

From: Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>
Sent: Sunday, April 3, 2016 5:40 PM
To: Freedhoff, Michal (Markey) <Michal_Freedhoff@markey.senate.gov>
Cc: Black, Jonathan (Tom Udall) <Jonathan_Black@tomudall.senate.gov>; Deveny, Adrian (Merkley) <Adrian_Deveny@merkle.senate.gov>
Subject: Re: Sen. Markey TSCA TA additional request on PFOA SNUR

Michal,
This responds to the additional TA request on PFOA SNUR.

EPA believes the answer is no to both questions. Please let me know if any additional questions.
Thanks,
Sven

Given the obvious and numerous manners in which EPA could find that there is a "reasonable potential for exposure to the chemical substance" through an article or category of articles, does EPA believe the article consideration language in senate 5 could impede it's development of this SNUR?

EPA Response: No

I understand the language provides a litigation pathway for those who might not like what you do, but does it provide a barrier to what you might actually be able to TRY to do?

EPA Response: No

On Apr 3, 2016, at 2:46 PM, Freedhoff, Michal (Markey) <Michal_Freedhoff@markey.senate.gov> wrote:

I am assuming that if LCPFAC chemicals are similar to PFOA, that their uses in articles (even if there are no ongoing uses) might also be reasonably foreseen by epa to be similar - non-stick cookware, coatings for medical products, coatings for floors, clothing, paper boxes/bags used for food, etc. Given the obvious and numerous manners in which EPA could find that there is a "reasonable potential for exposure to the chemical substance" through an article or category of articles, does EPA believe the article consideration language in senate 5 could impede it's development of this SNUR? I understand the language provides a litigation pathway for those who might not like what you do, but does it provide a barrier to what you might actually be able to TRY to do?

Thx

Michal Ilana Freedhoff, Ph.D.
Director of Oversight and Investigations
Office of Senator Edward J. Markey (D-MA)

From: Kaiser, Sven-Erik
Sent: Sunday, April 3, 2016 2:19 PM

To: Freedhoff, Michal (Markey); Black, Jonathan (Tom Udall); Deveny, Adrian (Merkley)
Subject: Sen. Markey TSCA TA request on PFOA SNUR

Michal,

This responds to the TA request on PFOA. Please let me know if any questions. Thanks,
Sven

Is there a PFOA SNUR in the works that relates to articles?

Not PFOA per se, but for related chemicals, yes. In January 2015 EPA proposed a SNUR for long-chain perfluoroalkyl carboxylate (LCPFAC) chemical substances that would designate as a significant new use manufacturing (including importing) or processing of an identified subset of LCPFAC chemical substances for any use that will not be ongoing after December 31, 2015, and all other LCPFAC chemical substances for which there are currently no ongoing uses. For this SNUR, EPA is also proposing to make inapplicable the exemption for persons who import LCPFAC chemical substances as part of articles.

I thought PFOA was grandfathered onto the inventory?

Yes, PFOA was included on the original TSCA Inventory.

From: "Freedhoff, Michal (Markey)" <Michal.Freedhoff@markey.senate.gov>

Date: March 29, 2016 at 3:29:26 PM EDT

To: "Kaiser, Sven-Erik" <Kaiser.Sven-Erik@epa.gov>

Cc: "Black, Jonathan (Tom Udall)" <Jonathan.Black@tomudall.senate.gov>, "Deveny, Adrian (Merkley)" <Adrian.Deveny@merkle.senate.gov>

Subject: PFOA SNUR?

Sven

Is there a PFOA SNUR in the works that relates to articles? I thought PFOA was grandfathered onto the inventory?

Thx
M

Michal Ilana Freedhoff, Ph.D.
Director of Oversight and Investigations
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