Hoechst Celanese

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8EHQ-0291-0592 Rup.

February 15, 1991
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Attention: TSCA 8(e) Coordinator
Document Processing Center (TS-790)
U.S. Environmental Protection Agency
Office of Toxic Substances
401 M Street, S.W.
Washington, D.C. 20460

Dear Sir or Madam:

REF. 8EHQ-0386-0592 et seq.
Preliminary results of mouse chronic skin-painting studies with acrylic acid dated July 23, 1990.

This is in response to the letter of January 10, 1991 from Mr. James F. Darr on the above submission, which sought substantiation for our confidentiality claims, as well as requested the study in question. The final report culminating from the study, with the same kinds of confidentiality claims made in our original submission, was sent by us to EPA on January 4, 1991.

Hoechst Celanese Corporation strongly believes the "customer identity" information which we claim as confidential, as well as the identities of collateral parties, such as testing laboratories, etc., from which our customer's identity could be deduced, has universally been recognized as a major category of trade secret information. As you will see from our responses to the questions posed in Mr. Darr's letter, we have taken all appropriate steps to protect this valuable information, which we feel has helped to create the important business relationship we have with this customer. Therefore, our confidentiality substantiation responses are as follows:

1. Customer identify information is claimed for an indefinite period, as this kind of trade secret information has no time limiting factors associated with it.

2. Not applicable.

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3. While the technical information submitted to EPA has been shared with technical staff members of an industrial trade association whose membership includes our company, the identity of our customer and the collateral parties were withheld as confidential. There is no intention to disclose any of the claimed confidential information in the future.

4. Hoechst Celanese Corporation, principally through the efforts of its Patent Law Department, engages in ongoing programs to educate company personnel on the importance of proprietary information, and how it is to be safeguarded and maintained. The documents containing the specific information we have claimed as confidential in connection with the above matter are kept in a locked file drawer in a controlled file room. Need-to-know employees who see this information are fully aware of its significance, and are under clear obligations to maintain its confidentiality in connection with their employment by this Company.

5. The information claimed as confidential <u>is</u> <u>not</u> referred to in:

   - advertising or promotional materials
   - safety data sheets
   - professional or trade publications
   - any other media available to the public or competitors

6. Yes, since disclosure of the identity of our customer could clearly affect a valuable business relationship we have cultivated over a period of years with this rather large and extremely valued customer.

7. The information claimed confidential <u>is</u> <u>not</u> "health and safety data" pursuant to 40 CFR Part 2.306(3)(i)

If the Agency would like additional information or assistance, please contact Dr. Michele R. Sullivan, Corporate Director of Product Safety at the address on this letterhead or call (908) 231-4480.

Sincerely,

Michele R Sullivan for

Susan P. Engelman
Vice President
Environmental, Health & Safety Affairs

SPE:js

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

RMS
LAW DEPT
2/11/91