



201-15840

HS&E CORPORATE SERVICES
Toxicology Department

March 16, 2005

The Honorable Steve Johnson, Acting Administrator
U.S. Environmental Protection Agency
P.O. Box 1473
Merrifield, VA. 22116

RECEIVED
OPPT CBIC
05 MAR 22 PM 12:49

Subject: High Production Volume Chemicals Initiative – Comments and Actions Concerning HPV
"Orphans" and 55th ITC List

Dear Administrator Johnson:

Rhodia Inc., an active participant in both the U.S. and ICCA HPV initiatives, wishes to provide this update on our activities concerning these initiatives, as well as to volunteer to support or clarify our position regarding several chemicals that, for a number of different reasons, appear on the EPA list of "orphan" HPV chemicals and the 55th ITC list. A detailed list appears below:

- Concerning the chemical commonly referred to as T2CEP (CAS # 140-08-9, Tris (2-chloroethyl) phosphite), Rhodia Inc. wrote to the Agency in April 2004 requesting that this chemical be delisted from the HPV initiative for several reasons. EPA denied Rhodia Inc.'s request in a letter dated July 15 and received in August. During the past several months, Rhodia has reviewed its position and elected to continue to support this chemical in the HPV initiative. You will find Robust Summaries and a Test Plan attached to this letter. Please note however that, while Rhodia was putting together the Robust Summaries and Test Plan, EPA apparently and erroneously assumed that Rhodia Inc. was not going to support T2CEP and, as a result, T2CEP mistakenly appears on the 55th ITC list. Rhodia Inc. hereby requests that T2CEP be removed from the next revision of the 55th ITC list. We remain committed to this chemical in the HPV initiative.
- Concerning the chemical commonly referred to as tritoyl phosphite (CAS # 25586-42-9), this chemical appears on the 55th ITC list as a HPV "orphan". Rhodia manufactures this chemical at approximately 70% purity. An earlier review by Rhodia for tritoyl phosphite had shown that this substance was sponsored in the HPV program. However, we are now aware that the status has changed, leaving the substance an "orphan" in the program. Rhodia would like to volunteer to sponsor this chemical through the HPV program and request that it be de-listed from the 55th ITC list. We would propose that our future test plan and summary document be based on our product as manufactured, as this is the article in commerce.
- Concerning CAS # 137-20-2, (Ethanesulfonic acid, 2-[methyl[(9Z)-1-oxo-9octadecenyl]amino]-, sodium salt), this chemical appears on the 55th ITC list as an HPV "orphan". However, it should not be considered an HPV chemical at all. On May 6, 2004 Rhodia Inc. sent a letter to Charles Auer of EPA indicating that Rhodia Inc. had recently discovered that production and importation for this chemical was incorrectly calculated for IUR purposes and resulted in an over-report of this chemical. A corrected IUR had already been submitted and a report to EPA has been issued detailing the situation. When this over-reporting was considered, it is clear that this product is not an HPV chemical. Therefore, Rhodia Inc. requested that this chemical be delisted from the HPV program. However, as indicated above, this chemical is not only still listed as being an HPV chemical but it also appears on the 55th ITC list as an HPV "orphan".

- Concerning CAS # 24615-84-7 commonly referred to as Sipomer B-CEA (2-propenoic acid, 2-carboxyethyl ester), Rhodia Inc. believes this chemical has not been an HPV chemical since the 1990 IUR reporting. Rhodia Inc. does not anticipate that its production will significantly increase in the foreseeable future. Therefore, we ask that the chemical be delisted from the HPV program. However, as indicated above, this chemical is not only still listed as being an HPV chemical but it also appears on the 55th ITC list as an HPV "orphan".

In addition to the above corrections to the 55th ITC list as it pertains to so-called "HPV orphans", Rhodia Inc. also wishes to bring the following information to the attention of the Agency:

- Rhodia Inc has recently joined the American Chemicals Society Phosphoric Acid Derivatives Panel and, therefore, is supporting all chemicals this Panel is supporting in the HPV initiative. These chemicals include:

Tris(2-ethylhexyl) phosphate (CAS# 78-42-2)
 Bis(2-ethylhexyl) hydrogen phosphate (CAS# 298-07-7)
 2-Ethyl hexyl phosphate (CAS# 12645-31-7)*
 Mono (2-ethylhexyl) phosphate (CAS# 1070-03-7)**
 Dibutyl hydrogen phosphate (CAS# 107-66-4)**
 Tributyl phosphate (CAS# 126-73-8)**
 2-Ethylhexanol (CAS# 104-76-7)**
 2-Ethylhexanoic acid (CAS# 149-57-5)**
 Phosphoric Acid (CAS# 7664-38-2)* *

* Mixture of CAS# 298-07-7 and CAS# 1070-03-7.

** Not sponsored as part of the EPA HPV Challenge Program; used only for data surrogate purposes.

- Concerning the chemicals commonly referred to as BISCEP monomer and BISCEP dimer (CAS # 6294-34-4, Phosphonic acid, (2-chloroethyl)-, bis(2-chloroethyl) ester and CAS # 58823-09-9, Phosphonic acid, [2-[[[(2-chloroethoxy)(2-chloroethyl) phosphinyl]oxy]ethyl]-, bis(2-chloroethyl) ester, respectively, Rhodia Inc. submitted Robust Summaries and a Test Plan for these chemicals on December 23, 2003. Later in 2004 I received a telephone call from Meena Sonawane of EPA inquiring about a note at the bottom of page 5 of the Test Plan, where Rhodia Inc. indicated that we had uncovered a study published in Russian that we believed might contribute worthwhile information to the mammalian toxicology database for one or both of these chemicals. Ms. Sonawane wanted to know whether we had since obtained and translated the study. At that time, we were in the process of having the study translated. Later, when we finally had obtained and translated the study, we discovered it did not provide any useful information. I telephoned Ms. Sonawane and informed her of this. We have not heard back from Ms. Sonawane or anyone else at EPA about our Test Plan for these chemicals. Further, no comments from EPA have ever been posted or sent to Rhodia concerning our Test Plan. We await those comments before commencing any studies.
- Concerning the chemical commonly referred to as DMMP (dimethyl methyl phosphonate) CAS 756-79-6, EPA's HPV website indicates this chemical is supported by a consortium of Rhodia Inc. and Akzo. EPA should note that Supresta has purchased Akzo's business with regard to this chemical and, thus, Akzo's responsibility for this chemical. A test plan was submitted for this chemical by the consortium in November 2003. To date, we have received not comments from EPA or others concerning our Test Plan.

I continue to serve as Rhodia Inc.'s technical contact for the HPV initiative and look forward to your response. I can be reached at:

Glenn S. Simon, Ph.D., DABT
Rhodia Inc.
5171 Glenwood Avenue, Suite 402
Raleigh, North Carolina 27612

Phone: (919) 786-9999, extension 222
Fax: (919) 786-9154
E-Mail: glenn.simon@us.rhodia.com

Sincerely,

Glenn S. Simon, Ph.D., DABT
Director of Toxicology

cc (w/o attachments):

Jim Alwood, EPA
Charles Auer, EPA
Ian Bartlett, Rhodia Inc.
Steve Groome, Rhodia Inc.
Oscar Hernandez, EPA
Jim Keith, ACC
Barbara Leczynski, EPA
Susan Lewis, ACC
Karen Ranbom, Rhodia Inc.
Steve Russell, ACC
Diane Sheridan, EPA
John Walker, EPA