

201-15567



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

AUG 4 2004

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

Mr. Stephen B. Kemp  
Vice-President, Health, Environment and Safety  
Occidental Chemical Corporation  
P. O. Box 809050  
Dallas, Texas 75380-9050

Dear Mr. Kemp:

Thank you for your letters dated March 5, 2002 and November 19, 1999 to the U.S. Environmental Protection Agency (EPA) regarding the EPA's High Production Volume (HPV) Challenge Program. We apologize for the delay in responding.

Your letters request that benzene, (dichloromethyl)- (CAS No. 98-87-3) be removed from the HPV Challenge Program.

As you know, EPA posted draft guidance on procedures for removing chemicals that are no longer HPV from the scope of the voluntary HPV Challenge Program on its Chemical Right-to-Know (ChemRTK)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 ([www.epa.gov/chemrtk](http://www.epa.gov/chemrtk)) in March 1999. Based on our review of the most up-to-date IUR reporting for years 1998 and 2002, EPA has determined that benzene, (dichloromethyl)- (CAS No. 98-87-3) **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.

We will post your letters, accompanied by our reply, on the ChemRTK website as soon as possible. Should you have any questions pertaining to this response, please contact me 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](mailto:tsc hotline@epa.gov).

Sincerely,

Wardner G. Penberthy  
Acting Director  
Chemical Control Division

cc: AR201

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