

CH-2 REV. 7-80



E. I. DU PONT DE NEMOURS & COMPANY
INCORPORATED
WILMINGTON, DELAWARE 19898

CHEMICALS AND PIGMENTS DEPARTMENT

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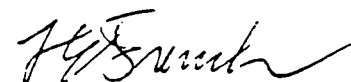
December 1, 1981

C&P DIVISION HEADS
C&P SITE HEADS

SAFETY, HEALTH AND ENVIRONMENTAL REPORT
THIRD QUARTER, 1981

Enclosed is the regular report of the C&P Department's performance as well as items of interest in the areas of safety, occupational health, environmental protection and regulation of product hazards. An executive summary of the report is attached to this letter.

Comments and questions will be welcomed by any member of the Environmental and Regulatory Affairs Staff.


F. E. FRENCH

FEF/bam
Att.

DUP 1013619

DU 053722

SAFETY, HEALTH AND ENVIRONMENTAL REPORT
FOR THE THIRD QUARTER, 1981

SUMMARY - SAFETY, HEALTH AND PRODUCT HAZARDS

SAFETY MANAGEMENT

The C&P plant injury record deteriorated seriously in the third quarter with one fatality, four LWC's and four RWC's. The injury frequency now slightly exceeds the corporate goal. Off-the-job frequency continued the early year improvement trend; year-to-date is three-fourths of 1980 and slightly below Company goal.

S&FP surveys continued to average only "good" and pointed out key deficiencies in completeness of operating instructions and various aspects of safety practices. Medical audits also continue to show the need for improvement with only one "excellent" to date.

Auditing of site process hazards management programs has continued. All-day Wilmington management visits have been made to three fourths of the department's sites. Good progress is being made, but more work is needed to implement the program fully at all sites.

REGULATORY ACTIVITIES

A revised Hearing Conservation Amendment went into effect in August; it is more acceptable to Du Pont. Other health standards (chromium, formaldehyde, etc.) are being delayed pending redefinition of OSHA's carcinogen policy.

State and Local Worker Right-to-Know legislation is proliferating and becoming more burdensome. C&P has been participating in testimony in New York.

HEALTH AND SAFETY PROGRAMS

In connection with the corporate program for identification of asbestos-related medical conditions, abnormalities have been found in about 3% of C&P's employees and 7% of pensioners, but fewer than 20% of these have been found to be symptomatic. A film "Caring About: Asbestos" has been prepared by C&P to address medical issues and credibility. Initial employee screening is scheduled for late December.

SITE ACTIVITIES

Newport health studies have found no evidence of abnormal health problems and no evidence of work-relatedness for cancer rates higher than Company average. Communication to employees is planned.

DUP 1013620

SUMMARY - ENVIRONMENTAL PROTECTION

INCIDENTS

One major environmental incident occurred, the first in the last four quarters: NEWPORT had a release of sulfur chloride fumes when a tank overflowed. There were three community complaints. The State was advised and has filed a formal complaint. The plant paid a \$1,000 fine. The 40 serious potential incidents were below last quarter's total of 48; the reduction appears to be a return to the former downward trendline.

REGULATIONS

There has been little new activity under the Clean Water and Clean Air Acts. However, in Du Pont, et al. vs. EPA, Du Pont lost its challenge of the 0.12 ppm ozone ambient air quality standard. The decision is being appealed to the Supreme Court. Because of the financial cost to industry, which EPA estimates at \$4 Billion/year, it is likely that the standard will be relaxed either through Clean Air Act amendments or by the Reagan Administration.

Under RCRA, a ban on disposal of containerized hazardous liquids will become effective on November 19. C&P disposal costs are expected to increase by about \$400M/year.

Tennessee is reconsidering acceptance of the EPA deepwell permit program. We favor State acceptance because we believe State authorities are more sympathetic to plant programs. The settlement agreement in API, et al. vs. EPA relaxes the definition of drinking water and eases the criteria of what constitutes a source of drinking water. Both are expected to ease the permitting process for future NEW JOHNSONVILLE wells.

PLANT ACTIVITIES

In Save-The-Bay (STB) vs. Corps of Engineers, et al., we have responded to STB's questions concerning land use between I-10 and the railroad, but we have not responded to inquiry on plant environmental incidents. We expect this issue and others to be favorably resolved in a hearing as yet to be scheduled.

The Regional Water Quality Control Board is suspicious that groundwater under the ANTIOCH plant has been contaminated by plant operations. They have requested a comprehensive sampling program. A response to this request is under consideration.

DUP 1013621

- 3 -

REPAUNO experienced a fish kill in the sand ditch as a result of a tank clean out in the sodium nitrite area. The incident did not extend off-plant, but it was observed by N. J. personnel who were on-plant. We believe this situation is not subject to State or Federal regulations, and Legal concurs. The plant is formulating corrective action.

The CHAMBERS WORKS "bubble plan" finally has been approved. It will save the plant approximately \$10MM in new investment for control of volatile organics. Recently, the State has proposed to exempt chlorofluorocarbons from air regulations. This change offers further investment savings of \$3.5MM.

EAST CHICAGO has petitioned for higher SO₂ limits for its sulfuric acid operations. Degradation of air quality would be prevented by increasing the stack height. Savings of approximately \$250M/yr. are expected.

EDGE MOOR has received a new SO₂ permit emissions limit, per our request. Caustic scrubber ingredient savings should total \$300M/yr.

NEW JOHNSONVILLE received two Notices of Violation for excess powerhouse stack emissions opacity. Particulates testing has been completed for the stacks, and it is hoped that the low emissions levels will lead to a relaxed opacity limits.

BEAUMONT and REPAUNO have been informed that their respective aniline/nitrobenzene wastewaters will be delisted from RCRA control. Thus, total investment savings of \$20MM for the worst case scenario have been avoided.

At NIAGARA FALLS, the Gill Creek work was completed on November 1 and water flow returned to the Creek bed.

DUP 1013622

DU 053725

SAFETY, HEALTH AND ENVIRONMENTAL REPORT
THIRD QUARTER, 1981

SAFETY AND HEALTH*

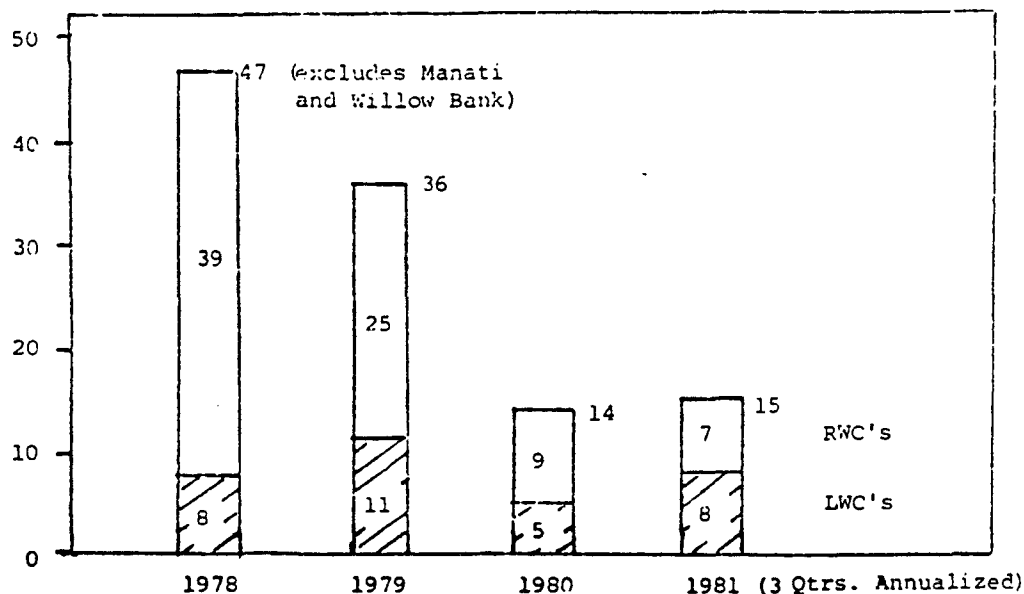
SAFETY PERFORMANCE

SAFETY PERFORMANCE FREQUENCY RATES, 1981 (through Sept.)

	<u>Plants</u>		<u>Department</u>	<u>Du Pont U.S.</u>	
	<u>Goal</u>	<u>Actual</u>	<u>Actual</u>	<u>Goal</u>	<u>Actual</u>
LWC	.02	.077	.079	.03	.035
LWC + RWC	.08	.14	.14	.135	.12
OFF-THE-JOB	.63	.53	.54	.70	.60

Injury performance deteriorated seriously in the second quarter with the occurrence of one fatality, four LWC's and four RWC's. The year-to-date departmental injury rate (LWC + RWC) is now higher than the Du Pont U.S. rate (.14 vs .12). Current statistics and long-term trend data both point to the need for stronger emphasis on injury prevention. C&P is consulting with a major corporate task force which is studying ways to improve performance. Departmental off-the-job injury performance was marginally better than Du Pont U.S. goal (.54 vs .70).

CHEMICALS AND PIGMENTS DEPT. INJURY EXPERIENCE



DUP 1013623

*The section on TOXICITY AND PRODUCT HAZARD ACTIVITIES begins on page 14 and the ENVIRONMENTAL PROTECTION section begins on page 16.

DU 053726

C&P INJURY STATISTICS, 1980 AND 1981-YTD

Site	Injuries (LWC-RWC)/Rate				Off Job Injuries/Rate				Medical Treatment	
	1980		1981-YTD		1980		1981-YTD		1980	1981-YTD
Chambers Works	4 ¹ 0	.11	0-1	.04	42 ¹	.61	28	.58	134	65
Cleveland	0-1	.34	0-0	0	4	.71	4	.98	5	4
Deer Park	0-1	.58	0-0	0	3	1.06	1	.45	8	6
De Lisle	0-1	.18	1-2	.24	7	.69	5	.63	21	8
East Chicago	0-2	.59	0-0	0	6	.94	3	.70	5	5
Edge Moor	0-0	0	0-0	0	9	.65	5	.60	17	5
Florida	0-1	.34	0-0	0	2	.35	2	.52	7	2
Grasselli	0-0	0	0-0	0	2	.33	3	.67	2	3
Johnsonville	0-2	.24	0-0	0	11	.67	6	.48	34	25
Memphis	1-0	.10	1 ¹ 0	.13	15	.79	2	.14	15	7
Newark	0-0	0	0-0	0	2	.23	3	.50	5	2
Newport	0-0	0	0-0	0	5	.43	3	.35	7	5
Niagara Falls	0-0	0	1-1	.30	11	.63	8	.61	11	14
Repauno	0-1	.20	2-1	.84	5	.53	2	.29	6	6
Wurtland	0-0	0	0-0	0	1	.44	0	0	3	1
Unit Plants	0-0	0	1-0	1.25	6	2.92	3	1.92	8	2
Plant Total	5-9	.13	6-5	.14	131 ¹	.63	78	.53	288	160
Jackson Lab	0-0	0	0-0	0	5	.48	4	.55	9	2
Exp. Stn. Lab	0-0	0	0-0	0	4	1.38	2	.98	4	3
Chestnut Run Lab	0-0	0	1-0	1.13	0	0	0	0	1	0
Adm. & Mktng.	0-0	0	0-0	0	22	1.36	8	.69	1	0
C&P Total	5-9	.11	7-5	.14	162 ¹	.68	92	.54	303	165
Antioch	0-2	.47	0-2	.65	6	.72	6	1.00	26*	20**
Beaumont	0-1	.07	2-0	.18	5***	.20	5	.26	14	12
Colorquim	2-0	.49	0-0	0	6	.89	3	.57	12	5
PRQ	0-0	0	0-0	0	4	.41	10	1.31	3	1

*Includes 6 MTCs from C&P operations.

**Includes 1 MTC from C&P operations.

***Includes 1 OTJ from C&P operations.

LWC AND RWC DESCRIPTIONS

Chambers	July 15, 1981	RWC	Finger laceration
Repauno	July 22, 1981	Fatality	Thermal Burns
Repauno	July 22, 1981	LWC	Thermal Burns
Niagara	Aug. 4, 1981	LWC	Thermal Burns
Repauno	Aug. 17, 1981	RWC	Finger laceration
Niagara	Sept. 19, 1981	RWC	Thermal Burns
DeLisle	Sept. 23, 1981	RWC	Broken ankle
James River	Sept. 25, 1981	LWC	Thermal burns
DeLisle	Sept. 28, 1981	LWC	Eye abrasion

DUP 1013624

SAFETY SURVEYS

Complete surveys were made at Fort Hill (Fair), Fortville (Good) and Pineville (Good) and at Antioch (Excellent) and Colorquim (Good). A special emphasis survey of employee work practices (Good) and emergency preparedness (Excellent) was conducted at DeLisle. Principle survey findings are summarized below arranged by categories common to the S&FPD survey system. The most recent survey ratings for all plants are summarized on a separate chart.

Safety Administration criticisms centered on the need for improved safety communications to contractors.

Process Hazards Management programs were found to need more thorough documentation of training and equipment inspections, especially relief valves and safety interlock testing. Process hazards reviews should be more comprehensive with more complete documentation of evaluations. For Training and Job Cycle Checks, there is a need to document "as found." Off shift audits were recommended as well as more emphasis on auditing high risk jobs.

Safety in the work Environment and Employee Work Practices were rated good as regards use of protective equipment but in some instances sites were delinquent in observation of safety rules. Improved observation by supervision was recommended. Maintenance work needs more careful safety planning.

Emergency Control was judged ineffective with regards to contractor communications. This is needed especially to insure that maintenance employees are aware of appropriate actions for the area in which they are working. Also, emergency action plans need to be reviewed more effectively with employees. Also cited was the need for better documentation of the testing of emergency equipment that is checked less frequently than daily or weekly.

PROCESS HAZARDS MANAGEMENT (PHM)

The PHM audit program included one-day visits by a Production Manager and a member of E&RA Staff to Cleveland, Niagara, Newark, Houston, East Chicago and Toledo. Fourth quarter audits are scheduled at Repauno, Chambers, Healing Springs, Grasselli, Newport, Deer Park and Memphis.

Schedule and accomplishment data are shown on two following pages for both forecasted and unforecasted Process Hazards Reviews at major plants.

DUP 1013625

SURVEYS & AUDITS
CAMP SITES

Location	SAFETY			OCCUPATIONAL HEALTH			RHYTHM		MEDICAL		
	Last Survey Mo/Yr.	Rating	Next Survey Mo/Yr.	Last Survey Mo/Yr.	Rating	Next Survey Mo/Yr.	Last Survey mo./yr.	Rating	Last Audit mo./yr.	Rating	Next Audit mo./yr.
Chambers Works	11/80-SE 1,2	G,E	12/81	3/80	Good	12/81	3/79	Good	1/81	Good	
Cleveland	6/80-SE, 1,2	Good	11/81	9/79	Exc.		2/80	Good	9/81	Above Avg.	4Q/81
Deer Park	9/80	Good		11/80	Exc.		2/81	Poor	5/80	Good	
Del Isle	8/81-SE, 2,3	G,E		8/80	Good		7/80	Good	2/81	Above Avg.	
East Chicago	3/80-C	Good	12/81	3/81	Good		9/80	Good	9/81	Avg.	
Edgemoor	12/80	Good		3/81	Exc.		9/79	Exc.	4/81	Above Avg.	
Florida	12/80-SE 1,2	E,E		2/80	Good	12/81	7/79	Exc.	1/80	Good	4Q/81
Grassell	4/81	Good		8/80	Good		9/81	Exc.	6/81	Avg.	
Johnsonville	2/81-SE 1,2	F,G		5/81	Good		9/81	Good	3/81	Above Avg.	
Memphis	6/81-SE 1,3,4	G,E,G		1/80	Exc.		5/81	Exc.	3/81	Above Avg.	
Newark	10/80, 1,2,5	Good		1/81	Good		8/81	Good	6/81	Above Avg.	
Newport	2/81-SE 1,2,3	G,F,G		3/81	Exc.		5/78	Good	7/81	Above Avg.	
Niagara Falls	3/81-C	Good		9/79	Fair		9/80	Good	10/81	Above Avg.	
Rapauo	5/81-C	Good		8/79	Good		3/80	Good	5/81	Good	
Wurtland	8/80-SE 1,2	G,F		10/80	Good		9/81	Exc.	8/81	Avg.	
Augusta	10/79-C	Good		9/80	Exc.		2/81	Good			
Burnside	1/81	Good		2/80	Good	12/81	10/79	Good			
Fort Hill	9/81-C	Fair		10/81	Good		9/81	Fair			
Fortville	9/81-C	Good		4/80	Exc.		2/80	Good			
Healing Springs	2/80-C	Good		3/81	Good		6/79	Exc.			
James River	11/80	Good		10/80	Good		9/81	Good			
Pineville	7/81-C	Good		7/80	Exc.		10/79	Fair			
Toledo	4/80-SE 2,3	E,G		3/81	Good		10/81	Good			
Jackson Lab	12/79-SE	Good		See Chambers			See Chambers				
Antioch	8/81-SE 1,2	Exc		8/81	Exc.		8/79	Good			
Baumont	11/79-SE 1,2	G,E	11/81	5/81	Good		5/80	Exc.			
Coltquim	7/81-C	Good		3/80	Good		11/79	Exc.			
PRQ	5/81-C	Good		8/81	Good		3/80	Good			

*C = Complete
SE = Special emphasis
SA = Special Assistance

(1) Process Hazards Mgt.
(2) Work Practices
(3) Emergency Control
(4) Work Environment
(5) Administration

11/6/81
WHD

DUP 1013626

DU 053729

PROCESS HAZARDS REVIEWS
MAJOR PLANTS; EXCL. CHAMBERS WORKS

Plant	Forecasted PHR's						Unforecasted PHR's					
	Number Started		Number Completed		Number Started		Number Started		Number Completed		Number Completed	
	Sched.	Actual	Sched.	Actual	Sched.	Actual	Sched.	Actual	Sched.	Actual	Sched.	Actual
	Cur. Qtr.	YTD	Cur. Qtr.	YTD	Cur. Qtr.	YTD	Cur. Qtr.	YTD	Cur. Qtr.	YTD	Cur. Qtr.	YTD
Cleveland	1	2	0	3	0	3	0	3	0	0	3	4
Deer Park	5	7	3	3	0	0	0	0	0	0	0	0
DeLisle	3	5	3	5	5	5	1	1	1	1	1	1
East Chicago	1	1	1	1	1	1	0	0	0	0	0	0
Edge Moor	0	4	0	0	0	2	0	2	0	0	0	0
Florida	1	1	0	0	0	0	0	0	0	0	0	1
Grasselli	0	1	0	0	0	2	0	0	0	0	0	0
Johnsonville	2	2	0	0	0	2	2	2	2	2	2	2
Memphis	2	17	6	11	4	9	1	1	0	0	0	0
Newark	4	8	4	8	0	4	0	0	0	0	0	3
Newport	7	22	1	12	0	9	1	11	1	11	1	11
Niagara	0	4	0	2	0	0	1	2	0	0	0	1
Repauno	0	3	3	6	2	4	1	3	1	1	1	2
Wurtland	1	2	1	2	1	2	0	1	0	0	0	1
Antioch	4	8	0	4	1	1	0	0	0	0	0	0
Beaumont	2	4	1	3	1	3	0	0	0	0	0	0
TOTALS	33	91	20	73	23	60	19	47	7	31	8	26

DUP 1013627

CHAMBERS WORKS

1981 PROCESS HAZARDOUS REVIEWS

STATUS AS OF OCTOBER 1, 1981

	POLYMER PRODUCTS	"FREON"	PETCHEM	SPEC. CHEM.	AROMATICS	MECHANICAL	UTIL./ LOG.	ACCTG.	TOTAL
Original Schedule	10	13	17	44*	11*	0	5	0	100
Cancel or Reschedule	0	1	0	9	1	0	3	0	14
New Schedule	10	12	17	35	10	0	2	0	86
Started	10	10	13	31	10	0	2	0	76
Studies Complete	2	5	7	8	2	0	2	0	26
Follow-up Complete	0	1	4	6	1	0	2	0	14
Unsched. Substantial	5	3	12	17	14	0	3	0	54
Unsched. Substantial Follow-up Complete	1	1	7	9	7	0	3	0	28
Total Conducted (5+7)	7	8	19	25	16	0	5	0	80
TA/TM Review	0	4	0	34	39	0	4	0	81
Open Rec. Sched. Rev.	19	22	2	5	7	0	0	0	55
Open Rec. Unsched. Sub. Rev.	0	0	0	8	27	0	0	0	35

% Started - (4)/(3) = 76/86 = 88
 % Completed - (5)/(3) = 26/86 = 30
 % Follow-up Completed - (6)/(3) = 14/86 = 16
 % Substantial Reviews Completed - (9)/(3) = 80/86 = 93

DU 053731

DUP 1013628

Specialty Chemicals transferred from Specialty Chemicals to Aromatics.

ady:grg

TERP INCIDENTS

The 19 TERP incidents in the third quarter were higher than the 14 in the second but the trend of both total and non-accident related incidents continued at less than 50% of the 1980 rate.

	<u>3rd Qtr. 1981</u>	<u>Previous Qtr.</u>	<u>Same Qtr. Last Year</u>	<u>YTD 1981 Annualized</u>	<u>Total 1980</u>
Accident (and other carrier caused incidents)	11	5	17	40	80
Non-Accident Related Incidents	8	6	12	25	60
Other	<u>0</u>	<u>3</u>	<u>9</u>	<u>5</u>	<u>28</u>
TOTAL	19	14	38	70	168

RHYTHM INSPECTIONS

During the 3rd Quarter seven plant sites were inspected: Grasselli and Wurtland were rated "Excellent;" Newark, James River, New Johnsonville and Toledo, "Good;" and Fort Hill, "Fair." The Export-Sales Order Center activity was also inspected and received a "Good" rating.

CORPORATE AND DEPARTMENTAL PROGRAMS AND STUDIES

Chlorine Handling - All of the sixteen C&P sites handling chlorine have analyzed the Survey Report, designated coordinators with responsibility for liaison with a Wilmington Ad Hoc Committee member and commenced implementation programs. Those sites handling chlorine in bulk quantities (vessels larger than ton containers) generally have organized their program efforts under the direction of a plant committee headed by a member of production management. The Survey Report has been well received and we strongly commend the responsive and dedicated programs being carried out by plant personnel. The attached chart documents by program element for each plant, except Altamira, the status of accomplishment to date and the committed schedule for completion of all programs.

DUP 1013629

PERS - Personal Environment Record System - All 13 major plants are reporting data to the Corporate system on a routine basis. Twelve report on 100% of wage roll. A procedure for unit plants has been set up and tested which should be fully operable by year end. Data collection for this system is practically routine.

Newport Health and Mortality Studies - A program is being set up to communicate the results of the studies to employees in late November or early December. (No evidence of work-relatedness has been found for any health problems.) Timing depends on receipt of final reports from Medical.

Newark - Chromate Pigment Epidemiology Study - No questions have resulted from the employee communication of the results of the study, nor has it been raised as a union issue. Dr. Louria's paper describing the study will appear in the Archives of Environmental Health in six months to a year.

Repauno - Benzene Epidemiology Study - Tabershaw, the original contractor for this study, was terminated by the CMA management committee because of his staffing problems. Arrangements are being made for a successor.

Formaldehyde Epidemiology Studies - Two studies are involved. The Du Pont-only study is in the data collection stage. The National Cancer Institute - WESTAT industry wide study, in which Du Pont is participating, includes Toledo-C&P and Parlin and Rochester-Photo Products. Representatives of NCI/WESTAT/Du Pont met in October to cover available Du Pont records.

Asbestos Program - Data submitted by the plants in answer to the Corporate Medical Division request have been forwarded for Medical's review.

Asbestos-related abnormalities have been found in about 3% of C&P employees and 7% of the pensioners examined but fewer than 20% of these cases have been symptomatic. One malignancy was found in an employee and six in pensioners.

The C&P film, "Caring About: Asbestos" has been viewed and Wilmington area plant observers feel it is exceptionally well done. It will be available for distribution to the sites in January when accompanying training materials are printed.

Forklift Truck Training Film - The videotape training film has been completed and was presented at the C&P Safety Supervisors' Meeting in DeLisle on November 18.

Protective Clothing - A survey of available acid and alkali resistant clothing is being carried out and additional testing is being undertaken by C&P. Results should be available by year end.

DUF 1013631

LITIGATION

During the third quarter, ten actions involving claims for injuries or damages arising from manufacturing or transportation incidents were added and eight were settled at a cost of \$68,988. There were 98 actions outstanding at the end of the quarter, up from 81 at the beginning of 1981. Some of the more significant of these are tabulated on the next pages; claims for asbestos-related disease figure prominently.

In the Hartman action, nine married couples alleged that Du Pont manufactured "Alpha-naphthylamine and Beta-naphthylamine, and other cancer producing chemicals" and sold such products to American Cyanamid, the employer of the nine plaintiff-husbands. The case was closed when Du Pont agreed to pay each of the nine claimants \$6222 (total of \$55,998).

In Lenher, plaintiffs alleged that the husband's colon cancer developed from or was aggravated by exposure to unspecified chemicals produced by four named defendants and others. The exposure occurred between November 1959 and June 1967 while he was employed by West Jersey Paper Manufacturing Co. at Camden. Lenher was closed when Du Pont contributed \$2,500 toward a \$45,000 settlement.

The case of Howard Jones, a truck driver for Matlack Corporation, who alleged that he suffered thermal burns of the left arm and left side of his body when he was splashed with phthalic anhydride during unloading operations at the Newport plant was closed when Du Pont agreed to pay \$4,000.

Johnson, one of ten Beaumont leukemia actions, was dismissed as to Du Pont.

REGULATORY ACTIVITIES

OSHA Inspections

Tennessee OSHA completed its investigation into the Memphis cyanide related fatality and found no cause for issuance of a citation.

Niagara Falls was visited in August by OSHA in August in response to an employee complaint alleging failure to install "feasible" engineering controls to reduce sodium shop chlorine levels to below the OSHA 1 ppm ceiling limit. OSHA returned in the fourth quarter to do sampling and although the chlorine levels exceed the ceiling, no citation will be issued because employees are protected by personal protective equipment.

Newport had an OSHA general site health inspection in October prompted by an employee complaint regarding lunchrooms. The inspection is continuing, with no significant findings to date.

DUP 1013632

LITIGATION

CLAIMS FOR INJURIES OR DAMAGES ARISING FROM MANUFACTURING OR TRANSPORTATION INCIDENTS

<u>Litigants</u>	<u>Damages Sought</u>	<u>Description</u>	<u>Status</u>
<u>Personal Injury - Du Pont Employee</u>			
Rafferty vs. Du Pont et al (4 Defendants)	\$4MM	Death resulting from still explosion at Chambers Works	Du Pont has been dismissed based on Workers' Comp. One defendant has cross claim against Du Pont, but has delayed bringing to trial.
Millison et al vs Du Pont et al. 6 plaintiffs, 18 defendants	\$2MM each	Injuries resulting from exposure to asbestos at Repauno and Chambers Works	Depositions of physicians underway. Summary judge- ment is sought by Du Pont.
Nutt et al vs Du Pont et al. 3 Plaintiffs, 13 Defendants	\$2.25MM	Injuries resulting from exposure to asbestos at Newport	No decision from appeal to Del. Supreme Court barring suit. Plaintiff seeking to add 3 plaintiffs; suspended as to Du Pont.
Sneathen & Sneathen vs Pacor et al. 13 Defendants	> \$10M	Injuries resulting from exposure to asbestos at Repauno and Chambers Works	Du Pont asserts defense based on workers' Comp. bar.
Rickards vs A.C. & S. Co. et al.	Unspec- ified	Exposure to asbestos at Edgemoor	Awaiting appeal in Nutt et al. Plaintiff seeking to add another employee and wife. Discovery underway.
Taylor et al. vs Du Pont, 41 Plaintiffs	Unspec- ified	Exposure to asbestos at Repauno and Chambers Works	Dismissal sought based on Workers' Comp. bar. Awaiting decision in Millison, et al.
Wolfson vs Du Pont, 20 defendants	> \$10M	Exposure to asbestos at Repauno	Dismissal sought based on workers' Comp. bar.
<u>Personal Injury - Carrier's Employee</u>			
Brunson vs Du Pont	\$600M	Chronic exposure to formaldehyde, methanol, H ₂ O ₂ and OMS shipped from Grasselli.	Interrogations answered. Medical reports indicate condition due to chemical exposure.
Dillon vs Du Pont & Leaman Tank Lines	\$3MM	Exposure to TMA while unloading at Memphis	Deposition by Memphis operators state plaintiff failed to open valve. Trial in 11/81.
Sanitate vs Du Pont	Unspec- ified	Sprayed with "Hylene" while loading truck	Discovery proceeding.

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<u>Litigants</u>	<u>Damages Sought</u>	<u>Description</u>	<u>Status</u>
<u>Personal Injury - Contractor's Employees</u>			
Crielly vs Du Pont	\$250M	Alleges injuries at Niagara Plant during dismantlement.	Plaintiff asked for \$6M. Settlement underway.
Dyer vs Du Pont	\$500M	Injured when beam fell during Delisle construction.	Depositions underway.
Hoskins & Lowery vs Du Pont, 2 actions	\$50M each	Injured when acid fell while working at Memphis	Settlement discussions underway.
Jenkins vs Du Pont	\$100M	Exposure to Cl ₂ at Delisle	Defense strategy being developed.
Jones & Jones vs Du Pont & Hankels & McCoy, 4 actions	\$10M	Death and injuries from exposure to energized power line at Newport	Taking depositions.
Lockwood & Lockwood vs Du Pont	\$200M	Injured while cleaning TiO ₂ slurry car at Edge Moor.	Discovery continues. It is alleged that use of goggles rarely enforced.
Sylvester vs Du Pont	\$1M	Injured in fall at Delisle	Discovery underway.
Williams, et al vs Du Pont	\$5.75M	Death by suffocation in vessel at Deer Park (Syngas)	Harron and Jones cases to be consolidated in Texas State Court, seeking dismissal of National Distillers, Inc. and omitting B&R from litigation.
<u>Personal Injury - Other</u>			
Adkinson, et al vs BFI, et al	\$20M Comp. \$10M Pun.	Class action alleging negligence in spreading NB + CN wastes on roads.	BFI has agreed to accept Du Pont's defense. Seek to move case to Harris County (Houston).
DuBoise, et al vs BFI, et al	\$20M Comp. \$10M Pun.	Class action alleging negligence in spreading NB + CN wastes on roads.	BFI has agreed to accept Du Pont's defense. Seek to move case to Harris County (Houston).
Fleming vs International Container Services et al, 6 Defendants	\$750M	Exposure to HF fumes as employee of shipping company	Du Pont answered interrogatory. Du Pont's taking of depositions quashed; plaintiff in jail.
LaPoint vs Hooker, Du Pont, et al, 9 Defendants	\$15M	Exposure to toxic chemicals from Love Canal	Amended complaint filed. Du Pont denied responsibility.
Mulliner & Mulliner vs Browning Ferris et al	\$875M	Exposure to NB fumes during fire training in Beaumont	BFI is defending for Du Pont. Plaintiff retained additional counsel. No trial soon.
Beaumont Leukemia Cases 9 Plaintiffs & 9 actions Multiple defendants	\$75M	Exposure to benzene and other agents caused leukemia	Discovery is underway. Trial scheduled for 1/82.
<u>Property Damage</u>			
Olin vs Southern Pacific, et al	\$629M	Du Pont loaded contaminated T/C with DNT which caused reactors to plug.	Local counsel retained. Du Pont not prime target.
VY-DAL Plastics vs Du Pont	\$150M	Equipment damages from contaminated TiO ₂ .	Counsel retained.

OSHA - Hearing Conservation Amendment - On August 22, a revised OSHA Hearing Conservation Amendment went into effect. The Amendment incorporated many of the substantive changes requested by Du Pont. The Amendment is more closely in line with Du Pont's hearing conservation program and thus poses far less impact than an earlier version. All C&P plants have received a compliance package to assist in implementing the Amendment. C&P has assisted in Legal's comments on the Amendment. Further proposals by OSHA on unresolved matters such as significant threshold shift are expected by early 1982.

A revised Du Pont guideline to physicians and engineering standard covering hearing conservation are expected to issue in early 1982. Sites should review their medical practices.

Other OSHA Health Standards

- The reopening of the carcinogen regulations is expected shortly.
- The proposal to "stay" the promulgation of the priority list is expected shortly.
- OSHA is expected to review its "control requirements" lead standard.
- The OSHA labeling proposal is anticipated to be published in December. Considerable simplification from early proposals is expected.
- Access to Medical Records is still being worked on by OSHA. The 5th Circuit Court of Appeals recently unanimously held that OSHA's Access to Medical Records Rule is a regulation and not an administrative "standard." The effect of this ruling is to expand potential lawsuit jurisdiction from the D.C. Court of Appeals to any Federal District Court.
- Chrome and nickel continue on OSHA's priority list for regulation, and considerable political pressure is being placed on OSHA to regulate formaldehyde, ethylene oxide, and ethylene dibromide. However, since regulation of all of these is dependent on establishment of a final carcinogen policy and there is no clear evidence of significant hazard, requests for Emergency Temporary Standards have been rejected and rulemaking is not expected until well into 1982.

State "Right-to-Know" Legislation

In the absence of strong federal "labeling" regulations, state and local right to know activities are proliferating. At least 13 states are involved. New York's legislation exemplifies these. MSDS type information on NIOSH substances must be made available to employees in writing on request. The employer is responsible to obtain information but the manufacturer must provide it if he ships, sells or transports in the state. A training program is required. OSHA air contaminants handled by employees must be listed and records held for 40 years. C&P is working with Legal to eliminate the more onerous regulations being formulated by the Department of Health to implement this legislation.

TOXICITY AND PRODUCT HAZARDS

CORPORATE MATERIAL SAFETY DATA SHEET PROGRAM

Continuation of this program has been suspended until certain key issues on scope and content are resolved. The program was originally conceived to insure that pertinent safety, health protection and toxicological information on chemicals used by more than one department at several sites was consistent. Since the large number of multi-site chemicals involved would have seriously strained resources, the effort was to be restricted to large volume (>1MM lbs/yr) chemicals with significant exposure potential. However, in implementation, the program exceeded this mandate with considerable loss in data quality. C&P has assumed the lead role in revising the corporate MSDS program while the Product Environmental Committee investigates the extension of this program to include the Company's products. Once the MSDS program is reinitiated, plants will be required to use the corporate sheets as their sole reference for health protection information unless a process chemical has varying compositions, in which case vendors' MSDSs may be used as reference guides.

HASKELL TESTING HIGHLIGHTS

Dimethylether. The inhalation teratology study on DME has been completed and a report issued. No teratogenicity was observed up to the test exposure level of 4% DME in air. Since minor embryo fetal effects were observed between 2 - 4%, Haskell has set the exposure threshold at 1250 ppm. This is unlikely to affect the product's end-use application as an aerosol propellant but further inhalation studies are planned by Petrochemicals.

Tetrahydrofuran. The completed inhalation teratology study showed no gross effects. However, final conclusions must await completion of histopathology which is expected by 1Q82.

Titanium Dioxide/Titanium Tetrachloride. Rats exposed to TiO_2 and $TiCl_4$ atmospheres in a 2-year chronic inhalation study were sacrificed last June and July. No significant gross effects were observed at sacrifice but final conclusions must await completion of histopathology. Goal dates are August 1982 for TiO_2 and February 1983 for $TiCl_4$.

Perfluorooctanoic Acid. The fetal ocular lens abnormalities observed by 3M in its teratology study on ammonium perfluorooctanoate (C-8 acid, FC-143) have now been confirmed as arising from an artifact of the experimental procedure employed in histopathology. Questioning of the effect by Haskell led to a reexamination of the tissue slides by 3M and Du Pont teratologists and a confirmation of their revised opinion by two independent pathologists. A meeting between 3M and Du Pont is scheduled for mid-January 1982 following completion of a rabbit teratology study by 3M. At this time, a final conclusion will be reached and a

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follow-up to EPA on 3M's earlier Section 8(e) Notification developed. In the absence of any teratogenic effects, the future of Du Pont's candidate fluorosurfactants to replace FC-143 in PTFE manufacture hinges on their relative nontoxicity as assessed by fluoride accumulation in blood.

CIIT TESTING PROGRAMS

Final reports on the aniline hydrochloride and dinitrotoluene 2-year chronic feeding studies in rats and mice are being prepared. Also the final draft of the report on the 2-year chronic inhalation study on formaldehyde is under internal review. The 6-month sacrifice in the 2-year chronic inhalation study on dimethylamine was completed last month. The study is on schedule and an interim report is expected early next year. The 2-year chronic inhalation study on chlorine in rats and rhesus monkeys is in its startup stages. The test will be contracted out by CIIT. Finally, a protocol for the conduct of a 90-day subchronic inhalation study on nitrobenzene in rats is under preparation.

CHEMICAL REGULATION

TSCA Inventory revisions for C&P's Dyes has been accepted by EPA. Our initial submittal of a detailed review of Colored Pigments listings has shown several discrepancies and detailed review of all C&P's product line is being considered. A second submittal of revisions is under consideration by the agency. We are attempting to complete this task with a third submittal, which is now almost completed.

European Economic Community 6th Amendment, affecting the marketing of new chemicals, took effect September 18. Despite many uncertainties, lagging implementation in member states and some doubt by many of those affected, the EEC remains certain that notification requirements for new chemicals will start up in 1982. Nevertheless, certain member nations such as Italy and Ireland have apparently done nothing at all to implement the Amendment, and the law in France (in effect since 1977) differs significantly from the 6th Amendment.

On a related matter, the EEC core inventory (ECOIN) is now unofficially available. The official date of publication is still reported to be December 15, 1981, when it is targeted for publication in the Official Journal of the EEC. It is also reported that a computer tape version will become available from Chemical Abstracts. C&P will have nine months from the date of official publication to make corrections, additions, etc., to correctly reflect all products sold before the September 15, 1981 deadline. It is also said that an additional three months will be allowed for late submissions.

DUP 1013637

ENVIRONMENTAL PROTECTIONENVIRONMENTAL INCIDENTS

<u>Plant</u>	<u>Major</u>	<u>Serious Potential</u>
Antioch	0	1
Augusta	0	0
Beaumont	0	0
Burnside	0	2
Chambers Works	0	11
Cleveland	0	4
De Lisle	0	2
Deer Park	0	0
East Chicago	0	0
Edge Moor	0	0
Florida	0	0
Fortville	0	0
Fort Hill	0	1
Grasselli	0	1
Healing Springs	0	1
James River	0	0
Memphis	0	3
New Johnsonville	0	3
Newark	0	2
Newport	1	3
Niagara Falls	0	3
Pineville	0	0
Repauno	0	3
Toledo	0	0
Wurtland	0	0
3rd Q'81 Total	<u>1</u>	<u>40</u>
2nd Q'81	0	48
1st Q'81	0	41
4th Q'80	0	46
4th Q'Total	<u>1</u>	<u>175</u>
Year 1980	1	220
Year 1979	11	199

The one major incident was the first in the past year. The forty serious potentials hopefully reflect a return to the former diminishing trend line. The following are descriptions of the major incident and others of note involving agency contacts, community complaints or otherwise of concern.

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Majors

NEWPORT - A major fume release was caused by the overflow of a sulfur chloride storage vessel during a filling step. Three community complaints resulted. Operating errors resulted in an excessive inventory in the system. Procedures have been implemented to prevent a recurrence. The incident was reported to the State, which filed a formal complaint and levied a \$1,000 fine.

Serious Potentials

DE LISLE - Fumes from two separate $TiCl_4$ releases carried off-site. The first resulted from a gasket failure, and the second occurred when a plug in a sample line was cleared and the valve could not be closed. There were no adverse health or environmental effects. Both were reported to State authorities.

NEW JOHNSONVILLE - A fume release occurred during the washing of No. 1 SR tank. The release had no environmental impact. The authorities were notified and responded as if it were a major chlorine release.

BURNSIDE - Over a period of several days, about 250 tons of sulfuric acid leaked into the Mississippi River from a Du Pont barge while it was in the charge of the fleeting operator. There was no apparent environmental damage to the River. A Superfund notification was made, and the incident was reported to the State and Coast Guard.

EAST CHICAGO - A spill of about 4,000 gallons of fluorosulfonic acid occurred in a derailment incident at Bridgman, Michigan. Approximately 2,500 people were evacuated from the path of the dissipating fumes. We reported it to the EPA as a TSCA Section 8(e) emergency incident of environmental contamination. Approximately ten people received precautionary medical treatment. This event is not tabulated in our statistics because it was a totally railroad related TERP incident.

HEALING SPRINGS - Approximately 100M lbs. of formaldehyde spilled on the ground as a result of failure of a pressure relief valve to reseal. An estimated 50 gallons (500 lbs.) reached an adjacent creek killing a few fish. The incident was reported as a Superfund release, and the State was informed. The authorities were satisfied that there was no significant threat to health or environment. Corrective actions are being taken to prevent a recurrence.

MEMPHIS - A release of trimethyl amine occurred during the washing of a process tank. It resulted in a community odor complaint.

DUP 1013639

REGULATORY ACTIVITIES

Water

In Kaiser Aluminum and Chemical, et al. vs. Costle, EPA expects to publish a proposed pH excursion allowance in October. There has been no comment from EPA as to their acceptance of industry's proposal for minimum daily pH compliance of 85% and average monthly compliance of 99% as determined by continuous monitoring.

Air

The Administration issued a statement of principles, rather than proposed amendments to the Clean Air Act. In the absence of definitive proposals, Congress will maintain the lead role. In any event, we expect to see some changes to speed the permitting process and reduce associated costs. However, major changes are not likely because Congress believes that such changes would be perceived by the electorate as a "gutting" of the act. Because of such concerns, congressional action has been slow, and a new or amended Clean Air Act is not likely to emerge before March or April of 1982.

In Du Pont, et al. vs. EPA, the court has ruled in favor of EPA, thereby letting stand the 0.12 ppm ozone limit vs. Du Pont's and industry's request for a relaxation to 0.25 ppm. The case may be appealed to the Supreme Court. Because of the annual cost to industry as estimated by EPA (approximately \$4 Billion/year), Congressional Clean Air Act amendments or the Reagan Administration action may relax this standard.

FLORIDA has developed the additional information requested by EPA for the proposed New Source Performance Standards covering the mining industry. The information includes: cost of equipment maintenance over the period 1977-79, frequency of replacement of components in "affected facilities" and the cost of "affected facilities" in 1981.

Waste Disposal

In an about face, EPA no longer will defer the ban on disposal of containerized hazardous liquids in landfills. EPA is expected to define a liquid as anything containing 10% or more free liquid. The ban, which becomes effective November 19, will increase C&P disposal costs by about \$400M/year reflecting use of alternative techniques such as incineration, addition of absorbents or solidification.

EPA has deferred until April 13, 1982, the RCRA financial requirements applicable to owners and operators of hazardous waste facilities. These requirements provide for liability coverage during the operation of the facility and financial assurance that applicable closure and post-closure requirements will be met.

DUP 1013640

EPA has determined that the Tennessee Hazardous Waste Management Program meets applicable statutory and regulatory requirements and has granted Tennessee Phase I interim authorization to operate the RCRA Program. Our plants will be working with the State agency rather than EPA on future hazardous waste matters.

Deepwells

The recent Underground Injection Control settlement of API, et al. vs. EPA has liberalized both the definition of groundwater and the criteria for exempting underground sources of drinking water. This should simplify obtaining future NEW JOHNSONVILLE deepwell permits.

In June, Tennessee formally declined the option to assume primacy for the Federal Underground Injection Control (UIC) program. As a result of recent discussions between Charles Jeter, new EPA Region IV Administrator, and Dr. Mike Brunner, Tennessee Dept. of Public Health, the State has agreed to reconsider its decision. Although current information indicates EPA has developed a preliminary State UIC program, no official actions have been taken by EPA.

Comments were submitted by DE LISLE to the State of Mississippi on their proposed Underground Injection Control (UIC) legislation. Our comments would bring the State's program more in line with EPA's.

PCB's

Initial quarterly inspections of PCB transformers were made and documented by plants per EPA's Interim Measures Program. C&P has 60 such transformers, principally at: Chambers Works 25, Johnsonville 14, Memphis 5, Newport 7, and Niagara Falls 3. Replacement with non-PCB units would cost approximately \$5MM. (PCB's for transformers are oils containing more than 500 ppm PCB.)

Signs of vigorous enforcements by EPA further illustrate the importance of site self audits to insure compliance with storage, marking, recordkeeping and inspection requirements.

PLANT ACTIVITIES

Self-Audits

MEMPHIS, NEW JOHNSONVILLE AND DE LISLE RCRA facilities and records were recently audited by E&RA. Deficiencies were minor.

DUP 1013641

Inspections

EPA made an "unannounced" PCB compliance inspection of CHAMBERS WORKS. PCB annual reports, storage areas and transformers were checked. A return visit was made two weeks later to inquire into former AAQ production and its PCB content. Also, the inspectors sampled selected heat transfer media. We are responding to EPA's continuing questions.

The Mexican Environmental Agency conducted a radiation survey on August 13 of ALTAMIRA's ore storage building, settling ponds and outfall line. Beta and gamma readings ranged from 0.1 to 0.4 mR/hr.; these levels about two times background, pose no health risk. However, we believe the survey results are inaccurate because no alpha radiation was detected, contrary to our experience at our U.S. sites. Two weeks later, the Mexican Nuclear Safety Commission took various samples for evaluation of the types and sources of radiation. Their work, as yet, has not been completed.

Litigation

Save-The-Bay (STB) vs. Corps of Engineers, et al. A hearing before Judge Cox scheduled for November 5 on STB's motion for discovery has been deferred to a date yet to be specified. We have supplied requested information relative to land use between the railroad track and I-10, but we have opposed STB's request for detailed information on plant environmental incidents. The hearing among other things will resolve STB's request for such information.

Water

That part of DE LISLE's NPDES permit addressing deepwell injection will be modified by the State, per our request, to reflect the Fe, Cr and V content of the ore and the ore consumption rate. These liberalizations are needed to allow the plant to achieve compliance consistently. Public notice is expected in late October.

Most of EDGE MOOR's requests for revised NPDES permits have been agreed to by the State of Delaware with Delaware River Basin Commission concurrence. We have advised the State that the iron limit should be raised from 2 to 3.5 ppm, and that we will not oppose the special six month sampling program designed to establish maximum discharge limits.

CHAMBERS WORKS was assessed the minimal \$500 fine by the Coast Guard for a May, 1981 oil spill. Although the spill occurred in the powerhouse, it ultimately reached the Delaware River.

At NEWARK, the pH neutralization system overflowed causing about 3,000 pounds of colored solids in a wastewater slurry to be deposited on the ground, half within the plant fence line and half without. The overflow was caused by excessive surface drainage being collected in the wastewater system during a heavy rainstorm. Plant procedures are being stressed to avoid future situations.

DUP 1013642

Because the mixture is a RCRA hazardous waste, the overflow was reported under Superfund. A follow-up visit was made by the Coast Guard, which concluded that the matter was not under their jurisdiction because the spill did not enter a waterway.

NEWPORT notified County authorities that effluent pH fluctuations were likely to occur as a result of the temporary outage of waste neutralization facilities for annual maintenance. The potential for adverse effects to County facilities was minimal due to the reduced flow conditions during the plant shutdown.

A fish kill in the REPAUNO sand ditch, caused by high pH waste from a clean out in the sodium nitrite area, was observed by New Jersey Environmental personnel. There was no fish kill off plant or pH violation at the sand ditch outfall. The N.J. personnel were concerned. Cleanout procedures are being studied to avoid future incidents. However, we do not believe that this situation is subject to State or Federal regulations. Legal concurs.

EAST CHICAGO received State approval to use "Bromcide" instead of sodium hypochlorite for microbiological control of the sulfuric acid unit cooling tower water.

FORT HILL was advised by the Ohio EPA of its willingness to grant a five-year NPDES permit without requiring a new application. However, the matter of pH excursion limits is still unresolved, and the State has asked for plant performance data to characterize pH control of effluent water.

The MEMPHIS plant study of sewer capacity showed that a restriction exists in the City's interceptor sewer. The City is scheduling an inspection of the line. The restriction reduces plant flexibility for handling peak storm water runoff and process upsets. Also, discussions were held with City officials regarding possible higher effluent volumes of ammonium sulfate waste. The ACRN area is evaluating a more efficient catalyst that would result in more ammonia bleed through. Incineration, the current disposal method for this waste would be too expensive. Recovery of the ammonium sulfate for fertilizer, with sewerage capability as backup, appears to be the most promising alternate.

Air

The CHAMBERS WORKS "bubble plan" for complying with the SIP was approved by EPA and New Jersey on August 27. Also, New Jersey is proposing to redefine "volatile organics" exempting certain chlorofluorocarbons. This exemption would reduce the total emissions contained in the "bubble" eliminating the need for a \$3.5MM incinerator.

EAST CHICAGO submitted a written proposal to the State to increase SO₂ emission limits from the present 6.5 pounds per ton of acid to 17 pounds. Degradation of air quality would be prevented by increasing stack height. This is expected to reduce scrubber ingredient costs by approximately \$250M/year.

DUP 1013643

FORT HILL is pursuing authorization to relax the SO₂ emissions limit from 21 to 27 pounds per ton of acid. Both the State and EPA Region V have agreed. Remaining steps include review by the Office of Management and Budget, successful passage through a 30-day public notice period and final authorization by the EPA. This liberalization should result in cost savings of approximately \$120M/year.

JAMES RIVER completed installation of the coalescer demister required under the conditions of a variance order granted by Virginia. Initial performance was unsatisfactory, and coalescer pads of revised design will be installed in November. We expect to meet the December 15 compliance date for the demonstration of satisfactory performance.

NIAGARA FALLS air pollution permits associated with "Teracol" expansion have been favorably received by the State permit engineers. We expect written confirmation by early November.

EDGE MOOR has received a new permit for the Line II fume absorption stack. Per our request, the permit increases the SO₂ emission limit from 2.3 to 137 lbs./hr., thereby reducing scrubbing ingredient costs by \$300M/yr. This SO₂ increase was offset by reducing SO₂ emissions from the Powerhouse and other plant sources. Also, the permit contains a provision for 150 lbs./hr. COS emissions recently determined to be present in the stack plume.

NEW JOHNSONVILLE received two State Notices of Violation (NOVs) for excess opacity of powerhouse stack emissions during the first and second quarter, 1981. Information was submitted to the State for consideration in excusing the violations. Also, as part of the opacity dialogue, the powerhouse particulate emission testing was completed in July. Average emissions were 0.11 lbs./MM BTU versus an allowable 0.20 lbs./MM BTU. The test report and powerhouse stack permit renewal package will be submitted to the State by 10/30. It is hoped that these results will lead to relaxation of opacity limits as they pertain to the powerhouse stacks.

The NEW JOHNSONVILLE scrub solids kiln operating permit was covered in a public hearing held on September 29. No comments were received at the hearing, and it is expected that the permit will be issued shortly.

Waste Disposal

BEAUMONT and REPAUNO received notice that EPA intends to grant the respective plant petitions to delist aniline/nitrobenzene wastewaters from RCRA regulatory control. These delistings represent a total investment savings of about \$20MM vs. the worst compliance case.

DUP 1013644

BURNSIDE, at the request of EPA Region VI, submitted a revised Part A RCRA permit application. The new application eliminated provision for the storage of solid waste, e.g. a furnace brick and tower packing, because of such materials, we will be disposed off-site in less than 90 days.

The MEMPHIS groundwater monitoring program describing barium contaminated groundwater migration received favorable State reaction. However, they are studying impact on the 500-foot drinking water aquifer.

Information on MEMPHIS solid waste disposal practices was submitted to EPA Region IV as part of a study on hazardous materials handling. The program is the result of recent revelations on abuse of landfills in the Memphis area.

At NIAGARA FALLS, excavation, backfilling and stone grading of Gill Creek have been completed and Creek flow resumed as of November 1. We have been advised by the State that the five former disposal sites listed with the Interagency Task Force have been satisfactorily handled. The sixth site, Necco Park, was placed on the New York Superfund list and then withdrawn. The New York authorities were dissatisfied with the progress to date but they agreed to remove Necco Park from the list if we confirmed, in writing, our commitment and schedule for remedial work. That letter has been submitted. Studies of various groundwater treatment methods are in progress and negotiations with CECOS for a right-of-way to install our interceptor pumping facilities are nearing completion.

ANTIOCH has been advised by the California Department of Health Services that they must apply for a Hazardous Waste Facility Permit. Permitting will take about a year and will be handled by the Petrochemicals Department.

The State of Delaware has issued EDGE MOOR a "no enforcement" letter in response to the Bevill Amendment RCRA exemption. Du Pont Legal currently is preparing a request for a variance per earlier agreement with the State.

EDGE MOOR R&D is attempting to reduce water content of the landfilled sludge to extend the life of the Cherry Island site (a lined landfill). Two routes are promising: incorporate an additional flocculation process step to improve dewatering and/or air dry the sludge. The State has approved further large scale air drying tests outside of the lined area.

Deepwells

DE LISLE presented testimony at the Oil and Gas Board hearing on August 19 for the #4 deepwell drilling permit. There was no opposition, and a drilling permit was issued on August 20. The NPDES permit application for the well was reviewed by the Bureau of Pollution Control permit board on September 22, and public notice is expected in late October. Drilling will begin early in 1982.

DUP 1013645

NEW JOHNSONVILLE returned No. 5 Injection Well to primary service on September 9. The well had been out of service since March, 1980, for the installation of a packer annulus seal system. Well receptivity appears to be equivalent to pre-shutdown levels.

Ocean Disposal

EDGE MOOR's second trimester report covering ferric chloride sales was submitted to the EPA on September 30. Although ferric chloride sales increased 1.5% over the first trimester the percent of saleable FeCl_3 inventoried increased 4% reflecting higher TiO_2 production. The amount of ferric chloride bid on or contracted for is about 45% higher than the actual sales and increased 6.5% in this trimester.

At ALTAMIRA, the acute bioassay of the acidic ferric chloride discharge and the dispersion study of the discharge plume are in progress. The bioassay work has been slowed by lack of indigenous species in the area (due to migration with change in seasons) and will not be completed before the December 1 target date. A second dispersion sampling run of the discharge plume is scheduled for late November. Preparation of the final combined report to be submitted to the Department of the Navy should be completed by April 1, 1982.

Radiation

Additional information requested of NEW JOHNSONVILLE by the State Department of Radiological Health (TDRH) in April has been submitted. This information was to provide and/or clarify the status of the plant's rare earth exemption. Since that time, TDRH has requested all of the analytical data used for determining the Th-232 concentration of the pipe scale. This will be submitted as soon as possible.

Inspections

On July 22, ANTIOCH was visited by two regional air pollution inspectors investigating complaints of a white fallout east of the plant site. This fallout was found to be pollen. To satisfy the residents in the area, authorities set up a high volume sampler to collect this material.

BURNSIDE was inspected by Louisiana specialists for both Air Quality and NPDES Compliance. No problems were found by the air inspector. Two minor criticisms were noted in the NPDES inspection, but we have yet to receive a formal report.

NEWPORT's former Thoriated Nickel operating and disposal facilities were surveyed by a representative of the Nuclear Regulatory Commission. No exceptions were noted, but a plate of Thoriated Nickel was discovered. This plate has been transferred to the Experimental Station for disposal under their existing license.

DUP 1013646

REPAUNO was inspected by State officials on behalf of EPA for compliance with RCRA regulations. The inspectors did not appear to be knowledgeable and also refused to give us a copy of the inspection checklist. We do not anticipate any follow-up.

Miscellaneous

ANTIOCH, at the request of the Regional Water Quality Control Board, sampled several wells. Analytical results for a number of organic pollutants paralleled plant effluent composition. As a result, the State is suspicious of groundwater contamination from process spills and seepage and has requested a comprehensive plantwide sampling program. The plant is preparing a reply.

FLORIDA submitted its Land Reclamation Conceptual Plan to the State Department of Natural Resources before the October 6 deadline. In preparing the plan, Southeastern Wildlife Services, our consultant, found a colony of red cockaded woodpeckers, an endangered species and noted the widespread presence of the gopher tortoise, a species of special concern. They have submitted for our evaluation preliminary proposals for dealing with these species and for implementing the conceptual plan.

FLORIDA was contacted by the St. Johns River Water Management District authority for permission to locate an 800 ft. deepwell at HIGHLAND to monitor the level of the Floridan aquifer. The well would be part of a district-wide network. A mutually satisfactory site has been selected, and we are working through Real Estate to complete a lease agreement.

DUP 1013647

LOGISTICS, ENVIRONMENTAL & REGULATORY AFFAIRS - QUARTERLY REPORT

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