



David.Menotti@shawpittman.com

07/26/2004 11:19 AM

To Rich Leukroth/DC/USEPA/US@EPA

cc Ward Penberthy/DC/USEPA/US@EPA

bcc

Subject RE: Concurrence - Public Versions of Incineration ECAs

Rich:

When we spoke at the meeting of the telomer biodeg technical working group on July 15, I indicated that I expected to be able to get back to you this week on this subject. That is still my hope. Stay tuned.

David

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Public Versions of
AM

To:
cc:
Subject: RE: Concurrence -
Incineration ECAs

07/26/2004 10:52

I'm checking in with you today regarding your progress in reviewing the materials that I sent to you on June 30, 2004 (see below). Specifically, I'm looking for your concurrence on the public versions of the incineration ECAs so that I can move forward with preparation of the individual Company signature packages by this Wednesday (July 28, 2004).

Please signal me what we need to do to complete this final review step for the incineration ECAs.

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----- Forwarded by Rich Leukroth/DC/USEPA/US on 07/26/04 10:21 AM -----

Rich Leukroth

David.Menotti@shawpittman.com

06/30/04 01:38 PM

To:

cc:

Subject: RE: Concurrence -

Public Versions of Incineration

ECAs

David:

As you know the principal delay for preparing the signature package ECAs since the April 1 Plenary has been clarification of CBI with the individual signatory companies. At this point Greg Fritz has secured the Public Version CBI protection issues. This permitted me to move forward in preparing Copy # 2 (Public Version) for the two incineration ECAs. As of today there remains only one telomer company's most recent submission that needs to be logged in by EPA. Since it regards a nomenclature clarification that impacts only CBI versions of the ECA, I can move the Public Versions along for your concurrence.

Please send me an e-mail signaling when you have completed your review. Once you signal me that the text for each ECA is "locked in place" then I can begin the task of preparing the individual company CBI copies for the final mailings (this should take about a week at my end). I can be reached at 202-564-8167 if you have questions, comments, or need to discuss something further.

Attached, as pdf files, are the public versions of the telomer and fluoropolymer incineration ECAs along with a copy of Appendices A-F. These have been updated since the March 2, 2004 Interested Party Review versions to include the following changes:

- 1) Global change: Removal of the proposed QAAP appendix from the table of contents and throughout the documents.
- 2) Global change: Telomer ECA text ... from fluorotelomer based polymer to read fluorotelomer-based polymer
- 3) Global change: Both ECAs text ... from docket control number OPPT-XXX to read EPA docket control....
- 4) Global change: Both ECAs text... from i.e., D.1, D.2, D.3, D.4 to read D.1-D.4
- 5) Part I (Introduction): For both ECAs... a) insertion of footnotes for the documents cited in the

introduction, and b) insertion of Technical Workgroup and Plenary meeting dates for advancing the ECA to signature package.

- 6) Part II (Test Substance): For both ECAs... a) Corrections to the generic names of chemicals listed in Part II. and b) In the Telomer ECA please note that I had to modify the text slightly to accommodate CBI concerns.
- 7) Part II (Test Substance): Telomer ECA...because Appendix A.4 contains no CBI, footnote #1 at end of sentence ... see page 2 line 30 (3/2/04 version) was deleted. We had already done this in the fluoropolymer ECA.
- 8) Part II (Test Substance): Fluoropolymer ECA... I added composite # XX as appropriate For Example:
(A) Dry Non-Melt Resin Composite #1:
.....etc... #2, #3, #4
- 9) Part II (Test Substance): New footnote (#8) added at the end of the composite chemical names listing to provide clarifying explanation on EPA nomenclatures for interested parties. This text also corresponds to footnote #2 in Appendix A.1 which has been corrected to match in parallel.
- 10) Part III (Obligations..): Spelling correction: manufacturers to read manufactures ... see 3/2/04 version page 3 line 6 (telomer) and page 4 line 2 (fluoropolymer)
- 11) Part XIX (Public Record): Correction of address... from: Constitution Ave., NW., to read: Constitution Avenue, NW,
- 12) Part XIX (Public Record): Fluoropolymer ECA...Reinsertion of 1st paragraph and 1st sentence of the 2nd paragraph which was inadvertently omitted text in the March 2, 2004 version.
- 13) Part XXIII & XXIV: Incorporation of names and addresses for the companies as you provided. Please double check as your e-mails were difficult to follow.
- 14) Part XXIV (Signature Pages): Completion with tables identifying list of chemical obligations for each company. Note signature pages that contain CBI will have two tables; 1) with the CBI redacted, and 2) generic identification to mask CBI.
- 15) Part XXIV (Signature Pages): Modification of footnote #1 on appropriate company signature pages of the fluoropolymer ECA to indicate instances where there is no CBI version of the page.
- 16) Table 1: Revisions to footnotes (#7 & #8) to obligate the companies following QAAP approval (i.e., the Appendix F workaround). Refer to your 3/26/04 e-mail to me conveying

these changes.

- 17) Table 1: Months has been converted to days using 1 month = 30 days. Coinciding conversion changes throughout Table 1 and footnotes.
- 18) Appendix F: Both ECAs... I have pulled Roberts' Appendix F and replaced it with the appropriate page indicating Susan Hazen as the EPA signatory on the Order.

NOTE: Attachments have been removed from this forwarded e-mail (7/26/04)

Attachments:

- a) Fluorotelomer ECA copy #2
- b) Fluoropolymer ECA copy #2
- c) Appendices B-F

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