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CHEMICAL MANUFACTURERS ASSOCIATION

Minutes of the Meeting
of the
Vinyl Chloride Mutual Aid Response Network

CMA General B Conference Room
Washington, D.C.

October 10, 1990
10:00 a.m. - 3:00 p.m.

The meeting was convened at 10:05 a.m. The following members were present:

MEMBERS

F. Borrelli, Chairman	Georgia Gulf Corp.
J. Coburn	Occidental Chemical
B. Higgins	OxyChem
G. Jordan	PPG Industries
M. Kerlegon	Vista Chemical
J. Klimavicz	Georgia Gulf Corp.
M. Scheck	The Vinyl Institute
F. Sollman	B.F. Goodrich

STAFF

M. Donahue
A. Howard
T. Smerdon (part time)

* *

I. Call to Order and Opening Remarks

Frank Borrelli opened the meeting and self introductions were made. Tom Smerdon presented an antitrust briefing for the members present and discussed and distributed copies of CMA's Antitrust checklist for meetings.

II. VCM Training Program

John Coburn presented an overview of the VCM Training Program held on September 18-19, 1990 at the Burlington County, New Jersey Fire Training Academy co-sponsored by Occidental Chemical, Formosa Plastics, BF Goodrich, and Georgia Gulf Corporation. The program was extremely well received by those in attendance which consisted of a combination of plant personnel and local emergency responders.

III. Development of the VCM Response Network

Frank Borrelli provided background information outlining the group's activities to date and the results of a follow-up survey made subsequent to the group's June 28, 1990 meeting in Houston. The survey requested information on the participating companies support for and participation in a mutual aid network for responding to incidents involving vinyl chloride. The results of the survey were discussed among members.

IV. CHEMTREC/CHEMNET Overview

Mike Donahue provided an overview of the CMA CHEMTREC and CHEMNET programs including CHEMTREC's role in existing mutual aid programs. The group concluded that CHEMNET should not be considered a substitute for a VCM product-specific mutual aid network. The advantages and disadvantages of both options were discussed. The group concluded that the the sharing of resources through a product-specific mutual aid concept was the most cost-effective and efficient.

V. Organizational Options

The group discussed the options available for organizing which included under the umbrella of the Vinyl Institute, within CMA's CHEMSTAR Division as a special panel, and outside both of these organizations. Organization under CMA's CHEMSTAR Division would require the participating companies to share equally in the funding of the activity to support the utilization of necessary CMA staff to support the project (i.e., panel manager and administrative support staff). It was decided that for the time being, the group would continue to meet in association with the Vinyl Institute.

VI. Mission Statement

The group recommended the following as a mission statement:

"To establish a mutual aid network for responding to transportation incidents involving vinyl chloride"

The following issues were also discussed as possible goals/objectives of the group:

a. Providing technical vs. "hands on" assistance.
b. The definition of "regional responsibility" in terms of providing technical "eyes on" assistance and coordination incidents in lieu of actual response team support. Coordination and management of additional resources such as utilization of contractors in the area, manufacturer's resources, and railroad equipment can and should play a key role in VCM emergency response efforts.

c. Preparedness is an essential component of emergency response and is related to the identification, training, and utilization of the additional organizations and resources noted in (b) above.
d. Identify weak points in the VCM distribution system so that corrective action(s) can be taken.

ACTION ITEM: The group will prepare a background paper outlining these issues, including the mission and objectives of the group, funding, etc. to be presented to the Executive Board of the Vinyl Institute at their upcoming meeting in December for their action.

Frank Borrelli also asked the group to forward any additional comments relative to this item to him by October 31, 1990 so that a final draft can be prepared and distributed to the members for their use in briefing their respective representatives on the Vinyl Institute Executive Board prior to the December meeting.

VII. Adjournment

The meeting was adjourned at 2:20 p.m.

Respectfully submitted,

Michael L. Donahue

Michael L. Donahue
Manager, CHEMNET and
CHEMTREC Registrant Liaison

Minutes subject to approval
October 18, 1990

(E)

PROPOSAL TO ESTABLISH A VCM TRANSPORTATION MUTUAL AID NETWORK

Summary Statement

Since this activity relates to issues regarding the safe distribution of a material important to the vinyl industry, this presentation to the VI Board is to communicate the progress in addressing an east coast rail safety issue to propose the formation of the mutual aid organization of member companies that produce vinyl chloride monomer, and to consider if the organization should be operated as a Vinyl Institute activity with a separate budget and funding mechanism. An alternative for the Board to consider is formation of this organization as a CMA Chemstar panel. Similar costs would be associated with either alternative.

Background

Over 5.5 billion pounds of VCM is shipped via railroad systems in the United States annually. Combinations of trained railroad personnel and contract hazardous material emergency response organizations are utilized to deal with rail incidents involving hazard chemicals throughout the network. Local public emergency response plans and personnel may be activated to respond to major rail incidents that have the potential to endanger public safety. By activating the CMA Chemtrec network, the railroad personnel an contact the product shipper to gain knowledge and response support during an incident and to develop remediation plans. Most VCM is shipped from the Gulf Coast area, and therefore, industry personnel responsible for response to VCM transportation incidents are concentrated in that location of the country. It is recognized that rail incidents involving VCM tank cars have occurred infrequently in the past several years.

Recent Experience

A critique of an August 1989 incident involving a punctured VCM tank car in Camden, NJ switch yard and follow-up meetings with industry and carrier personnel concluded:

- There was an inability to provide knowledgeable shipper technical experts to the scene within the first hours of the incident.
- There existed a lack of product specific knowledge for involved railroad, contract and public emergency response teams to deal with this incident.
- A lack of knowledge of regionally available response resources was evident.

- Due to the lack of an established incident command procedure, communication between responding organizations was cumbersome and hampered the response.

- Following the incident, a risk review by railroad management recommended revised handling procedures and handling frequencies to minimize the risk of future incidents. Similar reviews were recommended for other carriers.

Activity Undertaken During 1990

During the past year:

- Oxy Chem has created a hazmat emergency response team that operates out of their Pottstown, PA plant to respond to VCM incidents at a maximum of a 200 mile radius.

- A VCM awareness training program for railroad supervision, industry personnel and public response personnel has been established at the Burlington County, New Jersey Fire Academy. The program was jointly developed by Oxychem, BFGoodrich, Georgia Gulf, and Formosa Plastics.

- New procedures have been implemented by the East Coast carrier to significantly reduce the frequency of car switching operations.

- Two meetings were held with VI member company distribution experts to discuss response preparedness in other regions of the country and the need to formalize mutual aid support to deal with rail accidents/incidents. The initial meeting, hosted by the VI, was held June 27th. A survey was developed at that meeting to preliminarily assess individual company interest in cooperating in the various elements of an industry-wide preparedness/emergency response network. Based on the positive feedback to the survey, a second meeting, hosted by CMA, was held October 10th. The names of those who either responded to the survey or attended either/both of the meetings is attached.

- The CMA has approved Responsible Care Code of Management Practice for distribution which places responsibility on industry for:

  (1) A process for responding to chemical distribution accident/incidents involving the member company's chemicals.

(2) Documented procedures for making information about the company's chemicals in distribution available to response agencies.

(3) A program for making facilities and/or training materials available to emergency response agencies.

(4) Dialogue with state and local emergency planning organizations on the distribution and hazards of the company's chemicals to improve community preparedness to respond to chemical distribution emergencies.

(5) Dialogue with the public on their concerns about chemical distribution safety, actions taken by the industry and the company to improve the safety of chemical distribution, and the effectiveness of emergency preparedness and emergency response assistance.

Recommendation

A formal mutual aid organization of all U.S. VCM producers should be created either under CMA or SPI. The organization would coordinate the following activities:

- Share preventive, preparedness and response information through periodic meetings and a communicative network.

- Validate and enhance existing emergency response preparedness plans and capability in critical areas of the distribution network to deal with transportation accident/incidents involving VCM.

- Provide, through prior arrangement, technical experts to the scene of incidents until the shipper can respond. (Note - Assumes that individual companies accept geographic responsibilities for this activity.)

- Develop recommendations regarding improvements in shipping equipment and procedures to enhance overall industry safety performance.

Costs

Much of the costs associated with the operation of the mutual aid organization are costs that would have been bared by the member companies individually in activities to manage their distribution risks. The network will enhance efficient utilization of industry resources through coordinated efforts in meeting new Responsible Care initiatives. However, there would be additional organization costs for meeting, staff and administrative based on preliminary

discussions and a review of costs incurred by other response networks, it is estimated that first year start-up costs would be at least $60,000 ($30,000 in project costs and $30,000 in administrative and related expenses). Should a group be convened to establish a network, one of the initial items to be finalized/adopted would be the development of a line-item budget.

Legal Review

SPI counsel has reviewed this proposal and has informed staff that there is no restriction in the SPI bylaws to the formation of such a network.

discuss the issue with the goal of having a date/location selected prior to the next VI Executive Board Meeting.

C. PROPOSAL TO FORM A VINYL CHLORIDE-SPECIFIC MUTUAL AID NETWORK

On behalf of a special ad hoc task force that developed the proposal to form a vinyl chloride-specific mutual assistance network, Mr. Borrelli reviewed the material under Tab N of the briefing book for this meeting. He provided additional materials developed on the reason why the task force believes a material assistance program should be developed.

During discussion on where such an activity should be organized, Mr. Bailey commented that he believes that the VI is the appropriate group and asked counsel whether this would prohibit non-member participation.

Mr. de la Cruz commented that a preliminary review of SPI and VI Bylaws did not uncover any obstacle to separately funded non-member participation. Mrs. Scheck noted that the Chemstar program of the Chemical Manufacturers Association allows for non-CMA member participation.

At the conclusion of this discussion, Mr. Flammer noted that it was the consensus of the Board that there was agreement that a mutual assistance program should be developed. Mr. Borrelli was directed to have the Task Force reconvene and formalize a first-year program plan and budget and report back to the Board at the next meeting. Mr. Flammer noted that at that time the Board would consider where the program should be organized, i.e., within CMA or SPI.

IX. MEMBERSHIP

A. APPROVAL OF ASSOCIATE MEMBERSHIP APPLICATION OF EXXON CHEMICAL CANADA

Motion: Mr. Schroeder moved that the application of Exxon Chemical Canada as an associate member of the Vinyl Institute (as included under Tab O of the briefing book for this meeting) be approved effective January 1, 1991.

The motion as seconded by Mr. Patient and approved by voice vote.

(6)

The Vinyl Institute

A Division of The Society of The Plastics Industry, Inc.

TO: Executive Board
Health, Safety & Environment Committee
Ad Hoc Task Force on Vinyl Chloride Mutual Aid Network

RE: Proposal to Establish a Vinyl Chloride Mutual Aid Network - 1991 Program

Background

In his capacity as Chairman of the Institute's Health, Safety and Environment Committee, Frank Borrelli presented a proposal to establish a vinyl chloride specific mutual aid network at the Institute's Executive Board meeting on December 12th. That proposal had been prepared by an ad hoc task force that had been meeting with VI and CMA staff sharing administrative responsibility.

As you will recall, at the December 12th meeting, the Executive Board agreed in principle that such a network be established. Additionally, the Board asked the task force to prepare a proposed program for 1991 with a tentative budget. The task force, under the chairmanship of John Coburn of OxyChem, met on January 9, 1991. A list of attendees at this meeting is attached. The following material was developed at this meeting and will be the subject of discussion at the February 27, 1991 meeting of the Executive Board. To facilitate internal company review and discussion in advance of the February 27th meeting, also attached is a list of the members of the Executive Board and of the VI Health, Safety and Environment Committee.

I. PROGRAM PROPOSAL FOR 1991 - ORGANIZATIONAL STRUCTURE

A. Full Committee

A committee of all U.S. vinyl producers would be formed. The principle objectives of this committee would be to develop and finalize a formal agreement under which a vinyl chloride specific mutual aid network would operate.

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Fax # (201) 890-7029

In addition to the agreement, the committee would be responsible for the development of formal operating statement and rules, incident reporting procedures and follow-up procedures. As follow-up to the January 9th meeting, CMA circulated to the meeting attendees copies of the ChemNet Agreement, as well as copies of the Phosphorus Emergency Response Team (PERT) Agreement. CMA staff suggested that the latter might serve as an appropriate model for a vinyl chloride network.

The full committee would also oversee the activities of the 3 subcommittees. It is estimated that a total of 3 or 4 meetings would be needed to finalize these documents.

B. Subcommittees

Three subcommittees were suggested:

1. Routing and Territories

Responsibilities of this subcommittee would include an examination of currently-used routes and mechanical contractors and an assessment of existing emergency responsibilities including company territorial responsibilities. It is estimated that two meetings during 1991 would be necessary, with additional requirements of staff and counsel involvement in the collection of confidential information.

2. Equipment (Railcars)

This subcommittee would inventory all cars and equipment currently used. It is estimated that one meeting will be necessary. The long term goal of this activity would be to assure that all cars in service can accept identical/compatible repair kits so that they could be appropriately serviced by the responder and/or identify those that cannot accept such repair kits.

3. Emergency Response Resources

This subcommittee would a) develop an inventory of company equipment, b) develop an inventory of all rail members, contractor, and responders and responders and contractors, and c) assess all currently-used training materials by and for all audiences served for assessing network work plan for future years. It is estimated that this subcommittee would have 3 meetings during 1991.

II. GOALS FOR 1992 AND BEYOND

The following were identified by the task force as possible activities to undertake during 1992:

- The development of training materials such as pamphlets, brochures, etc.
- Production of video
- Conduct hands-on training program(s) for major responders.
- Spotting of repair equipment where needed (may require equipment purchase).
- Examine international requirements which currently impede responding to incidents in North America and work to overcome these restrictions.

III. COST APPORTIONMENT METHODS

The task force discussed two ways in which costs would be apportioned among the participants.

Plan A - 75% of the cost would be apportioned on the basis of percentage of ton miles shipped by rail.

- 25% of cost would be equally shared by all participants.

Plan B - Recognizing that vinyl producers ship vinyl chloride cards, Plan B was discussed. All user companies should be tied into the program from the beginning of the program at a rate of 25% of the total of budget.

- The remaining 75% of the budget would be apportioned on the basis of percentage of ton miles shipped by rail.

IV. PROPOSED BUDGET FOR 1991

As the Executive Board had not determined under which organization this activity would be organized, the following list of budgetary requirements was devloped to be used by the VI and CMA staffs in estimating what a budget for the first year might be. It should be noted that expenses would be expected to be higher in 1992 assuming that the goals listed above were carried out.

1. Preparation for, attendance at, and follow-up on all subcommittee and full committee meetings. It is estimated that there would be a total of 10 meetings during 1991 served by staff and/or counsel.

2. Support services necessary at level appropriate to serve committee (ex. secretarial, mail costs) as well as services related to budget, including monthly reports and all dues procedures.

3. Collection through staff, with appropriate assistance from counsel, of all relevant materials needed to assist the work of the committee. This would include items such as an inventory of routes used, railcars used, repair equipement inventory, and ton miles shipped by individual companies.

4. Meeting and travel expenses for a maximum of ten meetings during 1991 at out-of-office locations with ten attendees each.

The VI and CMA budget estimates are being developed and will be presented at the February 27th Executive Board Meeting.

John Coburn, Task Force Chairman

Meredith Scheck, Vinyl Institute

AD HOC VINYL CHLORIDE MUTUAL AID TASK FORCE

ATTENDEES JANUARY 9, 1991 MEETING

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(H)

The Vinyl Institute

A Division of The Society of The Plastics Industry, Inc.

BUDGET ESTIMATE FOR MUTUAL AID NETWORK

The following estimate for network activities is based on a maximum of ten meetings with a maximum of ten attendees at each meeting.

PROFESSIONAL STAFF

- **Meeting Related**

  1 day of preparation
  1 day attendance
  1 day follow up
  3 days per meeting (10 meetings) = 30 days

  30 days out of total of 260 work days = 1.39 man months

  1.39 X $60,000 base = **$6950**

- **Additional time** 1 day per month (.55 man months) at $60,000 base = **$2750**

SUPPORT STAFF

1 day per month (.55 man months) at $25,000 base = **$1146**

MAILING COSTS

- Mailings include meeting related items, dues related costs, and a minimum of two monthly mailings to ten participating company contacts = $275

TRAVEL FOR ONE STAFF PERSON TO TEN MEETINGS OFFSITE

- Airfare = $700
- Hotel/Travel related expenses = $200

  $900 per trip for ten trips = **$9000**

MEETING EXPENSES

Assuming ten meetings in hotel locations, with cost to include meeting room and working lunch: $500 per meeting = $5000

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SUBTOTAL EXCLUSIVE OF LEGAL + $25,121

- o Estimate of legal costs $10,000
- o Contingency budget of 10% = $3,500

TOTAL ESTIMATED EXPENSES FOR 1991 = $38,500

1992 BUDGET ESTIMATES FOR PROJECTS IDENTIFIED

In trying to anticipate questions regarding estimated costs beyond 1991, staff worked with task force chairman to identify range of costs that may be expected for projects identified:

	PROJECT	COSTS
o	Development of training materials	$15,000 - $40,000
o	Video	20,000 - 30,000
o	Hands of training (based on recent experience at the Burlington Fire Academy) - Assume 4 sessions at costs of 30-35 people	30,000 - 35,000
o	Purchase and spotting of equipment (5 units at 5 sites)	20,000 - 25,000
	SUBTOTAL/PROJECT	$85,000 -$130,000

Continuing costs (staff time, legal expenses, meeting related costs, etc.)would needed to be added. If you assumed administrative expenses equivalent to the first year of $38,500, the total would be in the range of $125,000 to 170,000.

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CHEMICAL MANUFACTURERS ASSOCIATION

February 15, 1991

VIA FACSIMILE
Ms. Meredith Scheck
The Vinyl Institute
Wayne Interchange Plaza II
155 Route 46 West
Wayne, New Jersey 07470

Dear Ms. Scheck:

In response to the, "Proposal to Establish a VC Network and Budget" sent to Michael Donahue of CMA on January 31, we offer the following comments. We have reviewed the objectives and requirements and feel that this activity is well suited for inclusion within the CMA CHEMSTAR Division. The additional benefit of proximity to the CMA CHEMNET staff, aiding close coordination, also is attractive.

Our cost estimates are on somewhat different bases than those of the Vinyl Institute because of the broadly inclusive method that we use to charge for management services. I have enclosed a Services sheet describing the services included in the $185 hourly charge which is the basis for administrative costs.

Our estimates are as follows:

Professional Staff

Meeting related activities -	three 7.5 hour days per meeting; 30 days per year	=	$ 41,600
Other activities -	24 days per year	=	$ 33,300

Support Staff

Included in Professional Staff charges

Mailing Costs

Included in Professional Staff charges

CMA 110537

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Travel

Most CMA meetings are held at the CMA Offices in Washington, DC for reasons of economy and efficiency. Easy access to critical CMA staff expertise, including CHEMNET staff, is another benefit of meeting at CMA. The estimate therefore includes professional staff travel to:

Two meetings off site; air fare, lodging and food = $ 2,000

Meeting Expenses

For meetings held at CMA all meeting expenses are included in professional staff charges.

Two off site meetings; room, food and beverages = $ 700

Administrative Costs Subtotal

In addition to the above items, the administrative charges include routine advice from, and coordination with CMA CHEMNET staff, CMA legal counsels, CMA communications specialists and other technical specialists within the Association.

CMA Administration = $ 77,600

Retained Legal Counsel

Based on the availability of CMA legal counsel and the expertise of the professional staff in collecting and maintaining confidential business information, employment of additional counsel is unnecessary. Expert counsel might be retained, on a limited basis, to advise on specific issues that may arise.

Retained Counsel = $ 10,000

Total Expenses - 1991 = $ 87,600

Project Cost Estimates for 1992

The estimates given in the letter to Mr. Donohue seem appropriate from our experience. Costs = $85,000 - $130,000

Administrative Cost Estimates for 1992

The administrative needs of 1991 are anticipated to continue, plus additional management services will be required to administer the projects mentioned above.

Administrative total = $100,000

Total Expenses - 1992 = $185,000 - $230,000

In closing, I would like to point out that our estimates are based on anticipated levels of activity by a professional staff member. If this level is not reached, the VC Network will be charged only for the amount of time spent by the manager. CMA will establish an interest-bearing account to accommodate the Network's funds. We will make monthly financial statements available to participants. Any residual funds at the end of 1991 will be credited to the 1992 budget.

We will be delighted to clarify further any of these estimates. If you have further questions, please contact Dr. Has Shah of my staff at 202-887-1192.

Sincerely,

Langley A. Spurlock, Ph.D.
Director, CHEMSTAR Division

Enclosures
cc: John Coburn
Michael Donahue

(J)

Responsible Care:®
A Public Commitment

DISTRIBUTION
CODE OF MANAGEMENT PRACTICES

Purpose

The purpose of the Distribution Code of Management Practices is to reduce the risk of harm posed by the distribution of chemicals to the general public; to carrier, distributor, contractor and chemical industry employees; and to the environment. Adherence to the code will lead to continually safer chemical distribution and help member companies to:

- evaluate the risks associated with chemical distribution and methods to reduce those risks;
- meet or exceed all regulations and industry standards governing chemical distribution;
- provide emergency advice and/or assistance to people on the scene in the event of a chemical distribution emergency;
- develop new technologies and methods to improve chemical distribution safety.

The code will also promote improvements in:

- employee preparedness and awareness in preventing distribution emergencies;
- the safety performance of carriers and other providers of distribution services;
- the public's preparedness in responding to chemical distribution emergencies;

- the public's understanding of, and confidence in, industry efforts to improve chemical distribution safety.

The Distribution Code of Management Practices applies to all modes of transportation (highway, rail, marine, air and pipeline) and to the shipment of all chemicals, including chemical waste. The code also applies to distribution activities (storage, handling, transfer and repackaging) while chemicals are in transit between member companies and their suppliers and customers. The implementation of a number of practices of the code will vary according to the characteristics of the chemical being distributed, the mode of transportation and the type of distribution activity involved.

Relationship to Responsible Care Guiding Principles

This code helps achieve several Responsible Care Guiding Principles:

- to recognize and respond to community concerns about chemicals and our operations;
- to make health, safety and environmental considerations a priority in our planning for all existing and new products and processes;
- to counsel customers on the safe use, transportation, and disposal of chemicals;
- to operate our plants and facilities in a manner that protects the environment and the health and safety of our employees and the public;
- to participate with government and others in creating responsible laws, regulations and standards to safeguard the community, workplace and environment; and
- ✓ to promote the principles and practices of Responsible Care by sharing experiences and offering assistance to others who produce, handle, use, transport or dispose of chemicals.

Management Practices

Each member company shall have an ongoing chemical distribution safety program that includes senior management commitment through policy, communications and resources to improvements in chemical distribution safety. The program should include the following elements:

1. Risk Management

   1.1 Regular evaluations of chemical distribution risks which consider the hazards of the material, the likelihood of accidents/incidents and the potential for human and environmental exposure from release of the material over the route of transport.

   1.2 Implementation of chemical distribution risk reduction measures that are appropriate to the risk level.

VCM TRANSPORTATION MUTUAL AID NETWORK

Committee Activities

(1) DEVELOP AN OPERATING AGREEMENT OF MUTUAL AID

(2) DEVELOP INVENTORY OF PREPAREDNESS/RESPONSE CAPABILITIES AND NEEDS

(3) INVENTORY RAILCAR TYPES IN VC SERVICE

MUTUAL AID NETWORK ESTIMATED BUDGET NEEDS

	CMA	VI
Operating Costs		
Administrative (including meetings/travel)	77,600	25,000
Legal	10,000	10,000
Project Costs		
Publications (video)	15-20,000	15-20,000
Training Programs	30-40,000	30-40,000
Equipment	10-12,000	10-12,000
TOTAL FISCAL YEAR 1991/1992	132,600-162,600	90,000-107,000
START UP COSTS FISCAL 1990/1991	10,000	5,000
FUTURE YEARS: Project Costs Only	85,000- 130,000	