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August 7, 1984

VISTA

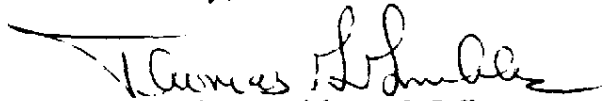
Mr. H. R. Hall
City of Corpus Christi
13101 Up River Road
Corpus Christi, TX 78401

Dear Hubert:

As we discussed, enclosed is a technical bulletin detailing FDA approvals for Vista ALFOL Alcohols and Material Safety Data Sheets for ALFOL Alcohols 16, 18, 1416, 1418, and 1618.

Please contact me at 713/531-3445 if you have questions regarding this information.

Sincerely,



Thomas G. Grumbles, C.I.H.
Director, Industrial Hygiene

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Enclosures

cc H. Halpert w/o enc.

VVV 000016373

Thomas G. Grumbles

CONOCO

To Michele

Date 8/7/84

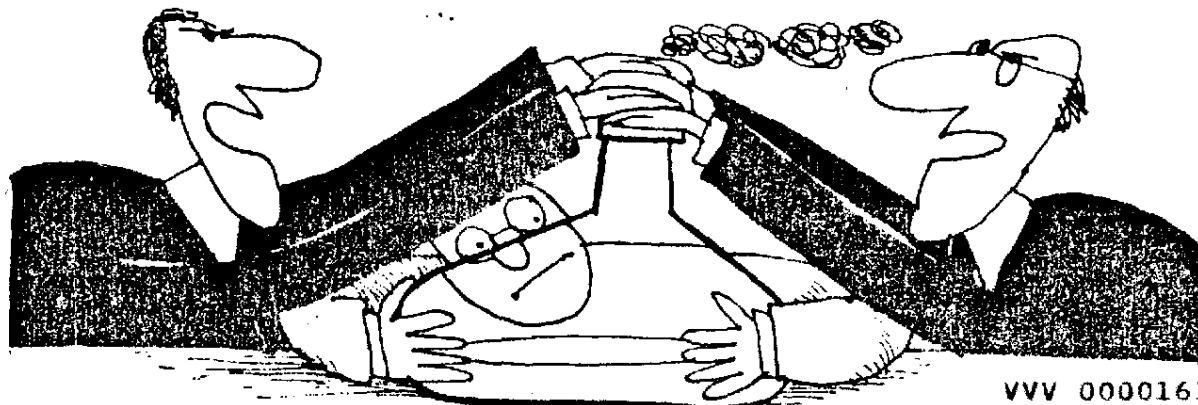
Any discussion on this issue
at the last TSCA meeting?



THE SOAP AN **The Bureaucracy**

*The New
York Times
July 28, 1984*

A Tug-of-War on Toxic Chemicals



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Drawing by Redinger

By **PHILIP SHABECOFF**

Special to The New York Times

WASHINGTON, July 27 — Somewhat gingerly, the Environmental Protection Agency is stepping onto the turf of another Federal agency in order to protect workers from toxic chemicals.

The E.P.A. has decided to enforce the provisions of the Toxic Substances Control Act to control workplace exposure to hazardous substances when the Labor Department's Occupational Safety and Health Administration, which has jurisdiction over workplace hazards, cannot or will not act on its own.

The health and safety agency, as well as the Office of Management and Budget, have reacted to the E.P.A. demarche without conspicuous enthusiasm.

The toxic substances law, enacted in 1976, gives the environmental agency broad authority to control risks to health and safety from toxic materials. But the Occupational Safety and Health Act assigns to the Labor Department agency responsibility for controlling workplace hazards.

Complaints on OSHA

In theory, at least, the environmental agency can refer information on workplace hazards to OSHA, which would then act to protect workers from those risks.

But Congressional, environmental and labor union critics have complained that OSHA has been extremely slow to regulate workplace chemicals. Since the agency was formed more than 10 years ago it has regulated only 24 new hazardous substances and its pace in the Reagan Administration has been even slower.

Earlier this year, Senator Robert T. Stafford, the Vermont Republican who is chairman of the Senate Envi-

ronment and Public Works Committee, along with three other members of that panel, wrote to the E.P.A. Administrator, William D. Ruckelshaus, urging that the toxic substances law be brought to bear directly to regulate chemicals that threaten workers.

Meaning of a Memo

The E.P.A. and the Labor Department's health and safety agency are working on a memorandum of understanding that would decide which agency has jurisdiction in a given case. But the environmental agency is moving ahead on its own while the agreement is being worked out.

In an internal memorandum written earlier this month, the E.P.A. said it would refer chemical problems to OSHA when occupational exposures constitute all or most of the hazards, when workplace exposure standards would be sufficient to protect workers and when it believes the Labor Department agency has "sufficient resources to address the problem within a reasonable period of time."

The memorandum added, "E.P.A. will not refer a chemical problem when it determines that the Department of Labor cannot adequately address that problem."

Alvin L. Alm, Deputy Administrator of the E.P.A., said his agency would "fuzz" the overall issue of what it will do when OSHA declines to act on an E.P.A. recommendation that workers be protected from a particular chemical.

Different View at Labor Dept.

But the internal memo seems quite clear about what would happen. If the Labor Department does not act on such a recommendation, the memo says, "E.P.A. will then assess the costs and benefits of regulating the chemical" under the toxic substances

law "and, if appropriate, commence rule making."

The view of the environmental agency's authority appears to be substantially different at the Labor Department.

A Deputy Assistant Secretary of Labor, Patrick R. Tyson, who was interim head of OSHA until recently, said that "E.P.A. can get into any area it wants" in carrying out the toxic substances law.

"If E.P.A. decides a substance presents an unreasonable risk and there is an occupational exposure, they will forward the results to OSHA," he continued.

But after that, Mr. Tyson said, only OSHA has the responsibility of deciding what, if anything, to do about regulating the chemical in the workplace.

A Third Party Speaks

There is general agreement that the environmental agency has the right to ban a new chemical before it is put on the market, even if the chemical's intended use is primarily in the workplace.

The Office of Management and Budget, which often acts as a middleman in matters affecting two or more Federal agencies, has taken no stand on who should regulate workplace exposure to toxic chemicals, according to Edwin L. Dale Jr., spokesman for the budget office.

Mr. Dale added, however, that the budget office, which in this Administration has taken the lead in seeking to reduce Government's regulatory impact on industry, was aware of the "jurisdictional discussion." In the particular cases of specific chemicals now being considered, he said, it seemed to those in the budget office who were familiar with the issue that leaving workplace regulation with OSHA was more "sensible."