



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

AUG 16 2004

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Noel Misa
Vice President - Environment, Health and Safety
AGC Chemicals Americas, Inc.
229 East 22nd Street, Bayonne, NJ 07002

Phone Number: 201-858-8905

RE: Transmittal of Signature Materials for the Incineration ECA

Dear Noel Misa:

You are receiving these materials because you have been identified as the company technical contact person for handling correspondence regarding the Incineration ECA which may include information claimed as "Confidential." The enclosed envelop contains an Enforceable Consent Agreement (ECA) between AGC Chemicals Americas, Inc. and the Environmental Protection Agency (EPA). This ECA must be signed by the designated company official whose name appears on the enclosed envelop. Once properly signed, please return the appropriate materials to EPA as described in the enclosed letter to your designated company official. Where the materials to be mailed may contain confidential information, we recommend that you adhere to any protective procedures your company has in place.

If you have any questions please contact Richard Leukroth at (202)564-8167 or Gregory Fritz at (202)564-8583.

Sincerely,

A handwritten signature in black ink, appearing to read "Wardner G. Penberthy".

Wardner G. Penberthy, Acting Director
Chemical Control Division

Enclosure: ECA signature package for designated company official



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

AUG 16 2004

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Minoru Kawai
President
AGC Chemicals Americas, Inc.
229 East 22nd Street
Bayonne, NJ 07002

RE: Signature of Fluoropolymer Incineration ECA

Dear Minoru Kawai:

I am pleased to be transmitting, for your signature, the enforceable consent agreement (ECA) for the laboratory-scale incineration testing of fluoropolymer chemicals made using ammonium perfluorooctanoate (APFO). As you know, this ECA was developed in conjunction with EPA's Perfluorooctanoic acid (PFOA) ECA Process. It represents a significant milestone accomplishment to achieve commitments from industry to develop data relevant to whether municipal and/or medical waste incineration of fluoropolymers is a potential source of PFOA that may contribute as a pathway to environmental and human exposures.

The enclosed signature package includes three enclosures: 1) your copy of the public version of the ECA agreement (ECA Copy #2) from which all CBI from all participating companies has been redacted, 2) the original signature page for the public version for your company, and for the companies that claimed any of the enclosed information as CBI, and 3) the original signature page containing confidential business information for your company which will not be publicly disclosed. The other three companies signing the ECA have received comparable signature packages. Please keep enclosure # 1 for your records and sign and return the signature pages (enclosures # 2 and # 3 for those companies that have claimed information as CBI) to EPA following appropriate procedures regarding the transmittal of confidential information.

~~Regardless of whether your information is claimed as CBI, EPA recommends that you~~ place the return materials in a double-wrapped package for maximum security. The inner wrapper should be labeled "Attention: Dr. Greg Fritz" and include the statement "TSCA Confidential Business Information" only if the information contains CBI. The outer wrapper should be labeled only with the name and address of the recipient and your return address. Nothing on the outer wrapper should indicate that the package contains CBI. The return package should be sent to EPA by certified or registered mail, return receipt requested, or sent by courier service or U.S. Postal Service Express Mail.

If submitting through certified or registered mail, the package should be addressed to:

Attn. Dr. Greg Fritz
Document Control Office (7407M)
U.S. Environmental Protection Agency
Office of Pollution Prevention and Toxics (OPPT)
1200 Pennsylvania Avenue, NW
Washington, DC 20460

If submitting through Express Mail or through a courier service, including Federal Express, DHL, or UPS, for example, the package should be addressed to:

Attn. Dr. Greg Fritz
Document Control Office (7407M)
U.S. Environmental Protection Agency
Office of Pollution Prevention and Toxics (OPPT)
EPA East, Room 6428
1201 Constitution Avenue, NW
Washington, DC 20460
Telephone: 202-564-8930

Once the signature process is completed, EPA will send you a complete copy of the individual signatory version specific for your company and a set of the signed signatory pages for the Public version that you can insert to complete your copy of the Public version.

Upon receipt of all signed ECA signature pages from the test sponsors, the ECA document will be transmitted to the Principal Deputy Assistant Administrator for OPPTS for final Agency signature. When this is completed I will send you a copy of the final signed agreement and a copy of the *Federal Register* notice announcing that EPA and the Companies have entered into an enforceable consent agreement for the incineration testing of four composite test substances containing seventeen (17) fluoropolymer chemicals made using ammonium perfluorooctanoate (APFO).

I appreciate the efforts by your Company to participate in the PFOA ECA process and those members of the Fluoropolymer Manufacturers Group who have reached agreement on this complex testing program. If you have any questions please contact John Blouin at (202)564-8519 or Richard Leukroth at (202)564-8167. For questions regarding confidential business information please contact Gregory Fritz at (202)564-8583.

Sincerely,



Wardner G. Penberthy, Acting Director
Chemical Control Division

Enclosures 1) Copy #2 Public Version - Contains no CBI
 2) Signature page Copy # 2 Public Version - Contains no CBI
 3) Signature page Copy #3 CBI version for AGC Chemicals Americas, Inc.

cc: Docket OPPT - 2004-0001
 David Menotti (w/o encl.)
 John Blouin (w/o encl.)
 Gregory Fritz (w/o encl.)
 Richard Leukroth (w/o encl.)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

AUG 16 2004

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Takayuki Nakamura
Senior Market Development Specialist
Daikin America, Inc.
Umeda Center Building, 22F
2-4-12 Nakazaki-Nishi,
Kita, Osaka, 530-8323, Japan

Phone Number: 81-6-6373-4349

RE: Transmittal of Signature Materials for the Incineration ECA

Dear Takayuki Nakamura:

You are receiving these materials because you have been identified as the company technical contact person for handling correspondence regarding the Incineration ECA which may include information claimed as "Confidential." The enclosed envelop contains an Enforceable Consent Agreement (ECA) between Daikin America, Inc. and the Environmental Protection Agency (EPA). This ECA must be signed by the designated company official whose name appears on the enclosed envelop. Once properly signed, please return the appropriate materials to EPA as described in the enclosed letter to your designated company official. Where the materials to be mailed may contain confidential information, we recommend that you adhere to any protective procedures your company has in place.

If you have any questions please contact Richard Leukroth at (202)564-8167 or Gregory Fritz at (202)564-8583.

Sincerely,

A handwritten signature in black ink, appearing to read "Wardner G. Penberthy".

Wardner G. Penberthy, Acting Director
Chemical Control Division

Enclosure: ECA signature package for designated company official



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

AUG 16 2004

Satoshi Doi
President
Daikin America, Inc.
20 Olympic Drive
Orangeburg, NY 10962

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

RE: Signature of Fluoropolymer Incineration ECA

Dear Satoshi Doi:

I am pleased to be transmitting, for your signature, the enforceable consent agreement (ECA) for the laboratory-scale incineration testing of fluoropolymer chemicals made using ammonium perfluorooctanoate (APFO). As you know, this ECA was developed in conjunction with EPA's Perfluorooctanoic acid (PFOA) ECA Process. It represents a significant milestone accomplishment to achieve commitments from industry to develop data relevant to whether municipal and/or medical waste incineration of fluoropolymers is a potential source of PFOA that may contribute as a pathway to environmental and human exposures.

The enclosed signature package includes three enclosures: 1) your copy of the public version of the ECA agreement (ECA Copy #2) from which all CBI from all participating companies has been redacted, 2) the original signature page for the public version for your company, and for the companies that claimed any of the enclosed information as CBI, and 3) the original signature page containing confidential business information for your company which will not be publicly disclosed. The other three companies signing the ECA have received comparable signature packages. Please keep enclosure # 1 for your records and sign and return the signature pages (enclosures # 2 and # 3 for those companies that have claimed information as CBI) to EPA following appropriate procedures regarding the transmittal of confidential information.

~~Regardless of whether your information is claimed as CBI, EPA recommends that you~~
place the return materials in a double-wrapped package for maximum security. The inner wrapper should be labeled "Attention: Dr. Greg Fritz" and include the statement "TSCA Confidential Business Information" only if the information contains CBI. The outer wrapper should be labeled only with the name and address of the recipient and your return address. Nothing on the outer wrapper should indicate that the package contains CBI. The return package should be sent to EPA by certified or registered mail, return receipt requested, or sent by courier service or U.S. Postal Service Express Mail.

If submitting through certified or registered mail, the package should be addressed to:

Attn. Dr. Greg Fritz
Document Control Office (7407M)
U.S. Environmental Protection Agency
Office of Pollution Prevention and Toxics (OPPT)
1200 Pennsylvania Avenue, NW
Washington, DC 20460

If submitting through Express Mail or through a courier service, including Federal Express, DHL, or UPS, for example, the package should be addressed to:

Attn. Dr. Greg Fritz
Document Control Office (7407M)
U.S. Environmental Protection Agency
Office of Pollution Prevention and Toxics (OPPT)
EPA East, Room 6428
1201 Constitution Avenue, NW
Washington, DC 20460
Telephone: 202-564-8930

Once the signature process is completed, EPA will send you a complete copy of the individual signatory version specific for your company and a set of the signed signatory pages for the Public version that you can insert to complete your copy of the Public version.

Upon receipt of all signed ECA signature pages from the test sponsors, the ECA document will be transmitted to the Principal Deputy Assistant Administrator for OPPTS for final Agency signature. When this is completed I will send you a copy of the final signed agreement and a copy of the *Federal Register* notice announcing that EPA and the Companies have entered into an enforceable consent agreement for the incineration testing of four composite test substances containing seventeen (17) fluoropolymer chemicals made using ammonium perfluorooctanoate (APFO).

I appreciate the efforts by your Company to participate in the PFOA ECA process and those members of the Fluoropolymer Manufacturers Group who have reached agreement on this complex testing program. If you have any questions please contact John Blouin at (202)564-8519 or Richard Leukroth at (202)564-8167. For questions regarding confidential business information please contact Gregory Fritz at (202)564-8583.

Sincerely,



Wardner G. Penberthy, Acting Director
Chemical Control Division

Enclosures 1) Copy #2 Public Version - Contains no CBI
 2) Signature page Copy # 2 Public Version - Contains no CBI
 3) Signature page Copy #4 CBI version for Daikin America, Inc.

cc: Docket OPPT - 2004-0001
 David Menotti (w/o encl.)
 John Blouin (w/o encl.)
 Gregory Fritz (w/o encl.)
 Richard Leukroth (w/o encl.)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

AUG 16 2004

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

George H. Millet
Director, Quality, Environment, Health and Safety
Dyneon, LLC.
6744 33rd Street, Oakdale, MN 55128

Phone Number: 651-733-5637

RE: Transmittal of Signature Materials for the Incineration ECA

Dear George H. Millet:

You are receiving these materials because you have been identified as the company technical contact person for handling correspondence regarding the Incineration ECA which may include information claimed as "Confidential." The enclosed envelop contains an Enforceable Consent Agreement (ECA) between Dyneon, LLC. and the Environmental Protection Agency (EPA). This ECA must be signed by the designated company official whose name appears on the enclosed envelop. Once properly signed, please return the appropriate materials to EPA as described in the enclosed letter to your designated company official. Where the materials to be mailed may contain confidential information, we recommend that you adhere to any protective procedures your company has in place.

If you have any questions please contact Richard Leukroth at (202)564-8167 or Gregory Fritz at (202)564-8583.

Sincerely,

A handwritten signature in black ink, appearing to read "Wardner G. Penberthy".

Wardner G. Penberthy, Acting Director
Chemical Control Division

Enclosure: ECA signature package for designated company official



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

AUG 16 2004

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

William R. Myers
President
Dyneon, LLC
6744 33rd Street
Oakdale, MN 55128

RE: Signature of Fluoropolymer Incineration ECA

Dear William R. Myers:

I am pleased to be transmitting, for your signature, the enforceable consent agreement (ECA) for the laboratory-scale incineration testing of fluoropolymer chemicals made using ammonium perfluorooctanoate (APFO). As you know, this ECA was developed in conjunction with EPA's Perfluorooctanoic acid (PFOA) ECA Process. It represents a significant milestone accomplishment to achieve commitments from industry to develop data relevant to whether municipal and/or medical waste incineration of fluoropolymers is a potential source of PFOA that may contribute as a pathway to environmental and human exposures.

The enclosed signature package includes three enclosures: 1) your copy of the public version of the ECA agreement (ECA Copy #2) from which all CBI from all participating companies has been redacted, 2) the original signature page for the public version for your company, and for the companies that claimed any of the enclosed information as CBI, and 3) the original signature page containing confidential business information for your company which will not be publicly disclosed. The other three companies signing the ECA have received comparable signature packages. Please keep enclosure # 1 for your records and sign and return the signature pages (enclosures # 2 and # 3 for those companies that have claimed information as CBI) to EPA following appropriate procedures regarding the transmittal of confidential information.

Regardless of whether your information is claimed as CBI, EPA recommends that you place the return materials in a double-wrapped package for maximum security. The inner wrapper should be labeled "Attention: Dr. Greg Fritz" and include the statement "TSCA Confidential Business Information" only if the information contains CBI. The outer wrapper should be labeled only with the name and address of the recipient and your return address. Nothing on the outer wrapper should indicate that the package contains CBI. The return package should be sent to EPA by certified or registered mail, return receipt requested, or sent by courier service or U.S. Postal Service Express Mail.

If submitting through certified or registered mail, the package should be addressed to:

Attn. Dr. Greg Fritz
Document Control Office (7407M)
U.S. Environmental Protection Agency
Office of Pollution Prevention and Toxics (OPPT)
1200 Pennsylvania Avenue, NW
Washington, DC 20460

If submitting through Express Mail or through a courier service, including Federal Express, DHL, or UPS, for example, the package should be addressed to:

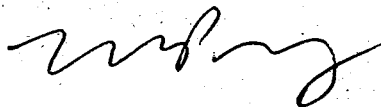
Attn. Dr. Greg Fritz
Document Control Office (7407M)
U.S. Environmental Protection Agency
Office of Pollution Prevention and Toxics (OPPT)
EPA East, Room 6428
1201 Constitution Avenue, NW
Washington, DC 20460
Telephone: 202-564-8930

Once the signature process is completed, EPA will send you a complete copy of the individual signatory version specific for your company and a set of the signed signatory pages for the Public version that you can insert to complete your copy of the Public version.

Upon receipt of all signed ECA signature pages from the test sponsors, the ECA document will be transmitted to the Principal Deputy Assistant Administrator for OPPTS for final Agency signature. When this is completed I will send you a copy of the final signed agreement and a copy of the *Federal Register* notice announcing that EPA and the Companies have entered into an enforceable consent agreement for the incineration testing of four composite test substances containing seventeen (17) fluoropolymer chemicals made using ammonium perfluorooctanoate (APFO).

I appreciate the efforts by your Company to participate in the PFOA ECA process and those members of the Fluoropolymer Manufacturers Group who have reached agreement on this complex testing program. If you have any questions please contact John Blouin at (202)564-8519 or Richard Leukroth at (202)564-8167. For questions regarding confidential business information please contact Gregory Fritz at (202)564-8583.

Sincerely,



Wardner G. Penberthy, Acting Director
Chemical Control Division

Enclosures 1) Copy #2 Public Version - Contains no CBI
 2) Signature page Copy # 2 Public Version - Contains no CBI
 3) Signature page Copy #5 CBI version for Dyneon, LLC

cc: Docket OPPT - 2004-0001
 David Menotti (w/o encl.)
 John Blouin (w/o encl.)
 Gregory Fritz (w/o encl.)
 Richard Leukroth (w/o encl.)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

AUG 16 2004

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

David W. Boothe
Strategic Planning Manager - DuPont Fluorosolutions
E.I. du Pont de Nemours and Company
Route 141 & Henry Clay, Wilmington, DE 19880-0711

Phone Number: 302-999-4091

RE: Transmittal of Signature Materials for the Incineration ECA

Dear David W. Boothe:

You are receiving these materials because you have been identified as the company technical contact person for handling correspondence regarding the Incineration ECA which may include information claimed as "Confidential." The enclosed envelop contains an Enforceable Consent Agreement (ECA) between E.I. du Pont de Nemours and Company and the Environmental Protection Agency (EPA). This ECA must be signed by the designated company official whose name appears on the enclosed envelop. Once properly signed, please return the appropriate materials to EPA as described in the enclosed letter to your designated company official. Where the materials to be mailed may contain confidential information, we recommend that you adhere to any protective procedures your company has in place.

If you have any questions please contact Richard Leukroth at (202)564-8167 or Gregory Fritz at (202)564-8583.

Sincerely,

A handwritten signature in black ink, appearing to read "Wardner G. Penberthy".

Wardner G. Penberthy, Acting Director
Chemical Control Division

Enclosure: ECA signature package for designated company official



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

AUG 16 2004

Francine C. Shaw
Vice President -- Dupont Corporate Operations
E.I. du Pont de Nemours and Company
1007 Market Street
D-9042
Wilmington, DE 19898

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

RE: Signature of Fluoropolymer Incineration ECA

Dear Francine C. Shaw:

I am pleased to be transmitting, for your signature, the enforceable consent agreement (ECA) for the laboratory-scale incineration testing of fluoropolymer chemicals made using ammonium perfluorooctanoate (APFO). As you know, this ECA was developed in conjunction with EPA's Perfluorooctanoic acid (PFOA) ECA Process. It represents a significant milestone accomplishment to achieve commitments from industry to develop data relevant to whether municipal and/or medical waste incineration of fluoropolymers is a potential source of PFOA that may contribute as a pathway to environmental and human exposures.

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Document Control Office (7407M)
U.S. Environmental Protection Agency
Office of Pollution Prevention and Toxics (OPPT)
1200 Pennsylvania Avenue, NW
Washington, DC 20460

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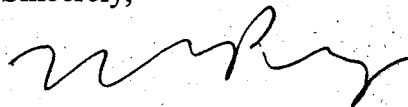
Attn. Dr. Greg Fritz
Document Control Office (7407M)
U.S. Environmental Protection Agency
Office of Pollution Prevention and Toxics (OPPT)
EPA East, Room 6428
1201 Constitution Avenue, NW
Washington, DC 20460
Telephone: 202-564-8930

Once the signature process is completed, EPA will send you a complete copy of the individual signatory version specific for your company and a set of the signed signatory pages for the Public version that you can insert to complete your copy of the Public version.

Upon receipt of all signed ECA signature pages from the test sponsors, the ECA document will be transmitted to the Principal Deputy Assistant Administrator for OPPTS for final Agency signature. When this is completed I will send you a copy of the final signed agreement and a copy of the *Federal Register* notice announcing that EPA and the Companies have entered into an enforceable consent agreement for the incineration testing of four composite test substances containing seventeen (17) fluoropolymer chemicals made using ammonium perfluorooctanoate (APFO).

I appreciate the efforts by your Company to participate in the PFOA ECA process and those members of the Fluoropolymer Manufacturers Group who have reached agreement on this complex testing program. If you have any questions please contact John Blouin at (202)564-8519 or Richard Leukroth at (202)564-8167. For questions regarding confidential business information please contact Gregory-Fritz at (202)564-8583.

Sincerely,



Wardner G. Penberthy, Acting Director
Chemical Control Division

Enclosures 1) Copy #2 Public Version - Contains no CBI
 2) Signature page Copy # 2 Public Version - Contains no CBI
 3) Signature page Copy #6 CBI version for E.I. du Pont de Nemours & Company

cc: Docket OPPT - 2004-0001
 David Menotti (w/o encl.)
 John Blouin (w/o encl.)
 Gregory Fritz (w/o encl.)
 Richard Leukroth (w/o encl.)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

SEP - 9 2004

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Minoru Kawai
President
AGC Chemicals Americas, Inc.
229 East 22nd Street
Bayonne, NJ 07002

RE: Replacement Pages for Fluoropolymer Incineration ECA

Dear Minoru Kawai:

It has come to our attention that the header applied to Copy #2 of the Fluoropolymer Enforceable Consent Agreement (ECA) mailed to you on August 16, 2004 was incorrect. The purpose of this mailing is to correct the problem. Since the solution involves no confidential business information (CBI), the corrections are being sent directly to the person designated as the Company Signatory to the ECA. The designated Company Technical Contact will receive a copy of this letter without enclosures.

Enclosed are replacement pages for Tab 3 of your Company ECA binder with the corrected header which now reads: "*Copy #2 Public Version Contains No Confidential Business Information.*" In addition, this mailing also includes an additional copy of Part XXIV of the ECA specific to your Company for signature and return to EPA. Please remove and discard the incorrect pages from the August 16th mailing and replace them with the enclosed.

I appreciate your attention to detail and apologize for any inconvenience that this mistaken header may have caused. EPA looks forward to the receipt of the appropriate signature pages from the August 16th mailing and this mailing. Please note the return mailing suggestions as described in Ward Penberthy's letter of August 16, 2004. If you have additional questions about the signature process for this incineration ECA please contact me directly at (202)564-8167.

Sincerely,

A handwritten signature in black ink, appearing to read "Rich Leukroth".

Richard W. Leukroth, Jr.
Chemical Control Division

Enclosures 1) Copy #2 Public Version - Contains no CBI
 2) Signature page Copy # 2 Public Version - Contains no CBI

cc: Docket OPPT - 2004-0001
 Noel Misa (w/o encl)
 David Menotti (w/o encl.)
 John Blouin (w/o encl.)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

SEP - 9 2004

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Satoshi Doi
President
Daikin America, Inc.
20 Olympic Drive
Orangeburg, NY 10962

RE: Replacement Pages for Fluoropolymer Incineration ECA


Dear Satoshi Doi:

It has come to our attention that the header applied to Copy #2 of the Fluoropolymer Enforceable Consent Agreement (ECA) mailed to you on August 16, 2004 was incorrect. The purpose of this mailing is to correct the problem. Since the solution involves no confidential business information (CBI), the corrections are being sent directly to the person designated as the Company Signatory to the ECA. The designated Company Technical Contact will receive a copy of this letter without enclosures.

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Sincerely,



Richard W. Deukroth, Jr.
Chemical Control Division

Enclosures 1) Copy #2 Public Version - Contains no CBI
2) Signature page Copy # 2, Public Version - Contains no CBI

cc: Docket OPPT - 2004-0001
Takayuki Nakamura (w/o encl.)
David Menotti (w/o encl.)
John Blouin (w/o encl.)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

SEP - 9 2004

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

William R. Myers
President
Dyneon, LLC
6744 33rd Street
Oakdale, MN 55128

RE: Signature of Fluoropolymer Incineration ECA

Dear William R. Myers:

It has come to our attention that the header applied to Copy #2 of the Fluoropolymer Enforceable Consent Agreement (ECA) mailed to you on August 16, 2004 was incorrect. The purpose of this mailing is to correct the problem. Since the solution involves no confidential business information (CBI), the corrections are being sent directly to the person designated as the Company Signatory to the ECA. The designated Company Technical Contact will receive a copy of this letter without enclosures.

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Sincerely,

Richard W. Leukroth, Jr.
Chemical Control Division

Enclosures 1) Copy #2 Public Version - Contains no CBI
2) Signature page Copy # 2 Public Version - Contains no CBI

cc: Docket OPPT - 2004-0001
George H. Millet (w/o encl)
David Menotti (w/o encl.)
John Blouin (w/o encl.)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

SEP - 9 2004

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Francine C. Shaw
Vice President -- Dupont Corporate Operations
E.I. du Pont de Nemours and Company
1007 Market Street
D-9042
Wilmington, DE 19898

RE: Signature of Fluoropolymer Incineration ECA

Dear Francine C. Shaw:

It has come to our attention that the header applied to Copy #2 of the Fluoropolymer Enforceable Consent Agreement (ECA) mailed to you on August 16, 2004 was incorrect. The purpose of this mailing is to correct the problem. Since the solution involves no confidential business information (CBI), the corrections are being sent directly to the person designated as the Company Signatory to the ECA. The designated Company Technical Contact will receive a copy of this letter without enclosures.

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Sincerely,

Richard W. Leukroth, Jr.
Chemical Control Division

Enclosures 1) Copy #2 Public Version - Contains no CBI
 2) Signature page Copy # 2 Public Version - Contains no CBI

cc: Docket OPPT - 2004-0001
 David W. Boothe (w/o encl)
 David Menotti (w/o encl.)
 John Blouin (w/o encl.)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OCT - 6 2004

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Noel Misa
Vice President, Environmental Health and Safety
AGC Chemicals America, Inc.
229 East 22nd Street
Bayonne, New Jersey 07002

RE: Additional Replacement Pages for Fluoropolymer Incineration ECA

Dear Noel Misa:

EPA has received additional comments from several companies regarding the need for changes to Copy #2 of the Fluoropolymer Enforceable Consent Agreement (ECA) and Appendix A mailed to AGC Chemical America on August 16, 2004, and September 9, 2004. The purpose of this mailing is to make corrections. As the designated Company Technical Contact, the corrections are being sent directly to you for incorporation into your Company Fluoropolymer Incineration ECA binder.

To ensure that each company will be signing a document that is consistent across the companies, EPA has enclosed a set of replacement pages to be incorporated into Tab 3 of your company ECA binder. To avoid version creep the enclosed replacement pages have been corrected using a strikeout, initial and date procedure. These changes for Copy #2 of the ECA are described as follows:

- Page 4: Deletion of two chemicals from the list in Part II (D) of the ECA because they are no longer manufactured. This is supported by information provided in response to a letter from Mary Ellen Weber earlier this year.
- Page 14: Address correction for Dupont
- Page 15: Address correction for Dupont technical contact
- Pages 19 - 20: Nomenclature corrections (4)
- Page A.3-1: Deletion of a CAS Number and monomers from the composite #4 PFA fluoropolymer type because it is no longer manufactured. This is supported by information provided in response to a letter from Mary Ellen Weber earlier this year.
- Page A.4-2: Typographical correction of three acronyms at the top of the page.

Enclosed are two sets of replacement pages. Please acknowledge your concurrence for these corrections by initialing and dating one set and returning it to EPA along with the signature pages for Copy #2 Public Version of the document for your company.

Upon receipt of all signed and initial pages from each company, signature by the EPA Principal Deputy Assistant Administrator (OPPT), and publication of the Federal Register notice announcing the ECA; I will send you your company copy of the completed final and fully signed ECA which will include pages signed and initialed by all companies.

EPA looks forward to the receipt of the initialed replacement pages and the signature pages provided in previous mailings noted above. Please note the return mailing suggestions as described in my letter of August 16, 2004. If you have additional questions about the signature process for this incineration ECA please contact Richard Leukroth at (202)564-8167.

Sincerely,



Wardner A. Penberthy
Acting Director, Chemical Control Division

Enclosures 2 copies of ECA Copy #2 replacement pages

cc: Docket OPPT - 2004-0001
Minoru Kawai (w/o encl)
David Menotti (w/o encl.)
John Blouin (w/o encl.)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OCT -6 2004

OFFICE OF
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Takayuki Nakamura
Senior Market Development Specialist
Daikin America, Inc.
Umeda Center Building, 22F
2-4-12 Nakazaki-Nishi
Kita, Osaka, 530-8323, Japan

RE: Additional Replacement Pages for Fluoropolymer Incineration ECA

Dear Takayuki Nakamura:

EPA has received additional comments from several companies regarding the need for changes to Copy #2 of the Fluoropolymer Enforceable Consent Agreement (ECA) and Appendix A mailed to Daikin America on August 16, 2004, and September 9, 2004. The purpose of this mailing is to make corrections. As the designated Company Technical Contact, the corrections are being sent directly to you for incorporation into your Company Fluoropolymer Incineration ECA binder.

To ensure that each company will be signing a document that is consistent across the companies, EPA has enclosed a set of replacement pages to be incorporated into Tab 3 of your company ECA binder. To avoid version creep the enclosed replacement pages have been corrected using a strikeout, initial and date procedure. These changes for Copy #2 of the ECA are described as follows:


- Page 4: Deletion of two chemicals from the list in Part II (D) of the ECA because they are no longer manufactured. This is supported by information provided in response to a letter from Mary Ellen Weber earlier this year.
- Page 14: Address correction for Dupont
- Page 15: Address correction for Dupont technical contact
- Pages 19 - 20: Nomenclature corrections (4)
- Page A.3-1: Deletion of a CAS Number and monomers from the composite #4 PFA fluoropolymer type because it is no longer manufactured. This is supported by information provided in response to a letter from Mary Ellen Weber earlier this year.
- Page A.4-2: Typographical correction of three acronyms at the top of the page.

Enclosed are two sets of replacement pages. Please acknowledge your concurrence for these corrections by initialing and dating one set and returning it to EPA along with the signature pages for Copy #2 Public Version of the document for your company. Please note that, for Daikin America, EPA needs to receive a signed signature page for both the Public and CBI version of the ECA.

Upon receipt of all signed and initial pages from each company, signature by the EPA Principal Deputy Assistant Administrator (OPPT), and publication of the Federal Register notice announcing the ECA; I will send you your company copy of the completed final and fully signed ECA which will include pages signed and initialed by all companies.

EPA looks forward to the receipt of the initialed replacement pages and the signature pages provided in previous mailings noted above. Please note the return mailing suggestions as described in my letter of August 16, 2004. If you have additional questions about the signature process for this incineration ECA please contact Richard Leukroth at (202)564-8167.

Sincerely,



Wardner A. Penberthy
Acting Director, Chemical Control Division

Enclosures 2 copies of ECA Copy #2 replacement pages

cc: Docket OPPT - 2004-0001
Satoshi Doi (w/o encl)
David Menotti (w/o encl.)
John Blouin (w/o encl.)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OCT - 6 2004

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

George H. Millet
Director, Quality, Environment, Health and Safety
Dyneon, LLC
6744 33rd Street
Oakdale, MN 55128

RE: Additional Replacement Pages for Fluoropolymer Incineration ECA

Dear George Millet:

EPA has received additional comments from several companies regarding the need for changes to Copy #2 of the Fluoropolymer Enforceable Consent Agreement (ECA) and Appendix A mailed to Dyneon on August 16, 2004, and September 9, 2004. In addition, comments were also received from Dyneon regarding changes to the Part XXIV (Dyneon signature page for Copy #5) of the ECA. The purpose of this mailing is to make corrections. As the designated Company Technical Contact, the corrections are being sent directly to you for incorporation into your Company Fluoropolymer Incineration ECA binder.

To ensure that each company will be signing a document that is consistent across the companies, EPA has enclosed a set of replacement pages to be incorporated into Tab 3 of your company ECA binder. To avoid version creep the enclosed replacement pages have been corrected using a strikeout, initial and date procedure. These changes for Copy #2 of the ECA are described as follows:

- Page 4: Deletion of two chemicals from the list in Part II (D) of the ECA because they are no longer manufactured. This is supported by information provided in response to a letter from Mary Ellen Weber earlier this year.
- Page 14: Address correction for Dupont
- ~~Page 15: Address correction for Dupont technical contact~~
- Pages 19 - 20: Nomenclature corrections (4)
- Page A.3-1: Deletion of a CAS Number and monomers from the composite #4 PFA fluoropolymer type because it is no longer manufactured. This is supported by information provided in response to a letter from Mary Ellen Weber earlier this year.
- Page A.4-2: Typographical correction of three acronyms at the top of the page.

Enclosed are two sets of replacement pages. Please acknowledge your concurrence for these corrections by initialing and dating one set and returning it to EPA along with the signature pages for Copy #2 - Public Version of the ECA document for your company.

The corrections to the Dyneon signature package go beyond the ECA Copy #2. I have enclosed revised signature pages for the ECA Copy #5 (version specific for Dyneon) which contains confidential business information (CBI) claimed by your company. Please discard the Copy #5 signature pages originally sent in my August 16th mailing and replace them with the enclosed revised pages. These Copy #5 replacement pages do not use the strike-out, initial and date procedure for the changes to Entry 6 in the table but do reflect the strike-out, initial and date for changes made to the ECA Copy #2 - Public Version. The specific changes to the signature pages containing CBI are described below:


- Copy #5 Pages 19-20: Nomenclature corrections (4) and corrected CAS No. and name of the chemical for Entry 6 in the table.

Please note that, for Dyneon, EPA needs to receive signed signature pages for both the Public (Copy #2) and CBI (Copy #5) version of the ECA.

Upon receipt of all signed and initial pages from each company, signature by the EPA Principal Deputy Assistant Administrator (OPPT), and publication of the Federal Register notice announcing the ECA; I will send you your company copy of the completed final and fully signed ECA which will include pages signed and initialed by all companies.

EPA looks forward to the receipt of the initialed replacement pages and the appropriate signature pages provided in this and previous mailings noted above. Please note the return mailing suggestions as described in my letter of August 16, 2004. If you have additional questions about the signature process for this incineration ECA please contact Richard Leukroth at (202)564-8167.

Sincerely,



Wardner A. Penberthy
Acting Director, Chemical Control Division

Enclosures 2 copies of ECA Copy #2 replacement pages
2 copies of ECA Copy #5 replacement signature pages

cc: Docket OPPT - 2004-0001
William R. Myers (w/o encl)
David Menotti (w/o encl.)
John Blouin (w/o encl.)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OCT 6 2004

OFFICE OF
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David W. Boothe
Strategic Planning Manager - Dupont FluoroProducts
E.I. du Pont de Nemours and Company
Chestnut Run
4417 Lancaster Pike
Wilmington, DE 19805

RE: Additional Replacement Pages for Fluoropolymer Incineration ECA

Dear David Boothe:

EPA has received additional comments from several companies regarding the need for changes to Copy #2 of the Fluoropolymer Enforceable Consent Agreement (ECA) and Appendix A mailed to Dupont on August 16, 2004, and September 9, 2004. The purpose of this mailing is to make corrections. As the designated Company Technical Contact, the corrections are being sent directly to you for incorporation into your Company Fluoropolymer Incineration ECA binder.

To ensure that each company will be signing a document that is consistent across the companies, EPA has enclosed a set of replacement pages to be incorporated into Tab 3 of your company ECA binder. To avoid version creep the enclosed replacement pages have been corrected using a strikeout, initial and date procedure. These changes for Copy #2 of the ECA are described as follows:

- Page 4: Deletion of two chemicals from the list in Part II (D) of the ECA because they are no longer manufactured. This is supported by information provided in response to a letter from Mary Ellen Weber earlier this year.
- Page 14: Address correction for Dupont
- ~~Page 15: Address correction for Dupont technical contact~~
- Pages 19 - 20: Nomenclature corrections (4)
- Page A.3-1: Deletion of a CAS Number and monomers from the composite #4 PFA fluoropolymer type because it is no longer manufactured. This is supported by information provided in response to a letter from Mary Ellen Weber earlier this year.
- Page A.4-2: Typographical correction of three acronyms at the top of the page.

Enclosed are two sets of replacement pages. Please acknowledge your concurrence for these corrections by initialing and dating one set and returning it to EPA along with the signature pages for Copy #2 Public Version of the document for your company.

Upon receipt of all signed and initial pages from each company, signature by the EPA Principal Deputy Assistant Administrator (OPPT), and publication of the Federal Register notice announcing the ECA; I will send you your company copy of the completed ~~final~~ and fully signed ECA which will include pages signed and initialed by all companies.

EPA looks forward to the receipt of the initialed replacement pages and the signature pages provided in previous mailings noted above. Please note the return mailing suggestions as described in my letter of August 16, 2004. If you have additional questions about the signature process for this incineration ECA please contact Richard Leukroth at (202)564-8167.

Sincerely,



Wardner A. Penberthy
Acting Director, Chemical Control Division

Enclosures 2 copies of Copy #2 ECA replacement pages

cc: Docket OPPT - 2004-0001
Francine C. Shaw (w/o encl)
David Menotti (w/o encl.)
John Blouin (w/o encl.)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

JAN 10 2005

Minoru Kawai
President & CEO
AGC Chemicals Americas, Inc.
229 East 22nd Street
Bayonne, NJ 07002

RE: Signature of Fluoropolymers Incineration ECA

Dear Minoru Kawai:

Thank you for your letter of October 8, 2004 transmitting the signed signatory page for Copy #2 (Public Version) of the enforceable consent agreement (ECA) for the laboratory-scale incineration testing of fluoropolymers for AGC Chemicals Americas, Inc. and the initialed correction replacement pages #4, #14, #19, #20, #23, #A.3.1, and #A.4.2. EPA has received an additional comment from one company that requires further change to Copy #2 of the ECA mailed to the signatory companies on August 16, 2004. In addition, EPA's review of the materials returned from supplemental mailings (September 9, 2004 and October 6, 2004) identified that some or all of the replacement pages were not returned and/or initialed from some of the companies, and that the header on the official version for two of the companies incorrectly asserted that the page contained confidential business information (CBI) when these companies had no CBI to claim. The purpose of this mailing is to make the needed corrections specific to each company, and to explain the impact of these changes on the ECA signature process.

EPA agrees with AGC Chemicals Americas, Inc. that it is inappropriate to have a header indicating CBI on your Company's personal version of the ECA (Copy #3 - AGC Chemicals Americas, Inc.) when there is no CBI claimed by your company. As described in further detail below, EPA concludes that company specific versions of the ECA are no longer needed. Therefore, for this ECA, the Copy #2 (Public Version) signature page will serve as the binding official signature for AGC Chemicals Americas, Inc. AGC Chemicals Americas, Inc. should note that, for purposes of protecting CBI where CBI has been claimed by the company, other signatory companies will have two signature pages in the official ECA.

As noted in previous correspondence, wherever there is a change to the text of the ECA, all signatories are required to acknowledge concurrence for the change. Daikin America, Inc. identified an additional change to a chemical name listed on page 4 of ECA Copy #2. Since this page has been the subject of a previous corrections which now must be further revised, EPA has determined that it will be easier to prepare a revised replacement page incorporating all three changes to this page for each company to initial and date. This procedure ensures that each company will be signing a document that is consistent across all the companies and that each company is in agreement with the changes. EPA asks that you indicate your concurrence for these changes to page #4 of ECA Copy #2 by initialing and dating the revised replacement page and returning it to EPA following the return mailing suggestions as described in EPA's letter of August 16, 2004. I suggest that you incorporate the duplicate revised replacement page into Tab 3 of your company ECA binder provided with the August 16, 2004 mailing.

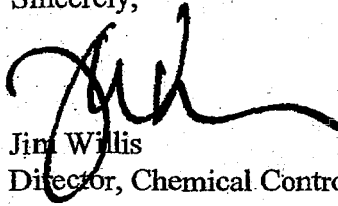
EPAs original intent was to develop multiple copies of the ECA specific to each company. This original plan assumed that all corrections to the document had been identified during the Public Comment period. Unfortunately this was not the case. As noted above, additional needed changes were identified after the Public Comment period ended. As a result, the official ECA document will now be comprised of the following:

- a) ECA text (including all initialed replacement pages), under the page header "Copy #2 - Public Version Contains No Confidential Business Information",
- b) The sanitized version of the company signature pages, under the page header "Copy #2 - Public Version Contains No Confidential Business Information",
- c) The EPA signature page, under the page header "Copy #2 - Public Version Contains No Confidential Business Information",
- d) Appendix A under the page header "Copy #2 - Public Version Contains No Confidential Business Information",
- e) Appendices B-F under the page header "Final 04-22-04",
- f) The company specific signature pages containing confidential business information (where appropriate).

At the end of the ECA signature process (i.e., receipt of all initialed pages from each company, signature by the EPA, and publication of the Federal Register notice announcing the ECA), I will send to you a completely signed official version of the ECA document including a copy of items a - e) as listed above and, where appropriate, item f) specific for your company. Please note that due to the changes and amendments to the ECA text, the copy number as designated on page headers for various elements of the comprised official ECA will not match those on the signature pages.

EPA looks forward to the receipt of all initialed replacement pages from each of the signatory companies. If you have additional questions about the signature process for this incineration ECA please contact Richard Leukroth at (202)564-8167.

Sincerely,



Jim Willis
Director, Chemical Control Division

Enclosures 2 copies of ECA Copy #2 replacement page

cc: Docket OPPT - 2003-0071
Noel Misa (w/o encl)
David Menotti (w/o encl.)
John Blouin (w/o encl.)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

JAN 10 2005

William R. Myers
President
Dyneon, LLC
6744 33rd Street
Oakdale, MN 55128

RE: Signature of Fluoropolymer Incineration ECA

Dear William R. Myers:

Thank you for your letter of October 11, 2004 transmitting the signed signatory pages for Copy #2 (Public Version) and Copy #5 (Company Specific Version) of the enforceable consent agreement (ECA) for the laboratory-scale incineration testing of fluoropolymers for Dyneon, LLC and the initialed correction replacement pages #4, #14, #19, #20, #23, #A.3.1, and #A.4.2. EPA has received an additional comment from one company that requires further change to Copy #2 of the ECA mailed to the signatory companies on August 16, 2004. In addition, EPA's review of the materials returned from supplemental mailings (September 9, 2004 and October 6, 2004) identified that some or all of the replacement pages were not returned and/or initialed from some of the companies, and that the header on the official version for two of the companies incorrectly asserted that the page contained confidential business information (CBI) when these companies had no CBI to claim. The purpose of this mailing is to make the needed corrections specific to each company, and to explain the impact of these changes on the ECA signature process.

As noted in previous correspondence, wherever there is a change to the text of the ECA, all signatories are required to acknowledge concurrence for the change. Daikin America, Inc. identified an additional change to a chemical name listed on page 4 of ECA Copy #2. Since this page has been the subject of a previous corrections which now must be further revised, EPA has determined that it will be easier to prepare a revised replacement page incorporating all three changes to this page for each company to initial and date. This procedure ensures that each company will be signing a document that is consistent across all the companies and that each company is in agreement with the changes. EPA asks that you indicate your concurrence for these changes to page #4 of ECA Copy #2 by initialing and dating the revised replacement page

and returning it to EPA following the return mailing suggestions as described in EPA's letter of August 16, 2004. I suggest that you incorporate the duplicate revised replacement page into Tab 3 of your company ECA binder provided with the August 16, 2004 mailing.

EPA notes that Dyneon suggested additional changes to the second table of the signature pages in ECA Copy #5 (company specific version). EPA notes that these suggested changes would need to be carried forward into the Public Version of the ECA and that in doing so Dyneon may be inadvertently revealing information previously claimed as CBI. The purpose of including the second table in the signature page is to put a generic, public face on Dyneon's chemical commitments under the ECA, and to provide a means for Dyneon and EPA to cross check between the public face and the CBI protected information. EPA asks that Dyneon clarify their position regarding the suggested additional changes to ECA page #21. In the event that Dyneon wants to reveal the chemical abstract numbers for entry #6 and #12 in the second table of the signature page for the company specific version (Copy #5) of the ECA than it will be necessary for EPA to circulate all appropriate pages reflecting these changes to all of the signatory companies for their concurrence using the same process as described above.

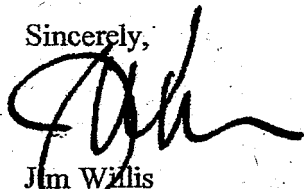
EPA's original intent was to develop multiple copies of the ECA specific to each company. This original plan assumed that all corrections to the document had been identified during the Public Comment period. Unfortunately this was not the case. As noted above, additional needed changes were identified after the Public comment period ended. As a result, the official ECA document will now be comprised of the following:

- a) ECA text (including all initialed replacement pages), under the page header "Copy #2 - Public Version Contains No Confidential Business Information",
- b) The sanitized version of the company signature pages, under the page header "Copy #2 - Public Version Contains No Confidential Business Information",
- c) The EPA signature page, under the page header "Copy #2 - Public Version Contains No Confidential Business Information",
- d) Appendix A under the page header "Copy #2 - Public Version Contains No Confidential Business Information",
- e) Appendices B-F under the page header "Final 04-22-04",
- f) The company specific signature pages containing confidential business information (where appropriate) under the page header for example "Copy #5 - Dyneon, LLC Contains Confidential Business Information."

~~At the end of the ECA signature process (i.e., receipt of all initialed pages from each company, signature by the EPA, and publication of the Federal Register notice announcing the ECA), I will send to you a completely signed official version of the ECA document including a copy of items a - e) as listed above and, where appropriate, item f) specific for your company. Please note that due to the changes and amendments to the ECA text, the copy number as designated on page headers for various elements of the comprised official ECA will not match those on the signature pages.~~

EPA looks forward to the receipt of all initialed replacement pages from each of the signatory companies. If you have additional questions about the signature process for this incineration ECA please contact Richard Leukroth at (202)564-8167.

Sincerely,



Jim Willis
Director, Chemical Control Division

Enclosures 2 copies of ECA Copy #2 replacement page

cc: Docket OPPT - 2003-0071
George H. Millet (w/o encl.)
David Menotti (w/o encl.)
John Blouin (w/o encl.)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

JAN 10 2005

Francine C. Shaw
Vice President -- Dupont Corporate Operations
E.I. du Pont de Nemours and Company
1007 Market Street
D-9042
Wilmington, DE 19898

RE: Signature of Fluoropolymer Incineration ECA

Dear Francine C. Shaw:

Thank you for your letter of October 21, 2004 transmitting the signed signatory pages for Copy #2 (Public Version) and Copy #6 (Company Specific Version) of the enforceable consent agreement (ECA) for the laboratory-scale incineration testing of fluoropolymers for Dupont. EPA has received an additional comment from one company that requires further change to Copy #2 of the ECA mailed to the signatory companies on August 16, 2004. In addition, EPA's review of the materials returned from supplemental mailings (September 9, 2004 and October 6, 2004) identified that some or all of the replacement pages were not returned and/or initialed from some of the companies, and that the header on the official version for two of the companies incorrectly asserted that the page contained confidential business information (CBI) when these companies had no CBI to claim. The purpose of this mailing is to make the needed corrections specific to each company, and to explain the impact of these changes on the ECA signature process.

~~EPA notes that it is inappropriate to have a header indicating CBI on the Dupont specific signature page of the ECA (Copy #6 - E.I du Pont de Nemours & Co.) when there is no CBI claimed by Dupont. As described in further detail below, EPA concludes that company specific versions of the ECA are no longer needed. Therefore, for this ECA, the Copy #2 (Public Version) signature page will serve as the binding official signature for Dupont. Dupont should note that, for purposes of protecting CBI where CBI has been claimed by the company, other signatory companies will have two signature pages in the official ECA.~~

As noted in previous correspondence, wherever there is a change to the text of the ECA, all signatories are required to acknowledge concurrence for the change. EPA's review of the materials returned from October 6, 2004 mailing identified that the initialed and dated replacement pages were returned for pages #4, #14, #19, #20, #A.3.1, and #A.4.2. EPA did not receive an initialed and dated replacement page for page #23 where address corrections are needed. Another copy of this replacement page with corrections is enclosed for Dupont to initial and date. In addition, Daikin America, Inc. identified an additional change to a chemical name listed on page 4 of ECA Copy #2. Since this page has been the subject of a previous corrections which now must be further revised, EPA has determined that it will be easier to prepare a revised replacement page incorporating all three changes to this page for each company to initial and date. This procedure ensures that each company will be signing a document that is consistent across all the companies and that each company is in agreement with the changes. EPA asks that you indicate your concurrence for these changes to pages #4 and #23 of ECA Copy #2 by initialing and dating the revised replacement pages and returning them to EPA following the return mailing suggestions as described in EPA's letter of August 16, 2004. I suggest that you incorporate the duplicate revised replacement pages into Tab 3 of your company ECA binder provided with the August 16, 2004 mailing.

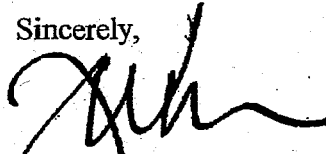
EPA's original intent was to develop multiple copies of the ECA specific to each company. This original plan assumed that all corrections to the document had been identified during the Public Comment period. Unfortunately this was not the case. As noted above, additional needed changes were identified after the Public Comment period ended. As a result, the official ECA document will now be comprised of the following:

- a) ECA text (including all initialed replacement pages), under the page header "Copy #2 - Public Version Contains No Confidential Business Information",
- b) The sanitized version of the company signature pages, under the page header "Copy #2 - Public Version Contains No Confidential Business Information",
- c) The EPA signature page, under the page header "Copy #2 - Public Version Contains No Confidential Business Information",
- d) Appendix A under the page header "Copy #2 - Public Version Contains No Confidential Business Information",
- e) Appendices B-F under the page header "Final 04-22-04",
- f) The company specific signature pages containing confidential business information (where appropriate).

At the end of the ECA signature process (i.e., receipt of all initialed pages from each company, signature by the EPA, and publication of the Federal Register notice announcing the ECA), I will send to you a completely signed official version of the ECA document including a copy of items a - e) as listed above and, where appropriate, item f) specific for your company. Please note that due to the changes and amendments to the ECA text, the copy number as designated on page headers for various elements of the comprised official ECA will not match those on the signature pages.

EPA looks forward to the receipt of all initialed replacement pages from each of the signatory companies. If you have additional questions about the signature process for this incineration ECA please contact Richard Leukroth at (202)564-8167.

Sincerely,



Jim Willis

Director, Chemical Control Division

Enclosures 2 copies of ECA Copy #2 replacement pages

cc: Docket OPPT - 2003-0071
David W. Boothe (w/o encl)
David Menotti (w/o encl.)
John Blouin (w/o encl.)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

JAN 10 2005

Satoshi Doi
President
Daikin America, Inc.
20 Olympic Drive
Orangeburg, NY 10962

RE: Replacement Pages for Fluoropolymer Incineration ECA

Dear Satoshi Doi:

Thank you for your letter of October 13, 2004 transmitting the signed signatory pages for Copy #2 (Public Version) and Copy #4 (Company Specific Version) of the enforceable consent agreement (ECA) for the laboratory-scale incineration testing of fluoropolymers for Daikin America, Inc. EPA notes that Daikin America has identified the need for an additional change to the text of Copy #2 of the ECA mailed to the signatory companies on August 16, 2004. In addition, EPA's review of the materials returned from supplemental mailings (September 9, 2004 and October 6, 2004) identified that some or all of the replacement pages were not returned and/or initialed from some of the companies, and that the header on the official version for two of the companies incorrectly asserted that the page contained confidential business information (CBI) when these companies had no CBI to claim. The purpose of this mailing is to make the needed corrections specific to each company, and to explain the impact of these changes on the ECA signature process.

As noted in previous correspondence, wherever there is a change to the text of the ECA, all signatories are required to acknowledge concurrence for the change. Daikin America, Inc. identified an additional change to a chemical name listed on page 4 of ECA Copy #2. Since this page has been the subject of a previous corrections which now must be further revised, EPA has determined that it will be easier to prepare a revised replacement page incorporating all three changes to this page for each company to initial and date. This procedure ensures that each company will be signing a document that is consistent across all the companies and that each company is in agreement with the changes. In addition, EPA's review of signature materials returned to EPA revealed that Daikin America did not return the replacement pages #4, #14, #19, #20, #23, #A.3.1, and #A.4.2 that were included with the letter from Ward Penberthy dated October 6, 2004. As noted above, EPA can not proceed to sign the ECA until it receives concurrence from each of the signatory companies that there is agreement with all changes to the

document. EPA asks that you indicate your concurrence for the changes to the above mentioned pages of ECA Copy #2 by initialing and dating the revised replacement pages enclosed with this letter and returning them to EPA following the return mailing suggestions as described in EPA's letter of August 16, 2004. I suggest that you incorporate the duplicate revised replacement pages into Tab 3 of your company ECA binder provided with the August 16, 2004 mailing.

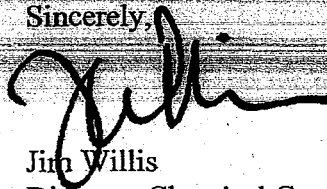
EPAs original intent was to develop multiple copies of the ECA specific to each company. This original plan assumed that all corrections to the document had been identified during the Public Comment period. Unfortunately this was not the case. As noted above, additional needed changes were identified after the Public Comment period ended. As a result, the official ECA document will now be comprised of the following:

- a) ECA text, under the page header "Copy #2 - Public Version Contains No Confidential Business Information",
- b) The sanitized version of the company signature pages, under the page header "Copy #2 - Public Version Contains No Confidential Business Information",
- c) The EPA signature page, under the page header "Copy #2 - Public Version Contains No Confidential Business Information.",
- d) Appendix A under the page header "Copy #2 - Public Version Contains No Confidential Business Information",
- e) Appendices B-F under the page header "Final 04-22-04",
- f) The company specific signature pages containing confidential business information (where appropriate) under the page header for example "Copy #4 - Daikin America, Inc. Contains Confidential Business Information."

At the end of the ECA signature process (i.e., receipt of all initialed pages from each company, signature by the EPA, and publication of the Federal Register notice announcing the ECA), I will send to you a completely signed official version of the ECA document including a copy of items a - e) as listed above and, where appropriate, item f) specific for your company. Please note that due to the changes and amendments to the ECA text, the copy number as designated on page headers for various elements of the comprised official ECA will not match those on the signature pages.

EPA looks forward to the receipt of all initialed replacement pages from each of the signatory companies. If you have additional questions about the signature process for this incineration ECA please contact Richard Leukroth at (202)564-8167.

Sincerely,



Jim Willis
Director, Chemical Control Division

Enclosures 2 copies of ECA Copy #2 replacement pages

cc: Docket OPPT - 2003-0071
Takayuki Nakamura (w/o encl)
David Menotti (w/o encl.)
John Blouin (w/o encl.)