

~~7-500~~ RF
xf: MCIA

James J. Hall



To R. J. Anderson
S. F. Pitts

Date 5/11/83

For your information.

To my knowledge we have not been contacted by any EPA contractors re: MeCl. Please let me know if you are contacted.


J. J. Hall
ajb

Attachment

cc M. Malloy
MCIA File

VEV-244905

MAY 10 1983

CONFIDENTIAL

May 3, 1983

MEMORANDUM

TO: Methyl Chloride Industry Association

FROM: Robert M. Sussman
Richard A. Friedman

SUBJECT: EPA Inquiries Concerning Exposure to
Methyl Chloride

ROUTE TO:	_____
COPIES TO:	_____
FILE:	_____

During the last few days, we have learned that various EPA employees have been contacting methyl chloride producers for additional information concerning exposure levels, uses and control measures. To determine the reason for these inquiries, we called Steven Newburg-Rinn about methyl chloride's current regulatory status. This memorandum will report on our discussion with Steve, and on a subsequent discussion with Roman Kuchkuda, an EPA employee coordinating the Agency's inquiries.

Steve confirmed that EPA is making a "crash" effort to obtain background information about the risks presented by methyl chloride manufacturing and use operations. This effort is being carried out under the aegis of the OTS Existing Chemicals Program, supervised by Jeanette Wiltse, who reports to Joe Merenda, Director of the OTS Assessment Division. According to Steve, Harry Teitelbaum is the Program Manager for methyl chloride and is being assisted by various EPA staff members, including Roman Kuchkuda.

WEU-244906

We asked Steve whether there was any relationship between the activities of the Existing Chemicals Program and those of his office. Steve responded that EPA is gathering control information on methyl chloride in order to decide whether testing will be required or whether the Agency should initiate regulatory activities based on concern about methyl chloride's reproductive and teratogenic effects. Steve said that it is his office's "strong recommendation" that EPA consider initiating regulatory activities in lieu of further testing. A decision on this issue, Steve said, should be forthcoming relatively soon. He emphasized that EPA remains under pressure to conclude its methyl chloride rulemaking proceeding. During briefing sessions with Senate staffers concerning the upcoming Ruckleshaus confirmation hearings, he elaborated, pointed questions were asked about uncompleted rulemakings under Section 4. Accordingly, Steve said, EPA intends to make a final decision on methyl chloride fairly soon.

I asked Steve whether there was any danger of a Section 4(f) designation for methyl chloride along the lines of the Agency's recent announcement on methylenedianiline (MDA). Steve assured me that no consideration is being given to designating methyl chloride a Section 4(f) chemical. He emphasized, however, that his office considers the teratogenic and reproductive effects of methyl chloride to be a

matter of some concern and that the possibility of regulatory action is a real one.

After talking to Steve, we spoke to Roman Kuchkuda, who works for the Economics and Technology Branch of EPA's Assessment Division. He confirmed that EPA is in fact gathering control and use information on methyl chloride for the purpose of assisting TRDB and other EPA offices in making testing and regulatory decisions. At Mike Scarbel's request, we suggested that Mr. Kuchkuda might wish to funnel his inquiries through MCIA in order to facilitate a coordinated industry response. Mr. Kuchkuda said he appreciated our offer of assistance but felt that EPA's contractor will soon have sufficient information from the principal methyl chloride producers. He explained that, based on the information obtained to date, EPA believes that the major methyl chloride manufacture and use operations (particularly the production of silicones and tetraethyl lead) utilize relatively stringent controls. EPA's major concern at this point, he elaborated, is focused on the operations of small users (such as manufacturers of refrigerants and polystyrenes) where exposure to methyl chloride may be more substantial. He suggested that MCIA may not be in a good position to obtain information from small users, and we did not disagree.

Mr. Kuchkuda said that EPA's contractor (which is located in Cincinnati) has sent letters to a number of methyl chloride producers formally requesting certain information. Other producers are being asked to provide information orally.

Mr. Kuchkuda said that, if he is having any difficulty obtaining information or desires our assistance for some other reason, he will contact us.

Mr. Kuchkuda indicated that EPA expects to complete review of its contractor's report -- and to reach some conclusion concerning methyl chloride's status -- by mid-July. He indicated that one possible outcome of the effort which is now underway is a decision to devote further resources to evaluating the need for controls. We assumed that, by this statement, he was alluding to the possibility that EPA might decide that methyl chloride warrants possible regulatory action (under TSCA or other laws) and would make available the resources necessary to support such action.

* * *

We urge MCIA members who may be contacted by EPA to advise us, orally or in writing, of their discussions with the Agency. This will help assure that MCIA is kept abreast of the nature and scope of EPA's inquiries and the type of information which industry is providing to the Agency.