

Date April 18, 1977

INTEROFFICE
MEMORANDUM

Subject TSCA - Raw Materials Inventory

Certification

To W. Wirkus

(Location, Organization, or Department)

From C. E. Blades

(Location, Organization, or Department)

This is a follow-up on our conversation of Tuesday, April 5th concerning certifications from suppliers that the chemical products we purchase will be included on the Inventory List of Existing Chemical Substances.

The Toxic Substances Control Act has empowered the EPA to establish a list of Existing Chemical Substances manufactured, processed, or imported for "commercial purposes". Chemical substances to enter the stream of commerce after December 12, 1977 must be on this inventory list. It is required that a manufacturer, processor or importer of any given chemical substance certify that said substance was manufactured, processed in, or imported into the U. S. during the period June 30, 1974 to present in order to qualify for listing. Only one manufacturer, etc. needs to certify, however, for any one substance. There is always a possibility that certain materials may get overlooked.

APCI business centers are interested in a continuing source of supply of the raw materials purchased for their operations. It is proposed, therefore, that the suppliers be requested to affirm their intentions to place products which we purchase on the EPA Inventory List of Existing Chemical Substances.

A copy of proposed rules for preparation of the Inventory is attached to this letter for your files. I understand from our conversation that your office will proceed to request these certifications from suppliers. By carbon copy of this memorandum to profit center and research managers, it is requested that they identify for you expected needs for raw materials arising from products now in market or research development but not yet commercial.

This memorandum supplements those of A. E. Perkins dated 22 March 1977.

CEB:sk
Encl.


C. E. Blades

cc: H. L. Jaffe	D. R. Harrter
T. A. Manuel	H. P. Gallagher
R. Blomquist	J. W. Pervier
D. G. Holland	W. C. Cross
A. R. Adams	L. Doelp
G. J. Mantell	L. Friedman
H. L. Harwell	J. Armstrong
A. E. Perkins	

Encl. - F.E., 4/12/77 - Part IV

AP00049126

Date April 14, 1977

INTEROFFICE
MEMORANDUM

Subject TSCA Inventory List -- Supplier Letters

To C. M. Carhart
W. Wirkus

Brookside III
Trexlerstown
(Location, Organization, or Department)

From C. E. Blades

Piscataway
(Location, Organization, or Department)

We have discussed the need for assurance by suppliers that the raw materials supplied to us for our chemical manufacturing, fabricating, or processing operations will continue to be available in the market place following finalization of the Existing Chemical Substances Inventory List to be published by EPA on November 11, 1977 under the provisions of the Toxic Substances Control Act.

The question has arisen on how far back one should go in soliciting assurance of raw material availability. There are two contingencies which we request you seek such assurance.

- (1) All suppliers of raw materials (i.e., existing chemical substances) which qualify for inclusion on the inventory list should be asked to certify that they intend to place such materials on the EPA Inventory list.
- (2) All suppliers of trade marked materials, whose identity is unknown to us are of particular concern. A certification from suppliers that the component(s) of such trade marked materials will be on the inventory list is required.

The above rules remove the need to obtain certifications from suppliers of mixtures, or alloys, or fabricated items unless trade marked.

As a generality, it is requested that for Existing Chemical Substances which the company purchases for any purpose, assurance of continuing supply under the provisions of the act be sought. However, priority concern is not with commodities as supplied by large chemical companies. The main issue resides with small manufacturers of low volume, specialty materials. Small manufacturers may not be aware of the need to get products on the inventory list. The matter is further aggravated when identity of a product is not generally known.

CEB:sk

C. E. Blades

- cc: W. M. Smith
L. B. Tepper
J. C. Novak
A. J. Diglio
R. H. Schenck
W. L. Ent
C. McKinley
G. G. Handley

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Toxic Materials News

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- * Dump Surveys, Hazardous Programs to be Top Priorities for EPA FY '78 Assistance - Page 120
- * New Lead Document in Circulation; Standards Group Begins Work on Air Levels ... Page 121

SLANTS & TRENDS

SHOULD HAZARDOUS WASTES CROSS STATE LINES FREELY? That question is becoming a key part of EPA's implementation of the Resource Conservation and Recovery Act. Illinois Attorney General William Scott says no and is attempting to shut down a Wilsonville, Ill., landfill because it handles wastes of other, less populous states (see page 122). But the National Solid Waste Management Association, in a letter to Doug Costle, told the Administrator that closing the landfill, "one of the best in the nation," would "establish a national precedent of incalculable damaging proportions" and seriously impair RCRA implementation efforts. And EPA seems to agree. In draft hazardous waste guidelines issued by that agency (see story, page 120), EPA said it strongly opposes "non-importation" provisions of state and local laws.

INVENTORY-REPORTING REGS WERE WIDENED to include use and production data requirements. EPA Administrator Doug Costle made that decision this week after several briefings from Office of Toxic Substances members. New plans call for those regulations to be reproposed on or near July 1.

OBVIOUSLY, STATUTORY DEADLINES WILL NOT BE MET under that schedule. Reporting rules will be late, as will the inventory of existing chemicals, mandated by Nov. 11. Costle will be requesting an extension from Congress on those deadlines and will include in his letter a request for one other -- undisclosed -- late date.

EPA'S STRATEGY FOR IMPLEMENTATION OF TSCA is undergoing complete revision, as is the group who was writing that strategy. Original three EPA groups -- the Toxics Strategy Coordination Group, TSCA Strategy Task Group and the Integrated Toxics Strategy Work Group -- have been disbanded. Strategy is now being written by a higher-level working group of branch chiefs and others at the Deputy Assistant Administrator level. That group is out writing papers on various TSCA-related subjects; they hope to incorporate those papers into a cohesive strategy. But first strategy work group had hoped to finish theirs by this month; it does not appear likely that the new group will meet that date.

MONTGOMERY COUNTY, MD., SHOULD CLOSE ALL PARKS because of high amounts of asbestos in crushed stone used in walkways there, EPA warned county officials yesterday. But park officials have decided to post warning signs only, until stone is replaced, in an effort not to "panic" local citizens.

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AP00049128

Date May 31, 1977

INTEROFFICE
MEMORANDUM

Subject TSCA Meeting Agenda

June 13, 1977

To TSCA Compliance Committee

(Location, Organization, or Department)

From C. E. Blades

(Location, Organization, or Department)

cc: W. M. Smith
R. H. Schenck
L. B. Tepper
J. C. Novak
A. J. Diglio
E. Handwerk

C. McKinley
W. Ent
G. Handley
D. Pierce
P. Bilan
W. J. Wirkus
E. M. Carhart

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JUN 7 1977
LABORATORY

The next meeting for the TSCA Compliance Committee has been set for 9:00 A.M.
MONDAY, JUNE 13, 1977 in Conference Room 113G - Trexlertown.

The agenda will be as follows:

- (1) Proposed budget and cost collection system for TSCA Compliance Matters. - Dennis Pierce (or assignee)
- (2) TSCA Compliance Committee Charter Review - The Committee
- (3) Inventory List Problems
 - (a) CAS Registry Nos. - R. H. Schenck
 - (b) Alloys, Catalysts, etc. are mixtures - E. Handwerk
 - (c) Accuracy - E. Handwerk
 - (d) Mechanism--who signs? - C. E. Blades
- (4) Customer Complaint Problems
 - (a) Is a distributor a customer? - R. H. Schenck
 - (b) Who in GEG will issue? - C. McKinley
- (5) Follow-up Actions
 - (a) Substantial Risk - C. E. Blades
 - (b) Report from the Purchasing Dept. re Certifications - W. J. Wirkus
E. M. Carhart
- (6) Record Keeping Requirement - Action Now? - C. E. Blades

CEB:sk

C. E. Blades
C. E. Blades

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AP00049129

Date May 26, 1977

INTEROFFICE
MEMORANDUM

Subject Minutes TSCA Compliance Committee

Meeting - May 23, 1977

To Distribution

(Location, Organization, or Department)

From C. E. Blades

(Location, Organization, or Department)

Attending: C. E. Blades
W. M. Smith
G. Handley
A. J. Diglio
L. B. Tepper

J. Urenovitch
E. Handwerk
C. McKinley
P. Bilan

Absent: R. H. Schenck
J. Novak
W. Ent

1. TSCA Committee Chart

Draft had been circulated by P. Bilan prior to meeting. There was significant discussion of contents.

Based on discussion and resolution of points, P. Bilan will issue a new draft, circulate to corporate executive committee, and then to TSCA Compliance Committee for final approval.

Items of concern were:

(1) Page 2 - Responsibilities

In initial decisions regarding negotiations with EPA, the Chemicals' Group Environmental Affairs Manager (A. J. Diglio) had been assigned negotiations responsibility with EPA. The TSCA Chairman was to coordinate such activity as appropriate. The charter should reflect this.

(2) Page 3 - G. - Inspections

Concern was expressed that line management may be by-passed in notifying TSCA Chairman, Law Dept., etc. when inspections occur. To resolve, the directions will be rewritten to require line management to notify.

(3) Page 5, d. - Substantial Risk Notification

GEG people concerned that the proposed policy permits by-passing line management. Questions raised dealt with standards for judgements, awareness program to all employees, absence of rules, etc.

Recommended that a notice be prepared for posting on bulletin boards notifying employees of requirement to report--or publish in company news organ.

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NOTE: Refer to memo CEB to TSCA Committee, 14 April 1977, item 3. The proposal in that memo was for notification to proceed through the line management until further notice. Also, the prime source for recognition of information or its generation rests with the technical personnel in various sectors of the company. These have been identified and instructed.

- (4) General The first nine pages constitute the broad umbrella of the compliance policy statement. The subsequent documents were intended to be exemplary of implementing rules. It contemplates the possibility that such rules will not necessarily be uniform across the corporation.

ACTION: P. Bilan will revise draft to take into account the comments made. Revised copy will be reviewed by executive committee and returned to TSCA Compliance Committee for final approval.

2. Budget Proposal

The elements of a system for collecting costs associated with TSCA compliance have been discussed with H. W. Parke of Chemicals Group accounting. Prior to submittal to the Committee, Denny Pierce will formalize, interface with J. Kaminsky and then present to TSCA Compliance Committee. This is scheduled for June 13 meeting. Members of the committee should come prepared to critique the proposal. One problem is the resolution of the needs for establishing a cost center for TSCA vs. the desirability of an expense entry for TSCA on each business area's budget.

Intention is to prepare a budget for FY 1978 ready for cost collection in Oct. 1978.

3. MSD/MPD Status Report

MSD Technical & Marketing staff attended a TSCA Seminar. The product line has been reviewed. MSD has prepared an internal inventory list. MSD is a processor and therefore has the option to report. After review, a decision will be made.

MPD -- Robin Scott and John Eiding have been briefed on the proposed rules for inventory of existing chemical substances. Exclusive of ethylene oxide, nitrous oxide and oxygen, Eiding and Scott could not identify any existing chemical substances which MPD processes. They propose no additions to the inventory list.

We will expect that Speciality Gases and IGD will place the eo, O₂ and NO on the list.

continued....

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May 26, 1977

4. Environmental Harm Reports

G. Handley and A. J. Diglio report under control.

5. Customer Complaint File

Only partial response to the requirement for these reports--both sectors of the corporation. CEB will handle.

6. Confidentiality Matters

(1) CAS Registry Numbers

EPA has received a number of comments on the confidentiality problem. It is clear that confidential structures will be required to be placed on the inventory. At a recent EPA/MCA meeting in Washington, Schweitzer requested industry to solicit CAS Registry Number assignments for all chemicals not on Candidate list. The message was understood that this included confidentials.

Recommend that we wait for June 29 final rule-making before submitting confidentials to CAS.

7. GEG Compliance Status - Committee Makeup

C. McKinley proposed a Sub Committee be organized within GEG to deal with TSCA. He would envision that a single representative from the Sub Committee would sit on the TSCA Compliance Committee for correlation. It is not clear that such would necessarily meet the requirements and adequately serve GEG. Noted is the observation that prime TSCA compliance demands now rest with Specialty Gases of IGD. L. B. Tepper expects that he could represent MSD interests and concerns. MPD may be exempted.

Action: Pete Bilan was charged to draft a proposal for such an organization. C. McKinley will provide basis.

The next meeting of the TSCA Compliance Committee is scheduled for JUNE 13, 1977 at 9:00 A.M. in Conference Room 113G.

Also scheduled are meetings on JULY 11 and AUGUST 8.

CEB:sk

Distribution:

W. M. Smith
G. Handley
A. J. Diglio
L. B. Tepper
R. H. Schenck
J. Novak

W. Ent
J. Urenovitch
E. Handwerk
C. McKinley
P. Bilan

C. E. Blades
C. E. Blades

AP00049132

Date May 13, 1977

INTEROFFICE
MEMORANDUM

Subject Meeting Notice - TSCA Compliance
Committee

To TSCA Compliance Committee Members

(Location, Organization, or Department)

From C. E. Blades

Piscataway

(Location, Organization, or Department)

There will be a TSCA Compliance Committee meeting at 9:00 A.M. in Conference Room 113G, main office building, Trexlertown on Monday, May 23, 1977.

The agenda will be as follows:

- | | |
|---|--------------------------|
| 1. TSCA Committee Charter -- Draft | P. Bilan |
| 2. Budget Proposal | Dennis Pierce |
| 3. MSD/MPD Status Report | C. E. Blades |
| 4. Environmental Harm Report Format/"Significant Adverse Actions" | G. Handley/A. Diglio |
| 5. Customer Complaint File | C. E. Blades |
| 6. Confidentiality Matters | C. E. Blades |
| 7. The Registry Numbers -- Chemical Abstract Service | C. E. Blades |
| 8. GEG Compliance Status - Committee Make-up | C. McKinley/W. Ent |
| 9. New Business | Members of the Committee |

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Following the TSCA Committee meeting, which is scheduled for 1 hour, there will be a meeting of the HARAC Team. Agenda items for the HARAC Team Meeting are:

- | | |
|--|-----------------------------|
| 1. Guidelines for Product Reliability | R. H. Schenck |
| 2. Jefferson Notification of TDI/Dabco - Consensus for recommendation (see Minutes April 25th Meeting) | C. E. Blades |
| 3. The MSDS Approval Circuit - Status Report
HARAC Product Reliability Programs | E. Handwerk
C. E. Blades |
| 4. Crown Central on HFZ-20 Catalyst (copy attached to HARAC Team Members). | C. E. Blades |

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5. The OSHA Benzene Workplace Standard (HARAC Directive in order?) - W. M. Smith/J. C. Novak
6. Environmental Matters Related to HARAC - A. J. Diglio
7. Ames Testing Decision (memo attached)

CEB:sk



C. E. Blades

Distribution: W. M. Smith (with encl.)

~~R. H. Schenck~~ "
L. B. Tepper "
A. J. Diglio "
J. C. Novak "

C. McKinley
W. Ent
G. Handley

E. Handwerk
P. Bilan
D. Pierce

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