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 Parker Hannifin
 Electronic Motion & Control Division
 850 Arthur Ave
 Elk Grove Village, IL 60007
 (800) 221 9257
www.parker.com/ecd

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 Contact: Tom Ehmann, Customer Service Manager

Memorandum - Information on EPA ban of Persistent bioaccumulative toxin (PBT)

The Environmental Protection Agency of the U.S Government has recently posted the intention to restrict the use of Phenol, Isopropylated Phosphate (3:1) (PIP (3:1) along with four other PBT's. These final rules, which were effective February 5, 2021.

Five chemicals are:

Phenol, isopropylated phosphate (3:1) (PIP (3:1))	Hexachlorobutadiene (HCBd)
Decabromodiphenyl ether (DecaBDE)	Pentachlorothiophenol (PCTP)
2,4,6-Tris(tert-butyl)phenol (2,4,6-TTBP)	

PIP(3:1) is mostly used in lubricants and greases, coating products, adhesives and sealants, polymers, photo-chemicals and hydraulic fluids, but also used as a plasticizer and flame retardant in plastic.

The following are a list of PIP (3:1) exceptions which states;

- Processing and distribution in commerce for use in aviation hydraulic fluid in hydraulic systems and use in specialty hydraulic fluids for military applications;
- Processing and distribution in commerce for use in lubricants and greases;
- Processing and distribution in commerce for use in new and replacement parts for the aerospace and automotive industries;
- Processing and distribution in commerce for use as an intermediate in the manufacture of cyanoacrylate glue;
- Processing and distribution in commerce for use in specialized engine air filters for locomotive and marine applications;
- Processing and distribution in commerce for use in sealants and adhesives; and
- Processing and distribution in commerce for recycling of plastic that contained PIP (3:1) before the plastic was recycled (i.e., the plastic to be recycled is from articles and products that were originally made with PIP (3:1), and the articles and products made from such recycled plastic so long as no new PIP (3:1) is added during the recycling or production process.

EPA is issuing a temporary "No Action Assurance" indicating that the agency will exercise its enforcement discretion regarding the prohibitions on processing and distribution of PIP (3:1) for use in articles, and the articles to which PIP (3:1) has been added. The agency is taking this action to ensure that the supply chain of these important articles is not interrupted while EPA continues to collect the information needed to best inform subsequent regulatory efforts and allow for the issuance of a final agency action to extend the October 31, 2024, compliance date as necessary.

Parker EMCD, at this time, has no identified products that have the EPA banned materials. We continue to work with our suppliers regarding the PBT chemical ban (under the US EPA Chemical Substance Ruling). If we are informed of any changes by our suppliers, we will provide an update to our current assessment.

Please direct all technical inquiries to:
 Email: ecd_raes-northamerica@parker.com
 Phone: 1-(800)-221-9257

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