

UNION CARBIDE CORPORATION

270 PARK AVENUE

NEW YORK, N. Y. 10017

H. F. TOMFOHRDE, III

VICE PRESIDENT

January 22, 1980

TO: Voting Representatives of the
SPI Polymeric Material Producers Division

JAN 28 '80

CC: B. F. Day

T. A. Lundgaard

T. J. McGrath

S. P. Toner

SUBJECT: Chairman - Toxicology Committee

This is in furtherance of my letter of December 19 wherein I indicated that we should be starting to look for a candidate to succeed Dr. Day as Chairman of the SPI Toxicology Committee. Because of some changes in Dr. Day's plans he expects to resign as Committee Chairman in the second quarter of 1980. Therefore, we will need a replacement by mid-year or earlier.

In view of this accelerated timetable I'd like to request that all nominations for Chairman of the Toxicology Committee be returned to me by February 29 so that we can make a selection and plan an orderly transition. I'd like to re-emphasize that the most important criteria for this high visibility industry position is that the Chairman be a good manager and a good leader. While it would be nice to have some background in the area, there are lots of skilled resources on the Committee and in our organizations to support the Chairman.

Thanks again for your consideration and follow-up.

Very truly yours,



HFT:cj

JOSEPH E. TELLER
JEROME H. REICHMAN
CHARLES M. REICHMAN
WILLIAM H. BORGHESE, JR.
ROBERT R. TIERNAN
WAYNE V. BLAKE
DAVID L. HILL
MARTIN W. BERCOVICH
JOHN S. ELDRED
JOSEPH E. HADLEY, JR.
CAROL C. HARRIS
MICHAEL E. MORRONE
LARRY S. SOLOMON
JOHN B. DUBECK
CHRISTINE A. MZAGHER
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October 2, 1980

06-3-014
Handwritten signatures and initials
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To: The SPI-PVC Safety Group
The SPI-PVC Manufacturing Technology Committee
The SPI-PVC Communications Committee
The SPI-PVC Health Committee
The SPI-PVC Lawyers Subcommittee

Re: Judicial Review of EPA Regulations
for Noncompliance Penalties Under
the Clean Air Act

Ladies and Gentlemen:

Attached is a copy of the Petition for Review filed on September 26, 1980, in the United States Court of Appeals for the District of Columbia Circuit on behalf of SPI. The Petition seeks review of regulations promulgated by the Environmental Protection Agency ("EPA") governing the assessment and collection of noncompliance penalties under Section 120 of the Clean Air Act, 42 U.S.C. § 7420.

The filing of the Petition was authorized by the Executive Committee on September 9, and the PVC Safety Group Steering Committee on September 25. Because SPI did not file comments with EPA, Air Products and Chemicals, Inc., and Diamond Shamrock Corporation are named as individual Petitioners to preclude any challenge to SPI's standing to file a Petition for Review.

Separate petitions for review were filed by the Chemical Manufacturers Association ("CMA"), Dow Chemical Company, the American Iron and Steel Institute, and the Utility Air Regulatory Group. Peter de la Cruz of our office will soon be meeting with counsel for these other

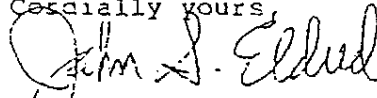
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KELLER AND HECKMAN

Petitioners to discuss the briefing of the case, along with Scott Bowen of Beveridge, Fairbanks and Diamond. At that meeting, we will determine those issues of direct interest to the plastics industry which are not expected to be covered in the briefs of the other industry associations. In this way we hope to insure that SPI's points are made while at the same time eliminating overlap and duplication of effort.

We will be reporting to you on other developments as they occur. In the meantime, if you have any questions or comments regarding this matter, please do not hesitate to contact us.

Cordially yours,


John S. Eldred

Enclosure

cc: John R. Lawrence (w/enclosures)
Ralph L. Harding, Jr. (w/enclosures)
Sam Nuspliger (w/enclosures)
Thomas J. McGrath (w/enclosures)

SEC
4-0005

IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

THE SOCIETY OF THE PLASTICS	)	
INDUSTRY, INC.,	)	
	)	
AIR PRODUCTS & CHEMICALS, INC.,	)	
	)	
DIAMOND SHAMROCK CORP.,	)	
	)	
Petitioners,	)	
	)	
vs.	)	
	)	
DOUGLAS M. COSTLE,	)	No. _____
Administrator, United States	)	
Environmental Protection Agency,	)	
	)	
Respondent.	)	
_____	)	

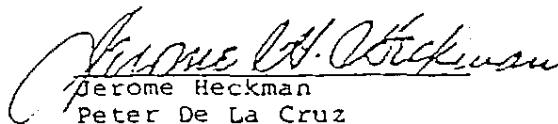
PETITION FOR THE REVIEW OF REGULATIONS

The Society of the Plastics Industry, Inc., Air Products & Chemicals, Inc., and Diamond Shamrock Corp. hereby petition this Court for review of regulations issued by the Respondent Douglas M. Costle, under his authority as Administrator of the United States Environmental Protection Agency. This petition is filed pursuant to Section 307(b)(1) of the Clean Air Act, as amended, and Rule 15, Fed. R. App. Proc.

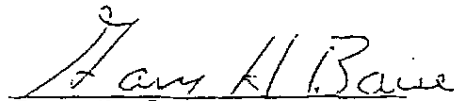
Petitioners seek review of the regulations promulgated by the Respondent under the "Noncompliance Penalty" provisions of the Clean Air Act, Section 120, as amended, 42 U.S.C.A. § 7420.

These regulations were promulgated by the Respondent Costle on July 28, 1980, and appear at 45 Fed. Reg. 50086, passim.

Respectfully submitted,



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the Plastics Industry, Inc.