



2012: Turning a Bad Political Situation Into a Good Business One

By Bill Allmond, Vice President, Government Relations

The failure by the Joint Committee on Deficit Reduction, better known as the “Supercommittee,” to agree on budget cuts gives us an idea of much of what next year will look like in Washington: paralysis. Add on top of that the fact that 2012 is an election year and it’s difficult to envision how any piece of legislation could muster enough interest in both houses among both parties to pass.

This year has been an uphill battle, not just for SOCMA’s legislative priorities but for anybody’s. Setting aside our success with pushing back on onerous legislation to overhaul the Toxic Substances Control Act (TSCA), passage of free trade agreements with Korea, Colombia, and Panama was our top “win” this year for our industry. We shouldn’t minimize this particular win because it is going to result in substantial economic benefit for members exporting to these three countries. (Be sure to see our fact sheet at www.socma.com/GovernmentRelations to learn how.)

But this singular win is still somewhat of a letdown. Following the Republican takeover of the House of Representatives this year, there was hope that business would see some relief from regulations. After all, President Obama had directed his agencies to develop plans on how to do just that and there was talk in both the House and Senate by members of both parties about how to ease regulations. Instead, Republicans and Democrats dug in their heels and stalemate has been the result.

We did gain a sizable victory by having Senate and House committees approve long-term reauthorization of chemical security regulations. As a result, we are the closest we’ve been since these industry-supported regulations were written to seeing them more permanent. SOCMA and its members contributed numerous efforts into reaching this point. Nevertheless, House and Senate leadership haven’t ok’d these bills for a vote on the chamber floor, which stops them in their tracks.

All is not lost, however. There is good news in spite

of the barren landscape forecasted for the House and Senate chambers. It is possible that Congress could take up one of our priority issues early next year, depending on how bad people get bent out of shape following the “Supercommittee’s” partisan failure. Also, even though members of Congress won’t be busy deliberating numerous bills or tying up their schedules in lengthy Congressional hearings, they still must report to work like anyone else. And when they’re not busy legislating, members of Congress focus their attention on constituent work, especially next year, when it’s reelection time and your vote matters again.

What does all of this mean for SOCMA? First, it means most of our legislative priorities will have to wait until 2013, when the next Congress is sworn in. This is disappointing for many reasons, not the least of which it creates more uncertainty for priorities like renewing the research and development tax credit

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SOCMA Connects to Congress with Policy Breakfast, Site Visits, Letters to Congress

By Johanna Morsberger, Assistant Manager, Government Relations

SOCMA's grassroots network, SOCMA CONNECT, has been active over the past few months hosting a policy breakfast, coordinating a Congressional site visit, and keeping the network abreast of urgent legislative action.

September Policy Breakfast

In September, SOCMA CONNECT partnered with the National Petrochemical & Refiners Association (NPRA) to host a policy breakfast meeting on the Department of Homeland Security's Chemical Facility Anti-Terrorism Standards (CFATS). Attendees heard from Congressional staffers Jerry Couri, Senior Environment Policy Advisor for the House Energy and Commerce Committee, and Kristin Dini, Senior Legislative Director for Representative Charles Dent (R-PA).



Chemical industry representatives meet with Congressional staffers to discuss CFATS at SOCMA CONNECT's September policy breakfast

Industry representatives voiced the need for Congress to approve a multi-year authorization of CFATS and asked what they could do to encourage Congress to quickly pass such an extension. Couri said that it is important for CFATS legislation to receive as much bipartisan support as possible when it is considered by the House of Representatives in order for the Senate to be spurred to action, and encouraged industry to urge Members of Congress directly to bringing a bill to the House floor.

Dini discussed CFATS in the appropriations process. Congress has passed two short-term continuing resolutions extending CFATS until November 18 and most recently, extending CFATS until December 16. Dini expects that if Congress passes a 2012 DHS appropriations bill (as opposed to passing another continuing resolution to fund the federal government after December 16) it will include

a one year extension of CFATS.

Congressman Marino Visits Lonza



Congressman Marino talks with Lonza employees during tour of Williamsport plant

Congressman Tom Marino (R-PA-10) toured Lonza, Inc.'s Williamsport, PA plant this October. Lonza officials briefed the Congressman about the many ways in which the company contributes not only to the global marketplace but also to the local economy and the community in which it operates.

During his two-hour visit, Congressman Marino toured Lonza's facility and spoke casually but passionately with facility employees, inviting questions about their concerns and issues important to them. Marino talked with employees about his efforts to make government work for small business, as well as the urgent need to cut the federal deficit.

Grassroots Letters to Congress

SOCMA has seen a flurry of Congressional action on the chemical industry's top legislative priorities this Fall, from the free trade agreements to regulatory reform, to chemical risk management.

In September, SOCMA did a last grassroots push to urge lawmakers to pass the free trade agreements with Panama, Columbia, and South Korea. SOCMA member's letters and calls to Congress paid off when the long awaited agreements finally passed in mid-October.

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In addition to other regulatory reform bills, SOCMA members have shown their support for the EPA Regulatory Relief Act, which would delay implementation of the Boiler MACT (Maximum Achievable Control Technology) and Boiler Area Sources rules. SOCMA members first targeted support for the bill from their House members in October, and SOCMA members were pleased to see the EPA Regulatory Relief Act pass the House of Representatives later that month. Now SOCMA members are reaching out to their Senators, asking them to cosponsor the Senate companion bill, which currently has been gaining momentum in the Senate, and currently has 39 cosponsors.

Senator Frank Lautenberg's (D-NJ) bill, the Safe Chemicals Act of 2011, was the subject of a recent Environment and Public Works Committee hearing and the Committee will likely vote on the bill this December. Lautenberg's bill would amend the Toxic Substances Control Act (TSCA), affecting nearly every SOCMA member company. SOCMA members have been writing their Senators ensuring that lawmakers know that while TSCA needs to be modernized, sweeping changes are unnecessary, and could have devastating effects on the chemical industry.

SOCMA CONNECT members have sent over 300 letters to Congress this year on legislative issues that impact chemical manufacturing companies.

Join SOCMA CONNECT at www.socmaconnect.com, or contact Johanna Morsberger at morsbergerj@socma.com or 202-721-4186 to learn more about SOCMA's grassroots legislative initiative.



SOCMA's Government Relations staff wishes to thank all members for supporting our advocacy and compliance offerings, and a special 'thank you' for the many committee volunteers and grassroots network participants who committed their time and expertise to better our industry in 2011.

THANK YOU!

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(which actually expires at the end of 2011) and puts off for another year prospects for long-term regulatory relief or tax reform. More importantly, however, on the other hand, it means SOCMA and its members will have ample opportunity to meet their members of Congress during next year's SOCMA Fly-In or back in their districts where our members operate facilities. SOCMA relishes the opportunity to facilitate Congressional visits with our members, so please don't hesitate to contact me or Johanna Morsberger. We arranged two visits this year to member facilities, and the SOCMA members and the Members of Congress got a lot

out of the experience.

Next year we must turn a bad political situation into a good business one by meeting and greeting our elected officials. After all, they will have more time than usual to get to know you, your company, and how they can support you once they are re-elected.

Therefore, 2012 is not the time to write off Washington. To the contrary, it will be an ideal time to engage. We won't have an opportunity like this until 2014—when your vote matters again.

Senate Committee Attempts to Push TSCA Reform Forward

By Dan Newton, Manager, Government Relations

On November 17, 2011, the Senate Environment and Public Works (EPW) Committee and Subcommittee on Superfund, Toxics and Environmental Health held a joint legislative hearing on the Safe Chemicals Act of 2011, S. 847. The bill, which SOCMA opposes, would require a minimum data set for all chemicals and revise provisions on protection of confidential business information. Senator Lautenberg (D-NJ) introduced this bill in April of this year and continues to be a champion for major reforms. He has failed to receive any Republican support, however.

The hearing follows a series of stakeholder meetings convened by the staff of Senators Lautenberg and James Inhofe (R-OK), Ranking member of the Environment and Public Works Committee, over the latter half of this year. SOCMA and a small group of other industry groups participated in these meetings, voicing concerns on some of the major provisions of S. 847. Senatorial staff also convened meetings with NGOs to get their perspectives. Topics included the bill's provisions addressing safety standard, data requirements, prioritization, new chemicals and confidential business information. Lautenberg staff's goal of these meetings was to compare perspectives and identify areas of possible compromise and then proceed towards a legislative hearing and mark-up. The meetings provided a valuable opportunity for SOCMA to educate key Senate staff on the impacts S. 847 could have on small- and medium-sized specialty batch chemical companies. They also allowed us to better identify potential areas of disagreement. Surprisingly the topic of new chemicals emerged as a sticking point, despite broad stakeholder support for the existing new chemicals program over the years, which has balanced TSCA's regulatory needs without hampering industry's ability to innovate new products. In the end, though these meetings were productive, it was clear there were still some major hurdles to overcome.

At the hearing, Senator Inhofe entered into the record SOCMA's written statement, which recognized the Senate committee for keeping this issue on the Congressional radar but reiterated our opposition to the bill, explaining how the legislation, as written, is unworkable. SOCMA also noted recent efforts by EPA to enhance its existing chemi-

icals program as an alternative to legislation. Finally, SOCMA's statement pointed out the need for any reforms to be driven by facts and that ultimately carefully tailored fixes are necessary, not a complete overhaul. The statement can be found on the SOCMA's Government Relations website.

SOCMA does not anticipate much more progress on TSCA reform this year from a legislative standpoint. We will continue to educate members of Congress about our position and serve as a resource for their understanding of how proposals such as Senator Lautenberg's impacts the specialty, batch, and custom chemical manufacturing industry.

SOCMA Launches New Website to Dispel Myths Commonly Used about TSCA

A new SOCMA webpage called www.ChemicalsInCommerce.com has recently been launched that dispels some of the common myths that have driven much of the TSCA reform discussions over the past several years.

SOCMA strongly believes that discussions about reforming TSCA need to be based on fact. For example, often proponents of fundamental TSCA reform state that there are 80,000 chemicals in commerce today for which there is little to no health or safety data. This number is cited because it is an approximate total number of chemicals listed on EPA's TSCA Inventory, which is not an accurate inventory of chemicals actually being produced today. Yet TSCA reform proponents use this extremely high number to instigate the need for comprehensive reform; the higher the number appears, the greater the urgency for robust reform.

In ChemicalsInCommerce.com, SOCMA addresses this myth and other ones to help ensure that facts, not emotions, remain in the discussion about TSCA reform.

For more information, please contact Dan Newton at newtond@socma.com or 202 721 4158.

Does your company require a pre-manufacture notice (PMN) or need help with one stuck in review?

If so, try SOCMA's PMNPro® service! Managed by SOCMA, PMNPro® is a regulatory risk screening and technical service program, specializing in helping chemical companies navigate the new chemical review process at the Environmental Protection Agency (EPA). Designed with maximum flexibility to meet the varying needs of the chemical industry, PMNPro®, offers a wide array of customizable services at a great value.

For more information please visit PMNPro® at www.PMNPro.com or email PMNPro@socma.com. You can also contact Dan Newton (202-721-4158) or Suzanne Hartigan (202-721-4188).



Still No Vote on CFATS as First Session of 112th Congress Draws to a Close By Alexis Rudakewych, Manager, Government Relations

The statutory authority for the Department of Homeland Security's (DHS) Chemical Facility Anti-Terrorism Standards (CFATS) is again hanging on by a thread, tied to a continuing resolution that extends funding and authorizations for federal programs until December 16, 2011. Sound familiar? That's because for more than a year, the future of CFATS has been tied to a series of temporary extensions despite the existence of three stand-alone congressional bills that would reauthorize the current chemical security program for multiple years.

The House committees on Homeland Security and on Energy & Commerce have both approved seven-year CFATS reauthorization legislation this year with strong bipartisan support – H.R. 901, sponsored by Representative Dan Lungren (R-CA), and H.R. 908, sponsored by Representatives Tim Murphy (R-PA) and Gene Green (D-TX), respectively. In the Senate, the Homeland Security and Government Affairs Committee approved its own legislation (S. 473) sponsored by Senator Susan Collins (R-ME) to extend CFATS for three years. However, even with overwhelming bipartisan support and with the concerted efforts of the bills' sponsors and committee staff, neither chamber has scheduled a final vote on chemical security.

Long-term chemical security has become an inadvertent casualty of an increasingly jam-packed legislative agenda, a narrow timeline for approval, and

the urgency for Congress to address other key legislative priorities. The House has long been preoccupied with regulatory reform and in both chambers, job creation and fixing the economy remain the drumbeat of Democratic and Republican legislators alike. Coupled with the looming pressure of mid-term elections next year, there is a real possibility that CFATS could be sidelined for good in the 112th Congress.

While a one-year extension of CFATS was added to the Fiscal Year 2012 Homeland Security Appropriations bill, that legislation has yet to be approved by Congress. Although the measure would breathe life into the regulations through FY 2012, year-to-year extensions are no way to run a vital federal security program. SOCMA's President, Larry Sloan, said as much in letters sent on October 19 to Speaker of the House John Boehner (R-OH) and Senate Majority Leader Harry Reid (D-NV) calling for an immediate up-or-down vote on any of the pending CFATS bills. In Washington, few things hold Congress's attention long, and yet another short-term measure would remove the urgency to pass a multi-year extension, paving the way for passage of more of the same ol' continuing resolutions.

SOCMA continues to press Congress for action on these bills, and is calling for approval of a long-term extension of CFATS before the end of the year.

The Miscellaneous Tariff Bill

By Justine Freisleben, Manager, Government Relations

What it is: Effectively, a tax break for your company. If you import a product that has no domestic manufacturer, you could be eligible for a duty suspension. Your company works with your Representative and Senator to introduce a bill on your behalf that suspends duties on the specific product(s).

What qualifies: The input must not be domestically manufactured and must not exceed \$500,000 in lost tariff revenue.

Background: The process has been politically complicated because of House Republicans' earmark ban in 2010, which by definition includes these bills. However, in practice, most do not believe they are earmarks and even voted by a considerable majority to pass HR 4380, the US Manufacturing Enhancement Act, in 2010. SOCMA is currently working with a coalition of manufacturers to change the process so that it does not fall within the definition.

As we approach the expiration date of all bills in December 2012, SOCMA has already started meeting with members of Congress to educate them on the benefits of the MTB, get it on the radar of those staffers and Congressmen that are new to the process, and engage with relevant committees.

It is important to take a look internally now and determine if your company is interested in seeking a duty suspension on products you import. The duty suspension process usually opens every three years, and the window of time that Congress accepts bills is short. Due to the extensive vetting by government, information gathering and outreach to your members of Congress will need to be done by early next year. SOCMA is happy to help you navigate the process to get a bill introduced or simply answer your questions.

For additional information, contact Justine Freisleben at 202-721-4155 or freislebenj@socma.com.

Regulatory Reform Heats Up

By Dan Moss, Sr. Manager, Government Relations

The debate over regulatory reform has been a top priority for Congress (particularly the House of Representatives) in 2011, and it is expected to remain so in 2012. A variety of measures have been introduced aimed at reforming the regulatory process in general, or targeting specific EPA regulations in particular, and SOCMA is expanding its advocacy efforts in this area. SOCMA was an outspoken early voice on this subject, calling on Congress in 2010 to "cease further consideration of legislation that could have a negative financial impact on small- and mid-sized chemical manufacturers by adding to the burden of regulatory compliance." We also provided examples of burdensome regulations to incoming chairman of the House Committee on Government Reform and Oversight, Representative Darrell Issa (R-CA) in January 2011.

This winter, SOCMA is considering adopting an official policy statement on regulatory reform. The proposal will be presented to the Board of Governors in December. SOCMA is also taking the lead in launching a regulatory reform coalition, comprised of (but not limited to) several small trade associations at the outset. The new coalition intends to meet with members of Congress and their staffs, submit letters, and lobby on behalf of certain, broad regulatory reform principles and goals.

If you or someone in your company are interested in weighing in on regulatory reform, please visit SOCMA's grassroots website, www.socmaconnect.com. Available for you is a pre-written letter to Senators, which you can customize if desired.

Passage of Free Trade Agreements Successful, Now Implementation Awaits

By Justine Freisleben, Manager, Government Relations

On October 21 the long awaited free trade agreements with Colombia, Korea and Panama were signed by President Obama. After years of debate and modifications, agreement was finally reached thanks to the persistence of congressional allies, the President realizing the commercial benefits and job creating potential, and a strong push broadly from the business community. These three agreements were negotiated under President Bush, but additional provisions were added during the Obama Administration to garner enough support to pass through Congress.

The passage of these agreements boosted US credibility internationally as a country that not only negotiates, but passes free trade agreements. Considering the exponential increase in regional free trade agreements since these three were negotiated, the US was getting left behind and the competitiveness of US goods was getting called into question, especially because of the EU-Korea and Canada-Colombia agreements. Also, the Asia Pacific and South American regions have higher growth potential than the US and a rising middle class with income to purchase US made products.

With the US looking for more ways to engage with the Asia Pacific region as developed country markets still look weak, the FTA with South Korea especially was needed credibility in the region. Domestically, with the focus on China being high from currency manipulation and intellectual property theft to the benefits of our trade relationship, the increased regional engagement has pundits saying the US is positioning itself to play a more prominent role in the region as a counterbalance to China. No matter the future political implications, the International Trade Commission has estimated positive commercial benefits from all three.

For the chemical industry, FTAs help level the playing field for our members to compete. For example, for years manufacturers in Korea, Colombia, and Panama have been able to export their chemicals to the U.S. duty-free while our members exporting to their country were required to pay their governments dearly. Because these agree-

ments create a far fairer and more equitable situation for us, SOCMA has been an ardent supporter.

In addition to direct exports by our industry, most other major sectors of our economy are expected to greatly benefit by these agreements, which will benefit SOCMA members. For example, each time Caterpillar exports a machine, it likely contains products produced by SOCMA members. Similarly, many of our members make materials that are used to enhance the agricultural and livestock industries that are also expected to benefit by these agreements. In fact, in 2008, small- and medium-sized enterprises (SMEs) exported nearly \$825 million in chemicals, plastics, and rubber to Colombia, which comprised of 77% of all U.S. chemical firms exporting to Colombia that year. SMEs exported \$1.2 billion in chemicals, plastics, and rubber to Korea in 2008 and comprised over 73% of all U.S. chemical firms exporting to Korea that year.

SOCMA highlighted benefits specific to the chemical industry in a [fact sheet](#) sent to all members of Congress.

The earliest possible date these agreements could enter into force is January 2012. However, the date that business will see the benefits of these agreements is likely farther down the road. All three countries have now voted on the FTAs internally and are working to make changes to existing domestic laws so that these agreements can be implemented. Korea has already made many changes necessary to fully implement the agreement because of the similarities to the EU-Korea FTA. In addition to changing laws, customs processing systems need to be updated to account for the change in tariffs and other market access provisions granted in the FTAs. With other free trade agreements, this process has taken up to 18 months. Curious to see how your tariffs will change? Check out the tariff tool at <http://export.gov/fta/ftatarifftool/ftamain.aspx>.

For any questions, contact Justine Freisleben at FreislebenJ@socma.com or 202-721-4155.

SOCMA's 2012 Presidential Election Analysis

	Barack Obama	Mitt Romney	Rick Perry	Herman Cain
Climate Change & Energy	<p>Working to catalogue greenhouse gas emissions from all large sources – a step toward measurable & transparent reductions in carbon emissions.</p> <p>Pursuing initiatives to reduce greenhouse gas emissions through clean energy technologies & policies.</p>	<p>Says “that climate change is occurring” & “that human activity is a contributing factor.”</p> <p>Says “it’s important for us to reduce our emissions of pollutants & greenhouse gases that may well be significant contributors to the climate change & global warming that you’re seeing.”</p> <p>Opposes cap-&-trade.</p>	<p>Does not believe in manmade global warming. Says that it a scientific theory that has not been proven.</p> <p>Supports “all-of-the-above” strategy to energy production, using all of our natural resources, including oil, gas, wind, solar, coal & nuclear.</p> <p>Opposes cap-&-trade.</p>	<p>Opposes legislation to reduce greenhouse gas emissions.</p> <p>“Expand our domestic energy resources by loosening government’s grip responsibly.”</p> <p>Develop all forms of energy in a free market system without subsidies or excessive regulations.</p>
Corporate Taxes	<p>Has stated that the White House will soon issue a “white paper” on corporate tax reform.</p> <p>Began talks about corporate tax reform in Jan 2011 with business leaders, but did not come to consensus on issue.</p>	<p>Would reduce corporate tax rate from 35% to 25%.</p> <p>Transition to a “territorial” tax system, in which income is taxed only in the country where it is earned.</p>	<p>Would cut corporate tax rate to 20%.</p> <p>Temporarily drop repatriation rate to 5.25%.</p> <p>Transition to “territorial” tax system.</p>	<p>Proposes “the 9-9-9 plan” -- a 9% business flat tax, a 9% individual flat tax & a 9% national sales tax.</p> <p>Ultimately, shift to replace all federal taxes with 23% national sales tax.</p> <p>Suspend taxes on repatriated foreign profits.</p>
Labor Policy	<p>NLRB has moved to eliminate secret ballot election protections under Obama’s Presidency.</p>	<p>Appoint experienced & even-handed arbiters to NLRB.</p> <p>Opposes “Card Check” & “snap” elections.</p> <p>Secret ballot in union elections.</p>	<p>NLRB has “over-stepped their bounds & undermined our free market system” by saying where companies can locate.</p>	<p>Does not believe the federal government should interfere with the employer & employee relationship.</p> <p>Opposes “card check.”</p>
Regulatory Reform	<p>Issued an Executive Order in Jan. 2011 requiring a government-wide review of current regulations to remove outdated, excessive, inconsistent, & redundant regulations.</p>	<p>Repeal of any regulations issued by the Obama administration that unduly burden the economy or job creation.</p> <p>Require Congress to approve all major regulations (those with an economic impact greater than \$100 million).</p> <p>Amend the Clean Air & Clean Water Acts to ensure that cost is taken properly into account at every stage in the regulatory process & exclude regulation of carbon dioxide.</p>	<p>Immediate moratorium on all pending regulations.</p> <p>Full audit of every regulation passed since 2008; regulations that fail audit will be repealed.</p> <p>Federal regulations automatically sunset unless Congress renews them.</p> <p>Institute annual regulatory budget for each agency.</p> <p>Create a searchable public database with all regulations currently in force.</p>	<p>States that he wants “reasonable regulations that cut down on bureaucracy & help businesses succeed...the free market, aided in part by the watchful eyes of investors & consumers, will regulate itself.”</p>
Trade	<p>Signed into law free trade agreements with South Korea, Panama, & Colombia.</p>	<p>Supports the Panama, Colombia, & South Korea free trade agreements.</p> <p>Complete negotiations of the Trans-Pacific Partnership & pursue additional agreements.</p> <p>Create “Reagan Economic Zone,” a partnership among countries committed to free enterprise and free trade.</p> <p>Confront China by increasing enforcement of existing law & impose punitive measures if unfair trade practices continue.</p>	<p>Support free trade agreements that are fair.</p> <p>Supports NAFTA.</p>	<p>Generally supportive of free trade when agreements are well negotiated & benefit the U.S.</p>

SOCMA's 2012 Presidential Election Analysis

Jon Huntsman	Rick Santorum	Michele Bachmann	Ron Paul	Newt Gingrich
<p>Believes in the science behind global warming, that it is real, & is caused, in part, by humans. Says cap-&-trade is no longer relevant as the economic circumstances have changed. Wants energy independence to be a centerpiece issue.</p>	<p>Opposes cap-&-trade. Supports more offshore drilling, more deep-water drilling in the Gulf of Mexico, expanded drilling in the ANWR & increased domestic exploration for coal & natural gas. Phase out energy tax incentives.</p>	<p>Opposes cap-&-trade legislation. Would increase access to oil & natural gas on the Outer Continental Shelf. Reverse the "permatorium" in the Gulf of Mexico.</p>	<p>Opposes cap-&-trade. Remove restrictions on drilling. Repeal the federal tax on gasoline. Lift government roadblocks to coal & nuclear power. Make tax credits for purchase & production of alternative fuel tech.</p>	<p>Opposes cap-&-trade. Maximize energy production from all sources--oil, natural gas, wind, biofuels, nuclear, clean coal, & more. Encourage clean energy innovation without discouraging overall energy production.</p>
<p>Wants to reduce corporate tax rate from 35% to 25%. Shift from a worldwide system of taxation to a territorial system. Implement a tax holiday for repatriation of corporate profits.</p>	<p>Wants the corporate tax cut in half. No corporate taxes for manufacturing facilities. No taxes on repatriated funds if you invest in plant equipment. 5.25% tax rate on other repatriated funds.</p>	<p>Cut corporate tax rate to at least 25%, possibility more & make the code simpler & fairer. Temporarily suspend taxes on repatriation & keep repatriation rate at 5%. Keep R&D Tax Credit.</p>	<p>Supports the fair tax. Would abolish the IRS. Lower corporate tax rate to 15%. Allow American companies to repatriate capital without additional taxation.</p>	<p>Cut the corporate tax rate to 12.5%. Allow for 100% expensing of new equipment to spur innovation & American manufacturing.</p>
<p>Ensure that the NLRB & other agencies abandon their job-destroying policies & if they fail to do so, he will replace them.</p>	<p>Reign in the NLRB.</p>	<p>Opposes "card check." Original cosponsor of the Secret Ballot Protection Act.</p>	<p>NLRB is not constitutional. Supports National Right to Work Act, to end forced union dues. Opposes "card check."</p>	<p>The NLRB should be defunded & there should be a national right to work law.</p>
<p>Increasing U.S. manufacturing is a central tenet of his economic platform; says high taxes & overregulation are the primary issues hurting U.S. manufacturing. Repeal existing regulations, including Obamacare. Dramatically rein in the EPA. Streamline FDA testing & approval process. Complete patent reform. Regulatory agencies must treat businesses & citizens like customers. Require cost-benefit analysis of potentially harmful & costly regulations.</p>	<p>Repeal Obamacare. Remove carbon regulations of the EPA. Streamline the patent process. Reform transparency of FDA approval process. End "too big to fail." "Repeal every regulation the Obama administration put in place."</p>	<p>Would eliminate counterproductive regulations & repeal Obamacare. Says she would ensure "businesses the resources, freedom & flexibility to do what they do best: create jobs." Roll back the EPA to deal only with international & interstate issues. Wants to have moratorium on regulations.</p>	<p>Opposes all unfunded mandates & unnecessary regulations on small businesses & entrepreneurs. Would eliminate the EPA. Mandate REINS-style requirements for thorough congressional review & authorization before implementing any new regulations issued by bureaucrats. Cancel all onerous regulations previously issued by Executive Order.</p>	<p>Replace the EPA with an Environmental Solutions Agency that works collaboratively with local government & industry to achieve better results. Modernize the FDA. Repeal Obamacare.</p>
<p>Supports free trade agreements with Panama, Colombia, & South Korea. Says we should be aggressively pursuing more & greater free trade. Make the completion of the Trans-Pacific Partnership (TPP) a priority. Would immediately pursue new trade opportunities with other nations, including Japan, India & Taiwan.</p>	<p>Voted in favor of CAFTA in 2005. Voted against NAFTA in 1993. Supports free trade agreements that "have both economic & national security benefits." Co-sponsored S.Con.Res. 55 in 2005, which called upon the US not to sign onto the Doha round of free trade agreements.</p>	<p>Voted in support of free trade agreements with Panama, Colombia, & South Korea. Supports passing more free trade agreements.</p>	<p>Opposes free trade agreements as they infringe on our national sovereignty. Supports lowest tariffs possible. Opposes WTO as it is unconstitutional to cede trade authority since that responsibility is given solely to Congress.</p>	<p>Supported NAFTA & GATT while in Congress. U.S. should try to have the most open markets in the world. Supports Panama, Colombia, & South Korean free trade agreements.</p>

SOCMA's 2011 Government Relations Year in Pictures



Bill Allmond, SOCMA's Vice President of Government Relations, about to testify at a Congressional hearing in March 2011 on chemical security



Albemarle's Joel Carpenter and LANXESS's Rainer Eischeid talk during SOCMA's Washington Fly-In reception at the Capitol Hill Club



Rep. Jason Altmire (D-PA) meets with Beth Bosley of Boron Specialties, LLC during the 2011 Washington Fly-In



SOCMA members pose for group shot during opening session of SOCMA's Washington Fly-In



Bimax, Inc.'s Chris Sghibartz, left, and Ronald Kreis, right, meet with Rep. Todd Russell Platts (R-PA) at the 2011 Washington Fly-In



From left, SOCMA President Larry Sloan, 2011 SOCMA CONNECT Washington Fly-In speaker, Congressman John Shimkus (R-IL), and SOCMA's Vice President of Government Relations, Bill Allmond

SOCMA's 2011 Government Relations Year in Pictures



DHS Deputy Secretary Jane Holl Lute addresses Chemical Sector Security Summit attendees as SOCMA's Bill Allmond looks on



SOCMA's Alexis Rudakewych and industry colleagues with DHS Deputy Secretary Jane Holl Lute during the July security summit



ADT's Fred Stoelzl and SOCMA's Alexis Rudakewych at the 2011 Chemical Sector Security Summit and Expo



Congressional panelists at 2011 Chemical Sector Security Summit



2011 Chemical Sector Security Summit participants in July

SOCMA's 2011 Government Relations Year in Pictures



Allmond with Chemical Industry Council of California Executive Director John Ulrich at CICC security conference in September



Rick Kane of Rhodia being recognized by DHS and SOCMA for his industry leadership on chemical security, November



From left, DHS Deputy Director David Wulf talks with SOCMA's Bill Allmond, Rhodia's Rick Kane, and SOCMA's Alexis Rudakewych in November



Allmond with US Chemical Safety Board Member John Bresland during SOCMA Committee Week in November



SOCMA's Safety and Security Committee meets during Committee Week in November

OSHA's GHS Rule Under Final Review

By Alexis Rudakewych, Manager, Government Relations

On October 25, 2011, the Occupational Safety and Health Administration (OSHA) submitted a final rule to align its Hazard Communication Standard (HCS) with the Globally Harmonized System (GHS) of Classification and Labelling of Chemicals to the Office of Information and Regulatory Affairs within the Office of Management and Budget (OMB).

The OMB, which vets all new rules before they become final, has 90 days from that submission date to approve, amend, withdraw, or return the rule back to OSHA for further review.

After more than five years since OSHA first issued its Advanced Notice of Proposed Rulemaking on GHS, submission to OMB represents the last major hurdle before a final rule to implement the GHS will be published in the *Federal Register*. However, as has been the case with OSHA's Crystalline Silica rule -- which has been sitting at the agency since its submission this past March -- OMB can still extend the length of its review period as necessary.

Once the rule is made final, a three-year transition period will initiate during which the old HCS information and MSDS format will be phased-out and replaced with the GHS. New data reporting requirements will mandate the detailed inclusion of once-optional information, the format of SDSs will change, and employees will have to be fully retrained in the use of the GHS's new data structures and labeling system. The greatest burden in this transition will ultimately fall on the upstream community such as SOCMA's batch and specialty

chemical manufacturers.

While the details of the final rule cannot be disclosed until the review is completed and OSHA makes its official announcement, there are proactive steps that companies can take to begin their preparations for the new labeling standards.

According to compliance experts, employers should begin to assemble information related to the new changes to best assess the GHS's impact on their particular business, and develop a transition plan based on the rule's implementation timelines that addresses the new management systems and training they will need to incorporate. It is not too early to begin familiarizing employees with new elements associated with the GHS, they say, such as hazard statements, MSDS format changes, and pictograms. Lastly, companies should also coordinate with their vendors to get a sense of how well prepared they are for the transition to GHS as it may affect production, the experts suggest.

On December 7, SOCMA-sponsored regulatory website ChemAlliance.org hosted 3E Company's Erin McVeigh, who provided an overview of the expected changes in the finalized rule and offered guidance on how batch and specialty chemical manufacturers could best prepare for this significant new regulatory development. The full webinar is available for streaming and download on ChemAlliance.org.

SOCMA plans to host a second webinar on GHS once the final rule is published next year.



Tim Hampford leads Rep. Rosa DeLauro (D-CT) on tour of Hampford Research, Inc. in Stratford, CT in August 2011



Rep. Pat Tiberi (R-OH) tours GFS Chemical in Columbus, OH in May 2011; from left, Rob Pierron, Vice President Inorganic Operations; Rep. Tiberi; Marty Kiser; Scott Castle; Luke Crumley, Constituent Representative

Advocacy Scorecard SOCMA Government Relations (Recent Activity)

Visit SOCMA's advocacy website for more details:
www.socma.com/GovernmentRelations

Regulation/Initiative	Description	Focus of SOCMA Advocacy	Status
Environment Committee			
<p>Revision of the RCRA Definition of Solid Waste (DSW)</p> <p style="text-align: center;"><u>WIN</u></p>	<ul style="list-style-type: none"> Definition of what is classified as hazardous waste under the Resource Conservation and Recovery Act (RCRA) Impacts SOCMA members' ability to recycle, reuse, or reclaim materials 	<ul style="list-style-type: none"> Opportunities for increased recycling of hazardous waste by specialty batch manufacturers and tollers were raised in a 2003 proposal Retention of Under the Control of the Generator Exclusion, and its Tolling provisions. Strong support for new proposed remanufacturing exclusion Opposition to making all 4 Legitimacy Criteria mandatory Strong opposition to the suggestion that the tolling exemption should be removed 	<ul style="list-style-type: none"> Final rule issued October 2008 Summer 2009 -- EPA solicits comments on potentially reopening parts of the rule; conducting analysis of environmental justice (EJ) impacts of the rule SOCMA provides public comments in June 2009, and submits written comments in August. January 2010 -- EPA unveils draft DSW Environmental Justice Methodology; SOCMA submits comments in March 2010 on this methodology Summer 2010 -- EPA completed DSW Environmental Justice Methodology Fall 2010 -- EPA reaches settlement agreement with Sierra Club, agreeing to issue new proposal by June 30 and a final rule by December 31, 2012 July 2011 -- EPA issues new proposed rule September 2011 -- SOCMA provides oral statement at public meeting in Philadelphia October 2011 -- SOCMA submits written comments
<p>Spill Prevention Control and Countermeasures (SPCC)</p> <p style="text-align: center;"><u>WIN</u></p>	<ul style="list-style-type: none"> Regulates storage tanks for oil and oil-like substances under the Oil Pollution Act to protect navigable waterways in the U.S. 2003 amendments attempted to clarify and finalize many outstanding issues 	<ul style="list-style-type: none"> Compliance deadline extended again until November 10, 2010 Developed a Model Plan for members' use EPA granted exemption for small facilities and oil in process and electrical equipment/ recent proposal broadens exemptions EPA recognizing a risk-based approach to leak detection and integrity testing as an option 	<ul style="list-style-type: none"> Compliance extension finalized Submitted comments on Guidance Final rule issued in December to exempt small facilities Loose-ends rule proposed October 2007, comments submitted December 2007. Final rule signed November 2008 Final SPCC Amendments issued November 2009 SOCMA finalizes Updated SPCC Plan Template -- October 2011
<p>Boiler MACT and Boiler GACT</p> <p style="text-align: center;"><u>WIN</u></p>	<ul style="list-style-type: none"> Regulates HAP emissions from boilers and process heaters at major sources Final rule published in 2004 but challenged in court, EPA issued a reconsideration 	<ul style="list-style-type: none"> SOCMA submitted comments on both the initial proposal and the initial reconsideration pushing for health-based (risk-based) provisions in the rule; these provisions were in the final rule and are also in the reconsideration SOCMA supported EPA's risk-based approach in a lawsuit Strongly support the retention of the exemption for natural gas-fired boilers in the 2011 Boiler GACT rule 	<ul style="list-style-type: none"> On July 30, 2007, the federal court vacated and remanded the standard. Accordingly, as a federal matter, the Boiler MACT standard is no longer in effect in its entirety. SOCMA submitted comments on both proposed Boiler MACT and area source rules -- August 2010 SOCMA joined Boiler advocacy coalition to share intelligence and coordinate advocacy efforts on Capitol Hill and with EPA -- 2011 Final rules for boilers at both major and area sources published February 2011

<ul style="list-style-type: none"> EPA simultaneously announces its decision to reconsider the Boiler MACT and area sources rules May 2011 – EPA stays Boiler MACT rule; leaves in effect the Boiler GACT rule June 2011 – SOCMA sends letter of support of HR 2250 to Congress July 2011 – SOCMA signs on to coalition letter of support for congressional legislation Reconsidered Boiler MACT and area source proposals expected end of November / early December, 2011 	<ul style="list-style-type: none"> Final rule signed October 16 and published in Federal Register October 29, 2009 SOCMA sues EPA December 2009 Court places case in abeyance while SOCMA files petition for reconsideration with EPA – January – February 2010 Summer 2010 – EPA granted SOCMA's petition January 2011 – Submitted Comments on Title V issue August 2011 – Letter to EPA August 2011 -- SOCMA met with OMB to discuss proposal 	<ul style="list-style-type: none"> July 2009 – EPA targeted hardrock mining industry December 2009 – EPA announced its intention to consider other industries, including chemical manufacturing April 2010 -- SOCMA submitted comments July 2011 – SOCMA signs coalition letter to congressional leaders 	
<ul style="list-style-type: none"> Because the first regulations of area sources will be precedent-setting, SOCMA has been persistently in contact with EPA officials working on these regulations to ensure that members' concerns will be heard EPA staff looked to SOCMA to analyze the potential impact on small business EPA considered a performance-based rule and bundling area sources for industry categories 	<ul style="list-style-type: none"> Any financial assurance requirements must be strictly proportional to existing risks EPA Needs to Provide for Widest Possible Range of Financial Assurance Mechanisms EPA Should Exempt Facilities Already Covered by Financial Assurance Requirements 	<ul style="list-style-type: none"> EPA has identified 70 source categories representing a majority of the emissions of the 30 most hazardous air pollutants, 8 of which were identified as significant to members Under the Clean Air Act, EPA must develop a strategy to reduce these emissions in urban areas EPA currently under court order deadlines for all area sources 	<p>Area Sources</p>
<p>CERCLA 108(b) (Financial Assurance)</p> <ul style="list-style-type: none"> Gives EPA the authority to require that classes of facilities maintain financial responsibility consistent with the degree and duration of risk associated with the production, transportation, treatment, storage or disposal of hazardous substances. EPA announced its intention to identify classes of facilities within the Chemical Manufacturing industry as classes of facilities for which EPA will carefully examine specific activities, practices, and processes involving hazardous substances, policies, and practices to determine the risks they pose and whether requirements under CERCLA Section 108(b) will effectively reduce these risks – December 2009 	<p>Safety and Security Committee</p> <ul style="list-style-type: none"> Generally supportive of GHS but have a few concerns including costs associated with compliance and paperwork burdens, as well as repercussions of federal agency adopting international standard. Comments on proposed rule were submitted jointly with Chemical Risk Management Committee. 	<ul style="list-style-type: none"> UN initiative to harmonize international hazard communication, namely symbols and phraseology. Original U.S. goal of implementation was 2008. Four agencies involved: DOT, OSHA, EPA, CPSC. 	<p>Globally Harmonized System for the Classification and Labeling of Chemicals (GHS)</p>
<ul style="list-style-type: none"> Public hearings were held early 2010. Rule under 90-day review by Office of Management and Budget (OMB) as of October 25, 2011; final rule expected by January 2012. OMB considering taking industry concerns about definition of unclassified hazards and discrepancy between 2-year training requirement/3-year SDS implementation requirement into consideration during consideration of final rule. 			

<p>Chemical Facility Anti Terrorism Standards (CFATS)</p>	<ul style="list-style-type: none"> • These standards regulate security measures at certain facilities that manufacture, use, or store regulated chemicals. • CFATS includes risk-based performance standards that must be met and inspections are carried out to ensure compliance. • Current statutory authority temporarily extended through December 16, 2011 as part of a continuing funding and authorization included in an omnibus appropriations package. • DHS has announced it will be revising its Top Screen revision system along with developing a next generation of its Site Security Plan tool to streamline its regulated site authorization process in 2012. • Visit www.chemicalsitesecurity.com for more information. 	<ul style="list-style-type: none"> • SOCMA has testified numerous times before Congressional committees in the past three years, urging Members of Congress to allow time for the standards to be completed before making substantive changes. • SOCMA testified most recently on March 31, 2011 before a subcommittee of the House Energy and Commerce Committee. • SOCMA has been mentioned several times by Members of Congress during committee and floor statements. • SOCMA has met with House & Senate Dems and Repubs as well as House leadership on bringing a long term CFATS extension to the floor for a vote. • SOCMA played a key role in negotiations on inclusion of personnel surety language in a House bill that extends CFATS for 7 years (H.R. 908) 	<ul style="list-style-type: none"> • Three chief bills were introduced this year to reauthorize CFATS: two in the House which extend CFATS for seven years (H.R. 901 & 908) and one in the Senate that extends CFATS for three years (\$.473); all bills have been reported out of their respective committees with strong bipartisan support but have yet to be scheduled for a floor vote. • House and Senate leaders have pledged to bring a CFATS extension up for a vote. • One-year extension of CFATS included in the FY12 Homeland Security Appropriations bill, which has yet to be approved by Congress. • CFATS will likely continue on short-term continuing resolutions and perhaps the one-year appropriations extension before a long-term authorization bill is passed. • DHS has committed to update Appendix A, the list of regulated chemicals, as soon as 2012.
<p>Personnel Surety (RBPS 12 under CFATS)</p>	<ul style="list-style-type: none"> • Risk-Based Performance Standard (RBPS) 12 of CFATS mandates the proper vetting of individuals who have access to regulated chemical facilities. • In June of 2011, DHS issued an Information Collection Request outlining its proposed pilot for implementing a personnel surety program. • That ICR was submitted to OMB for review in July 2011 and is still pending at the agency. 	<ul style="list-style-type: none"> • Submitted comments jointly with the Chemical Sector Coordinating Council (CSCC) to DHS expressing concerns with disproportionate reporting burdens on facilities associated with compliance with proposed rule. • SOCMA played a key role in negotiations on inclusion of personnel surety language that takes industry's concerns into account in a House bill. • SOCMA met with DHS's ISCD leadership to highlight ongoing concerns. 	<ul style="list-style-type: none"> • Senior DHS leaders are meeting with OMB in light of industry concerns. • ISCD leadership has assured SOCMA that it will be instituting some industry-suggested changes with regard to 3rd-party vetting requirements as well as minimum notice periods for access to regulated sites. • "Pilot" will likely be a gradual roll-out at test facilities that have approved Site Security Plans or Alternative Security Program submissions. Since these sites will almost exclusively be Tier 1s, DHS is examining ways to incorporate volunteers.
<p>Recommended Exposure Limits and Classification of Carcinogens</p>	<ul style="list-style-type: none"> • The National Institute for Occupational Safety and Health (NIOSH) of the Centers for Disease Control and Prevention (CDC) issued a request for information on its proposed review of its Carcinogen and Recommended Exposure Limit (REL) policy on August 23, 2011. • RELs are recommendations to OSHA to set Permissible Exposure Limits (PELs). OSHA has been slow to change or adopt any new PELs since the list was first created in the early 1970s, successfully issuing only a handful in nearly 40 years. 	<ul style="list-style-type: none"> • SOCMA submitted comments to the docket for NIOSH's Request for Information (RFI) on September 22, 2011. 	<ul style="list-style-type: none"> • NIOSH has extended the public comment period on its RFI to December 30, 2011. • NIOSH will hold a public meeting on its proposed review of its carcinogen and REL policy on December 12, 2011.
<p>Chemical National Emphasis Program</p>	<ul style="list-style-type: none"> • The Chemical NEP establishes an inspection program to ensure compliance with OSHA's standard on Process Safety Management of Highly Hazardous Chemicals ("PSM"). • The NEP will operate as a one-year pilot program and, after one year, OSHA will evaluate the NEP and consider renewal and expansion. 	<ul style="list-style-type: none"> • Provided OSHA speakers and webinars educating SOCMA members on the program and PSM inspections, most recently hosting an OSHA PSM expert as a speaker at the July 2011 committee meeting. • Detailed to SOCMA members what OSHA is heavily citing. 	<ul style="list-style-type: none"> • The NEP Program is a pilot program and is not fully implemented nationwide, unless there is a safety incident. • OSHA has pushed back its projected implementation date for nationwide programmed inspections; most recent estimates have indicated that the NEP will go nationwide in late November/December of 2011. The programmed inspections will be implemented in all regions and OSHA will provide detail explanation for focused citations and why they were chosen.

Chemical Risk Management Committee

<p>Chemical Data Reporting (CDR) rule <u>PARTIAL WIN</u></p>	<ul style="list-style-type: none"> • Periodic reporting requirement utilized by EPA since 1986 for chemicals on the TSCA inventory • Formerly known as the inventory update reporting (IUR) rule • EPA has recently finalized a rule renaming the requirement the Chemical Data Reporting (CDR) rule and requiring more information to be reported • Reporting must be done electronically over EPA's Central Data Exchange (CDX) 	<ul style="list-style-type: none"> • Submitted comments to EPA suggesting alternative approaches to our main concerns in the proposed rule • Concerns, among others, included timing, retroactive reporting, imported mixtures and volume triggers • Met with White House Office of Management and Budget (OMB) expressing similar concerns • SOCMA hosted a timely ChemAlliance webinar on new CDR requirements shortly after the rule was finalized • SOCMA believes that amid TSCA reform EPA is in a position to more fully implement current law and supports this within reason 	<ul style="list-style-type: none"> • EPA suspended originally proposed submission period and has allowed for transitioning into new requirements going into the 2016 CDR • EPA took our suggestion of 100,000 lbs/yr as a reporting threshold for processing/use information in lieu of the 25,000 lbs/yr threshold originally proposed since it aligns with the small business exemption • Registration for the CDR reporting flow in EPA's Central Data Exchange (CDX) is not yet available. • Those already registered on CDX for e-TSCA, e-PMN or TRI will be able to add the CDR reporting flow to their current registration. • Next submission period will occur from February 1, 2012 to June 30, 2012
<p>TSCA Reform</p>	<ul style="list-style-type: none"> • Enacted in 1976, TSCA is an industrial chemicals statute that authorizes EPA to secure information on chemicals and control those that present an unreasonable risk to human health or the environment • There have been significant efforts to amend the statute to authorize EPA to secure more information • Proposals thus far have been far-reaching and rejected by industry 	<ul style="list-style-type: none"> • Submitted written statements to Congressional Committees advocating carefully tailored reforms • Participated in stakeholder meetings with key committee staff explaining problems with most recent TSCA reform bill, S. 847 • SOCMA plans to continue educating members of Congress, but is not actively seeking legislation • Recently launched a webpage called: www.chemicalsincommerce.com dispelling common myths on TSCA that erode public confidence • SOCMA will continue to be heavily involved in all aspects of the TSCA reform movement 	<ul style="list-style-type: none"> • Several Senate hearings held on TSCA reform • Safe Chemicals Act of 2011, S. 847 introduced in April. • S. 847 expected to undergo mark-up and committee vote in December of 2011. • The bill is not likely to reach Senate floor and House continues to show little interest in TSCA • Meanwhile, EPA demonstrating, in some respects, that it can more fully implement existing law

<h2>International Trade Committee</h2>			
<p>Free Trade Agreements with Korea, Colombia, Panama <u>WIN</u></p>	<ul style="list-style-type: none"> • These 3 free trade agreements (FTAs) were negotiated in 2007 under President Bush. With the agreements, Trade Adjustment Assistance, a package for aid to workers displaced by trade, and also the Generalized System of Preferences, a program that eliminates duties for imports from least developed countries was also passed. • These agreements are crucial for US credibility as well as achieving Obama's National Export Initiative. 	<ul style="list-style-type: none"> • We supported all three FTAs, as they have been a longtime issue for SOCMA. • SOCMA sent numerous letters of support to Congressional leadership and the Office of the US Trade Representative, as well as a fact sheet to all offices on the positive impacts of the FTAs to the chemical industry. 	<ul style="list-style-type: none"> • All three agreements were signed by the President October 21 and were ratified in all countries as of November 21. We are now awaiting implementation.
<p>Miscellaneous Tariff Bill</p>	<ul style="list-style-type: none"> • The MTB is a compilation of duty suspension bills. Congress grants duty suspension bills generally every three years on products that are used as manufacturing inputs when they are not domestically manufactured and represent no more than \$500,000 in lost customs revenue. • All duty suspension bills are set to expire at the end of 2012. • The last MTB was severely delayed due to a ban on earmarks, which by definition the duty suspensions fall under and only passed in 2010 with many provisions missing. 	<ul style="list-style-type: none"> • SOCMA has been working with a coalition of manufacturers to work out a change in the process whereby the duty suspension process does not fall under the definition of an earmark. 	<ul style="list-style-type: none"> • We continue to work with members of Congress, educating them on the process and benefits to chemical manufacturers. • Internally we are working on educating SOCMA members on the process and if they have imports that qualify.

Busy Environment Agenda Continues

By Dan Moss, Sr. Manager, Government Relations

At the dinner preceding its third and final Committee meeting of the year on November 3, SOCMA's Environment Committee honored long-serving co-chairman Bill Turetsky of Ashland Specialty Ingredients. Fellow Co-chair Seth Levine of Cambrex and other Committee colleagues saluted Turetsky, who has worked tirelessly in support of SOCMA member interests since the mid 1980's. SOCMA presented Turetsky with a plaque and a gift in appreciation of his years of service .

During the meeting itself, **Mathy Stanislaus**, the head of EPA's Office of Solid Waste and Emergency Response, spoke to the Committee about his office's upcoming priorities for 2012, including DSW and financial assurance issues. The Committee also heard directly from **William Wehrum**, the former acting head of EPA's Office of Air and Radiation and a current partner at a Washington law firm.

This fall, SOCMA also finalized an updated Spill Prevention, Control and Countermeasures (SPCC) Plan Template which reflects all the amendments which have been made over the last few years. Affected facilities were expected to have completed their SPCC Plans by November 10. The Template is available for \$225 for SOCMA members (and \$375 for non-members). Contact Dan Moss at (202) 721-4143 or mossd@socma.com.

Issues

There continues to be significant activity swirling around SOCMA's top environmental priorities:

Definition of Solid Waste

SOCMA continues its advocacy on the Definition of Solid Waste (DSW) rule, advocacy it began in the 1990's. Most recently, SOCMA gave a statement at a public meeting on the rule in Philadelphia on September 12, and submitted written comments on October 20. According to a settlement agreement that EPA had reached with the Sierra Club last fall, EPA is expected to finalize this rule by December 31, 2012.

SOCMA's comments may also provide an unexpected opportunity for members to further influence the development of the final rule. Specifically, EPA has contacted SOCMA about possibly

working with us regarding the repurposed re-manufacturing exclusion, a proposal which SOCMA strongly supports.

Boiler Rules

EPA is expected to release its revised Boiler MACT (Maximum Achievable Control Technology) and GACT (Generally Achievable Control Technology) rules, along with two related rules regarding solid waste incinerators and the definition of non-hazardous solid waste, at the end of November or in early December. As previously noted, EPA had announced its intention to reconsider both of these rules when they were originally finalized in February.

SOCMA has remained active on this issue, most recently working with a coalition to lobby Congress to approve legislation which, among other provisions, would stay the boiler rules, provide EPA with sufficient time to revise the rules, extend the compliance period, and push EPA to set more "achievable" standards. In October, the House of Representatives passed its version of the boiler legislation (HR 2250) with bipartisan support. SOCMA had submitted a letter of support of the legislation to the House Energy and Commerce Committee and signed onto a letter of support for the Senate bill as well. Similar legislation (S. 1392) faces an uphill battle the Senate, but SOCMA has met with a key Senate office on this issue so far and will continue to weigh in on the matter

Other updates

SOCMA is also currently still waiting to see long-delayed revisions of the Chemical Manufacturing Area Sources (CMAS) rule. The agency had agreed to reconsider this rule last summer. Significantly, the rule that was finalized in 2009 still remains in effect and, without an extension, the compliance deadline currently remains October 2012.

Additionally, EPA will soon release several chemical sector rulemakings, and uniform standards, as part of their residual risk review process. Rulemakings addressing the MON and HON rules are expected this spring.

Calendar of Upcoming SOCMA Events and Regulatory Deadlines

Dec 14: SOCMA CONNECT Town Hall teleconference. Get the latest legislative updates and expectations for 2012 from SOCMA's government relations team. Email morsbergerj@socma.com to register.

Dec 14: Environment Committee Monthly Teleconference.

December: Reconsidered Chemical Manufacturing Area Sources proposal expected.

Winter 2011/12: Notice of Proposed Rulemaking (NPRM) expected for Transportation Worker Identification Credential (TWIC) - Card Reader Requirements.

Winter 2011/12: Combustible Dust - SBREFA period expected to be initiated.

Winter 2011/12: Injury and Illness Prevention Program - SBREFA

period expected to be initiated.

Jan 11: Environment Committee Monthly Teleconference.

Jan 19: Comments due for test Rule on Fourth Group of Un-sponsored HPV Chemicals (HPV4). Contact SOCMA's Dan Newton to submit comments.

Jan: Final Hazard Communication Rule expected; under 90-day review by Office of Management and Budget (OMB) as of October 25.

Mar 5-7: 2012 GlobalChem Conference. Visit www.globalchem.org.

Mar 21: Compliance date at area sources for boilers subject to a work practice or management practice standard.

Apr 6: EPA will no longer accept TSCA Section 5 new chemical submissions (PMNs and related docu-

ments) via CD. Submissions will only be accepted online via CDX. PMNPro can help! Visit www.pmnpro.com.

Apr 17-18: SOCMA CONNECT's 5th Annual Washington Fly-In. Visit www.socma.com/flyin for more information.

Apr 30: EPA's intended deadline for issuing new, final Boiler MACT, Boiler area source, and CISWI rules.

July 30 - Aug 2: 2012 Chemical Sector Security Summit, Baltimore MD.

For questions, please contact SOCMA at (202) 721-4100. You can view all SOCMA events at www.socma.com/events/.

A full list of regulatory deadlines can also be found at ChemAlliance.org.



ChemAlliance.org

By Dan Moss, Sr. Manager, Government Relations

ChemAlliance.org concluded its 2011 regulatory webinar series with two webinars in early December.

On December 1, **EPA's Brian Dickens** provided a high-level overview of EPA's flare enforcement history, ongoing enforcement activities, potential new flare regulations, flare performance testing, and flare monitoring and control equipment. Dickens has been EPA Region 5's flare contact since 2006, and has been the national technical leader for EPA's flare enforcement initiative since 2008.

On December 7, Erin McVeigh, a Product Manager at **3E Company**, provided an overview of OSHA's revised Hazard Communication Standard, which aligns with the United Nations' Globally Harmonized Standard (GHS). She also discussed the anticipated timeline for promulgation, and explore the impact of the revised Standard on product stewardship for upstream manufacturing. In addition, she offered guidance on how manufacturing

companies can best prepare for this significant new regulatory development.

ChemAlliance is also planning a full slate of topics for its 2012 Regulatory Webinar Series. Those topics include:

- Trade and India
- GHS part 2
- Chemical National Emphasis Project "ChemNEP"
- Ammonium Nitrate Security Program
- Personnel Surety
- Project Safety Management standard update
- DEA quotas
- Voluntary site security – best practices

All ChemAlliance webinars are free to SOCMA members and ChemAlliance subscribers; they are \$65 each for non-members.

More details about these planned webinars, including a monthly schedule, will be forthcoming in December.

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