The Vinyl Institute

A Division of The Society of The Plastics Industry, Inc.

T.M.

File: Vinyl Institute

November 26, 1990

TO: Health, Safety & Environment Committee

RE: Nominations for CAA Advisory Committee

Attached is a notice on the EPA's request for nominations to a newly formed advisory committee on the amendments to the Clean Air Act. Many of you have probably come into contact with individuals who would be ideal designees for this activity and might wish to nominate them to this panel. Please note that nominations are due by Janaury 1, 1991.

Meredith.

Meredith N. Scheck

55 FR 46992-1

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Wavne Interchange Plaza II • 155 Route 46 West • Wayne, NJ 07470 • (201) 890-9299 • Fax # (201) 890-7029

and address of the person who should receive the refund check;

(2) The applicant's use(s) of the Time products, *e.g.*, retail gas station, petroleum jobber, consumer (end-user), cooperative, or public utility;

(3) If the applicant did business under more than one name, or a different name during the period of price controls, the applicant should list these names. If the applicant's firm is owned by another company, or owns other companies, a list of those other companies' names and their relationships to the applicant's firm;

(4) For each covered product purchased from Time, a separate monthly purchase schedule covering the period between the beginning of the refund period (August 20, 1973) and the date of decontrol of that product. The applicant should specify the source of this gallonage information. In calculating its purchase volumes, an applicant should use actual records from the refund period, if available. If these records are not available, the applicant may submit estimates of its petroleum purchases, but the estimation methodology must be reasonable and must be explained in detail;

(5) If the applicant is a retailer or reseller whose allocable share exceeds $5,000 (i.e. whose purchases equal or exceed 4,098,361 gallons), it must indicate whether it elects to rely on the appropriate reseller injury presumption and receive the larger of $5,000 or 40% of its allocable share. If it does not elect to rely on the injury presumption, it must submit a detailed showing that it absorbed Time's alleged overcharges (i.e. that the applicant did not pass through the overcharges to its own customers);

(6) If the applicant is a regulated utility or a cooperative, a certification that it will notify the state utility commission, other regulatory agency, or membership body of any refunds received, and that it will pass on the entirety of its refund to its customers or members; and

(7) The application should also contain the following statement signed by the individual applicant or a responsible official of the business or organization applying for a refund:

I swear (or affirm) that the information contained in this application is true and correct to the best of my knowledge and belief. I understand that anyone who is convicted of providing false information to the federal government may be subject to a fine, a jail sentence, or both, pursuant to 18 U.S.C. 1001. I understand that the information contained in this application is subject to public disclosure. I have enclosed a duplicate of the entire application which will be placed in the OHA Public Reference Room.

All applications should be either typed or printed and clearly labeled "Time Refund Proceeding—Case No. KEF-0129." Each applicant must submit an original and one copy of the application. If the applicant believes that any of the information in its application is confidential and does not wish for this information to be publicly disclosed, it must submit an original application, clearly designated "confidential," containing the confidential information, and two copies of the application with the confidential information deleted. All refund applications should be postmarked no later than April 1, 1991, and sent to the following address:

Time Refund Proceeding, Office of Hearings and Appeals, U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585

III. Distribution of Refunds Remaining After Consideration of All Refund Applications

All unclaimed money remaining in the Time escrow account after all meritorious refund applications are paid will be distributed in the manner suggested in the consent order to the seven states in which Time sold covered products during the period November 1973 through January 1981. As stated above, each state's portion of the remaining funds was calculated according to the share of Time's total volume of gasoline sold in that state during the relevant period. Those funds will be allocated to the seven identified states in proportions equal to those by which the original states' pool of $882,500 was apportioned.

Since these funds have been exempted from PODRA requirements, they will be distributed under OHA's second-stage refund procedures. These procedures have normally been used by OHA to ensure that indirect restitution of oil overcharges to the states is proportional to the injury experienced and provides timely restitutionary benefits. The states are familiar with this process. *See* "A Report on State Expenditures of Oil Overcharges," DOE Publication No. DOE/HG-003 (January 1990). Each of the seven affected states will be required to submit a restitutionary plan to the OHA. Upon approval of the plan, the OHA will order the disbursement of the state's share of the funds, including a proportionate share of accrued interest.

Detailed requirements applicable to the states' restitutionary plans will be addressed in a later Decision and Order, to be issued when we have completed processing all Time refund applications.

It is therefore ordered that:

Applications for Refund from the alleged overcharge funds remitted by Time Oil Company may now be filed.

Applications for Refund submitted by purchasers of Time covered products, including Defense Fuel Supply Center, must be postmarked by April 1, 1991.

Dated: October 31, 1990.

George B. Breznay,

Director, Office of Hearings and Appeals.

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-3859-1]

Clean Air Act Advisory Committee and Request for Candidates

SUMMARY: The Environmental Protection Agency (EPA) is proposing to establish a new Advisory Committee under the Federal Advisory Committee Act (FACA). The committee's purpose would be to provide independent advice and counsel to the EPA on policy and technical issues associated with implementation of the Clean Air Act amendments of 1990. The Advisory Committee will be consulted on economic, environmental, technical, scientific and enforcement policy issues.

At this time, EPA requests nominations of candidates for membership on the Advisory Committee. The membership of the committee will represent a balance of interested persons with diverse perspectives and professional qualifications and experience to contribute to the functions of the Advisory Committee. Members will be drawn from: business and industry; educational and research institutions; state and local governmental bodies; environmental groups; and international organizations.

DATES: Submit nominations of candidates no later than January 1, 1991. Any interested person or organization may submit the names of qualified persons. Suggestions for the list of candidates should be identified by name, occupation, organization, position, address, and telephone number. Candidates will be asked to complete a brief form that summarizes their background, experience, qualifications and other relevant information as a part of the review process.

ADDRESSES: Submit suggestions for the list of candidates to Paul Rasmussen, Advisory Committee Nominations, Office of Air and Radiation, (ANR-443), Environmental Protection Agency, 401 M Street SW., Washington, DC 20460. Fax number 202-245-4185.

FOR FURTHER INFORMATION CONTACT: Paul Rasmussen at the above address, or call 202-382-7430. The Agency will

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not formally acknowledge or respond to nominations.

SUPPLEMENTARY INFORMATION: The purpose of the Clean Air Act Advisory Committee is to provide advice and counsel to the Assistant Administrator, Office of Air and Radiation, on the development, implementation, and enforcement of the new and expanded regulatory and market-based programs required by the Clean Air Act amendments of 1990, with the exception of the provisions of the Act that address acid rain. A separate committee has been established to advise the Agency on the acid rain provisions of the Act. The programs falling under the purview of the committee include those for meeting National Ambient Air Quality Standards, reducing emissions from vehicles and vehicle fuels, reducing air toxics emissions, issuing operating permits and collecting fees, and carrying out new and expanded compliance authorities. The Clean Air Act Advisory Committee may advise on issues that cut across several program areas, including acid rain.

The responsibilities of the Advisory Committee include providing the Agency with advice on the following:

• Approaches for new and expanded programs, including those using innovative or market-based means to achieve environmental improvements.

• Potential health, environmental, and economic effects of programs required by the new amendments and the potential impacts on the public, state and local governments, and the regulated community.

• Policy and technical contents of proposed major EPA rulemaking and guidance required by the new amendments in order to help effectively incorporate appropriate outside advice and information.

• Integration of existing policies, regulations, standards, guidelines, and procedures in programs for implementing requirements of the new amendments.

Proposed Establishment

A Federal agency must comply with requirements of the FACA when it establishes or uses a group which includes non-federal members as a source of advice. Under FACA, a non-statutory advisory committee is established only after consultation with the General Services Administration (GSA). EPA has recently received approval from GSA to establish this committee.

Participants

The committee shall be composed of approximately 25 members, however, meetings will be open to all interested parties. Committee members shall serve two-year terms.

Members of the committee shall be selected on the basis of their professional qualifications and diversity of perspectives that will enable them to provide advice and guidance to the Agency in implementing the new Clean Air Act amendments.

Advisory Committee members shall be appointed in a balanced representation from the following sectors: Business and industry; academic and educational institutions; state and local governments; and nongovernmental and environmental groups.

The Advisory Committee will be authorized to form subcommittees to consider specific issues or actions and report back to the Committee.

Meetings will be held at least four times a year or as necessary, as determined by the Chairperson.

No honoria or salaries are contemplated in association with membership on the Advisory Committee, but compensation for travel and nominal daily expenses while attending meetings may be provided.

The Agency intends to hold the initial meeting of the Advisory Committee in the month of February 1991. Suggestions for the list of candidates should be submitted no later than January 1, 1991.

Dated: November 2, 1990.

Michael Shapiro,

Assistant Administrator, Office of Air and Radiation.

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[FRL-3858-9]

Underground Injection Control Program, Hazardous Waste Disposal Injection Restrictions; Petition for Exemption—Class I Hazardous Waste Injection; American Cyanamid, Westwego, LA

AGENCY: Environmental Protection Agency.

ACTION: Notice of final decision on petition.

SUMMARY: Notice is hereby given that an exemption to the land disposal restrictions under the 1984 Hazardous and Solid Waste Amendments to the Resource Conservation and Recovery Act has been granted to American Cyanamid, for Class I injection wells located at Westwego, Louisiana. As required by 40 CFR part 148, the company has adequately demonstrated to the satisfaction of the Environmental Agency by petition and supporting documentation that, to a reasonable degree of certainty, there will be no migration of hazardous constituents from the injection zone for as long as the waste remains hazardous. This final decision allows the underground injection by American Cyanamid, of the specific restricted hazardous waste identified in the petition, into the Class I hazardous waste injection wells at the Westwego, Louisiana facility specifically identified in the petition, for as long as the basis for granting an approval of the petition remains valid. under provisions of 40 CFR 148.24. As required by 40 CFR 124.10, a public notice was issued June 7, 1990. A public hearing was held July 10, 1990, and a public comment period ended on July 23, 1990. Due to the unavailability of a portion of the petition, the comment period was reopened August 9, 1990 and closed on September 24, 1990. All comments have been addressed and have been considered in the final decision. This decision constitutes final Agency action and there is no Administrative appeal.

DATES: This action is effective as of October 31, 1990.

ADDRESSES: Copies of the petition and all pertinent information relating thereto are on file at the following location: Environmental Protection Agency, Region 6, Water Management Division, Water Supply Branch (6W-SU), 1445 Ross Avenue, Dallas, Texas 75202-2733.

FOR FURTHER INFORMATION CONTACT: Oscar Cabra, Jr., Municipal Facility Branch, EPA—Region 6, telephone (214) 655-7110, (FTS) 255-7110.

Myron O. Knudson,

Director, Water Management Division (6W).

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[FRL-3858-6]

Underground Injection Control Program, Hazardous Waste Disposal Injection Restrictions; Petition for Exemption—Class I Hazardous Waste Injection Cecos International, Inc., Willow Springs, LA

AGENCY: Environmental Protection Agency.

ACTION: Notice of final decision on petition.

SUMMARY: Notice is hereby given that an exemption to the land disposal restrictions under the 1984 Hazardous and Solid Waste Amendments to the Resource Conservation and Recovery Act has been granted to Cecos

TABLE 3: Results of Employee Exposures to Ethylene Dichloride and Vinyl Chloride Monomer during task related activities at the Louisiana Division Vinyl II Plant, Plaquemine, Louisiana during 1990.

MASTER NO.	JOB ASSIGN.	TIME (MIN.)	CONCENTRATION, ppm (v/v) ETHYLENE DICHLORIDE (1)	VINYL CHLORIDE (1)	COMMENTS
	ENVIR. SPEC.	15	1.6	< 0.10 (2)	Near E-263 (3)
	" "	15	17	< 0.10 (2)	Sampling rounds on feed tk. fan deck (3)
	OPER. SPEC.	15	< 0.25 (2)	< 0.10 (2)	Sampling EDC @ T-260 (3)
	" "	15	< 0.25 (2)	< 0.10 (2)	Analyzing EDC samples
	OPER. SPEC.	15	< 0.25 (2)	0.26	Sampling EDC @ T-260 (3)
	" "	15	1.2	0.26	Catching EDC samples (3)
	" "	15	< 0.25 (2)	< 0.10 (2)	Analyzing EDC samples
	OPER. SPEC.	480	< 0.04 (2)	< 0.10 (2)	Catching samples and analyzing (3)
	OPER. SPEC.	480	< 0.04 (2)	< 0.10 (2)	Catching samples and analyzing (3)
	OPER. SPEC.	480	< 0.14 (2)	0.05	Catching samples and analyzing (3)
	OPER. SPEC.	480	< 0.10 (2)	0.14	Catching samples and analyzing (3)

Industrial Hygiene Exposure Guidelines

	Ethylene Dichloride	Vinyl Chloride
OSHA TWA	1	1
OSHA STEL (15 min.)	2	5

(1) Samples collected using a Dupont Air Sampling Pump, Model P-200 and 600 mg charcoal tube.

(2) L.O.Q. - detectable amount but less than the analytical limit of quantitation for the sampling conditions.

(3) Personnel wore Scott-O-Vista OV/AG cartridge respirator.

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