

June 12, 1980

R.N. Wheeler, Jr.
Assistant Director
Product Safety
Union Carbide Corporation
P.O. Box 8361
South Charleston, West Virginia 25303

Dear Mr. Wheeler:

Thank you for your letter of May 19, 1980, commenting upon my letter of April 18, 1980, to Douglas M. Costle, Administrator of the Environmental Protection Agency. I appreciate you taking the time to give me your views. I am writing to clarify the two matters you raised in your letter and which we discussed in our subsequent telephone conversation on May 28, 1980.

EDF and Industry Agreement and Disagreement

You state that "EDF has chosen to erroneously state that industry is in agreement with the same old general EDF position of no vinyl chloride emissions." That is not what I said. As I said in the portion of my letter which you quoted, "It was agreed that if additional efforts are to be made, the greatest return on these efforts will be had from stricter enforcement of the current emergency discharge restrictions, 40 C.F.R. 61.65(a) and the promulgation of the pending amendments to the standards which will lower the emission limits for resin stripping, 42 Fed. Reg. 28154 (June 2, 1977)."

I recognize the industry continues to believe that regulation of emergency discharges in particular is unnecessary, and that economic incentives are sufficient to discourage emergency discharges. EDF disagrees. It is recognition of our disagreement that caused me to say "if additional efforts are to be made." I believe I am correct in saying that we disagree as to the need for stricter regulations, but we agree that if there are to be stricter regulations it would be most fruitful to direct them at restricting emergency discharges and lowering emission limits for resin stripping.

Union Carbide South Charleston Plant

You take exception to my use of the Union Carbide South Charleston Plant "as the paragon of perfection." You note that "there are many technical reasons why the emergency relief devices used at South Charleston may not be satisfactory for other PVC plants." (I'm sure you would agree that there are also other PVC plants for which these same emergency relief devices are satisfactory.)

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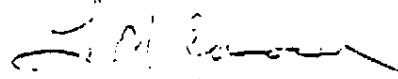
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I was misunderstood. I did not mean to suggest that the design or the quantitative performance of the South Charleston plant can be duplicated at other PVC plants. The South Charleston Plant is an example of two qualitative characteristics EDF contends must be encouraged at all polyvinyl chloride facilities: alert and conscientious management to identify and act upon problems, and efforts to improve equipment design and maintenance to minimize malfunctions. I believe you are in agreement with these goals when you say that "emergency relief devices should be selected by the knowledgeable, competent, experienced persons who design and operate a particular facility."

Thank you again for taking time to share your views with me. I trust I have clarified our areas of agreement as well as our disagreement.

Sincerely,


Larry Martin Corcoran

cc: Gary Baise, Esq.
Douglas Costle, EPA
Joseph Hadley, Esq.
R.W. Laundrie, Esq.

LMC:rlb

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