

REPORT OF THE CHEMICAL REGULATIONS
ADVISORY COMMITTEE QUARTERLY INFORMATION MEETING
CHEMICAL MANUFACTURERS ASSOCIATION

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Mayflower Hotel
1127 Connecticut Ave., N.W.
Washington, DC 20036

Thursday
January 17, 1980
9 AM - 4 PM

AGENDA

Welcome and Introduction	Dr. Etcyl Blair	9:00 - 9:15 AM
Health Effects Testing TSCA	Mr. C. W. Umland	9:15 - 9:30
Health Effects Testing IRLG	Mr. C. W. Umland	9:30 - 9:45
Break		9:45 - 10:00
Testing Cost Sharing and Reimbursement	Dr. C. W. Smith	10:00 - 11:00
Premanufacture Notifi- cation Issues	Dr. C. W. Smith	11:00 - 11:45

Lunch		11:45 - 12:45 PM

CMA's Public Relations Program	Mr. John Slavick	12:45 - 1:15 PM
Labeling Regulations	Dr. Bittenbender	1:15 - 1:45
Break		1:45 - 2:00
TSCA Reporting and Recordkeeping	Mr. J.B. Charm	2:00 - 2:30
EPA Section 8(d) Proposed Rule	Mr. David T. Modi	2:30 - 3:00
EPA Section 8(a) Proposed Rule	Mr. Philip Holladay	3:00 - 3:30
Closing Comments	Dr. Etcyl Blair	3:30

January 17, 1980
CRAC INFORMATIONAL MEETING
Meeting Attendance

<u>CRAC Panel</u>	<u>Company</u>
Dr. Etcyl Blair	Dow Chemical Company
Mr. C.W. Umland	Exxon Chemical Company, U.S.A.
Dr. C.W. Smith	Shell Chemical Company
Mr. F. E. Bentley	Jefferson Chemical Company
Mr. Dean Leib	Rohm and Haas Company
Mr. J. B. Charm	Allied Chemical Corporation
Mr. David T. Modi	E.I. DuPont de Nemours Company, Inc.
Mr. Eugene Berman	E.I. DuPont de Nemours Company, Inc.
Mr. Philip Holladay	Shell Oil Company
Dr. Bittenbender	Borden Chemical
Mr. John Slavick	Chemical Manufacturers Association
Mr. Gordon D. Strickland	Chemical Manufacturers Association

ATTENDEES:

Mr. Don A. Rolt	British Embassy
Mary Killorin	3M Company
Sherry Boltz	NPCA
Ira MacDonald	Ashland Chemical Company
Steven Cragg	API
Ann Rosser Wieseneck	Kaiser Aluminum & Chemical Co.
Lew Burnette	GAF Corp.
Ann Baker Jenkins	Allied Chemical Corp.
Victor A. Dueslow	Amoco Chemicals

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ATTENDEES (Cont'd)

Robert Gilden	Standard Oil Company
Herb Twaddle	Amoco Chemicals Corp.
Lori Gribbin	Rohm & Haas Company
Chris Waisanen	ICI Americas
Philip C. Holladay	Shell Oil Company
Tatiana Roodkowsky	U.S. Chamber of Commerce
James Hulme	American Cyanamid
H. Adams, Jr.	MMEPA
Robyn Reed	Union Carbide
H.K. Nason	IRI Research Corp.
Donna Mauney-Tyler	America Chemical Society
W. William Ament	O.R.C., Inc.
Joan M. Cloonan	G.E. Engineered Materials Group
Edward F. Bouchard	Pfizer Inc.
Jay H. Ashley	Dow Chemical Co.
J. H. Rook	American Cyanamid
John M. Pashko	Merck & Co.
Robert Gough	Cincinnati Milacron
Earl DeWitt	Ethyl Corp.
Jim McClellan	BASF Wyandotte Corp.
Robert M. Miller	Hercules Inc.
Judith A. DeFranco	Hercules Inc.
Judith A. Tins	Celanese Corp.
Paula Dunnigan	B.F. Goodrich

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ATTENDEES (Cont'd)

Ellen Spitz	Mallinicrodt Inc.
George Brokaw	Tennessee Eastman Co.
John B. Dubeck	Keller and Heckman
Jerome H. Heckman	Keller and Heckman
David M. Benforado	3M Company
Jean Auman	Chemical Manufacturers Assoc.
R. S. Chamberlin	Dow Chemical Co., U.S.A.
Amy Shepard	American Petroleum Institute
J.R. Cohn	Allied Chemical Co.

The meeting was opened at 9:03 AM by Dr. Etcyl Blair. Each Panel member was introduced and guests were thanked for their company's support in CRAC activities.

Mr. Carl Umland provided a thirty-minute presentation on the recent activities of the Section 4 task group. He discussed the CMA comments on the Section 4 Testing Rule, GLPs and IRLG draft guidelines. He concluded his presentation with a description of what is expected in the future from EPA and notified attendees that the name of his task group had been changed to the Testing Task Group. Following a brief question and answer session, the meeting recessed for a coffee break and to provide attendees a short reunion with friends.

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The meeting was called back to order at 10:00 AM for a presentation on Testing Cost Sharing and Reimbursement under Section 5 of TSCA. Dr. Smith, working from a chalk board described current CMA recommendations for resolving cost sharing and reimbursement issues among consortium members. He discussed the points of controversy which have existed during the development of the comments, and explained how and why those issues were resolved.

Following a question and answer period, Dr. Smith continued with a discussion on major issues which had been raised on EPA's proposed rule covering premanufacture notification. He described the problems which had been overcome and the issues which still remain to be resolved.

He read aloud a recent letter from Congressman Broyhill to EPA which criticizes some of EPA's current positions on PMNs. (See letter attached).

Mr. Berman, Chairman of the Oversight Task Group, was asked to describe CMA programs for developing legislative issues and to comment on possible issues that might be raised during future TSCA oversight hearings. He outlined issues currently being developed by the task group and pointed to PMN Testing and confidentiality issues as those which have imminent importance, and explained that although CMA did not prefer major oversight hearings this year, that could be unavoidable.

Dr. Blair reported on a letter being sent to companies by Mr. Blake Biles of EPA. The letter is an advertisement of EPA positions now available. He told those in attendance they should contact Mr. Biles if there is interest in filling such positions to improve EPA's awareness of industrial processes. The floor was opened to questions on any subjects discussed.

The meeting was recessed at 11:50 AM.

Following lunch, Mr. John Slavick of CMA described the goals of CMA's broad base communications program and the methods by which those goals will be met. He discussed current activities: media hot box training, and publications on Transportation, Product and Worker Safety, and the speaker's kit. He concluded with a request for member company support and stressed the importance of the program to industry's image.

Dr. Bittenbender provided a concise update on activities of the Intercommittee Task Group on Hazards Communication and on Labeling initiatives. He endorsed support given by other Trade Associations, and pointed to Unions as the major factor behind demands for labeling. Industry's

desire to provide important health and safety information was stressed, as was its dissatisfaction with the \$14 billion-dollar impact of OSHA's previous proposal. In detail, he explained the flows in OSHA's proposals, and concluded his presentation by stating that publication of the rule is imminent.

Following a short question/answer period and a 15-minute break, Dr. Blair called the meeting to order at 2:00 PM. Before turning the floor over to Mr. Charm, he briefly discussed CMA's economic impact study and told attendees that more participants for the study was essential if it is to proceed.

Mr. Joel Charm described CMA's interest in the October 12, EPA proposed rule on PBB and TRIS as similar to that on the October 17, Asbestos ANPRM -- that interest being that they have precedent value as Section 6 and Section 8 rules in a restricted specific case. He pointed out that while we agree with EPA's basic interpretation of their authorization in this case, we also take the stand that 8(a)(2) is not merely illustrative of the type information EPA can require, but it is all inclusive. Mr. Charm also discussed definitions of terms which CMA will address in its comments. Terms believed to require better definitions include: "Reasonably ascertainable," "small manufacturer." Regarding the asbestos proposal, he stated that

CMA basically opposes any system of production or import quotas, since such a system is unprecedented government interference with the operation of competitive business forces. He added that maintenance of confidentiality is a concern with the asbestos rule, because EPA has indicated its intention to share its data with other agencies. He concluded that asbestos may be one of the first targets for a labeling rule.

Mr. Charm stated that 8(c) rulemaking is now on EPA's back burners and no rule is expected for 2-3 months. However, one issue sure to be raised by the rule is the automatic reporting trigger.

What EPA has done to publicize 8(e) submissions to date is mild compared to the following proposal, he said. EPA has proposed to issue a book of its own evaluations of submissions which are very critical of a number of companies. Mr. Charm said he believes we have dissuaded EPA from this approach in favor of a far less controversial "log."

Mr. Charm closed his introductory presentation on Reporting Task Group activities with a discussion on EPA's Chemical inventory.

Mr. David Modi highlighted issues raised by the Section 8(d) rule proposed December 31 by EPA. He pointed out definitions of terms which are troublesome, such as,

"for commercial purposes", "processors," and "study." He explained why EPA's estimate of cost of implementing the rule was grossly inaccurate. He said that although EPA estimated total cost to the industry at about \$400,000; DuPont estimates their cost will approach \$500,000. The error is attributable to EPA basing its calculations on their previous 8(d) rule which held a far narrower definition of study, he said. The current rule defines a study to include medical record information and industrial hygiene monitoring. EPA has also failed to consider the increased cost a company bears when data must be gleaned from multiple sites, frequently distant from one another.

Mr. Philip Holladay concluded presentations from the Reporting Task group by giving an in-depth briefing on the soon to be published Section 8 (a) rule. He recounted the evolution of the 8(a) proposal beginning in August 1978. He said red border review of the draft rule was completed on January 16 and publication should be expected in February. View graphs were used as an aid to explaining what information must be reported and how the report form should be completed. Mr. Holladay said that while CMA still sees some faults in the draft it is the least objectionable rule to be published to date -- a result of reasonable dialogue between EPA and industry.

Mr. Leib briefly discussed the Toxic Substance Management Memo which will be circulated to keep member companies informed of CRAC activities, and announced that the next CRAC informational meeting would be held in mid-April in Chicago.

Dr. Blair added that CRAC will consider the practicality of lending a symposium atmosphere to future meetings and of publishing Symposia for reference by attendees.

Dr. Blair concluded comments by thanking the attendees for their attendance and for their candid questions. The meeting was adjourned at 3:35 PM.

Gordon D. Strickland

Gordon D. Strickland
Staff Executive
Chemical Regulations Advisory
Committee