

July 30, 2003

Christine Todd Whitman, Administrator
U.S. Environmental Protection Agency
Ariel Rios Building
Room 3000, #1101-A
1200 Pennsylvania Ave., N.W.
Washington, DC 20460

Subject: Comments on the HPV Test Plan for the Nitroalcohol category

Dear Administrator Whitman:

The following comments on the Dow Chemical Company's (DOW) test plan for the Nitroalcohol category are submitted on behalf of the Physicians Committee for Responsible Medicine, People for the Ethical Treatment of Animals, the Humane Society of the United States, the Doris Day Animal League, and Earth Island Institute. These health, animal protection, and environmental organizations have a combined membership of more than ten million Americans.

DOW submitted its test plan on March 20, 2003 for the chemicals 2-(hydroxymethyl)-2-nitro-1,3 propanediol (TN, CAS No. 126-11-4) and 2-methyl-2-nitro-1-propanol (MNP, CAS No. 76-39-1). The major uses of these chemicals are as closed-system intermediates (CSI), and are presented as such. Due to some limited outside use, however, TN is not considered a CSI, but is still exempted from further testing in the EPA High Production Volume (HPV) program as sufficient data already exists for this chemical. The reproductive endpoint is fulfilled using histopathology of reproductive organs from a dermal repeat dose study in conjunction with two negative developmental studies. In the case of MNP, repeat dose and reproductive testing is not required because of its status as a CSI. We trust that in its revisions DOW will submit the required information to certify to the EPA that this is in fact the case. To fulfill the other data requirements for MNP, DOW is using a category approach. The two chemicals have similar structures and similar toxicities when compared. This is a reasonable action to pursue, and we hope that DOW will provide the additional justification needed to solidify this approach.

We applaud DOW's efforts and concur that no additional animal testing is necessary for the nitroalcohols under the HPV Challenge Program. This approach is consistent with the EPA's stated goal of maximizing the use of existing data in order to limit additional animal testing and to avoid a mere box-checking approach to toxicology. We are concerned, however, about the assertion by Environmental Defense that DOW address the neurotoxic potential of the category. This is premature and inappropriate, and outside

the purview of the HPV screening level program and the SIDS testing battery. Thank you for your attention to these comments. I may be reached at 202-686-2210, ext. 335, or via e-mail at kstoick@pcrm.org.

Sincerely,

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