

LEGISLATIVE REPORT

As of the date of the preparation of this report, no state or local legislation specifically aimed at vinyl has been adopted during 1993. Updates on CONEG activity aimed at heavy metals in plastic products beyond packaging and the release of the report analyzing the 1988 Suffolk County, New York Plastics Law (which did focus on vinyl packaging) follow.

In anticipation of the 1994 legislative cycle, the Chlorine Chemistry Council has formed a State Affairs work group, which had an October 5 organizational meeting. In addition to the VI member company representatives participating on this committee, Meredith Scheck is serving as the VI liaison.

COUNCIL OF NORTHEAST GOVERNORS (CONEG) - HEAVY METALS IN PLASTIC PRODUCTS

The Council of Northeast Governors has been examining the issue of heavy metals in plastics products in anticipation of developing model legislation for introduction in the northeast states during 1994. The review, initiated by CONEG's Source Reduction Task Force, originally included the same four materials that were included in the packaging oriented model legislation proposed by CONEG, i.e. lead, cadmium, chromium and hexavalent chromium, and adopted by many states.

At the September meeting of the Source Reduction Task Force, the issue of consideration of heavy metals was moved to CONEG's "Clearinghouse on Toxics in Packaging" and narrowed in scope to include only lead and cadmium. However, the principal focus of the Clearinghouse is to coordinate implementation and exemptions given under the state laws restricting the use of the four metals in packaging and review the risk assessment protocol prepared by an industry task force.

At the request of the American Plastics Council, a task force of SPI's Occupational Health and Environmental Issues Committee is preparing background information on the use of lead and cadmium in plastics products. Larry Brecker of Witco and Bud Hall of Vista have been helpful in providing technical information to the VI for use in development of this white paper.

At the present time, the Clearinghouse anticipates considering the issue of lead and cadmium in plastics products at its January 18 meeting. Meredith Scheck is coordinating Vinyl Institute participation in this session with Steve Rosario of

the American Plastics Council. In addition to the development of the white paper, there may be a need for a speaker to discuss the use of lead stabilizers in PVC wire and cable compounds.

Study on Suffolk County Plastics Law Released

On September 30, 1993, The Urban Waste Management Institute (WMI) of the State University of New York at Stony Brook released its 250-page report analyzing the 1988 Plastics Law (LL 10-1988). The law, although adopted in 1988, has been the subject of several moratoriums while this study was undertaken. As you will recall, the banned the use of plastic grocery bags, and polystyrene and polyvinyl chloride (PVC) food packaging at retail food establishments. The Suffolk County law also was used as a model by several municipalities in New Jersey.

The purpose of the project was to examine the degree to which the law's stated purposes would be fulfilled if it were implemented. According to an American Plastics Council review of the report, the WMI concluded that the plastics ban would have no or minimal impact in achieving the goals of the law. In fact, the report states that of the municipalities that have adopted identical or similar legislation, "not one community could provide any quantifiable data on whether the laws are meeting the stated goals."

In addressing incineration vis-a-vis the presence of PVC, the study stated that it is "...unclear whether chlorine released during the incineration process is a measurable and significant problem...also, there is no scientific evidence to support the concern that ash generated from incineration of MSW is particularly more toxic or hazardous due to the presence of plastics in the waste stream."

The APC reports that while the report appears to put plastics in a favorable light, its impact on the fate of LL10-1988 remains unclear, with ultimate disposition to be determined by the County legislature. This may be decided by the time of the VI Board meeting and will be reported on at that time.

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