

The Society of the
Plastics Industry, Inc.

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February 23, 1976

Mr. Don R. Goodwin
Emission Standards & Engineering Division
Environmental Protection Agency
Research Triangle Park, North Carolina 27711

Dear Mr. Goodwin:

Enclosed herewith, on behalf of the Vinyl Chloride and Polyvinyl Chloride Producers Group of The Society of the Plastics Industry, Inc. (SPI), are comments on the Proposed Standard for Vinyl Chloride published in 40 Fed. Reg. 59532 on December 24, 1975. As we testified at the public hearing on the Proposed Standard on February 3, 1976, we commend the Agency for adopting an approach which allowed an open exchange of information between the technical people of the Agency, the industry, and other interested parties. We also support the Agency's utilization of a Quantitative Risk Assessment Analysis in determining the appropriate control technology, although as I also testified we believe the Agency did not weigh finely enough the costs against the benefits likely to be achieved in protecting public health.

Although there is much with which we agree, there are also a number of individual statements and assertions in the Proposed Standard and supporting documents which we consider erroneous. The two documents I am enclosing to spell out our differences are as follows:

1. Comments on the Standard and its supporting documents prepared by the Technical Subcommittee of the Vinyl Chloride and Polyvinyl Chloride Producers Group; and
2. Comments by the Health Subcommittee of the Vinyl Chloride and Polyvinyl Chloride Producers Group.

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We urge the Agency to take these comments into account before the final Standard is promulgated; to correct the errors noted in the attached statements; and to weigh more carefully some of the control requirements whose costs we believe far exceed any potential benefit.

There were four specific matters raised when the EPA panel was questioning me during the public hearing on February 3. To complete the record, the following comments are respectfully submitted.

1. We were asked by Mr. Farmer (Transcript of Proceedings, hereinafter: "Tr." page 68) to comment on "...the uses of PVC and then the possible substitutes for PVC in all these end use applications." EPA's own reports on this question have already covered the widespread and diversified uses of PVC in the medical, construction, appliance, electrical, transportation, packaging and many other industries.

As to the concept itself, we respectfully submit that substitutability per se is not a valid issue. First, our legal research confirms Dr. Kuzmack's observation that there is no authority in the Clean Air Act for EPA to ban selected uses of PVC (Tr. 52). Secondly, under the proposed Standard, the level of VCM emissions would be reduced by 95 percent; at such low levels there is no clearly established health risk and, hence, no danger to the public health which must be further obviated. Finally, even given exhaustive investigation of questions interrelating safety, costs, availability of raw materials, production and technological capability, capital investment and other related issues, as a practical matter substitutability remains an imponderable. Thus, under the circumstances of this case, we do not believe it would be fruitful for EPA to explore these issues further.

2. In response to Dr. Khelson's question (Tr. 71) about dialysis machines, the principal usage of PVC is in the extensive tubing which circulates the patient's blood through the machine.

3. To Dr. Marcus (Tr. 76) I promised to clarify the dates "... when Maltoni first informed industry and industry first informed EPA ..." about the preliminary results of Maltoni's inhalation studies with rats. Industry was first informed at a technical symposium in Bologna, Italy held from April 9 to April 12, 1973. This can be confirmed by Dr. Saffiotti of NIOSH who was in the audience. The USA VCM/PVC industry representatives did not report to EPA; this information was reported to NIOSH as required by regulations promulgated under §20 of the Occupational Safety and Health Act.

4. Dr. Marcus also asked (Tr. 82) for a response on SPI's position regarding toxic substances legislation. We generally support the moderate, responsible approach of the McCollister Bill (H.R. 7664).

Finally, we want to re-emphasize our belief that EPA leadership is needed to develop a vinyl chloride health research program under the joint sponsorship of expert representatives from government, industry, labor and other interested groups. A further reason for this approach was provided on the very day of the EPA hearing on the Vinyl Chloride Standard by way of the sensationalized disclosure of a new study relating to whether vinyl chloride is a potential mutagen. The report in question was not available to any of the industry representatives who testified at the hearings, nor was it made a part of the record. Instead, it was released directly to the press by the Health Research Group, under circumstances which did not permit rational discussion of the information or informed industry comment. We comment in more detail on this subject in the attached Comments.

Thus, while the vinyl chloride and polyvinyl chloride producers obviously believe that the concerns raised in the study should be explored further, they do not believe that a press release provides the best means to evaluate the risks involved nor the further precautions, if any, which should be observed.

The producers have expressed their willingness to provide their full share of the costs of jointly-sponsored research in the best interests of the general public and

of the workers directly involved. The questions involved are too important to be dealt with by acrimonious and sensationalized debate. Unfortunately, recent history indicates that until the government exercises leadership in bringing all interested parties together, we are all too likely to see more time and money wasted on disputed research and incomplete or even biased discussion of scientific evidence.

In closing our written submission to EPA, we again want to express appreciation for the careful manner in which EPA is handling the development of this Standard. We would be pleased to respond to any further questions you might have or which might arise as a result of the comments of others.

Respectfully submitted,

Ralph L. Harding, Jr.
President

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