

PCRM	P H Y S I C I A N S		
	C O M M I T T E E		5100 WISCONSIN AVENUE, N.W., SUITE 400
	F O R		WASHINGTON, DC 20016
	R E S P O N S I B L E		T: (202) 686-2210 F: (202) 686-2216
M E D I C I N E			PCRM@PCRM.ORG WWW.PCRM.ORG

May 27, 2003

Christine Todd Whitman, Administrator
 U.S. Environmental Protection Agency
 Ariel Rios Building
 Room 3000, #1101-A
 1200 Pennsylvania Ave., N.W.
 Washington, DC 20460

Subject: Comments on the HPV Test Plan for Methane Sulfonic Acid

Dear Administrator Whitman:

The following comments on the Atofina Chemicals, Inc. (Atofina) High Production Volume (HPV) Chemicals Challenge Program test plan for Methane Sulfonic Acid (MSA) are submitted on behalf of the Physicians Committee for Responsible Medicine, People for the Ethical Treatment of Animals, the Humane Society of the United States, the Doris Day Animal League, and Earth Island Institute. These health, animal protection, and environmental organizations have a combined membership of more than ten million Americans.

This test plan is absolutely unsatisfactory. It consists solely of a single sheet, with a table of the tests that are and are not proposed. Details of previously conducted studies are provided in the robust summaries, but no justification is given as to the reasons for conducting each proposed test. The spirit of the public notice and comment process requires that complete information be provided in the test plan in order for the public to make a proper analysis and appropriate comments. Information is not provided in regards to the manufacturing, use or transport of MSA, which can affect the types of testing proposed and eliminate the requirement for some tests, such as the reproductive and repeat dose mammalian toxicity endpoints in the case of closed-system intermediates. Atofina also states that human health data was used to support the proposed OECD Test Guideline, but these data are not provided. It is unclear to us what this statement means. While we welcome the use of human data to inform the fulfillment of OECD/SIDS endpoints in the HPV program, Atofina should include this human data in their test plan. We therefore ask the EPA to require the preparation and resubmission of a complete test plan.

It is critical that the EPA make it clear to Atofina that submission of test plans of this standard is not acceptable as it not only violates the October 1999 animal welfare agreement but is contrary to the original HPV framework agreement. Although we are of course willing to comment on submitted test plans, it is the EPA's responsibility to filter out plans that cannot be analyzed due to a complete lack of provided information.

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Thank you for your attention to these comments. I look forward to a prompt and favorable response to our concerns. I may be reached at 202-686-2210, ext. 335, or via email at kstoick@pcrm.org.

Sincerely,

Kristie Stoick, MPH
Research Analyst

Chad Sandusky, PhD
Director of Research