



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

February 18, 1993

TO: Pipe Resource Organization

RE: California EIR

I received today from Roy Gottesman, his report to the Executive Board on the California EIR and thought that I would forward it to PRO to update the group on this subject.

If you have any questions, please let me know.

Pat Benkner
Assistant Manager

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UPDATE ON CALIFORNIA ENVIRONMENTAL IMPACT REPORT (EIR)
ON PLASTIC PIPE

At the last Vinyl Institute Executive Board Meeting, I reported on the successful meeting held in California on December 2 aimed at resolving the impasse on the California Environmental Impact Report. Since that time, the following has occurred:

1. SRI International, in a letter to the California Department of Housing and Community Development (HCD) dated December 17, acknowledged that "the constructive participation of all three parties, particularly the approach proposed by SPI, was instrumental in bringing about a timely and effective basis for completing the EIR". SRI agreed to review the comments of Deputy Attorney General Walz on the draft EIR by January 15, 1993. Although about one month late, the SRI review has now been completed. SRI also agreed to make available accessible records and materials associated with its work to the technical leader and "EIR packager". The issue of final payment to SRI is as yet unresolved although HCD has been advised by SPI's California Counsel that SPI will not pay the funds owed to SRI under SRI's contract with the state until the terms of the SPI/HCD contract have been satisfied, i.e., the production of an EIR document that meets the requirements of the California Environmental Quality Act and is certifiable by HCD.
2. Sufficient funds have now been pledged to enable SPI to proceed with its proposal to HCD to achieve completion of the EIR. The estimated \$80,000 in additional funds needed has been pledged by the following:

Vinyl Institute	\$ 20,000
BFGoodrich Company	20,000
Shell Chemical	15,000
Plastic Pipe and Fittings Association	10,000
Dow Chemical Company	5,000
Monsanto Chemical	5,000
SPI Government Affairs	<u>5,000</u>
Total	\$ 80,000

In addition, SPI will cover costs associated with my serving as a technical leader providing liaison with the "EIR packager" selected.

3. Three potential "EIR packagers" have been identified, but have not been contacted to finalize an agreement pending approval of the SPI proposal by the Director of HCD.

4. HCD staff is completing its review of the draft EIR comments and that plus an options paper are now scheduled to be submitted to the Director of HCD, Tim Coyle, by February 19. As of this writing, the Director has not made a policy decision regarding the Notice of Determination (certification of the EIR document) nor necessity of recirculation and will not do so until he reviews the options paper. SPI California Counsel has expressed SPI's frustration with the failure of HCD to act in a timely fashion, so as to avoid slowing the momentum created at the December 2 meeting. As a result of the delay by HCD in formally agreeing to the SPI proposal, it is estimated that the overall process has now been delayed an additional 2 months so that mid-summer 1993 is now the earliest likely date for a completed EIR (assuming HCD acts before the end of February).

I will advise the Executive Board of any additional developments on this at the meeting on March 11th.

Roy T. Gottesman

February 17, 1993

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