



CHEMICAL MANUFACTURERS ASSOCIATION

September 6, 1994

Dockets Unit (DHM-30)
Research and Special Programs Admin.
U.S. Department of Transportation
Room 8421, Nassif Building
400 Seventh Street, S.W.
Washington, D.C. 20590-0001

Re: HM-215A; Implementation of the United Nations
Recommendations, International Maritime Dangerous Goods
Code and International Civil Aviation Organization's
Technical Instructions

Dear Sir or Madam:

The Chemical Manufacturers Association Vinyl Chloride Panel submits these comments to the Department of Transportation's proposed rule in HM-215A, 59 Fed. Reg. 36488 (July 18, 1994). The Vinyl Chloride Panel consists of Borden Chemicals and Plastics, Inc.; The Dow Chemical Company; Formosa Plastics, Inc.; The GEON Company; Georgia Gulf Corporation; Occidental Chemical Company; PPG Industries, Inc.; Vista Chemical Company; and Westlake Polymers. The Panel is very concerned about DOT's proposed revision to the listing for vinyl chloride in the Hazardous Materials Table, 49 C.F.R. § 172.101, because there is no proposed listing appropriate for domestic shipments of vinyl chloride.

Under DOT's current Hazardous Materials Table, there are two listings for vinyl chloride: vinyl chloride, NA1086; and vinyl chloride, inhibited UN1086. The proper shipping name "vinyl chloride" NA1086 was added to the Table at the request of the Panel on October 1, 1992 (57 Fed. Reg. 45446) to allow for domestic shipment of vinyl chloride that is not inhibited. This amendment was necessary because the only other listing in the table for vinyl chloride was for "vinyl chloride, inhibited," which only is appropriate for shipments of vinyl chloride containing a chemical inhibitor such as hydroquinone. Domestic shipments of vinyl chloride are not shipped in an inhibited state, and therefore may not properly be classified under this proper shipping name.

DOT now proposes to remove the listing for "vinyl chloride" NA 1086 and add a new listing for "vinyl chloride, stabilized" UN 1086. This new listing also would be inappropriate as the term

"stabilized" generally is understood in the industry to refer to stabilizing the monomer by the addition of a chemical inhibitor to prevent polymerization during domestic shipment. Domestic shipments of vinyl chloride monomer are not chemically stabilized, however, as the duration of the movement is short enough that polymerization does not occur during transport. Instead, domestic shipments are stabilized by removing excess oxygen from the container, as described in the enclosed September 29, 1992 letter to Dr. Charles Ke of the Office of Hazardous Materials Technology.

This alternative method of stabilization is specifically provided for under Special Provision 21 of the current regulations. This provision states that "this material must be stabilized by appropriate means (e.g., addition of chemical inhibitor, purging to remove oxygen) to prevent dangerous polymerization." This provision, however, is not included in the revised listing of HM-215A; therefore, domestic shipments of vinyl chloride stabilized by removing the excess oxygen are not specifically covered in the Table.

The Panel is very concerned that the proposed changes to the shipping name for vinyl chloride would effectively prevent vinyl chloride from being shipped domestically in its current state. This is not the first time this issue has been addressed by the Panel with DOT. Prior to the adoption of the amendment in 1992 allowing vinyl chloride to be shipped domestically under the proper shipping name "vinyl chloride," the Panel had met with DOT personnel to discuss the industry's concern about the proper shipping name. It was the industry's concerns, which are documented in the Attachments to these comments, that propelled the agency into amending its Table to include a proper shipping name for "vinyl chloride" NA1086.

The enclosed Attachments detailing industry shipping practices are equally applicable to the current shipping practices in today's industry. Therefore, the Panel requests that DOT revise the proposed entry for vinyl chloride in the Hazardous Materials Table to read: "Vinyl Chloride, inhibited" UN1086 or "Vinyl Chloride" NA1086. The listing for "vinyl chloride" should reference Special Provision 21. These amendments would allow vinyl chloride to continue to be shipped under current industry practices.

Alternatively, the Panel requests that Special Provision 21 be added to the proposed listing for vinyl chloride to clarify that "vinyl chloride, stabilized" includes shipments of vinyl

Dockets Unit
September 6, 1994
Page -3-

chloride stabilized by removing the excess oxygen from the container. The addition of Special Provision 21 would not impact the alignment of the DOT regulations with corresponding international standards.

If you have any questions or need additional information, please contact Dr. Hasmukh Shah of my staff at (202) 887-1192.

Sincerely,



Langley A. Spurlock, Ph.D., CAE
Vice President, CHEMSTAR

Enclosures

CMA 111212