Message

From: Grantham, Nancy [Grantham.Nancy@epa.gov]
Sent: 6/19/2017 6:10:40 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]; Konkus, John [konkus.john@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Graham, Amy [graham.amy@epa.gov]
Subject: FW: Updated Gen X briefing materials for Acting RA - ENFORCEMENT CONFIDENTIAL

See below – Patrick is looped. He will also see the final holding statement for use tomorrow.

Thanks ng

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From: Senn, John
Sent: Monday, June 19, 2017 2:06 PM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: RE: Updated Gen X briefing materials for Acting RA - ENFORCEMENT CONFIDENTIAL

Yes, I sent that briefing doc that Dawn sent around to Patrick and Larry and Dave Cozad (acting DAA). Patrick has been tracking this from the beginning. He is also getting updates at the program level from our folks here in DC.

From: Grantham, Nancy
Sent: Monday, June 19, 2017 2:04 PM
To: Senn, John <Senn.John@epa.gov>
Subject: FW: Updated Gen X briefing materials for Acting RA - ENFORCEMENT CONFIDENTIAL

John – see liz's question – can you let me know – and loop him if not already looped

Thanks ng

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From: Bowman, Liz
Sent: Monday, June 19, 2017 2:02 PM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>; Greenwalt, Sarah <greenwalt.sarah@epa.gov>; Dominguez, Alexander <dominguez.alexander@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Konkus, John <konkus.john@epa.gov>; Jones, Enesta <Jones.Enesta@epa.gov>; Richardson, RobinH <Richardson.RobinH@epa.gov>
Cc: Traylor, Patrick <traylor.patrick@epa.gov>
Subject: RE: Updated Gen X briefing materials for Acting RA - ENFORCEMENT CONFIDENTIAL

Has Patrick Traylor been looped into this?

From: Grantham, Nancy
Sent: Monday, June 19, 2017 2:00 PM
To: Greenwalt, Sarah <greenwalt.sarah@epa.gov>; Dominguez, Alexander <dominguez.alexander@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Konkus, John <konkus.john@epa.gov>; Jones, Enesta <Jones.Enesta@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Richardson, RobinH <Richardson.RobinH@epa.gov>
Subject: FW: Updated Gen X briefing materials for Acting RA - ENFORCEMENT CONFIDENTIAL

All .. this issue is hot in region 4 – and we have been working with ow, ocspp, ord and oeca – and using the holding statement below.

Nancy Beck has been briefed as well.

There are unrelated superfund public availability sessions tomorrow within the impacted Cape Fear watershed – and Region 4 staff assume the press will zero in on this issues.

We just got off the phone with ocspp and others and they are drafting a statement that can be read at the meeting and given to reporters (we will have a press person there, as well as the superfund project manager) – it will be reviewed by nancy beck and we will share it back with this group.

Below is how we have responded to media, to date, on GenX.

GenX - EPA Responses to Media

EPA is initiating an investigation into Chemours's compliance with a 2009 order issued under the Toxic Substances Control Act for the production of GenX. This investigation will allow EPA to determine whether Chemours is in compliance with requirements of the order to control releases to the environment at the Fayetteville, N.C., facility.

EPA is committed to protecting public health and supporting states and public water systems as the appropriate steps to address the presence of GenX in drinking water are determined. Under the Safe Drinking Water Act, EPA undertakes extensive evaluations of contaminants and uses the best available peer reviewed science to identify and regulate contaminants that present meaningful opportunities for health risk reduction. While EPA has not established a drinking water regulation, health advisory or health based benchmark for GenX in drinking water, the agency is working closely with the states and public water systems to determine the appropriate next steps to ensure public health protection.

In 2009, EPA and DuPont entered into a consent order that required DuPont to recover, capture or recycle GenX from air emissions and water discharges at the company's facilities in the United States at a rate of 99 percent. In its review of the GenX premanufacture submission, or approval to make the chemical, EPA determined that GenX could go to market if the conditions of the consent order were met.

EPA received the chemical substance referred to as GenX as a new chemical notice from DuPont (which is now Chemours) in 2008. The substance is a perfluoroetherderivative. EPA and the company signed a Consent Order in 2009 for the substance which required health and environmental testing, and also controlled worker exposures, environmental releases and the amount of impurities permissible in the final polymers. A Consent Order can require testing and restrictions as conditions. The Agency is analyzing the data it has received under the Consent Order.

In its review of the GenX premanufacture submission, EPA determined that the chemical could be

commercialized if there were no releases to water. Under the terms of the Consent Order, for operations in the United States, DuPont is required to recover and capture (destroy) or recycle the chemical from all the process wastewater effluent streams and air emissions (point source and fugitive) at an overall efficiency rate of 99% (i.e., 99% of the chemical can't be released into the environment). Further, under the terms of the Consent Order, Dupont may only distribute the chemical to those customers, such as manufacturers and processers, that can also achieve this percentage of efficiency or destruction. An important next step is verifying the source of GenX in the water.

Locally: Pittsboro indicated that they recently installed a 24/7 PAC Feed System, which is an effective treatment option for PFOA/PFOS. They also plan to conduct confirmatory sampling, which would provide results about the current PFOA/PFOS levels in the finished water. To date, Region 4 does not have any confirmatory sampling data for the Pittsboro community.

In December 2016, Region 4 reached out to the North Carolina Department of Health and Human Services (NC DHHS) to determine their awareness of the advisory and its recommendations. The Health Department acknowledged familiarity with the advisory but stated that they did not have authority to get involved. They stated they find the advisories difficult to implement at the state level, since they aren't regulated compounds.

Although Region 4 has confirmed that NC DEQ, NC DHHS and Town of Pittsboro are aware of the Final Health Advisory's recommendations, the sensitive population has not been notified in the Pittsboro community.

Nationally: EPA is evaluating PFOA and PFOS as drinking water contaminants in accordance with the process required by the Safe Drinking Water Act (SDWA). To regulate a contaminant under SDWA, EPA must find that it: (1) may have adverse health effects; (2) occurs frequently (or there is a substantial likelihood that it occurs frequently) at levels of public health concern; and (3) there is a meaningful opportunity for health risk reduction for people served by public water systems.

EPA included PFOA and PFOS among the contaminants for which water systems are required to monitor under the third Unregulated Contaminant Monitoring Rule (UCMR 3) in 2012. Results of this monitoring effort can be found on the publicly-available National Contaminant Occurrence Database (NCOD). In accordance with SDWA, EPA will consider the occurrence data from UCMR 3, along with the peer reviewed health effects assessments supporting the PFOA and PFOS Health Advisories, to make a regulatory determination on whether to initiate the process to develop a national primary drinking water regulation.

EPA has conducted monitoring in the Cape Fear River Watershed for perfluorinatedcompounds. At this time, EPA Region 4 cannot advise on GenX compounds since the EPA does not have a drinking water advisory for these compounds. As noted in #3, EPA is evaluating PFOS and PFOA under the requirements of SDWA.

In 2006, EPA Region 4 has conducted research of perflourinated compounds in the Cape Fear Watershed. At that time, our investigations did not show impacts of concern to surface water or groundwater; therefore, did not contact the plant operator. Since the paper was published, EPA Region 4 has not contacted the plant operator regarding the findings.

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Hi All,

I have attached the briefing sheet for the Region 4 Acting RA. During a meeting on this issue, we became aware that NC and OCSPP are working on a health benchmark screening level for Gen X by tomorrow at 2:00. Because media interest is high, NC will probably announce this via press release. Has OCSPP crafted a desk statement on this issue? I ask this because, Davina will be attending ppublic availability sessions and a public meeting for the Kerr-McGee Superfund Site in Navassa, N.C. tomorrow evening and will probably get questions on this topic. Also, are there any marching orders for what she can say, aside from the desk statement? Specifically, next steps (i.e. future inspection activities, order evaluations, etc....).

Thanks,
Dawn