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from the desk of

ANTHONY J. DIGLIO

26 November 1979

TO:

RE: CMA Environmental Management  
Committee Report to the Board  
of Directors.

A handwritten signature in cursive script, reading 'Anthony J. Diglio', written over a horizontal line.

**AP00024984**

**RECEIVED**

NOV 5 1979

A. J. DIGLIO

**ENVIRONMENTAL MANAGEMENT COMMITTEE  
DIRECTORY  
AND  
REPORT TO THE BOARD OF DIRECTORS  
SEPTEMBER 5, 1979**

**AP00024985**

TO: MEMBER COMPANY REPRESENTATIVES

The Environmental Management Committee has developed a program of positive advocacy aimed at securing responsible and cost effective environmental laws and regulations. The program must continue and in fact become more intensive in the next few years, to counter the tremendous costs of new, poorly conceived, and unnecessary regulations. The success of this endeavor depends primarily upon the interest, dedication, and effort that member companies contribute.

The environmental management program is one area where we can leverage our efforts to serve the common good, while avoiding needless costs and drains on industry productivity. Through our broad program we can jointly work to develop and propose legislation and regulations that make sense, are cost effective, and will achieve national environmental goals. Analyses of key issues and their communication to CMA membership is a high priority. Litigation, if necessary, must be evaluated and supported by legal, technical, and economic analysis. Specific studies and research projects must be undertaken to provide a foundation for an ongoing advocacy role. We have a tremendous opportunity to play a part in the national interest of reducing inflation and reversing the decline in productivity in the chemical industry by minimizing and reducing regulatory costs. Done in the spirit of "doing the right thing" for the environment, we can be proud of our efforts.

This booklet describes the EMC and its task group structure. It sets forth the responsibilities of the member company representatives and provides a "snapshot" of the current situation faced by each task group, by describing its mission, program and membership. I think you will find it interesting and informative.

I urge you to give this booklet broad distribution and, if need be, to explain it to your management because we need wholehearted support back home to continue our successful start. We find that task group members must spend 10 to 25 percent of their time to be effective on EMC activities. If your management is reluctant to support this commitment, please give me a call.

To those who have served on the task groups and contributed to our initial success, we say "thanks" for the EMC and the entire CMA membership.



C. L. Sercu, Chairman  
Environmental Management Committee

**AP00024986**

ENVIRONMENTAL MANAGEMENT COMMITTEE

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## I. COMMITTEE SYSTEM

### ORGANIZATION:

The EMC is a management committee designed to discharge the purpose and function set forth on the following page.

In recognition of the rotational aspects of EMC membership, i.e., 33 percent turnover per year, the Committee is staffed to provide a combination of knowledge on the topics at issue and overall perspective of member company interests and priorities. Each EMC member serves as the sponsor of a task group, and in that stewardship role provides a disciplined channel of communication between the task group and the EMC. Small task groups of 3 to 10 persons are headed by a Task Group Leader. Program continuity, while vested in the EMC, is largely dependent upon the specific missions assigned to the task groups. They are the critical forces in developing and carrying out CMA initiatives.

The responsibilities of sponsors, task group leaders and task group members are further defined in succeeding pages.

### EMC ACTIVITY ANALYSIS

June 1978 through July 1979

|                                                                                            |              |
|--------------------------------------------------------------------------------------------|--------------|
| EMC Executive Sessions                                                                     | 22           |
| 14 Regular Meetings, plus 8 special meetings dealing with "Superfund" and hazardous wastes |              |
| Environmental Briefings for Member Companies                                               | 2            |
| October, 1978 - Cincinnati                                                                 | 160 attended |
| May, 1979 - Washington, D.C.                                                               | 240 attended |
| Task Group Meetings                                                                        | 134          |
| Workshops, Seminars, Symposia                                                              | 9            |
| Issues in Litigation, or pre-litigation analysis                                           | 9            |

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## ENVIRONMENTAL MANAGEMENT COMMITTEE

### Purpose and Function

Purposes: Under broad policies established by the Board of Directors and within limits of authority specified by the Executive Committee, the Committee oversees Association environmental activities. In so doing the Committee will: identify key environmental issues and focus efforts on matters of greatest significance to the chemical manufacturing industry; establish specific objectives on the key issues and mobilize resources to produce decisive timely results; aggressively advocate responsible environmental legislation and regulation which consider economic impacts, energy implications, cost effectiveness, risks and benefits; seek relief from unreasonable environmental legislation and regulation by appropriate means, which may include legal action; advise the Executive Committee on Association staffing and resources required by the Committee to achieve its objectives; help member companies understand their environmental responsibilities by informing them of major trends, developments, key issues, and Association actions; develop awareness of chemical manufacturing industry contributions to environmental management and facts surrounding key issues; and initiate and sponsor research and development on environmental issues of widespread interest to the chemical manufacturing industry.

#### TERM ENDING MAY 31, 1980

Jackson B. Browning.....Union Carbide Corporation  
J. F. Byrd.....The Procter & Gamble Company  
Lynn D. Johnson.....Rohm and Haas Company  
Ernest C. Ladd.....FMC Corporation  
J. R. Sayers, Vice Chairman\*.....Monsanto Company

#### TERM ENDING MAY 31, 1981

E. W. Callahan.....Allied Chemical Corporation  
Anthony J. Diglio.....Air Products and Chemicals, Inc.  
Richard J. Samelson.....PPG Industries, Inc.  
Charles L. Sercu, Chairman\*.....Dow Chemical U.S.A.  
J. P. Thorn.....Exxon Chemical Company U.S.A.

#### TERM ENDING MAY 31, 1982

F. B. Friedman.....ARCO/Chemical Company  
Wayne C. Jaeschke.....Stauffer Chemical Company  
C. P. Priesing.....American Cyanamid Company  
S. Noble Robinson.....Mallinckrodt, Inc.  
J. B. Worthington.....Diamond Shamrock Corporation

Staff Representative and Secretary: Carl A. Gosline

\*Through May 31, 1980

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## ENVIRONMENTAL MANAGEMENT COMMITTEE

### Sponsor Responsibilities

- o Ensure that Committee objectives are reflected in a task group's mission and that the group's program will achieve those objectives.
- o Ensure that changes in the EMC program which impact on a task group are conveyed to the group.
- o Ensure that task group requests for direction receive a clear and complete response from the EMC.
- o Ensure that the task group requests for support from CMA staff, other Committees and outside contractors are acted upon by EMC.
- o Ensure that the designation of task group leader is concurred in by the chairman and that he has the necessary special competence, interest and support of his company's management to assure success. The staff representative will assist in this selection.
- o Assist the task group leader in recruiting the required group membership.
- o Report periodically to the EMC on task group progress.
- o Obtain EMC decisions on recommendations for changes in the task group's mission, changes in scope, inter-task group realignment and discontinuance of task groups as soon as missions are complete.

**AP00024990**

## ENVIRONMENTAL MANAGEMENT COMMITTEE

### Task Group Leader Responsibilities

- o Develop the task group objective provided by the EMC into a mission and define the program for accomplishment of the mission.
- o Recruit from member companies, with the assistance of the sponsor and CMA staff representatives, task group members with the special competence, interest and management support necessary to carry out the group's program.
- o Manage successfully the group's mission.
- o Define resources required by the task group, beyond its own membership, and provide the sponsor information required to obtain EMC and CMA approvals.
- o Work in concert with CMA staff and other task groups and oversee supporting outside contractors to ensure accomplishment of the objective.
- o Recommend changes in the task group objectives, program termination of group activity as required.

### Task Group Member Responsibilities

- o Assist the task group leader in development of the mission of the group and the definition of the program needed to accomplish the group's mission.
- o Accept specific sub-assignments and carry out the work promptly.
- o Attend group meetings.
- o Bring additional resources from his company to bear on the accomplishment of the group's program.

**AP00024991**

OBJECTIVES AND PROGRAMS

AIR POLLUTANT EFFECTS TASK GROUP

SITUATION: The Clean Air Act's basic objective is the attainment and maintenance of air quality adequate to protect the nation's public health and productive capacity of its population. It is to be accomplished by meeting ambient air quality standards and the control of hazardous air pollutants. Determination of the impacts from air-borne pollutants is complex, critical and controversial.

MISSION: Analyze existing information on health effects of air pollutants and conduct studies and surveys to develop required additional information. Input to EPA on CMA's position on appropriate ambient air quality standards derived from health effect data. Develop data and reference base for future legislative changes or litigation.

CURRENT PROGRAM: (1) Oversee research program to determine if oxidants other than ozone are generated by ozonators. (2) Document areas of technical concern for possible legal challenge of oxidant (ozone) standard. (3) Near-term future activities will include comment on EPA carcinogen policy and benzene hazardous pollutant designation.

TASK GROUP MEMBERS: J. P. THORN, Exxon, Sponsor; J. A. MULLINS, Shell, Leader; F. D. BESS, Union Carbide; RALPH LANGNER, Dow; C. W. UMLAND, Exxon.

**AP00024992**

CLEAN AIR ACT REVISIONS TASK GROUP

SITUATION: The 1977 Amendments to the Clean Air Act, together with EPA's implementation of the Act, are leading to severe restrictions on industrial growth. The 1977 law established a National Commission on Air Quality to study problems with the law and make recommendations to Congress regarding further amendments. Further, public dissatisfaction with many parts of the law have refocused Congress' attention on it. The Environmental Management Committee needs to be in position to capitalize on these movements toward change.

MISSION: Define the critical issues in the Clean Air Act that impact on the chemical industry. Communicate these issues to the public, the National Commission on Air Quality, and the Congress and their staffs. Pursue legislative changes in the Act.

CURRENT PROGRAM: Publish an issues paper. Develop a communications program for use with the public, the Commission and the Congress, both in Washington and in member company states. Manage programs to collect evidence of the impact of the Act on the chemical industry. Manage a campaign to affect improvements in the Act.

TASK GROUP MEMBERS: S. N. ROBINSON, Mallinckrodt, Sponsor; G. D. CARPENTER, Procter & Gamble, Leader; K. E. BLOWER, Sohio; J. M. DeMEESTER, Dow; J. C. EDWARDS, Tennessee Eastman; E. N. HELMERS, Du Pont; T. L. HURST, Kerr-McGee; E. G. OPDYKE, Kay-Fries; J. R. READLE, ARCO; T. H. RHODES, Exxon; D. J. ROBINSON, Cabot.

Liaison with Nonattainment PSD Task Group: B. J. REILLY, Du Pont.

Liaison with Government Relations Committee: H. S. VAN SCOYOC, Du Pont.

**AP00024993**

## INDUSTRIAL BOILER TASK GROUP

SITUATION: Various statutes allow for or require increased use of coal as an alternate to oil and gas for fueling boilers. Concurrently, emission limitations are being imposed by EPA according to the Clean Air Act. EPA also is bringing boilers with capacities of 15 million BTU/hr under control, which means that NO<sub>x</sub>, SO<sub>2</sub>, and particulate limits could be imposed on many industrial, process or waste heat boilers.

MISSION: Ensure that New Source Performance Standards (NSPS) do not preclude practical operation of industrial boilers through imposition of unneeded, untimely or excessively costly controls, such as flue gas scrubbing.

CURRENT PROGRAM: (1) Make chemical industry concerns known to EPA and agency contractors developing background for industrial boiler NSPS. (2) Analyze the NSPS background development tasks; develop positions on regulations covering waste fuel burning. (3) Meet with EPA contractor (Acurex) to discuss the waste fuel-burning boiler task and determine how CMA can contribute to the study. (4) Meet with Acurex personnel overseeing industrial boiler subcontractors and determine where additional contacts should be pursued. Follow-up with subcontractors group to make appropriate input to subcontractors. (5) Establish working relationship with DOE, Office of Environment; coordinate the Fuel Use Act environmental concerns with EMC programs.

TASK GROUP MEMBERS: J. B. WORTHINGTON, Diamond Shamrock, Sponsor; C. W. VOGELSANG, Du Pont, Leader; DARYL CRAGAR, Dow; JACK FRAUENHOFFER, Mallinckrodt; E. FREDERICKS, Englehard; J. R. GIBB, Procter & Gamble; J. HOLLIDAY, Union Carbide; W. P. MOORE, Rohm & Haas; A. F. PIER, Monsanto.

**AP00024994**

NONATTAINMENT/PREVENTION OF SIGNIFICANT  
DETERIORATION TASK GROUP

SITUATION: Clean Air Act Amendments require imposition of various degrees of emission control to reduce ambient pollutant concentrations to predetermined national standards or to prevent pollutant concentrations from rising above those standards. Essentially, all major stationary sources and mobile sources of pollution can be subjected to emission limitations.

MISSION: Develop and coordinate a program leading to reasonable emission regulations, short-range; work for modification of the growth control impact of the Clean Air Act, long-range. The task group will make an in-depth review of PSD and NA regulations, outline the major technical/legal issues of concern and recommend CMA legal challenge where appropriate. The task group also will develop a case history record showing how these regulations are stifling industrial growth and imposing excessive costs that contribute to inflation without commensurate benefits.

CURRENT PROGRAM: (1) Provide support for legal actions challenging PSD regulations promulgated by EPA in June. (2) Analyze draft NA Interpretative Rulings and draft regulations. If promulgated in this form, support a recommended legal challenge by CMA. (3) Since a court decision on the PSD and NA challenges will not be made in time for the states to reflect this in their State Implementation Plan revision submissions, work with the SIP Task Group to develop a plan to keep states from getting overly committed to the present histories of PSD and NA regulation impacts.

TASK GROUP MEMBERS: S. N. ROBINSON, Mallinckrodt, Sponsor; T. H. RHODES, Exxon, Leader; G. D. CARPENTER, Procter & Gamble; J. M. LINES, UNIROYAL; B. J. REILLY, Du Pont.

AP00024995

PROCESS EMISSION REGULATIONS TASK GROUP

SITUATION: EPA will issue within one to two years control technology guidance documents (RACT), National Emissions Standards for Hazardous Air Pollutants (NESHAPS) and New Source Performance Standards (NSPS), which will form the basis for air emission limitations imposed by the states under their implementation plans and limits imposed by EPA under NSPS and NESHAPS.

MISSION: (1) Track EPA programs leading to the preparation of control technology guidance documents, NESHAPS and NSPS. (2) Input chemical industry information required to ensure a sound technical and economic basis for resulting emission limitations. (3) Develop documentation and analyses necessary for presentation of CMA views on regulations and legislation, as well as supporting necessary litigation of key issues. (4) Maintain liaison with industry peer, trade organizations (AIHC and TCC) and environmentalist air groups.

CURRENT PROGRAM: (1) Complete review of an estimated 40-product assessment document. (2) Review draft documents, CTG's, BID's and NSPS for storage and handling, fugitive, secondary and unit operations process emissions. (3) Review draft NESHAPS for similar emissions. Develop and propose a more workable alternative to EPA's proposed regulations. (4) Meet with EPA quarterly to review their program.

TASK GROUP MEMBERS: L. D. JOHNSON, Rohm and Haas, Sponsor; W. M. REITER, Allied, Leader; C. B. BECK, Cabot; W. R. CHALKER, Du Pont; R. L. FOSTER, Union Carbide; N. GALLUZZO, Monsanto; M. P. HUGHES, El Paso Products; E. L. POWERS, Mobay; PAUL SIENKNECHT, Dow.

Liaison with TCC: T. H. RHODES, Exxon.

AP00024996

STATE IMPLEMENTATION PLANS (SIP) TASK GROUP

SITUATION: All states must present new implementation plans for achieving ambient air standards to EPA. The states need help in deciding specifics to include in the plans that assure improvement in air quality, yet are achievable by the chemical industry.

MISSION: Assemble chemical industry viewpoints and pass on to the state regulatory agencies in key states.

CURRENT PROGRAM: (1) Educate task group members from each state as to CMA viewpoints. (2) Coordinate multistate presentations. (3) Provide additional help, as needed, to local associations. (4) Keep CMA-EMC and membership informed about trends and developments in SIP's that go beyond those required to get EPA approval. (5) Review comments to and approvals of SIP's for inconsistencies in those areas which have been determined by the courts.

TASK GROUP MEMBERS: S. N. ROBINSON, Mallinckrodt, Sponsor; G. W. DAIGRE, Dow, Leader; D. M. BENFORADO, 3M; E. L. POWERS, Mobay.

**AP00024997**

# HAZARDOUS WASTE DISPOSAL SEMINAR TASK GROUP

SITUATION: The chemical industry must dispose of its hazardous wastes in compliance with requirements imposed by the Resource Conservation and Recovery Act (RCRA). It has become increasingly difficult to create and operate environmentally sound hazardous waste disposal sites. Up-to-date technology and methodology should be more widely disseminated among member companies.

MISSION: Inform plant environmental managers and engineers, disposal site operators, and others concerned with operation and maintenance of sites as to best management practices for disposal of hazardous wastes. Include up-to-date information on establishing a site, landfill fundamentals, detection, monitoring, design and construction, maintenance and control engineering, and alternative technology.

CURRENT PROGRAM: Plan and sponsor six regional seminars on management of hazardous waste, identical in content except when regulatory developments dictate changes. To be held November 5-6, 1979 in Newark; November 8-9, 1979 in Chicago; January 28-29, 1980 in Atlanta; January 31 - February 1, 1980 in Kansas City; March 3-4, 1980 in San Francisco; and March 6-7, 1980 in Houston.

TASK GROUP MEMBERS: W. C. JAESCHKE, Stauffer, Sponsor; J. D. UNDERWOOD, Celanese, Leader; C. A. BARTON, Procter & Gamble; R. E. DECKER, Du Pont; G. L. JESSEE, Monsanto; J. B. MARTIN, Dow; D. McGRADE, Stauffer; B. PARLANTE, American Cyanamid; R. SOBEL, Allied.

AP00024998

NATIONAL HAZARDOUS WASTE RESPONSE CENTER (NHWRC) TASK GROUP

SITUATION: A few abandoned hazardous waste disposal sites have created hazards to the environment and to human health. These sites have offered real challenges to clean-up efforts. Publicity given to these few abandoned sites has tended to give the chemical industry a bad name.

MISSION: The establishment of a National Hazardous Waste Response Center is a bold action to put the expertise of the chemical industry at the disposal of government agencies -- a socially responsive action of concerned industry.

CURRENT PROGRAM: (1) Establish, on a trial basis, a pilot program for aiding federal and state agencies in surveying and cleaning up abandoned hazardous waste disposal sites. (2) One or two teams of top notch people from the chemical industry will be organized and sent to one or two abandoned hazardous waste disposal sites picked by the EPA which present a threat to the environment and human safety. The group or team will make recommendations for generating solutions to the problem. In carrying out this mission, the team will develop protocols and guidelines for future work, should the pilot effort prove successful. (3) Based upon these trial efforts, EMC will make recommendations for further work, including the establishment of a National Hazardous Waste Response Center.

TASK GROUP MEMBERS: J. F. BYRD, Procter & Gamble, Sponsor; J. GLEDHILL, Dow, Leader; G. W. BROWN, Mallinckrodt; R. LISS, Monsanto; R. PARLANTE, American Cyanamid.

**AP00024999**

RCRA REGS & AMENDMENTS TASK GROUP

SITUATION: The Resource Conservation & Recovery Act (RCRA) passed in 1976, controls disposal of wastes into or on the land. The Act has three major areas: The first deals with hazardous waste management and is intended to control disposal of hazardous wastes from "cradle to grave". The second deals with solid waste guidelines for states to regulate sanitary landfills and to close all open dumps. The third deals with resource recovery and the development of alternative uses for discarded material. Because of the broad definition given to solid waste and hazardous waste, the chemical industry may be significantly affected by regulations now being promulgated.

MISSION: Work with all levels of government to achieve sound and reasonable regulations governing waste generation, handling and disposal.

CURRENT PROGRAM: (1) Submit comments to EPA on the various working draft sections considered for proposed rule-making; (2) Prepare or present public statements as appropriate; (3) Review SW-1, SW-2 and SW-3 technical manuals and develop a new manual covering management of inactive waste sites; (4) Follow the research program on leachate characterization and support ASTM program on leachate test methods.

TASK GROUP MEMBERS: W. C. JAESCHKE, Stauffer, Sponsor; R. SOBEL, Allied, Leader; C. A. BARTON, Procter & Gamble; R. J. BRENNER, Mobil; S. L. DANIELS, Dow; G. J. HANKS, JR., Union Carbide; R. L. HARNESS, Monsanto; P. A. PALMER, Du Pont.

Liaison with Government Relations Committee: W. DENYES, Eastman.

Ad Hoc Members: E. BERMAN, Du Pont; J. KUSZAJ, Dow; L. WITTENBERG, Stauffer.

**AP00025000**

SITING-MODEL REGIONAL PLANT TASK GROUP

SITUATION: Existing sites for treatment and disposal of hazardous wastes are inadequate to meet future industrial needs. Furthermore development of much needed new sites is a major, sometimes insurmountable problem. There are too many examples where a properly designed facility to be located in an industrially zoned area with a state permit in hand has been blocked by public opposition and fear.

Closely related to the siting problem is the need to show the public (and even Federal and State Governments), by establishing a model regional demonstration facility, that a hazardous waste disposal site properly designed and operated does not pose a hazard to the environment or to public health.

MISSION: (1) Develop viable answers to the siting problem which could mean legislative or legal approaches such as state pre-eminence (eminent domain) or state-owned regional sites set aside for such purposes. (2) Work with public and private organizations to establish a fund to design and construct a model regional demonstration site for treatment and disposal of hazardous wastes.

CURRENT PROGRAM: (1) Survey the situation nationally to determine the obstacles to siting in terms of zoning laws, eminent domain, etc. (2) Develop solutions to problems of siting in an orderly way with a guarantee that the site will remain available after engineering and permitting has been satisfactorily completed. This can include drafting model state laws. (3) Develop a plan whereby CMA, working with public and private state agencies, can construct a model regional demonstration facility.

TASK GROUP MEMBERS: J. F. BYRD, Procter & Gamble, Sponsor; J. WESLEY, Du Pont, Leader; B. BRUBAKER, Diamond Shamrock; N. KAYE, American Cyanamid; C. D. MALLOCH, Monsanto; T. ROBERTS, Celanese; J. D. ROBERTSON, Exxon.

**AP00025001**

SOLID WASTE DISPOSAL TECHNOLOGY DEVELOPMENT TASK GROUP

SITUATION: Because of such highly publicized incidents as Love Canal and the Valley of the Drums, hazardous waste disposal is the burning environmental issue of the moment. Methods of disposal are coming under searching scrutiny by regulatory and legislative branches of state and federal government. The chemical industry must assure itself and governmental groups that technology exists for safe disposal of hazardous wastes.

MISSION: Examine existing technology (state-of-the-art) and identify areas where more development work is needed to increase the effectiveness of various approaches to the safe disposal of hazardous wastes. Generally, the technology does exist for safe disposal of hazardous wastes, but further fine tuning may be desirable.

CURRENT PROGRAM: (1) Determine if there is a gap in our knowledge and techniques for proper and safe disposal of hazardous wastes. (2) Recommend projects to develop safer techniques of hazardous waste disposal. Funding can be by CMA or by others. (3) A specific project to be given high priority is disposal of drums used to transport hazardous wastes. Incineratable drums may be one answer.

TASK GROUP MEMBERS: J. F. BYRD, Procter & Gamble, Sponsor; R. L. PELLISIER, FMC, Leader; B. ASKINS, American Cyanamid; B. DICKSON, Tennessee Eastman; G. A. JOHNSON, 3M; K. KOMOROWSKI, PPG; J. MCGUIRE, Monsanto.

Liaison with RCRA Regs and Amendments Task Group: R. L. HARNESS, Monsanto.

AP00025002

#### AQUATIC RESEARCH TASK GROUP

SITUATION: There are many gaps in the understanding of the fate and effects of pollutants in the aquatic environment. CMA has long supported efforts to close some of these gaps, including biological monitoring of wastewaters. Additional research is needed on rate kinetics and fate of refractory pollutants.

MISSION: Follow CMA research projects and propose additional projects leading to better understanding of fate and effects of pollutants in water. Follow EPA research activities and other work related to CMA needs.

CURRENT PROGRAM: (1) Track EPA research efforts in the aquatic arena. (2) Propose research projects that explore fate and effects of chemicals in water. (3) Oversee projects funded by CMA.

TASK GROUP MEMBERS: E. C. LADD, FMC, Sponsor; A. H. LASDAY, Texaco, Leader; D. R. BRANSON, Dow; J. L. HAMELINK, Eli Lilly; H. LOCKHART, Eastman Kodak; G. LOEWENGART, Allied; A. MAKI, Procter & Gamble; C. MUSKA, Du Pont.

**AP00025003**

# EFFLUENT GUIDELINES TASK GROUP

SITUATION: EPA is developing effluent guidelines based on Best Available Technology (economically achievable) (BAT) per the Clean Water Act. Results need to be evaluated technically and economically for feasibility.

MISSION: Assist EPA and it's contractors in the development of effluent limitations guidelines for wastewaters from the chemical industry; assist in technical and economic evaluation of regulations; prepare comments on proposed regulations, or for litigation of promulgated regulations.

CURRENT PROGRAM: (1) Meet as a task group and with EPA and/or its contractors as needed to review and comment on details of program, types of data sought, forms used, etc. (2) Review and comment on contractor documents. (3) Review and comment on EPA documents. (4) Provide technical basis for litigation if needed.

TASK GROUP MEMBERS: E. C. LADD, FMC, Sponsor; R. F. ROCHELEAU, Du Pont, Leader; B. BASTIAN, Shell; F. M. BROWER, Dow; A. H. CHEELY, Union Carbide; R. L. FAWCETT, Allied; M. E. HALL, Union Carbide; G. V. JOHNSON, Du Pont; J. H. MAHON, Calgon; A. C. MAREK, American Cyanamid; R. MELLOM, Dow; M. A. PIERLE, Monsanto; E. L. POWERS, Mobay; J. SCHROY, Monsanto; D. B. SEBREE, Du Pont; B. W. STEVENS, Rohm and Haas; W. R. TAYLOR, Diamond Shamrock; J. D. UNDERWOOD, Celanese; D. R. VAUGHN, Olin; S. I. WERNER, Hooker.

**AP00025004**

## ENVIRONMENTAL MONITORING TASK GROUP

SITUATION: The analytical and monitoring procedures necessary to determine concentrations of pollutants at extremely low levels requires ultra-sophisticated methods and highly trained personnel. Existing laboratory methods and procedures have not been validated for complex effluents, discharges or emissions.

MISSION: Ensure the scientific integrity of EPA sampling methods, monitoring procedures and analytical protocols so that erroneous or misleading data will not be misused in the development of guidelines, criteria, standards and regulations.

CURRENT PROGRAM: (1) Survey industry and aggregate data for analysis and guidance. (2) Evaluate screening phase data on toxic pollutants by comparison of matched samples analysis of industry and EPA results. (3) Organize and conduct in Fall 1979, a general meeting on environmental monitoring. (4) Support other task group needs for expert analytical input. (5) Advise members of proper procedures and develop preferred practices for member company use.

TASK GROUP MEMBERS: F. B. FRIEDMAN, ARCO, Sponsor; R. O. KAGEL, Dow, Leader; D. J. DAHM, Monsanto; R. A. JAVICK, FMC; W. G. KROCHTA, PPG; J. E. NORRIS, CIBA-GEIGY; W. B. PRESCOTT, American Cyanamid; G. STANKO, Shell; W. F. TULLY, Union Carbide.

**AP00025005**

# HAZARDOUS CHEMICAL SPILLS TASK GROUP

SITUATION: CMA successfully challenged ill-conceived regulations under section 311, which governs spills. The Fifth Circuit Court declared the regulations illegal, void and unenforceable. Rather than pursue court action, EPA proposed amendments which would provide statutory clarification and responded to CMA objections to automatic penalties and fines based on pounds spilled, not harmful effects, and regulation of upsets in permitted discharges as spills. CMA, working through EPA, advanced its language for amendments, and the 95th Congress adopted it essentially intact.

MISSION: (1) Pursue the follow-on formulation of new regulations to fit the intent of the amendments and to produce useful spill regulation at an early date. Also, seek the introduction of methodology developed under task group guidance. (2) Support the CMA Special Committee on Chemical Incidents.

CURRENT PROGRAM: (1) Work with EPA on drafting new spill regulations; enlist aid of CMA counsel, member company counsel and outside counsel. (2) Commence definition of means to establish a hazardous chemical spill superfund in response to an eighteen-month study mandated by the 95th Congress. (3) Bring to bear economic analyses of (2). (4) Enlist cooperation of other associations, industry or environmental groups in an effort to find common ground for a superfund.

TASK GROUP MEMBERS: J. B. BROWNING, Union Carbide, Sponsor; G. J. HANKS, JR., Union Carbide, Leader; L. FALK, Du Pont; R. C. GLOVER, Procter & Gamble; W. L. HAMMOND, PPG; W. B. NEELY, Dow; R. C. ZEHNTER, Stauffer.

Liaison with Environmental Monitoring Task Group: W. F. TULLY, Union Carbide.

**AP00025006**

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)

TASK GROUP

SITUATION: Under EPA's interpretation of the 1977 amendments to the Federal Water Pollution Control Act, its permitting authority is enlarged. The agency is moving toward controlling all stationary source discharges through sweeping revisions to the National Pollutant Discharge Elimination System (section 402).

MISSION: (1) Identify proposed changes at an early date and provide EPA with industry experience and views as basic data for formulating regulations. (2) Through continued personal contacts, follow the development, proposal and promulgation of regulations in a way suitable to providing CMA with a technical-economic evaluation of their effects. (3) Provide the technical-economic expertise needed to support legislative changes or legal action if efforts to influence regulatory content fail. (4) Endeavor to gain other industry concurrence and support of CMA views as may be judged proper in the development of (1), (2) and (3).

CURRENT PROGRAM: (1) Provide technical support to legal counsel on possible litigation over sweeping revisions to the NPDES permit system. (2) Produce comments on Best Management Practices (BMP) and spill control and countermeasure draft regulations. Coordinate with affected trade associations. (3) Prepare comments for CMA submission (by 9/12/79) on NPDES and consolidated permit regulations. (4) Coordinate response to telephone inquiry of member companies re BMP and SPCC regarding their generic practices.

TASK GROUP MEMBERS: C. P. PRIESING, American Cyanamid, Sponsor; J. V. SCHAUER, Shell, Leader; C. A. BARTON, Procter & Gamble; B. BRADD, Air Products; E. L. CONANT, Stauffer; L. L. FALK, Du Pont; R. H. FOURNET, Kaiser; C. M. GOOLEY, General Electric; M. E. HALL, Union Carbide; A. KARALIUS, Nalco; J. E. NORRIS, CIBA-GEIGY; M. F. WEISHAAR, Monsanto; S. I. WERNER, Hooker.

**AP00025007**

PRETREATMENT TASK GROUP

SITUATION: 1977 amendments to the Federal Water Pollution Control Act introduced more stringent provisions on the discharge of "Toxic Pollutants" to Publicly Owned Treatment Works (POTW). EPA's pretreatment regulations of June 26, 1978 effectively deny removal credits for "Toxic Pollutants" accomplished by the POTW and would require the dischargers to the POTW to treat their waste to a greater degree than a direct discharger. The provisions would adversely affect half of member company plants because removal credits would be practically impossible to obtain, and modification to meet this excess treatment could cost as much as \$600 million, based on a survey covering some 300 plants.

MISSION: (1) Provide technical support to legal counsel, which has brought suit to present CMA challenge to the validity of the regulations. (2) Depending on outcome of (1), plan for and devise alternative approaches to workable regulations that would satisfy Congress' intent.

CURRENT PROGRAM: (1) Review public comments received by EPA and analyze them relative to the statute and CMA interpretations. (2) Prepare for expert testimony, including securing necessary affidavits of actual harms or obvious imminent damage. (3) Prepare CMA position on categorical guidelines when issued relative to pretreatment, (4) Monitor progress of stipulation.

TASK GROUP MEMBERS: A. J. DIGLIO, Air Products & Chemicals, Sponsor; D. ZARYTKIEWICZ, Air Products & Chemicals, Leader; C. A. BARTON, Procter & Gamble; D. E. BATES, Uniroyal; H. J. CAMPBELL, Du Pont; R. L. FAWCETT, Allied; D. J. KEILMAN, Hercules; F. R. McNEICE, ICI Americas; K. ODLAND, Nalco; L. A. STUMPE, BFGoodrich.

**AP00025008**

WATER QUALITY CRITERIA TASK GROUP

SITUATION: EPA is developing water quality criteria for the 65 "toxic pollutants". CMA has commented on the initial values and methodology used to develop those criteria. Final methodology and criteria will be promulgated by EPA soon. They will dramatically affect how states set standards for toxic pollutants.

MISSION: The methodology of development of the water quality criteria must be evaluated for each compound. The actual water quality value must be studied and possibly contested, if not reasonable. Efforts of independent investigators and CMA grants to study the subject of effects of chemicals on water must be monitored.

CURRENT PROGRAM: (1) Review and comment upon EPA proposed water quality criteria and upon methodologies used in the derivations of criteria and standards. This is to be accomplished directly and through the efforts of independent investigators. (2) Supply expertise necessary to support standards and effluent limitations. (3) Support research needed to verify or challenge the suitability of effluent limitations which are based upon laboratory derived water quality criteria and standards.

TASK GROUP MEMBERS: R. J. SAMELSON, PPG, Sponsor; C. MUSKA, Du Pont, Leader; T. CASCIERI, FMC; E. L. CONANT, Stauffer; H. LOCKHART, Eastman Kodak; A. MAKI, Procter & Gamble; W. B. NEELY, Dow; H. N. UTIDJIAN, Union Carbide.

Liaison with Environmental Monitoring Task Group:  
G. STANKO, Shell.

**AP00025009**

## WATER QUALITY STANDARDS TASK GROUP

SITUATION: EPA periodically publishes national water quality criteria (WQC) which set concentration limits that will protect aquatic organisms. Presumably, lower concentrations are adequate to make water "fishable and swimmable". Under separate provisions of law, states set standards for stream use and limit wastewater discharges through the permit systems. Because the 1977 amendments require control of 65 "toxic pollutants", EPA is revising the criteria. It has announced criteria are to become minimum national standards. Thus, permitted end-of-pipe discharges will be limited to concentrations expressed in the WQC. Mass discharge rates, flows, mixing zones, and assimilative capacity would be ignored.. a costly, unnecessary imposition.

MISSION: Prevent imposition of water quality criteria per se as state standards for discharge limits.

CURRENT PROGRAM: (1) Organize ad hoc task forces to analyze state actions in setting new standards. (2) Establish contact with regulatory personnel in 10-20 key states to demonstrate impact on industrial growth, depending on results of (1). (3) Prepare for possible litigation to test EPA actions. (4) Solicit support from other groups with common concerns.

TASK GROUP MEMBERS: R. J. SAMELSON, PPG, Sponsor; R. J. HANSON, ICI Americas. Leader; B. KLANDERMAN, Eastman Kodak; E. C. LADD, FMC; W. LAFFEY, Hercules; D. MATTIA, PQ; W. B. NEELY, Dow; D. J. WILLY, Neville.

**AP00025010**

DATA ANALYSIS TASK GROUP

SITUATION: The advent of substance-by-substance control of hydrocarbon emissions and wastewater discharges, plus comprehensive concerns about leachate quality from disposal onto the land, have created the need for careful scrutiny of the validity and significance of government statistics and claims. Shoddy scientific data are being used to establish national policy and regulatory bases.

MISSION: Posture CMA for debate over funding clean up of hazardous waste disposal and spills.

Establish program for bringing statistical and MIS knowledge to bear on cost trends and comparative analysis of scientific studies or environmental statistics from government or private sources so as to establish relevance to proposed regulations or legislation.

CURRENT PROGRAM: (1) Analyze data from Eckhardt Survey, using independent contractor to encode CMA data on a confidential basis; (2) Interpret results for impact on CMA, such as assessment of funding fee basic data; (3) Exchange data interpretations with Eckhardt's staff as occasion may warrant; (4) Examine environmental investment, operating, maintenance, research, and energy consumption trends; develop means for continuing input and analysis for comparison with other industry statistics.

TASK GROUP MEMBERS: C. P. PRIESING, American Cyanamid, Sponsor; K. MYERS, PPG, Leader; A. W. DICKINSON, Monsanto; E. G. GILLMAN, American Cyanamid; A. SCHERENECKE, Rohm and Haas; A. SHAH, Union Carbide; K. G. WILSON, Procter & Gamble.

**AP00025011**

ENVIRONMENTAL ECONOMICS TASK GROUP

SITUATION: Air, water and solid waste regulations derive from technology forcing statutes. The consequence is increasingly more hardware or social behavior controls to reduce dwindling amounts of discharges. Unit costs-per-unit of pollutant removed thus increase exponentially. Ultimately, costs are not worth the benefits. Chemical industry economics need better comprehension among legislators and regulators so that proper cost effectiveness, economic impact and risk/benefit assessments can be made in setting responsible regulation or legislation.

MISSION: Elevate the level of understanding of how the chemical industry is affected by environmental regulation, including tangible visible impacts and hidden effects on productivity, competitiveness, economic self-sustenance and technical leadership.

CURRENT PROGRAM: (1) Develop and present in December an industry-wide seminar on benefit analysis, state-of-the-art and applications. Acknowledged thought leaders in the field will present their views using case studies where possible, with appropriate panels to elicit open discussion. (2) Provide economic expertise in support of other task groups concerned with economic impacts of proposed regulations and technology documents. (3) Aggressively pursue conferences and symposia as forums to present concepts from the updated manual on "How the Chemical Industry Estimated Its Costs" to EPA offices, CWPS, CEA, CEQ and OMB, and maintain informative liaison with these agencies on economic issues.

TASK GROUP MEMBERS: J. P. THORN, Exxon, Sponsor; H. G. HAIGHT, Du Pont, Leader; R. S. HENDEY, Olin; C. E. HEPENSTAL, Dow; R. N. LEVITCH, Shell; S. WILLIAMS, Union Carbide.

AP00025012

#### ENVIRONMENTAL PLANNING TASK GROUP

SITUATION: The burden of regulatory analysis is increasing under provisions of RCRA and amendments of 1977 to the Clean Air Act and the Clean Water Act. CMA members investment is near \$7 billion and increasing at the rate of \$1 billion/yr. The long-range effects of this unabated trend will depress industry productivity. Major changes are needed, but those needs must be set forth explicitly and resources allocated.

MISSION: Identify significant environmental issues that should be addressed by CMA and propose action(s); suggest priorities among new issues and existing activities; review organizational roles and relationships.

CURRENT PROGRAM: Position papers are to be prepared on five topics:

1. Development of a forward-looking intelligence system.
2. Examination of means needed to fulfill basic EMC functions: regulatory legislation analysis; research; education; communication; inter-association cooperation.
3. General EMC administration: task group size; sunset criteria, etc.
4. Risk assessment - environmental health.
5. Environment - energy relationships.

TASK GROUP MEMBERS: E. W. CALLAHAN, Allied, Sponsor; E. M. COVER, Olin; J. L. GRAY, Chemical Products; L. P. HAXBY, Shell; E. N. HELMERS, Du Pont; J. D. UNDERWOOD, Celanese.

#### ENVIRONMENTAL COMMUNICATIONS TASK GROUP

This task group is being formed.

J. B. WORTHINGTON, Diamond Shamrock, Sponsor

**AP00025013**

## CURRENT STRUCTURAL PROBLEMS - POSSIBLE SOLUTIONS

### Rotation:

As expected, there have been mixed benefits and losses, but the net effect clearly is positive.

Under the EMC, each member accepts an oversight responsibility for certain task groups and is the bridge between the task group and the EMC. Each year one-third of the relationships change, which makes for some confusion. Nevertheless, the change is healthy, the confusion manageable, and after the first three years have passed, will be less troublesome.

The ultimate significance of this is that the CMA staff will become the repository for continuity of the program and gradually will gravitate toward coalescing policy. This is viewed as positive, but implies more staff to handle the work. For example, there were 161 task group meetings and 22 EMC meetings since the new committee structures began to function in June 1978. A total of 600 work days were available as staff built from one to 3 1/2.

Although inconvenient, rotation is viewed as a non-problem.

### Workload Forecasting

Exogenous factors play a large role in the conduct of the work, frequently causing a reordering of priorities. This means that the staff must be able to shift gears quickly and reinforce each others skills. This can be understood if one recalls that 25 environmental regulations were perceived as of major significance in early 1978. Their promulgation was anticipated during 1979-80. A recent analysis revealed that 49 new regulations of critical significance are contemplated in 1980-81. Hardly any of the 25 counted eighteen months ago have become final. Indeed, the number has doubled. Besides, there are 326 pending state bills and regulations. This leads to the need for task groups and delays discontinuance of existing ones. Without considering key state level problems, which may be a critical flaw in our programs, the doubling of concerns has meant an increase from 16 to 23 task groups.

We did not foresee the delays in final rules nor the number of new problems concocted by EPA interpretations of the statutes. The EMC has assigned a Planning Task Group the task of foreseeing trends and setting priorities with respect to long term goals.

**AP00025014**

#### Staff Improvement

The volume of work required to maintain effective timely communication is large; major portions can be handled at a paraprofessional level. "Back Room" facilities are not equal to the task of modern management information systems. This tends to inhibit subconsciously the commitments made by staff assigned to support the EMC.

The solution lies in two areas. Acquisition of up-to-date word processing, data processing equipment and reproduction equipment, and training in their use is needed. A more basic change is to alter the ratio of supporting staff to professional staff from less than 1:1 to nearly 2:1. This is the least costly approach to a staff capability to support the 8 or 10:1 ratio of member company time contributed for each professional staff.

**AP00025015**

### III. PERFORMANCE

#### PRINCIPAL RESULTS OF TASK GROUP WORK AND LITIGATION

##### Principal Results of Task Group Work

The EMC's task groups have a remarkable history of activity over the past year. A highlight of these programs follows.

##### WATER RELATED PROGRAMS

###### ADVANCED WASTE TREATMENT (disbanded 6/79)

- o A carbon adsorption wastewater treatment seminar was held for CMA members. A total of 130 participated. Later, a special symposium was held for EPA. It, and a series of meetings with EPA and EPA contractors, induced the Agency to alter its perceptions of the universality of carbon adsorption technology.

###### AQUATIC RESEARCH

- o The task group formulated long range research protocol for studies to determine the fate and effects of chemicals in receiving waters.

###### EFFLUENT GUIDELINES

- o CMA prepared technical input to EPA's guidelines development program and contractors.
- o CMA commented on inorganic effluent guidelines.

###### ENVIRONMENTAL MONITORING

- o The task group gave technical advice to EPA on sampling and analytical protocols for toxic pollutants.
- o CMA prepared comparisons of EPA effluent monitoring results with those obtained by member companies at 57 plants. Independent consultants assisted.

###### HAZARDOUS CHEMICAL SPILLS

- o Successful litigation avoided upwards of \$84 million annual monitoring cost, plus uncalculable new capital expenditures and operating - maintenance costs.
- o Subsequent amendments to the Clean Water Act, forced by CMA activities, provide separation of fixed effluent discharges from spill control regulations.

**AP00025016**

#### NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)

- o CMA reviewed over 200 pages of NPDES rules in August 1978.
- o 80 to 90 technical-legal-administrative deficiencies were identified in the rules.
- o CMA filed a civil action in the Western District of Virginia, challenging substantive and procedural aspects.
- o EPA requested discussions on the final NPDES regulations to determine if all or some of the issues can be resolved by negotiation.

#### PRETREATMENT

- o CMA litigated June 1978 regulations which impact on 55% of member company plants. EPA requested negotiation and we reached a favorable settlement on 38 of 40 issues.
- o A CMA survey of the effects of the regulations disclosed that the estimated cost would be \$650 million for the additional unnecessary capital expenditures to meet the June 1978 regulations.
- o A CMA/EPA settlement agreement was filed with the court on May 31, 1979.
- o Large unnecessary capital expenditures and attendant operating-maintenance costs have been avoided from this litigation.

#### WATER QUALITY CRITERIA

- o During November 1977 and May 1978, CMA exposed the gross technical inadequacy of EPA's scientific support for allowable concentration levels of water quality criteria for the 65 "toxic pollutants".
- o EPA recognized the validity of CMA critiques and redrafted their water quality criteria.
- o The task group is reviewing EPA revisions. The criteria are fundamental.

#### WATER QUALITY STANDARDS

- o This is a newly formed task group which will follow key state activity in setting new standards based on the water quality criteria documents.

**AP00025017**

#### AIR PROGRAMS

##### AIR POLLUTANT EFFECTS

- o The task group prepared comments on ozone standards.
- o It is conducting research on O<sub>3</sub> generator output to determine if vagrant species are present in ozone generating test chambers which are used to test health effects.
- o CMA is a party in the ozone litigation.

##### CLEAN AIR ACT REVISIONS

- o The CMA prepared basic policy position for its use on 7 issues critical to the emerging debate to amend the Clean Air Act.
- o CMA is preparing policy position papers for use with the National Commission on Air Quality.
- o CMA identified a profile of industry boiler sizes according to primary fuel type for EPA. The CMA profile differs significantly from the average of all manufacturing, which will be critical in setting new source performance standards in 1980. There will be an adverse significant cost impact if EPA issues regulations based on averages for all industry.

##### NON ATTAINMENT. - PSD

- o CMA filed challenges on the effective dates, definitions and other substantive provisions. Dozens of other interest groups joined CMA. There are two related challenges on non-attainment: emission offset ruling interpretations and general preamble provisions.
- o The Prevention of Significant Deterioration court ruling yielded mixed results. EPA was forced to reconsider many of its definitional regulations. Thus, substantial numbers of CMA facilities will not be subject to the rules and will avoid time-consuming permitting procedures and some costs.

##### PROCESS EMISSION REGULATIONS

- o The task group is critiquing the Control Technology Guidelines which will be used to set air emission limits for volatile organic compounds (VOC). These 85 documents have considerable errors and could cause unnecessary capital costs if not corrected prior to EPA adoption.
- o The group is assisting the American Industrial Health Council to develop an air carcinogen policy.

**AP00025018**

#### STATE IMPLEMENTATION PLANS

- o CMA provided its views on realistic allowable hydrocarbon discharge limits to 38 states. CMA recommended a 100T/yr to 150T/yr emission cutpoint below which no permit would be necessary. This was based on CMA's 1976 hydrocarbon control cost survey. EPA sought a level of 15T/yr, and most states are choosing 100T/yr; none chose EPA's 15T/yr.
- o The benefits of the CMA position are considerable. The difference between the added costs for 15T/yr and 100T/yr is in range of one billion dollars avoided capital expenditures and attendant operation and maintenance costs.
- o By July 1, 1979 all states were to have new SIP's approved by EPA; only Wyoming complied with the date. The SIP's affect all operations because they are the rules under which permits are issued. EPA is interpreting the law to allow permit processing to continue, even though one provision says no new construction can commence unless the SIP is approved.
- o The task group is tracking events in key states to seek acceptance of reasonable cut-off levels for hydrocarbon controls. If EPA levels are chosen, the added cost could be \$2.9 billion. Fortunately, the states are choosing higher levels, with avoided costs ultimately in the range of hundreds of millions of dollars.

#### SOLID WASTE PROGRAMS

##### RCRA REGS & AMENDMENTS

- o The task group prepared 520 pages of comments on proposed regulations which included technical-legal-administrative concerns. These were filed March 16, 1979.
- o Retrofit costs to conform were estimated to be \$2.1 billion for the industry, and \$1 billion for CMA members.
- o The combined technical-legal budget was about \$350,000, which did not include large amounts of member company time and travel.
- o The task group prepared alternate portions on testing of hazardous materials amendments to prevent high costs.

**AP00025019**

- o The CMA supported the Swift Amendment compromise to exclude surface impoundments from RCRA regulations. Each would, on average, cost \$700,000 to retrofit.
- o CMA intervened in a case that helped EPA gain more time for developing regulations.

#### DATA ANALYSIS

- o This task group was formed in July to review data from the Eckhardt Survey. These data will be used for supporting CMA "Ultrafund" issues.
- o The RCRA Task Group will then analyze the composite data.

#### HAZARDOUS WASTE TECHNICAL CENTER

##### HAZARDOUS WASTE RESPONSE CENTER

- o The pilot program concept was approved June 6, 1979.
- o Preliminary planning and budgeting of the center is complete. For FY 1979-80 the added cost will be \$242,800.
- o Five task group and ten response team leaders have been named.
- o A working understanding with EPA is complete; three pilot sites are being chosen jointly with EPA.
- o "Start-up" of the pilot program is targeted for October, with training in September.
- o Proper insurance is a problem being resolved.

##### HAZARDOUS WASTE DISPOSAL SEMINARS

- o Six regional seminars are scheduled

|                        |                       |
|------------------------|-----------------------|
| November 5-6, 1979     | Newark, N.J.          |
| November 8-9, 1979     | Chicago, Illinois     |
| January 28-29, 1980    | Atlanta, Georgia      |
| Jan. 31 - Feb. 1, 1980 | Kansas City, Missouri |
| March 3-4, 1980        | San Francisco, Calif. |
| March 6-7, 1980        | Houston, Texas        |

These are designed to use CMA expertise to educate others on improved hazardous waste management practices. The seminars are aimed at plant operating personnel, environmental professionals, disposal site operators, and technical and manufacturing management.

**AP00025020**

#### SITING-MODEL REGIONAL PLANT

- o This is a newly formed task group with dual objectives:
  - to model state enabling legislation to provide sites, and
  - to support construction of a major regional full scale "model" plant to demonstrate that hazardous wastes can be rendered innocuous and safely disposed.

A regional interest has been expressed already by:

State of New York  
State of California  
Gulf Coast Waste Disposal Authority  
Delaware River Basin Commission

#### SOLID WASTE DISPOSAL TECHNOLOGY DEVELOPMENT

- o This group was formed in August. Its mission is to evaluate the state-of-art in solid waste disposal technology; to encourage use of proved techniques which may not be used to their maximum potential and to set forth appropriate areas for CMA study, including but not limited to:
  - incineration at sea
  - vaulting
  - totally incineratable drums

#### GENERAL PURPOSE PROGRAMS

##### ENVIRONMENTAL ECONOMICS

- o Together with legal staff, this group provided comments on economic impact of non-compliance penalty provisions under the Clean Air Act.
- o This task group established a program to aid in better understanding of methodology for measuring benefits part of environmental cost-benefit debate. A symposium on methodology for estimating environmental benefits is planned for December.

**AP00025021**

#### ENVIRONMENTAL PLANNING

- o This group was formed in August, 1979 with the objective of providing long range direction from analysis of trends and basic problems with laws and regulations.

#### ENVIRONMENTAL COMMUNICATIONS

- o This group is being formed now. Its objective is to create better understanding by CMA members of CMA and industry accomplishments and to improve receptivity for our views among federal and state officials, legislators, and selected media and academic thought leaders.

**AP00025022**

#### LITIGATION ACTIVITIES

- o Hazardous Spills Section 311

CMA won major victory in preserving separation of spill control from permitted discharge. Avoided costs in excess of \$100 million/yr.

- o Pretreatment Regulations

Settled 38 technical deficiencies, which could have cost member companies \$650 million/yr. unnecessary investment if left as originally proposed.

- o Prevention Significant Deterioration (PSD)

Successfully narrowed scope of regulations. Large indirect cost and time savings.

- o Nonattainment

Pending. There is cautious optimism that same narrowing of scope will carry over from PSD.

- o RCRA intervention to allow EPA more time to develop regulations was successful.

- o National Pollutant Discharge Elimination System

There are 80 to 90 technical issues. EPA has asked that we follow the pretreatment pattern and has asked to negotiate.

- o Ozone Standard

CMA supported a revised higher National Ambient Air Quality Standard.

**AP00025023**

SEMINARS AND TRAINING ACTIVITIES

| <u>Program</u>                                                                                | <u>Location</u>                                      | <u>Date</u> | <u>Attendance</u> |
|-----------------------------------------------------------------------------------------------|------------------------------------------------------|-------------|-------------------|
| Member Company                                                                                |                                                      |             |                   |
| Environmental Briefing                                                                        | Cincinnati, OH                                       | 10/78       | 160               |
| Environmental Briefing                                                                        | Wash., D. C.<br>(turned away 30 to 50 account space) | 5/79        | 240               |
| Water Quality Criteria                                                                        | Wash., D. C.                                         | 1978        | 150               |
| Carbon Adsorption<br>Technology - CMA                                                         | Wash., D. C.                                         | 1978        | 120               |
| Carbon Adsorption<br>Technology - EPA                                                         | EPA Headquarters<br>Wash., D. C.                     | 1978        | 40                |
| Joint Meeting: Texas<br>Chemical Council EMC                                                  | Houston, TX                                          | 10/78       | 60                |
| Economic Perspectives -<br>Environmental Regulations                                          | Wash., D. C.                                         | 2/79        | 120               |
| Biological Monitoring                                                                         | Wash., D. C.                                         | 8/79        | 150               |
| Pellston III - A select<br>colloquium on the effects<br>of chemicals in aquatic<br>ecosystems | Pellston, Mich.                                      | 8/79        | 30                |

AP00025024

#### IMPACT OF ACTIVITIES ON INDUSTRY

- o \$500 million unnecessary capital expenditures for CMA members appears to be saved from successful CMA pretreatment and hazardous spill actions.
- o Attendant annual operating costs of \$100 million associated with the \$550 million capital costs likewise have been avoided.
- o Working capital requirements typically imposed by increased operating and maintenance costs have been avoided.
- o An improved respect for CMA views is developing among the EPA and State Agencies.
- o Diverted EPA from single-minded conclusion that carbon adsorption was universal end-of-pipe "best available" treatment technology.
- o Confronted EPA with massive 520 page objections to RCRA rules which would cause average retrofit costs of \$700 thousand per surface impoundment and \$2.1 million per landfill.
- o Obtained success in PSD litigation in most issues by winning over EPA's imaginative redefinition of terms that would have swept hundreds of facilities under "best available control technology" constraints whenever modifications made even in "clean" areas.
- o Prevented consideration of surges in permitted wastewater discharge from being considered a aa spill; established "no harm-no foul" principle on 299 substances listed as hazardous if spilled.

**AP00025025**

### III. RESOURCES

#### COMPANY MAN-YEARS OF EFFORT

All told there are 167 task group, 15 committee and 9 liaison assignments. With but two exceptions where the work load is diverse and large, the task group size ranges between 3 and 9 persons. A total of 33 man years has been calculated from the varying proportions contributed according to responsibility, e.g. task group leaders normally spend more time than do the task group members. This effort is spread among 36 companies. And, although there are some obvious inconsistencies, the effort is reasonably apportioned according to company size as the table below shows for the fourteen largest members ranked according to sales revenues.

#### CORPORATE MANPOWER CONTRIBUTION - 1978/ 79

|                   | <u>MAN-YEARS</u> | <u>% OF TOTAL MAN YEARS</u> |
|-------------------|------------------|-----------------------------|
| DUPONT            | 3.2              | 11                          |
| DOW               | 3.0              | 10                          |
| MONSANTO          | 1.8              | 6                           |
| UNION CARBIDE     | 2.1              | 7                           |
| EXXON             | 1.0              | 4                           |
| W. R. GRACE       | -                | -                           |
| CELANESE          | .4               | 1                           |
| ALLIED            | 1.5              | 5                           |
| SHELL             | 1.4              | 5                           |
| OCCIDENTAL        | .4               | 1                           |
| HERCULES          | .2               | 1                           |
| AMERICAN CYANAMID | .4               | 1                           |
| EASTMAN KODAK     | .6               | 2                           |
|                   | <u>16.0</u>      | <u>54</u>                   |
| OTHERS            | <u>17.0</u>      | <u>46</u>                   |
| TOTAL             | 33.0             | 100                         |

AP00025026

# LEGAL SUPPORT

The full time support of a CMA staff attorney has been provided. This has been supplemented by use of member company environmental counsel and their ad hoc general legal counsel advice as well. Details have been noted in the task group summaries. Law firms, notably Covington and Burling, have carried CMA advocacy positions to the court room and have aided in the analyses of complex interrelated legal-administrative and technical issues. Those analyses form the basis for future policy considerations, such as which matters are of critical importance when the Clean Air Act is revised - - as it will be from growing discontent among the states.

The planned expense for outside legal support in FY 1979-80 is given below:

| Program Area            | \$000              |      |               |      |      |
|-------------------------|--------------------|------|---------------|------|------|
|                         | Year Ending May 31 |      | Projected     |      |      |
|                         | Planned<br>1980    | 1981 | 1982          | 1983 | 1984 |
| Clean Air Regulations   | 150                | 75   | not projected |      |      |
| Solid Waste Regulations | 80                 | 150  | "             | "    | "    |
| Clean Water Regulations | 250                | 200  | "             | "    | "    |
| Experience Estimate     | -                  | 75   | 500           | 500  | 500  |
| Total                   | 480                | 500  | 500           | 500  | 500  |

## CMA STAFF ASSOCIATED WITH EMC ACTIVITIES

### Technical Department

\*C. A. Gosline - Manager Environmental Programs  
 J. S. Matey - Director Water Programs 12/78  
 S. A. Miller - Director Solid Waste Programs 4/79  
 A. R. Mayer - Coordinator Environmental Programs  
 \*J. S. Beale will replace Mr. Gosline 9/79

Ms. Foster, Baer, Concepcion - secretarial and stenographic support

### Other Departments

T. F. Burns - Government Relations  
 D. W. Carroll - Legal  
 J. R. Turner - Public Relations - ChemEcology

AP00025027

#### Additional Resources Needed

In all probability next year a manager for air programs, a secretary and a staff assistant will be necessary to support the EMC. In fact, those staff are needed now, but current budget and space restrictions are forcing this into next years budget. EMC is working with the staff to establish priorities for this year to maximize the effectiveness of CMA's available resources.

The projections and status are shown in the table following:

|                  | Staff Personnel Requirements* |             |             |             |
|------------------|-------------------------------|-------------|-------------|-------------|
|                  | <u>6/78</u>                   | <u>6/79</u> | <u>6/80</u> | <u>6/81</u> |
| Air              | 0.5                           | 1.5         | 2.5         | 3.0         |
| Water            | 1.5                           | 2.0         | 2.0         | 3.0         |
| Solid Waste Regs | 1.0                           | 1.0         | 1.0         | 2.0         |
| Total            | <u>3.0</u>                    | <u>4.5</u>  | <u>5.5</u>  | <u>8.0</u>  |

\* These are apart from the Hazardous Waste Technical Center, now being undertaken on a pilot program basis.

Previously one technical staff person assigned to air, water, solid waste, with one from Government Relations normally full time.

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Hazardous Waste Technical Center

The Manpower Plan

|                     |                                   |   |   |
|---------------------|-----------------------------------|---|---|
| C. A. Gosline       | September, 1978 through May, 1980 |   |   |
| Sarah Foster        | "                                 | " | " |
| Senior Professional | October, 1979                     | " | " |
| New Secretary       | "                                 | " | " |
| Senior Professional | February, 1980                    | " | " |
| 1/2 Staff Attorney  | October, 1979                     | " | " |

The additional cost is \$242,800 categorized as follows:

|                                                                       |           |
|-----------------------------------------------------------------------|-----------|
| Salaries and Related Expense                                          | \$124,800 |
| Travel                                                                | 50,000    |
| Safety Equipment, Furniture, Fixtures<br>and Personal Protective Gear | 20,000    |
| Printing and Publications                                             | 10,000    |
| All Others                                                            | 23,000    |
| Insurance                                                             | 15,000    |
|                                                                       | <hr/>     |
|                                                                       | \$242,800 |

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## FUTURE ACTIVITIES

In order to comprehend where we are headed, it is useful to know where we are. We are billions of dollars into the cost of meeting environmental regulations and are losing ground to the imaginative capacity of the environmental activists in the government and Congress to set new targets beyond those most recently established as national goals.

As 1980 approaches, so closes the first decade of federal laws to control environmental pollution by mandating that states conform to certain guidelines or standards. The Clean Air Act was enacted in 1970. In 1972 the Federal Water Pollution Control Act became law. Both were amended significantly in 1977. In 1976 RCRA (The Resource Conservation and Recovery Act) set in motion rulemaking by which states will control solid wastes disposed. These three laws, and 14 other statutes, have made a major change in how we must conduct our business. These laws have been expensive. By the end of 1979, our permanent investment in pollution control facilities will be 6.5 to 7.0 billion dollars. Presently, we are investing capital at the rate of 3 million dollars per day. Operating and maintenance costs approximate 23 cents per dollar of permanent investment in manufacturing facilities. Large quantities of energy are being consumed. It was 269 trillion BTU in 1976 and is expected to increase as the more sophisticated control requirements of the early 1980's are put in place. Significant numbers of people are devoted to environmental management activities. About 7% of the research budgets are spent on pollution avoidance or control.

In spite of all that, expenditures between now and 1985 are expected to exceed the \$6.7 billion already spent to meet national goals. Part of the future costs will evolve from closer control of solid wastes, but most of it will stem from major changes in the Clean Water Act and the Clean Air Act in 1977. Since the 1977 amendments, control of specific chemical substances has become the regulatory focus. This complicates everything but especially escalates costs to reach "Best Available Technology" (BAT) or "Lowest Achievable Emission Rate" (LAER).

Our estimate of the impact over 1980 - 85 is:

|                 |                 |                      |
|-----------------|-----------------|----------------------|
| Air pollution   | \$3 - 5 billion | 1979 = \$3.1 Billion |
| Water pollution | 3 - 4 billion   | 1979 = 3.2 Billion   |
| Solid Waste     | 1 - 2 billion   | 1979 = 0.4 Billion   |
|                 |                 | <u>\$6.7 Billion</u> |

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What we have here is an enormous opportunity for cost avoidance, which can be purchased through the leverage of cooperative efforts exemplified by the work of your Environmental Management Committee. In the material provided, you will find details of the EMC organization, the 23 mission oriented task groups and their programs, and a performance summary for the 15 that were active in the first year under our new structure and advocacy philosophy.

The EMC intends to manage the problem. This is a complex task. There are 180 volunteers from 36 companies working on programs ranging from applied research to litigation. To carry our convictions to those who can make a difference, we must emphasize:

- o Maintenance of industry productivity
- o Capital formation needs
- o Assurance of real environmental benefits from escalating, stated in terms of time and money.

We plan seminars to better inform our constituency on the methodology of estimating environmental benefits and productivity. We expect to continue technical workshops at the current rate of four to eight per year. We will have semi-annual environmental briefings.

There will be a continuing need for technical and economic studies done in concert with legal analyses, to assert our rights under the laws and to provide members with ammunition to aid them in their individual circumstances. Special attention will be given to those topics where it may be cost effective for CMA to act rather than for individuals to act.

Legal support will be required. It is not possible to forecast precise amounts, but the magnitude is expected to double current levels. This reflects in part the 49 critical regulations on the Regulatory Calendar. This compares to 25 critical regulations enumerated in early 1978 for promulgation in 1979-80. Few have been placed in effect; many have been challenged, and that process compounds demands by overlapping initial timetables. Beyond the federal, there are 326 state laws and regulations pending. They, too, will have to be taken into account, and they should not be taken lightly. In the case of water, Colorado already has opted

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for rules to make the proposed water quality criteria into standards, in effect making the WQC end-of-pipe concentration limits. Arkansas is in the process of adopting EPA's draft RCRA regulations. Draft control technology guidelines for volatile organic compounds are being used in permit negotiations in EPA regions IV, V, VI. All of these are examples on regulation without regard for full review. The problem at state and regional levels should be faced squarely and aggressively or efforts at the federal level may go for naught.

In yet another vein, there is a move toward regional hazardous waste control. New York State's Environmental Facilities Corporation is planning regional hazardous waste disposal facilities. We intend to help with advice on basic data for design and operations, but the concept has land use planning overtones. A similar involvement appears likely with the Gulf Coast Waste Disposal Authority, the New England Regional Commission, and possibly the State of California. Thus, it seems inevitable that we will be drawn increasingly into regional and key state concerns over federal pre-emption on the one hand, or federal dictates to the states on the other hand. Our technical resources are needed by the states, and can be delivered several ways, one of which might be through inter-association cooperation. We will have to examine the cost and benefit of this, but it is readily apparent that state legislators could be natural allies. They, moreover, are listened to in the Congress, and eventually some become its members. If we can help them early on, they should remember us favorably.

#### NEW AREAS OF ACTIVITY

The immediate emphasis is on hazardous solid waste disposal. The near future will command attention to conflicts between energy and clean air. We should not deceive ourselves; the goals conflict -- bureaucratic prattling to the contrary.

On a larger range basis, say 1982-87, we should anticipate the effects of:

1. Coastal Zone Management and Wetlands protection. These are de facto, not de jure, land use planning.
2. Regional raw water shortages in arid sections, probably leading to higher costs and perhaps preferential use allocation. That indicates a premium on conservation, including recycle-reuse and perhaps "zero discharge". More importantly, it may redirect investment toward "water rich" regions such as the northeast, mid-Atlantic, and Great Lakes Crescent. In turn, that could place added pressure on reduced discharges per unit of production volume.

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3. There are 17 statutes governing environmental protection; we are consumed by 3. We can expect that a case will be made for an "omnibus" environmental law that eliminates conflicts and consolidates national goals.

To summarize, the recent new areas of activity under EMC guidance are:

- o Hazardous Waste Technical Center
- o Siting - Model Regional Plant
- o Solid Waste Disposal Technology Development

We need to consider and evaluate

- o a means to bring our headquarters and standing committee knowledge to bear on regional and state pollution control
- o recurrent land use planning implications
- o possible major geographic redirection of investment because of environmental goals, land use planning, stricter allocations of effluent discharges or even "raw" water and "clean" air increments

To help sort out these matters, the EMC has established an Environmental Planning Task Group. We cannot do everything, and there are limits on what can be done all at once. Priorities will have to be set within our resources on a continuing basis, which may mean that some programs will be foregone as more critical needs arise.

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