

VET Compl.

INTER-OFFICE MEMO TENNECO CHEMICALS, INC.

Mr. J. P. Sandstedt ✓
TO Mr. J. W. Kachtick

At

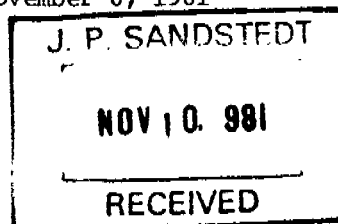
DATE November 6, 1981

FROM Dr. R. T. Gottesman

At

COPY TO

SUBJECT VINYL CHLORIDE STANDARD



I attach for your information and review a copy of a memorandum from Peter de la Cruz of Keller and Heckman containing a summary prepared by Gary Baise of what is expected to be contained in an Advanced Notice of Proposed Rulemaking under NESHAPS for vinyl chloride.

Please note that this is a "preview of coming attractions" but the actual date when this ANPR will appear is not determined nor is it known if there will be changes beyond what is indicated in Gary Baise's summary.

The following features of this ANPR represent significant movement on the part of EPA in my judgment:

1. A zero goal or zero standard is not embodied and the 10 ppm standard will be retained.
2. Stripping levels at 400 ppm for suspension and 2000 ppm for dispersion resins are retained although, as you both know, there is certainly capability within the industry to go considerably below 400 ppm in the case of suspension resins.
3. The proposal allows emissions during malfunctions. Under the current standard, as you know, should an incinerator fail and there is no provision for backup (as was the case in the early stages at Burlington), it is necessary to shutdown the plant.
4. Based on TRW findings, the Agency will not regulate either fabrication plants or landfills. The latter should be of value to us in dealing with NJDEP on the Burlington landfill situation.

RTG

R. T. Gottesman

Attachment

RTG:jmd
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R.I. GOTTESMAN

LAW OFFICES

KELLER AND HECKMAN

1150 17TH STREET, N.W.

SUITE 1000

WASHINGTON, D. C. 20036

October 23, 1981

TELEPHONE

202-457-1100

CABLE ADDRESS "KELMAN"

WRITER'S DIRECT DIAL NUMBER

(202) 457-1116

JOSEPH E. KELLER
JEROME H. HECKMAN
CHARLES M. MEEHAN
WILLIAM B. BORGHESANI, JR.
ROBERT R. TIERNAN
MALCOLM D. MACARTHUR
WAYNE V. BLACK
DAVID L. HILL
MARTIN W. BERCOVICI
JOHN S. ELDRED
CAROLE C. HARRIS
MICHAEL F. MORRONE
LARRY S. SOLOMON
JOHN B. DUBECK
CHRISTINE A. MEAGHER
SHIRLEY S. FUJIMOTO
PETER L. DE LA CRUZ
LAWRENCE P. HALPRIN
DEBORAH SHUR TRINKER
C. DOUGLAS JARRETT
EDWARD L. KORWEK
ROBERT L. FLEISHER
JONATHAN P. LEVINE
SHEILA A. MILLAR

* OHIO BAR ONLY

TO: SPI PVC Safety Group
SPI PVC Manufacturing Technology Committee
SPI PVC Lawyers Subcommittee
SPI PVC Health Committee
SPI PVC Communications Committee

RE: EPA Review of the Vinyl Chloride Standard

Ladies and Gentlemen:

As reported in our letter of August 18, 1981, the Environmental Protection Agency (EPA) is proceeding with Phase II of the vinyl chloride standard review. Based on information gathered informally from EPA, Gary Baise, of Beveridge & Diamond, has prepared a summary of what we may expect in the advanced notice of proposed rulemaking that EPA plans to issue.

The expected date for publication of the advanced notice of proposed rulemaking is uncertain. As you are aware, the Cancer Assessment Group (CAG) is reviewing its earlier risk assessment work on vinyl chloride. That review is not expected to be completed before early December. In addition, EPA's carcinogen policy is unsettled and, to the extent that the advance notice raises questions concerning the general treatment of carcinogens, that may also delay finalization. Moreover, the recent resignations of high-level EPA officials further clouds predictability.

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KELLER AND HECKMAN

SPI PVC Groups
October 23, 1981
Page Two

If you have any comments or questions, please feel free
to contact us.

Cordially yours,

Peter L. de la Cruz
Peter L. de la Cruz

Enclosure

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BEVERIDGE & DIAMOND

SUMMARY OF EPA ADVANCE NOTICE OF PROPOSED RULEMAKING
FOR THE NATIONAL EMISSION STANDARD FOR VINYL CHLORIDE

For over a year, EPA, through its contractor, TRW, has been conducting a review of the technological and administrative aspects of the National Emission Standard for Vinyl Chloride. The Phase I review is now complete and Phase II is about to begin. TRW, we are advised, will not be conducting the Phase II study because of budget cutbacks and the fact that the RTP staff believes TRW does not know enough about the vinyl chloride industry.

We caution anyone about using this information. There should be no discussion of this information with Susan Wyatt or any other personnel at Research Triangle Park in North Carolina. Finally, it should be noted that we have no idea whether the information included in this Advance Notice will ever be proposed.

After reviewing the Phase I study, EPA has come to some conclusions and it appears the agency will make the following recommendations.

1. EPA will withdraw the 1977 amendments to the vinyl chloride standard which were part of a settlement agreement between EPA, the Environmental Defense Fund, and the Department of Justice.

2. EPA will not insist on a zero goal or zero standard for the National Emission Standard for Vinyl Chloride.

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3. The agency will continue to review the Vinyl Chloride Standard under the guidelines of EPA's Airborne Carcinogen Policy. This means best available control technology (BAT) considering environmental, energy, and economic impacts. After application of BAT, if the residual emissions still pose a health problem, EPA will propose even a more stringent option known as "beyond BAT."

4. EPA will continue the 10 ppm standard because it believes it represents best available technology.

5. EPA plans to investigate whether the current standard for oxychlorination vent emissions can be changed. The agency believes that oxygen rather than air may be used as a feedstock. If so, EPA may propose amendments to this portion of the standard.

6. EPA will retain the stripping levels at 400 ppm for suspension bulk solution and latex resins and 2000 ppm for dispersion resins. It will be recalled that EPA had proposed in its amendments a level of 100 for suspension resins and 500 for dispersion resins.

7. With respect to fugitive emission sources, the agency believes its leak detection and repair program constitutes BAT. There are companies with better leak detection and repair programs than others and it is the agency's view that some companies will have to make changes in their leak detection and repair programs to improve them.

8. The agency believes its standard relating to relief valve discharges is BAT, but it admits there are interpretation problems, and will be looking for alternative ways to deal with how to define relief valve discharges.

9. The current standard allows no excess emissions during periods of control equipment malfunctions. Those familiar with the Maleic Anhydride proposal know that that proposal allows emissions during malfunctions. It appears EPA is going to adopt this approach for the Vinyl Chloride Standard as well.

10. The present standard requires fixed point monitoring systems. The agency believes its leak detection and repair program is much more effective and it appears the requirement for fixed point monitoring will be eliminated.

11. A number of questions were raised with respect to whether gasholder seal water was to be included in the definition of inprocess wastewater. The agency has determined that VC emissions from this source are exceedingly small; therefore, EPA will eliminate seal water from the inprocess wastewater definition.

12. The agency requested TRW to determine whether any new sources should be investigated further and considered for regulation under the National Emission Standard for Vinyl Chloride. It appears the agency will examine facilities which manufacture pesticides and trichloroethanes which use VC as an intermediate. In addition, the agency will be examining emissions from non-plant

terminals for transfer and short-term storage of vinyl chloride from marine vessels and mobile mounted sources.

13. There has always been concern about the agency regulating fabrication plants and landfills. TRW has examined both of these sources and on the basis of the findings, EPA has determined not to investigate either of these sources further; therefore, they will not be regulated.

/tlc