



De Bernardi

Interoffice Communication

*Jim Kinell - Legation
EPA matters*

To Distribution

From D. A. Kuhn

Date October 25, 1976

Subject Notes for Meeting on EPA VCM Standard

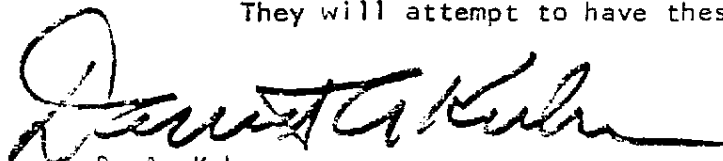
On June 2, 1976, I published an IOC with the subject "Best Guess of EPA's Enforcement Effort Under the Proposed VC Standard." At that time I said sufficient control could be obtained by putting in one VC control train rather than parallel units. This was based on an analysis of likely EPA compliance action requiring no more than response to a compliance order directing speedy return to the standard. Since that time information from many sources points to a stricter attitude by EPA which compels us to consider installing parallel controls.

Here are some factors that bear on the matter:

- (1) EPA will discover noncompliance by
 - (a) making a compliance check
 - (b) reading the company's semi-annual report
 - (c) being notified by the company of the discharge of a relief valve or a manual vent valve.
- (2) EPA's interpretations will be closely guided by the standard preamble.
- (3) When they are unsure of their interpretation, the regional EPA office will check with the standards' writers to make sure their interpretation is consistent with the intent of the standard.
- (4) Most EPA comment about the standard has been strict and unyielding.
- (5) EPA has stated "During malfunctions, we do not believe plants should be allowed to emit excess emissions and, therefore, are requiring them to shut down immediately." Immediately has been interpreted to mean 2-3 hours after emissions above the standard begin.
- (6) EPA's attitude is strict because they believe they are dealing with a significant health hazard of widespread public concern, not, for instance, suspended particulate matter where risks to public health from excess emissions is very small.
- (7) The new data from Maltoni will confirm to EPA that their strict stand was correct.

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- (8) EPA will be willing to comment unofficially on the suitability of compliance plans, but their advice will not bind them in any way.
- (9) EPA will issue interim waivers if granting compliance waivers takes beyond the 90 days specified. Extending waivers beyond two years will be much more difficult but not impossible.
- (10) Industry has a low regard for flares as a backup control device, mainly because there is no way to measure the VC concentration. The hydrogen chloride emissions may also be unacceptable.
- (11) Industry sources say that PVC plants will not put in dual controls.
- (12) Apparently, some VC plants will put in dual controls and some will not.
- (13) During control device malfunction, one company suggests diverting the vents into boilers to prevent plant shutdown.
- (14) The Technical Committee of the VCM/PVC Producers' Group at SPI is drafting "compliance guidelines" which industry would find acceptable. They will attempt to have these adopted by EPA..



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