# COATINGS

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## Congressman Williams Introduces .5% Lead Bill

Congressman Lawrence G. Williams (R.-Pa.)

Congressman Williams is a Republican representing the 7th District (Eastern Delaware County) of Pennsylvania. He has served in the 90th, 91st and 92nd sessions of Congress. In November 1972 he was elected to the 93rd Congress. Congressman Williams is a member of the Committee on Banking and Currency, the Committee on Standards of Official Conduct of the U.S. House of Representatives, and the American Revolution Bicentennial Commission.

Congressman Lawrence G. Williams, a Republican representing the 7th Congressional District of Pennsylvania, recently introduced in the House of Representatives a new lead bill (H.R. 3743), to amend the 1971 Lead Based Paint Poisoning Prevention Act. The bill contains three important provisions including a 5% lead limit which the coatings industry has tried to get enacted into law during the past two years of critical debate on the lead-in-paint issue.

The Williams Bill, H.R. 3743, was introduced on February 5. In summary, the bill would amend the Lead Based Paint Poisoning Prevention Act by:

1) Reducing the Act's present 1% lead-content standard to 5% thereby making it consistent with the March 11, 1972 *Food and Drug Administration* (FDA) regulation.

2) Requiring research by HEW on multiple layers of dried paint film, containing the commonly used lead compounds, to ascertain the safe level of lead in residential paints. The results would be reported to Congress within eight months.

3) Establishing full Federal preemption so that there would be one nationwide lead content standard.

Precedent for H.R. 3743's provisions occurred in the 92nd Congress. The 5% standard and Federal preemption clause were approved by the full House Banking and Currency Committee in the Omnibus Housing Bill (H.R. 16704). H.R. 16704 did not reach the House floor for a vote. The research provision was included in S. 3066, which the Senate passed by a vote of 82-0.

Already in the 93rd Congress several lead-based paint bills have been introduced. Until the introduction of the Williams bill, all bills—S. 607 in the Senate and 5 bills in the House of Representatives (H.R. 683, 2234, 1081, 1987 and 3008)—included a provision for a .06% lead standard in paint. (See February 12 *Coatings*.)

Congressman Williams deserves the appreciation and support of the coatings industry. NPCA members are urged to communicate with their Congressman on the subject of H.R. 3743.

In order to keep the industry's efforts coordinated, inform NPCA of all individual and company action taken.

## New NPCA Task Force Formed

A new NPCA Task Force on Occupational Health is currently being organized, based in part on the old Material Safety Data Sheet (MSDS) Task Force. Frances C. Gauguet, mission manager of the MSDS Task Force, will remain as mission manager of the new task force.

Proposed objectives of the new Task Force include working with administrators of the Occupational Safety and Health Act and other groups in the development of standards involving hazardous materials. The Task Force will keep members informed of the current standards for hazardous materials in the industry and will also examine ways to assist members' compliance with OSHA regulations on personnel protection in the storage, handling, and disposal of these materials. In addition to incorporating the work of the old MSDS Task Force, the new Task Force hopes to work with the National Institute for Occupational Safety and Health in gathering data on the properties of materials.

An organizational meeting to consider the above objectives has been scheduled for March 29, 1973 at 9:30 a.m. in NPCA Headquarters. Anyone wishing to participate in the Task Force should contact: Richard W. Murry, Technical Division, NPCA Headquarters.

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# NPCA Increases Membership

NPCA's total membership grew to 929 companies during 1972, an increase of 28 members over the previous year.

The Association gained nineteen Class A members, 8 Class B members, and 1 Canadian member.

Allan W. Gates, NPCA Vice President, Administration and Secretary, attributed the membership rise to the increasing amount of government regulations and legislation which has created a demand for NPCA's services and the new membership program which was introduced by Ralph J. Baudhuin, NPCA President at that time. Mr. Gates also stated that he expects NPCA membership to continue its rise in the coming year.

NPCA offers its members a variety of services in all areas of company operations. The Association protects members' interests at all levels of government. The NPCA staff committees and task forces work closely with other industry associations, government agencies, and Congress on matters affecting the paint and coatings industry. Technical projects in which the Association is concerned include research on lead and mercury and air and water pollution abatement. Other services include chemical coatings and trade sales marketing programs, sales and production statistics management and technical education, and nationwide public affairs and product promotion activities.

Members who know of companies interested in joining NPCA should contact Jim Elliott, NPCA Field Secretary, 1500 Rhode Island Avenue, N.W., Washington, D.C. 20005.

# OSHA INFORMATION

## Employee Guide to OSHA Standards

The National Safety Council and OSHA's Minneapolis Acting Director Don Seibert have each compiled a list of frequently cited Occupational Safety and Health Act violations.

These two lists provide an employee guide for spotting needed corrections in the following areas:

1) Limit air pressure for cleaning equipment to 30 pounds per square inch (1910.24(a)).

2) Inspect for open junction boxes, electrical outlets without proper grounds, and broken ground plugs.

3) Check for bare or frayed electrical wiring, loose conduit connections, and damaged or missing switchplates, and mark circuit breakers to show function and purpose.

4) Exits within seven feet of the floor must be guarded, and openings should be no greater than ½-inch wide (1910.212(a)).

5) Exit signs must mark all exits. Exit doors and routes to exits must be clear of stored materials (1910.37).

6) Aisles should be unobstructed with materials, with free access at all times (1910.22).

7) Records of injuries should be kept continually up to date (1910.22).

8) Tripping hazards from rough or uneven floors and stairs, or from loose materials on the floor, should be corrected.

9) Inspect for overloaded overhead storage areas, or storage areas without guards (1910.23) and machines without guards (1910.212).

## Contesting OSHA Citations

Companies receiving citations for alleged violations of the Occupational Safety and Health Act regulations can contest the citation(s), proposed penalties, or both, before a judge of the Occupational Safety and Health Review Commission. The commission is an independent quasi-judicial agency, not a part of the Department of Labor.

Alleged violations that are not contested must be corrected within the specified abatement period, and all penalties must be paid.

Companies should notify OSHA's Area Director in writing within 15 days after receiving the certified mail notice regarding proposed penalties that they intend to contest the citation. The letter should state simply what parts of the citation are being contested and the reasons why. The judge will hold a hearing, at a site near the company, to determine the validity of the Secretary of Labor's allegations.

A company can appeal the judge's decision to the 3 member Occupational Safety and Health Review Commission, 1825 K Street, N.W., Washington, D.C. 20006. The written request, filed within 30 days after the decision, should state what areas of the judge's decision the employer wants reviewed and why.

Further details on contesting OSHA citations will be published in the next issue of NPCA's Safety and Health Bulletin.

# Pa. Proposes 06% Lead Law

A new Lead Paint Poisoning Prevention and Control Bill No. 81, introduced on January 22 in the Pennsylvania House of Representatives proposes a .06% lead standard for paint.

The Bill which recommends the most restrictive measures to date for lead-based paint would:

1) Define lead-based paint as any paint glaze or other substance containing .06% or more of metallic lead by weight.

2) Prohibit application of lead based paint to a) any dwelling interior surface or fixture, b) any exposed exterior surface or fixture which may be reached unaided by children under 6 y.o. 4 feet from the ground), and c) any toy, furniture, cooking, drinking or eating utensil.

3) Prohibit the sale of any toy, furniture, cooking, drinking or eating utensil to which lead-based paint has been applied.

4) Prohibit, effective January 1, 1974, the sale of any lead-based paint, glaze or other surface coating.

5) Contain provisions designed to attack the lead poisoning problem in existing dwellings.

Raising the proposed .06% lead requirement to concur with the Food and Drug Administration's (FDA) confirmed .5% lead content for paint effective January 1, 1973, would still not relieve the extremely restrictive standards proposed in Pennsylvania. The bill's proposed provision to prohibit the sale of any lead-based paint after January 1, 1974 would still present a disastrous plight for the coatings industry. If adopted, the provision would forbid the sale of many special-purpose coatings products which are not intended for household use and do not present a hazard to children. Products affected, among others, would be automotive refinish coatings, industrial maintenance coatings, traffic markings, marine coatings, and touch-up coatings. (NPCA has filed a petition with FDA to have these special-purpose coatings declared outside the scope of the March 11, 1972 FDA Order. See October 9 & 24, 1972 *Coatings*.)

Additionally, as presently worded, the bill would prompt factory applied finishes, exceeding the .06% lead limit, on residential fixtures. This could include many household appliances.

Enactment of the bill in its present form would be critical to the Pennsylvania paint industry.

Mr. Daniel J. Haley, Jr., President, Fennaron & Haley, Inc., has volunteered to coordinate the paint industry's representation in the Pennsylvania matter. NPCA members in the state are urged to cooperate with Mr. Haley and contact their legislature representatives immediately.



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