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**From:** Daguillard, Robert [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=BBE9682B940C4F2C90732E4D37355DD4-DAGUILLARD,]  
**Sent:** 4/13/2018 7:46:26 PM  
**To:** Shelby Fleig [Ex. 6]  
**CC:** Press [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b293283291dc44e0b5d1c36be9281d8a-Press]  
**Subject:** RE: Interview request | TSCA legislative hearing on April 12

Shelby, on background, please:

**1. What consideration does the EPA currently give to industry interests regarding PBT criteria defined in TSCA? For example, public comments on PBT benchmarks started in January. How will chemical industry interests impact rules EPA will set on PBT limits going forward?**

Section 6(h) of the Frank R. Lautenberg Chemical Safety for the 21<sup>st</sup> Century Act, which amended TSCA, mandated the specific criteria for identifying PBT chemicals for expedited regulatory action. As EPA moves forward with the regulatory action required under the statute, there will be several opportunities for public comments. These public comments will inform the regulatory actions for these chemicals.

**2. Panelists said the EPA as a whole has very little research and data proving chemical toxicity. I understand the process for new chemicals being evaluated for risk by the EPA, but will the EPA request more data or additional testing to gather more research that could help to make accurate risk assessments?**

TSCA provides EPA with authority to require additional testing for both new and existing chemicals. EPA expects to consider use of this authority where appropriate to support both its new and existing chemical programs.

**3. Additionally, one panelist said Administrator Pruitt thinks the EPA can “pick and choose” which exposure pathways it can include in risk evaluations, leaving out legacy products, which is against the TSCA law’s requirement to consider all pathways of exposure. Is Pruitt only considering the highest-risk exposures? If not, what is his approach. Or if so, why is he not evaluating low-level toxicants as well?**

The Agency’s process for conducting risk evaluations under TSCA is laid out in the final Risk Evaluation rule published in June 2017. For more information: <https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/risk-evaluations-existing-chemicals-under-tsca>.

Cheers, R.

Robert Daguillard  
Office of Media Relations  
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[Ex. 6]

**From:** Shelby Fleig [Ex. 6]  
**Sent:** Friday, April 13, 2018 10:13 AM  
**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>  
**Subject:** Re: Interview request | TSCA legislative hearing on April 12

Good morning Robert,

Following up and looking forward to responses as soon as possible. Thanks so much.

Shelby

On Thu, Apr 12, 2018 at 6:14 PM, Shelby Fleig <[REDACTED] Ex. 6 > wrote:

Hi Robert,

Please provide any answers to my questions as early as possible tomorrow. Thanks for your help.

Shelby

On Thu, Apr 12, 2018 at 2:51 PM, Shelby Fleig <[REDACTED] Ex. 6 > wrote:

Not specifically. I am reporting out of DC this quarter (the final quarter of my graduate program). We pitch our stories individually to outlets on a daily basis through the Medill News Service.

Thanks,  
Shelby

On Thu, Apr 12, 2018 at 2:50 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Shelby, we'll get you a response as soon as we can.

Also, and since you're reporting for Medill – a Northwestern University-based center, IIRC – did any health/environmental concerns specific to the Chicago area, or to the Midwest generally, prompt your inquiry?

Cheers, R.

Robert Daguillard

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[REDACTED] Ex. 6

**From:** Shelby Fleig <[REDACTED] Ex. 6 >

**Sent:** Thursday, April 12, 2018 2:07 PM

**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>

**Subject:** Re: Interview request | TSCA legislative hearing on April 12

Hi Robert,

Glad to hear that helped. But I need to turn my story in today. The best I can do is 4 p.m. for this story.

Please provide what you can by then, and if more comments come tomorrow, I am still interested in hearing them. I will be covering the agency often in the coming months so want to learn all I can.

Thank you,

Shelby

On Thu, Apr 12, 2018 at 2:03 PM, Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Thank you, Shelby. My colleagues found the clarifications really helpful. However they're asking if you could push your deadline back to tomorrow, as some of the people who could best help answer the questions are out today. Please advise soonest.

Robert Daguillard

U.S. EPA

Office of Media Relations

Washington D.C.

**Ex. 6**

202-564-6618 (O)

On Apr 12, 2018, at 1:25 PM, Shelby Fleig **Ex. 6** wrote:

Hi Robert,

More specific questions clarifying those points are below.

What consideration does the EPA currently give to industry interests regarding PBT criteria defined in TSCA? For example, public comments on PBT benchmarks started in January. How will chemical industry interests impact rules EPA will set on PBT limits going forward?

Panelists said the EPA as a whole has very little research and data proving chemical toxicity. I understand the process for new chemicals being evaluated for risk by the EPA, but will the EPA

request more data or additional testing to gather more research that could help to make accurate risk assessments?

Both of these questions feed into the broader concern brought up in the panel that, according to the panelists, the EPA is now only assessing the highest-risk chemicals and pathways and ignoring more subtle or "legacy" contaminants and pathways, which leave certain communities at risk.

I hope that helps.

Thanks,

Shelby

On Thu, Apr 12, 2018 at 1:08 PM, Daguillard, Robert <[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Shelby, the toxics program is asking:

I would like to ask specifically about PBT criteria and how the EPA responds to industry pressures to change those criteria –

**which criteria is she referring to? Is she talking about how chemicals are classified as PBTs?**

how the EPA is currently assessing chemicals for TSCA limitations –

**what does she mean when she says assessing chemicals for TSCA limitations? We assess chemicals for risk so I don't understand the question.**

Thanks in advance for clarification, since you're on short deadline.

Robert Daguillard

U.S. EPA

Office of Media Relations

Washington D.C.

**Ex. 6**

202-564-6618 (O)

On Apr 12, 2018, at 12:32 PM, Shelby Fleig **Ex. 6** wrote:

Hi Robert,

Thanks for your response. It was a panel-style briefing at Dirksen. Here's a link:

<https://prheucsf.blog/legislative-briefing/>

My deadline is 3:30 p.m. at the latest. I know it's short notice; any comments or responses to my questions above would be greatly appreciated.

Best,

Shelby

**Ex. 6**

On Thu, Apr 12, 2018 at 11:37 AM, Daguillard, Robert  
<[Daguillard.Robert@epa.gov](mailto:Daguillard.Robert@epa.gov)> wrote:

Good morning,

Thanks for reaching out. For my own edification, are you attending a house hearing, or an panel discussion held on the Hill? Do you have event info – a link or similar?

It's hard to promise an interview on such short notice, but I'll try to get responses for you. What's your deadline – and when are you hoping to publish your story?

Cheers, R.

Robert Daguillard

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+ Ex. 6

**From:** Shelby Fleig [mailto:shelby.fleig@epa.gov]

Ex. 6

**Sent:** Thursday, April 12, 2018 11:25 AM

**To:** Daguillard, Robert <Daguillard.Robert@epa.gov>

**Subject:** Interview request | TSCA legislative hearing on April 12

Hi Mr. Daguillard,

I'm a reporter for the Medill News Service, currently attending a legislative briefing titled "Is the new TSCA Working As Congress Intended?"

I would like to schedule a phone interview for sometime around 12:30 or 1 p.m. if possible, or could potentially accept comments via email. I want to be sure to give the EPA the chance to respond to claims made here today.

I would like to ask specifically about PBT criteria and how the EPA responds to industry pressures to change those criteria, and how the EPA is currently assessing chemicals for TSCA limitations with what the panel determined was "little to no data."

Additionally, one panelist said Administrator Pruitt thinks the EPA can "pick and choose" which exposure pathways it can include in risk evaluations, leaving out legacy products, which is against the TSCA law's requirement to consider all pathways of exposure. Is Pruitt only considering the highest-risk exposures? If not, what is his approach. Or if so, why is he not evaluating low-level toxicants as well?

Hope we can talk soon. Thank you for your help.

Best,

Shelby Fleig

**Ex. 6**