

Message

From: Boucher, Michael [MBoucher@crowell.com]
Sent: 7/30/2018 10:14:37 PM
To: Alwood, Jim [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c66435c54af8449badf2e33a420630a8-JAlwood]
CC: Schweer, Greg [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4fe412a2024b4f548eeb02e7e931f484-GSchweer]; Scheifele, Hans [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=dd4c2e03967741c2a8d643869c0681db-HScheifele]; Beck, Nancy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=168ecb5184ac44de95a913297f353745-Beck, Nancy]; Morris, Jeff [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=55c34872e6ea40cab78be910aec63321-Morris, Jeff]
Subject: RE: Meeting request

Dear Jim:

Your message below is welcome news that I will share with our clients immediately. Thank you very much.

Can you tell me whether the batch SNUR will be a direct final rule? If so, and if EPA publishes the batch SNUR on Wednesday, as planned, then I agree that there is no longer any need for our clients to meet with EPA, as much as I enjoy meeting with you and your colleagues.

Sincerely,

Michael Boucher

Michael Boucher

mboucher@crowell.com

Direct: 1.202.624.2787 |

Ex. 6

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1001 Pennsylvania Avenue NW

Washington DC 20004-2595

From: Alwood, Jim [mailto:Alwood.Jim@epa.gov]
Sent: Monday, July 30, 2018 5:53 PM
To: Boucher, Michael; Beck, Nancy; Morris, Jeff
Cc: Schweer, Greg; Scheifele, Hans
Subject: RE: Meeting request

Michael – After all our previous discussions let me be the one to send you good news. The batch SNUR which includes P14-630 is expected to publish on Wednesday August 1. I don't think we need a meeting to discuss EPA issuing a SNUR for P14-630. However, please let me know if you want to discuss any follow-up questions regarding what happens after the direct final rule is published and what happens if EPA receives any comments for the SNUR for P14-630.

Jim

Jim Alwood
Chemical Control Division
EPA East
1200 Pennsylvania Ave. NW
Room 4133J, Mail Code 7405M
Washington, DC 20460
202 564-8974
Fax 202 564 9490

From: Boucher, Michael [mailto:MBoucher@crowell.com]
Sent: Tuesday, July 24, 2018 9:23 AM
To: Beck, Nancy <Beck.Nancy@epa.gov>; Morris, Jeff <Morris.Jeff@epa.gov>
Cc: Alwood, Jim <Alwood.Jim@epa.gov>; Schweer, Greg <Schweer.Greg@epa.gov>
Subject: Meeting request

Dear Dr. Beck and Mr. Morris:

Our clients are the submitters of TSCA PMN No. P-14-0630 for a new pigment, bismuth bromide iodide oxide (BiOx). EPA issued a TSCA section 5(e) order for BiOx that took effect over a year ago, on May 10, 2017.

Customers want to buy and process BiOx into coatings and plastics. The consent order, however, prohibits customers' distribution of BiOx in their own products, i.e., in an unreacted or uncured form. This restriction expires 75 days after EPA issues a TSCA SNUR for BiOx, but the Agency is holding back a batch of SNURs that includes the SNUR for BiOx for unclear reasons.

Jim Alwood and Greg Schweer have tried to explain to me generally why EPA is not issuing the relevant batch of SNURs, but I do not understand the reasons. Meanwhile, our clients cannot sell BiOx to customers, and our clients acquired BiOx specifically to replace older pigments that contain lead and present greater hazards to human health and the environment.

I asked Mr. Alwood how best to elevate our clients' urgent problem within EPA, and he suggested that I contact either or both of you, which I am doing. Accordingly, I respectfully request a meeting between our clients and you at EPA Headquarters to discuss the harm being done to our clients by the lack of a SNUR for BiOx, why EPA is holding back the batch of SNURs that includes the needed SNUR for BiOx, what our clients can do to support EPA's promptly issuing the SNUR for BiOx, and when our clients can reasonably plan on EPA's doing so.

I appreciate your attention to this meeting request, invite any questions that you may have about it, and look forward to receiving a reply at your convenience. Thank you.

Sincerely,

Michael Boucher
Of counsel to the submitter of PMN No. P-14-0630

Michael Boucher

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