

Polytopics

Quarter 4 - 2005

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Upcoming Events:

Annual Meeting & PTS

May 7-10, 2006

JW Marriott

Orlando, FL

Please Note New Address!

Polyurethane Manufacturers Association (PMA)

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The MBOCA Consortium: EPA HPV Challenge Commitment in Process of Being Renewed

by Donald P. Gallo, Esq., P.E.
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The PMA, as well as MBOCA suppliers, have worked to reconstitute the MBOCA consortium, and have communicated with USEPA regarding the HPV challenge commitment for CAS No. 101-14-4 sponsorship. The first efforts under this sponsorship are the submittal of a robust summary and test plan to USEPA by the end of calendar year 2005. Unsponsored chemicals are considered "orphans" and USEPA proceeds under TSCA Section 4 Test Rule for Development for those chemicals which require statutory findings. As it stands now for the Consortium, making the commitment to sponsor MBOCA under the voluntary program we are hoping that the considerable existing data and information can be utilized.

For purposes of compliance with anti-trust laws and to protect the fairness of cost allocation and group decision making, the PMA will provide administrative assistance and management of the HPV challenge voluntary commitment. The PMA would work to form an administrative committee consisting of MBOCA suppliers, pre-polymer suppliers and processor members for fair representation on the administrative committee. The administrative committee will work out an allocation formula that is intended to be fair and equitable for the financial support of the voluntary HPV program challenge. To date, the MBOCA suppliers have made commitments to keep the technical aspects moving forward to meet the end of year deadlines until a technical committee is formed. The technical committee will function as oversight and support for performance of the work, which will be completed primarily by technical consultants. If you have any questions or comments regarding how the administrative committee or technical committee are formed, or if you wish to express an interest in participating on either of these committees, please contact the PMA office or Donald P. Gallo, legal counsel for the PMA: 262-951-4555 / dgallo@reinhardtlaw.com.

To: PMA Members
From: Board Liaison to
MBOCA Consortium,
Mike Katz

I wanted to update all PMA members on what we are doing about sponsoring MBOCA with the EPA to avoid the chemical becoming monitored and administered by the EPA.

- 1) The PMA sent a letter to all members during October to make sure that everyone understood that in the absence of a renewed call for the "MBOCA Consortium", the chemical would go unsponsored and be in the EPA's hands.
- 2) The PMA, and its council, received overwhelming response to this letter in favor of reconstituting the "MBOCA Consortium" to deal with this issue.
- 3) The PMA Board of Directors met to discuss this issue in November and agreed to the following.
 - a) Approved the use of PMA Council to head up the new MBOCA Consortium
 - b) Council has re-established commitment for MBOCA testing with the EPA
 - c) Call for PMA members and non-members to be on a committee for the MBOCA Consortium to set up a timeline for testing and a funding allocation

I would like to thank you on behalf of the PMA Board of Directors for voicing your concerns. See page 2 for communication from PMA council calling for volunteers to participate in the MBOCA committee.

Mike Katz