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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

SEP 09 2004

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Kenneth P. Morgan
Manager, Regulatory Affairs
Merisol USA LLC
1914 Haden Road
Houston, TX 77015-6498

Dear Mr. Morgan:

I am responding to a letter from Randy Shilling of Merichem-Sasol (Merichem) dated November 27, 1999 (enclosed), 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 his request.

That letter requested that two chemicals, disulfides, alkylaryl dialkyl diaryl, petroleum refinery spent caustic oxidation products (CAS No. 68334-01-0), and tar acids, cresylic, residues (CAS No. 68555-24-8), be removed from the scope of the HPV Challenge Program. The letter stated that disulfides, alkylaryl dialkyl diaryl, petroleum refinery spent caustic oxidation products (CAS No. 68334-01-0), had been misreported by Merichem under the Agency's Inventory Update Rule (IUR) reporting regulations. The letter stated that the chemical should have been reported as disulfides, dialkyl and diphenolic, naphtha sweetening (CAS No. 68996-83-0). With respect to tar acids, cresylic, residues (CAS No. 68555-24-8), the letter stated that the chemical is a byproduct which is burned as fuel.

With respect to the statement that tar acids, cresylic, residues (CAS No. 68555-24-8) is a byproduct, if tar acids, cresylic, residues (CAS No. 68555-24-8) is a byproduct in Merisol's manufacturing process, and has been erroneously reported to the IUR, EPA encourages Merisol to amend its reporting to the IUR.

As you may know, EPA posted draft guidance on procedures for removing chemicals that are no longer HPV from the scope of the voluntary HPV Challenge Program on its ChemRTK website at www.epa.gov/chemrtk in March, 1999. Based on EPA's review of all the pertinent IUR data from 1998 and 2002, EPA has determined that tar acids, cresylic, residues (CAS No. 68555-24-8) **does meet** the no longer HPV criteria. The HPV Challenge Program Chemical List will be annotated by designating this chemical with a "5" to indicate that it is no longer HPV.

The Agency has determined, however, after reviewing all the pertinent IUR data, that disulfides, alkylaryl dialkyl diaryl, petroleum refinery spent caustic oxidation products (CAS No. 68334-01-0) **does not meet** the no longer HPV criteria. This HPV chemical has been sponsored by the American Petroleum Institute's Petroleum HPV Testing Group.

Mr. Shilling's letter also stated that Merichem reported disulfides, alkylaryl dialkyl diaryl, petroleum refinery spent caustic oxidation products (CAS No. 68334-01-0) for the IUR, but that Merichem should have reported disulfides, dialkyl and diphenolic, naphtha sweetening (CAS No. 68996-83-0). The Agency has determined, however, that CAS No. 68996-83-0 is an invalid CAS number. If the chemical substance Merichem intended to report can be described as "disulfides, dialkyl and di-phenyl, naphtha sweetening," the correct designation would be CAS No. 68955-96-4. Disulfides, dialkyl and di-phenyl naphtha sweetening (CAS No. 68995-96-4) is on the HPV Challenge Chemical List, and has been sponsored under the HPV Challenge Program by the API's Petroleum HPV Testing Group. Merisol may wish to take steps to resolve the substance identification issue and to correct the 1998 IUR report as necessary.

We will post Mr. Shilling's 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 tsca-hotline@epa.gov.

Sincerely,

Wardner G. Penberthy
Acting Director
Chemical Control Division

cc: AR201

Enclosure