



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

SEP 6 2017

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

Stephen M. Halpin
President
Norman, Fox & Co.
14970 Don Julian Road
Industry, CA 91746

Dear Mr. Halpin:

Thank you for your letter of August 17, 2017 to Scott Pruitt, Administrator of the U.S. Environmental Protection Agency, requesting information on the Toxic Substances Control Act (TSCA) and the regulatory difference between purchasing the chemical p-chlorobenzotrifluoride (PCBTF) domestically and importing it from a foreign supplier. As the Division Director for the Chemical Control Division, within the Office of Pollution Prevention and Toxics, the Administrator has asked me to respond to your letter.

PCBTF (CAS number 98-56-6) is subject to a final test rule under section 4 of TSCA titled, *Testing of Certain High Production Volume Chemicals; Third Group of Chemicals*. The final test rule was published in the Federal Register on October 21, 2011 (76 FR 65385) and the effective date of the rule was November 21, 2011. The rule is codified in part 40 CFR 799.5089.

In your letter, you asked why you might be non-compliant when you purchase this chemical from China, and import it into the United States, but compliant when you purchase the chemical domestically. The term "manufacture" is defined in the TSCA statute to include "import" (TSCA Section 3(9); 15 U.S.C. 2602(9)). Therefore, importers of PCBTF must meet all requirements that are relevant to manufacturers as described in the test rule, unless otherwise exempt. However, if you purchase the chemical domestically without further processing it, then you would not be subject to the test rule because you would not be considered a domestic manufacturer, importer, or processor as described in the test rule or statutorily under TSCA.

Again, thank you for your inquiry and I hope the information provided is helpful. If you have any further questions, please contact me or Loraine Passe of my staff, at (202) 564-9064 or Passes.Lorraine@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Maria J. Doa".

Maria J. Doa, Ph.D.
Director
Chemical Control Division