

FROM J. A. MC GOWAN

TO DR. B. D. DINMAN

PITTSBURGH OFFICE - 24

PITTSBURGH OFFICE - 7

1977 December 09

PLAINTIFF'S
EXHIBIT
AL-1038

RE: MANUFACTURING CHEMISTS ASSOCIATION

I attach copies of a self-explanatory letter of December 5 from the captioned, concerning the OSHA cancer policy. I am also attaching, to the original only, single copies of "Standard Guidelines for Development of Data by Individual Companies on the Economic Impact of the OSHA Generic Carcinogen Proposal". This document is quite voluminous and is prepared by Booz, Allen & Hamilton, Inc. We are asked to decide whether we wish to participate in this industry survey and if so, to submit data in accordance with the charts in the document.

In addition, I am also attaching an even more voluminous single copy of "An Ordering of Commercial Chemicals on Niosh's Suspected Carcinogens List". This is a rather vast list of chemical materials (almost all of them organic chemicals) with a four digit rank code, as to whether they are expected to be carcinogens or neoplastic and if so, how much to rats, mice and perhaps humans.

I am happy to note that aluminum and alumina compounds do not seem to have made this list of chemicals, although, quite a few things that we do or might use (such as, beryllium, cadmium, chrome, methyl alcohol, mercury, phosphoric acid and so forth) are on the list.

This whole matter is obviously going to be a tremendous problem to the chemical industry and perhaps some problem to us. Would you please advise me how we should respond to MCA and whether we wish to contribute data and take part in the Booz, Allen and Hamilton Impact Study. The only reason for my getting this whole pile of paper, of course, is our alumina based chemical business and hence, our membership in the MCA. However, it should be kept in mind that we are looking to a future production of chemical products based on aluminum chloride technology.

J. A. MC GOWAN

JAMcG/cjt

cc: P. R. Atkins - Pittsburgh Office - 7
C. W. Parry - Pittsburgh Office - 30
F. C. Irving - Pittsburgh Office - 29
M. E. Gantz, Jr. - Pittsburgh Office - 30



ALCOA0004593

SF-4563 (REV 11-68)



MANUFACTURING CHEMISTS ASSOCIATION

1825 CONNECTICUT AVENUE, N. W. WASHINGTON, D. C. 20008 (202) 483-6128

WILLIAM J. DRIVER
PRESIDENT

December 5, 1977

To The Executive Contacts of MCA Member Firms

Dear Sirs:

Subject: OSHA Cancer Policy

My letter of October 21 to you reported on steps to be taken in presenting industry views on proposals of the Occupational Safety and Health Administration (OSHA) for generic regulations in dealing with carcinogens. In response to requests for delay in the unreasonably short deadlines for responding to these proposals, OSHA announced in the Federal Register of November 29, that the December 8 and January 9 deadlines specified earlier have been delayed until January 30, 1978, when notification of intent to appear and portions of the record are due. The hearing has been rescheduled to begin April 4, 1978.

The American Industrial Health Council (formerly the Ad Hoc Committee) has now been formalized and is proceeding with preparations for an in-depth industry response to OSHA's proposal. While arguments are expected to rest on a sound scientific basis, economic considerations also will have a prominent role.

To assist companies in gauging the effect on their own operations, the Council asked the F. D. Snell Division of Booz, Allen & Hamilton to prepare guidelines for such an analysis. A copy is enclosed.

Also enclosed is a computer printout which attempts to both separate the major commercial chemicals from NIOSH's Tumorigenic Subfile and indicates EPA's ranking of the test results on which the listing was based.

In addition to estimating the cost of reaching the "lowest feasible" exposure in the workplace, the economic consequences of banning a product as proposed when the Secretary of Labor determines a less hazardous substitute is available, also should be calculated. In addition to the dollar costs, effects also should be presented in terms of jobs and international trade results.

It is important that each company make its views known to OSHA in writing and, if feasible, plan to make a representation at the hearing. The literal weight of such statements and the number received by an agency can, in the long run, influence its actions.

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The MCA intercommittee task group addressing this matter is working closely with the Scientific Committee of the Council and has accepted the assignment of drafting that portion of the Council testimony dealing with risk/benefit. In addition, the task group is developing a proposed statement for MCA to present at the hearing.

As part of the overall effort, the MCA library has established a document center for the references cited in the OSHA proposals and others directly related. These voluminous materials are available for review at the library by member company representatives.

While these activities are expected to lead to timely industry participation in the proceedings on OSHA's cancer proposal, alone they are not enough. I urge every member company to submit views directly to OSHA on this vital matter and to participate in the April hearings.

Sincerely,



W. J. Driver

Enclosures

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