AGENDA
MEETING OF THE CMA BOARD OF DIRECTORS
5:30 p.m., Wednesday, June 6, 1984
The Greenbrier, Eisenhower C Room
White Sulphur Springs, West Virginia

1. Call to Order and Approval of Minutes of April 3, 1984,
   Meeting -- Chairman Fernandez

2. Treasurer's Report -- G. C. Herrman

3. Report of Executive Committee -- Chairman Holmer

4. Special Program Advisory Committee Appointment(s) -- L. Fernandez

5. Report of the President -- R. A. Roland
   a. Cresols Program
   b. Nickel-containing Catalysts Program
   c. Oleylamine Program

6. Public Compensation Task Group Report -- Jackson B. Browning,
   Union Carbide Corporation

7. Superfund Status Report:
   a. Legislative Update -- W. M. Stover
   b. Funding Task Group -- Thomas G. Singley, Shell Chemical Company
   c. Economic Impact Task Group -- Hugh R. Irvine, Exxon Chemical
      Americas

8. Status Report on Clean Sites, Inc. -- L. Fernandez

9. Report of the Vice Presidents:
   a. Technical Director -- G. V. Cox
   b. Director of Communications -- J. C. Holtzman
   c. Director of Government Relations -- W. M. Stover
   d. General Counsel -- D. F. Zoll

10. New Business

11. Adjournment

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A brief organizational meeting of the 1984-85 Board of Directors will
be held immediately following the Annual Business Meeting on Thursday,
June 7, 1984, in the Eisenhower C Room.

Next Regular Directors' Meeting: Monday & Tuesday, September 17-18, 1984.
Orientation Meeting for New Directors: Sunday, September 16, 1984 (3:00-4:00 p.m.).
Lodge at Pebble Beach, Pebble Beach, California.
MINUTES of the two-hundred ninety-eighth meeting of the Board of Directors of the Chemical Manufacturers Association, Inc., held at The Greenbrier (Eisenhower C Room), White Sulphur Spring, West Virginia, Wednesday, June 6, 1984.

Directors: Louis Fernandez, Chairman
George J. Sella, Jr., Vice Chairman
Richard G. Askew
Max S. Bass
Alan Belzer
Robert D. Cadieux
Paul W. Chellgren
W. H. Clark, Jr.
Harry Corless
Ralph S. Cunningham
Kenneth E. Davis
Carl R. Eckardt
John T. Files
Joseph P. Flannery
Robert C. Forney
Paul F. Hoffman
Edwin C. Holmer
P. W. Ifland
John W. Johnstone, Jr.
Robert D. Kennedy

Secretary: Charles W. Van Vlack
Treasurer: Gary C. Herrman
General Counsel: David F. Zoll

By Invitation: Stuart T. Allen, SOCMA, E. I. du Pont de Nemours & Company
David L. Baird, Jr., Exxon Chemical Company
Geraldine V. Cox, CMA
Robert J. Fields, FMC Corporation
Thomas M. Hellman, Allied Corporation
Robert B. Hill, CMA
Jon C. Holtzman, CMA
Hugh R. Irvine, Exxon Chemical Americas
Victor H. Peterson, CMA
Vernon R. Rice, E. I. du Pont de Nemours & Company
James H. Senger, Monsanto Company
William M. Stover, CMA
Juliane H. Van Egmond, American Cyanamid Company
Glenn W. White, The Dow Chemical Company

1. The meeting was called to order by Chairman Fernandez.

2. MINUTES OF THE LAST MEETING

The minutes of the April 3, 1984, meeting were approved as distributed.
3. **TREASURER'S REPORT**

Mr. Herrman reported that the year-end report showing actual revenue and expenses versus budget for the 1983/84 fiscal year is being finalized and should be distributed by the end of June. Pending that final report, current estimates indicate the use of reserves in the amount of approximately $100,000. Mr. Herrman reported that invoices for 1984/85 Association dues are being mailed and that prompt payment would be appreciated.

4. **REPORT OF THE EXECUTIVE COMMITTEE**

Mr. Holmer deferred a separate report of the Executive Committee's meeting since each of the items addressed were also to be covered by the Board at its meeting.

5. **SPECIAL PROGRAM ADVISORY COMMITTEE APPOINTMENTS**

Dr. Fernandez announced the appointment of Harry Corless of ICI Americas, Inc. and Richard G. Askew of Phillips Chemical Company to the Special Programs Advisory Committee (SPAC). The Executive Committee and Board had previously approved the reorganization of SPAC and authorized the appointment of two members of the Board of Directors to serve with three CMA Vice Presidents (Technical, Legal, and Administration) on the committee.

6. **REPORT OF THE PRESIDENT**

- Mr. Roland reported that there had been a net increase of eight members during the 1983/84 fiscal year.

- Mr. Roland indicated that the issues of groundwater and emergency response preparedness were receiving increased attention and that a presentation to the Board and Executive Committee on Association activities and proactive programs in these areas is anticipated in the near future.

- Mr. Roland presented proposed special programs on cresols, nickel-containing catalysts and oleylamine.

  ON MOTION, duly made and seconded, it was

  VOTED: To approve the proposed programs on cresols, nickel-containing catalysts and oleylamine as set forth in Exhibit A.

7. **SUPERFUND STATUS REPORT**

Mr. Stover’s report, on behalf of Mr. Mobley, is attached as Exhibit B. In addition, he highlighted:
May 16 testimony by Mr. Holmer on behalf of CMA before the Senate Environmental and Public Works Committee at which Mr. Sorgenti also testified.

Plans for a CEO visit program with eighteen targeted members of the Senate.

Activities in the House Energy and Commerce Committee, including the mark-up of the Florio II bill expected in the latter half of June.

Other House committees with jurisdiction over the Superfund bill and prospects for their actions.

Need for Board members to initiate visits with members of the Senate and the House Commerce Committee to educate them on the Superfund issues of critical concern to the chemical industry.

There followed discussion of the Association's role in the reauthorization process and the need to reemphasize our positions on the critical issues of fund size; public compensation; the sources of fund revenues; and the timing of reauthorization. There was additional discussion emphasizing the need for sound data from EPA on the resources required in the extended Superfund program before reauthorization should proceed and that this point should be strongly made, particularly in the Senate.

8. SUPERFUND FUNDING REPORT

Mr. White's report is attached as Exhibit C. Highlights from his remarks included:

- Details of the previously approved "safety valve" borrowing authority which would make available additional funds to finance actual Superfund site cleanup.

- Inability of the task group to recommend any other taxing options, including gross receipts, as acceptable alternatives.

- Need to advocate the tax and economic impact issues to members of the Ways and Means and Finance Committees.

- Necessity of utilizing general revenues to close any revenue gap between the approved Association position and the amounts being discussed by the Congress.

ON MOTION, duly made and seconded,

it was

VOTED: That the following provisions be added to the Association's previously approved position on the use of borrowing to fill any funding gap between the amount of the fund to be financed
by industry taxes, general revenues, cost recoveries and interest; and the total amount required for cleanup activities in any given year:

- Expanded borrowing authority should be considered a "safety valve", that is, the authority to borrow would be available only to finance actual Superfund site cleanup expenses after the revenues in the trust fund have been expended.
- Expanded borrowing authority would be limited in any given year to approximately $350 million.
- Repayment of amounts borrowed should be amortized over a 10-year period. Installments of principal and interest should be paid first from cost recoveries and then, to the extent needed, from trust fund revenues.

The task group will give further consideration to the nonhazardous waste disposal tax submitted by Mr. Belzer of Allied.

There was additional discussion on the applicability of the "Greenbrier Procedures" to the advocacy of a gross receipts or other taxing formula. It was agreed that the "Greenbrier Procedures" were not applicable in this case.

9. ECONOMIC IMPACT REPORT

Mr. Irvine's report is attached as Exhibit D. He indicated that the economic impact data being developed will be adapted to individual states and congressional districts for use in the Association's lobbying effort.

10. PUBLIC COMPENSATION

Mr. Browning's report is attached as Exhibit E. In Mr. Browning's absence, Mr. Holmer reported on the Executive Committee's discussions and actions with respect to public compensation. He reiterated that keeping public compensation provisions out of the Superfund reauthorization bill was a priority. Although the administrative compensation fund was deleted in the current Florio II Superfund proposal, a federal cause of action provision still remains which is also unsupportable. The Executive Committee agreed that:

- An administrative compensation fund and/or federal cause of action continue to be opposed in the context of Superfund reauthorization.
- Further information and analysis was required with respect to the potential impact of a federal cause of action.
- The recommendation contained in the task group's report to amend CERCLA Section 104(i) to provide for more site specific health studies and medical monitoring be approved.
Following Mr. Holmer’s remarks, there was discussion of when the UAREP report on waste site injuries would be released. Dr. Cox reported that as a result of the peer review process, a final report would not be issued until September.

ON MOTION, duly made and seconded, it was

VOTED: That the recommendation contained in the task group's report to amend CERCLA Section 104(i) to provide for more site specific health studies and medical monitoring be approved.

11. CLEAN SITES, INC. REPORT

Chairman Fernandez presented a report on the status of the Clean Sites, Inc. project. He expressed his appreciation to the Association's Executive Committee and Board; individual association and member company participants (including Messrs. Holmer, Forney, Roland, and McBrayer); the Conservation Foundation and other participating environmental groups; and Administrator Ruckleshaus and others at EPA. Chairman Fernandez indicated that there remained much to accomplish before the project can be deemed a success, including engaging staff, securing the required start up funding from the chemical and other industries and actually getting the cleanup under way. He urged the cooperation of Association's members in working together to accomplish the purposes of the Clean Sites project.

12. REPORTS OF THE VICE PRESIDENTS

a. Technical Director. Dr. Cox's report is attached as Exhibit F. She highlighted several projects currently under way, including development of an overall groundwater strategy and the Keystone Foundation project on public compensation.

b. Director of Communications. Mr. Holtzman's report is attached as Exhibit G. He referenced a new communications packet for use in media visits on Superfund. He solicited Board members and other senior management from member companies to participate in this program.

c. Director of Government Relations. Mr. Stover's report is attached as Exhibit H.

d. General Counsel. Mr. Zoll's report is attached as Exhibit I. He also reported that legal research on various issues related to natural resource damage claims would soon be available to CMA members.

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On motion, duly made and seconded, the meeting adjourned at 7:00 p.m.

Charles W. Van Vlack
Corporate Secretary

Certified correct
Louis Fernandez, Chairman
CMA Board of Directors
EXHIBIT A

PROPOSED PROGRAM ON CRESCOLS

**Problem/Background:**
The Environmental Protection Agency has proposed that the cresol industry test various cresols for potential health effects. Cresol manufacturers asked CMA to set up a program on these chemicals. Accordingly, the Special Programs Division convened an exploratory meeting where a tentative budget to cover the initiation phase of the program was approved.

**Objectives:**
The Program Panel will work with EPA to develop a reasonable and sufficient testing program. The Panel intends to evaluate the Agency's proposed testing requirements in conjunction with additional data in order to develop a reasonable testing program.

**Recommendation:**
It is proposed that the Executive Committee accept SPAC's recommendation for approval for this program.

**Impact:**
- Money
  - Participating companies will support program activities and necessary overhead.
- Company Personnel
  - One representative from each participating company.
- CMA Personnel
  - No additional staff required.

**Action Required:**
Approval of recommendation.

CMA
EC-5/6/84
BD-6/6/84
CRESOLS PROGRAM

Proposed Charter

The Program Panel will be concerned with the collection and evaluation of information necessary to assess the environmental and health effects arising out of the production, storage, transportation, use and disposal of cresols.

The Panel will adopt and convey advocacy positions, as appropriate, emanating from regulatory agency activities on cresols.

The Panel will be responsible for certain administrative matters, including the election of officers, voting procedures, basis for cost sharing among participating companies, designation of appropriate task and/or work groups, and liaison with other trade associations and interested non-participating parties.

The Panel will function as a special committee under CMA's bylaws, and its operation will be subject to the Special Programs Guidelines.

CMA
EC-6/6/84
BD-6/6/84
# Cresols Program

## Roster

<table>
<thead>
<tr>
<th>Name</th>
<th>Company and Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Jim Nalls</td>
<td>Ferro Corporation, Productol Division, P.O. Drawer &quot;L&quot;, Washington, D.C. 20014</td>
</tr>
<tr>
<td>Mr. Joe Male</td>
<td>General Electric, Noryl Avenue, Selkirk, NY 12158</td>
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<tr>
<td>Mr. Tom Burgunder</td>
<td>Koppers Company, Inc., 7th &amp; Grant Streets, Pittsburgh, PA 15219</td>
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<tr>
<td>Mr. Kirby Boston</td>
<td>Merichem Company, 4800 Texas Commerce Tower, Houston, TX 77002-3068</td>
</tr>
<tr>
<td>Mr. F. Yamaguchi</td>
<td>Mitsui Petrochemical, Inc., 200 Park Avenue, New York, NY 10166</td>
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<td>Mr. Vernon Blue</td>
<td>Northwest Petrochemical Corp., P.O. Box 99, Anacortes, WA 98221</td>
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<td>Mr. Ken Wilkinson</td>
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<tr>
<td>Mr. Yoshinori Takashima</td>
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<tr>
<td>Mr. Bill Hogan</td>
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</tr>
<tr>
<td>Counsel</td>
<td>Mr. Charles A. O'Connor, III, McKenna, Conner &amp; Cuneo, 1575 Eye Street, NW, Washington, D.C. 20005</td>
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CMA
EC-6/6/84
BD-6/6/84
**PROPOSED PROGRAM ON NICKEL-CONTAINING CATALYSTS**

**Problem/Background:** In order to respond to potential regulatory activities within various government agencies, manufacturers of nickel-containing catalysts requested that CMA establish an advocacy program. Accordingly, the Special Programs Division convened an exploratory meeting which resulted in a decision to form a Panel. A proposed one-year budget was approved.

**Objectives:**

The Panel will represent the interests of nickel-containing catalysts producers, adopting and conveying advocacy positions, as appropriate. In order to support its positions, the Panel will collect information necessary to assess safety, environmental and health issues.

**Recommendations:**

It is proposed that the Executive Committee accept SPAC’s recommendation for approval of this program.

**Impact:**

- **Money**
  - Participating companies will support program activities and necessary overhead.

- **Company Personnel**
  - One representative from each participating company.

- **CMA Personnel**
  - No additional staff required.

**Action Required:**

Approval of recommendation.

CMA
EC-6/6/84
BD-6/6/84
NICKEL-CONTAINING CATALYSTS PROGRAM

Proposed Charter

The Program Panel will be concerned with the collection and evaluation of information necessary to assess safety, environmental and health issues arising out of the production, storage, transportation, use and disposal of nickel-containing catalysts. The Panel will undertake research projects as appropriate.

The Panel will adopt and convey advocacy positions, as appropriate, emanating from regulatory agency activities on nickel-containing catalysts.

The Panel will be responsible for certain administrative matters, including the election of officers, voting procedures, basis for cost sharing among participating companies, designation of appropriate task and/or working groups, and liaison with other trade associations and interested non-participating parties.

The Panel will function as a special committee under CMA's bylaws, and its operation will be subject to the Special Programs Guidelines.
NICKEL-CONTAINING CATALYSTS PROGRAM

Roster

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CMA
EC-6/6/84
BD-6/6/84

CMA 074675
PROPOSED PROGRAM ON OLEYLAMINE

Problem/Background: On November 8, 1983, the Interagency Testing Committee (ITC) recommended that oleylamine be considered for testing for its toxic effects on human health. The ITC recommended the following studies: toxicokinetics, genotoxicity and teratogenicity. In response to the ITC's recommendation, EPA proposed oral teratogenicity, dermal subchronic, and mutagenicity tests. As a result of EPA's proposal, oleylamine manufacturers asked CMA to set up a program on this chemical. Accordingly, the Special Programs Division convened an exploratory meeting to discuss testing issues and options for action.

Objectives: The Panel will work with EPA to develop a reasonable and sufficient response to the ITC's recommendations for testing. The Panel intends to evaluate the Agency's testing recommendation in conjunction with additional data in order to determine the need for a testing proposal.

Recommendation: It is proposed that the Executive Committee accept SPAC's recommendation for approval for this program.

Impact:
- Participating companies will support program activities and necessary overhead.
- One representative from each participating company.
- No additional staff required.

Approval of recommendation.

CMA
EC-6/6/84
ED-6/6/84
OLEYLAMINE PROGRAM

Proposed Charter

The participating companies will work with EPA to develop a reasonable and sufficient response to the Interagency Testing Committee's recommendations for testing of oleylamine.

The Panel will review and evaluate published and unpublished literature on health effects, and will design, conduct and monitor a testing program, if appropriate.

The Panel will adopt and convey advocacy positions to other agencies on oleylamine, as needed.

The Panel will be responsible for certain administrative matters, including the election of officers, determination of the basis for sharing the costs of the program among participating companies, designation of appropriate task and/or working groups, and liaison with interested non-participating parties.

Consistent with CMA practices and policies, the Panel will interact with federal agencies in all matters relating to safety and health issues concerning oleylamine. The Panel will function as a special committee under CMA's bylaws, and its operation will be subject to the Special Programs Guidelines.

CMA
EC-6/6/84
BD-6/6/84
Oleylamines Program

Roster

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