TO: G. L. Adams
    D. L. Bacon
    J. L. Butenhoff
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FROM: C. Reich

SUBJECT: TSCA Section 8(e) Decision

DATE: March 20, 1998

It is 3M's policy to comply with the Toxic Substances Control Act, including the reporting
requirements of TSCA section 8(e). 3M's policy also makes the Group Vice President for the
affected business the responsible corporate official for deciding whether information is reportable
to EPA under section 8(e). The decision whether to report is made following an investigation by
an ad hoc committee, acting on behalf of the division general manager, with assistance from
appropriate staff personnel. The ad hoc committee submits a recommendation to the Group Vice
President, who has the authority to accept, modify or reject the recommendation, or alternatively,
to conduct a de novo review.

As you know, we have recently considered the reportability under Section 8(e) of qualitative
metabolism information related to FC-807 and information concerning the presence of
perfluorooctanesulfonic acid (PFOS) and perfluorooctanoic acid (PFOC) in both individual and
pooled human sera samples of non-occupationally exposed populations at parts per billion (ppb)
levels. Although the initial recommendation of the ad hoc 8(e) committee was to report such
information to EPA, I have chosen to carry out a de novo review that involved a wider spectrum
of both internal and external technical, medical, legal and regulatory experts. As part of that
review, I have consulted with personnel in the 3M Chemicals Laboratory, the 3M Chemicals
Director of EHS&R, Environmental Toxicology & Services, the 3M Medical Department
(including Corporate Toxicology), 3M Corporate Product Responsibility, 3M senior management
and the 3M Office of General Counsel. I am also aware that 3M's Office of General Counsel has
obtained outside legal advice on this issue from two law firms that specialize in TSCA matters.
In summary, I feel the nature and extent of this review goes beyond that which was conducted by
the ad hoc committee and forms a more complete body of information upon which to make a
decision concerning reportability.

Based on all the relevant information, I have concluded that 3M is not presently in possession of
information that would be new to EPA and that reasonably supports a conclusion that suggests a
substantial risk of injury to human health or the environment. However, I will review the
question of reportability on a continual basis to evaluate whether new information which may
become available through our testing program or from any other source is reportable under
section 8(e).

C. Reich

BCC: T. J. Dipasquale
    C. E. Kiester
    D. A. Sanders
    D. A. Sonstegard