



A/C Pipe
Producers Association

Public Affairs Committee
TO: International Affairs Committee

FROM: *J. F. Welch*
J. F. Welch, Director, Public Affairs

Internal Correspondence

DATE: December 5, 1980

SUBJECT: State of Massachusetts - Report on TCE in Drinking Water

REF: JFW correspondence, State of Massachusetts - Report on TCE in Drinking Water, November 13, 1980

ACTION REQUIRED: *Review for information*

Enclosed is a report on two meetings held by the Massachusetts Department of Environmental Quality Engineering (DEQE) in late September, 1980. The meetings coincide closely with the release date of the publication transmitted in the above reference.

The report reconfirms the prevailing DEQE view that manufacturers of Piccotex-lined A/C pipe which released tetrachloroethylene should reimburse affected municipalities either by negotiation or litigation.

Staff would appreciate knowing whether member companies have been contacted formally by DEQE in this matter.

JFW/ajb

Enclosure

cc: A. Kahn, Esq.
N. Rahn, Esq.
B. Hickey, Esq.
N. Battle (L&G)

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Internal Correspondence

To: B. P. Eaton

Date: September 30, 1980

From: C. P. Sloan

Copies: D. S. Whitaker (12) A. Verploegh P. Glazier F. Olsen
M. DePaoli S. Wick J. Fiddner F. Grout file, chrono

Subject: INTERIM REPORT ON PERC (TCE
CONTAMINATION OF POTABLE WATER SUPPLIES AND FOUR MEETINGS HELD BY DEQE
ACTIVATED CARBON UNIT TESTING BY EPA

I attended two meetings held by the Department of Environmental Quality Engineering. The first in Tewksbury, Massachusetts, on September 22, 1980, and the fourth on September 25, 1980, held at University of Massachusetts in Amherst. Two others were held at Worcester (Massachusetts) City Hall on September 23, 1980; and Lakeville State Hospital auditorium on September 24, 1980.

The enclosed reports were distributed to the attendees and are self-explanatory.

The meeting at Tewksbury outline follows now -- the University of Massachusetts outline follows later in this report.

The Tewksbury meeting started in a tentative way, and the report itself was used as a guide format.

The following points were stressed specifically:

1. Reference to the possible carcinogenic character of PERC was mentioned over and over.
2. Each supplier (municipality) should identify pipelines which have PERC concentrations exceeding 40 ppb. Remedial action should be taken to lower to 40 ppb or less. If unsuccessful, the affected public should be notified.
3. Cost records as a result of PERC contamination should be accurately maintained. DEQE feels manufacturers should participate in reimbursement via negotiation or litigation.

During the question/answer session, one gentleman advised that he took two simultaneous samples. The DEQE reading was 40 ppb -- the other, sent to a private testing lab, had a reported value of 80 ppb. The DEQE can only run fifty samples per week, maximum, and advised that only four labs in Massachusetts were certified, and only the certified labs should be used.

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LEGAL DEPARTMENT

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University of Massachusetts - Amherst

The DEQE had its act together for the final meeting. Personnel present were: Anthony Cortese - Commissioner; Helena Brown - chemist; Roger Rondo - DEQE West; Stephen Joyce - Deputy Director West, and Moderator of this meeting; Jim Holeva - DEQE Engineer assigned to help solve PERC problems in Western Massachusetts; and finally, Chuck Larson - EPA, Boston.

Aside from handing out the two reports, this session was devoted primarily to fielding questions from the floor. The following essay covers the question/answer session.

At this time, there is no 100% solution of eliminating PERC from vinyl lined pipes other than replacing them, overlining with cement, or scraping off the lining and overlining the pipe with cement.

PERC is thought to be potentially carcinogenic, although on a scale of one to ten, it might be considered a two, since the snarl value of 40 ppb is an extrapolated value. At a 40 ppb level, an individual drinking two liters per day, for 70 years, has a chance of 100,000 to 1 of getting cancer caused by PERC.

It was brought out that the 40 ppb value might not be the correct value. It could change in the future as a result of current testing now going on, probably to a higher value.

If pipelines are five years old or older, or if lined pipes have good flow as in transmission lines, or even looped lines, there is an excellent possibility that little PERC will be present in the 40 ppb range.

It was surprising to the DEQE that as many dead-end or non-looped lines were constructed in Massachusetts, because the feeling is that residual chlorine would not be sufficient to prevent bacterial growth in dead-end supplies regardless of PERC concentration.

It was brought out that pipe lined with a black asphaltic coating has not PERC, and since the black lining is not a coal tar product, it is thought that no carcinogenic hydrocarbons are present.

The communities having vinyl lined pipes should keep accurate records of additional expenses incurred because of the lined pipe, and it was suggested that Mr. Bill Pope, of the DEQE Legal Department, might be contacted for guidance regarding reimbursement.

Chuck Larson (EPA) suggested that some activated carbon faucet attachments might help individual families reduce the PERC level in culinary water as an interim step.

The question of summer flows vs. up-coming winter flows was discussed, but nothing definitive was decided, because we must now await winter flows.

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The mechanism by which PERC gets into the water seems to be diffusion, and the DEQE feeling is a constant low flow would be better than high flows for a short time, because after the high flow, concentrations of PERC again increase to the previous levels. The feeling is that the diffusion is a relatively slow process.

It was brought out that the snarl, which is mandated by DEQE not to exceed 40 ppb in water, is so much smaller than the exposure any of the populace is subject to in a dry cleaning plant — that value is 100,000 ppb. (This questions was not satisfactorily answered in my opinion). The 100,000 ppb in dry cleaning establishments is set by OSHA, not by the EPA or DEQE.

It was thought that people living in areas of higher contaminated water might be allowed to get their drinking and cooking water from a safe tap at a fire station, city hall, or school, until the PERC level dropped below the 40 ppb level. Buying bottled water was not thought to be a viable solution to the affected population, and might be worse than the PERC because no testing at all is done by the DEQE on bottled water.

It was mentioned by Chuck Larson, EPA Boston, that the testing or lining in other pipe materials has not been carried out routinely, and it was felt by him that an independent organization, such as NSF, might be considered to prevent this from happening again. A discussion then followed regarding vinyl chloride monomer residuals in PVC piping materials, and the statement that manufacturers had changed their procedures to prevent this contaminant from being diffused into culinary water.

A few points worth noting: Mr. Cortese felt contact with manufacturers would be made soon to try to negotiate or litigate the costs currently being incurred.
It is the opinion of the DEQE that the manufacturers are liable per Mr. Cortese.

I feel these meetings should have included an invitation to the manufacturers, since affected communities and the press were invited, lending at least the appearance that these were open public meetings.

The one thing missing from the two meetings I attended, was either a tape recorder or a recording secretary. All of the data is gone, except for this report.

CPS:mr
attach.

JM Johns-Manville

Internal Correspondence

To: PERC Distribution List

Date: November 6, 1980

From: S. W. McCallie (2-16) *AWM*

Copies: File/Chrono

Subject: PERC-POSSIBLE MASSACHUSETTS LITIGATION

While the emotional issues about PERC have subsided in Massachusetts, the legal issue has not. Attached is the report of sales representative Phil Sloan on two of the four meetings held by the Massachusetts Department of Environmental Quality Engineering to help municipalities understand the PERC situation. The state has continued to suggest to the municipalities that they keep track of their expenses in dealing with the PERC problem because the manufacturers should be held responsible.

We have had no official contact to my knowledge by the state seeking to negotiate a settlement over the PERC expenses, but it would appear that some such contact is highly likely in the future.

SWM/pll
D.I. 02420