

42

AGENDA

for

SPI-EPA MEETING

on the

PROPOSED AMENDMENTS TO THE VINYL CHLORIDE STANDARD

November 22, 1977

5:30-6:00 p.m.

I. PARTICIPANTS

- A. SPI
- B. EPA

II. BACKGROUND

- A. Industry cooperated with EPA.
- B. An adequate Standard exists.
- C. We have pledged to do our best to meet the existing Standard and it is being implemented.
- D. The existing Standard is defensible.
- E. This case will establish a major precedent for the chemical industry.

III. THE PROPOSED AMENDMENTS

- A. EPA has proposed two major new policy aspects that are far-reaching.
- B. The zero emission goal and the proposed offset requirement should be withdrawn.
 - 1. Reasons for withdrawing the zero emission goal.
 - a. Proper utilization of society's resources.

CONFIDENTIAL

-2-

- b. The Clean Air Act does not require a zero emission level or a zero emission goal.
- c. Judicial authority supports the use of a best available control method approach.
- d. EPA should not state an unrealistic goal.
- e. Exposure to the infinitesimal ambient vinyl chloride concentrations that might exist under the existing Standard has not resulted in any adverse health effect.
- f. Meaningful risk comparisons must be made.

2. Question:

Is EPA now proposing to abandon its policy of risk analysis and adopt automatic zero emission goals without examining actual health risks?

- 3. Reasons for withdrawing the proposed offset requirements.
 - a. Competitive and antitrust questions.
 - b. Vinyl chloride emissions could be offset only with vinyl chloride emissions.
 - c. Would hinder plant expansions, increase the number of plant locations, forego potential emission reductions, increase energy usage and prohibit realization of substantial scale economies.
 - d. Any increased vinyl chloride exposure from plant co-location would be infinitesimal.
 - e. The effects of the proposed requirements were not adequately considered. The proposal was not set forth in sufficient detail.
- 4. EPA recognized potential difficulties in the offset proposal. The comments amply demonstrate that it should be withdrawn.

IV. CONCLUSION

A. EPA policymakers have not focused sufficiently on the ramifications.

B. Question:

Has the Administrator reached the conclusion that EPA's promulgation of the existing Vinyl Chloride Standard was not legally proper?

C. There is no need to amend the existing Standard at this time. No adequate rationale or basis exists for the proposed amendments. All of the proposed amendments should be withdrawn.

D. Compromise Proposal

1. Attempt to obtain the Administrator's commitment to withdraw the zero emission goal concept and the proposed offset requirements.
2. If the Administrator agrees to do so, then advise him that industry will work with the Agency staff to improve some of the technical aspects of the other proposed amendments.