



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

OFFICE OF  
SOLID WASTE AND  
EMERGENCY RESPONSE

FEB 11 2016

Jared Knicley  
Natural Resources Defense Council  
1152 15th St. NW, Suite 300  
Washington, DC 20005

Dear Mr. Knicley:

As you are aware, the U.S. Environmental Protection Agency (EPA) anticipates working with environmental groups, industry, and other affected stakeholders to initiate a rulemaking pursuant to Clean Water Act (CWA) section 311(j)(1)(C), which provides that EPA establish "procedures, methods, and equipment and other requirements for equipment to prevent discharges of... hazardous substances from... onshore... facilities, and to contain such discharges." Although we cannot provide any enforceable commitments in this letter, we write to inform you of our specific intentions in this regard.

In furtherance of our ongoing dialogue regarding that effort, we intend to provide bi-annual updates to the Natural Resources Defense Council, Inc. (NRDC), the Environmental Justice Health Alliance for Chemical Policy Reform (EJHA), People Concerned About Chemical Safety (PCACS), and the public on the progress in the development of the proposed rule, and any subsequent final rule. We intend the bi-annual updates to inform NRDC, EJHA, PCACS, and the public about the activities we have undertaken in the preceding six months, as well as the activities we anticipate taking in the next six months.

We also intend to hold in this calendar year a minimum of three opportunities ("community stakeholder sessions") for community stakeholders to provide their views on topics relevant to the prevention of discharges of hazardous substances, and the containment of such discharges, from onshore facilities, including methodologies and technologies for preventing such discharges. These sessions would be either roundtable meetings, audio/video conferences, or similar methods of engagement. Tentatively, one of these community stakeholder sessions will be held in West Virginia (we will provide additional information about the exact time and location of the community stakeholder sessions at a later time). We intend to post a publicly available summary document reflecting information gathered from these sessions by the end of this calendar year.

Further, we intend to inform the public of the aforementioned bi-annual updates and community stakeholder sessions by posting that information on EPA's website in the immediate future. We may also inform the public of those actions by other means.

Please feel free to contact Craig Matthiessen at (202) 564-8016 or via email at [Matthiessen.Craig@epa.gov](mailto:Matthiessen.Craig@epa.gov) if you have any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Reggie Cheatham". The signature is fluid and cursive, with a long horizontal stroke extending to the left.

Reggie Cheatham, Director  
Office of Emergency Management