

VINYL INSTITUTE MANUFACTURING PRACTICES COMMITTEE

Innisbrook
Tarpon Springs, Florida

Wednesday
September 11, 1985
1:00 p.m.

Members Present (in whole and in part)

W.C. Holbrook, BFGoodrich, Chairman
N. Blackman, Borden
C.A. Gellner, CertainTeed
B. Reynolds, PPG
R. Oubre, Dow
J.T. Barr, Air Products and Chemicals
J. Ledvina, Vista
J.W. Kachtick, Tenneco Polymers
H. Waltemate, BFGoodrich (Guest)
R.T. Gottesman, Vinyl Institute
M.N. Scheck, Vinyl Institute

ACTION ITEMS AGREED TO:

1. Motion made by Kachtick, seconded by Blackman, and unanimously approved that The Manufacturing Practices Committee considered the proposed letter to Delaware State Rep. Mack and U.S. Rep. Carper responding to their January 1985 letters to the record on EPA's proposed NESHAPS on vinyl chloride and recommended that no letters be written at this time and that the VI Executive Board be so notified.
2. M. Scheck to monitor whether vinyl chloride is on the list of acutely hazardous substances being developed by U.S. EPA for use by state and local governments and keep committee apprised.
3. Barr to draft letter and circulate to committee that would be responsive to EPA's proposed regulations dealing with air emissions prior to biologic treatment or prior to discharge to water treatment facility.
4. VI staff to send letter asking for requests for VI Safety Award in time so that an award, if given, could be presented at the VI Annual Meeting.
5. Waltemate to determine who did the project dealing with mutual aid response teams relative to vinyl chloride and to send copy of project to VI staff.
6. M. Scheck to send two sets of committee labels to Barr.
7. Barr to draft document on "Do's and Don'ts of VCM Storage" for review by committee.

THE SOCIETY OF THE PLASTICS INDUSTRY, INC.
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Discussion of proposed letter to U.S. Rep. Carper and Delaware State Rep. Mack

The committee discussed at length the contents of the proposed letter as agreed to in principle by the VI Board at its August 28 meeting. Gottesman reviewed the background of the development of the letter, including the views expressed by VI Board member Flammer at the VI Technical Committee meeting.

The committee discussed what additional comments may be appropriate should such a letter be sent (a statement of who the Vinyl Institute is; a review of the meeting with Formosa representatives; history of industry compliance with current standard; industry's role in providing information leading to the publication of the new proposed standard; an explanation that the proposed rule is not a "reformat" of the existing standard; a review of EPA's study of gasholders and the safety problems associated with them) and whether VI member companies could expect to benefit from such a letter.

The committee agreed that the ultimate objective of the VI is to have the EPA proposed rule move forward and to assure that the Agency's final rule not require the use of gasholder containment systems. Considering that the record on the proposed rule is officially closed (and considering that their letters were now several months old), it was decided that nothing was specifically to be gained relative to this objective by responding to Carper's and Mack's letters. Rather, it was suggested that any further contacts made with the EPA reiterate the VI views on the proposed rule and the desirability of moving the proposal forward. Lastly, the committee discussed what the appropriate steps may be should the final rule require gasholder containment systems.

Accordingly, a motion was made by Kachtick, seconded by Blackman, and unanimously approved that the Manufacturing Practices Committee considered the proposed letter to Delaware State Rep. Mack and U.S. Rep. Carper responding to their letters to the record on the January 1985 proposed rule on NESHAPS on vinyl chloride and recommended that no letters be written at this time and that the VI Executive Board be so notified.

Discussion of Budget Issues

Gottesman reviewed the resources expended to date on the committee's activities related to the EPA proposed rule and legal expenditures made with respect to the NRDC v. EPA action. Gottesman also noted that at the direction of the Board each of the committee chairmen has been asked to review the expenditures of their committees to determine priorities and anticipated expenditures for the remainder of this fiscal year.

EPA Guidance on Federally Permitted Releases

At the request of Ledvina, the committee members discussed their interpretations of federal permitted releases. Reference was made to a letter distributed prior to the meeting by Ledvina prepared by William N. Hedeman (Director of the Office of Emergency and Remedial Response, USEPA) responding to a request for clarification of the reporting requirements under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) as they applied to air emissions from a specific facility. As noted in the letter, EPA "has not yet determined a general policy with respect to Federally-permitted or continuous releases. Until a general policy is determined, the Agency will evaluate situations as they arise on a case-by-case basis..."

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