

Message

From: Foley, Allison D. [ADFoley@Venable.com]
Sent: 3/16/2018 8:05:25 PM
To: Dravis, Samantha [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ece53f0610054e669d9dffe0b3a842df-Dravis, Sam]
CC: Bolen, Brittany [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=31e872a691114372b5a6a88482a66e48-Bolen, Brit]; jim.roewer@uswag.org; Harley, Peter [Peter.Harley@nationalgrid.com]
Subject: Thank you and follow up from March 6 meeting
Flag: Follow up

Dear Ms. Dravis:

Thank you to you and Ms. Bolen for meeting with representatives of the Utility Solid Waste Activities Group (USWAG) last week to discuss important PCB regulatory reform initiatives. As discussed during the meeting, USWAG believes that the PCB regulatory improvements requested in USWAG’s May 12, 2017 comments on Executive Order 13777 will eliminate unnecessary and costly regulatory burdens and logistical challenges that significantly delay cleanup projects, and are therefore consistent with EO 13777 and EPA’s Smart Sector Initiative objectives.

Of particular importance to USWAG are the following requests for improvement of the existing PCB regulations discussed at last week’s meeting:

- Amendment of the analytical provisions of 40 C.F.R. Part 761 (*i.e.*, 40 C.F.R. §§ 761.61(a)(5)(B)(iv), 761.253, 761.272, 761.292, 761.358, 761.395) to allow for the use of “any extraction method allowed under Method 8082 from SW-846, as Method 8082 may be revised.” This would allow for real-time adaptation of the PCB regulations to reflect advances in analytical technology, contingent on EPA’s acceptance of such updated methodology in SW-846.
- Clarification of the PCB disposal regulations to expressly provide that all PCB remediation wastes with as-found concentrations < 50 ppm PCB (provided such concentration is not the result of improper dilution in violation of the 761.1(b)(5)) may be disposed of in non-TSCA disposal units. We are currently working with our members to compile additional costs savings data, based on member use of the PCB remediation waste disposal approval issued to USWAG members in June 2014, to further support this request.

We will follow up with additional member-provided data regarding cost savings and operational advantages associated with the requested regulatory amendments. In the meantime, please do not hesitate to reach out with questions regarding USWAG’s requests.

Best,

Allison D. Foley, Esq. | Venable LLP
Ex. 6
600 Massachusetts Avenue, NW, Washington, DC 20001

ADFoley@Venable.com | www.Venable.com

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