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Sent: Monday, March 21, 2016 9:47 AM
To: Markowitz, Deb; Schuren, Alyssa
Cc: Fowler, Mark
Subject: FW: PFOA

Categories: PFOA

Good morning Deb and Alyssa –

I wanted to pass along to you some comments regarding PFOA and TSCA that we received from a DC-based advocate. I know from our prior discussions that you are watching the PFOA/TSCA nexus closely, so thought you might find this to be of interest. Any feedback welcome of course.

Also, as an aside, I'll be in southern VT tomorrow for other meetings and may informally swing through Bennington. No need to make any special arrangements/plans on your end – just wanted to let you know I'll be in town most likely.

Best,
George

Good to catch up with you this morning.

After we met, I talked with a colleague about PFOA/ work plan question you raised. It turns out that PFOA is not on the workplan, but is part of a 2009 action plan on its class of chemicals, and a 2006 action plan on PFOA- a voluntary agreement with eight companies to achieve reductions of emissions and use of precursor chemicals.

According to EPA, "PFOS chemicals are no longer manufactured in the United States ; however, EPA significant new use rules (SNUR s) allow for the continuation of a few, limited , highly technical applications of PFOS - related substances where no known alternatives are available. In addition, existing stocks of PFC - based chemicals that were manufactured or imported into the United States before the effective date of the SNUR s (for example, PFOS - based AFFF produced before the rules took effect in 2002) can still be used (EPA 2009 c , 2013a)."

https://www.epa.gov/sites/production/files/2014-04/documents/factsheet_contaminant_pfos_pfoa_march2014.pdf

What does this mean for the TSCA reform bills? Because PFOA is not on the workplan does not necessarily mean it would not be prioritized under the House-passed bill, and the current news from NY/VT and the cases in Ohio could certainly lead to public pressure to prioritize. We are concerned about provisions in the Senate bill that make it harder to implement significant new use rules for chemicals (there is a proposed SNUR for PFOA that we are looking into.) As I mentioned in our meeting, we are concerned about the new layer of bureaucracy that the Senate bill adds to the things EPA can currently do under TSCA, which could make it harder to regulate toxic chemicals in imported articles.

I mentioned that there are pending lawsuits against Dupont for C8 contamination in Parkersburg WVA. The trials in thousands of lawsuits against the company began in mid September.

<http://highline.huffingtonpost.com/articles/en/welcome-to-beautiful-parkersburg/>

Another series that's worth a read as well.

<https://firstlook.org/theintercept/2015/08/11/duPont-chemistry-deception/?comments=1#comments>

As I thought, Parkersburg is in WV-1, Mr. McKinley's district.