

minutes

SP

JOINT MEETING
HEALTH, SAFETY & ENVIRONMENT COMMITTEE
AND
SAFETY SUBCOMMITTEE

The Sheraton Music City
777 McGavock Pipe
Nashville, Tennessee

Wednesday
January 25, 1989
10:30 a.m.

Attendees:

Frank Borrelli, Georgia Gulf
Bruce Brocka, CertainTeed
W.C. Holbrook, BFGoodrich Company
Jim Kachtick, Occidental Chemical
Joe Ledvina, Vista Chemical
Gabe Lefebvre, BFGoodrich Company
Jack Lippman, Dow Chemical
Cris Lunn, Borden Chemicals
Bob Oubre, Dow Chemical
Irv Power, Occidental Chemical
Meredith Scheck, Vinyl Institute

Opening of Meeting

The meeting convened at 10:30 a.m. with Mr. Holbrook, Committee Chairman, asking for self-introductions.

Safety Workshop

Mrs. Scheck reviewed the discussions held at the December 15th Executive Board Meeting regarding the Safety Seminar concept. Mr. Lunn distributed a list of discussion items and the tentative outline for a pamphlet/brochure announcing the meeting. Following discussions, action items agreed to were:

- A. Location: Wyndham Greenspoint Hotel
Date: April 25, 1989
- B. Hotel Requirements: Block of Rooms (50-100)
Meeting Room
Audio Visual (Overhead, video/monitor, slide projector/screen)
Lunch
2 Coffee Breaks
- C. Panel Members: Lunn, Graybill, Lippman, Power and Holbrook to provide names and brief biographical sketch to Scheck by February 3rd. Power to include paragraph explaining morning presentation.

SL 089423

- D. Lippman agreed to moderate afternoon session and to arrange for video presentation in conjunction with the luncheon.
- E. Budget to be developed by VI to allow for project to be self-funded and supported by registration.
- F. Assessment sheet to be developed by Lunn/Scheck for development of report to the Board.

Hazard Ranking System

Mr. Holbrook introduced Mr. Lefebvre of the BFGoodrich Company, noting Mr. Lefebvre's involvement with activities of the Chemical Manufacturers Association on the Hazard Ranking System and related issues.

Mr. Lefebvre noted on December 21st that EPA had published in the Federal Register regulations related to the National Contingency Plan and on December 23rd had published the proposed rule on the Hazard Ranking System. He reviewed CMA activity to date on both of these items and noted that the comment period on both items closes February 21st. Mr. Lefebvre noted that he has taken a lead role on the HRS Task Force and Mr. Holbrook reviewed the potential impact of the HRS proposed rule on his and other VI member companies (referencing such items as on site landfills and impoundments). Mr. Lefebvre urged those present to review the proposed rule to determine its impact on each of their facilities. He noted the current involvement on the CMA Task Force of representatives of 2 Vinyl Institute member companies (Dow and PPG), and noted his eagerness to have the input and involvement of others.

In this regard, Mr. Lefebvre distributed four items he had prepared which Mr. Holbrook asked be appended to the minutes as follows - NCP Issues for Comments; Proposed Rule - NCP, comments being developed by CMA; Draft Comments on Hazard Ranking System; and Hazard Ranking System - Comments Requested by EPA.

TCLP Update

Mr. Ledvina stated that although he had been earlier informed that the TCLP would be finalized in March, that it now appears as though the date may be June. He commented further that he understood the vinyl chloride level being considered is 200 ppb.

Mr. Holbrook commented on the impact of this item on surface impoundments. He noted that it is his understanding that it is in "red border review" by EPA and that publication could be anticipated as early as March. Mr. Holbrook noted that the effective date will be six months after promulgation. The committee had a round table discussion on current activity within member companies on impoundments and ponds.

Vinyl Chloride Standard

Mrs. Scheck noted that amendments to the standard implementing the provisions of settlement agreement in SPI v EPA have not yet been published, but noted that the Agency is required to file a monthly update with the court.

SARA

Mrs. Scheck distributed additional copies of the chart developed as a result of member company input. Mr. Ledvina offered to provide additional input gleaned from FOI requests and asked that Mrs. Scheck distribute this chart to all committee members.

Mr. Holbrook asked for a roundtable discussion on the treatment of relief valve discharges under 61.65 and the definition of "otherwise federally permitted" vis-a-vis SARA's reporting provisions to the NRC.

VI Awards

Mrs. Scheck noted that forms for the VI Environmental Recognition and Safety Performance Awards along with the nominating ballot for the Annual VI Safety Award were mailed the previous day. Mrs. Scheck noted that the OSHA calculation sheets were the same as in past years and did not reflect discussions at the March 1988 Committee Meeting concerning incorporation of contract maintenance personnel. Mr. Lippman noted the procedures his company follows in dealing with and assigning responsibility for contract employees. Following a lengthy discussion on appropriate amendments to the Safety Award calculation to assure fair and equitable comparisons that would satisfy the varying practices and legal views of VI member companies, it was decided that the issue would be discussed at the Committee's next meeting.

ADSTR

Mr. Borrelli inquired as to the interest of VI involvement in providing comments on the second 25 draft toxicological profiles released by the Agency For Toxic Substances and Disease Registry and EPA. It was the consensus of the group that companies should provide appropriate input to the CMA (see attached memo on subject).

OHEIC

Mrs. Scheck inquired whether any member of the Committee wishes to serve as a VI representative to the SPI Occupational Health Environmental Issues Committee. Members commented that they would be willing to participate on special task forces/projects of OHEIC and suggested that Mrs. Scheck attend the next meeting of the committee and provide some recommendations following that meeting.

Next Meeting

The next meeting is scheduled for May 8th in conjunction with the VI Annual Meeting, unless the Chairman decides that an earlier meeting is necessary. Following the May meeting, it was suggested that tentatively the next meeting would be during the last week of September.

May 8th Agenda

In summary, it was agreed that the agenda for the May 8th committee meeting would include:

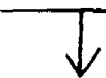
1. Update on measurement of fugitive emissions, with presentations by Vista and Borden.
2. Review of criteria presently used in computing VI Safety Performance Awards and discussion of appropriate changes to those criteria.
3. Update on labeling.

There being no other business, the meeting adjourned at 3:00 p.m.

*Respectfully,
[Signature]*

NCP Issues for Comments

- | | | |
|----------|--|--|
| 51407 | o Definition of "on-site" for permitting purposes. | } 300.400
General |
| 51409-10 | o Removal limitation implementation. | |
| 51413 | o Deferral policy/remedial site evaluation policy (PA/SI). | } 300.415
Removals |
| 51415 | o Merits of creating a construction completion category for sites on the NPL. * | |
| 51415 | o Whether deferral should be extended to state authorities. * (implicitly) | } 300.420
Rem. Site - 21. |
| 51415 | o Whether deferral should be extended to sites where PRPs enter into Federal enforcement agreements for site remediation. | |
| 51416 | o Deferral policy - extension to other federal authorities. * (June draft) | } 300.4 5
Establish 29
Remed. 1
Priority 1
[NOVIOU 7 |
| 51418 | o The appropriateness of deferring generally to Federal authorities and whether these authorities should be required to meet some or all CERCLA standards. | |
| 51418 | o Comments on two state deferral options | |
| | - deferral based on State petition requesting deferral. | |
| | - deferral based on states certification of its commitment and ability to address the site according to CERCLA standards. | |
| | - TAG grants | |
| | - public notice (public meeting) | |
| | - ATSDR | |
| | - Non NPL listing for deferral sites | |
| 51419 | o Deferral policy - sites regulated by multiple authorities. * | |
| 51419 | o Deferral of sites with agreements under CERCLA enforcement authorities - 2 options * | |
| 51420 | - deferral prior to NPL proposal based on agreement to carry out EPA - RD/RA pursuant to consent decree. | |
| | - deferral at time of proposal based on agreement to conduct a RI/FS for that site, with the proposed sited dropped if PRP | |



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subsequently agrees to perform RD/RA pursuant to consent decree. *(preferred option)*

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- 51420 o Appropriate method for identifying problem sites, if those sites are not proposed for the NPL because of deferral to CERCLA enforcement agreement.

- 51421 o Deferring placement of sites on NPL when other authorities are available to address contamination at the site and deferring sites when PRPs have signed enforceable CERCLA consent orders.

- ↑
- 51421-2 o Deleting final sites based upon deferral to other authorities/criteria

- Nobody
- 51426 o Risk ranges - two in particular
- current 10^{-4} to 10^{-4}
 - alternative 10^{-4} to 10^{-6}
 - issues related to these or alternative risk ranges

- ↓
- 51431 o Potential advantages and disadvantages of alternative site-specific balancing approaches related to
- type of criteria considered
 - steps for making statutory findings
 - degree of proposed structure *

- [Duke]
- o Two alternative approaches are
- site specific balancing with a cost-effectiveness screen
 - sequential decision making approach *

- II
- 51432 o Appropriateness and desirability of pursuing one of the following alternative strategies
- point of departure *
 - site stabilization *

- o Potential advantages and disadvantages of the following analytical techniques
- screening against threshold criteria
 - pairwise comparison
 - ranking alternatives or criteria
 - scoring (measuring alternatives against a consistent scale)
 - weighting alternatives or criteria
 - construction of a multi-attribute model

cont'd

300.480

*RIFS &
Remedy
Selection
[KUSEL]
Generally*

- III 51433-5 o Groundwater remediation approach
- 51436 o Criteria for ARARs
- IV 51439-40 *[Herr]* o Waiver of ARARs
 - interim remedy
 - equivalent performance
 - fund balancing - specific amount
- 51440 o Where ARARs must and TBCs should be attained *
- V 51450-2 o Community relations/public comment
- 51452-3 o Community relations during RD/RA phases
- 51454 o Interpretation of "restore ground and surface water quality" and on the merits of alternatives EPA has not adopted.
- Nobody* 51454 o Whether ten year O&M rule should extend to situations where primary purpose of ground water treatment is to provide drinking water supplies from water contaminated at the site without restoring it. *300.435
RD/RA
O&M*
- 51454 - o Appropriateness of requiring regions to enter into SMOAs if states request them and have demonstrated capability to take the lead for response action.
- 51455
- 51456 o Comment on criteria for state lead designation
 - overall expertise
 - legal authorities
 - administrative and contracting capability
 - financial management systems
 - availability of general resources
 - complexity of site
 - availability of site-specific resources
 - workload and expertise
 - past Federal and State actions at the site
 - past State cleanup activity
 (should other criteria be added?) *State Role
F*
- VI
- 51461 *[Quarles]* o Subpart H comments
 - consistency with NCP for private party cleanups *Participation
By Others
H*
- VII
- 51468 *V* o Should a notice of availability of administrative record or of commencement of public comment period be published in the Federal Register? (administrative record for remedial action) * *Admin Record
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[Quarles]*

cont'd

51469 o Should public comment be solicited on activities
that have already been completed at the time the
record is made available?
(administrative record for removal action)*

51469-70 o Comment on approaches to developing
administrative record for removal actions.*

51470 o Comment on adding documents to record after
selection of response action.*

contd