

201-15697



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

OCT 04 2004

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

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Gailen A. Hart
Exxon Chemical Company
13501 Katy Freeway
Houston, TX 77079

Dear Mr. Hart:

Thank you for your letter dated November 19, 1999, to the U.S. Environmental Protection Agency (EPA), regarding the High Production Volume (HPV) Challenge Program. I apologize for the lengthy delay in responding to your request.

Your letter requests that Propane, 2,2'-oxybis- (CAS No. 108-20-3) be removed (or indicated as low priority) from the HPV Challenge Program. The letter states that this material is currently included in the Clean Air Act Section 112(b) testing program for oxygenates in gasoline and that an extensive amount of data will be developed in this program, negating the need for testing under the HPV program.

As you may know, EPA posted draft guidance on procedures for removing chemicals that are no longer HPV from the scope of the voluntary HPV Challenge Program on its Chemical Right-to-Know (ChemRTK) website at www.epa.gov/chemrtk in March, 1999. Based on EPA's review of all the pertinent Inventory Update Rule (IUR) data from 1998 and 2002, EPA has determined that Propane, 2,2'-oxybis- (CAS No. 108-20-3) **does not meet** the "no longer HPV" criteria. Since Agency records show this chemical is still unsponsored, EPA encourages Exxon Chemical Company to consider sponsoring the chemical or to encourage other companies regarding possible sponsorship of this chemical.

It is EPA's position that chemicals tested and approved under other Federal agency programs may contain data gaps in areas which may not be germane to other regulated uses (e.g., environmental fate and environmental toxicity), but which are germane to EPA concerns and are elements of the HPV Challenge Program. Furthermore, exposure scenarios may be different and may have the potential to cause adverse impacts on health or the environment. In addition, the data supporting the regulated use of chemicals reviewed by other Federal agencies may not be publicly available because of confidentiality claims. A manufacturer that submitted data under one program, however, could submit that same information to the EPA through the HPV Challenge Program in the form of robust summaries and thus allow it to become public.

We will post your letter, accompanied by our reply, on the ChemRTK website as soon as possible. Should you have any questions pertaining to this response, please contact Diane Sheridan at (202) 564-4770. If you have general questions concerning the HPV Challenge Program, please submit them through the ChemRTK website comment button or through the TSCA Assistance Information Service (TSCA Hotline) at (202) 554-1404. The TSCA Hotline can also be reached via e-mail at tsc-hotline@epa.gov.

Sincerely,

Wardner G. Penberthy
Acting Director
Chemical Control Division

cc: AR201