The Vinyl Institute
A Division of The Society of The Plastics Industry, Inc.

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May 21, 1990

TO: The VI Health, Safety & Environment Committee

RE: Standardization on Tank Car Valves

At the May 10th committee meeting, a number of issues were noted during the discussion of a mutual aid response program. The attached letter from Peter de la Cruz of Keller and Heckman to Committee Chairman Frank Borrelli clearly reviews SPI policy as it relates to the promulgation of standards. If you have any questions, please let me know.

Meredith M Scheck

RTG/pmb
cc: P. de la Cruz

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May 15, 1990

Mr. Frank E. Borrelli
Georgia Gulf Corporation
42C Read's Way
New Castle Corporate Commons
New Castle, Delaware 19720

Re: Standardization on Tank Car Valves

Dear Frank:

At the Vinyl Institute Health Safety and Environment Committee meeting on May 10, 1990, the Committee discussed rail safety issues. Among other things, the Committee noted that different valves are used on tank cars that transport vinyl chloride. To facilitate the work of emergency response teams, it was suggested that the same valves might be used uniformly. No formal action was taken at the Committee meeting, but it was anticipated that interested companies would explore the formation of a mutual aid response program. The emergency response activity would not be an SPI function but rather under the auspices of the Chemical Manufacturers Association (CMA) or an independent collaborative effort by participating vinyl chloride producers.

In your capacity as Committee Chairman, I wanted to remind you that SPI has a long-standing policy of not promulgating standards. When members agree that a standard is needed in a particular area, the concerned SPI group may develop a guideline or recommended practice following procedures that provide for wide notice and opportunity for comment. The guidelines are then submitted as a proposal to a recognized standards-making organization such as ASTM, Inc. or the American National Standards Institute (ANSI). Conceivably, this might ultimately become a Department of Transportation regulation or guideline.

Obviously, member company interest in this matter is motivated solely by public safety concerns and is to be applauded. However, I did want you to be sensitive to the potential antitrust ramifications.

If you have any comments or questions or if I can be of any assistance, please feel free to call.

Cordially yours,

Peter

Peter L. de la Cruz

cc: Robert D. Luss, Esq.
Larry Thomas
Robert W. Sherman
Meredith Scheck