

CHLORINATED PARAFFINS

INDUSTRY ASSOCIATION

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April 8, 2008

Ms. Margaret Muindi, Secretariat
Convention on Long-Range Transboundary Air Pollution
United Nations Economic Commission for Europe (UNECE)
Environment and Human Settlements Division
Palais des Nations
CH-1211 GENEVA Switzerland
Via E-mail: margaret.muindi@unece.org

**Re: Comments from the US Chlorinated Paraffins Industry on the Proposed
Amendments for the Protocol on Persistent Organic Pollutants
(ECE/EB.AIR/WG.5/2008/4; January 31, 2008)**

Dear Ms. Muindi:

I am writing on behalf of the Chlorinated Paraffins Industry Association (CPIA) with regards to the UNECE's Draft Proposal for Amendments to the Protocol on Persistent Organic Pollutants (ECE/EB.AIR/WG.5/2008/4; January 31, 2008), which will be discussed at the upcoming 41st Session of the Working Group on Strategies and Review (WGSR) of UNECE's Executive Body for the Convention of Long-Range Transboundary Air Pollution (LRTAP) on April 14-17, 2008 in Geneva. The CPIA represents the North American chlorinated paraffins industry. The CPIA also works closely and coordinates with chlorinated paraffin producers from around the globe. CPIA wants offers the following comments regarding the proposal with respect to the addition of short-chain chlorinated paraffins (SCCP) to LRTAP.

SCCPs Do Not Rise To the Level of Concern That Warrant Addition Under LRTAP

The CP industry objects to the proposed amendments which propose to eliminate the production and use of SCCPs, either in entirety (Annex I) or to permit only specified uses (Annex II). Excerpts are provided below:

I. PROPOSED AMENDMENTS TO ANNEX I

(g) SCCPs, to eliminate production and use; or alternatively, list SCCPs in annex II and specify allowed uses and related conditions in the implementation requirements.

II. PROPOSED AMENDMENTS TO ANNEX II

(g) Specify the following uses for SCCP: ["1. Dam sealants and conveyor belts for underground mining; 2. Non-emissive applications i.e. as a plasticizer in paints, coatings and sealants and as a flame retardant in rubber, textiles and plastics"];

As reflected in various previous comments, the industry does not believe that SCCPs present either an environmental or human health risk at the local, regional or international level, and most notably, there is no basis on which to conclude that there is a significant risk of adverse human health or environmental effects from long range transport. The industry maintains that SCCPs have been and can continue to be safely used.

That said, CPIA recognizes that many of the Parties to LRTAP apparently believe that SCCPs should be added to the Protocol. Under the current Annex II proposal, there are two categories of uses identified:

1. dam sealants and conveyor belts for underground mining; and,
2. non-emissive applications, i.e., as a plasticizer in paints, coatings and sealants and as a flame retardant in rubber, textiles and plastics.

We suspect that the first category of uses is separated because they are critical uses to reduce the probability of fires in underground mines and where there are no currently available cost-effective substitutes. Clearly, it is critically important to preserve these uses. The second category of allowable uses relate to what are categorized as “non-emissive” uses, which we presume represent uses where the anticipated human health exposure and environmental release are expected to be de minimis.

The CPIA recognizes that the list of uses is based on the uses discussed in the European Union risk assessment of SCCPs. While the uses identified in the draft represent most of the major uses of SCCPs, we believe that there are other uses, perhaps not as common and perhaps not as pervasive over different geographies, that should similarly be allowed as they have similar non-emissive properties as the existing listed uses, e.g., ink (as distinct from paint) and, insulation fiber.

The CPIA believes this can best be handled by modifying the proposed language to change the description so that it is not limited just to the explicit uses specified but rather to include all uses with similar non-emissive properties.

We further suggest that the language describing the allowable uses should be rearranged from an editorial standpoint as it currently provides somewhat confusing distinctions between the use as a flame retardant and the use as a plasticizer. Often, SCCPs are used to impart both properties. For this reason, we suggest the following modification:

Non-emissive applications, e.g., use as a plasticizer or flame retardant in paints, inks, coatings and sealants, rubber, textiles and plastics and insulation fiber.

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The CP industry is providing this information with the hope that the WGSR will seriously consider modifying its proposed amendments to LRTAP. While I am not able to attend the upcoming WGSR meeting due to other priorities, please do not hesitate to contact me if I can provide any further clarification.

Sincerely,

A handwritten signature in black ink, reading "Robert J. Fensterheim". The signature is written in a cursive style with a large, prominent initial "R".

Robert J. Fensterheim
Executive Director