

D. States

The 1985 legislative session will have 49 states in session, with Kentucky being the only exception. The major issue areas will be public compensation, Superfund, groundwater, right-to-know, toxic air program development and chronic health matters. Further, the Bhopal incident has heightened interest in community right-to-know proposals, routing and prenotification of hazardous materials shipments, and in-state emergency response programs. In addition to the state level reaction to Bhopal, cities and counties will also be addressing these issues. These initiatives are even harder to track and are sometimes more reactionary in their approach to dealing with issues concerning the chemical industry.

E. Media

Media interest in, and coverage of the chemical industry in the closing months of 1984 focused on the Superfund debate and the accident at Bhopal.

For Superfund, media contacts report the failure to report a bill was a significant disappointment to special interest groups. Their very vocal support for public compensation came more to set the stage for debate in 1985 rather than in any expectation it would be achieved. There was, however, a strong expectation of success for Superfund reauthorization. Members of the Media would blame that failure on Mr. Florio's strategy, the industry's assertive legislative and communication posture, and the inability of candidates for national office to move environment on to the front burner.

Bhopal took over the national news in December. It received far more coverage than the Johnson & Johnson Tylenol story. During peak periods, CMA handled over 100 calls a day and totaled over 1000 media contacts. Union Carbide received 1500 contacts.

Since Bhopal, national print media have devoted heavy and continuing coverage to a broad range of industry issues but have brought special attention to bear on right-to-know questions.

We expect to face questions on this subject, plant safety, emergency response, transportation safety and related issues on every media tour conducted in 1985. We will prepare spokesmen accordingly.

F. Courts

On January 3, 1985, a federal district court judge ruled that the federal hazard communication standard preempts the entire New Jersey