



David Menotti
<David.Menotti@shawpittman.com>

09/22/2004 08:27 AM

To Rich Leukroth/DC/USEPA/US@EPA

cc l-william.buxton@usa.dupont.com

bcc

Subject Fluoropolymer ECA packages/ needed corrections

Rich:

The reviewers for the companies have detected several additional errors in the Fluoropolymer ECA packages, which need to be corrected.

The first category of problems are addressed in the attached fax from Bill Buxton at DuPont (302-999-4658). He has identified two problems. The first, and most important, is the listing of the substance with CAS No. 31784-04-0 as a constituent of the Aqueous Dispersion Composite. This substance is no longer being manufactured, and consequently must be deleted from the list of composite constituents. Bill has provided hand-annotated pages, showing where this deletion should be made. The second problem is with the DuPont address that is listed on page 14 of the cover document; again, he has provided the needed correction, by hand annotation of the page in question.

The other problem area is on page A.4-2. In the first line on this page, the first, second and fourth substance are identified incorrectly. In particular, "EEP" should be "FEP", "PEA" should be "PFA", and "ETEE" should be "ETFE."

I suggest that you follow the same procedure you followed for the last set of corrections, i.e., prepare corrected pages, and courier them to the company signatories.

Hopefully, this will be the last of the changes that we have to deal with.

David

(See attached file: B00203D4.PDF)

David E. Menotti
202-663-8675

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postmaster@shawpittman.com. Thank You. B00203D4.PDF

PO Box 80713
Wilmington DE 19880-0713
Phone: 302-999-4658
Fax: 302-999-4731



Fax

To: David Menotti (Shaw Pittman) **From:** L W Buxton

Fax: 202-663-8007 **Date:** September 21, 2004

Phone: 202-663-8675 **Pages:** five

Re: More ECA corrections **CC:**

Urgent **For Review** **Please Comment** **Please Reply** **Please Recycle**

•Comments:

Attached are additional corrections.

Call if you have any questions.

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- (D) Aqueous Fluoropolymer Dispersions Composite #4: (containing:
Ethene, tetrafluoro-, polymer with trifluoro(pentafluoroethoxy)
ethene, CAS No. 31784-04-0; Ethene, tetrafluoro-, homopolymer,
 CAS No. 9002-84-0; 1-Propene, 1,1,2,3,3,3-hexafluoro-, polymer
 with tetrafluoroethene), CAS No. 25067-11-2; Propane,
 1,1,1,2,2,3,3-heptafluoro-3- [(trifluoroethenyl)oxy]-, polymer with
 tetrafluoroethene, CAS No. 26655-00-5; Ethene, tetrafluoro-,
polymer with trifluoro(pentafluoroethoxy)ethene, CAS No.
31784-04-0; 1-Propene, 1,1,2,3,3,3- hexafluoro-, polymer with
 1,1-difluoroethene and tetrafluoroethene, CAS No. 25190-89-0;
 and polytetrafluoroethylene, DCN No. 63040000018C).⁸

-delete

-delete

The procedure for constructing each composite is described in Appendix A.4. The polymer components for each composite will be unfilled first quality product polymer, substantially free of inorganic constituents. Each component of the four composites to be tested under this ECA will be accompanied by a certificate of analysis showing it to meet applicable product specifications.

III. OBLIGATION OF SIGNATORY COMPANIES

A. The Companies are bound by the terms of this ECA as specified below.

B. Each Company shall be responsible for supplying the test substance(s) it manufactures for incorporation into the composite(s) to be tested under this ECA; as specified on each Company signature page and in Appendix A.3. The schedule for the testing program includes the deadline date by which the Companies must submit their contribution(s) to the facility(ies) that will be assembling the composites to be tested under this ECA. Any Company failing to comply with this ECA requirement will be in violation of this ECA as described in 40 CFR 790.65 (see Part XII of this ECA). In the event that one or more of the Companies are in violation as described above then the remaining Companies will inform EPA of the problem and request an EPA determination on how to proceed with the testing program described under this ECA. Each Company required to contribute to a particular composite is obligated to complete the testing required by this ECA for that composite. A Company shall not be responsible for any failure to perform its obligation under this ECA that is caused by circumstances beyond its control, that the Company could not have prevented through the exercise of due diligence.

⁸ EPA uses a variety of numerical identification systems for tracking chemicals. These include Chemical Abstract Service Registry numbers (CAS) (assigned to non-confidential listed chemicals), pre-manufacture notice (PMN) numbers (assigned by EPA when chemicals enter EPA's new chemical review process, document control numbers (DCN) (assigned by the Confidential Business Information Center for EPA tracking), and Accession (ACC) numbers (provided by EPA when a chemical identity requires protection as TSCA CBI). In addition, Polymer Exemption products will not have a TSCA Inventory ID number but may have a commercial trade identity.

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to seek judicial review of any rule that may be adopted by EPA that imposes requirements to test any of the fluoropolymer chemicals listed in Appendix A.1 to this ECA.

XXII. RESERVATION OF RIGHTS BY COMPANIES

By signing this ECA, the Companies are not admitting that the requirements of TSCA Section 4 have been satisfied for promulgating a test rule to generate the data required by this ECA.

The Companies contend that the documents generated for the incineration testing program under this ECA are protected from public disclosure under 5 U.S.C. section 552(b)(4) and 15 U.S.C. section 2613(a) and do not constitute studies subject to disclosure under 15 U.S.C. section 2613(b). Accordingly, the public information disclosure provisions of this ECA are, in the view of the Companies, a waiver of legal rights.

XXIII. IDENTITY OF THE COMPANIES AND PRINCIPAL TEST SPONSOR

The Principal Test Sponsor is:

Fluoropolymer Manufacturers Group
Allen Weidman
The Society of the Plastics Industry, Inc.
1801 K Streert, N.W., Suite 600K
Washington, DC 20006
202-974-5233

The Companies subject to this ECA are:

AGC Chemicals Americas, Inc.
229 East 22nd Street,
Bayonne, NJ 07002

Dyneon, LLC
6744 33rd Street,
Oakdale, MN 55128

Daikin America, Inc.
20 Olympic Drive,
Orangeburg, NY 10962

E.I. du Pont de Nemours and Company
Route 141 and Henry Clay
Wilmington, DE 19880-0711

change ↘

1007 Market Street ~~19802~~

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XXIV. SIGNATURE

TEST SPONSOR

E.I. du Pont de Nemours and Company^{1, 2}

Company technical contact person for handling correspondence marked as "Confidential"

Name: David W. Boothe
 Title: Strategic Planning Manager - DuPont Fluoropolymers
 Address: Route 141 & Henry Clay, Wilmington, DE 19880-0711
 Phone Number: 302-999-4091

CHANGES
 ↓
 Chestnut Run 702
 4417 Lancaster Pike

19805

ECA Subject Chemicals for E. I. du Pont de Nemours and Company			
Entry	Composite	CAS Registry #	CAS 9CI Name
1	Dry non-melt Fluoropolymer Resin	CAS #9002-84-0	Ethene, tetrafluoro-, homopolymer
2	Dry melt Fluoropolymer Resin	CAS #25067-11-2	1-Propene, 1,1,2,3,3,3-hexafluoro-, polymer with tetrafluoroethene
3	Dry melt Fluoropolymer Resin	CAS #26655-00-5	Propane, 1,1,1,2,2,3,3-heptafluoro-3-(trifluoroethenyl)oxy]-, polymer with tetrafluoroethene
4	Dry melt Fluoropolymer Resin	CAS #31784-04-0	Ethene, tetrafluoro-, polymer with trifluoro(pentafluoroethoxy)ethene
5	Aqueous Dispersion	CAS #9002-84-0	Ethene, tetrafluoro-, homopolymer
6	Aqueous Dispersion	CAS #25067-11-2	1-Propene, 1,1,2,3,3,3-hexafluoro-, polymer with tetrafluoroethene
7	Aqueous Dispersion	CAS #26655-00-5	Propane, 1,1,1,2,2,3,3-heptafluoro-3-(trifluoroethenyl)oxy]-, polymer with tetrafluoroethene

¹ Data in the table lists the chemical(s) and composite contributions for which E.I. du Pont de Nemours and Company is responsible. The Company developed these data in response to EPA's letter of January 6, 2004.

² E.I. du Pont de Nemours and Company is not obligated under this ECA to perform Phase I PFOA Transport Testing (see Part III. C. and VII.A. of this ECA).

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APPENDIX A.3
COMPOSITION OF COMPOSITES TO BE TESTED

The four composite test substances for this test program are presented below in Table A.3-1 with the fluoropolymer types, CAS numbers, and associated monomers for these fluoropolymers. Each fluoropolymer used in each relevant test substance composite will have been made using APFO.

Table A.3-1. Test Substance Composites by Type

Test Substance	Fluoropolymer Type	CAS Number	Associated Monomers
Composite 1 - Dry non-melt resin	PTFE	9002-84-0	TFE
	Modified PTFE	26655-00-5	TFE, PFVE
Composite 2 - Dry melt resins	PEF	25067-11-2	TFE, HFP
	PFA	26655-00-5	TFE, PFVE
		31784-04-0	TFE, PFVE
	THV	25190-89-0	TFE, HFP, VDF
	ETFE	68258-85-5	TFE, E
	PTE	95560-16-8	TFE, HFP, E
Composite 3 - Fluoroelastomers	Fluoroelastomer Copolymers	9011-17-0	VDF, HFP
	Fluoroelastomer Terpolymers	25190-89-0	TFE, HFP, VDF
	Base resistant elastomers	54675-89-7, 27029-05-6	TFE, VDF, P TFE, P
	Perfluoroelastomers	26425-79-6	TFE, PFVE
	CTFE elastomers	9010-75-7	CTFE, VDF
	Low temperature elastomers	CBI	TFE, VDF
Composite 4 - Aqueous Dispersions	PTFE	9002-84-0	TFE
	PEF	25067-11-2	TFE, HFP
	PFA	26655-00-5	TFE, PFVE
		31784-04-0	TFE, PFVE
	THV	25190-89-0	TFE, HFP, VDF

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Confidential business information (CBI) regarding the chemical identity of low temperature elastomers has been submitted to EPA under separate cover.