is Early Guidance and not option selection so how workable "options" may

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To: Erik Swenson/DC/USEPA/US@EPA
Cc: beasley.lynn@epa.gov, Craig Matthiessen/DC/USEPA/US@EPA, Dana Tulis/DC/USEPA/US@EPA, Earl Salo/DC/USEPA/US@EPA, Kawana Cohen-Hopkins/DC/USEPA/US@EPA, Kim

Jennings/DC/USEPA/US@EPA, MaryAnn Petrole/DC/USEPA/US@EPA, Patrick Easter/DC/USEPA/US@EPA

Date: 12/08/2010 03:44 PM

Subject: Re: Materials for Early Guidance Meeting (12/16/2010): CERCLA/EPCRA Reporting Requirements for Air Releases of Hazardous Substances from Animal Waste at Farms

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thanks Erik. Remember this is Early Guidance and not option selection so how workable "options" may be would need to be further fleshed out (at the direction of Sr. Management through early guidance). With respect to Continuous Release Reporting, the reason for suggesting it be a requirement [redacted] the episodic releases.

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▼ Erik Swenson---12/08/2010 03:27:02 PM---I'm not sure of the time frame on this and Lynn said this may go out quickly so I wanted to make a f

From: Erik Swenson/DC/USEPA/US

To: Lynn Beasley/DC/USEPA/US@EPA

Cc: beasley.lynn@epa.gov, Craig Matthiessen/DC/USEPA/US@EPA, Dana Tulis/DC/USEPA/US@EPA, Kawana Cohen-Hopkins/DC/USEPA/US@EPA, Kim Jennings/DC/USEPA/US@EPA, MaryAnn Petrole/DC/USEPA/US@EPA, Patrick Easter/DC/USEPA/US@EPA, Earl Salo/DC/USEPA/US@EPA

Date: 12/08/2010 03:27 PM

Subject: Re: Materials for Early Guidance Meeting (12/16/2010): CERCLA/EPCRA Reporting Requirements for Air Releases of Hazardous Substances from Animal Waste at Farms

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I'm not sure of the time frame on this and Lynn said this may go out quickly so I wanted to make a few comments. See comments on slides 9 and 10.

[attachment "Early Guidance 12.16 ess comments.pptx" deleted by Lynn Beasley/DC/USEPA/US]

▼ Lynn Beasley---12/08/2010 10:35:44 AM---I added the language suggested by Eric. Now there are two slides with "Other Issues." Poultry peti

From: Lynn Beasley/DC/USEPA/US

To: Erik Swenson/DC/USEPA/US@EPA

Cc: beasley.lynn@epa.gov, Craig Matthiessen/DC/USEPA/US@EPA, Dana Tulis/DC/USEPA/US@EPA, Kawana Cohen-Hopkins/DC/USEPA/US@EPA, Kim Jennings/DC/USEPA/US@EPA, MaryAnn Petrole/DC/USEPA/US@EPA, Patrick Easter/DC/USEPA/US@EPA

Date: 12/08/2010 10:35 AM

Subject: Re: Materials for Early Guidance Meeting (12/16/2010): CERCLA/EPCRA Reporting Requirements for Air Releases of Hazardous Substances from Animal Waste at Farms

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I added the language suggested by Eric. Now there are two slides with "Other Issues." Poultry petition issue appears on its own (last) slide.

[attachment "EARLY GUIDANCE 12-16-10.pptx" deleted by Erik Swenson/DC/USEPA/US]

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▼ Erik Swenson---12/08/2010 09:49:08 AM---Thanks Lynn, on the point about the poultry petition, I would phrase the issue like this on the slid

From: Erik Swenson/DC/USEPA/US

To: Lynn Beasley/DC/USEPA/US@EPA

Cc: beasley.lynn@epa.gov, Craig Matthiessen/DC/USEPA/US@EPA, Dana Tulis/DC/USEPA/US@EPA, Kawana Cohen-Hopkins/DC/USEPA/US@EPA, Kim Jennings/DC/USEPA/US@EPA, MaryAnn Petrole/DC/USEPA/US@EPA, Patrick Easter/DC/USEPA/US@EPA

Date: 12/08/2010 09:49 AM

Subject: Re: Materials for Early Guidance Meeting (12/16/2010): CERCLA/EPCRA Reporting Requirements for Air Releases of Hazardous Substances from Animal Waste at Farms

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Thanks Lynn, on the point about the poultry petition, I would phrase the issue like this on the slide:

- Poultry Petition
  - Submitted to the Agency in August 2005. Official Agency response remains outstanding.

We may receive comments on it as part of this rulemaking.

- Should Agency respond to petition as part of this rulemaking.

▼ Lynn Beasley---12/08/2010 09:34:38 AM---Dana/MaryAnn, I've attached the revised powerpoint (based on Monday's pre-brief with Barry), and upd

From: Lynn Beasley/DC/USEPA/US
To: Dana Tulis/DC/USEPA/US@EPA, MaryAnn Petrole/DC/USEPA/US@EPA
Cc: beasley.lynn@epa.gov, Kim Jennings/DC/USEPA/US@EPA, Craig Matthiessen/DC/USEPA/US@EPA, Patrick Easter/DC/USEPA/US@EPA, Kawana Cohen-Hopkins/DC/USEPA/US@EPA, Erik Swenson/DC/USEPA/US@EPA
Date: 12/08/2010 09:34 AM
Subject: Materials for Early Guidance Meeting (12/16/2010): CERCLA/EPCRA Reporting Requirements for Air Releases of Hazardous Substances from Animal Waste at Farms

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Dana/MaryAnn,

I've attached the revised powerpoint (based on Monday's pre-brief with Barry), and updated Preliminary Analytic Blueprint.

[attachment "EARLY GUIDANCE 12-16-10.pptx" deleted by Erik Swenson/DC/USEPA/US] [attachment "Preliminary ABP_CERCLAFarm.docx" deleted by Erik Swenson/DC/USEPA/US]

A few things to note on the ppt: The Regulatory Approach - Development of Options pages (9-12) were re-formatted and revised slightly for clarity. Slide 13 was added to state OSWER's recommendations. Slide 17 - added Poultry Petition as an "Other Issue" at the request [redacted].

The Preliminary Analytic Blueprint will be further developed/revised after Early Guidance. The Detailed Analytic Blueprint is due in mid-January.

Kim has reviewed the powerpoint and is ok with sending to you directly.

I believe that Richard Mattick wanted to get the Early Guidance

materials out by Thursday (12/9).

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