

JUN 20 1974

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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:

The usual weekly mailing to keep you up-to-date on the status of activities relating to the vinyl chloride-polyvinyl chloride problem was omitted last week because our time was so completely preempted by preparations for the forthcoming Hearing to be held by the Occupational Safety and Health Administration (OSHA).

As you will recall, the notice of the Hearing which is to be held at 9:30 A.M. at the Departmental Auditorium on Constitution Avenue between 12th and 14th Streets, N.W. was included in our letter to you dated May 24, 1974. The same Hearing notice stated that all those who wished to testify at the Hearing were required to submit a notice of their intention to appear by June 17, 1974. [Although we were unable to write to you because of the need to obtain witnesses and help them work towards development of their testimony on a "crash" basis,

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a timely Notice of Intention to Appear was filed on behalf of The Society of the Plastics Industry late yesterday afternoon. We are enclosing a copy of the Notice that we filed which, we hope, will serve to inform you regarding our line-up of witnesses and the nature of the presentation to be made by the Society.

Although we cannot be completely definite at this time, we anticipate, as a result of special contacts made with OSHA, that the SPI presentation will be the lead-off testimony as far as industry witnesses are concerned. The Hearing will begin with testimony from the Department of Labor, NIOSH, and at least one Union official. This will then be followed by the SPI testimony which it is hoped will set the stage for presentations by a number of the major VC and PVC producers. These will then probably be followed by other interested parties, including a large number of fabricators who have asked for time.

It is the present intention of OSHA to keep the Hearing record open for some time, possibly for as much as a month after the oral hearings end, to provide for the inclusion of the maximum amount of information in the record. Consequently, all those who wish to submit statements and have not done so before the Hearing begins will probably still have time to submit statements later. It is our understanding that OSHA will include all statements and letters that it receives as a part of the record in this matter.

Of less immediate urgency, but of continuing significance to us is the role that the Environmental Protection Agency (EPA) is playing with respect to emissions from VC and PVC plants. As many of you know by this time, Russell Train, EPA Administrator, held a meeting last Tuesday with executives of many of the country's leading VC and PVC producers. It was heartening to note that the preliminary EPA findings showed that, "There is no scientific evidence to indicate that these emissions pose an imminent hazard to people living near these plants..." We are enclosing a copy of the full EPA release on this meeting, as well as a reprint of a newspaper article based upon Mr. Train's statement.

With respect to the anticipated Food and Drug Administration's proposed Interim Food Additive Regulation on polyvinyl chloride, our present information is that the Regulation will be issued "in about two weeks". If this sounds vaguely familiar, please believe we are only reporting what we have learned -- we are not the source of the statements. However, more specificity has been provided in that June 28, 1974 plus or minus a few days has now been mentioned as a target date.

It is still our understanding that the Interim Regulation will require no detectable migration of vinyl chloride monomer into food simulating solvents using analytical methods sensitive to 50 ppb, combined with some limitation on the residual monomer content of the food contact plastic surface. The situation here remains fluid but we believe the current intention is to fix the residual monomer level in the proposed Regulation at 10 ppm.

During the next two weeks, we expect to be extremely busy preparing testimony for the OSHA hearings and attending the same. Nevertheless, we will make every effort to keep in touch with you by means of these letters and thereby keep you as up-to-date as possible.

Cordially yours,

Enclosures

