

Message

---

**From:** David Wawer [DavidWawer@CPMA.Com]  
**Sent:** 6/14/2017 8:36:11 PM  
**To:** Bolen, Brittany [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=31e872a691114372b5a6a88482a66e48-Bolen, Brit]; Beck, Nancy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=168ecb5184ac44de95a913297f353745-Beck, Nancy]  
**CC:** Robert.Mott (Robert.Mott@sunchemical.com) [Robert.Mott@sunchemical.com]; Jamie Conrad [jamie@conradcounsel.com]; Harold Fitzpatrick (Ex. 6 Personal Privacy (PP)) (Ex. 6 Personal Privacy (PP))  
**Subject:** Meeting Follow-up: EPA Regions- example of overreach  
**Attachments:** epas\_partial\_approvalpartial\_disapproval\_wa\_hh\_wqc\_impl\_tools\_bellon\_ltr\_enclosures\_508c.pdf

Dear Brittany & Nancy,

First of all, congratulations on assuming key policy leadership roles at USEPA under Administrator Scott Pruitt. The color pigments industry greatly appreciates the opportunity to serve as a strategic partner with the Agency to protect human health & the environment, and concurrently, preserve and expand manufacturing jobs in the color pigments industry and in the downstream industries it serves.

We offered to follow-up with specific examples of continuing regulatory challenges and Agency impediments to US economic growth and job creation. Let me offer one example of how an EPA Regional Office, in the waning days of the previous Administration, imposed unattainable and unmeasurable water quality regulatory requirements on the good citizens and manufacturing companies in Washington State, rather than agree with common-sense regulatory recommendations proposed by very knowledgeable environmental professionals at the Washington State Department of Ecology.

Historical background:

- Washington State Department of Ecology (ECY) tasked with reviewing and updating Federal water quality regulations that it is delegated to manage
- ECY professional technical staff conducted thorough review of existing regulations
- ECY conducted stakeholder outreach meetings and webinars to seek public comments
- Indian tribes in Washington State (funded by Region 10 grants) lobbied Region 10 for higher level of water quality standards, exceeding existing state-federal standards  
ECY presents water quality proposal to Region 10 that maintains WQ standard of 7 micrograms per liter for contaminants (existing federal level); the current TMDL is based upon 22g/day of fish per day, while Region 10 used 175kg/day fish.
- Region 10 communicates its decision to override ECY recommendations and impose water quality standards at 170 micrograms per liter (unmeasurable, unattainable, no technology exists) (see attached document signed by Region 10 Director of Water Quality Daniel Opalski); Washington State ECY given five years to implement.
- Immediate Economic Impact- over 1000 manufacturing jobs in Washington State located on Spokane River at risk of being eliminated; economic impact on Boeing and other national defense industries currently located in Washington State still to be determined

This example questions Region 10 staff motivations and regulatory decision-making practices. How balanced are regulatory outcomes within regions? Which groups may exert more influence over regulatory decisions? Why is state government regulators' expertise questioned or overruled? This example also raises other questions:

Why do Regional Offices exist? What are roles of Regional Offices? Does it make sense for different Regions to develop different regulatory conclusions while operating under the same basic assumptions?

<http://www.spokesman.com/stories/2016/jan/20/fish-hatchery-suspected-as-a-source-of-pcbs-in-the/>

<http://www.scdhec.gov/HomeAndEnvironment/Docs/WQS/South%20Carolina%20Pulp%20and%20Paper%20Association%20Comments.pdf>

We encourage EPA to review the Region 10 regulatory decision imposed on Washington State in November 2016, and work with stakeholders to develop solutions that seek to maintain and expand manufacturing jobs in Washington State.

We would be glad to assist EPA in developing common-sense strategies to ensure a balanced regulatory approach across the country.

Dave

*David Wawer, Executive Director*  
**Color Pigments Manufacturers Association, Inc.**  
1400 Crystal Drive, Suite 630  
Arlington, VA 22202  
(571) 348-5106  
[www.pigments.org](http://www.pigments.org)

This message and any attachments may contain confidential information for the exclusive use of the recipient CPMA member. Any publication, dissemination, distribution or copying of this information to any other organization or person that is not currently employed by a CPMA member company is prohibited unless authorized by CPMA. If you have received this message in error, please notify CPMA immediately and delete this message and any attachments from your system. [Click here](#) for full version of our copyright and distribution policy. All terms apply.