

SPECIAL PROGRAMS ADVISORY COMMITTEE
REPORT TO THE
CMA EXECUTIVE COMMITTEE

Since its first meeting in January, 1980, the Special Programs Advisory Committee (SPAC) developed guidelines for the conduct of special programs, reviewed all of the ongoing special programs, and made recommendations on all proposed new programs. Significant recommendations resulting from SPAC's reviews are summarized below.

PROPOSED NEW PROGRAMS

Arsenic

SPAC recommended approval of a new program on Arsenic. The primary objective of the program is the education of people within regulatory agencies through a jointly sponsored arsenic symposium with the National Bureau of Standards. This symposium (November 4-6, 1981) will provide a means for industry and government agencies to come to an understanding of cost-effective regulation of arsenic as a hazardous material through knowledge of production and use patterns, toxicologic properties, and the presence of arsenic in the environment.

Ethylene Oxide

The Ethylene Oxide Industry Council was formed to (i) develop information regarding responsible industry programs to control exposure to ethylene oxide; (ii) to develop relevant scientific, technological, and economic data; and, (iii) to present such information and data to U. S. governmental bodies considering regulatory controls pertaining to ethylene oxide so as to assure that such standards, regulations or policies are reasonable, scientifically sound, and economically and socially effective. SPAC recommended approval of the formation of this Council.

Polychlorinated Biphenyls

Under the Chemical Regulations Advisory Committee (CRAC) companies affected by the Court's decision on Polychlorinated Biphenyls (PCBs) initiated two surveys to provide EPA with information for promulgating a final regulation. The estimated cost of these surveys and other consultant fees was \$165,000; CRAC budgeted the original phase and then asked that the program be moved to the Special Programs Division. SPAC approved the first phase of a PCB special program which will include conducting two surveys, analyzing the data from the surveys and participating in formal rulemaking. CRAC contributed \$30,000 toward this effort. SPAC will review the program at the end of Phase I and will make a recommendation on whether Phase II should be continued under Special Programs.

New Source Performance Standard on Non-Metallic Minerals

Due to lack of funding, the Environmental Management Committee transferred a request for a new program on Non-Metallic Minerals to the Special Programs Division. Initially the burden of these regulations would have

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been on the non-metallic mineral industry alone, but the precedent would be set for the regulatory agency to take such actions on other sectors of the chemical industry. SPAC recommended approval of this program with the Special Programs division providing all administration and the Environmental Division providing all technical support. Subsequent to this recommendation, the EPA, under the new administration, decided not to pursue the proposed regulation, and therefore, the SPAC recommendation was not brought to the Executive Committee.

SPECIFIC RECOMMENDATIONS TO PANELS

Acrylonitrile

In 1975 CMA signed a \$576,300 contract to investigate the possible toxic effects and the pharmacodynamics of ingested and inhaled acrylonitrile in laboratory animals. In 1978 the contract was amended and the contract amount raised to \$647,900. The contractor submitted the report on the last phase of this study on December 9, 1980. At the same time, the contractor submitted a final invoice containing a cost-overrun of \$134,000. CMA has initiated balloting of panel members to determine if they approve payment of this cost overrun. Several ballots remain outstanding. Upon SPAC's recommendation the CMA legal department confirmed that CMA is not responsible, under the terms of the contract, for the overrun. Although several companies have still not responded with their ballots, staff and CMA counsel are working closely with the contractor and the panel to resolve the cost overrun.

Chlorobenzenes

When EPA issued a TSCA Section 4(a) Draft Test Rules Package on chlorobenzenes two CMA groups became involved. The CRAC Testing Task Group identified broad policy and legal issues and spoke with EPA regarding the precedent-setting implications. The program panel, which has always been research-oriented, established a Toxicology Regulatory Task Group to address specific toxicological issues concerning the six chlorobenzenes recommended for immediate testing. In addition, SOCMA formed the Chlorobenzenes Producers Association to assume an advocacy position. All of these groups worked together to form a unified industry position on the Test Rules Package. SPAC recommended that these groups continue with the work they have begun until the Federal Register notice comes out. SPAC further recommended that as most of the companies participating in CMA (research) and SOCMA (advocacy) programs are the same, a consideration be given to bringing both the chlorobenzenes research and advocacy programs under one umbrella organization at an appropriate time.

Ethylene Dibromide

Audits of the NCI and NIOSH studies were completed and an independent auditor found that both of these studies were acceptable. SPAC, therefore, on August 25, 1981, supported the panel's decision to disband although they suggested a new panel be formed to continue for advocacy. Following this decision, OSHA received a petition from the Teamsters Union to lower the exposure limit on EDB from 20,000 ppb to 15 ppb. SPAC reviewed plans for a reconstituted panel on October 20, 1981.

Fluorocarbons

SPAC approved a limited advocacy role for the Fluorocarbons Program Panel so that the panel could make statements on science. The first was in response to the November 1979 NAS Report, "Stratospheric Ozone Depletion by Halocarbons: Chemistry and Transport."

SPAC recommended that the panel continue its limited advocacy charter and appointed two members to explore appropriate means of coordinating the Alliance, the CMA Fluorocarbons Panel and the CMA Section 4 Testing Task Force of the Chemical Regulations Advisory Committee.

Ketones

SPAC endorsed the panel's plans to establish an early dialogue with EPA regarding the anticipated TSCA Section 4(a) rule. However, SPAC recommended that the panel's charter be amended to include epidemiologic studies and possible evaluation of the environmental effects of ketone.

Phthalate Esters

In early 1980 the Phthalate Esters panel planned a material handling survey of the manufacturers, distributors and users of phthalates. However, since CMA is a trade association representing manufacturers, SPAC recommended that all action be tabled until the Society of the Plastics Industry could be contacted. In the meantime a study by the National Cancer Institute became available which for the first time raised health effects concerns for phthalate esters. In addition, based upon NCI's findings, EPA requested additional information on PMNs for phthalate esters. The panel was concerned that EPA had taken regulatory action on preliminary information and that EPA might come up with an unreasonable TSCA section 4(a) rule. SPAC recommended that the panel add advocacy to its charter and that they establish a dialogue with EPA on developing a voluntary test standard. This was a valuable recommendation as can be seen by the subsequent accomplishments of this panel (section 7.4 of the attachment).

Titanium Dioxide

SPAC recommended that in the absence of any significant findings in the long-term inhalation study in progress at duPont, the panel consider disbanding.

Vinyl Chloride

The Vinyl Chloride Panel hired an independent consultant to review the work performed by Industrial Bio-Test (IBT) under contract to CMA. This consultant recommended that CMA examine animal tissues still available from the study. The panel did not act upon this recommendation. However, they did ask IBT for a refund of the \$130,000 they had already paid under the contract. The panel was waiting for financial resolution with IBT before submitting a final report to government agencies. SPAC recommended that the panel not wait for resolution before submitting a final and report that they act upon the consultants recommendation to do additional histopathology. The Panel followed this recommendation.

Zinc Dialkyl Dithiophosphate

SPAC heard a proposal for a new special program on ZDDP. Although this new panel was interested in studying the reproductive role of ZDDP in rats and rabbits SPAC recommended that they consider undertaking an epidemiological study. SPAC approved the panel's draft charter with a strong recommendation that it be expanded to include advocacy. The panel followed this recommendation.

SPAC'S RECOMMENDATIONS TO THE EXECUTIVE COMMITTEE

SPAC's review of ongoing special programs, as well as proposals for new programs, concentrated on scientific and policy issues, the adequacy of professional and financial support from participating companies, the availability of CMA resources, and the inclusion of advocacy in the panels' charter.

The first year of reviews under the new Special Programs Guidelines provided the members of SPAC with valuable insight into the workings of program panels. In the future, SPAC will concentrate on the significant activities of the panels since their last meeting with SPAC. SPAC will also make sure that recommendations made during previous reviews were acted upon. Staff will keep SPAC informed of new actions as they occur, rather than waiting for a scheduled meeting.

Further background on the functioning of the Special Programs Division, its major accomplishments during the past year, and a summary of each program is attached to this report.

SPAC has now completed its first year, as authorized by the Executive Committee. SPAC is performing a valuable oversight function for CMA Special Programs and I therefore recommend re-authorization of this Committee for a second year.

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