

Message

From: Beck, Nancy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=168ECB5184AC44DE95A913297F353745-BECK, NANCY]
Sent: 10/5/2017 11:57:01 AM
To: Ewing, Kevin [kevin.ewing@bracewell.com]
CC: lcurcio@solutous.com
Subject: RE: Follow-Up

Thank you.

Nancy B. Beck, Ph.D., DABT
Deputy Assistant Administrator, OCSPP

Ex. 6

beck.nancy@epa.gov

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

.....
KEVIN EWING

Partner

kevin.ewing@bracewell.com

Ex. 6

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