



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

201-15871

APR 27 2005

Alan J. Olson, P.E.
Director of Technology
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Independence, Ohio 44131

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

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Dear Mr. Olson:

This is in reply to your letter of December 16, 2004 to Mr. Mike Leavitt, former Administrator of the U.S. Environmental Protection Agency (EPA) regarding EPA's High Production Volume (HPV) Challenge Program.

Your letter advises that Ferro is modifying its commitments to the HPV Challenge Program as follows:

Cas No.	9 th Collective Index Name	Ferro Requested Action
2420-98-6	Hexanoic acid, 2-ethyl-, cadmium salt	Withdraw sponsorship because volume is below HPV
6865-35-6	Barium Stearate	Withdraw sponsorship because volume is below HPV
16883-83-3	1,2 Benzenedicarboxylic acid, 2,2-dimethyl-1-(1-methylethyl)-3-(2-methyl-1-oxopropoxy)propyl phenylmethyl ester	Included in revised HPV Test Plan to be submitted by American Chemistry Council
68515-89-9	Barium, carbonate nonylphenol complexes	Withdraw because chemical is a non-isolated intermediate and should not be HPV
301-10-0	Hexanoic Acid, 2-Ethyl, Tin (2+) Salt	Chemical is sponsored by ORTEC Consortium

For your information, EPA posted draft guidance on procedures for removing chemicals that are no longer HPV from the scope of the voluntary HPV Challenge Program on its Chemical Right-to-Know (ChemRTK)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) in March 1999. Among the prerequisites to be considered for removing a chemical from the HPV Challenge Program is that

the chemical does not meet Inventory Update Reporting (IUR) reporting requirements for the two most recent reporting years, in this case 1998 and 2002. Based on our review of pertinent IUR reporting data for these years, EPA has determined the following regarding your requests:

1. CAS No. 2420-98-6, Hexanoic acid, 2-ethyl-, cadmium salt **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.
2. CAS No. 6865-35-6, Barium Stearate **does not meet** the no longer HPV criteria and will remain as an unsponsored or orphan chemical unless the Ferro Corporation would like to continue its sponsorship.
3. CAS No. 16883-83-3, 1,2 Benzenedicarboxylic acid, 2,2- dimethyl-1-(1-methylethyl)-3-(2-methyl-1-oxopropoxy) propyl phenylmethyl ester will be removed from Ferro's commitment for sponsorship.
4. CAS No. 68515-89-9, Barium, carbonate nonylphenol complexes, currently sponsored under the HPV Challenge Program, **does not meet** the no longer HPV criteria. Regarding non-isolated intermediates, EPA recognizes that manufacturing processes may differ from company to company, leading to a situation where a chemical is a non-isolated intermediate for one company and not for another company. EPA encourages companies to evaluate their Inventory Update Reporting (IUR) reporting and if needed, amend their reporting.
5. CAS No. 301-10-0, Hexanoic Acid, 2-Ethyl, Tin (2+) Salt is sponsored by ORTEC Consortium. Ferro sponsorship will be withdrawn.

Please direct your reply to Diane Sheridan via email, sheridan.diane@epa.gov, or by letter addressed to the U.S. Environmental Protection Agency, EPA East - Mail Code 7405M, 1200 Pennsylvania Avenue, N.W., Washington, DC 20460.

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) 564-8176. 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 email at tsc-hotline@epa.gov.

Sincerely,

ullis, Director
anical Control Division

cc: AR-201