



U.S. CONSUMER PRODUCT SAFETY COMMISSION
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Elissa P. Sterry, Vice President, Global Intermediates
Patrick B. Henretty, Global Advocacy Director, Intermediates
ExxonMobil Chemical Company
13501 Katy Freeway
Houston, TX 77079-1398

Dear Ms. Sterry and Mr. Henretty:

Thank you for your letters from November regarding information ExxonMobil Chemical Company (ExxonMobil) submitted to the Chronic Hazard Advisory Panel (CHAP) on phthalates and phthalate alternatives, as well as for your request for reconsideration of the denial by the previous Executive Director, Mr. Kenneth Hinson, to have senior ExxonMobil scientists meet with CPSC's Health Sciences staff at this point in the process.

Both of your letters seek assurance that the information ExxonMobil provided during the CHAP process was indeed posted on CPSC's website (www.cpsc.gov). Please know that in January 2013, the CPSC updated and reformatted its website (www.cpsc.gov). While transitioning information from the old to the new Web interface, the previous links to the CHAP information were affected. However, as you are likely aware, information on the CHAP can now be found at: <http://www.cpsc.gov/chap>.

The list of documents attached to Mr. Henretty's letter has been helpful in ensuring that the information Exxon Mobil submitted to the CHAP is accessible on cpsc.gov. Please know the documents listed in your letter are now (and have been for some time) posted on the CPSC website, with certain exceptions. For copyrighted material, such as journal articles, CPSC staff generally posts the transmittal letter and the journal citation only. If the article is open access, we include a link to the article. For government reports available online, we post the transmittal letter, citation, and Web link.

Responses to your specific concerns (as listed in the table “Known submissions vs. CPSC website postings,” which was included with the addendum to Mr. Henretty’s November 22, 2013 letter) are as follows:

- Two articles by Rebecca Clewell *et al.* The articles were received on January 17, 2013, and forwarded to the CHAP on January 23, 2013. The transmittal e-mail and article citations may be found at: <http://www.cpsc.gov/chap> (under Correspondence, January 17, 2013, Transmittal e-mail from Rebecca Clewell regarding follow up on Hamner DiNP studies). In addition, Dr. Clewell gave an oral presentation on the same work at the November CHAP 2011 meeting (<http://www.cpsc.gov/PageFiles/126035/dinp.pdf>).
- Article by R.T. Mitchell *et al.* We received this article and forwarded the article to the CHAP on January 17, 2012. The transmittal e-mail and citation may be found at: <http://www.cpsc.gov/chap> (under Correspondence, January 17, 2012, Transmittal e-mail from Steve Risotto regarding a publication from Richard Sharpe’s lab).
- Chemical industry comments on state-of-the-art report on mixture toxicity. We received this as part of ExxonMobil’s comments for the public meeting in July 2010. ExxonMobil representatives provided copies of the CD, which Dr. Babich distributed to the CHAP members at the meeting. CPSC inadvertently omitted this document (attachment 14 of 14 attachments to ExxonMobil’s written comments) from the CPSC website. This document has now been posted and may be found at: <http://www.cpsc.gov/PageFiles/158168/Att%2014%20Mix%20Tox%20Comments.pdf>.
- Endpoint summaries for DINP. We inadvertently omitted this document from the Web page. It has been added. We presented the CDs containing all of the documents to the CHAP members at the July 2010 meeting. The letter with attachments may be found at: <http://www.cpsc.gov/en/Regulations-Laws--Standards/Statutes/The-Consumer-Product-Safety-Improvement-Act/Phthalates/Chronic-Hazard-Advisory-Panel-CHAP-on-Phthalates/Meetings/July-2010-Meeting/> (under Written Comments, Rollins, A., Exxon Mobil, 2010, letter, Information and Attachments).
- European Union (EU) risk assessments for DINP and DIDP. These risk assessments were included in the CD provided to CHAP members at the July 2010 meeting. These assessments are readily available from the EU website and we have posted the citations with links to the documents on the CPSC website at: <http://www.cpsc.gov/en/Regulations-Laws--Standards/Statutes/The-Consumer-Product-Safety-Improvement-Act/Phthalates/Chronic-Hazard-Advisory-Panel-CHAP-on-Phthalates/Meetings/July-2010-Meeting/> (see attachments 4 and 5, under Written Comments, Rollins, A., Exxon Mobil, 2010, letter, Information and Attachments).

Thank you for bringing these discrepancies to our attention. We continue to work to see that all information submitted to the CHAP by the public is accessible on the CPSC’s website. Please do not hesitate to contact me if you have any additional questions or concerns about the posting of documents.

Furthermore, the letter from Ms. Sterry requests that, in light of ExxonMobil's discussions last year with a few of the CPSC's Commissioners, including the Acting Chairman, that Mr. Elliot Kaye, the Executive Director, reconsider Mr. Hinson's denial of Ms. Sterry's request to have senior ExxonMobil scientists meet with CPSC's Health Sciences staff at this point in the process. I must decline your request for a meeting with CPSC staff at this point.

The public will have additional opportunity to submit information and comments as part of the rulemaking process. In proceeding with the required rulemaking, CPSC will be taking into consideration all information and comments submitted by the public.

Thank you again for contacting the Consumer Product Safety Commission.

Sincerely,



George A. Borlase, Ph.D., P.E.

Cc:

Robert Adler, Chairman

Ann Marie Buerkle, Commissioner

Marietta Robinson, Commissioner