

CHLORINATED PARAFFINS

INDUSTRY ASSOCIATION

1250 Connecticut Avenue, N.W. • Suite 700 • Washington, D.C. 20036 • 202-419-1500 • Fax: 202-659-8037

REGULATORY UPDATE
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UNITED STATES

There are no new regulatory developments in the United States regarding chlorinated paraffins. Several years ago, the US Environmental Protection Agency concluded that there was no need to impose any restrictions on the manufacture, processing or use of any chain length chlorinated paraffin. However, the environmental release of short-chain chlorinated paraffins (SCCPs) must be reported annually under the Toxic Release Inventory, as part of the broader “polychlorinated alkane” category. Chlorinated paraffins remain excluded from federal hazardous waste regulations.

CANADA

In June of 2005, Environment Canada and Health Canada released for public comment updated assessments addressing SCCPs, medium-chain chlorinated paraffins (MCCPs) and long-chain chlorinated paraffins (LCCPs).

The Chlorinated Paraffins Industry submitted an extensive set of comments, which raised numerous technical and policy concerns with the Reports. In its comments, the Chlorinated Paraffins Industry restated its recommendation that the Agency promote a Life Cycle Management Program to assure effective management of these substances.

There has been no response yet from Canada.

INTERNATIONAL

UNECE - The United Nations Economic Commission for Europe (UNECE) is reviewing whether SCCPs meet the criteria for Persistent Organic Pollutant (POP) under the Convention on Long-range Transboundary Air Pollution (LRTAP). The Chlorinated Paraffins Industry has strongly advocated the view that SCCPs did not qualify for inclusion given that there is no evidence to support the criteria that the compound is likely to present “significant adverse effects” (SAE). The Chlorinated Paraffins Industry has maintained that the SAE evaluation requires a determination that adverse effects are *likely* based on predicted levels in the environment and the expected environmental responses to those levels. While there continues to be debate over the interpretation of

the SAE criteria, many of the UNECE counties are taking the view that the mere presence of the compound in remote regions is sufficient justification.

The US government has expressed a view similar to the Chlorinated Paraffins Industry. However, the US position will likely not be considered given that the US is not currently a Party to LRTAP as the required legislation has not yet cleared Congress, and may not be passed before the Executive Body meeting.

The next meeting of the UNECE Executive Body is December 11-15 at which time it is likely that SCCPs will be determined to meet the Track A POPs review. If SCCPs are deemed to meet the Track A review, the UNECE will begin the Track B review, which will consider the development of a management strategy.

UNEP - The United Nations Environment Program is also considering SCCPs under the Stockholm Convention. While the POPs criteria for Stockholm is very similar to UNECE's, there appears to be greater scientific consideration given to the evaluation of "Significant Adverse Effects." The UNEP Persistent Organic Review Committee (POPRC) is meeting the week of November 6 and may consider at that time whether SCCPs meet the initial screening criteria, which would trigger the development of a Risk Profile.

The Chlorinated Paraffins Industry will issue an update on the latest developments, following completion of the UNEP meeting.

Chlorinated Paraffins Users Group - Early next year, the Chlorinated Paraffins Industry is planning to convene a Chlorinated Paraffins Users Group in order to gather information that can be used in addressing both the UNECE and the UNEP initiatives.

For additional information, please contact:

Robert J. Fensterheim
1250 Connecticut Avenue, NW, Suite 700
Washington, DC 20036
Phone: (202) 419-1500
Fax: (202) 659-8037
E-mail: rfensterheim@regnet.com