

TO: R. D. Gambelin

FROM: T. G. Grumbles
DATE: February 2, 1988

Interoffice Communication **SUBJ :** **SARA**

VISTA

SARA is the acronym for the Superfund Amendment and Reauthorization Act of 1987. This act was a broad rulemaking covering the following:

- (a) funding, application and settlement of Superfund monies (abandoned waste sites) locations,
- (b) establishment of a community right-to-know and emergency planning act (Title III),
- (c) mandating rulemaking and research activities by various agencies including OSHA, EPA, and the relatively dormant Agency for Toxic Substances and Disease Registry (Title I).

For Vista, the Superfund site provisions have little impact at this point in time. We are the luckiest chemical company around, having no active superfund site litigation.

However, the Title III requirements, and agency rulemakings have direct impact on Vista and the chemical industry as a whole. Michele has developed the attached summary of the portions of SARA with the most impact. I believe it is self-explanatory for the most part. Further details on any individual section would best be covered with conversation. Below are further comments on selected sections.

Section 312 and 313 of Title III will make detailed information on the specific chemicals stored, used, and emitted by our plants readily available to the public. While it is hard to predict the impact of this information, it is safe to assume some negative reaction from the public. The emission numbers will be construed as "exposure". We will have to be prepared, if not in a proactive manner, to explain the significance of these emissions to the public. Communicating risk to the general public will not be an easy task. Activities to prepare in Lake Charles and Baltimore are underway with assistance from local chemical industry groups. The other plant locations are not as far along and probably will need help in preparing for the need to talk to the public. Our own employees will also need to be communicated with.

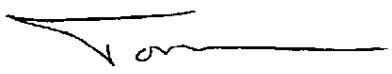
The effort to fulfill the reporting requirements for Section 312 and 313 are more quantifiable. It is a man-hour intensive job being handled by each individual plant. Both sections have annual reporting requirements.

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Section 126 of Title I mandates OSHA promulgate a rule to assure protection for workers at hazardous waste sites, during emergency response, and during emergency response clean-up. This rulemaking had such broad definitions of these activities that all plants are covered. The training requirements of this standard are particularly burdensome and will significantly add to an already full agenda of training requirements. In some cases, outside training will be required.

It should be noted that Title I and Title III of SARA were legislative actions, not regulatory actions. The significance of this distinction is that no comment period or other input to the content of the requirements was afforded to the regulatory community. The outcome of the right-to-know portions, specifically the Section 313 emission reports, will undoubtedly be more regulation of chemical emissions.


T. G. Grumbles

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Attachment

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TITLE I

SECTION 110 - Notice of the First Priority List of Hazardous Substances That Will Be the Subject of Toxicological Profiles.

AGENCY - DHHS, ATSDR, EPA

SCOPE - The ATSDR is preparing toxicological profiles for hazardous substances most commonly found at facilities on the CERCLA National Priorities List and which pose the most significant potential threat to human health.

APPLICATION - These profiles will be revised based on public comments and as additional data becomes available.

COVERED CHEMICALS - 100 chemicals, including benzene, vinyl chloride, cadmium, and lead.

SECTION 126 - EMERGENCY RESPONSE AND HAZARDOUS WASTE OPERATIONS

AGENCY - OSHA

SCOPE - Covered operations must meet various requirements including, written emergency response plans, annual employee training for a specified number of hours, medical surveillance, decontamination procedures, etc.

APPLICATION - Persons involved in emergency response, hazardous waste operations, and designated State clean-ups.

COVERED CHEMICALS - DOT defined hazardous materials, RCRA defined hazardous wastes, CERCLA defined hazardous substances, and in some cases, health hazards as defined by OSHA's Hazard Communication Standard.

COMPLIANCE DATE - December 16, 1986.

VISTA APPLICATIONS - All facilities covered.

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TITLE II

SECTION 202 - Hazardous Substances

AGENCY - DOT

SCOPE - Transported materials containing CERCLA defined hazardous substances are now subject to additional requirements, including shipping papers, specification packaging, labeling, marking, and placarding.

APPLICATION - Transported materials containing a hazardous substance in a quantity greater than or equal to its reportable quantity.

COVERED CHEMICALS - CERCLA defined hazardous substances, for instance, VCM, benzene, MeCl, hydrochloric acid, dodecylbenzene.

COMPLIANCE DATES - July 1, 1987.

VISTA APPLICATIONS - Certain materials previously unregulated are now subject to DOT regulation. These items include high VCM containing PVC, such as culls, plasticizer and slurries.

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TITLE III

SECTION 301 - Establishment of State Commissions, Planning Districts, and Local Committees

AGENCY - EPA

SCOPE - States and communities must create state emergency response commissions, emergency planning districts, and local planning committees to implement the emergency preparedness and community right-to-know programs. The local emergency response committees must develop procedures for receiving and processing results from the public for information about hazardous substances at local facilities, and thereafter, to develop and implement the emergency plans.

APPLICATION - All states in the United States

COMPLIANCE DATES - By September 17, 1987

SECTION 302 - Extremely Hazardous Substances List and Threshold Planning Quantities; Emergency Planning and Release Notification Requirements

AGENCY - EPA

SCOPE - Must notify Emergency Response Commission that your facility is subject to the emergency planning requirements; designate a representative to participate in the local emergency planning committee; and inform the local emergency planning committee of any changes in your facility relevant to emergency planning.

APPLICATION - Facilities having extremely hazardous chemicals on-site in quantities greater than or equal to their threshold planning quantity.

COVERED CHEMICALS - List of Extremely Hazardous Substances in Appendix A of 40 CFR Part 355. Some examples of chemicals Vista has are ammonia, chlorine, hydroquinone, and sulfur trioxide.

COMPLIANCE DATE - May 17, 1987 or within 60 days after a facility first becomes subject to the rule.

VISTA APPLICATIONS - With the exception of Blane and Premiere, all Vista locations must currently comply with the notification section of this regulation. Facility representatives are as follows:

ABERDEEN -	Keith Fogg
BALTIMORE -	Laurie Mauerman (to be changed)
HAMMOND -	Matt Tonkovich
LCCC -	Steve Ashby
OKC -	Bill Jones
R&D -	Robert Martin

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SECTION 304 - Extremely Hazardous Substances List and Threshold Planning Quantities; Emergency Planning and Release Notification Requirements

AGENCY - EPA

SCOPE - Immediate notification to the community emergency coordinator of any area likely to be affected by the release, and to the State emergency response commission of any state likely to be affected by the release. Verbal notification must include answers to eight specific questions. Written follow-ups containing the verbal information transmitted along with three additional items must be submitted as soon as practicable.

APPLICATION - Facilities having releases of a reportable quantity which results in exposure to person's off-site the facility.

COVERED CHEMICALS - Section 302 substances, such as, ammonia, chlorine, sulfur trioxide; or CERCLA hazardous substances, such as, VCM, MECL.

COMPLIANCE DATE - May 22, 1987

VISTA APPLICATIONS - All facilities covered. Environmental Coordinators handling reporting.

SECTION 311 - Emergency and Hazardous Chemical Inventory Forms and Community Right-to-Know Reporting Requirements

AGENCY - EPA

SCOPE - Covered facilities must submit an MSDS or alternative list of chemicals for each hazardous chemical present at the facility.

APPLICATION - Facilities having hazardous chemicals stored in quantities (additive) greater than or equal to 10,000 lbs., and extremely hazardous chemicals in quantities greater than or equal to their TPQ, or 500 lbs., whichever is less.

COVERED CHEMICALS - Hazardous chemicals as defined by OSHA's Hazard Communication Standard (pretty much all chemicals) and Section 302's Extremely Hazardous Substances.

COMPLIANCE DATES - October 17, 1987 or 90 days after a new or modified MSDS is brought on-site.

VISTA APPLICATIONS - All facilities covered. Safety Directors covering.

SIGNATURE - [Signature] (To be changed)
HAMMOND - [Signature]

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**SECTION 312 - Emergency and Hazardous Chemical Inventory Forms and
Community Right-to-Know Reporting Requirements**

AGENCY - EPA

SCOPE - Covered facilities must annually submit inventory forms to the State emergency response commission, local emergency planning committee and local fire department for each hazardous chemical present at the facility.

APPLICATION - Facilities having hazardous chemicals stored in quantities (additive) greater than or equal to 10,000 lbs., and extremely hazardous chemicals in quantities greater than or equal to their TPQ, or 500 lbs., whichever is less.

COVERED CHEMICALS - Hazardous chemicals as defined by OSHA's Hazard Communication Standard (pretty much all chemicals) and Section 302's Extremely Hazardous Substances.

COMPLIANCE DATES - Annual report due March 1 beginning in 1988.

VISTA APPLICATIONS - All facilities covered. A combination of safety and environmental coordinators are handling.

SECTION 313 - Toxic Chemical Release Reporting; Community Right-to-Know

AGENCY - EPA

SCOPE - Covered facilities must annually submit inventory forms to the State and EPA for each toxic chemical manufactured, imported, processed, or otherwise used.

APPLICATION - Facilities in SIC codes 20-39, having 10 or more full-time employees, manufacturing, importing, or processing greater than 75,000 lbs., or otherwise using greater than 10,000 lbs. per year of toxic chemicals.

COVERED CHEMICALS - Toxic chemicals as defined in 40 CFR 372.42 and 43. Examples are vinyl chloride, benzene, aluminum dust, 1,3-butadiene, butanol, chlorine, HF, HCl, hydroquinone, nitric acid, sulfuric acid; and barium, cadmium, antimony, lead compounds.

COMPLIANCE DATES - Annual report due July 1 beginning in 1988.

VISTA APPLICATIONS - All facilities covered. Environmental Coordinators handling.

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