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September 15, 1976

Mr. Jerome Heckman
Keller & Heckman
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Dear Jerry:

This letter will advise you with respect to one issue which has arisen regarding the research and development requirement in EPA's proposed Vinyl Chloride Standard.

Several companies have expressed concern with this regulation. Specifically, the companies are concerned about a 10 part per million requirement on emissions from research reactors over 50 gal. This requirement creates a number of practical operating difficulties. In addition, the cost for some companies greatly exceeds the benefits derived.

Upon discovering how the research and development requirement would affect some companies, we held a preliminary meeting in Allentown, Pennsylvania on September 7 to draft a proposal to submit to EPA discussing this issue. On September 9 members of the Polyvinyl Chloride-Vinyl Chloride Monomer Technical Committee met with Don Goodwin and his staff in Research Triangle Park and presented to him a letter stating our views.

While no agreement was reached with respect to our concerns, Mr. Goodwin assured us that some "solid questions" had been raised and that the Agency would review the questions and advise us regarding its decision. He said it was unlikely that the proposed Standard would be withdrawn for review but he indicated he would request that the Preamble to the Vinyl Chloride Standard be rewritten to indicate that new information relating to the research and development requirement had been received and was being reviewed and that a change might be required at a later date. Although Mr. Goodwin was

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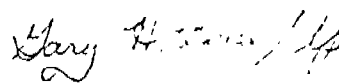
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speaking for his office, I believe his recommendation will be adopted by his superiors in Washington.

Therefore, my latest advice still holds that the Standard as finally written can be expected any day, however, the Preamble to the Standard should acknowledge a problem with the research and development requirement. If you have any questions, please advise.

Sincerely,



Gary H. Baise

GHB:lp

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JH4

EPA will order a 95% cut in vinyl chloride pollution

By PETER J. BERNSTEIN
Star-Ledger Washington Bureau

WASHINGTON — Chemical manufacturers will be required to reduce by 95 per cent airborne emissions of vinyl chloride — a cancer-causing substance widely used in making plastics — under regulations to be issued soon by the Environmental Protection Agency (EPA).

The regulations are among the most detailed EPA ever has established for an air contaminant. The rules set emission limits for every phase in the vinyl chloride manufacturing process.

Special air pumps will be required to trap so-called fugitive emissions of vinyl

chloride gas that escape through vents and windows of chemical plants.

EPA officials said the standard would affect 41 plants which produce the toxic chemical, and would have to be met within 2½ years. Most U.S. vinyl chloride plants are in New Jersey, Louisiana, Illinois and Texas.

Potentially dangerous traces of vinyl chloride gas have been detected in recent months as a result of federal monitoring near plants in New Jersey and Texas. Similar tests are planned at vinyl chloride plants elsewhere.

Approximately 4.6 million people live

within a five-mile radius of vinyl chloride plants, according to EPA.

New Jersey Department of Environmental Protection officials said six major vinyl chloride manufacturers in the state would come under the regulations.

They are B.F. Goodrich, Salem County; Hooker Chemical Co., Burlington; Pantasote Co., Passaic; Tenneco Chemical Co. Plants in Burlington and Flemington, and Jannat Corp., Franklin Township.

The chemical industry has used vinyl chloride for decades in producing such plastic products as toys, phonograph records,

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Vinyl chloride pollution cut ordered

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appliances and vinyl jackets. The chemical attracted little notice until Jan. 22, 1974, when B.F. Goodrich, the leading producer of vinyl chloride in the country, disclosed that several of its chemical workers had died from angiosarcoma of the liver, a rare form of cancer.

The National Cancer Institute has since confirmed 27 cases of liver angiosarcoma among chemical workers with a history of exposure to vinyl chloride. Studies of occupational exposure to vinyl chloride indicate there is a latency period of up to 20 years between initial exposure to the organic chemical and occurrence of the disease.

Only a quarter of the vinyl chloride plants are 20 years or older. Most have opened in recent years.

The EPA regulations do not apply to some 8,000 plastic fabricating plants, which use polyvinyl chloride, a chemical derived from vinyl chloride. These plants account for about 10 per cent of the vinyl chloride in the air. EPA said monitoring in the vicinity of several plants showed that vinyl chloride concentrations were too small to make the expense of cleaning up worthwhile.

Jack Farmer, who wrote the EPA regulations, said in an interview that the measure is essentially the same as regulations the agency proposed last December.

Farmer, chief of the standards development branch in EPA, said the regulations are designed to provide a reasonable margin of safety to protect public health from vinyl chloride. They require chemical firms to use the best available control technology.

The EPA crackdown is the last link in a chain of regulatory actions against vinyl chloride.

In 1974, the occupational health and safety administration, a branch of the Labor Department, issued rules limiting the exposure of chemicals workers to vinyl chloride. Plants unable to meet the standard have been required to provide workers with respirators.

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THE STAR LEDGER
Friday, Sept. 17, 1976

Amc

Motor Vehicles**EPA ISSUES PROCEDURES FOR TESTING FUEL ECONOMY, EMISSIONS OF 1978 VEHICLES**

Interim final procedures for testing the fuel economy and exhaust emissions of 1978 model year vehicles (40 CFR 600 and 86) were issued by the Environmental Protection Agency September 10 (41 FR 38674).

At the same time, the agency proposed that the procedures also be applied to 1979 and subsequent model year vehicles.

Several provisions proposed May 21 as part of EPA's fuel economy labeling program for 1977 model year vehicles (Current Developments, May 28, p. 172) also were promulgated with the testing regulations September 10, because, the agency said, the provisions include definitions "essential to the calculation of . . . fuel economy averages."

Fuel Economy Testing

The interim final procedures increase the number of cars tested for emission purposes to produce a test fleet that is representative of the manufacturer's product lines for fuel economy and emission testing purposes, EPA said. The increase in cars in the test fleet over the number now tested for emissions certification and fuel economy labeling, however, is "quite modest," the agency said.

The procedures provide a "representative," rather than "statistical," sampling plan for increasing the test fleet, EPA said. Under the representative plan, EPA will make a preliminary calculation of the manufacturer's average fuel economy at the beginning of the model year by using original emission certification test vehicles; vehicles representing early model year design changes required to be tested for emission purposes; vehicles required to be tested for fuel economy labeling; vehicles representing "high production volume configurations in significant base levels"; and vehicles submitted voluntarily by the manufacturers.

Exhaust Emission Testing

Changes made in procedures for measuring the exhaust emissions of automobiles and light duty trucks are designed to improve the accuracy and applicability of tests, EPA said, adding that no changes in the stringency of application emission standards should result. The changes are designed to make the test fuel more representative of "commercially available fuel," the agency said. The change in procedures will have "insufficient" impact on testing costs, EPA said. Changes to procedures for testing 1978 model year vehicles include requirements that:

- Information on axle ratios, engine and emission control system calibrations, and vehicle car lines be made part of the manufacturer's quarterly production report;
- A measurement of the "actual distance traveled" by a vehicle during a test be made for use in the calculation of emissions and fuel economy;
- An increase from two to six be made in the number of hydrocarbon and nitrogen oxide gases used for calibration;
- No. 1 diesel fuel be deleted from the diesel fuel specification because it is not "commonly available" for light duty automobile use;
- Separate procedures be used for testing cold and hot start failures; and
- Allowances be made for the use of overdrive units according to manufacturers' recommendations.

Proposed Emission Test Changes

Proposed changes to the exhaust emission testing procedures for 1979 and later model year vehicles include:

- Use of more accurate road load simulation through the application of a revised method for setting the "dynamometer power absorber";
- Reduction in inertia weight test intervals by half;
- Revisions to emission certification procedures to include definitions of options and models, and revision of optional equipment usage; and
- Revision of the fuel octane requirement to allow use of a lower octane fuel.

Comment Period

Comments on both the interim final and proposed procedures should be submitted by December 9 to the EPA Office of Mobile Source Air pollution Control, 401 M St., S.W., Washington, D.C. 20460.

General Policy**BATTELLE SCIENTISTS CALL FOR STUDIES OF HEALTH EFFECTS AT PVC LANDFILL SITES**

ST. LOUIS, Mo. — (By an Environment Reporter staff correspondent) — The persistence of polyvinyl chloride (PVC) concentrations in air samples taken at former landfill sites has prompted Battelle Columbus Laboratory scientists to call for health effects studies of persons living near the sites.

Richard Markle, a Battelle Columbus (Ohio) scientist, told a conference on land disposal of residuals held September 13-15 that he and other Battelle scientists have found background concentrations of vinyl chloride monomers (VCM) at a land disposal site "several years" after the site was closed down. Concentrations ranged from .1 part per million (ppm) to .3 ppm at the site, he said.

The study of vinyl chloride monomers in air and sludge samples at former and existing landfill sites was conducted by Battelle under an Environmental Protection Agency contract.

Markle said "grab" air and sludge samples were taken at former and current landfill disposal sites used by a PVC manufacturer.

At one site where three air quality samples were taken, he said, vinyl chloride monomer concentrations ranged from .07 ppm to .11 ppm. At a second site, ambient concentrations were .1 ppm to .5 ppm, and at a third site, .1 ppm to 1 ppm.

PVC concentrations in on-site dry sludge samples ranged from 20 ppm to 1,260 ppm, he said.

Data indicate, Markle said, that "instantaneous VCM air concentrations on the order of 1 ppm can occur at normal healthy heights (approximately 1.5 meters) above ground level at these landfills as long as 24 hours after PVC sludge deposits are covered."

EPA should conduct "time-weighted average sampling" for 15 minutes, 8 hours, and 24 hours at these sites, he said, to determine whether ambient air PVC concentrations "pose a health hazard either at the landfill or in the adjacent residential or public access areas."

Safety Sludge Application

Thomas Hinesly, an agronomist at the University of Illinois, Urbana, told the conference that municipal sludge has been applied to cornfields without any excessive buildup of chemicals in runoff or drainage waters.

Hinesly said that sludge from the Chicago metropolitan sanitary district was applied to cornfields at a Joliet, Ill., test site regularly during the growing season. The sludge contained concentrations of iron, manganese, zinc, copper, and cadmium, he said.

Hinesly told Environment Reporter that most of the chemicals contained in the sludge are being concentrated in

CRUSADERS

Nibbling at the Nader Myth

Consumer Advocate Ralph Nader has long been assailed by conservative politicians and officers of corporations that have been goaded by his crusading zeal. At the Republican National Convention in Kansas City, Vice President Nelson Rockefeller made him the target of one of history's most labored puns (he claimed that Candidate Jimmy Carter's appearance at a Nader gathering meant that Carter was trying "to pass himself off as one of the Nader-day saints"). Now the lean, intense folk hero is coming under fire from a few of his former admirers—liberals who applaud his service to a noble cause but deplore the way the myth is altering the man.

Nader's revisionist critics claim that his emotional commitment occasionally overwhelms his acute powers of reasoning. In an unusually vivid public display of bad manners, Nader a month ago fortified that claim. Apparently frustrated by resistance to his pet auto safety device, the inflatable air bag, Nader laced into Secretary of Transportation William T. Coleman Jr. during hearings on the subject. The issue "is whether William T. Coleman has the guts to stand up to General Motors and the Ford Motor Company as he had the guts to stand up on civil rights years ago," Nader said bitingly.

Coleman, a black who is regarded as a topnotch Cabinet member and no pushover for the transportation industry, sensed a racial slur in Nader's remarks. Angriely, he termed them "bigoted." He later apologized. Nader did not, and even the *Washington Post*, a longtime fan, headlined its editorial WINDBAGS AND AIRBAGS.

The burden of the attacks on Nader is that he is something of a tyrant to work for, a lousy administrator, overly secretive and paranoid about his enemies. Some critics suggest, without conclusive evidence, that he lives less ascetically than he claims and that his organizations are wealthier than is indicated by their pitches for funds. Occasionally Nader is also portrayed as a wild-eyed Savonarola intent on forcing his own puritanical concept of the public good on a subservient nation.

Ruth Darmstadter, a former Nader staffer writing in the *Washingtonian*, charges that "the popular image of a band of 60 to 70 dedicated idealists working in happy concert with Nader is, quite simply, a fiction. When you couple Nader's incompetence as an admin-

istrator with the importance of employees remaining in his favor, you have the formula for a poisoned atmosphere." One dramatic expression of that atmosphere was the mysterious, nighttime removal of a personal diary from the office of Ted Jacobs, a high-level Nader associate, who says he was then fired by Nader for "misconduct."

A complete anti-Nader catalogue has been assembled by David Sanford, former managing editor of the liberal *New Republic* who once collaborated with Nader on a book (*Hot War on the Consumer*). In a slim 135-page critique, *Me & Ralph*, Sanford seems obsessively concerned about his personal problems

► Did Nader once ride in former *New Republic* Writer Andrew Kopkind's convertible without fastening his seat belt? Apparently so.

► Did Nader jump into Washington Lawyer Simon Lazarus' Corvair after a party, then warn the attorney not to mention that Lazarus had been stopped by a cop for exceeding the speed limit because Nader feared the headline: RALPH NADER CAUGHT SPEEDING IN CORVAIR? Undoubtedly he did.

Sanford's point is that Nader needlessly either denies or tries to conceal such trivialities out of his obsession with protecting the myth of an unblemished David in mortal combat with a corrupt Goliath.

More substantively, Sanford contends that Nader is as secretive about the finances of his consumer groups as

are the corporations he repeatedly attacks. Nader does, for example, refuse to divulge the names of all contributors to his causes, contending he does not want them harassed. Sanford further claims, convincingly, that despite Nader's poor-mouthing, his major lobbying organization, Public Citizen Inc., had a net worth of \$1.3 million as of 1974, the date of its most recent public report.

Although it is often catty and petty, Sanford's book nevertheless does seem to have a point about one of Nader's fund-raising tactics: the Public Interest Research Groups raise money on many college campuses through an automatic fee that all students must pay, applying for a refund if they do not wish to be assessed. Yet Nader has sharply assailed the practice of book clubs that send volumes monthly to members unless they ask the clubs in writing not to do so.

Sanford does concede that Nader has made an invaluable contribution to U.S. society. But, he quickly adds, "he's become arrogant and self-important. You cannot be the sixth, or whatever, most admired man in the world, receiving the mail that he does and the press attention he gets, without being changed by it."

Nader dismisses the Sanford book as "a consumer fraud." Connecticut's Democratic Senator Abe Ribicoff, whose subcommittee hearings on auto safety first thrust Nader into prominence, offers a more eloquent rebuttal. "I read that people are kicking Ralph Nader around," Ribicoff told *TIME*. "He's still a man of great influence. He's got integrity. He takes on causes that very few people want to take on. They are all controversial. He's right some of the time. He's wrong some. But he's willing to take them on."



CARICATURE FOR TIME BY AUSLIN

in editing the prickly Nader's syndicated newspaper column and about Nader's deteriorating relations with the *New Republic*. Sanford and Nader fell out over these not uncommon editor-author frictions in 1973. Sanford thereupon completed an anti-Nader article for *Esquire*, but was dissuaded from publishing it by then *New Republic* Owner Gilbert Harrison, a Nader man. Nader has not talked to Sanford since. He is not likely to do so soon, especially given some of the less than cosmic questions raised by his quondam collaborator:

► Does Nader really live in the house on Washington's Bancroft Place that his brother bought in 1971 for \$80,000 rather than in the spartan \$85-a-month room he claims as his residence? Sanford found a local resident who says he sees Nader in the neighborhood "at odd hours nearly every day." That is hardly conclusive evidence.