

HEALTH, SAFETY AND ENVIRONMENT COMMITTEE

Marriott Castle Harbor
Bermuda

September 26, 1990
Wednesday, 8:00 a.m.

Attendees:

F. Borrelli, Georgia Gulf Corporation
W. C. Holbrook, BFGoodrich Company
A. Gellner, CertainTeed Corporation
F. Jeanson, Vista Chemical Company
J. Kachtick, Occidental Chemical Corporation
J. King, Occidental Chemical Corporation
J. Ledvina, Vista Chemical Company
M. Scheck, Vinyl Institute
T. Snow, EVC
C. Vanderslice, Shintech Inc.
J. Yonge, Shintech Inc.

I. OPENING OF MEETING

Committee Chairman Frank Borrelli convened the meeting at 8:00 a.m. and asked for a round of self-introductions. Mrs. Scheck noted that she had invited Mr. Snow of EVC America to attend this meeting and future Health, Safety and Environment Committee meetings, that are of interest to his company.

II. APPROVAL OF MINUTES OF PREVIOUS MEETING

The minutes of the committee's last meeting held May 10, 1990 in conjunction with the VI Legal Committee were approved without change.

III. ROUNDTABLE DISCUSSION OF GROUNDWATER ISSUES

Mr. Borrelli noted that as agreed to at the committee's last meeting, this item was put on the agenda first to allow for sufficient discussion. Mr. Holbrook commented that it had been 3 years since the committee had shared information on this subject. He asked attendees to specifically address any pertinent state and EPA regional office activities.

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Mr. Holbrook reviewed in detail his company's activities over the last several years at the Calvert City location, highlighting remediation activities undertaken. Mr. Holbrook updated the group on regulatory activity including RCRA and Superfund and noted that in the case of Kentucky, the state and EPA have not settled the issue of final authority.

Mr. Ledvina updated the committee on his company's activities related to their Lake Charles facility, including a discussion of both on and off-site remediation activities. He noted that the State of Louisiana has assumed the lead on regulatory oversight.

Mr. Kachtick reviewed activities related to groundwater at OxyChem's Deer Park facility. Mr. King reviewed in detail ongoing remediation programs at the company's Pottstown facility.

Lastly, Mr. Borrelli reviewed activities at his company's location.

Following discussion, Mr. Holbrook inquired whether participants in the discussion and other company representatives would be interested in designating an individual within their company would/could serve as a contact for other companies to determine treatment levels being imposed in the various jurisdictions in which facilities are located, and the technologies being used to achieve the same.

Action Item:

It was agreed that Mr. Holbrook will send out a letter requesting appropriate contact information and will share the information with all members of the committee.

IV. TASK FORCE ACTIVITIES

A. Waste Minimization

Mr. Gellner noted that this task force, which is to initially focus on initiator containers, has not met. Mrs. Scheck commented that on June 29th she had contacted Mr. Gellner's designated contact, Mr. Brocka with the names of those who had responded to the survey conducted as a follow-up to the discussions at the committee's May 10th meeting.

Action Item:

Mr. Gellner stated that a meeting of this task force would be scheduled for no later than the end of October.

B. Proposed Seminar on EDC/PEL - Engineering Controls

Mr. Borrelli stated that at the May 10th meeting, Mr. Graybill of PPG had reported on the survey completed to ascertain interest in a special meeting to discuss engineering controls either currently used or planned to be used to achieve OSHA's revised permissible exposure levels for ethylene dichloride. Mr. Graybill had noted at that time that this activity would likely be passed on to another individual within PPG Industries. As there was no representation from PPG at this meeting, the following was agreed to:

Action Item:

Mrs. Scheck to recontact Mr. Graybill to determine if his company still has interest in this issue. If there is not interest in chairing this activity, but interest in the issue remains, Mrs. Scheck to contact Mr. Kachtick about his company's interest in chairing such a meeting.

C. Transportation

1. East Coast Response Effort

Mr. Borrelli reviewed the activities that have been undertaken jointly by OxyChem, Georgia Gulf, BFGoodrich and Formosa Plastics in establishing an emergency response training program and summarized the September 18-19 program held at the Burlington Fire Academy. He commented that J. Coburn of OxyChem had organized the program. Mr. Borrelli noted that the follow-up activities that are planned to be held in conjunction with the Fire Training Academy and the response contractors.

2. VCM Emergency Response Network

Mrs. Scheck noted that following the last committee meeting a special meeting was held June 27th in Houston to discuss issues related to and interest in establishing a vinyl chloride-specific mutual aid program. She noted that the attendees at this meeting had developed a survey to further ascertain the levels of interest and that based on the results of this survey a follow-up meeting is being coordinated by CMA and is scheduled for October 10th.

Mrs. Scheck noted that at the September 18th meeting of the Executive Board, attendees were apprised of

this activity and were told that at this time it was not envisioned to be a VI activity.

D. Workshop on MSDSs and Labels

Mr. Borrelli reviewed the July 31st meeting on MSDSs and Labels attended by representatives of 6 companies and noted the significant contribution made by Don Goodman, Ladd Smith and Tova Reinhorn all of OxyChem in putting this program together. Mrs. Scheck was asked to determine if Mr. Goodman still had his overheads from this program.

V. OLD BUSINESS

A. Vinyl Chloride Standard

Mrs. Scheck noted that the final amendments to the Vinyl Chloride Standard were published July 10th in the Federal Register implementing the settlement agreement reached with EPA.

B. SARA 313 Data

Following a brief discussion on the accessibility and timeliness of the Medline data on SARA 313 inputs, the following was agreed to:

Action Item:

Mrs. Scheck to collect calendar year 1989 data and prepare summary of same for members of the committee. It was noted that if anyone had non-member information, it would be added to the summary sheet if provided to Mrs. Scheck.

C. Ethylene Oxychlorination as Potential Source of Dioxin

Mr. Snow noted that he had some summary information on this issue as addressed by an industry task force in Europe and that he would send to Mrs. Scheck for distribution to the members of the committee.

D. Angiosarcoma Registry

Mr. Borrelli commented that as attendees knew Dr. Brian Bennett of ICI, who has maintained the Registry for several years, is about to retire from ICI at the end of the month. Mr. Borrelli commented that through the VI Technical Medical Subcommittee, Dr. Jack Drumwright of Vista will assume responsibility for maintenance of the Registry.

E. CERCLA: Discussion of Definition of "Federally Permitted"

Mr. Holbrook led a roundtable discussion on current individual company practices regarding the required and/or protective reporting of relief valve discharges, exceedance and leaks. It was agreed that this item be placed on the agenda of future meetings should practices or requirements change.

Action Item:

Mr. Holbrook stated that a new CERCLA penalty policy has been published in the last several weeks. It was agreed that he would forward the document for distribution to Mrs. Scheck.

F. Air Permitting

Mr. Jeanson noted that in trying to renew permits in the State of Mississippi that his company was required to do air modeling. He noted that the state had revised its risk factor from 4.1×10^{-6} to 4.2×10^5 , the latter number being reportedly used by the U.S. Environmental Protection Agency. Mr. Ledvina commented that it was his understanding that the new figures were based on ingestion data.

G. Toxicity Characteristic Leaching Procedure

The committee had a roundtable discussion on the impact of the TCLP on both EDC and PVC facilities, including a discussion on the impact on and use of surface impoundments.

VI. NEW BUSINESS

A. Clean Air Act Amendments

It was noted that in anticipation of the approval of amendments to the Clean Air Act, that EPA has already formed a working group that is drafting the new regulations that would apply to synthetic, organic chemical industry. Mr. Holbrook summarized the activities of the CMA Air Toxics Subcommittee.

B. Land Disposal Regulation: F039

Mr. Holbrook asked for a discussion on the land disposal regulation and its treatment of groundwater. The

committee discussed in detail interpretations of whether groundwater should be classified as FO 39.

Action Item:

Following discussion, it was agreed that Mr. Holbrook would discuss with his counsel a legal interpretation of the appropriate classification of groundwater. If appropriate, joint discussions with VI counsel would be undertaken to get official opinion out of the agency on behalf of all affected interests. Simultaneously, Mr. Ledvina agreed to contact CMA staff to determine if CMA counsel has examined this issue.

VII. ENFORCEMENT ACTIVITIES

The committee had a roundtable discussion on enforcement activities since the committee's May 10th meeting. Mr. King provided an update on the status of EPA civil suits as of August 1, 1990.

VIII. UPDATE ON OTHER VI ACTIVITIES

Mrs. Scheck summarized the activities underway in other VI committees and noted that VI Executive Director Roy Gottesman would be speaking the following day at the meeting of the Vinyl Chloride Safety Association.

IX. ADJOURNMENT/NEXT MEETING

There being no other business the meeting was adjourned at 2:00 p.m. A next meeting date of Thursday, January 24th was tentatively set, at the call of the chairman. A location of New Orleans was discussed for this meeting.

Meredith Scheck