

Message

From: Beck, Nancy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=168ECB5184AC44DE95A913297F353745-BECK, NANCY]
Sent: 12/2/2017 1:28:07 AM
To: Marrapese, Martha [MMarrapese@wileyrein.com]; Morris, Jeff [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=55c34872e6ea40cab78be910aec63321-Morris, Jeff]
Subject: RE: Pre-Prioritization

Martha,
Thank you for sharing your early thoughts with us. We look forward to seeing you on the 11th.

Regards,
Nancy

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Ex. 6

beck.nancy@epa.gov

From: Marrapese, Martha [mailto:MMarrapese@wileyrein.com]
Sent: Friday, December 1, 2017 9:30 AM
To: Morris, Jeff <Morris.Jeff@epa.gov>; Beck, Nancy <Beck.Nancy@epa.gov>
Subject: Pre-Prioritization

DOES NOT CONTAIN TSCA CBI

Good morning Jeff and Nancy—

I plan to attend the upcoming public meeting on the 11th, and am writing this morning about the document the agency put out in advance. First, thank you for issuing the document, it is very useful and helpful.

The document is process oriented. At the public meeting, it would be great to have a discussion about how the process or processes align with Congress' goal in establishing the prioritization process. And what that goal is, exactly. Recognizing, of course, there may be competing goals:

- To "finally" address chemicals that the old section 6 did not lend itself to regulating?
- To focus on chemicals identified to be of concern that have potentially widespread exposures?
- Committing government's limited resources to achieve the greatest measure of public good?

It seems prudent to consider that how the government commits resources to achieving the greatest gain with this program is consistent with the concept of "prioritization". The controlled banding approach seems like it could ground that particular concept of prioritization within a risk-based framework. The goal of the Clean Air Act is Clean Air. The goal of the Clean Water Act is Clean Water. Can the goal of Prioritization be similarly captured with a few words? Worst first? By that meaning moderate or high hazard/high exposure. The changes in the law, conceptually, seem to be aimed at capturing areas of greatest or most vulnerable exposure based on the conditions of use factor and subpopulation factor, respectively.

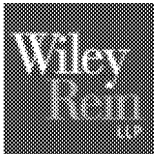
Congress gave EPA timelines to get these reviews done, so it must have recognized that data development takes time out of that process. Therefore, is Congress directing EPA to find a way to get the job done in the time allotted with the

information on hand, i.e., come up with a new high throughput approach? In my view, the discussion document for the meeting envisions fitting the way the agency has always done risk assessments into the new framework. That might mean there is a significantly long process (no matter which one or combination is selected) before many/most chemicals would enter into the process Congress created. It would be good to have a public discussion on how the process the agency is seeking to establish can recognize the need for speed with making sure the information necessary is available.

In terms of a new approach, I hope we will also discuss whether EPA really has to redo all of its prior work. That seems like going backwards.

There is no need to respond, having practiced TSCA for 25 years this year, I wanted to offer these thoughts this morning in advance of the meeting, in the spirit of your effort to do the same.

Sincerely, Martha



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