

January 13, 1976

Messrs. J. A. Mullins
 H. L. Kusnetz
 R. L. Sullivan
 B. F. Aurelius
 L. P. Haxby
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THIS COPY FOR

WCK	DPA	RBH	RBM	SAR
MANUFACTURING SAFETY & HEALTH				
JAN 14 1976				
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VCM/epa
regs

RE: PROPOSED STANDARD FOR VINYL CHLORIDE
 [40 CFR Part 61]

The Proposed Standard for VCM issued December 24, 1975, consists of two parts, a Preamble (59532-59544) and Sub part F - the proposed standard itself (59544-59552). Additionally, three supporting documents are noted, (1) the Scientific and Technical Assessment Report (STAR) on vinyl chloride and Polyvinyl Chloride, (2) the Standard Support and Environmental Impact Statement: Emission Standard for Vinyl Chloride, and (3) a Quantitative Risk Assessment for Community Exposure to Vinyl Chloride.

A hearing is scheduled for February 3, 1976, to review the standard [a 30 day extension has been requested but no response has been received], at which time we must have our position crystallized on all five portions of the standard. Even though Shell's written submission is not required until February 23, 1976, we must have our views in writing prior to the hearing to insure that comments made, if any, represent the Company's position and capabilities.

Accordingly, assistance in drafting written comments to the five sections of the standard is being sought, with a due date for collation of inputs being set for Wednesday, January 21. (Certain of the comments will be incorporated with the general remarks being prepared by the SPI, to be drafted on January 22 and 23 in Washington, D. C.,) To accomplish the complete review of the sections of the standard and drafting of comments to same, the following assignments are proposed:

- 1) Preamble: K. L. Spalding
- 2) Section F: J. A. Mullins
- 3) STAR Report: H. L. Kusnetz
- 4) Standard Support: R. L. Sullivan with/D. G. Miller/
W. M. Reynolds
- 5) Quantitative Risk Assessment: L. P. Haxby/E. W. Starke

Your cooperation and assistance is appreciated.

K. L. Spalding
 K. L. Spalding

TESTIMONY OF
RALPH L. HARDING, JR., PRESIDENT
THE SOCIETY OF THE PLASTICS INDUSTRY
ON THE
U.S. ENVIRONMENTAL PROTECTION AGENCY'S
PROPOSAL TO DESIGNATE VINYL CHLORIDE
A HAZARDOUS POLLUTANT AND ISSUE A STANDARD

Ladies and gentlemen, I am Ralph L. Harding, Jr., President of The Society of the Plastics Industry (SPI). On behalf of the Society I will comment on EPA's proposed Vinyl Chloride Air Emissions Standard. Specifically, I will describe how SPI and its Vinyl Chloride and Polyvinyl Chloride Producers Group intend to respond to the proposed Standard; our reaction to the Standard; and the industry's position on methodology used by EPA in developing the Standard. Let me summarize our position right now. Despite certain reservations, we accept the Agency's approach and will do our best to meet the Standard.

SPI is the trade association for the plastics industry. Our 1450 members and 50 operating units include producers of plastics raw materials, resins, modifiers, adjuvants, machinery and mold builders; the Society also includes processors and convertors of the resins into end products. We estimate that SPI membership represents 95% of the plastics materials and machinery produced in the U.S.A. and about 75% of domestic processing volume. The Society's concern with polyvinyl chloride begins with the manufacture of vinyl chloride monomer (VCM) and carries forward through its polymerization into polyvinyl chloride (PVC) and the various conversion processes

to its multitude of end uses and ultimately to its recycling or disposal.

In 1975, total plastics production is estimated at 22.7 billion pounds of which polyvinyl chloride accounts for 3.7 billion pounds. In the United States there are 17 vinyl chloride monomer producing plants and 41 polymerization plants. Twenty-two companies representing over 99% of VCM and PVC capacity are active members of SPI's VCM and PVC Producers Group.

Polyvinyl chloride is the second most widely used plastic product in the United States. It is a solid, produced by several different polymerization processes. The sole source of PVC is vinyl chloride monomer, a gaseous industrial chemical derived from petroleum or natural gas and chlorine.

PVC is used in a vast array of industrial and consumer products. While there may be substitutes for most of PVC's end uses, in some areas, such as blood bags and surgical/medical tubing, polyvinyl chloride is indispensable. The availability of PVC has made possible the advancement and development of techniques which are essential to modern blood technology and the treatment of kidney disease. ~~{Can we say this in light of FDA problems?}~~ The belting industry has stated that there is no known substitute for conveyor belting made from PVC--which would affect industries that range from coal mining to grain and processed food handling.

In other areas, PVC has become virtually indispensable. For example, certain medical products [to be expanded], important packaging uses, and commercial and industrial wire and cable insulation. PVC's resistance to fire, water and chemical reaction as well as its own chemical inertness have made it invaluable. As to other uses of PVC, it is uncertain whether substitutes are available and more critical is the time involved in their development and whether they possess the same valuable characteristics of PVC. Moreover, it is unknown whether available substitutes may themselves pose the same or even a greater threat to the public health than PVC.

I. Plan for Industry Response

Originally it was our hope to be able to provide detailed comments on the proposed Standard and the accompanying Standard Support and Environmental Impact Statement, The Scientific Technical Assessment Report on Vinyl Chloride and Polyvinyl Chloride and the Quantitative Risk Assessment for Community Exposure to Vinyl Chloride. The proposed Standard was not published until December 24, 1975, and the supporting documentation was not available to us in time to circulate prior to the week of January 5, 1976. Only then were most members of SPI in a position to begin analyzing EPA's material. In addition, The Quantitative Risk Assessment Document is a new document which we were unaware EPA was preparing and it requires substantial time and expertise to offer informed comment.

Therefore because of the timing of this hearing, my comments will necessarily be general. We plan to submit written comments on the technical, legal, health and economic aspects of the proposed Standard before the February deadline. In addition, some member companies are planning to submit their own detailed comments on issues raised by the Standard and the supporting documents.

II. Industry's Comments on the Proposed Standard

As I stated at the outset, as an industry we will do our best to meet the proposed U.S. Environmental Protection Agency Standard for vinyl chloride. This will entail a cost to the industry of about \$200 million with an annual operating cost of \$70 million. These are great costs to bear, but our industry as a matter of principle is dedicated to assuring that the public health will never be threatened by the manufacture of vinyl chloride monomer or polyvinyl chloride resin.

One aspect of the proposed Standard deserves special comment at this point. EPA chose to regulate vinyl chloride under Section 112 of the Clean Air Act. This action requires emission standards for hazardous air pollutants to be set at levels which in the judgment of the Administrator provide an ample margin of safety to protect public health. Despite the fact that no demonstrable health risk to the public who live in the vicinity of our plants has been shown, ~~we admit~~ ^{the scientific community} that a safe level cannot now be conclusively determined. Under these

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*Same
representatives
of the Scientific
Community are of the
opinion*

circumstances EPA had a number of choices including deferring action until it had more facts; banning the substance; or requiring the installation of control technology to reduce vinyl chloride emissions with or without reference to cost. We commend the Agency for considering costs although we believe that it has not adequately weighed them against the benefits likely to be achieved in protecting the public health.

In considering whether to ban vinyl chloride, EPA was faced with a substance that is apparently a human carcinogen *in some plants* *very* *which existed in past years before the development of the OSHA standard prior to the alleged association of VC with harm* at high occupational exposure levels and a carcinogen at lower but which has no demonstrable health effect at the extremely low exposure levels in test animals / In addition, vinyl chloride levels found in the ambient air. has many beneficial uses and its production and manufacture involves over two million jobs. Given the present knowledge of the level of any adverse health effects of vinyl chloride at the very low levels found around the manufacturing facilities, EPA decided that a total ban would represent a cost to society that could not be justified.

EPA's decision to utilize a control technology alternative involves a further consideration of cost. The Agency has taken costs into account in setting the proposed Standard only when "...costs appear to be grossly disproportionate to the emission reduction achieved." Standard Support and Environmental Impact Statement at . EPA rejected a "fine balancing of costs against benefits" Id. at in setting a best available control technology standard.

As we have stated, at this point we believe that in view of the lack of any demonstrable health risk of vinyl chloride in the ambient air, the Agency should have undertaken a more careful balancing of the costs of each specific control requirement against the emission reductions likely to be achieved and consequent lessening of the health risk. We urge EPA to attempt this balance before promulgating a final regulation in this case. We also believe EPA should apply the same methodology in the future when regulating substances posing problems similar to vinyl chloride.

We intend to support the proposed Standard and we will offer a number of constructive suggestions regarding the Standard itself, the Standard Support and Environmental Impact Statement, the Scientific Technical Assessment Report, and the Quantitative Risk Assessment for Community Exposure to Vinyl

Chloride. Our initial review of these documents discloses what appear to be a number of mistakes, *bias in the evidence* inaccuracies and *selected for arguments in the project of public opinion* unjustified conclusions. These problems will be addressed in our written submissions and in those of the individual companies.

based on such bias The proposed Standard becomes effective 90 days after promulgation. A waiver of up to two years to comply can be granted by the Administrator. In light of the lead time *and health effects* necessary to order new equipment and have it installed and *Quickly leads me to expect in total occupational environment* in some instances to develop additional technology, some companies will undoubtedly require this additional time in which to comply with the proposed Standard.

Notwithstanding the problems we have with certain aspects of the proposed Standard and its supporting documents, SPI takes this opportunity to commend the Agency for adopting an approach which allowed a maximum exchange of information between the technical people of the Agency, the industry and other interested parties. We believe this approach to developing a standard necessarily tied to technology is sound and we encourage its use in the future.

We also encourage the Agency's utilization of a risk assessment analysis in determining the appropriate Standard. Even though we have major difficulties with the published document, the concept is sound.

The Administrator of EPA has discretion under the Clean Air Act to determine which chemicals he believes may be hazardous to the public health. He admits his uncertainty about the potential environmental threat posed by vinyl chloride and concedes that there is no demonstrable health risk to the people who live near vinyl chloride or polyvinyl chloride plants. To fill in the gaps in our health effects knowledge, we believe he has a positive obligation to establish a procedure whereby the Agency can gather additional information. We strongly urge the U.S. Environmental Protection Agency to provide leadership in implementing a thorough, coordinated, joint labor-management-citizen and government research program to give the answers to continued questions about the health effects of vinyl chloride including whether there is a safe or "threshold" level for vinyl chloride in the atmosphere. The problems

"This misleading statement"

associated with suspected carcinogens with no known thresholds are simply too important for each affected group to pursue its own limited goals and to have the medical facts clouded by emotional claims. There are important studies which have been undertaken by Dow Chemical Company which Dr. Gehring will describe in some detail and we are hopeful that these efforts can be continued and encouraged by the government.

R.P. comment:

The industry has participated in preliminary steps to establish a comprehensive, coordinated research program.

Frankly, we had hoped the government's response to obvious research

Bad! To take on the whole government. If we're going to attack in the manner it should be the Agency not the whole government.

needs would have been more aggressive, and we hope that the Agency will adopt the recommendation of the Office of Air Quality Planning and Standards and the Office of Air and Waste Management on September 30, 1974, to "initiate a research program to develop more definitive data on the human health effects of vinyl chloride in the general population and on ambient air concentrations of vinyl chloride."

Conclusion

Although we have not been able to assemble our final comments as of this time, we find the proposed Standard challenging but generally realistic and we will do our best to comply.

LPR suggested this possibly would be re-worded

Finally, we wish to commend the Agency's process by which it worked openly with all parties to develop this Standard. This process should be encouraged and expanded in the future.

Thank you.