

EXECUTIVE BOARD MEETING

The Rittenhouse Hotel
210 West Rittenhouse Square
Philadelphia, Pennsylvania

Wednesday
September 20, 1989
8:00 a.m.

Attendees:

John Avento, M & T Chemicals
J. Alan Bailey, Occidental Chemical
Pat Benkner, The Vinyl Institute
Frank Borrelli, Georgia Gulf Corporation
Greg Boyd, Kaneka Texas
Charles Bush, BFGoodrich Company
Bill Carroll, Occidental Chemical
Peter de la Cruz, Keller and Heckman
Rick Flammer, Vista Chemical
Roy Gottesman, The Vinyl Institute
Don Knechtges, BFGoodrich Company
Ed Martinelli, BFGoodrich Company
William Patient, BFGoodrich Company
Dave Peters, Occidental Chemical
Robert Petrich, Rohm and Haas Company
Michael Reynolds, Vista Chemical Company
John Russ, Borden Chemicals & Plastics
Meredith Scheck, The Vinyl Institute
Ed Schiffer, Georgia Gulf Corporation
Erv Schroeder, Shintech Inc.
Doug Sherly, Air Products and Chemicals
Rick Smith, Vista Chemical Company
Carrie Solin, Rohm and Haas Company
Vic Struber, Argus Division, Witco Corp.
John York, European Vinyls Corporation

I. OPENING OF MEETING AND SELF-INTRODUCTIONS

Executive Board Chairman, H. R. Flammer convened the meeting and asked for self-introductions. Mr. Flammer informed the Board that deceased Board member, Mr. Robert Bitten of Lucidol would be replaced by Mr. George Kuzma, Vice President - Marketing.

Dr. Gottesman noted that a contribution had been made in Mr. Bitten's memory to a charitable organization designated by his family. A moment of silence in Mr. Bitten's memory followed.

SPI- 10435

II. APPROVAL OF MINUTES OF MAY 9, 1989 EXECUTIVE BOARD MEETING

Mr. Russ moved that the minutes of the May 9, 1989 meeting as included under Tab A of the briefing book for this meeting be approved. The motion was seconded by Mr. Schiffer and approved by voice vote.

III. FINANCIAL MATTERS

A. Final Fiscal Year 1988-1989 Budget Statements

Dr. Gottesman reviewed the statement of final revenues and expenditures for the fiscal year ending May 31, 1989 as found under Tab B of the briefing book, as well as a reconciliation of the actual carry forward for fiscal year 1989-1990 and a companion of actual expenditures v. budget for fiscal year 1988-1989. Dr. Gottesman noted that the fiscal year 1988-1989 fund balance of \$77,505 reflects the payment of \$162,270 for the California EIR Worker Health Study.

B. Status of Current Expenditures

Dr. Gottesman reviewed the Summary Statement of Revenue, Core Support and Other Income for Fiscal Year 1989-1990 reflecting revised funds available of \$1,341,943 composed of - assessments of \$1,020,000; SPI core support of \$228,438; PRARI refund of \$16,000; and carry forward of \$77,505. Dr. Gottesman noted that for FY 1989-1990 expenses approved at the May 9, 1989 Annual Meeting are \$1,356,560. If indirect and direct expenses are expended at this budgeted level, there will be an operating deficit of \$14,617. Mr. Schiffer reminded the Executive Board that the total expense budget for FY 1989-1990 is less than the total actual expenditures for these same categories for FY 1988-1989.

Reviewing expenses incurred through July 31, 1989, Dr. Gottesman noted that the fund balance was \$375,523. He further commented that his calculations showed an unofficial fund balance through August 31, 1989 of approximately \$290,000.

Mr. Schiffer commented that the VI Executive Board should be mindful of the fact that programs to be presented during the course of the meeting will have a negative impact on the budget. Mr. Schiffer asked that all task force/committee chairmen be asked to re-examine programs and budgets for the current fiscal year and preliminary budget needs for next fiscal year. Mr. Schiffer suggested that further discussion on the budget be held until the completion of the solid waste discussions.

IV. SPECIAL PROJECT AND ISSUE UPDATES AND DISCUSSIONS

A. Solid Waste Management

1. VI Recycling Task Force

Dr. Gottesman reviewed the activities of the Recycling Task Force since it was authorized by the Executive Board at the special session following the 1989 VI Annual Meeting at Callaway Gardens. Background information on the June 29th and August 2nd task force meetings, as well as the August 10th meeting with the Center For Plastics Recycling Research and related items are included under Tab D of the briefing book for this meeting. Dr. Gottesman noted that for purposes of developing a program, the Task Force viewed it as having four components: collection, PVC separation, clean-up/recovery; and commercial aspects, including end market and product development.

a. Collection

Dr. Gottesman reviewed discussions held with Wellman and Browning Ferris on August 24th, noting that Wellman is now the nation's largest PET bottle recycler.

Dr. Gottesman stated that along with Frank Borrelli and Bill Carroll he met with the Waste Management/DuPont joint venture personnel (Plastics Recycling Alliance Partnership) on September 7th.

Dr. Gottesman further noted that he is scheduled to meet on September 28, 1989 with personnel from the Rhode Island Department of Environmental Management and the Rhode Island Solid Waste Management Corporation. He noted that efforts in Rhode Island as they relate to plastics recycling at the present time, are focused on soda and milk bottles.

In summary, Dr. Gottesman stated that those involved in the collection activities discussed above, have expressed a willingness to work with the vinyl industry to assure that any separation technology developed can be efficiently and effectively incorporated into their commercial collection/sortation activities.

b. Separation

Rutgers - Center For Plastics Recycling Research - Dr. Carroll reviewed discussions held with the Center For Plastics Recycling Research and the preliminary proposal discussed at the Recycling Task Force Meeting for the purchase and installation of x-ray fluorescence technology from ASOMA as detailed in the material included under Tab D of the briefing book for this meeting. Dr. Gottesman noted that on August 10th, he, Bill Carroll and Frank Borrelli met with the CPRR principals to discuss the preliminary proposal and its implementation. Dr. Gottesman noted that following this meeting, an official proposal was received September 5th for \$199,700 which represented a significant increase over the preliminary proposal.

Govoni Technology - Dr. Gottesman noted that he has had further discussions with representatives of the International Food Machinery (IFM is the U.S. affiliate of Govoni) regarding the purchase of the Govoni technology used to detect PVC in a mixed resin bottle stream, beyond those discussed in the background material under Tab D of the briefing book. Dr. Gottesman reported that at this time, IFM is interested in selling only an entire MRF, at a cost of approximately U.S. \$2 million.

National Recovery Technology Inc. - Dr. Gottesman noted that as a result of a story in the August 28th edition of Crane's Plastic News members of the Recycling Task Force had become aware of a project at National Recovery Technology (NRT) of Nashville to develop a system to remove chlorinated plastics from incinerator feed. Dr. Gottesman noted that the project, in two phases, is being funded by a U.S. Environmental Protection Agency Small Business Innovation Research Grant. Dr. Gottesman reviewed a September 8th telephone conversation he had with NRT Vice-President, Dr. Edward Sommer and a meeting held September 13th with Dr. Sommer and his colleagues attended by Drs. Carroll and Gottesman. Dr. Carroll noted that he and Dr. Gottesman had signed secrecy agreements, which had allowed them to review the results of Phase I of the

NRT project in which light and heavy PVC (film and rigid containers) could uniquely be distinguished from other plastic materials at a depth of 3-6 inches of mixed garbage. Dr. Carroll noted that during these discussions, NRT personnel had a high degree of confidence that the system is workable and that it would take an additional \$150,000 to fully develop the process over the next 6-8 month time frame.

Dr. Carroll recommended that the VI Executive Board considering funding work at NRT at a suggested level of \$150,000, with a smaller grant to Rutgers (\$50,000 level suggested), with the participation of Wellman in some form to assure that there is something industrially operational at the end of the project. Mr. Patient inquired who would own the technology and whether that should be considered in moving forward. Dr. Carroll noted that he and Dr. Gottesman had not discussed the licensing of the technology, but that NRT, like ASOMA, would be interested in selling machinery. Mrs. Solin commented that the Vinyl Packaging Council was interested in activities which could lead to more than just bottle separation programs (i.e., film), and the urgent need to move forward in the recycling area across packaging product lines. Mr. Sherly inquired as to whether there are additional sources of funds beyond the VI that we could help coordinate so as to move the NRT program forward.

c. Clean-Up/Recovery

Mr. Flammer noted that he had his staff review the economics of a clean-up recovery program and commented that depending on the size of the plant, if one purchased the material at \$0.05/pound, the program may or may not be profitable in the \$0.25/pound range. Mr. Patient commented that a new set of economics will be brought into the industry by others and urged that industry view this activity as a cost of doing business. Mr. Patient commented that he believed that industry could cooperatively work together on end-use market developments.

d. Commercial Aspects

Dr. Gottesman noted that at the August 2nd Recycling Task Force Meeting, it was agreed that the Legal Committee chaired by Robert Luss of Occidental be asked to develop a proposed structure by which the vinyl industry participants could organize to conduct R & D and related commercial activities on a separated PVC-rich stream. In Mr. Luss' absence from the Board Meeting, Mr. de la Cruz reviewed his discussions with Mr. Luss and commented that they believed a multi-company activity was "doable", and that on the commercial side, a separate entity outside of SPI could be organized, with its own employees outside of the industry. No specific language was presented for review or discussion.

Mr. Carroll announced that within the next few days there would be a press release issued by Occidental Chemical announcing that he had taken a new position with the company as Director of New Commercial Development, with an emphasis on recycling. Mr. Bailey announced that there would also be an announcement that Occidental will take back any vinyl material.

Mr. Flammer asked for a round table discussion on the issue and commented on the significance of the recycling issue. Mr. Sherly commented that of the issues discussed he believes that technology developed to be the most important for the industry. Mr. Knechtges commented that much work needs to be done on the end use market development issues as well as noted that he believes we need to work with the pipe industry to recognize the importance of the issue. Mr. Flammer asked that each of the market oriented task forces be asked to look at the commercial side of the issue and to develop some suggestions for the use of the material.

Mr. Schiffer noted that the Board had not determined whether there was the sentiment that the industry would form an entity to be involved in taking material back or whether individual companies should proceed on their own. Mr. Flammer noted that while there seemed to be agreement that the issue of any industry

consortium needed resolution, he commented that more discussion needed to occur.

Mr. Flammer suggested that a small group be organized to further discuss the concept of a consortium, with an initial discussion by telephone conference. The following VI member company individuals volunteered to work on this concept - William Carroll of Occidental, Frank Borrelli of Georgia Gulf, Ed Martinelli of BFGoodrich and Rick Flammer of Vista Chemical.

Mr. Russ moved that an additional \$200,000 be approved for FY 1989-1990 expenditure for PVC recycling separation technology development with this amount incorporated in a revised budget for FY 1989-1990 which is to reflect revised committee budgets. This budget is to be distributed for approval of the Executive Board by letter ballot prior to the December 13th meeting of the Executive Board. The motion was seconded by Mr. Bailey and approved by voice vote.

2. Technical Committee Project: Lead and Cadmium Removal

Dr. Bush reviewed for the Executive Board, the activities related to the development of a position statement on cadmium stabilizers as noted in the Technical Committee Report under Tab E of the briefing book. Dr. Bush noted that a meeting was held with representatives of the Cadmium Council, the Dry Color Manufacturers Association, and vinyl stabilizer manufacturers to discuss the proposed VI position statement. Dr. Bush noted that the Cadmium Council has formally responded on September 18th and that this response was discussed at the September 18th meeting of the Technical Committee. Dr. Gottesman noted that the original intention of developing this statement had been for it to be developed by the Vinyl Institute and forwarded to the Council For Solid Waste Solutions for their consideration. He further commented that it had been agreed that the position statement would be held until after the worldwide conference on incineration being sponsored by the Council. Mrs. Solin suggested that the wording of the position statement be changed by deleting "PVC" and replacing those references with "vinyl", so as to be consistent with other material being printed by the VI. The position statement is found on page 7A.

POSITION STATEMENT ON THE USE OF CADMIUM-CONTAINING MATERIALS IN VINYL

Because of the growing public concern and accumulating data about the presence of cadmium-containing products in the municipal solid waste stream disposed of by incineration, the Vinyl Institute recommends that alternatives to cadmium-containing stabilizers and pigments be vigorously pursued and, as technically viable substitutes are identified, manufacturers expeditiously incorporate them in vinyl compounds and products.

Mr. Martinelli moved that the position statement on cadmium as presented by Dr. Bush with the revision suggested by Mrs. Solin be approved and forwarded to the Council For Solid Waste Solutions. The motion was seconded by Mr. Sherly and approved by voice vote.

Dr. Bush reported that the Technical Committee is working with Franklin Associates to refine the numbers relative to lead that appear in Franklin's report to the EPA, and commented that the lead MSW content figures in this report are understated, perhaps by half. He commented that the Technical Committee is considering developing a position on the use of lead in critical and non-critical applications, and note that in some critical applications, the material is not normally part of the MSW stream. In response to a question from Mr. Flammer, Dr. Bush noted that he did not believe that any additional financial resources would be needed to complete this project.

3. Legislative Status

As follow-up to material included under Tab L of the briefing book for this meeting, Mrs. Scheck updated the Board on the status of legislative activity in the states of Wisconsin, Minnesota and New York. She also reviewed recent local activity in Broome County, New York and in several New Jersey municipalities.

4. Summary of Solid Waste Discussions and Related Financial Considerations

Mr. Flammer reviewed the following decisions regarding solid waste management and related financial decisions:

- Dr. Gottesman was authorized to proceed with finalizing contracts with National Recycling Technologies Inc. for \$150,000 and with the Center For Plastics Recycling Research for \$50,000 to carry-out projects discussed above.
- Committee Chairmen be asked to provide revised budgets for FY 1989-1990 recognizing the newly-authorized \$200,000 expenditures. Committee Chairmen will also be asked to provide preliminary estimates for FY 1990-1991.

- VI Executive Director and Treasurer Edwin Schiffer will develop a revised FY 1989-1990 budget.
- The revised budget will be distributed by letter ballot to the Executive Board for approval.
- FY 1989-1990 second-half assessment notices, due to be mailed by December 1, 1989, will be developed reflecting the revised FY 1989-1990 budget.
- Mr. Flammer will convene a meeting to further discuss the industry consortium concept.
- Dr. Gottesman was authorized to implement the recommendations regarding additional staffing as discussed during the closed session of the Executive Board Meeting and to incorporate any required funding necessary in the revised FY 1989-1990 budget.

B. Fire and Combustion Toxicity

1. NIBS Project on Smoke Toxicity Performance

Dr. Gottesman updated the Executive Board on the status of the development of a toxic hazard assessment test by the National Institute of Building Sciences. Background information was referenced as included under Tab O of the briefing book. Dr. Gottesman discussed in detail the test methodology and apparatus used. Dr. Gottesman noted the preliminary results of the test on cable and conduit applications and reviewed discussions he and Dr. Marcelo Hirschler of BFGoodrich had with representatives of Carlon. Dr. Gottesman noted the strong interest on the part of NIBS in moving this test through the ASTM process, although they have agreed not to move it forward at this time. Dr. Gottesman commented that Drs. Hirschler and Clarke are working on developing a position statement on the test that could be used where and when appropriate.

2. Regulatory Initiatives in Massachusetts and New York City

Background information on the Massachusetts Governor's Commission on Fire Safety, Combustion, Toxicity and Combustibility is included under Tab

P of the briefing book for this meeting. Dr. Gottesman noted that a meeting of the Commission originally scheduled for September 1 at which Dr. Yves Alarie of the University of Pittsburgh was slated to testify had been cancelled. (Note: The VI was advised on September 26th that this meeting has been rescheduled for October 6th.) Dr. Gottesman noted that SPI Government Affairs staff are providing liaison on this issue.

Dr. Gottesman briefly summarized the activities in New York City as they relate to a new interpretation by the Director of the Material Equipment and Acceptance Division of the New York City Building Code 26-504.10(e), as described under Tab F of the briefing book. He noted that an industry meeting was hosted by SPI on September 6th at which time it was agreed that SPI would recontact appropriate city officials and would meet with Mr. Joseph Newman of the New York City Building Congress. It was further stated that representatives of the Coated Chemical and Film Association had scheduled a meeting with Dr. Rosalind Anderson on September 28th. The affected industry representatives agreed to reconvene following that meeting.

V. PRO-ACTIVE TASK FORCES AND RELATED ISSUES

A. Pipe Resource Organization

1. Program Report

Task Force Chairman, Dave Peters updated the Board on activities of the Pipe Resources Organization as summarized in the report included under Tab F of the briefing book. Mr. Peters highlighted results of the benchmark survey and the recommended communications activities which will use the testimonial approach in its advertising program.

2. California Environmental Impact Report

Dr. Gottesman updated the Board on plans for the public hearings scheduled for September 26th and September 27th on the Draft EIR issued by the California Department of Housing and Community Development on August 21st. Background information was included under Tab G of the briefing book for this meeting. It was noted that a meeting was held in Sacramento on August 28th with experts to organize for the hearings, at which time expert witnesses will testify on the subjects of fire and

combustion toxicity, permeation, leaching and worker safety and health. Dr. Gottesman stated that SPI has developed a fact kit on the issue for the press, and has scheduled editorial briefings in Los Angeles and San Francisco. He noted that SPI will announce a willingness to participate in worker training initiatives, as one of the points of deficiency that was discussed in the Draft EIR was a variety of improper industrial hygiene practices. Dr. Gottesman stated that the comment period ends on October 23rd. Should the schedule be adhered to, a final EIR could be expected in the November 1989-February 1990 time period, with an anticipated publication date for the final EIR in March 1990. Dr. Gottesman further commented that this should end the need for any further industry financial resources, as should any law suits be filed they would be against the state.

B. Electrical Materials Council

Electrical Materials Council Chairman Rick Smith updated the Executive Board on activities of the Council as highlighted in the material included under Tab H of the briefing book for this meeting. He noted that the Electrical Materials Council and the Technical Committee have decided to meet for joint sessions on a semi-annual basis. He also noted that a meeting involving the Electrical Materials Council, the Pipe Resource Organization and the VI code consultants will be held in the next several weeks. He reviewed for the Board, the trade show exhibit booth that will be used by the Council at the Interwire Show in November and plans for participation in the seminar portion of the show and related communications activities.

C. Vinyl Packaging Council

Mrs. Carrie Solin, Chairman of the Vinyl Packaging Council, directed her comments to the background material included under Tab I of the briefing book for this meeting. She noted that a series of three focus group sessions held in June provided an update to the original benchmark survey on attitudes and knowledge relative to vinyl for packaging applications. She noted that the participants represented companies involved in food, pharmaceutical and the health/personal care markets. Mrs. Solin commented briefly on the discussions held during these sessions and on the ways in which the Council intends to factor these sessions into program implementation. Mrs. Solin commented that an advertising program is underway with the use of branded products and

distributed copies of the Bottle Talk pamphlet developed using these ads. Mrs. Solin also referenced the recent announcement of the Vinyl In Packaging (VIP) Awards Program and noted that a press release on the awards program had already been picked up in a number of packaging magazines.

D. Communications Committee

Mr. Reynolds reported that as noted under the report included under Tab J of the briefing book for this meeting, the photography and text for the general vinyl industry brochure have been completed and that the agency is now working on alternative layouts. He noted that the VI members will be recanvassed to update order requirements, as the original estimate was done several months ago.

VI. REGULATORY AND LEGAL UPDATE

A. OSHA - Ethylene Dichloride PEL

VI Legal Counsel, Peter de la Cruz, reviewed for the Board the activities undertaken on behalf of those VI members with an interest in the Occupational Safety and Health Administration's final rule amending the air contaminants standard to create new permissible exposure limits for ethylene dichloride. Background information on this activity was included under Tabs K and M of the briefing book for this meeting. Mr. de la Cruz noted that the EDC Working Group is now working on developing test data that could be used to refine the agreement reached with OSHA on the use of air purifying respirators under certain conditions to achieve the PEL.

B. Clean Air Act Settlement Agreement

Mr. de la Cruz stated that the Office of Management and Budget has now approved for publication in the Federal Register, the notice implementing the provisions of the settlement agreement between SPI and the U.S. Environmental Protection Agency and Department of Justice as it related to EPA's 1986 amendments to the vinyl chloride standard issued under the Clean Air Act. (Note: The proposed rulemaking was published September 21, 1989.) Mr. de la Cruz commented that a set of comments would be filed in this rulemaking.

C. Food and Drug Administration - Status of PVC Rulemaking

Dr. Gottesman stated that Ogden Martin submitted September 1, 1989 a letter to the FDA Docket updating

letters they had submitted July 2, 1984 and January 6, 1989 concerning PVC in the municipal waste stream. Dr. Gottesman stated that the most recent submission specifically addresses the issues of incinerator corrosion and acid gas scrubbing and notes in conclusion that "...as PVC is a small percentage of total plastics in the waste, and an ever smaller contributor to total chlorine, we do not perceive the anticipated increases in PVC food packaging to be problematical."

D. Settlement of Pittsburgh Litigation By Carlon

Mr. de la Cruz noted that Carlon has entered into a unique settlement agreement with the City of Pittsburgh relative to a July 1988 City Council ordinance amending the city building code to prohibit the use of plastic pipe in duct and electrical work. Background information was included under Tab M of the briefing book for this meeting.

VII. EUROPEAN DEVELOPMENTS

Mr. John York updated the Board of significant activities in Europe of interest to the vinyl industry including a country-by-country summary of legislative/regulatory activity. He noted that he will provide a written summary to be appended to the minutes for this meeting. Mr. York also reviewed the APME activities related to the Organization of a Plastics Waste Management Institute. He noted that Mr. Prinselaar serves on the APME Solid Waste Task Force that develops the proposal for this new Institute.

VIII. NEW BUSINESS

A. National Recycling Coalition

Dr. Gottesman noted the request from the National Recycling Coalition for a financial contribution to help offset their proposed programs for this fiscal year. Dr. Gottesman noted that in conversations with Bill Moore of Waste Management, a contribution at the \$2,000 level is recommended as appropriate. Following a brief discussion on the issue, Mr. Martinelli moved that Dr. Gottesman be authorized to make a \$2,000 contribution to the National Recycling Coalition for this fiscal year. The motion was seconded by Ms. Solin and approved by voice vote.

B. Mexican Petition For Duty-Free Status of PVC

Dr. Gottesman noted that he earlier advised the Executive Board of a petition filed by Primex for duty-free status under the Generalized System of Preferences. Following

a brief discussion regarding the impact of this and similar requests, Mr. Flammer asked Mr. de la Cruz to review the issue and to determine whether the association can play a principal or supporting role in this issue or whether any legal filings must be made by individual companies.

IX. NEXT MEETING DATE AND LOCATION

Mr. Flammer noted that the next meeting of the Executive Board has been scheduled for December 13, 1989 at the Wyndham Greenspoint in Houston and asked VI members to review their schedules at this time should there be any scheduling difficulty that has developed since this date was selected. There being no suggestions that the date for this meeting needs to be changed, the next meeting of the Board will be held on December 13th.

There being no other business, the meeting was adjourned at 12:45 p.m.

Respectfully submitted,

Meredith N. Scheck