J-M Manufacturing Co., Inc. Internal Correspondence

To : Jeff Hsu- Wharton

Date: March 3, 1988

From : E. E. Wang- HQ

Copies : T. E. Lohman- HQ

PLAINTIFF'S EXHIBIT JMMC-117

Subject : REPORTING OF TOXIC CHEMICALS TO THE STATE OF TEXAS
(In response to your memo dated 2-24-88)

The reporting of hazardous chemicals to government authorities (usually, the state emergency response commission, local emergency response commission, and the local fire department) is required under Sections 311 & 312 of the Emergency Planning and Community Right to Know Act, or Title III of the Superfund Amendments and Reauthorization Act (SARA). The basic jobs that need to be done are: identifying all hazardous chemicals at the plant, calculating quantities and developing inventory systems, classifying chemicals, and completing the inventory forms required by Federal/State government. Depending on what chemicals are being used/stored in your facility and the annual quantities they have been used, you may or may not need to file this hazardous chemical inventory reporting.

A "J-M Hazard Communication Program" has been prepared by me and a copy sent to every plant manager on March 14, 1986. In addition, I have also sent every plant manager, on March 13, 1986, a copy of the partial list of hazardous substances regulated by the Federal OSHA. If you have carefully reviewed that program, you should already have a general idea as to what the hazardous communication standard is. The current reporting requirement is just an extension of that standard.

Although Federal OSHA has promulgated its "Hazard Communication Standard" (29 CFR 1910.1200) and the U.S. EPA has listed 400 extremely hazardous chemicals, each state has its own "Right-To-Know" law. The names of hazardous substances regulated by State Government vary from state to state. Also, the name list is up-dated from time to time. To fully comply with the Texas hazardous substances reporting requirements, you should contact the state authority and ask for a copy of the regulations and the hazardous chemical inventory reporting form.

In general, the environmental regulations of local government are tougher than that of state government. The state government has more stringent environmental laws than that from Federal Agencies. Therefore, in contacting any governmental agencies, always remember to contact your local government agency first (e.g., your city or county government), if no special regulations are issued by local

government, then contact the Texas State Government Agencies, and so on. The hazardous substances are usually regulated by the Department of Health.

The following are for your information:

1. Hazard Communication Branch
   Texas Department of Health
   1100 West 49th Street
   Austin, TX 78756
   (512)-458-7410

2. U.S. EPA Regional Office- Region VI
   1201 Elm Street
   Dallas, TX 75270
   (214)-767-2600

3. Federal OSHA Regional Office- Region VI
   525 Griffin Square Bldg., Room 602
   Dallas, TX 75202
   (214)-767-4731

4. Federal OSHA Consultation in Texas
   (512)-458-7287

5. Bureau of Environmental Health
   Texas Department of Health
   1100 West 49th Street
   Austin, TX 78756
   (512)-458-7542

6. Division of Occupational Safety
   Texas Department of Health
   1100 West 49th Street
   Austin, TX 78756
   (512)-458-7111

7. Texas Emergency Response Commission
   Division of Emergency Management
   P.O. Box 4087
   Austin, TX 78773-0001
   (512)-465-2138

Since the emergency and hazardous chemical inventory only deals with the situation/activities undergoing at individual facility, the report (if required) should be filed by either the plant manager or his/her designated plant personnel. Should you have any further questions, after reviewing your local and/or Texas regulations concerning the hazardous substances, please let me know.

E. E. Wang