



INTERNAL CORRESPONDENCE

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RIVER ROAD, BOUND BROOK, NEW JERSEY 08805

CHEMICALS AND PLASTICS

To (Name) Dr. A. B. Steele
Division
Location New York, New York

Date November 25, 1974
Originating Dept. Product Distribution

Answering letter date

Copy to See Attached Distribution List

Subject Vinyl Chloride Distribution

The second meeting of the SPI Committee on Vinyl Distribution was held in Washington on 11/21/74. In attendance were representatives from most of the producers, list attached.

The purpose of the meeting was to see that all members had the latest data and to discuss the interpretation of the regulation and recommended methods of compliance. Accordingly, the following points were raised or discussed:

1. Mr. M. Bercovici, attorney for the SPI, informed the membership that SPI had requested a stay because the lack of approved respirators made compliance impossible. It is hoped word on this will be available by December 1, 1974. He recommended again that all producers be prepared to comply but not to implement until after the court hearing. He also pointed out that carcinogens are not regulated by DOT and that we could not count on a jurisdictional dispute between DOT and OSHA. DOT has, from information he could obtain, adopted a hands off policy.
2. Hal Blain of Borden informed the members that both the Compressed Gas Association and Mfg. Chemical Association were concerned about VCM and were leaving PVC to the SPI and that while CGA has recommended that "Cancer-Suspect Agent" be applied to VCM tank cars in the vicinity of the two side placards using 1" letters, the MCA will wait and see what SPI recommends.
3. The American Trucking Association approached OSHA for clarification of their position and was informed they must comply unless they could prove exposure levels were below the standard. Therefore, four carriers including Chemical Leaman and Matlack, have agreed to participate in a test program and request the cooperation of industry. It was generally agreed we would cooperate but could not run the tests for them because programs in the plants were straining the available manpower. Names of outside testing firms - (1) Gollob - Berkeley Heights, N. J., (2) DeBell & Richardson - Hazardville, Conn., (3) U. S. Testing Labs - Hoboken, N. J. and (4) Environmental Labs - Painesville, Ohio (Subsidiary of Diamond Shamrock) will be given to them.
4. ATA has sent out mailgrams to 100 package truck committee members asking them to examine their business and to report back what the impact of complying with the regulation would be. As of 11/20, 15 carriers who operated 30 - 35 terminals had replied. The nature of the replies was not revealed.

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5. Goodrich reported they were running tests in trucks and that they were getting below 1 ppm on Dispersion Resin and Latex but as high as 17 ppm on Suspension Resin.
6. It was proposed the SPI, through their attorney, try to get the ATA to request a stay through the OSHA compliance committee. The basis will be there is insufficient time to train their people, set up to monitor, determine which areas are regulated, get respirators, etc. by the first of the year.
7. A draft of a letter was discussed and altered to suit the members, copy attached. This letter will be sent by SPI to the presidents of ATA, AAR and also to DOT and will be used by individual companies as they see fit.
8. The 1/4" letters proposed by UCC for bag marking defeated the 1/2" letters proposed by Goodrich, 14 to 3 with some monomer producers abstaining. It was also generally agreed that marking on the ends or sides was more practical than the face of the bag which would require pallet placarding since the lettering would not be visible.

The unanimous choice, with the exception of UCC until legal opinion is obtained, was to put only a wire tie tag on the outlets of hopper trucks and tank wagons.

The 3/4" lettering was agreed to for pallets, tank cars, hopper cars and drums.

9. Allied presented a DOT tank car placard on which the "cancer-suspect agent" had been added. They claim they have verbal approval for this from both DOT and OSHA. This will be checked by the SPI attorney and if true, he will get confirmation in writing. If this is not possible, then it was agreed 1" letters should be used on VCM tank cars and tank wagons.
10. There was quite a difference of opinion as to the need for labeling a truck or car loaded with packaged vinyl. A vote indicated a low key approach of using only a wire tie tag was favored by 8, 2 labels (included UCC in absence of legal opinion as expressed previously for wire tie tags) and 2 felt they shouldn't be labeled or tagged.
11. ATA is planning to call a meeting in the Chicago area within the next 2-3 weeks to discuss the regulation and its effect. SPI, if they can get an invitation, will send a representative committee in an effort to allay the fears of the ATA membership.
12. It was agreed that SPI should not approach OSHA with examples or request more detail on letter size, location for labels, etc. The members should do what they feel is adequate and let OSHA come to us if they deem it to be inadequate.

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13. SPI requested the producers supply them with their volume of LTL vinyl shipments and what the average size of these shipments is so they can have ammunition to fight changes in LTL tariffs. It is anticipated the change in the tariffs will be to regulate out LTL shipments altogether or certainly to increase the rates substantially.
14. Goodrich indicated they were looking at shrink wrapping as a way to contain the VCL and lower the level in the trailers.

Tenneco, Sal Cincotta, informed me on the side that they had reduced their vinyl warehouses to two and that they were informing both their Dispersion and Suspension customers they would accept only truckload orders after January 1, 1975.



E. Bell

EB/mg
Attachments

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(Body of Recommended Letter to Carriers)

The Occupational Safety and Health Administration of the Department of Labor has, by Order of October 4, 1974, established a permanent standard governing exposure to vinyl chloride in the work place environment. Promulgation of this Standard, which is intended primarily to minimize the exposure of workers in the vinyl chloride and polyvinyl chloride industries to vinyl chloride vapors, covers not only the manufacturing processes involving vinyl chloride but also extends to packaging, re-packaging, storage and handling of polyvinyl chloride resins.

Since the motor carrier industry has transported substantial quantities of PVC resins over a long span of years, currently estimated to amount to approximately 50% of the 4.7 billion pounds of PVC resin produced in 1973, the plastics industry desires to assure that you are familiar with the new OSHA Standard, to advise you of the steps we are taking to conform to the regulation as it applies to the shipper of PVC resins and to assure you of the industry's intent and desire to assist the motor carrier industry in discharging its responsibility under the new Standard.

The OSHA Standard for exposure to vinyl chloride bears a January 1, 1975 effective date. The stringency of the regulation with respect to its impact upon the manufacturing process threatens the very existence of this industry which produced 4.7 billion pounds of resin in 1973. The Society of the Plastics Industry, Inc., and several producers have petitioned the Courts to review the OSHA Standard, and an expedited hearing schedule has been set. The industry is hopeful of securing a ruling from the Court setting aside the Standard prior to January 1st; however, we feel we must be prepared to comply with the Standard should it become effective as scheduled.

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One of the steps which will be necessary for compliance by manufacturers and shippers of PVC resins will be the labeling of containers of PVC resin. The OSHA Standard prescribes that such containers bear a legible designation that the content is poly-vinyl chloride which contains vinyl chloride which is a cancer-suspect agent. The industry is of the view that this regulation may require that labeling or other notification be applied not only to individual packages of PVC resin but also to transportation equipment.

Aside from the labeling requirements, the OSHA Standard may have other application with respect to the performance of service rendered by the transportation industry. The plastics industry accordingly urges each carrier to carefully study the regulation and to be familiar with its application to his operation.

PVC accounts for approximately 20% of all plastic resin production in the United States; however, PVC constitutes an estimated 40% of all plastic resin moved by truck. It is thus necessary for both the plastics and transportation industries to effect a smooth transition under the OSHA Standard, should the Courts allow it to become effective on January 1. Since the manufacturers have been studying and planning for implementation of the OSHA Standard as it affects their entire PVC operations, individual motor carriers should look toward their customers should they desire guidance in planning for implementation of that portion of the Standard which may affect the movement of PVC resin.

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PRE-REGISTRATION LIST OF ATTENDEES
PVC-VCM MEETING - NOVEMBER 21, 1974

REPRESENTATIVE

COMPANY

Roy C. Danziger
Charles Corle
H. R. Blain
Thomas R. McGrath
Jim L. Collins

Air Products & Chemicals
Allied Chemical Corporation
Borden Chemical Company
Certain-teed Products Corporation
Chemplex Company

John F. Pinkman
Marcus Smith
Roger Hutchison
Ernest E. Bracken
Jack Zimmerman
Proctor Dodson

Conoco Chemicals
"
Continental Oil Company
Diamond Shamrock Chemical Company
" " " "
" " " "

Joe Polito
Eugene Schutz
Russell Park
C. C. Cory
T. F. Cerchiaro

Ethyl Corporation
" "
Firestone Plastics Company
" " "
" " "

Thomas H. Smith
Joseph W. Keating
John Floros
Melvin Rosensaft

B. F. Goodrich Chemical Co.
W. R. Grace & Company
Great American Chemical
" " "

Alan McAllister
Raymond Abramowitz
Henry Bialecki
William Link
Richard L. Way

Hooker Chemical Corporation
" " "
Olin Corporation
Pantasote Company of New York
Shell Chemical Company

Philip Curpertino
S. N. Cincotta
Edward Bell
Martin Bercovici
Al Evans

Stauffer Chemical Company
Tenneco, Inc.
Union Carbide Corporation
Keller & Heckman
SPI

John Ertel
C. K. Dilley

Robintech, Inc.
PPG Industries

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