

INTERNAL LETTERHEAD

PLAINTIFF'S EXHIBIT

JUL 19 1971

CEL-1057

TO (NAME AND LOCATION)

* See Below

REFERENCE NO.

FROM (NAME AND LOCATION)

E.W. Kleppinger

REFERENCE NO.

EWK-71-123

DATE

July 16, 1971

* Messrs. J.W. Bowman - Belvidere
 A. Cappolla - Stein Hall
 W. Coble - Newark
 J. Corley - Clear Lake
 L. Emge - Houston
 J. Evans - Stein Hall
 T. Hazelhurst - Greer
 H. Head - Houston
 H. Holthausen - Yardley
 J.W. Lapsley - Charlotte
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 B. Meyer - Bay City
 J. Sawyer - Bishop
 P. Stair - Amcelle
 H. Smith - Rome
 F. Smith - Louisville
 C. Steinmetz - Charlotte
 S. Warren - Houston
 W. Washington - Celriver

SUBJECT: Hazardous Materials Regulations

As you know, the Water Quality Act of 1970 required that the then FWQA define hazardous materials so that spills of same could be reported and cleaned up utilizing government money. The whole designation procedure has become involved in questions as relates what is a hazardous material, as relates to what constitutes a spill, as to whether continuous discharges should be included in the regulations and as to whether regulations should refer to the Corps. of Engineers Permit Program. Also, there appears a lack of technical expertise on the part of lawyers with EPA in recognizing that the materials in themselves are not hazardous but become hazardous under certain conditions of release into the environment.

In any event, I attach a list of all those materials which are now tentatively set to be designated as hazardous. It will be necessary before a Corp. Permit is obtained to inventory these materials within the plant and to make sure that none are escaping. This relates to Question 24 on Page 12 of the permit application.


 E.W. Kleppinger

EWK/scb
 Attachment

010771

Lists of Hazardous Substances

These are materials which are designated as hazardous in our proposed regulation, 18 CFR Part 618, Designation of Hazardous Substances.

010772

Toxic or Heavy Metals

Antimony
Arsenic
Beryllium
Boron
Cadmium
Chromium
Copper
Lead
Mercury
Nickel
Selenium
Silver
Thallium
Zinc

Gases or Irritating Substances

Brombenzylcyanide
Chloracetophenone
Xylylbromide

Class A Poisons

Bromacetone
Chlorpicrin
Cyanogen
Cyanogen Chloride
Diphosgene
Hexaethyl Tetraphosphate
Hydrocyanic Acid
Monochloracetone
Mustard Gas
Nitric Oxide
Nitrogen Dioxide
Nitrogen Tetroxide
Parathion
Phenylcarbylamine Chloride
Phosgene
Tetraethyl Pyrophosphate
Tetraethyl Dithio Pyrophosphate

Class B Poisons

Acetone Cyanohydrin
Allyl Alcohol
Aniline
Barium Cyanide
Brucine (dimethoxy Strychnine)
Calcium Cyanide
4-Chloro-O-Toluidine Hydrochl
Cyanogen Bromide
Dinitrobenzol
Dinitrochlorbenzol
Dinitrophenol
Methyl Bromide
Nicotine Hydrochloride
Nicotine Salicylate
Nicotine Sulfate
Nicotine Tartrate
Nitroaniline, Ortho and Para
Nitrobenzol
Nitrochlorbenzene, Ortho
Nitrochlorbenzene, Meta or P
Nitroxylol
Perchloro-Methyl-Mercaptan
Phenol
Potassium Cyanide
Sodium Azide
Sodium Cyanide
Strychnine
Thiophosgene

010773

PESTICIDES

Fungicides

Captan
Copper Napthenate
Dichloronapthoquinone
Ferbam
Mercury Fungicides
Nabam
Thiram

Herbicides

Ammonium Sulfamate
2,4-D Acid
2,4-D Esters & Salts
CMU
Dalapon
Diuron
DNEP
DNBP (NH₄ Salt)
Endothal
IPC
MCP
Phenyl Mercuric Acetate
Seson
Silvex (2,4,5-T)
TBA
TCA
2,4,5-T (Acid, esters, salts)

Others

Fenuron
Kuron
Omazene
Perthane
Tedion
Vapam
Parathion

Insecticides

Aldrin
Chlordane
Chlorthion
DDD
DDT
Diazinon
Dicapthon
Dieldrin
Dipterex
Dibromochloropropane
Endrin
Guthion
Heptachlor
Isodrin
Kelthane
Lindane
Malathion
Metasystox
Methoxychlor
Methyl Parathion
Nicotine
Ovotran
Phosdrin
Pyrethrum
Rotenone
Schraden
Serin
Simazine
Sulfoxide
Systox
TEPP
Thodan
Toxaphene

010774

Radioactive Isotopes

Americium-241
Antimony-122
Antimony-124
Antimony-125
Argon-37
Arsenic-74
Arsenic-76
Arsenic-77
Barium-131
Barium-133
Barium-137m
Barium-140
Beryllium-7
Bismuth-207
Bismuth-210
Bromine-82
Cadmium-109
Cadmium-115
Calcium-45
Calcium-47
Carbon-14
Cerium-141
Cerium-144
Cesium-131
Cesium-134
Cesium-137
Chlorine-36
Chromium-51
Cobalt-57
Cobalt-58
Cobalt-60
Copper-64
Dysprosium-159
Erbium-169
Europium-152
Europium-154
Europium-155
Gadolinium-153
Gallium-68
Gallium-72
Germanium-71
Gold-195
Gold-198
Gold-199
Hafnium-181
Holmium-166
Hydrogen-3

Indium-113m
Indium-114
Iodine-125
Iodine-129
Iodine-130
Iodine-131
Iridium-192
Iridium-194
Iron-55
Iron-59
Krypton-85
Lanthanum-140
Lead-210
Lutetium-177
Magnesium-28
Manganese-54
Mercury-197
Mercury-203
Molybdenum-99
Neodymium-147
Neptunium-237
Nickel-63
Niobium-95
Osmium-191
Palladium-103
Palladium-109
Phosphorous-32
Plutonium-239
Polonium-210
Potassium-42
Praseodymium-142
Praseodymium-143
Praseodymium-144
Promethium-147
Protactinium-233
Protactinium-234
Radium-226
Rhenium-186
Rhodium-106
Rubidium-86
Ruthenium-103
Ruthenium-106
Samarium-151
Samarium-153
Scandium-46
Selenium-75
Silver-110
Silver-111

Sodium-22
Sodium-24
Strontium-85
Strontium-87
Strontium-89
Strontium-90
Sulfur-35
Tantalum-180
Technetium-99
Tellurium-132
Terbium-160
Thallium-204
Thulium-170
Tin-113
Tin-119m
Titanium-44
Tungsten-185
Tungsten-187
Uranium-235
Uranium-238
Xenon-133
Ytterbium-169
Yttrium-90
Yttrium-91
Zinc-65
Zinc-69
Zirconium-95

010775

Industrial Elements, Compounds or Mixtures

Acetaldehyde	Calcium Phosphate (Dibasic)
Acetic Acid	Calcium Phosphide
Acetic Anhydride	Carbon Disulfide
Acetone	Carbon Tetrachloride
Acetonitrile	Chloric Acid
Acetophenone	Chlorine
Acetyl Bromide	Chlorobenzene
Acrolein	Chloroform
Acrylic Acid	Chloroplatinic Acid
Acrylonitrile	Chlorosulfonic Acid
Adipic Acid	P-Chlorothymol
Adiponitrile	Chlorous Acid
Allyl Chloride	Citric Acid
Aluminum Fluoride	M-Cresol
Aluminum Sulfate	O-Cresol
Aluminum Triethyl	P-Cresol
Amino Ethyl Ethanol Amine	Crotonaldehyde
Ammonia	Cumene
Ammonium Acetate	Cyclohexane
Ammonium Chloride	Cyclohexanol
Ammonium Hydroxide	Cyclohexanone
Ammonium Nitrate	Cyclohexylamine
Ammonium Perchlorate	P-Cymene
Ammonium Phosphate	Decanal
Ammonium Sulfate	L-Decene
N-Amyl Acetate	N-Decyl Alcohol
Amyl Alcohol	Diacetone Alcohol
Barium	Diamylamine
Barium Carbonate	Dibromochloropropane
Barium Hydroxide	Dibutyl Phthalate
Benzaldehyde	Dichlorobenzene
Benzene	Dichlorodifluoromethane
Benzoic Acid	Dichloroethyl Ether
Benzoyl Chloride	Dichloropropane
Benzoyl Peroxide	Dichloropropene
Bismuth	Dicyclopentadiene
Bromine	Diethanolamine
N-Butyl Acetate	Diethylamine
N-Butyl Acrylate	Diethylbenzene
Butyl Alcohol	Diethylene Glycol
Butylamine	Diethylene Glycol Monobutyl E
Butyl Benzyl Phthalate	Diethylene Glycol Monoethyl E
1,3-Butylene Glycol	Diethylene Glycol Monomethyl
Butyl Hydroperoxide	Diethylenetriamine
N-Butyraldehyde	Diisobutyl Carbinol
Butyric Acid	Diisobutylene
Calcium Carbide	Diisobutyl Ketone
Calcium Chloride	Diisopropanolamine
Calcium Hydroxide	Diisopropylamine
Calcium Hypochlorite	Dimethylamine

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Diethyl Phthalate	Hypochlorous Acid
Dioxane	Iron
Dipentene	Isoamyl Acetate
Dipropylene Glycol	Isobutyl Acetate
Dodecanol	Isobutyl Acrylate
L-Dodecene	Isobutyl Alcohol
Dodecylbenzene	Isobutyl Mercaptan
Dodecyl Mercaptan	Isobutyraldehyde
Epichlorohydrin	Isodecaldehyde
Ethoxy Triglycol	Isodecyl Alcohol
Ethyl Acetate	Isooctyl Alcohol
Ethyl Acrylate	Isooctylaldehyde
Ethyl Alcohol	Isopentaldehyde
Ethylamine	Isophorone
Ethyl Benzene	Isoprene
Ethyl Butanol	Isopropyl Acetate
2-Ethylbutyraldehyde	Isopropyl Acetone
Ethyl Chloride	Isopropyl Alcohol
Ethylene	Isopropylamine
Ethylene Cyanohydrin	Isopropyl Ether
Ethylenediamine	Lactic Acid
Ethylene Dibromide	Lanthanum Acetate
Ethylene Dichloride	Lithium Sulfate
Ethylene Glycol	Magnesium
Ethylene Glycol Monobutyl Ether	Magnesium Sulfate
Ethylene Glycol Monoethyl Ether	Maleic Anhydride
Ethylene Glycol Monoethyl Ether Acetate	Mesityl Oxide
Ethylene Glycol Monomethyl Ether	Methanol
Ethylencimine	Methoxy Triglycol
Ethylene Oxide	Methyl Acetate
Ethyl Ether	Methyl Acrylate
Ethyl Formate	Methylal
2-Ethyl Hexaldehyde	Methylamine
2-Ethyl Hexyl Acrylate	Methyl Amyl Acetate
2-Ethyl-3-Propylacrolein	Methyl Amyl Alcohol
Ferrous Sulfate	Methyl Butyraldehyde
Fluorine	Methyl Chloride
<u>Formaldehyde</u>	Methylene Chloride
Formic Acid	Methyl Ethyl Ketone
Fumaric Acid	2-Methyl-5-Ethyl Pyridine
Furfural	Methyl Isobutyl Ketone
Furfuryl Alcohol	Methyl Methacrylate
Glycerol (Glycerine)	Molasses (Sucrose)
Glycol Diacetate	Molybdenum
Glyoxal	Monochlorodifluoromethane
Heptane	Monoethanolamine
Heptanol	Monoisopropanolamine
3-Heptene	Morpholine
Hexamethylenediamine	Naphthalene
Hexane	2-Naphthylamine
Hexanol	Nitric Acid
L-Hexene	Nitrophenol
Hexylene Glycol	2-Nitropropane
Hydrochloric Acid	Nitrous Acid
Hydrofluoric Acid	Nitrous Oxide
Hydrogen Peroxide	Nonane
Hydrogen Sulfide	Nonanol

010777

1-Nonene	Sodium Methyiate
Nonyl Phenol	Sodium Phosphate
Nitrilotriacetic Acid (NTA)	Sodium Silicate
Octanol	Sodium Sulfate
1-Octene	Sodium Sulfide
Oleic Acid	Sodium Sulfite
Oxalic Acid	Sodium Thiocyanate
Pentachlorophenol	Sorbitol
Pentane	Stannous Chloride
Pentadecanol	Styrene
1-Pentene	Sulfolane
Perchloric Acid	Sulfur Dioxide
Perchloroethylene	Sulfuric Acid
Phosphoric Acid	Sulfurous Acid
Phosphorous	Superphosphate
Phosphorus Oxychloride	Tetradecanol
Phosphorus Pentasulfide	1-Tetradecene
Phosphorus Trichloride	Tetraethylene Glycol
Phthalic Anhydride	Tetraethylene Pentamine
Polychlorinated Biphenyls (PCB)	Tetrahydronaphthalene
Polypropylene Glycol Methyl Ether	Thioglycolic Acid
Potassium Hydroxide	Toluene
Potassium Iodide	Trichlorobenzene
Potassium Pyrophosphate	Trichloroethane
Potassium Sulfate	Trichloroethylene
Propane	Trichlorophenol
B-Propiolactone	Tridecanol
Propionaldehyde	1-Tridecene
Propionic Acid	Triethanolamine
Propionic Anhydride	Triethylamine
Propyl Acetate	Triethylbenzene
N-Propyl Alcohol	Triethylene Glycol
Propylene	Triethylenetetramine
Propylene Glycol	2-Undecanol
Propylene Oxide	1-Undecene
Pyridine	Urea
Sec-Butyl Acetate	N-Valeraldehyde
Skatole	Vanadyl Sulfate
Sludge, Chemical, (resulting from water or waste treatment plant operation)	Vinyl Acetate
Sludge, Digested Sewage	Vinyl Chloride
Sludge, Raw, Undigested Sewage	Vinylidene Chloride
Sodium	Vinyl Toluene
Sodium Acetate	O-Xylene
Sodium Carbonate	M-Xylene
Sodium Chlorate	P-Xylene
Sodium Dodecyl Benzene Sulfonate (ABS)	Boric Acid
Sodium Ferricyanide	Chromic Acid
Sodium Ferrocyanide	Sodium Borate
Sodium Fluoride	Sodium Chromate
Sodium Fluosilicate	Sodium Dichromate
Sodium Hydrosulfite	Sulfur
Sodium Hydroxide	Calcium Fluoride
	Am Arsenate

010778

Calcium Nitrate
Copper Sulfate
Nickel Sulfate
Zinc Sulfate
Zinc Acetate
Zinc Chloride
Lead Arsenate
Silver Nitrate
Silver Cyanide
Vinyl Ether
Propylamine
Divinyl Benzene
Trichloro Fluoro Methane
Chloromethane
Propylene Dichloride
Lauroyl Peroxide
Tetraethyl Lead
Tetramethyl Lead

010779

OIL SPILL DISPERSANTS

Alken O. S. D.	Holl-Chem #622
Ameroid	Igepal CO-430
Aquanex MC	Igepal CO-530
Bacto-Zyme	Isomal 265
B&B 2021-S	Jansolv-60 & 60 W
B&B 2023	LLCP-12
Besco B-51-DT	Magic Power
Besco D-Emulsion No. 100	Magnus
Besco Slick - 440	Met Aquaclene 100
Blitz	OD - 2
BP - 1002	Oil Spill Eradicator X-1-11
BP - 1100	(Petrolite) W-1439
Casol	(Petrolite) WF-30
Colloid - 88	Polyclens (Moltoklar)
Corexit 7664	Polycomplex A-11 & A-11 D
Corexit 8666	Ridzlik
Di-Chem 320	Seamulso E
Disperse-Oil	Skanex S-102
Dispersol OS	Slix
F. O. 300-B	Spill - X
F. O. 300-H	Surflo RD 282
Foilzoil	Talent
(Gamlen) D. Solvent	TEOC 444
Gamosol	TEOC 777
Gold Crew	Tyfosol 80
Hemco No. 2	(Wyandotte) Spill Remover

010780

SECTION B

Actusol	Clock 06:39
Actusol T-776	COB
AFCO #5350	Coldclean
Actemul	Compound Richonage YLA
Actemul U. C.	Conco Emulsifier 700
Ameroid Drewclean 522	Con-O-1571
Amway Industroclean	C-Reiniger
Anti-Oil TS 3	Cronax (Oil Spill)
Anti-Oil TS 5	CW Solvent
Aquanix	Dart DBC Plus
Aquatreat	Deck Glo
Ascal Super 7-11	Degreaser 80 G
Atlas 1901	Degreco
Automatic Tank Wash	Dermol
Baroid Slix-5	D. G. 04
Basic-H	Di-Chem 322
Basal AD 6	Di-Chem 325
BD-30	Di-Chem 400
Bergen	Dispersite 110
Big Red	Dispersal
Cesco	Dissolvol
Cejer APC	Dissolvo
Cirrasol	Drew SC 96
Chevron NI-O	Drew Tank Cleaner No. 4
Cleanosol	Dunham D-166
Cleaner - 8671	Elimax

010781

Sinking Agents

AP-10
Calidria Asbestos Grade R-G444
Meqsite
Mistron Vapor
Omya Nautex H
Sol-Speedi-Dri
Zorb-All

Combustion Promoters

Cab-O-Sil ST-2-0
Capillardiamin
Ekopcr1
Pyraxon
Sea Bead

Biological Degrading Agents

DBC Plus

Gelling Agents

Spill-Away
Strickite

Collection Agents

Shell Herder

Miscellaneous Unclassified

Emery 15298
Emtal 42

Oils

Diesel Fuel No. 1-D
Diesel Fuel No. 2-D
Diesel Fuel No. 4-D
Fuel Oil No. 1
Fuel Oil No. 2
Fuel Oil No. 4

Fuel Oil No. 5
Fuel Oil No. 6 - Bunker C
Crude Light (Grand Isle Mix,
Louisiana)
Crude Medium
Crude Heavy (Loganillas)
JP-4
JP-5
Gasoline
Tallow
Coconut Oil
Turpentine
NSFO
Asphalt
Cutting Oil
Gas Oils
Fish Oil

010782

INTERNAL LETTERHEAD FORM GEN-55 REV. 7-66

010783

TO (Name and Location) See Below		REF. NO. EWK-71-123
FROM (Name and Location) E.W. Kleppinger	REF. NO. EWK-72-08	DATE January 13, 1972

Photocopy

* Messrs. J.W. Bownan - Belvidere	J.G. McLoughlin - Celco
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J.W. Lapsley - Charlotte	W. Washington - Celriver
T. Latham - Sayles Biltmore	S. Warren - Houston

SUBJECT: Hazardous Materials Regulations

Attached are what are probably the final regulations.

Please be prepared to comply.

E.W. Kleppinger
E.W. Kleppinger (scb)

EWK/scb
Attachments

010783