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from the desk of

ANTHONY J. DIGLIO

17 July 1979

TO: *Web Distribution*

RE: Environmental Management
Committee Minutes

A. J. Diglio

AP00025332

Chemical Manufacturers Association

Minutes of Meeting

ENVIRONMENTAL MANAGEMENT COMMITTEE

Room 404, CMA Headquarters

Washington, D. C.

June 13, 1979

Mr. C. L. Sercu, Chairman, called the meeting to order at 8:30 a.m. to take up the 22 items on the agenda mailed June 6, and such other business as was appropriate. The following persons attended:

MEMBERS PRESENT

C. L. Sercu, Chairman
J. B. Browning
J. F. Byrd
E. W. Callahan
A. J. Diglio
C. A. Gosline, Secretary
W. C. Jaeschke
L. D. Johnson
E. C. Ladd
C. P. Priesing
S. N. Robinson
R. J. Samelson
J. R. Sayers
J. P. Thorn
J. B. Worthington

AFFILIATION

Dow Chemical U.S.A.
Union Carbide Corporation
The Procter & Gamble Company
Allied Chemical Corporation
Air Products & Chemicals, Inc.
Chemical Manufacturers Assoc.
Stauffer Chemical Company
Rohm and Haas Company
FMC Corporation
American Cyanamid Company
Mallinckrodt, Inc.
PPG Industries, Inc.
Monsanto Company
Exxon Chemical Company, U.S.A.
Diamond Shamrock Corporation

ABSENT

F. B. Friedman

ARCO/Chemical Company

PRESENT BY INVITATION

D. W. Carroll
G. V. Cox*
E. B. Frost*
J. S. Matey
A. R. Mayer*
S. A. Miller*
J. P. Turner*

Chemical Manufacturers Assoc.
Chemical Manufacturers Assoc.
Chemical Manufacturers Assoc.
Chemical Manufacturers Assoc.
Chemical Manufacturers Assoc.
Chemical Manufacturers Assoc.
Chemical Manufacturers Assoc.

* Part time

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1.0 Minutes of Previous Meetings.

The Minutes of the meetings of April 7, April 23, May 3, and May 30, 1979 were approved.

2.0 Election of Vice Chairman

Upon receipt of the recommendation of the Nominating Committee, the EMC elected J. R. Sayers as its Vice Chairman for a term ending May 31, 1980.

3.0 Inter-Task Group Coordination

The need for periodic inter-task group meetings of air, water, solid waste related groups was discussed. The EMC adopted the view that a "lead" sponsor should endeavor to act as coordinator to ensure coherent policy evolution and implementation. C. L. Sercu will make the necessary arrangements.

4.0 FY 1980 Budget

The changes made in the FY 1980 budget were described. FY 1981 budget preparation will begin at the task group level in October 1979.

Procedures for authorization of outside studies and legal assistance were stated and illustrated with handouts.

5.0 Task Group and Sponsor Assignments

The current assignments and responsibilities were reported; a list is attached.

6.0 National Hazardous Waste Response Center E. W. Callahan - J. F. Byrd

On June 6, the CMA Executive Committee approved a limited pilot program to bring industry expertise to bear on bringing "failing" solid waste dumpsites under control. A new task group is being formed under J. F. Byrd's sponsorship, to work with CMA staff and together prepare detail procedures, training programs, reporting practices, operating ground rules, legal documents, etc. Under the pilot program, teams of experts will study and visit "failing" sites -- not under control of a private concern -- when asked for assistance by an appropriate state authority. Proven waste management practices would be described, but solutions would not be offered.

7.0 Siting and Model Regional Hazardous Waste

A progress report will be submitted at the July meeting.

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8.0 Solid Waste Technology Development

A progress report will be submitted at the July meeting.

9.0 Workshops on Hazardous Waste Disposal (W. C. Jaeschke)

The task group is working on final stages of plans for the six regional workshops. By the end of June, the specifics of the program content, speakers, dates and locations are expected. The major emphasis will be on technical requirements for new sites, engineering considerations and operating practices. An advance program notice will be issued at an early date. Each workshop is being planned for two days.

10.0 Aquatic Research (E. C. Ladd)

The work on biological monitoring (under a \$43,000 grant in last year's budget) at Virginia Polytechnic Institute and State University is essentially complete. A final report will be forthcoming in 60 days.

The objectives of the research proposed this year is to examine the assimilative capacity of receiving water systems and the impact of assimilative capacity on method for predictive determination of fate and effects of test compounds in natural aquatic systems.

Comments will be solicited from EMC members during the next two weeks.

During the discussion it was noted that the Chemical Industry Institute of Toxicology may be a useful resource to the task group, and also it may be interested in the above. J. S. Matey and W. C. Jaeschke will inquire.

11.0 Effluent Guidelines (E. C. Ladd)

The task group report was distributed. The highlights were reported.

11.1 EPA will be issuing a letter requesting information and data on treatability of priority pollutants using carbon, steam stripping, and biological treatment systems.

11.2 The task group submitted a draft letter to the EPA Effluent Guidelines Division for review by the EMC by June 27. The letter sets forth an alternative to the EPA building block concept, which the task group believes unworkable, and will not result in effluent limitations that will be useful in the permitting process. The alternative is to shift emphasis to a guidance document. That document would place emphasis on priority pollutants in combined raw waste loads into and exiting from in-place treatment systems.

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The discussion sparked lively debate as to whether some of the environmental action groups should be invited to review openly the above, after its submission to EPA. The consensus was that any contact should await the results of the EPA reaction

The discussion also brought forth growing concern over Best Conventional Technology being developed for other industries. The precedents being set could become important and, therefore, will be followed by the task group. The American Paper Institute is working on the matter (J. F. Byrd).

12.0 Proposed Meeting with Department of Commerce re Effluent Guideline Development (E. C. Ladd).

Because of some recent changes in the EPA Effluent Guidelines program direction, the task group believes the proposed meeting (as originally conceived) to be a low priority. The sense of the EMC is to pursue an environmental monitoring conference, but not to pursue a review of EPA effluent guideline policy.

13.0 "Ultrafund" - Chemical Spills (T. F. Burns)

- 13.1 The White House is expected to announce its bill for establishing a Superfund, which will be set at:

\$250 MM first year
\$375 MM second and third year
\$500 MM fourth and fifth year

The fee system will be based on:

3¢/barrel on oil
0.5¢/pound on petrochemical feedstocks
\$1.00/ton inorganic chemicals shipped

General revenue funds of \$100 MM per year will be provided. The fund will be applied to abandoned dumpsites, oil spills and chemical spills.

Hearings will commence during the week of June 18. Industry views will be scheduled in mid July.

- 13.2 Enforcement efforts will be increased significantly by the Justice Department and the EPA on May 30.
- 13.3 On May 30 Congressman Biaggi, Committee on Merchant Marine and Fisheries, has requested CMA assistance and views on "developing a comprehensive system of liability and compensation for hazardous substances spill damage and removal costs". It would be separate from an oil spill bill.

Support to the CMA government relations efforts will be derived from the Hazardous Chemical Spills Task Group. Mr. J. B. Browning will organize the supporting effort and augment the task group as needed. This will be coordinated with counsel.

13.4 Spill Incident Frequency

Examination of EPA data, plus information from Illinois and Louisiana, shows frequency rates in the range of 60 to 130 per year. Those rates are for less than the 3500/year cited by some EPA spokesmen. Browning will organize the effort.

14.0 Pretreatment (A. J. Diglio)

The settlement agreement between CMA and EPA concerning pretreatment regulations was filed May 31 in the District Court in Washington, D. C. The agreement favorably resolves 36 technical deficiencies that CMA challenged in the proposed regulations. As originally proposed, the regulations would have affected over half member company plants and could have induced added capital costs estimated in the range of \$600 MM. A summary of the achievements is to be assembled.

Two issues have been reserved for litigation. EPA claims the right to sample upstream of treatment installations. The other issue relates to Section 405 and penalties.

15.0 Water Quality Criteria (R. J. Samelson)

A task group report was distributed. The first act of 27 water quality criteria documents have been reviewed. Comments were forwarded to EPA. CMA also commented on the EPA carcinogen risk model. The American Industrial Health Council (AIHC) contributed to the formulation of CMA comments.

The remaining 36 documents are expected about July 1, 1979. They will be reviewed in like fashion.

Copies of the reviewers' comments will be made available to CMA members at a fixed price to cover costs.

16.0 Water Quality Standard (R. J. Samelson)

Candidates for this task group are being sought. Mr. R. J. Hanson, ICI Americas, has accepted (tentatively) the responsibility of task group leader.

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17.0 Section 308 Review

The National Pollutant Discharge Elimination System (NPDES) regulations (published June 7, 1979) do not provide for in-plant sampling under Section 308 authority. Only in exceptional circumstances will EPA seek sampling at other than discharge points.

At the July EMC meeting, CMA staff counsel will provide a compendium of issues for use of CMA members.

18.0 Hazardous Chemical Spills

The Section 311 regulations are expected momentarily. Informal checks indicate they will conform to the major agreements reached subsequent to our successful litigation last fall. Those same provisions have been incorporated in various superfund proposals.

19.0 National Chamber Foundation (C. P. Priesing)

A proposal (received concurrently by PPG, American Cyanamid, and CMA) for a study of certain air pollutant was received. The EMC VOTED to encourage member companies support, according to their individual wishes.

20.0 Environmental Economics (J. P. Thorn)

Plans for a second seminar on "economic benefits" of environmental regulations are reaching the final stage. The meeting will be held jointly with the Texas Chemical Council in Houston during early December. Emphasis will be placed on the methodology of measuring benefits, rather than "benefits" themselves. The program also will include analysis of the Houston Area Oxidant Study (HAOS).

21.0 Data Analysis Project Team (C. P. Priesing)

A system is being organized to collate the data anticipated from the Eckhardt questionnaire. Assistance from information systems personnel, electronic data processing personnel and engineers or chemists is needed. Volunteers should telephone Dr. C. P. Priesing at (201) 831-1234, extension 3951.

22.0 Clean Air Act Revision (S.N. Robinson)

22.1 Second drafts of the seven "issues papers" have been completed. Review by outside counsel was recommended. The EMC VOTED to approve a limited review.

22.2 The Environmental Economics Task Group was given the assignment of monitoring

- o cost of regulations under PSD rules
- o visibility protection

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o air carcinogen rules

- 22.3 Comments on the Plan of Study of the National Commission on Air Quality were prepared and submitted June 13. The basic plan is well organized.

The EMC VOTED its support of efforts to encourage Congress to restore the \$1,000,000 cut from the NCAQ \$6 million budget by the House Appropriations Committee.

23.0 Hazardous Waste Booklet

The CMA Public Relations Department is preparing a booklet on hazardous waste disposal.

- 24.0 A "Directory of State and Local Ennergy/Environment Agencies - 1978" is available. Copies will be made available at a price to recover costs.

25.0 Process Emission Regulation Task Group (L.D. Johnson)

- 25.1 EPA has reduced the number of Control Technology Guidelines for individual volatile organic compounds. Instead, the Agency will be preparing standards for unit operations such as drying, distillation, condensation etc. This is the approach initially urged by the task group upon the Office of Air Quality and Standards. The 40 CTD documents will form the basis of the "unit ops" guidance standards.

- 25.2 W. M. Reiter (Allied Chemical Corporation) has been appointed to the National Air Pollutant Technical Advisory Commission.

- 25.3 EPA Region VI is using the October 1978 draft fugitive emission regulations from Office Air Quality Planning Standard as a basis for permits in Region VI. Protests to the OAQPS have proven fruitless because the OAQPS lacks authority to prevent a Region from using even admittedly incomplete (and controversial) technology documents. The sense of the EMC was that companies should make individual protests as may be appropriate.

26.0 Communications

The anecdotal history of the pretreatment settlement negotiations and the hazardous chemical spills litigation deserve broad reporting. J. R. Sayers will lead the efforts to develop this topic.

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27.0 Miscellaneous

The EMC discussed the timing and content of task group reports. A. R. Mayer will prepare a schedule for their submission in time for incorporation in the EMC agenda.

The meeting adjourned at 3:20 p.m.

C A Gosline

C. A. Gosline

Secretary

Environmental Management Committee

Minutes Subject To Approval
June 18, 1979
CAG/sf

Distribution: Environmental Management Committee
EMC Task Groups
EMC Nominees and General Interest
Environmental Management Contacts

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ENVIRONMENTAL MANAGEMENT COMMITTEE

June 13, 1979

<u>Task Group Title</u>	<u>Task Group Leader</u>	<u>Task Group Sponsor</u>	<u>Staff Rep.</u>
	Water Program Coordinator - E. C. Ladd		
Aquatic Research	A. H. Lasday	E. C. Ladd	J. S. Matey
Effluent Guidelines	R. F. Rocheleau	E. C. Ladd	J. S. Matey
Hazardous Chemical Spills	G. J. Hanks, Jr.	J. B. Browning	J. S. Matey
Pretreatment	E. D. Zarytkiewicz	A. J. Diglio	J. S. Matey
National Pollutant Discharge Elimination System	J. Schauer	C. P. Priesing	J. S. Matey
Water Quality Criteria	C. Muska	R. J. Samelson	J. S. Matey
Water Quality Standards	R. J. Hanson	R. J. Samelson	J. S. Matey
	Air Program Coordinator - J. P. Thorn		
Air Pollutant Effects	J. A. Mullins	J. P. Thorn	J. S. Beale
Clean Air Act Revisions		S. N. Robinson	J. S. Beale
Industrial Boilers	C. W. Vogelsang	J. B. Worthington	H. J. Sauer
Nonattainment - PSD	T. H. Rhodes	S. N. Robinson	J. S. Beale
Process Emission	W. M. Reiter	L. D. Johnson	J. S. Beale
State Implementation Plan	G. W. Daigre	S. N. Robinson	J. S. Beale

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<u>Task Group Title</u>	<u>Task Group Leader</u>	<u>Task Group Sponsor</u>	<u>Staff Rep.</u>
	Solid Waste Program Coordinator - J. F. Byrd		
Data Analysis		C. P. Priesing	S. A. Miller
RCRA Regs and Amendments	R. Sobel	W. C. Jaeschke	S. A. Miller
Response Center	To be assigned	J. F. Byrd	S. A. Miller
Siting-Model Regional Plant	To be assigned	J. F. Byrd	S. A. Miller
Solid Waste Workshops	J. D. Underwood	W. C. Jaeschke	S. A. Miller
Technology Development	To be assigned	J. F. Byrd	S. A. Miller
	Other Program Coordinator - C. L. Sercu		
Environmental Economics	H. G. Haight, Jr.	J. P. Thorn	C. A. Gosline
Environmental Monitoring	R. O. Kagel	F. B. Friedman	C. A. Gosline
Environmental Planning	None planned	E. W. Callahan	C. A. Gosline
Environmental Communications	To be assigned	J. B. Worthington	C. A. Gosline

Budget Committee

J. R. Sayers - Chm.
A. J. Diglio
J. P. Thorn
J. B. Worthington

A. R. Mayer

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