



EPA TSCA Position Statement

The Environmental Protection Agency (EPA) Office of Pollution Prevention and Toxics (OPPT) manages the Toxic Substances Control Act of 1976 (TSCA) which regulates the manufacture, import, distribution, use, and disposal of new and existing chemicals in U.S. commerce. The Toxic Substances Control Act also restricts the use of certain existing substances, including asbestos, polychlorinated biphenyls (PCBs), dioxins, radon, metallic mercury, lead-based paint, and certain flame retardants.

On January 6, 2021, OPPT published the final rules for Section 6(h) of TSCA. These rules restrict companies from distributing the following five toxic substances, or products containing these substances, in U.S. commerce:

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

From March 8, 2021, USEPA requires demonstration of due diligence, through recordkeeping and customer communication, if any of these substances are present in parts or products sold in the U.S.

MKS Instruments, Inc., and its subsidiaries are committed to compliance with all EPA regulations. Each product category is evaluated on an individual basis and reported to our customers on request.

Inquiries related to EPA TSCA attestations should be directed to the MKS local sales representative or MKS Global Product Compliance team at Cheryl.white@mksinst.com