

ORIGINAL

TSCA NON-CONFIDENTIAL BUSINESS INFORMATION

DOCUMENT DESCRIPTION	DOCUMENT CONTROL NUMBER	DATE RECEIVED
8EHQ-94-13047	89110000178	3/14/11

COMMENTS: COMMUN S (DECLASS)

DOES NOT CONTAIN CBI

Corrected email response to FOIA Request
Liebowitz, Daniel
to:
Scott Sherlock
02/16/2011 09:51 AM
Show Details

RECEIVED
OPPT CJC

11 MAR 14 PM 12:28

CONTAINS NO CBI - MR-333874

History: This message has been replied to.
Scott,

We reviewed the 1994 TSCA 8(e) filing and do not believe that the safety and health data is claimed as CBI. The only item that may be CBI is the CAS name for the modified-polyacrylamide polymer in our product. Our current SDS does however, disclose the identity and concentration of the petroleum distillate (e.g. CASRN 64742-47-8) you indicated was the subject of this inquiry. The SDS for this product (SUPERFLOC(R) 1266 Flocculant) is publicly available from our internet site.

Please feel free to call me if you have additional questions.

Regards,
Dan

Daniel Liebowitz
Regulatory Compliance Manager, Americas
Product Stewardship & Regulatory Affairs
Cytec Industries Inc.
1937 West Main Street
Stamford, CT 06904
203-321-2259

Legal Notice: This electronic communication, including any attachments, contains information from Cytec Industries Inc. or its subsidiaries that may be legally privileged, confidential, and exempt from disclosure under applicable law. If you are not the intended recipient, any use or dissemination of this communication or its attachment(s) is strictly prohibited and may be illegal. If you have received this communication in error, please notify the sender immediately, destroy any printed copies and delete it from all computers on which it may be stored.



CYTEC 8EHQ-0594-130475

COMPANY SANITIZED

CYTEC INDUSTRIES INC.
Five Garret Mountain Plaza
West Paterson, NJ 07424
Tel. (201) 357-3100

8EHQ-94-13047
8894 0000 2895

RECEIVED
OPPT/CRIS
94 MAY 31 AM 11:48

May 27, 1994

OPPT Document Processing Center (TS-790)
ATTN: SECTION 8(E) COORDINATOR
Office of Pollution Prevention and Toxics (OPPT)
U. S. Environmental Protection Agency
401 M Street, S.W.
Washington, D.C. 20460

Dear Sir/Madam:

The purpose of this letter is to inform you under Section 8(e) of TSCA of the results of two studies entitled "Static Acute Toxicity of CT-529-94 to Rainbow Trout", and "Static Acute Toxicity of CT-529-94 to Freshwater Green Algae" on a commercial cationic mixture. The mixture has the following composition:

CAS#	Chemical Name	% Contained
007732-18-5	Water	~32-34%
064742-47-8	Petroleum Distillate	~27-29%
070750-20-8	2-propenamamide, homopolymer, reaction products with chloromethane, dimethylaminc and formaldehyde	~ <input type="text"/> %

COMPANY SANITIZED

The contract laboratory has forwarded the following results:

96-hour LC50 of 0.42 mg/L with a no-effect level at 0.1 mg/L for Rainbow Trout
72-hour EbC50 of 0.12 mg/L with a no-effect level at 0.33 mg/L; ErC50 Could Not Be Determined - Freshwater Green Algae

LC/EC50 determinations without suspended solids overestimates the true toxicity of cationic polymers. Suspended solids and other dissolved organic materials like humic acid which are present in natural waters reduce the effective concentration of the polymer and thereby its toxicity.

Therefore, we initiated a "Static Acute Toxicity to Rainbow Trout in Dilution Water Amended with Organic Carbon". The results from this study indicate a LC50 of 42 mg/L with a no-effect level at 5.6 mg/L. These results support the above statement.

It is our understanding that the EPA is aware of this "mechanical" nature of the toxicity produced by cationic polymers and therefore, this information confirms data already known to the agency.

The final reports for these three studies have not yet been received. We will send copies of each report as soon as it becomes available. This document does contain confidential business information. Therefore, a sanitized version of this letter is also included.

Please direct all communications on this subject to Patricia Ann Vernon, Associate Toxicologist at the address above or call her at (201) 357-3375.

Sincerely,



Peggy Geimer, M.D.
Corporate Medical Director

SUPPORT INFORMATION FOR CONFIDENTIALITY CLAIMS

**8(e) Submission On A Commercial Mixture
Containing CAS# 70750-20-8**

Substantiation Questions

1. Is your company asserting this confidential business information (CBI) claim on its own behalf? If the answer is no, please provide company name, address and telephone number of entity asserting claim.

This confidentiality claim is made on behalf of Cytec Industries Inc.

2. For what period of time do you assert your claim(s) of confidentiality? If the claim is to extend until a certain event or point in time, please indicate that event or time period. Explain why such information should remain confidential until such point.

The confidentiality claim should remain in effect as long as the polymer remains an article of commerce. Disclosure of the CBI information would lead to disclosure of the active ingredient in the product which could lead to substantial loss of market share.

3. Has the information that you are claiming as confidential been disclosed to any other governmental agency, or to this Agency at any other time? Identify the Agency to which the information was disclosed and provide the date and circumstances of the same. Was disclosure accompanied by a claim of confidentiality? If yes, attach a copy of said document reflecting the confidentiality agreement.

Yes. Trade Secrecy on the identification/percent Contained of the acrylamide polymer has been claimed and allowed in the State of New Jersey. This CBI was sent previously to the Agency under TCSA 8(e) REF: 8E-HQ-1844 on March 11, 1992.

4. Briefly describe any physical or procedural restrictions within your company relating to the use and storage of this information you are claiming CBI.

The information has been given only to those with a need-to-know. Information has appeared only in Company documents which have limited circulation and which are considered Cytec Confidential information. All employees must sign an agreement which binds them from disclosing Cytec Confidential information when they leave. The need for confidentiality has been reemphasized to employees working on this project.

5. If anyone outside your company has access to any of the information Claimed CBI, are they restricted by confidentiality agreement(s). If so, explain the content of the agreement(s).

Information claimed as confidential has only been released to those with a bona fide need-to-know.

6. Does the information claimed as confidential appear or is it referred to in any of the following:

a. Advertising or promotional material for the chemical substance or the resulting end product;

b. Material safety data sheets or other similar materials (such as technical data sheets) for the substance or resulting end product (include copies of this information as it appears when accompanying the substance and/or product at the time of transfer or sale);

c. Professional or trade publications; or

d. Any other media or publications available to the public or to your competitors.

If you answered yes to any of the above, indicate where the information appears, include copies, and explain why it should nonetheless be treated as confidential.

None of the information which is claimed as confidential has been disclosed in any public document.

7. Has EPA, another federal agency, or court made any confidentiality determination regarding information associated with this substance? If so, provide copies of such determinations.

No.

8. Describe the substantial harmful effects that would result to your competitive position if the CBI information is made available to the public? In your answer, explain the causal relationship between

disclose and any resulting substantial harmful effects. Consider in your answer such

constraints as capital and marketing cost, specialized technical expertise, or unusual processes and your competitors access to your customers. Address each piece of information claimed CBI separately.

The CBI information would disclose the identity of the active ingredient in the product. By claiming CBI it allows for production of a product with superior performance and physical characteristics. Disclosure of this information to our competitors could result in a decrease in or total loss of sales.

9. Has the substance been patented in the US or elsewhere? Is a patent for the substance currently pending?

The product which contains the CBI polymer is patented in the US and in Europe.

10. Is this substance/product commercially available and if so, for how long has it been available on the commercial market?

a. If on the commercial market, are your competitors aware that the substance is commercially available in the U.S.?

b. If not already commercially available, describe what stage of research and development (R&D) the substance is in, and estimate how soon a market will be established.

c. What is the substance used for and what type product(s) does it appear in.

The product has been commercially available for approximately one year in the U.S. Our competitors are aware of this. The CBI, which pertains to the polymer itself, is the active component of a patented product which is used primarily as a flocculant/coagulant in waste water treatment.

11. Describe whether a competitor could employ reverse engineering to identically recreate the substance?

It would be extremely difficult and time intensive to do so. A concerted, multiple person research/development program would take a minimum of three years to recreate the product. It would be near impossible to recreate product through reverse engineering. Due to the amounts used and nature of the other components present in the product, the

separation, isolation, identification, and quantification of the specific formula would be extremely lengthily and costly.

12. Do you assert that disclosure of this information you are claiming CBI would reveal:

a. confidential processes used in manufacturing the substance;

Yes.

b. if a mixture, the actual portions of the substance in the mixture; or

Yes.

c. information unrelated to the effects of the substance on human health or the environment?

Yes.

If your answer to any of the above questions is yes, explain how such information would be revealed.

Disclosure of the CBI information would identify the proportion of active polymer in the product. By identifying this CBI, certain information regarding the manufacturing process would be apparent. This formulation is considered company confidential with very restricted access and is only released to company personnel on a need-to-know basis.

13. Provide the Chemical Abstract Service Registry Number for the product, if known. Is your company applying for a CAS number now or in the near future? If you have applied for a CAS number, include a copy of the contract with CAS.

CAS Number 70750-20-8

14. Is the substance or any information claimed CBI the subject of FIFRA regulation or reporting? If so, explain.

No.

CERTIFICATE OF AUTHENTICITY

THIS IS TO CERTIFY that the microimages appearing on this microfiche are accurate and complete reproductions of the records of U.S. Environmental Protection Agency documents as delivered in the regular course of business for microfilming.

Data produced 8 22 96 Marcia Kubler
(Month) (Day) (Year) Camera Operator

Place Syracuse New York
(City) (State)



END