

Message

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**From:** Ewing, Kevin [kevin.ewing@bracewell.com]  
**Sent:** 10/6/2017 9:13:22 PM  
**To:** Beck, Nancy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=168ecb5184ac44de95a913297f353745-Beck, Nancy]  
**CC:** lcurcio@solutous.com  
**Subject:** RE: Follow-Up

Thank you very much, Nancy. Enjoy the weekend.  
Kevin

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**From:** Beck, Nancy [mailto:Beck.Nancy@epa.gov]  
**Sent:** Friday, October 6, 2017 4:32 PM  
**To:** Ewing, Kevin <kevin.ewing@bracewell.com>  
**Cc:** lcurcio@solutous.com  
**Subject:** RE: Follow-Up

Kevin,

Just wanted to let you know we are working through this one. I will be out of the office on travel through next Thursday, and I've asked Jeff Morris, our OPPT Office Director, to follow up with you if we can get it sorted out quickly.

Regards,  
Nancy

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Nancy B. Beck, Ph.D., DABT  
Deputy Assistant Administrator, OCSPP  
P: 202-564-1273

Ex. 6

[beck.nancy@epa.gov](mailto:beck.nancy@epa.gov)

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**From:** Ewing, Kevin [mailto:kevin.ewing@bracewell.com]  
**Sent:** Wednesday, October 4, 2017 8:59 PM  
**To:** Beck, Nancy <Beck.Nancy@epa.gov>  
**Cc:** lcurcio@solutous.com  
**Subject:** Follow-Up

Nancy,

Following up on the matter we discussed, a few points of orientation:

- SNUN filed January 2017 for use solely in closed systems.
- Since January, we have responded to several rounds of questions from Staff, mainly premised on exposure concerns that appear inconsistent with closed system use.
- Staff recently provided two options:
  - Option 1: Consent order followed by SNUR; the CO would require minimal PPE and conditions, given low exposure concern; however, the CO also would require release testing for yet further modeling by EPA of potential exposure

- Option 2: SNUR only; same conditions as CO, except no testing required
- We are advised that the Option 1 CO could be available quickly, but Option 2 could take many months.
- We would like to understand:
  - The likely timetable for Option 2 SNUR.
  - The basis for requiring testing in Option 1 when there is minimal exposure concern and the agency is prepared to make a finding under Option 2, without further testing or analysis, of not likely to present unreasonable risk.

Thank you.

Regards,

Kevin

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**KEVIN EWING**

Partner

[kevin.ewing@bracewell.com](mailto:kevin.ewing@bracewell.com)

**Ex. 6**

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