



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

FEB 17 2016

The Honorable Bob Gibbs  
House of Representatives  
Washington, D.C. 20515

OFFICE OF  
CHEMICAL SAFETY AND  
POLLUTION PREVENTION

Dear Congressman Gibbs:

Thank you for your letter of July 31, 2015, to the U.S. Environmental Protection Agency (EPA) regarding the pre-manufacture notice (PMN) process for new chemicals under Section 5 of the Toxic Substances Control Act (TSCA) and the process that the agency is using to address medium-chain and long-chain chlorinated paraffins (MCCP and LCCP).

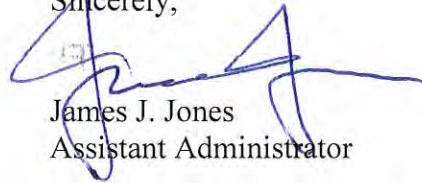
The EPA is reviewing MCCP and LCCP chemicals as part of our New Chemicals Review Program under the Toxic Substances Control Act (TSCA). This is the result of settlements in 2012 resolving violations of the TSCA pre-manufacture notice obligations for production and import of various chlorinated paraffins. As part of consent decrees between the Department of Justice (DOJ), the EPA and Dover Chemical, and separately between DOJ, the EPA and INEOS Chlor Americas (now INOVYN Americas, Inc), the companies were required to cease domestic manufacture and import of the closely-related short-chain chlorinated paraffins, which have persistent, bioaccumulative and toxic (PBT) characteristics. The companies were also required to submit new chemical pre-manufacture notices under TSCA section 5 for all chlorinated paraffins domestically produced or imported. As with all PMN submissions, the EPA is following the processes, procedures and statutory provisions of TSCA section 5, which includes our policy on substances that are potential Persistent, Bioaccumulative, and Toxic (PBT) chemicals.

The agency's assessment of the submitted pre-manufacture notices indicates concerns about the potential PBT properties of MCCP and LCCP chemicals and the dispersive nature of many of their uses. To help ensure a complete understanding of the possible risks, the EPA has over the past months requested from industry that critical uses of specific chlorinated paraffins be identified. After consultation with the EPA, the Department of Defense (DOD) also requested information from its suppliers on critical uses, which includes the use and information on the lack of a substitute chemical.

In addition, on December 23, 2015, the EPA made public the preliminary risk assessments currently under development for the PMN reviews. To help inform the assessments and reduce uncertainties, we also requested the submittal of new available data on chlorinated paraffins in different industries and for different uses, including whether there are uses for the PMN chlorinated paraffin substances that do not present the potential for direct or indirect release to water and data on treatment methods, environmental releases, and other waste management practices, particularly for non-water based applications. The Federal Register Notice can be found at <http://www.regulations.gov/#!documentDetail;D=EPA-HQ-OPPT-2015-0789-0001>. This information is due to the agency by February 22, 2016, and we anticipate making a final decision on the PMNs after consideration of new data.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Sven-Erik Kaiser in the EPA's Office of Congressional and Intergovernmental Relations at [kaiser.sven-erik@epa.gov](mailto:kaiser.sven-erik@epa.gov) or 202-566-2753.

Sincerely,

A handwritten signature in blue ink, appearing to read 'James J. Jones', with a long horizontal stroke extending to the right.

James J. Jones  
Assistant Administrator