



DEPARTMENT OF THE TREASURY

Internal Revenue Service

Superfund Tax on Chemical Substances; Request to Modify List of Taxable Substances; Notice of Filing for Ethylene Propylene Diene (EPDM) Rubber (x=5134, y=2250, z=98)

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of filing and request for comments.

SUMMARY: This notice of filing announces that a petition has been filed requesting that ethylene propylene diene (EPDM) rubber $((C_2H_4)_x(C_3H_6)_y(C_9H_{12})_z; (x=5134, y=2250, z=98))$ be added to the list of taxable substances. This notice of filing also requests comments on the petition. This notice of filing is not a determination that the list of taxable substances is modified.

DATES: Written comments and requests for a public hearing must be received on or before **[INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

ADDRESSES: Commenters are encouraged to submit public comments or requests for a public hearing relating to this petition electronically via the Federal eRulemaking Portal at <http://www.regulations.gov> (indicate public docket number IRS-2025-0058 or ethylene propylene diene (EPDM) rubber $((C_2H_4)_x(C_3H_6)_y(C_9H_{12})_z; (x=5134, y=2250, z=98))$) by following the online instructions for submitting comments. Comments cannot be edited or withdrawn once submitted to the Federal eRulemaking Portal.

Alternatively, comments and requests for a public hearing may be mailed to: Internal Revenue Service, Attn: CC:PA:01:PR (Notice of Filing for Ethylene Propylene Diene (EPDM) Rubber (x=5134, y=2250, z=98)), Room 5203, P.O. Box 7604, Ben Franklin Station, Washington D.C. 20044. All comments received are part of the public record

and subject to public disclosure. All comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided. You should submit only information that you wish to make publicly available. If a public hearing is scheduled, notice of the time and place for the hearing will be published in the *Federal Register*.

FOR FURTHER INFORMATION CONTACT: Jacob W. Peebles at (202) 317-6855 (not a toll-free number).

SUPPLEMENTARY INFORMATION:

Request to Add Substance to the List:

(a) *Overview.* A petition was filed pursuant to Rev. Proc. 2022-26 (2022-29 I.R.B. 90), *as modified by* Rev. Proc. 2023-20 (2023-15 I.R.B. 636), requesting that ethylene propylene diene (EPDM) rubber $((C_2H_4)_x(C_3H_6)_y(C_9H_{12})_z; (x=5134, y=2250, z=98))$ be added to the list of taxable substances under section 4672(a) of the Internal Revenue Code (List). The petition requesting the addition of ethylene propylene diene (EPDM) rubber $((C_2H_4)_x(C_3H_6)_y(C_9H_{12})_z; (x=5134, y=2250, z=98))$ to the List is based on weight and contains the information detailed in paragraph (b) of this document. The information is provided for public notice and comment pursuant to section 9 of Rev. Proc. 2022-26. The publication of petition information in this notice of filing is not a determination and does not constitute Treasury Department or IRS confirmation of the accuracy of the information published.

(b) *Petition Content.*

(1) *Substance name:* Ethylene propylene diene (EPDM) rubber

$((C_2H_4)_x(C_3H_6)_y(C_9H_{12})_z; (x=5134, y=2250, z=98))$

(2) *Petitioner:* Exxon Mobil Corporation, an exporter of ethylene propylene diene (EPDM) rubber $((C_2H_4)_x(C_3H_6)_y(C_9H_{12})_z; (x=5134, y=2250, z=98))$

(3) *Proposed classification numbers:*

(i) *HTSUS number:* 4002.70.00

(ii) *Schedule B number:* 4002.70.0000

(iii) *CAS number:* 25034-71-3

(4) *Petition filing dates:*

(i) *Petition filing date for purposes of making a determination:* May 1, 2025

(ii) *Petition filing date for purposes of section 11.02 of Rev. Proc. 2022-26, as modified by section 3 of Rev. Proc. 2023-20:* July 1, 2022

(5) *Description from petition:* Ethylene propylene diene (EPDM) rubber $((C_2H_4)_x(C_3H_6)_y(C_9H_{12})_z; (x=5134, y=2250, z=98))$ is a synthetic rubber used in automotive parts (such as hoses and weather seals), wire and cable insulation, and oil additives, among others.

Ethylene propylene diene (EPDM) rubber $((C_2H_4)_x(C_3H_6)_y(C_9H_{12})_z; (x=5134, y=2250, z=98))$ is made from ethylene, propylene, butadiene, and cyclopentadiene. Taxable chemicals constitute 97.41 percent by weight of the materials used to produce this substance.

(6) *Process identified in petition as predominant method of production of substance:* The predominant method of producing ethylene propylene diene (EPDM) rubber $((C_2H_4)_x(C_3H_6)_y(C_9H_{12})_z; (x=5134, y=2250, z=98))$ is copolymerization of ethylene and propylene with or without a small amount of a non-conjugated diene.

(7) *Stoichiometric material consumption equation, based on process identified as predominant method of production:*

$5,134 C_2H_4$ [ethylene] + $2,250 C_3H_6$ [propylene] + $98 C_4H_6$ [butadiene] + $98 C_5H_6$ [cyclopentadiene] $\rightarrow (5,134 C_2H_4 + 2,250 C_3H_6 + 98 C_9H_{12})$ [ethylene propylene diene rubber]

(8) *Tax rate calculated by Petitioner, based on Petitioner's conversion factors for*

taxable chemicals used in production of substance:

(i) *Tax rate:* \$9.45 per ton

(ii) *Conversion factors:* 0.57 for ethylene, 0.38 for propylene, 0.02 for butadiene

(9) *Public docket number:* IRS-2025-0058

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