CPMA

COLOR PIGMENTS MANUFACTURERS ASSOCIATION, INC.

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Mark W. Townsend, Chief
HPV Chemicals Branch
Environmental Protection Agency
Office of Pollution Prevention
and Toxics
1201 Constitution Avenue, NW
Washington, DC 20004

Re: Response to EPA Comments on the CPMA Test Plan for Dimethyl Succinyl Succinate

Dear Mr. Townsend:

I am writing on behalf of the Color Pigments Manufacturers Association, Inc. ("CPMA") in response to your letter of March 10, 2008 in which you review the Environmental Protection Agency's ("EPA") potential concerns with the CPMA test plan and robust summaries for DiMethyl Succinyl Succinate ("DMSS"). The test plan was submitted to the EPA as part of the voluntary High Production Volume ("HPV") testing program. As discussed in more detail below, DMSS is a closed system intermediate with no consumer or downstream commercial exposure.

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The CPMA is an industry trade association representing color pigment companies in Canada, Mexico, and the United States. CPMA represents small, medium, and large color pigments manufacturers throughout Canada, Mexico and the United States, accounting for 95% of the production of color pigments in North America. Color pigments are widely used in product compositions of all kinds, including paints, inks, plastics, glass, synthetic fibers, ceramics, colored cement products, textiles, cosmetics, and artists' colors. Color pigment manufacturers located in other countries with sales in Canada, Mexico, and the United States and suppliers of intermediates, other chemicals and other products used by North American manufacturers of color pigments are also members of the Association.

1. EPA comments indicate that more information is needed for EPA to consider DMSS a closed system intermediate chemical. DMSS is currently produced as a non-isolated intermediate or used as an isolated intermediate by only two facilities in the United States. The total number of workers with potential exposure to DMSS is less than 8 and the total number of exposure man hours is one hour or less per day in total for both facilities. This potential exposure would involve only chemical addition or sampling procedures. DMSS is shipped in sealed containers or manufactured on-site before being consumed completely in the reaction processes that produce

quinacridone pigments. Protective dust masks are worn by workers exposed to dry DMSS. Downstream exposure or consumer exposure is not possible.

2. DMSS is completely consumed in the following reaction schemes used to produce quinacridone pigments:

1. DMSS

2. Is reacted to form one of the following intermediates:

Dianilino-terephthalic acid
Di-p-chloroanilino-terephthalic acid
Di-p-toluidino-terephthalic acid
Dihydroquinacridone
Dihydrochloroquincridone
Di - o - toluidino - terephthalic acid

3. One or more of the above intermediates are reacted to produce one of the following pigments:

Quinacridone (C.I. Pigment Violet 19)
2,9 - dichloroquinacridone
2,9 - dimethylquinacridone
4,11 - dichloroquinacridone

It is not possible for DMSS to survive these processes and remain intact in the final pigments. Any traces of un-reacted DMSS present in the reaction process used to produce the intermediates would be oxidized and hydrolyzed to form dihydroxy-terephthalic acid. Since dihydroxy-terephthalic acid is a soluble substance, it is easily removed by washing the produced intermediates and final pigments. There is no

further exposure to DMSS in downstream commercial uses of finished pigments or consumer applications and products.

3. Our research and discussion with suppliers of DMSS indicate that the only known use of this chemical is as a reaction product in the manufacture of quinacridone pigments. DMSS is derived from Di-methyl Succinate ("DMS"). While DMS has additional uses in many products including plastic resins, DMSS does not.

4. Regarding EPA's request for additional animal studies for DMSS, the additional information provided above should be more than sufficient to categorize DMSS appropriately as a closed system intermediate. EPA indicates that additional studies regarding chromosomal aberration and developmental and reproductive toxicity are needed for DMSS. We disagree strongly with the assumption that these additional studies will provide useful information commensurate with the cost.

In addition to that manufactured in the U.S. by U.S. manufacturers, DMSS is, however, also manufactured and used by pigment manufacturers in Europe in large quantities exceeding one thousand metric tons. As a result, DMSS will be the subject of priority testing in the next three years under the European Union Registration Evaluation and Authorization of Chemicals program ("REACH"). The additional testing will cover the data points requested by EPA. Manufacturers and users of DMSS in Europe declined to participate in the preparation of CPMA test plan for DMSS. This larger group of

producers and users will be required to participate in the REACH program in order to continue to sell DMSS in Europe. Therefore, since the remaining data points will be addressed by a larger group of manufacturers and users in the next three years, CPMA members should not be burdened with the obligation to independently fund these animal studies twice. We will monitor progress of this substance in the REACH program and summarize the data for EPA when the necessary studies are complete.

We are reviewing our Test Plan for DMSS for possible revision in order to address, where possible, EPA concerns with the summarized physico - chemical data and aquatic toxicity data.

Thank you for your attention. Please call if there are any questions or comments.

Sincerely,

W. Lawrence Robinson
President