

~~EGG: JOE~~ ~~ERT: NINE~~ AJO: RF

TO: Environmental Coordinators

XF: DDSK

XX F: CMA: RESPONSIBLE CARE
(#?)

FROM: T. G. Grumbles
DATE: October 31, 1989

Interoffice
Communication

SUBJ: CMA RESPONSIBLE CARE WASTE AND RELEASE REDUCTION CODE OF
MANAGEMENT PRACTICES

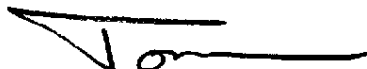
VISTA

Attached for your review and comment is the draft RESPONSIBLE CARE Code of Management Practice for Waste and Release Reduction. Also enclosed is a draft self-evaluation form, a response form to be used in making comments, and a Q & A document on the code.

I need you to review the code and comment to me by December 8. A response form is provided to get comments on specific areas, but any "free-form" comments should be made also. I will summarize our comments and send to CMA.

The self-evaluation form is not to be completed at this time but is provided to illustrate what will be required in the future. The Q & A document will be used to facilitate communication of the code when implemented. Comments may be made on these two documents also.

There will be an open forum on December 12 in Washington to discuss the code. Let me know if you are interested in attending. CMA plans to finalize this code by April, 1990. Others involved in waste programs such as the newly appointed waste minimization coordinators probably should review the code also, but plant distribution is up to you.



T. G. Grumbles

dlj
.811

Attachment

Distribution:

ENVIRONMENTAL COORDINATORS

VVV 000014347

F. G. Jeanson-Aber, D. L. Mahler-Balt, M. G. Jakel-Blane, Matt Tonkovich-Hmd, M. G. Hayes, G. L. Foshee, J. R. Arnold-LCCP, Tony Salah-LCLAB, D. R. Booth-LCVM, Joyce Callen-Okc, G. C. Lipps-Prem, R. B. Martin-Austin, D. L. Morgan, D. A. Barclay

cc: PLANT MANAGERS

R. W. Seymour-Aber, L. R. Bauer-Balt, G. D. Williams-Blane, J. B. Maher-Hmd, J. Friend-LCCP, J. W. Ware-LCLAB, R. A. Conrad-LCVM, H. D. Garrison-Okc, P. L. Foote-Prem, V. W. Weiss-Austin

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CHEMICAL MANUFACTURERS ASSOCIATION

Robert A. Roland
President

October 31, 1989

Mr. Thomas G. Grumbles
Vista Chemical Company
900 Threadneedle
Houston, TX 77079

Dear Mr. Grumbles:

Re: Responsible Care: Draft Waste and Release Reduction Code of
Management Practices, Member Self Evaluation Form, and Questions
and Answers

The draft Waste and Release Code of Management Practices is enclosed for your Company's review. This code was prepared by an ad hoc group of the Environmental Management Committee representing a broad range of member companies (roster enclosed).

Please review the draft code and provide your comments to CMA by January 6, 1990. A response form is enclosed for your convenience.

The Waste and Release Reduction Code of Management Practices builds upon the Chemical Release Reduction Policy and Program approved by CMA's Board of Directors in April. Although several of the elements are similar, this code extends beyond the scope of the existing Chemical Release Reduction Policy and Program, as follows:

- o The Code is an obligation of membership whereas the Chemical Release Reduction Policy is a voluntary policy recommended to CMA member companies for implementation;
- o The scope of the Code is all contaminants and pollutants released into the environment, and all hazardous and nonhazardous wastes generated;
- o The Code requires establishing priorities, goals and plans for waste and release reductions for each facility; and
- o The Code requires each company, on a facility specific basis, to report specific industry trends data to CMA -- releases under SARA Section 313, and generated wastes defined in CMA's annual hazardous waste survey.

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October 31, 1989

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Implementation of the Code as an obligation of membership under Responsible Care will require the commitment of significant resources by, both CMA, and its member companies. Implementation will be supported by many of the existing air quality, waste minimization, and chemical release reduction materials, as well as by new programs and materials to be developed by CMA. With this in mind, I urge that the draft code be reviewed by everyone within your company who will be responsible for code implementation.

Earlier drafts of the Code were reviewed by the Responsible Care Public Advisory Panel, and by the Responsible Care Coordinators who attended the first coordinators conference in June. This draft reflects advice and comments from these groups, as well as recent attendees of the Environmental Update, the Responsible Care Coordinating Group, the Environmental Management Committee, and other CMA work groups and staff. A proposed member self evaluation form for your review is enclosed.

Additionally, to help focus your company's review of the draft Waste and Release Reduction Code of Management Practices, we enclosed a question and answer document. This document addresses several of the key issues and questions that have been raised to date concerning the Code. Since we plan to include a question and answer piece with the final Code to facilitate communications with employees and the public, we also solicit your comments on this document.

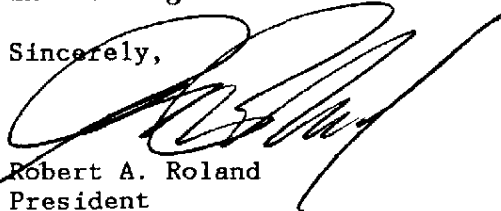
We plan to conduct a preliminary review of this Code with the Board of Directors in January and seek their approval in April, 1990. In preparation for these reviews, we want to assure that all CMA member companies have an adequate opportunity to review the Code and to provide comments. Please complete the response form containing questions targeting specific issues that extend beyond the existing Chemical Release Reduction Policy. Feel free to identify other areas that your company either has concerns with or believes is a more appropriate approach. If your company has no comments on the draft code, please check the first box and send it back to us. Please send the completed form and any supplemental comments to Mr. David W. Carroll, Director, Environmental Programs, by January 6, 1990. The code drafting group will review and consider all submittals received by this date in preparing for the January presentation to the Board of Directors, and for the final Board of Directors review and approval in April. If you are not able to complete your review by this time, please try to submit them as soon as possible thereafter to provide us the time needed to consider your views as part of our final revisions to the Waste and Release Reduction Code.

Because so many are interested in the development of this code, we plan to hold an open forum on December 12, 1989, at the Marriott Crystal Gateway, Arlington, Virginia. This forum will give representatives of your company a further opportunity to ask questions and raise any specific concerns you may have with the Code. If you or your representatives are interested in attending this forum, please complete the Open Forum Registration Form. A registration fee of \$45 will be charged for each attendee to cover meeting room, continental breakfast, break, and meeting materials expenses. Please submit the registrations and fee by December 6, 1989.

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Since the public has expressed significant concerns with the quantity of waste generated and releases to the environment from the chemical industry, it is vital that this Code and Responsible Care be done effectively. The Waste and Release Reduction Code provides us the vehicle to increase the margin of safety of our facilities, and address the concerns expressed by the public. Our ability to operate with the public's trust is dependent on the successful implementation of this Code and Responsible Care as a whole. Although additional resources will be necessary in the short term, Responsible Care and the Waste and Release Reduction Code are good business in the long run.

Sincerely,



Robert A. Roland
President

Enclosures

cc: Executive Contacts
Environmental Management Contacts
Environmental Management Committee Members
Responsible Care Coordinating Group Members

WASTE AND RELEASE REDUCTION TASK GROUP (WARR)
C05Z

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Waste & Release Reduction (WARR)
Roster
Page 2

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(202) 887-1185

October 26, 1989

DRAFT
10/13/89

WASTE AND RELEASE REDUCTION
CODE OF MANAGEMENT PRACTICES

Purpose.

This Code is designed to achieve ongoing reductions in the amount of all contaminants and pollutants released to the air, water and land from member company facilities. These reductions are intended to respond to public concerns with the existence of such releases, and to further increase the margin of safety for public health and the environment.

The Code is also designed to achieve ongoing reductions in the amount of hazardous and nonhazardous wastes generated at facilities. These reductions are intended to help relieve the burden on industry and society of managing such wastes in future years.

In implementing the Code, each company should strive for annual reductions, recognizing that production rates, new operations and other factors may result in short-term increases. Despite these short-term fluctuations, however, the goal is to establish a long-term, substantial downward trend in the amount of wastes generated and contaminants and pollutants released. Each facility will set its own quantitative reduction goals, giving priority to those pollutants, contaminants and wastes of highest health and environmental concern.

Key terms are defined in the Glossary, which should be consulted for assistance in interpreting the provisions of this Code. The Code builds upon and goes beyond CMA's Chemical Release Reduction Policy.

Relationship to Guiding Principles.

Implementation of this Code helps achieve the following Guiding Principles:

- o To recognize and respond to community concerns about chemicals and our operations;
- o To operate our plants and facilities in a manner that protects the environment and the health and safety of our employees and the public;
- o To make health, safety and environmental considerations a priority in our planning for all existing and new products and processes;

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- o To extend knowledge by conducting or supporting research on the health, safety and environmental effects of our products, processes and waste materials.
- o 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 a waste and release reduction program which shall include:

1. A clear commitment by senior management through policy, communications and resources, to ongoing reductions, at each of the company's facilities, in releases to the air, water and land and in the generation of wastes.
2. A quantitative inventory at each facility of wastes generated and releases to the air, water and land, measured or estimated at the point of generation or release.
3. Evaluation, sufficient to assist in establishing reduction priorities, of the potential impact of releases on the environment and the health and safety of employees and the public.
4. Education of, and dialogue with, employees and members of the public about the inventory, impact evaluation and risks to the community.
5. Establishment of priorities, goals and plans for waste and release reduction, taking into account both community concerns and the potential health, safety and environmental impacts as determined under Practices 3 and 4.
6. Ongoing reduction of wastes and releases, giving preference first to source reduction, second to recycle/reuse and third to treatment. These techniques may be used separately or in combination with one another.
7. Measurement of progress at each facility in reducing the generation of wastes and in reducing releases to the air, water and land, by updating the quantitative inventory at least annually.

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8. Ongoing dialogue with employees and members of the public regarding waste and release information, progress in achieving reductions and future plans. This dialogue should be at a personal, face-to-face level, where possible, and should emphasize listening to others and discussing their concerns and ideas.
9. Inclusion of waste and release prevention objectives in research, and in design of new or modified facilities, processes and products.
10. An ongoing program for promotion and support of waste and release reduction by others, which may, for example, include:
 - a. Sharing of technical information and experience with customers and suppliers;
 - b. Support of efforts to develop improved waste and release reduction techniques;
 - c. Assisting in establishment of regional air monitoring networks;
 - d. Participation in efforts to develop consensus approaches to the evaluation of environmental, health and safety impacts of releases;
 - e. Providing educational workshops and training materials;
 - f. Assisting local governments and others in establishment of waste reduction programs benefitting the general public.

Industry Trend Data

To develop and maintain statistical industry trends, CMA will collect currently available data. Each company shall report annually to CMA, or its designated agent, for each facility:

- o Releases of substances as reported under SARA Section 313; and
- o Wastes generated, as defined and reported in CMA's annual hazardous waste survey.

Although these reports do not cover all wastes and releases addressed by this Code, they are being used by CMA because they are currently available.

Member Self-Evaluation

Each member company shall report annually to CMA, or its designated agent, the stage of implementation of each management practice in this Code. The reports shall be on the member self-evaluation form attached as Exhibit A.

Relationship to Other Codes of Management Practices.

This code complements, and should be implemented in conjunction with, the following and future Codes of Management Practices:

- o Waste Management Code--After application of waste and release reduction management practices, the waste that continues to be generated will be handled, stored, treated and disposed of under the Waste Management Code.
- o Community Awareness and Emergency Response (CAER) Code--Ongoing dialogue with employees and members of the public concerning waste and release information, progress and future plans will be part of the facility's community outreach program under the CAER Code.
- o Transportation Safety Code--Releases from trucks, railcars and barges during transportation will be controlled by safe handling practices implemented under the Transportation Safety Code.
- o Safe Plant Operations Code--Accidental releases from facilities will be controlled by the good management practices implemented under the Safe Plant Operations Code.

Glossary of Terms

As used in this Code, key terms are defined as set forth below. Note that these definitions may be broader than regulatory definitions, and that adherence to this Code does not relieve a company of the obligation to meet Federal, state and local regulatory requirements.

Facility - A site used for chemical manufacturing, processing, refining, packaging, R&D, distribution or related commercial activity.

Recycle - A practice which regenerates or processes a material from a process to recover a useable product or material for reuse.

Release - Any emission, effluent, spill, discharge or disposal to the air, land or water, of any pollutant or contaminant, whether routine or accidental, at or from a facility. The term matter includes shipment or distribution of chemical product, nor released to the environment as part of normal and intended use of a product by the consumer.

Reuse - A practice that reemploys a material from a process either as an ingredient in a process to make a product, or as an effective substitute for a commercial product in a particular function or application.

Source Reduction - A practice that reduces the amount of any release or waste generated at the source, including closed loop recycle and reuse before exit from a process. The term includes, among other practices, equipment and technology modifications, process and procedure modifications, reformulation and redesign of products, substitution of raw materials, and improvements in housekeeping, maintenance, training and inventory control.

Treatment - A practice, other than recycle, that alters the physical, chemical, or biological characteristics or the volume of a waste through a process or activity separate from the production of a commercial product or the provision of a service. Thermal oxidation, for example, is a form of treatment.

Waste - Any gas, liquid or solid residual material at a facility, whether hazardous or nonhazardous, that is not used further in the production of a commercial product or provision of a service, and which itself is not a commercial product.

CHEMICAL MANUFACTURERS ASSOCIATION

MEMBER SELF-EVALUATION FORM

WASTE AND RELEASE REDUCTION
CODE OF MANAGEMENT PRACTICES

Member Company:

Name: _____

Responsible Care Coordinator:

Name: _____

Address: _____

Telephone: () _____

Number of facilities subject to Code _____

Instructions:

1. This form is to be submitted annually to CMA by each member company. CMA will announce reporting dates for each Code.
2. Indicate on the cover page the number of member company facilities subject to the Code. All facilities subject to the Code must be included in this report.
3. For each Management Practice on the following two pages, indicate the number of facilities that have attained each implementation stage. The total number of facilities for each Management Practice should equal the total number of facilities subject to the Code.
4. Only subject facilities owned or operated as of the reporting date should be included.
5. The implementation stages are:

Stage I - No action

Stage II - Evaluating company practices against Code practice

Stage III - Developing action plan to implement Code practice

Stage IV - Implementing action plan

Stage V - Code management practice in place

Stage VI - Implementation reviewed and reaffirmed this year

Management Practice Milestones

<u>Management Practices</u>	<u>Stages</u>					
	I	II	III	IV	V	VI
1. A clear commitment by senior management through policy, communications and resources, to ongoing reductions, at each of the company's facilities, in releases to the air, water and land and in the generation of wastes.						
2. A quantitative inventory at each facility of wastes generated and releases to the air, water and land, measured or estimated at the point of generation or release.						
3. Evaluation, sufficient to assist in establishing reduction priorities, of the potential impact of releases on the environment and the health and safety of employees and the public.						
4. Education of, and dialogue with, employees and members of the public about the inventory, impact evaluation, risks to the community and waste and release reduction priorities.						
5. Establishment of priorities, goals and plans for waste and release reduction, taking into account both community concerns and the potential health and safety impacts as determined under Practices 3 and 4.						

Management PracticesStages

	I	II	III	IV	V	VI
6. Ongoing reduction of wastes and releases, giving preference first to source reduction, second to recycle/reuse and third to treatment. These techniques may be used separately or in combination with one another.						
7. Measurement of progress at each facility in reducing the generation of wastes and in reducing releases to the air, water and land, by updating the quantitative inventory at least annually.						
8. Ongoing dialogue with employees and members of the public regarding waste and release information, progress in achieving reductions and future plans. This dialogue should be at a personal, face-to-face level, where possible, and should emphasize listening to others and discussing their concerns and ideas.						
9. Inclusion of waste and release prevention objectives in research, and in design of new or modified facilities, processes and products.						
10. An ongoing program for promotion and support of waste and release reduction by others.						

Industry Trend Data

Report annually to CMA or its designated agent, for each facility:

	Annual report submitted*	Annual report not submitted*	Annual report not required to be submitted*
1. Releases of substances as reported under SARA Section 313; and			
2. Wastes generated, as defined and reported in CMA's annual hazardous waste survey.			

*Enter number of facilities for which annual report to CMA
has or has not been submitted.

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**WASTE AND RELEASE REDUCTION
CODE OF MANAGEMENT PRACTICES**

ADDITIONAL COMMENTS.

CMA requests voluntary additional comments from member companies on implementation of this Code. Information obtained from these comments will be used to design support activities and other assistance for members.

1. Are you encountering problems implementing this Code at your facilities, and, if so, what are they? How could CMA help overcome these problems?

2. If your facilities are promoting and supporting waste and release reduction by others (Management Practice No. 9), could you give examples of these efforts?

3. Additional comments.

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Return by 1/06/90

**WASTE AND RELEASE REDUCTION
CODE OF MANAGEMENT PRACTICES
RESPONSE FORM**

1. We have reviewed the Waste and Release Reduction Code of Management Practices and have no comments. ☐ (Check only if no other comments are provided).
2. Is the purpose of the Code appropriate and/or clearly set forth? Explain. _____

3. Is the scope of the Code -- all contaminants and pollutants released, and generation of hazardous and nonhazardous wastes -- appropriate? Explain. _____

4. Does the purpose clearly convey that the Waste and Release Reduction Code is more extensive than the existing Chemical Release Reduction Policy? Explain. _____

5. The Code is applicable to facilities that include "a site used for chemical manufacturing, processing, refining, packaging, R & D, distribution or related commercial activities." Does this properly define the operations that should be addressed under the Code? Explain. _____

6. The Code is designed to achieve ongoing reductions with a goal of long-term, substantial downward trends. Is this an appropriate goal? Explain. _____

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7. The Code requires a facility to evaluate potential impacts of releases to be conducted before establishing priorities for facility reductions. Do you believe this is an appropriate management practice? Explain _____
- _____
8. The Code requires a facility to establish priorities, goals and plans for waste and release reduction. Are all of these requirements appropriate? Explain. _____
- _____
9. The Code sets forth a preferential hierarchy for on going reduction of wastes and releases. Is this approach appropriate? Explain. _____
- _____
10. We plan to include a question and answer piece with the final Code to help in communicating with employees and the public. Will the enclosed document help achieve this objective? Explain. _____
- _____
- _____

Please return by December 31, 1989 to:

David W. Carroll
Director, Environmental Programs
Chemical Manufacturers Association
2501 M Street, N.W.
Washington, D.C. 20037

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**WASTE AND RELEASE REDUCTION
CODE OF MANAGEMENT PRACTICES
QUESTIONS AND ANSWERS**

1. Is this a non-growth code? How can this code be reconciled with the need for expansions? How are opportunities for emission offsets (needed for air permitting) to be preserved?

Answer: This code envisions a long-term, substantial downward trend in total emissions and wastes. However, the method of achieving reductions is left to the needs of the individual member companies. Voluntary waste and release reductions may be eligible to be banked with appropriate governmental agencies. Any plan for waste and release reductions must also plan to accommodate expansions. Public perceptions may ultimately require a waste and release reduction type program just as a condition to be able to construct or expand. Several states already have proposed such regulations. The policy is not a no-growth policy; rather, it is a policy of balancing future expansions with future waste and release reductions.

2. Will this code not have enormous economic consequences?

Answer: Waste and release reductions may or may not have a huge price tag. Some reduction projects, like fugitive emission abatement, tend to pay for themselves in recovered materials. Other projects may increase the price of doing business. However, industry must be willing to invest in plants that will lead to a future with less waste and fewer releases to the environment. The goal of Responsible Care is that the chemical industry will improve its operations constantly.

- 3a. If all of the chemical industry is to be affected, how do we ensure fair and equitable reductions? How do we prevent competitive advantages among CMA member companies?

Answer: The waste and release reduction code is predicated on making reductions that are economically and technically sound. The code does not envision enforcing competitive disadvantages on member companies by usurping their decision-making processes.

- 3b. If all of the chemical industry is to be affected, how do we ensure fair and equitable reductions? How do we prevent competitive advantages with other industry segments?

Answer: This code will actually make our industry more competitive than those which do not embrace its concepts. Waste and release reductions will result in less waste, improved efficiency, and make the industry a superior competitor.

4. Why does this code appear to endorse reductions for reductions sake? Why should waste and releases be reduced below health-based standards? Why should waste and releases be reduced below levels allowed by statute, regulation, or permit?

Answer: The public does not endorse the concept of "permitted" generation of waste or releases to the environment. The public desires an increased margin of safety as a goal. Acceptable emission levels based on environmental concerns are usually lower than those that are acceptable for health-based standards. If the policy is to address the concerns of the public, it must require sustained reductions.

5. Is this a voluntary or mandatory policy?

Answer: The Waste and Release Reduction Code of Management Practices has been developed under the Responsible Care program. Adherence to the Responsible Care guiding principles is a condition of membership in CMA.

6. Is this code a never-ending spiral of reductions?

Answer: The policy is flexible so that each company can assess the viability of further reductions. Certainly, reductions will be sustained under the code as long as they are technically and economically viable. To the extent reduction options remain viable, the goal is to establish a long-term, substantial downward trend in wastes generated and releases to the environment.

7. Is this code envisioned to do any substantive reduction? Or, is the code just playing with statistics?

Answers: Unless real reductions occur, the code will be counter-productive to the goal of winning the public's trust. This perception of "game playing" is one reason this policy will have measurable implementation stages and industry trends data submission requirements. Over the long term, substantial real reductions must occur or the credibility of the entire Responsible Care program will be suspect.

8. Does this code apply to both large and small companies? Does this code apply to both large emitters and small emitters?

Answer: The code applies to all members of CMA. It is hoped that all of chemical industry, not just CMA member companies, will embrace the principle of waste and release reduction. Even a small company can have unnecessary generation of waste and releases to the environment. Even a small emitter may have wastes and releases that can be reduced further in an economical manner. The policy envisions progress by all of industry in reducing current wastes and releases. For companies having problems, the policy envisions helping those companies with expertise from other member companies.

9. What is the real purpose of this code?

Answer: This code is designed to address and respond to public concerns about hazardous and non-hazardous wastes generated and the releases of contaminants and pollutants to the air, water and soil. The implementation of the code will further reduce waste generation and existing releases, and thus increase the margin of safety for public health and the environment.

10. Does this code apply to domestic or world wide operations?

Answer: The principles behind the code are universal in concept. The reduction of waste and releases is good business and good citizenship. However, for purposes of CMA eligibility requirements, the code applies to that portion of a corporation or company that is used to determine CMA dues.

11. What about multi-divisional companies? Does this code apply to mining operations? Service stations? Warehouses?

Answer: Adherence to the Code of Management Practices is a guiding principle of the Responsible Care program. The Responsible Care program is a membership requirement for those portions of a company that determine the CMA dues structure. The principle of reducing waste and releases is responsible corporate behavior and should be encouraged throughout an organization.

12. Does the hierarchy of reduction methodologies mean that all projects must use source reduction unless it is technically infeasible?

Answer: Each waste and release source must be evaluated for its reduction potential. The hierarchy requires that reduction projects for source reduction be evaluated before recycle/reuse or treatment. However, the project to be implemented will depend on the evaluation. Technical infeasibility is only one of several plant and/or waste specific criteria that can lead to selection of a reduction project involving recycle/reuse or treatment.

13. Must the Management Practices be completed in the specific order listed?

Answer: The Management Practices are laid out in a logically sequential reoccurring pattern to complete a reduction project. The sequence should be generally adhered to although slight re-arrangement under specific circumstances may be warranted.

14. Should individual companies and/or plants submit or discuss the rationale behind the annual data submissions?

Answer: The data submitted for the Industry Trend Data reports need not have supporting documentation submitted. When discussing these data with the local public, it is assumed that general methodologies and assumptions will be discussed as part of the public education and dialogue process.

15. This code, as well as other codes under the Responsible Care program, require ongoing dialogues with employees and members of the public. Does each such Management Practice require a separate meeting?

Answer: No. Meetings with employees or the public can have multiple agenda items. If several Management Practice items are to be covered in a single meeting, all that is required is that the agenda and presentation clearly address each topic, rather than have a general "discussion of topics."

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**WASTE AND RELEASE REDUCTION
CODE AND MANAGEMENT PRACTICES
OPEN FORUM REGISTRATION FORM**

Please register the following person(s) for the Responsible Care Waste and Release Reduction Code of Management Practices Open Forum to be held December 12, 1989, at the Marriott Crystal Gateway, Arlington, VA. (The Open Forum will start at 9:00 a.m.) A check in the amount of \$_____ (\$45 per person) is enclosed. The registration fee covers continental breakfast, conference room charges, break and meeting materials.

Mail registration form and a check or money order, payable to the Chemical Manufacturers Association, to: Anita J. Arcement, CMA, 2501 M Street, N.W., Washington, D.C. 20037. Refunds will be made if cancellations are received by CMA before close of business December 6, 1989.

NAME _____

NAME _____

NAME _____

COMPANY _____

ADDRESS _____

CITY _____

STATE _____ ZIP _____

PHONE () _____

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