

M. L. Sharrah
Senior Vice President
Research and Engineering

Continental Oil Company
High Ridge Park
Stamford, Connecticut 06304
(203) 359-3500

April 20, 1978

U. S. Environmental Protection Agency
Office of Toxic Substances
P. O. Box 02201
Columbus, Ohio 43202

Gentlemen: Re: Form C No. 30744916

The following is our response to the questions on pages 57 and 58 of Chapter 7, "Instructions for Reporting for the Initial Inventory", December, 1977 (Confidentiality 710.7 Title 40 CFR) in order to substantiate our claim of confidentiality.

1. What harmful effects to your competitive position, if any, do you think would result from the indentity of the chemical substance appearing on the Inventory? How could a competitor use such information, given the fact that the identity of the substance would otherwise appear on the Inventory of chemical substances with no link between the substance and your company or industry? Would the effects of disclosure be substantial? What is the casual relationship between the disclosure and the harmful effects?

Answer: A potential competitor and/or customer might decide to produce this superior product. The link which could be telling would be between the substance and its two unique applications. The two or three potential competitors and/or customers might well make the connection. If our company lost the opportunity to produce and market this unique material, the lost profit opportunity could exceed several million dollars per year.

2. How long should confidential treatment be given? Until a specific date, the occurrence of a specific event, or permanently? Why?

Answer: Until full scale commercialization or approximately ten (10) years. This would protect our commercialization opportunity.

3. Has the chemical substance been patented? If so, have you granted licenses to others with respect to the patent as it applies to the chemical substance? If the chemical substance has been patented and therefore been disclosed through the patent, why should it be treated as confidential for purposes of the Inventory?

Answer: The chemical substance has not been patented. U.S. Patent 3,692,676, "Method of Friction Loss Reduction on Oleaginous Fluids Flowing Through Conduits" has been granted covering use of generic substances which include the subject chemical substance. The patent covers a number of drag reducing materials including the specific substance which is the subject of this Form No. 30744916. No licenses have been granted to others to date.

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4. Has the identity of the chemical substance been kept confidential to the extent that your competitors do not know it is being manufactured or imported for a commercial purpose by anyone?

Answer: Yes

5. Is the fact that the chemical substance is being manufactured or imported for a commercial purpose publicly available, for example in technical journals, libraries, or state, local, or federal agency public files?

Answer: No

6. What measures have you taken to prevent undesired disclosure or the fact that this chemical substance is being manufactured or imported for a commercial purpose?

Answer: Several secrecy agreements have been entered into with potential users.

7. To what extent has the fact that this chemical substance is manufactured or imported for a commercial purpose been revealed to others? What precautions have been taken regarding these disclosures? Have there been public disclosures or disclosures to competitors?

Answer: The fact that this chemical substance is manufactured for a commercial purpose has been revealed to others only as mentioned in Item 6. Except as noted in Item 2, above, there have been no public disclosures of the chemical identity of the substance.

8. Does this particular chemical substance leave the site of manufacture in any form, either as product, effluent, emission, etc.? If so, what measures have you taken to guard against discovery of its identity?

Answer: The chemical substance leaves the site as a product. Samples have only been furnished under secrecy agreements which specifically provide for non-analysis of the substance and return of all unused material.

9. If the chemical substance leaves the site in a product that is available to the public or your competitors, can the substance be identified by analysis of the product?

Answer: It probably could be identified. Therefore, we have not provided samples except under secrecy agreements as outlined in Item 8.

10. For what purpose do you manufacture or import the substance?

Answer: The substance is used as a drag reducer in pipelines and as an anti-misting additive for certain hydrocarbon fuels.

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11. Has EPA, another federal agency, or any federal court made any pertinent confidentiality determinations regarding this chemical substance? If so, please attach copies of such determinations.

Answer: No

Yours very truly,

CONTINENTAL OIL COMPANY



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Senior Vice President
Research and Engineering

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