

AGENDA
MEETING OF THE MCA EXECUTIVE COMMITTEE
8:00 a. m., Tuesday, February 11, 1975
The Links Club, New York City

1. Financial Report for Eight Months Ended January 31, 1975.
2. Legal Advisory Committee Nominations.
3. Issues Facing the Chemical Industry in the Coming Year.
4. Energy-Economic Program of the Administration.
5. Data Bank on Chemical Toxicology.
6. Arnstein vs. MCA, et al.
7. Administrative Matters.

MINUTES OF MEETING
MCA EXECUTIVE COMMITTEE
The Links Club, New York City
Tuesday, February 11, 1975

Following breakfast at 8:00 a.m., the meeting was called to order by Chairman McNeeley. There were present:

Harry D. McNeeley, Chairman	Edward R. Kane
James G. Affleck	Joseph A. Neubauer
William J. Driver	Robert T. Powers
John W. Hanley	Jack B. St. Clair

Lloyd N. Cutler, Outside Counsel
John H. Pickering, Outside Counsel
B. M. Barackman, Staff Counsel
George E. Best, Secretary-Treasurer

1. Financial Report for Eight Months Ended January 31, 1975
Mr. Best reported the information shown in Exhibit A.

2. Legal Advisory Committee Nominations Rather than act on the ten nominations placed before the Executive Committee at this meeting, it was agreed to announce at the Board meeting to follow that the nominating period would be held open one week more. It was deemed proper to select the candidates for appointment from all of the available nominees in order to give due regard to breadth of representation among the Association membership.

3. Issues Facing the Chemical Industry in the Coming Year
Mr. Driver referred to the list distributed in advance with the tentative agenda, saying it represented a recent update based on the opinions of staff and selected member company representatives. He characterized it as containing no major departures from past view, and stated it was being used as a guide to budget development for the coming fiscal year.

Responding to a query about adequate provision for toxicological program development, he mentioned the recent creation of an intercommittee task group (see Item 5 of these minutes) and expectation of receiving recommendations before the budget is finalized. Comments emphasized the need to maintain flexibility in order to deal with urgent matters as they arise, and agreement that toxicology is a matter of prime priority.

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4. Energy-Economic Program of the Administration Mr. Driver felt that a useful exchange of views had taken place in the January 28th briefing of invited chemical industry executives by Secretary Dent and FEA Assistant Administrator Sant on President Ford's energy/economic program. Mr. Sant would welcome additional information on the effect of tariff and taxes applying to petrochemical feedstocks on prices and employment.

Mr. Driver mentioned hearings by the Senate Committee on Interior and Insular Affairs, and that MCA may be invited to testify when these hearings resume. It was readily agreed that an appearance should be made if invited, but that more may be accomplished in hearings of the Senate Finance Committee.

There was awareness of the Petroleum Energy Group's current study on employment, and that MCA's Economic Policy Review Committee will meet tomorrow to develop recommendations concerning the Administration proposals. Mr. Driver mentioned already having communicated to the House Ways and Means Committee an endorsement of increasing the investment tax credit to 12%, on a permanent basis.

It was agreed that all opportunities should be considered for convincing the Government that added financial burden on petrochemical feedstocks would have minimal effect on conservation, yet would adversely affect the economy and tend to bring about unwarranted distortions within an established basic industry. Active liaison with PEG and other groups having a common interest was strongly encouraged.

Mr. Cutler suggested engaging a nationally eminent economist to advise and perhaps testify on behalf of MCA.

Several members commented on the larger issue of capital formation as being of vital future significance.

5. Data Bank on Chemical Toxicology Mr. Driver reported on the formation of an intercommittee task group for implementing the Executive Committee recommendations of January 14 concerning the feasibility of MCA's establishing and operating a data bank on toxicological information and maintaining a close working relationship with the Institute of Chemical Toxicology.

Dr. W. L. Sutton, Eastman Kodak (Chairman)
Mr. E. E. Christofano, Hercules (1)
Dr. F. D. Hoerger, Dow (2)
Dr. K. S. Lane, Union Carbide (1)
Dr. C. F. Reinhardt, Du Pont (1)
Dr. C. B. Shaffer, American Cyanamid (2)
Dr. P. L. Wright, Monsanto (2)

(1) Member, MCA Occupational Health Committee
(2) Member, MCA Toxic Substances Control Group

Mr. Driver stated the task group will have its first meeting tomorrow, to be attended also by Mr. Brian D. Forrow, Allied Chemical, representing the reconstituted Legal Advisory Committee. (Mr. Forrow also is a member of the Government Relations Committee.)

Mr. St. Clair gave his opinion that this arrangement will provide for satisfactory liaison between MCA and ICT. Mr. Hanley stressed that ICT should have a "full pipeline" to MCA developments.

6. Arnstein vs. MCA, et al Mr. Driver told of a suit against MCA and several companies instituted in Philadelphia alleging negligence in regard to exposure to vinyl chloride which it is claimed caused the death of Mr. Arnstein due to liver cancer. MCA was included in reference to information published in the Chemical Safety Data Sheet on this chemical.

PRIVILEGED MATERIAL REDACTED

They said the initial suit in the Pennsylvania state court has been supplemented by a second suit in a Federal district court, the latter adding as co-defendant the U.S. Government and naming as its agent the Occupational Safety and Health Administration.

They reported having arranged for representation of MCA through a Philadelphia law firm whose first efforts will be toward having MCA eliminated on jurisdictional grounds.

7. Administrative Matters

(a) Camille North Wiley Mr. Driver outlined the complaint of this former member of the MCA staff whose position was eliminated in August 1971 on account of budgetary limitations. She filed a complaint with the U.S. Department of Labor, alleging age discrimination (she was 58), which dismissed her complaint; with the D.C. Commission of Human Rights, alleging sex discrimination, which decided against proceeding further, except by court order, after she declined to appear at a scheduled December 1974 hearing; and with the Equal Employment Opportunity Commission, alleging sex discrimination, which is apparently awaiting the outcome of a civil suit filed in November 1974 in the District of Columbia U.S. District Court seeking back pay, reinstatement under the pension program and attorney's fees.

Mr. Driver stated MCA has defended vigorously and intends to continue.

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(b) Chemical Industry Speaker for Duke University Conference
Mr. Driver reported having proposed, from among suggestions received, Dr. Perry J. Gehring, Dow Chemical, to speak on the concerns of industry related to carcinogenic hazards on April 9, as previously invited.

(c) Effluent Guidelines Litigation Mr. Pickering reported postponement of the hearing in the 4th Circuit Court of Appeals.

(d) Advocacy Role of MCA Mr. Cutler referred to a memorandum his firm has prepared on this matter, suggesting it be considered by the new Legal Advisory Committee.

(e) Dinner with SOCMA Officials Mr. Driver reported arrangements have been made for a dinner meeting of the Executive Committee on March 10 to receive three or four officers of SOCMA to discuss matters of mutual interest.

George E. Best
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Secretary-Treasurer

Certified correct:

Harry D. McNeeley
Harry D. McNeeley
Chairman

REPORT OF THE SECRETARY-TREASURER

February 11, 1975

Dollar amounts rounded from tabular details
(\$000)

INCOME & EXPENSE

June 1, 1974 - Jan. 31, 1975 - 8 Months (67%)

Income - Membership Fees	\$2,018		101.713%
- Other	<u>229</u>		77.627%
		\$2,247	98.596%
Expense - Operations	\$1,228		59.931%
- Projects	<u>213</u>		57.258%
		\$1,441	59.520%

ASSETS

(As of January 31, 1975)

Cash	\$ 58	
Investments	3,172	
Miscellaneous	<u>10</u>	
		\$3,240