

CHEMICAL MANUFACTURERS ASSOCIATION

State Affairs Committee Open Meeting
Copley Plaza Hotel - Boston, Massachusetts
April 20, 1988

MINUTES OF MEETING

SAC-36-1

MEMBERS PRESENT

Dick Arnold	Allied-Signal
Jack Brewer	Olin Corporation
Jim Watkins (for J. Chambers)	American Cyanamid
Garth Fort	Monsanto Company
Geoff Hurwitz	Rohm & Haas Company
Bill Lafield	Shell Chemical
Nick Kalm (for R. Loomis)	CIBA-GEIGY Corporation
Nancy Diebler (for J. Murray)	Union Carbide Corporation
Jerry Ring (for B. Woodhouse)	Dow Chemical
Ron Roberts	Borg-Warner Chemicals
Benjamin Schuster	ARCO Chemical
Gabrielle King (for G. Wilhite)	E.I. du Pont de Nemours & Company
Deborah Witmer	FMC Corporation

CMA ATTENDEES

Becky Chidester	CMA
Larry Gallo	CMA
Mary Heaton	CMA
Joan Riley	CMA
Bill Westendorf	CMA
Cathy Wright	CMA

PRESENT BY INVITATION

Lana Armaritto	Northeast Fabricare
Bob Ball	Exxon Chemical
Paul Bureau	Monsanto Company
Mary Bowler	E.I. du Pont de Nemours & Company
Dan Diguglielmo	ICI Americas
Tom Dorsey	Dow Chemical USA
Rob Foreman	National Paint & Coatings Assn.
Suzan Fry	BASF Corporation
Patrick Hanafin	New England Legal Foundation
Richard Howland	BASF Corporation
Alan Koppes	Procter & Gamble
Stephen Kurtz	Cabot Corporation
E. Barclay Jackson	Tobacco Institute
Mark Meteyer	American Petroleum Institute
Peter Molinaro	Union Carbide Corporation
Debbie Neale	BF Goodrich
Margaret Rita	Tobacco Institute
Robert Roophele	Feriter, Scobbo, and Roophele

CMA 084467

Keith Ruff
 Thomas Schroeder
 Richard Uss
 Jim Watkins
 Peter Wilcox

Georgia Pacific
 RJ Reynolds
 Shulton Incorporated
 American Cyanamid
 CIBA-GEIGY

MEMBERS ABSENT

Tim Holt

Air Products & Chemicals

1. Approval of Minutes

The meeting was called to order by Chairman, Jack Brewer at 1:00 p.m. The minutes of the March 17th meeting were approved with the following corrections: both Debbie Witmer, FMC and Garth Fort, Monsanto were present at the March meeting.

Action items from the previous meeting were reviewed: The tort paper is expected by the end of April. A number of people did not receive the summary of the Chemical Trafficking and Diversion bill. Larry Gallo will mail copies of this bill to members of the State Affairs Committee. All other action items were completed.

2. Board Advocacy Group

Bob Ball gave a detailed report on the Board Advocacy Group which is developing a program and organizational recommendations to improve the effectiveness of the industry's state advocacy efforts. The group has looked at the states that are of major interest to the chemical industry and have prioritized them into three tiers. Bob said there is a need for examples of state issues that have become issues later at the Federal level. Mary Heaton cited product liability as an example where state legislative language has been used in Federal bills. The full Board Advocacy Group will meet during CMA's annual meeting at the Greenbriar on June 8th.

ACTION ITEM: Committee members are asked to consider which state issues can be quantified as to their federal/state impact over the past five years. Information will be collected by Larry Gallo.

3. State Toxics Initiative Work Group

Joan Riley and Bill Westendorf reviewed the current activities of the Ad Hoc Board State Toxics Initiative (STI) Work Group. Minutes of the meeting were included as a tab item in the meeting book. One concern of the Chairman, Mr. Lorentzen, is the question of judging the importance of a state to a particular company by the company's production in the state versus its market share in that same state. There is some question as to the success of a survey to determine this difference, although Louisiana and Connecticut have conducted such surveys with high response.

ACTION ITEM: Bill Westendorf will bring the question of a survey to the attention of the STI Work Group at their next meeting and if necessary talk to industry representatives in Connecticut and Louisiana.

4. CMA State Affairs Budget

Bill Westendorf updated the committee on the outcome of the State Affairs budget for fiscal year 88/89. He reported that the budget had remained essentially the same for the last three years with the exception of a small adjustment for inflation. For the coming year, \$50,000 is included for Proposition 65 strategy development, but no new programs have been added.

5. Implementation - Proposition 65

Bill Westendorf and Joan Riley updated the group on the implementation of Proposition 65 in California. There was a brief discussion of possible litigation, particularly in the area of OSHA preemption. Rob Foreman, National Paint & Coatings Association, mentioned they will wait for discharge regulations to be issued before they decide on potential litigation. Rob also mentioned the possibility of challenging the constitutionality of the bounty hunter provision. Joan Riley reported that the State Water Resources Control Board met on April 7th to discuss the definition of "source of drinking water". Both the EWG and the CICC developed comments for the hearing.

ACTION ITEM: Joan Riley will send out copies of the recent definition of "source of drinking water."

Jack Brewer requested better information on future EWG plans, costs and priorities. Ms. Riley mentioned that the EWG will be sunset by the end of 1988.

ACTION ITEM: Joan Riley will send the latest EWG plans and budget estimate for the remainder of 1988 to the State Affairs Committee.

6. State Affairs Planning Conference

Bill Westendorf briefly reviewed some suggestions of the incoming Chairman, Geoff Hurwitz regarding the upcoming State Affairs Planning Conference scheduled for July 13-15, 1988. Geoff intends to structure the agenda around the recommendations of the Board Advocacy Group. In order to accomplish this, Geoff is suggesting limited attendance at the meeting. Jack Brewer and other members of the State Affairs Committee expressed the need for CIC involvement.

7) State Reports

New Jersey - Bill Lafield reported that the state needs additional funding for environmental concerns and this would probably lead to new legislation. Hazardous waste minimization is still a major topic with recent action and interest focused on a report by the siting

commission. Bill said that members of the Massachusetts Public Interest Research Group (PIRG) also attended the hearing.

Pennsylvania - Ben Schuster briefly summarized the material on the state Right to Know regulations as well as the Superfund, which was in the meeting book. He also said there would be a hearing on underground storage tanks on May 2, 1988. The annual meeting of the PA CIC will be on May 3rd in Harrisburg.

Louisiana - Bill Westendorf described the recent Louisiana conference aimed at diffusing the Proposition 65 movement. A copy of the meeting agenda is attached to these minutes. Mr. Westendorf also mentioned the possibility of the California Hall of Science working with the Louisiana Department of Education to educate teachers on ways to improve their students knowledge of science, especially chemistry.

ACTION ITEM: Bill Westendorf will send copies of the letter regarding this project to all State Affairs Committee members.

Massachusetts - Monty Lovejoy, AIM, reviewed the major issues in Massachusetts, including Proposition 65. There are 130 sponsors for the Toxic Use Reduction legislation. Monty also reported on upcoming pesticide legislation as well as some limited anti-plastic bills. A request was made that there be periodic reports from SPI to the State Affairs Committee on the plastics issue.

ACTION ITEM: Debbie Neale, BF Goodrich, volunteered to periodically supply the State Affairs Committee with SPI reports.

8) Task Group Reports

Information Management Task Group - Chairman, Dick Arnold reported that the new SCAN Users Manual has been published and distributed. SCAN Hotline cards have also been sent to users.

Title III Task Group - Larry Gallo reported for Geoff Hurwitz on the current activities of the Title III Task Group. The detailed work plan was included in the meeting book. CMA President, Bob Roland and others will meet with Lee Thomas of EPA in the near future. The chemical industry's exhibit at the annual NCSL Conference in Reno, NV will feature a newly designed layout regarding Title III.

Tort Reform Task Group - Mary Heaton reported that legislative activity in the states has been centered around the defense of previous legislation and piecemeal efforts particularly in the area of product liability. In Pennsylvania, Rohm & Haas Company has been actively working the issue. The Liability Reform Work Group reaffirmed its support of the importance of state level activity on Tort Reform. ATRA is working on an election package and a video. The Conference Board recently issued a new research report, "The Impact of Product Liability" (Rpt. #908).

ACTION ITEM: Mary Heaton will announce the availability of the ATRA video and election package.

9) Future Meetings

Chairman, Jack Brewer noted that the Board State Advocacy Group will meet May 13th in Chicago. The next meeting of the State Affairs Committee will be on May 19th at CMA, and the STI Work Group is scheduled to meet May 20th.

William H. Westendorf
Director, State Affairs

Subject to Approval

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