

MINUTES OF MEETING
CMA EXECUTIVE COMMITTEE
9:00 a.m., Tuesday, May 12, 1981
CMA Headquarters
2501 M Street, N.W., Washington, DC

1. The meeting was called to order by Mr. Oreffice. There were present:

Paul F. Oreffice, Chairman

J. Earl Burrell

Louis Fernandez

Alexander F. Giacco

James B. Henderson

H. Barclay Morley

Robert A. Roland

William G. Simeral

Raymond F. Tower

*Konrad M. Weis

Bruce M. Barackman, Secretary

Edmund B. Frost, General Counsel

Gary C. Herrman, Treasurer

By Invitation:

*Rita M. Comotto, CMA

Geraldine V. Cox, CMA

John E. Dull, E. I. du Pont de Nemours & Company

Richard F. Gold, Stauffer Chemical Company

Victor H. Peterson, CMA

James C. Rowland, Union Carbide Corporation

*Curtis W. Smith, Shell Chemical Company

William M. Stover, CMA

*Gordon D. Strickland, CMA

*part time

2. Minutes of the April 7, 1981 Meeting
meeting, as distributed, were approved.

The minutes of the April 7

3. Treasurer's Report Mr. Herrman's report is attached as Exhibit A. He advised that revenue and expenses are tracking very close to what is contained in the projected budget information. We anticipate finishing the fiscal year in good shape with expenses less than budgeted.

4. Association Activities

a. Report of the President

- Mr. Roland distributed to those present three booklets -- an executive summary, volume 1, and volume 2 containing CMA's submission on regulatory reform in response to the request of Vice President Bush's Task Force on Regulatory Relief. This is described in more detail under the General Counsel's report.

CONGRESSIONAL HEARING TESTIMONY BACKGROUND

1. The labor unions have clearly established chemical identity labeling as a key priority issue. A major record is being amassed:

- a) See attached schedule for the Gaydos Health & Safety Subcommittee hearings.
- b) Labeling has been raised also in the Florio Subcommittee hearings on TSCA reauthorization both by Chairman Florio with EPA and by the UAW.
 - "Trade secret exclusions are an unjustified barrier to protection of the public health." - UAW
 - "Labeling of chemicals in the workplace is our important environmental health priority." - UAW

2. There are common threads to the positions being placed in the hearing record by the unions. Further, the OSHA hearings are clearly a "sweetheart" arrangement with Chairman Gaydos who is going to great lengths to establish his bond with the union representatives.

3. Testimony to date has established the outlines of a well-orchestrated strategy:

a) Attack the Reagan Administration.

- "Our union members now conclude that the Reagan Administration does not want to hear from them about the hazards workers face on the job." - AFL-CIO
- "...we called the cancellation cowardly...We hope the hearings you are holding will help convince Secretary Donovan to reverse his decision and allow the OSHA rulemaking to proceed." - USWA

b) Identify CMA with the Administration attitude.

- CMA/ANSI guidelines/standard have been characterized as:
 - "...utilized by only a small segment of the chemical industry...." - AFL-CIO
 - "...limited to...acute effects." - AFL-CIO
 - "...problematic is the failure of these voluntary guidelines to provide adequate identification of chemical substances." - AFL-CIO

- "...the Reagan Administration quashed all hope of a democratic open public rulemaking...when it withdrew OSHA's proposal on February 10, 1981" - AFL-CIO (Emphasis added - CMA's letter was filed February 4; the withdrawal order was signed January 29.)
- MCA PVC study cited. "...MCA deliberately mislead [sic] the government." - "...[OSHA] standard was opposed by the chemical industry." "...MCA has changed its name to the Chemical Manufacturers Association. They will be appearing... in these hearings in opposition to a strong right-to-know standard." - USWA
- "as long as the chemical industry continues to block federal regulation...." - AFL-CIO
- c) Great need for federal right-to-know standard.
- "right-to-know...discussed during 1969 hearings which lead [sic] to [OSHA]". In 1976, the House Committee on Government Operations concluded...OSHA had failed to act on its mandate." - USWA
- "...workers still have limited information about workplace chemicals...contributes to disease, injury or death." - AFL-CIO
- "basic right-to-know...is not guaranteed by any federal regulation." - USWA
- Dated and flawed statistics have been cited with heavy emphasis on the NIOSH Occupational Hazard Survey data. - AFL-CIO, USWA
- Horror stories abound and inflammatory conclusions are drawn:
 - "Since the worker never knows what chemicals he or she was exposed to, let alone their toxicity..." - "The vicious circle of ignorance continues" - "The question before this Committee is: How much more blood will it take to write a strong, effective Federal regulation....?" - USWA
 - "I wish we could list the companies who have told us privately that a Federal right-to-know standard would help them as much as it would help us. - USWA
- d) Chemical identity by specific name is needed for all chemicals, components and contaminants.

February 14, 1980. Vinyl chloride, ethylene dibromide, fluorocarbons, and ketones. The ethylene dibromide review was mostly for information purposes for SPAG members.

Following SPAG's recommendation, the Vinyl Chloride Panel held an emergency meeting on March 18, 1980 where the CMA General Counsel recommended that additional histopathology and evaluation of available brain tissue should be initiated as soon as possible. SPAG endorsed the General Counsel's recommendation that the Vinyl Chloride Panel should undertake the additional histopathology. SPAG also endorsed the Panel's decision to follow the General Counsel's recommendation by making a full report to the government on March 19, 1980.

SPAG approved a limited advocacy role for the Fluorocarbons Program Panel so that the Panel could make a statement in response to the November 1979 NAS Report, "Stratospheric Ozone Depletion by Halocarbons: Chemistry and Transport."

SPAG recommended that the Fluorocarbon Program Panel continue its limited advocacy charter and that Mr. Ed Callahan and Dr. Frank Bower represent SPAG in exploring appropriate means of coordination between the Alliance, the CMA Fluorocarbons Panel and the CMA Section 4 Testing Task Force of the Chemical Regulations Advisory Committee.

At its April 21 meeting, SPAG reviewed arsenic, ketones, PCBS, trichloroethylene, and vinyl chloride. Future reviews are as follows: June 9, acrylonitrile, glycol ethers, rubber additives, vinylidene chloride; August 25, BHT, chlorobenzenes, ethylene dibromide, fluorocarbons and phosgene; and October 20, allyl chloride, ethylene dichloride and ZDDP. After SPAG has completed one full year of reviews a recommendation will be made to the Executive Committee on continuation of SPAG.

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