

JOSEPH E. KELLER
JEROME H. HECKMAN
CHARLES M. MEEHAN
WILLIAM H. BORGHESE, JR.
ROBERT R. TIKENAN
WAYNE V. BLACK
DAVID L. HILL
MARTIN W. BERCOVICI
EDWIN B. SPIEVACK
PETER M. NEMKOV
JOSEPH E. RADLEY
CAROLE C. HARRIS
WILLIAM W. PUGH

LAW OFFICES
KELLER AND HECKMAN
1150 17TH STREET, N.W.
SUITE 1000
WASHINGTON, D. C. 20036

TELEPHONE
202 296-2700
CABLE ADDRESS "KEL" "N"

June 4, 1974

TO: All Members of:

SPI Food, Drug and Cosmetic
Packaging Materials Committee;
General Polyvinyl Chloride Interest
Mailing List;
Ad Hoc Liquor Bottle Committee;
Plastic Pipe Institute
(Executive Board);
Plastic Bottle Division
(Voting Representatives);
SPI Executive Committee;
SPI Public Affairs Committee;
VC and PVC Producers Committee

Ladies and Gentlemen:

This week's report concerns mainly Occupational
Safety and Health Administration (OSHA) and Environmen-
tal Protection Agency (EPA) activities.

With respect to the previously announced "informal"
Hearing to be held by OSHA beginning on June 25, 1974,
the Vinyl Chloride and Polyvinyl Chloride Producers
Committee is meeting this week to settle on positions
and, hopefully, select witnesses to present an overall
industry posture at the Hearing. However, all parties
who will be affected by the permanent standard for occu-
pational exposure to vinyl chloride may well wish to
present their own views, arguments, and information at the
Hearing; indeed, the Society is of the opinion that such
action is to be encouraged. Those who do plan to present
a statement through a witness or witnesses are reminded
that a Notice of Intention to Appear should be filed with
OSHA on or before June 17.

As you know, various subcommittees of the VC and PVC Producers Committee have been gathering information and preparing interim reports regarding the various aspects of the vinyl chloride problem. It had been intended to use these reports as the basis for draft Comments which were originally required to be filed as a response to OSHA's proposed permanent standard. In light of OSHA's setting a Hearing date for June 25, it became unnecessary to file Comments, and the various subcommittee reports are now being used to help formulate testimony for presentation at the Hearing. At a meeting to be held this week by the VC and PVC Producers Committee, it is intended to critically review the industry position with a view to recommending and selecting expert witnesses to provide testimony on all phases of the proposed standard.

With respect to the general problem of work-place levels of vinyl chloride, Chemical and Engineering News for May 27, 1974 published a report about moves in the United Kingdom to coordinate research into possible health risks involving vinyl chloride monomer and to recommend ways of avoiding them. We are enclosing a copy of the C and EN report for those of you who may have missed it.

The Environmental Protection Agency action of special interest relates to its having written to major vinyl chloride and polyvinyl chloride producers requesting considerable information regarding air emissions. The Office of Air Quality Planning and Standards of EPA located in Research Triangle Park, N.E. sent individual letters to all the major VC and PVC producers directing that the required information be submitted to the EPA by June 14. We are enclosing a copy of the EPA press release and a typical letter (with the identity of the addressee deleted) for your general information although only those addressed individually have been required to respond.

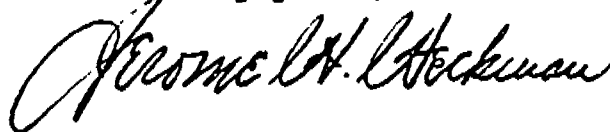
Two points should be noted in connection with this letter. Firstly, although the tone of the letter appears to be quite authoritarian, it is our understanding that the EPA group involved considers that industry has been most cooperative with it. It, in turn, states that it is ready and anxious to cooperate with industry to obtain and exchange all necessary information that can lead to reasonable and responsible standards.

Secondly, the extremely short time allowed for answers was set because EPA is trying to reach a decision early in July regarding the type of regulatory approach it should follow in connection with vinyl chloride emissions. It is EPA's hope that the various companies affected can combine the compliance needs of OSHA and EPA in one over-all engineering concept. For this to occur, the EPA requirements must be enunciated in a time frame that is compatible with OSHA's. Despite this intention, it is our present understanding that no definitive EPA action can be expected before late fall or early winter.

With respect to Food and Drug Administration (FDA) activities, we are once again reminding you that FDA is still requesting information regarding residual monomer levels in PVC plastics used for packaging foods, cosmetics, and drugs, and migration data from such plastics. In addition, it is requesting the submission of analytical methodology along with the actual residual monomer and migration reports. With respect to the anticipated FDA interim regulations, nothing new can be reported except that the regulation is anticipated to be published "in the near future".

We hope this letter with its enclosures will be useful in keeping you as fully informed as possible regarding the governmental and related aspects of the vinyl chloride problem; you can be sure we will continue to stay in touch with you.

Cordially yours,



Enclosures