



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

**MAY 21 2008**

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

Ms. Nancy Sandrof, Manager  
Brominated Flame Retardants Industry Panel  
American Chemistry Council  
1300 Wilson Boulevard  
Arlington, VA 22209

Subject: Termination of Decabromodiphenyl Ether from the Voluntary Children's  
Chemical Evaluation Program (VCCEP)

Dear Ms. Sandrof:

The U.S. Environmental Protection Agency has completed its review of the updated VCCEP submission on decabromodiphenyl ether which you electronically provided to the Agency on February 29, 2008. The submission did not adequately address the Tier 2 data needs for decabromodiphenyl ether that the Agency outlined for you in a letter dated August 25, 2005, despite several clarifying meetings and interim submissions over the past two and one-half years.

The updated submission ideally would have provided definitive fate and transport studies that are needed to address decabromodiphenyl ether's potential to degrade to other substances so that its potential exposure pathways could be more fully understood. EPA continues to believe the following tests are necessary:

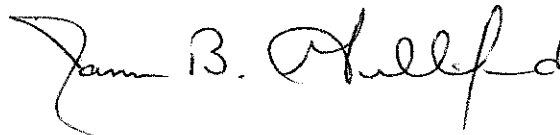
- Anaerobic degradation in sludge digesters and aquatic sediments
- Photolysis in the indoor environment

Because the VCCEP process has not succeeded in providing the data that EPA currently believes is necessary to fully understand the fate of decabromodiphenyl ether, the potential exposure to this chemical, and potential risks to children, EPA is terminating this chemical's sponsorship in the voluntary program and proceeding to prepare a proposed TSCA section 4 test rule to meet these outstanding data needs. EPA intends to include in the proposed test rule a solicitation of proposals for an enforceable consent agreement (ECA). If any entity chooses to pursue the ECA option, the ECA would have to be completed during the comment period (probably 120 days) of the proposed rule.

EPA regrets that this voluntary testing approach did not work to produce the data needed to adequately understand key aspects of decabromodiphenyl ether. The Agency will now move to use the mandatory means within its authority to obtain data to adequately characterize the risks of this chemical to children, adults, and the environment.

A copy of this letter will be added to the VCCEP Web site to keep the public and other stakeholders informed of decabromodiphenyl ether's current status in VCCEP. Please contact Ward Penberthy of the Chemical Control Division at (202) 564-8171 if you have questions about this step.

Sincerely,



James B. Gulliford  
Assistant Administrator

cc:

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