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Lynn L. Bergeson (LLB): Hello, and welcome to All Things Chemical, a podcast produced by Bergeson & Campbell, [P.C. (B&C®)], a Washington, D.C., law firm focusing on chemical law, litigation, and business matters. I'm Lynn Bergeson.

This week, I had my final visit with U.S. Environmental Protection Agency [EPA] Assistant Administrator [AA] Alexandra Dunn. As many of our listeners know, Alex Dunn heads the Office of Chemical Safety and Pollution Prevention [OCSPP] and is responsible for implementing the nation's industrial and agrochemical laws: the Toxic Substances Control Act [TSCA] and the Federal Insecticide, Fungicide, and Rodenticide Act [FIFRA], respectively. In my view, Alex has done a superb job since taking office in early 2019, and her steady hand in managing TSCA implementation and fielding a wide range of hot button pesticide issues has been effective and comforting. As many of our listeners know, prior to Alex's current role, she served as a Regional Administrator [RA] for EPA Region 1 in Boston. And before that job, Alex served as the Executive Director and General Counsel for the Environmental Council of the States [ECOS]. We focus our discussion on a look back at Alex's many achievements since taking office, including implementation of the amendments to TSCA, which Congress passed in 2016 [Frank R. Lautenberg Chemical Safety for the 21st Century Act, or Lautenberg]. Alex also addressed some of the most controversial and vexing pesticide issues pertinent to glyphosate, dicamba, and chlorpyrifos, among others, all the while implementing one of the most consequential pieces of environmental legislation ever passed by Congress. Now here is my conversation with Assistant Administrator Alexandra Dunn.

LLB: Alex, thank you so much for joining us today. I am really sad that this is the last time we will be chatting in your role as Assistant Administrator of Toxics. It really is a sad day for me, but I'm really appreciative of your being here, and I know how insanely busy you are.

Alexandra Dapolito Dunn (ADD): Well, Lynn, thank you for having me. And let me also say that I have so enjoyed participating in these very collegial, candid conversations with you. Your host capabilities are wonderful, and I know that you have a lot of listeners, and it's been a great way for me to share the good work that we're doing in our office and know that we're

reaching out and connecting with all sorts of stakeholders that listen to your podcast. And I have to say that as we talk today, one of my major goals while I was here was improving engagement with stakeholders. And this collaboration that we've had has really helped me achieve that. So thank you to you.

LLB: I'm pleased to hear that, Alex, and you have achieved, in my view as a stakeholder in this community, enhanced collaboration and communication and outreach with the entire community. Your door has always been open, and I tell you, you will be missed. So let's begin.

As the President's term ends, what stands out as the biggest accomplishments? Can you share any of the more formidable challenges that you have successfully navigated and really achieved during the past four years as being a part of the Office of Chemical Safety and Pollution Prevention?

ADD: Yes, and thank you for asking that. Although I was here for the last two, I view myself as someone who sort of took the baton and kept running the race with the amazing career staff that were here from the moment of Lautenberg's reauthorization. I remember being there with you, Lynn, when President Obama signed the Lautenberg statute in June of 2016, and it's pretty amazing that we're here in January of 2021 and we actually have four-plus years of implementation now under our belt.

First off, I think the opportunity we had was to keep our guiding principles front and center, which were always to emphasize how the actions we are taking protected human health and the environment. And over the past four years, as you know, we've taken action on lead. We issued the asbestos and PFAS [per- and polyfluoroalkyl substances] long-chain SNURs [significant new use rule]. We banned methylene chloride from consumers. So we really took some bold steps, I believe. I'm particularly proud of all of those actions because they directly impact people's health.

LLB: Indeed.

ADD: And as I talk to you today, we're nine for ten of the first 10 risk evaluations. But trust me, we will finish Pigment Violet 29 any day.

LLB: Good.

ADD: But I asked my team to total up as I was talking with you about stakeholders. We held 22 opportunities for public comment across the ten risk evaluations and collectively responded to 45,956 public comments. And we also, as you know, are now moving into risk management, and we had to think about what would risk management rulemaking look like under Lautenberg and how we would identify the stakeholders for that process. As you know, we've started SBREFA [Small Business Regulatory Enforcement Fairness Act], environmental justice, and tribal consultations and all sorts of other webinars and reaching out to businesses, because while the risk evaluation process was something to behold, where the rubber is going to meet the road for everyone is as we move into risk management and start writing regulations.

To that end, I think we've also kept certainty and transparency out there in front. We're really proud of the new Chemical Dashboard and the fact that almost in real time, you can track the progress of a new chemical submission online, and you can see the documents supporting each submission. I know that our environmental community friends would like

to see even more transparency, and we continue to look for ways to put more documents available. Then finally, just thinking about how we can be an efficient, timely program, that is something that all of us, with the reorganization that we completed, we think that we have now built. The Office of Pollution Prevention and Toxics [OPPT], and of course, within the whole AA ship, we're really structured now to help this statute sing, and people are grouped around different Lautenberg functions. I am talking a lot about Lautenberg now, and we can talk about pesticides in a bit. But I guess I started with Lautenberg since it has been front and center as a new statute for us for so long.

LLB: Indeed. And I agree, Alex, with everything you have said from my perch as a stakeholder outside of the Agency. All of those accomplishments really are a credit to you and your leadership and the amazing team that you have at EPA. I don't think you and your team get enough credit, but you've been working hard and have many, many, many things to be proud of. If you were to be pulling your replacement aside as that person arrives on the scene, what in your view remains to be some of the biggest challenges facing [OCSPP]? And it's probably easy to say, deadlines and litigation and staff, and all of that, budget and workforce issues. But what do you see as the most important factors facing the office in trying to achieve the success it needs in both the industrial and agrochemicals context over the next couple of years?

ADD: I will be sure to talk about both industrial and agricultural chemicals, and what I would tell my successor, who I do hope to spend time with someday. I thought personally about the fact that when I came into this role, the former AAs reached out to me from across the political parties and, whether they were in town already here in Washington or visiting for business, I met with so many of them. And it was just for coffee, and it was the "How you doing? How you holding up? What can I tell you?" kind of questions.

But what I would tell my colleague is to really listen to the staff. They work so hard; they pull so much information together. But I do think that the role of the AA is to sometimes challenge the team to take a step back. Because the work is so detailed and so complex, and we have people working so hard to address every possible risk that they identify, that sometimes we get a little paralyzed in that process. As a leader, I would say that I could use things like deadlines and the fact that we needed to get work completed as a chance to say if we had inertia, can we break it a little bit? Can we break up this logjam? Let's think about the big picture. Let's think about what we're really trying to accomplish here. Those kinds of questions helped us get through the PBT [persistent, bioaccumulative, and toxic] rules, and I think they will help my successor get through one of the areas that is so fraught with tension, which is the environmental justice and agricultural worker issues associated with the use of chemicals and pesticides. It seems like that is the place where we have our greatest tension is, are we doing enough to ensure worker safety? Are we doing enough to ensure bystander safety? Those are very difficult risk management questions to work on. And I know the new Administration is coming in with a big focus on environmental justice, one that I have had as well in my tenure. The statute asks -- Lautenberg and FIFRA -- ask us to look at exposures in a lot of different ways. Those will be challenges for the new folks as well, but the staff, they've been there rowing this boat for a long time, and they're up to advising whoever comes in to make good decisions and to keep things moving.

LLB: Absolutely. TSCA's deadlines and OPP [Office of Pesticide Programs] deadlines have a funny way of making that happen, but it does incentivize. Let me ask you a little bit about your prior work experience, because I know that you had worked for the National Association of Clean Water Agencies and of course, in Region 1 in the Boston area, and you were focused on state agencies and state programs that interface with the federal

government. But in thinking about it, [OCSPP] is probably the *least* state-centric program on the EPA program offices, largely because of air, water, waste. There are these delegation authorities that enable the programs to be delegated to the states, and hence that invites a very different kind of conversation. Was transitioning to the non-state-centric aspect of [OCSPP] a difficult adjustment? Did you find that to be uniquely challenging, or did your experience in that area really prepare you well for some of the OCSPP activities that you had been working on? And in that regard, PFAS issues certainly come to mind.

ADD: Having a state-oriented focus was why they picked a lot of the RAs in this Administration early on, right? If you look at the original roster of RAs, a lot of them came -- I came from ECOS, the State Environmental Commissioners. Other people had been prior State Environmental Commissioners, and a very deep familiarity with state authority and the capability of states was what the Administration was looking for early on. I think that was a good place to focus, and I was able to draw on that throughout my time in OCSPP. One thing that we always have to remember is sometimes the federal government is the right driver of the bus, and sometimes the federal government can take the second seat and let the state drive.

And we have had issues, as you mentioned, like PFAS and lead, where frankly, the work is done very much and the problems are community-oriented, and they are at the state and local level. So my easy transition to "Who else can do this?" or "Who do we need to partner with?" was something that I did use my whole time. I will say you are correct that, particularly on the TSCA side of the program, there's not a lot of involvement in the chemical registration or review process at the state level. There is the preemption function for states that will come to play a bigger role going forward. But on the FIFRA side, agriculturally, we did a lot of work with states, with NASDA [National Association of State Departments of Agriculture], with APCO [Association of Public-Safety Communication Officials], because as we made changes around labels, or authorized different products, or were reviewing the state certification and training programs for applicators, I probably had at least a call a month with the state agricultural regulators. So that kept my state sixth sense, shall I say, sharp.

LLB: I remember during your confirmation hearings, Alex, your extraordinary background and high profile in the state and local context, I think, was recognized as a really wonderful asset for tackling the job of AA and toxics, because it does require a sensitivity and understanding of how all of these different moving parts work together. And it has served you well. Trust in government is not, as you know well, a widely held public opinion. Tell me in your own words what your impression is of the quality and professionalism of the EPA staff with whom you've been privileged to work these last several years.

ADD: If your listeners could see me, I'm just grinning from ear to ear because I have been so impressed. I was talking with someone recently who has a child, a young adult, attending a very prestigious university known for deep thought and brilliancy. And I said to this young person, "It must be wonderful to walk around your campus and know that all the people you're walking past are just incredibly smart and thinking these amazing thoughts and might be solving the next threat to human existence or the planet." And then I said, "Wait. I get to do that at EPA!"

LLB: That's right. Every day!

ADD: I realize I really need to acknowledge that as you're walking the halls -- which of course, we haven't gotten to do since March, with our colleagues -- but as we Zoom meet and teams

meet and gather virtually, the number of people with doctorates in the most amazing disciplines that I get to work with, the true professionals at every state of the process, the folks who help us get things published in the *Federal Register*, who handle these very delicate interagency negotiations around equities, particularly around chemicals. Some of our stakeholders include places like the Department of Defense or the Department of Agriculture, and they play as hard with us as any other stakeholder, because they want to make sure that they have access to the things that they need. We have staff that just know how to keep those pricklers a little bit lower. And I'm just amazed.

And this year, celebrating our 50th, what an opportunity to reflect on 50 years of Agency accomplishments. Our civil servants are resilient. The last week of events have been really difficult in Washington, and everyone has been really contemplative about what's been going on, and yet our staff come every day, ready to get things done. Here I am with a week left, and no one has lifted a foot off the pedal. People just are dedicated; they're passionate. And frankly, I'm sorry I won't get to say goodbye in *person*. I don't think any of us realized when we went remote in March that we would never get to, say, shake hands with these career civil servants and thank them, in person, for their service to America. Who knows how much longer we'll be in this distance situation? But I can say that our whole team pivoted on a dime and continued to deliver. They're just the best.

LLB: I feel badly for you, Alex, for that very reason because you are revered by your team. EPA-ers *are* the job, and you have been very much a part of that culture and a huge supporter of Team OCSPP. And I'm hoping that when this pandemic ends, a celebration for all of your accomplishments will take place after the fact. I'm sure that will happen.

Maybe we can pivot to OPP initiatives. We've talked a bit about TSCA and TSCA implementation, which really has been a very significant part of your portfolio over the last couple of years. But the Office of Pesticide Programs is huge, and it offers as many different forward-thinking technologies and opportunities that garner public attention that I can think of. You've got biotech, and nanotech, and synthetic biology, and how really pivotal issues like future food production will both increase productivity and reduce environmental risk, and we talk about this in contexts far beyond work.

The American Bar Association, which you're a big part of, the International Bar Association. These are huge, huge issues. How, you might tell our listeners, does EPA keep up with all of these new evolving both technologies and issues? For example, something that a lot of people focus on is drone application of pesticides, stacked GMO [genetically modified organism] traits, and many incorporated genes, or the arrival of CRISPR [gene editing] technology, just to name a few of the broad swath of emerging technologies. How do you guys keep up with this stuff?

ADD: It is a challenge to do so, and yet also an incredible opportunity. First off, we are always scanning the horizon. Our scientists are engaged in many of those organizations that you mentioned. They travel -- or virtually meet now -- with colleagues from around the world. Some of the team here are the world's leaders in things like alternatives to animal testing, and some of our biotech experts are just incredible. Nanotech, as you said, continues to present itself in different and unique ways, including in response to the COVID virus. We have had a number of new products come forward that work at the nanoscale, and we'll have even more and more of those coming to us for review. So, yes, EPA has to be ready to understand and review the most cutting edge science possible. And our team does stay engaged.

We also are always recruiting new staff, and a great example is the Administrator asked us to stand up a division of OCSPP in Research Triangle Park, [North Carolina], and we in 2020 alone brought on 35 scientists, many of whom are three, four, five years out of school. They are with it with the hottest trends, you know? And we mix that new infusion of knowledge and expertise with folks that have been here and know also how government gets work done and what it's going to take to navigate something like our PIP [phenol, isopropylated phosphate (PIP (3:1))] rule all the way through proposal. I am disappointed that I won't be able to finalize the PIP rule on my watch. We did get a lot of comments, and our team will be working through those. We also are not able to finalize our biostimulant guidance, which we put out twice for public comment.

However, what I should tell your listeners is, yes, some of that was put on a faster path because it was an Administration priority. The Administration did have an Executive Order on advancing biotech and challenged all agencies to really lean into the biotech field. But the people who leaned into it were our career staff, who will be here next week and the week after. And when I expressed my own personal dismay that I wouldn't see some of these things go across the finish line, we all had to pause for a moment. And I thought, well, of course, the people who wrote it all, the people who spent two years navigating the proposal through the interagency process and getting it out on the street, and the people, the career staff experts who will be reviewing the comments we got, are just as vested in that going across the finish line as I am.

So I hope on some of these issues where I think it is really important that EPA have some tools on the street to handle these novel issues -- I do hope that some of these projects that we started continue and get to finish. The drone application -- we have a work group on drone application that started before I came and will continue. And people in [OPP] are really invested in that issue. So it really is coming back to the theme of the staff here are as vested in the work as I was.

LLB: A lot of the public controversies that we have been listening to for the last several years really focus on older technologies and older pesticides design, quite literally last century. I know you agree with me, Alex, that this does not make them bad or the object of demonization efforts, but they were simply designed at an earlier time and with different environmental sensitivities. In your view, do these issues consume, interestingly, a disproportionate amount of time and energy in your office? Since they might be more controversial pesticide products for farmers who have come to rely upon them, and some -- which is an interesting question to me since I spend so much of my time on some of the newer technologies like biotech and nanotech, which often consume a lot of time and energy on your part and your colleagues' part. And sometimes are promoted in the court of public opinion in ways that we would wish were otherwise. So how does that balance out when it comes to time and energy in your office?

ADD: We have a team-based approach to our chemical assessments and evaluations, and once I really came to understand all the acronyms that stand for the different offices in [OPP]. We have a Health Effects Division. We have an Environmental Fate and Effects Division. We have a Registration Division. We have our biology and an environmental persistence group, economics [Biological and Economic Analysis Division]. So what's really neat is that when we assess a pesticide, whether it's new or an older one, we look at the economics of the sector: How much is used? Who is still using it? What alternatives are available? But we also look at the risk in context. When I first got here, one of our divisions that focuses on mitigation handed me a pin, little button pin, and it said, "Stay Calm and Mitigate On." And it was a great sort of -- That is the sentiment of the office is that there are issues -- you could

call them downsides -- things that make some of these chemicals "bad" in air quotes in the public perception.

And what our team does is A, look at -- and we have seen voluntary cancellation of a lot of registrations. So often these products run their course on their own, and the manufacturers and the users transition to alternatives. So we -- it's great when that happens, when we can see a moment where a chemical really has been superseded by better technology. Notwithstanding, there are still some of these oldies but goodies that are around and have been used and are pretty -- they are effective. And as you know, many, many insecticides, particularly, have a neurotoxic effect on the insect, which means that there can -- we have to look at potential neurotoxic impacts on the workers, the users, anyone exposed to it. And we really look hard at the scientific literature, at the trends, and we ultimately do a risk-benefit assessment. We were just working on one recently where -- let's just say the chemical is used on about 40 crops. For almost all of those crops, except for about ten, our team found that there was already movement towards an alternative. Then they really dove in deep on the ten that were still using this chemistry to understand why. And for those unique uses, there really weren't any alternatives. So then we can write a mitigation plan that maybe drops registration for certain crops and just kind of forces the matter, that we're moving away. But we do also try to preserve the tools that are needed by certain growers until there is an alternative.

LLB: Well, speaking of complicated issues, you really, in your tenure, Alex, have been required to deal with some of the more controversial, high-profile agricultural chemicals, like glyphosate and chlorpyrifos and dicamba, just to name a few. And circling back to your statement earlier about your commitment to engage and communicate and enhance transparency, which you've done a superb job doing over the last several years, I'm curious on how, in a world of tweets and communicating super complicated issues like some of the issues that you've talked about here in very small sound bites, what are the most difficult elements of a decision to communicate to the public about some of these controversies? You can't adequately summarize a several hundred page risk assessment in 180 characters, or even in a one-page information sheet. How do you balance the need to communicate and also address the complexity of some of these science-driven decisions?

ADD: You've hit one of our great challenges spot on there, Lynn. Risk communication has been a huge priority for all of us, and particularly for Administrator Wheeler. He really beefed up and hired at the career level expertise in risk communication. I think he, as someone who also was perhaps outside of the Agency dealing with some of those 180-character communications, also felt a little frustrated as to why EPA wasn't more effective at messaging or letting people know where we are in the process. And I can say it's pretty hard to do it in a tweet or a short synopsis.

You should have seen us use a lot more infographics since I've been here, finding different ways to wrap up information so it's more easily consumable. We also use an approach kind of like a snack, a meal, or a seven-course buffet. I think for all of these chemicals, you can look at the Agency's information, and if you want just a snack, just a little bit, like, is this thing a carcinogen or not? Or where is EPA in the process of assessing chlorpyrifos? Or what happened with dicamba? I thought it was off the market, but is it back? You can find that snack bite. You also then can click a bit and get more. And then, as many of our stakeholders are the people who are going for the full seven-course buffet, everything's there. The dockets are there; the studies are there. Everything that underlies every one of our decisions is on the website. I think that will continue to be a challenge for the Agency.

Frankly, this conversation we're having now is another way to talk, because some people like to hear things rather than read them. And we're going to have to keep our eyes on risk communication and reminding people where we are in the process, and I'll pause on this by saying, when we put out the draft risk assessment for chlorpyrifos, draft human health and ecological risk assessment, the headline was, "EPA Greenlights Toxic Chemical." You know that wasn't what we did; we were at step one of a four-step process. And it was a draft that we were taking comment on. But again, that's kind of lost in the noise, and we just have to accept that.

LLB: It's dispiriting, though.

ADD: It can be. Actually, when I found it dispiriting, I would turn to some of our staff -- and they've been through this so often with so many chemicals. I had to learn to ride the wave a little better.

LLB: Let me ask you one more question, Alex, because those of us that live in the land of pesticides are really focused on the October 2022 deadline, which is in EPA-speak tomorrow, for the registration review of *all* pesticides. Can you tell our listeners just a little bit about how that program is progressing?

ADD: I have to say, as we implemented a lot of metrics in this Administration to hold ourselves accountable, we can vary those metrics, and self-report cards are available on our website. One of our metrics that I had to report on quarterly to the Administrator, and to all of my colleagues, was our progress toward the re-registration goal of October 2022. I'm happy to say we're well on our way. At the end of fiscal year (FY) 2020, so at the end of September, all 725 of the registration cases had completed the opening stage; 724 had completed a work plan stage, and we had completed more than half of the full 725 all the way through. So we're well more than halfway through, and we continue to push on. We have done a forward projection, and we will -- based on our pace right now -- we may not complete all 725 by October 2022, but we're going to be darn close.

That's assuming we don't know what other intervening factors will come our way. But part of this accounting and measurement system that we've really embraced in my tenure at the EPA was not only keeping up with the work but forecasting -- just like you would do, frankly, in business. How are you? Give a look out. At the rate you're going, are you going to hit your goal? And we know there's some tough cases towards the end. Some of the chemicals will require a whole lot of effort, and maybe some of the bigger kahunas, as they say, but we're going to be close. We're going to be really close.

LLB: Well, thank you for that update, because I know that is a huge initiative. Really, October 2022 is not so far off. You're making really good progress, and I know the job will get done. Let's pivot to industrial chemicals and talk a little bit about some of your OPPT issues. We often refer to the Lautenberg 2016 amendments as resulting in New TSCA, and I think some of the shiny patina of New TSCA is probably wearing off because it's not so new anymore. This June will be year five, believe it or not! What has been the most difficult part of implementing Lautenberg?

ADD: There were a number of difficulties. I think one of the first things was the amount of stand-up time it took to get the program going. We, in 20/20 hindsight, maybe should have taken less time building the infrastructure of the program and started some of the risk evaluations sooner. That was definitely a challenge. It put us on a very aggressive timeline to complete the ten risk evaluations. Obviously we didn't meet the deadline, even with the six-month

extension, although we will complete them all, any moment. The other thing it really did was we had to put our scientific peer reviewers through a fairly grueling year where they met eight times to review ten chemicals. We cumulatively assessed that they met for almost a total of eight weeks.

LLB: Wow!

ADD: Each one of those we did -- two of the chemicals we did in pairs -- but they met eight times, for a week almost each time. So moving forward, if it took eight weeks to review ten chemicals, and now we're doing 20 chemicals, there's no way we could get science advisors to give us four months of their year to become EPA science advisors on our Science Advisory Committee on Chemicals. I'm going to tell you that getting it all done, in a nutshell, was the hard part of not-so-new TSCA. What we are doing now is really with the reorganization that supports the statutory structure. I want to talk about organizational inefficiency as one of the challenges, but I would say we've optimized the organization now to work more efficiently and more collaboratively with the new structure.

We also are taking a fresh look at how to use those Science Advisory Committee on Chemicals members so that we aren't asking them to sign up for the impossible as we double the workload. I think the final thing we're going to do is think about how to make the risk evaluations a bit more -- when I talked about the snack and the meal and the buffet, I think these were like the midnight buffet on a cruise ship. It went on for an entire hallway, and they really were far from accessible documents, and that became very frustrating. We have a whole division now in OPPT that is basically a project management team that we're going to staff up. And their job is to be the air traffic controllers so our scientists can do science, our regulators can do regulation, and some team of people are laying it out on Gantt charts. I always think as I drive around D.C. and I see the Metro extension. There's the people out there building the Metro tracks, but somebody has got a vision of how long it's going to take and what month different things are going to happen. We are going to bring more project management into this operation that we have here. I think it's going to make a big difference because frankly, these are projects.

LLB: I'm *hoping* that somebody at Metro Center has a vision of how -- sometimes when I'm driving around watching, I have my doubts. I'm guessing, Alex, just having a little bit bigger chunk of change because of the additional funding that is derivative of the TSCA amendments -- you have some new shiny faces at the Agency to enhance your staff, and the org chart, the organizational changes that OCSPP and OPP have implemented will help? Do you think that's going to put the Agency in really good stead to achieve all that needs to be done under these ambitious deadlines?

ADD: I think so. We have definitely had our share of first-time oops moments. The Fees Rule was a good example of that. We wrote that Fees Rule a little bit in abstract, and then when we went to implement it, it was not as -- it didn't roll out as neatly as envisioned, and we had to make a number of changes and are poised to propose a new fees rule. So we actually -- it's pretty rare that you see an agency pivot that fast. I know the statute says we have to put out a new fees rule every three years, but I think that was more for the economics of it. What we did was get ready to put out a new fees rule that really was structural in nature, because the first go was not exactly what -- it had some implementation problems? And I think that's really how we're going forward. We just reopened the Form A for CBI [confidential business information] because there was some confusion around that as well. And we may have had a situation where companies inadvertently were going to lose their CBI claims

around chemicals, through no fault of their own, just because again, as we wrote something, it was very confusing in the supply chain over who had the ultimate authority to waive CBI.

We ran into a lot of those issues. I have to say I give our team a ton of credit because it's like the person trying to -- they've driven into an alley, and they've got to do a K turn to get out of it. And we not only drove sometimes into the alley, but we did the K turn pivot and got ourselves out of it. In multiple cases, it wasn't like we just said, "Oh, this didn't work." We tried to fix stuff right away. We really had, I think -- I give our staff again so much credit for having the best interests of a well-functioning program in mind. Again, if I had my successor at my elbow here, I might say, you're probably going to find yourself having driven down a few more of those alleys as we go forward. Just rely on the staff to do the pivoting to get you out of it -- if it happens, it's not by design, it's generally by error -- and then fix it.

LLB: I know the New Chemicals Review Program has seen its share of -- I don't want to say controversies, but some tough issues over statutory definitions, review delays, which I know you and your staff have really focused in addressing -- just to name a couple of issues. Do you think, Alex, the new reorganization, consolidating various skill sets needed to review a premanufacture notification, will help sort that out and make decisions timelier?

ADD: We sure hope so, Lynn. We now have a new chemical risk assessment and risk management division. The New Chemicals people all are together. It's because reviewing a new chemical is very different than the existing chemical review process under Lautenberg. That was part of the reorg was -- take the people who are on a 90-day shot clock using a very different set of scientific assumptions based on the fact that it's a new chemical and we don't have 40 or 60 years of its performance in the environment to look at. We have analogs, we have assumptions, we have prediction -- and have that group of people in one shop doing what they do efficiently.

Then the other shop -- and we have others, too -- but the Existing Chem shop is different. They're on this three-year assessment journey, followed by a two-year regulatory journey. That's a very different exercise. The one thing I am disappointed -- because I know I said it with you in the room, Lynn -- was that we were going to eliminate the new chemical backlog. Those are cases over 90 days. I'm here to tell you we did not do it, but we reduced it by more than half. Right now we're down around 180 backlogged cases, and it was at a high of over 400 within the two years that I've been here.

LLB: That is success. That's a big chunk.

ADD: It's success, but we didn't get it where we wanted it to be, which was down to -- I think I first said eliminate, and then I said under 100. We didn't quite get there, but we learned a lot. And this New Chemicals Division now has embraced that remaining group of 180. We know which ones they are. We identified every single one of them. We know why they're hung up and why they're delayed. What information is missing? Who needs to sign what? And those will get done. They will get done.

LLB: Of course they will. It's not just an EPA issue. We're on the receiving end of some of those backlogged chemicals. It takes two to tangle. I know EPA has really, really worked hard, and I think you and your team should feel good about the success you've achieved.

One final question, Alex, before we let you go and you can get on with the insanely busy schedule that you have. You mentioned Existing Chemicals and the really tough statutory

deadlines that are set forward under Lautenberg. I'm guessing that you would agree with me that your legacy, your fingerprints on the program, the organizational changes, and just your approach to getting implementation done will have left the Agency in a good place for meeting those deadlines and getting everything done that needs to be done to accomplish the really ambitious agenda that Congress set for EPA with respect to Existing Chemicals. Can you comment on that?

ADD: We have really looked hard at this program, and we've got some great leaders. Jeff Morris retired on my tenure. We recruited Yvette Collazo Reyes, and she with her team, Tala Henry and Mark Hartmann, and the whole group. They are really on their A-game. And I think we're not leaving things perfect. We're leaving them a lot better and a lot stronger. And the team -- and I refer to them truly as a team -- have spent a lot of time. While I was here, we worked on something that we don't usually talk about, but we worked on something called a Great Place to Work initiative. We want people to come to OCSPP and really like it and stay and thrive and enjoy the work and see professional growth. And that's good for the regulated community and the stakeholders because they get some stability in the team. We don't want people coming here and saying, "This place is dysfunctional. I'm going to go to a different office of the EPA that doesn't have a new statute, that isn't having these growing pains." We really tried to -- in the two years that I was here -- acknowledge all of the sore spots under the saddle, and while we didn't heal them all over, we know what they are, and the team that will be here to run this program is talking about it. I hope -- my greatest hope is that our new recruits and our long-time employees say, "I like working here. I'm doing good work, and I've got great management to support me." That's really how I would want to leave this place. And I think there'd be a few people to agree with me.

LLB: I would say more than a few, Alex. We're going to wind it up there. I offer my thanks to you, Alex, for sharing your thoughts and your time with me today and in your other appearances on our program. Allow me on behalf of Bergeson & Campbell and everyone I know to thank you for your service. Thank your family for allowing you to spend as much time as you have with the regulated community and the toxics community generally. You've been just an outstanding Assistant Administrator, and we will miss you dearly, but thank you for your service.

ADD: Thank you, Lynn. It's been my honor and privilege to be at the EPA, and as I told the staff, I only get to have my e-mail that says epa.gov for a limited period of time, and I'm really, really proud that I got three years that I had to be inside this great place. And now I'll go outside again, and I'm looking forward to that, too. Thank you so much.

LLB: Well, thank you, Alex. All our best.

ADD: Bye bye, Lynn.

LLB: Thanks again to Alexandra Dunn for speaking with me today about her tenure as head of toxics at EPA. Those of us who have had the pleasure and honor of working with Alex will miss her calm and effective approach to problem solving.

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