

PROPOSED RULES

(2) In the event that the employer ceases to do business and there is no successor to receive and retain his records for the prescribed period, these records shall be transmitted by registered mail to the Director, and each employee individually notified in writing of this transfer.

(3) Employees and their designated representatives shall be provided access to examine and copy records of monitoring and measuring.

(4) Former employees shall be provided access to examine and copy records reflecting their own exposures.

(5) Upon written request of any employee, a copy of the medical record of such employee shall be furnished to a physician designated by the employee in such request.

(6) Reports. (i) Not later than ----- the following information shall be reported to the OSHA Area Director. Any change in such information shall be reported to the OSHA Area Director within 15 days of such change.

(i) The address and location of each establishment which has one or more regulated areas; and

(ii) The number of employees in each regulated area during normal operations, including maintenance.

(2) Incidents which result in the release of vinyl chloride into any area where employees may be exposed shall be reported in accordance with this paragraph.

(i) A report of the occurrence of the incident and the facts obtainable at that time including a report on any medical treatment of affected employees shall be made within 24 hours to the OSHA Area Director.

(ii) A written report shall be filed with the OSHA Area Director within 15 calendar days thereafter and shall include:

(A) A specification of the amount of material released;

(B) A description of the area involved and the extent of known and potential employee exposure and area affected;

(C) A report on any medical treatment of affected employees and any medical surveillance program implemented; and

(D) An analysis of the circumstances of the incident, and measures taken or to be taken, with specific completion dates, to avoid further similar releases.

(3) Upon completion of any monitoring and measuring which discloses that any employee has actually been exposed to detectable levels of vinyl chloride, each such employee shall be individually notified in writing. The notice shall:

(i) Be delivered not later than 10 working days after completion of the monitoring and measuring;

(ii) State the actual exposure in terms of concentration and time; and

(iii) State the steps which have been taken, are being taken, and will be taken, with specific completion dates, to terminate the exposure and prevent a recurrence.

(Sec. 8(b), 8(c), and 8(e), 24 Stat. 1593, 1904, 1909 (38 U.S.C. 655, 657); Secretary of Labor's Order No. 12-71 (36 FR 5734))

Signed at Washington, D.C. this 6th day of May, 1974.

JOHN STENZEL,

Assistant Secretary of Labor.

[FR Doc. 74-10748 Filed 5-9-74; 8:43 am]

URL 08376

Tenneco Chemicals
A Tenneco Company

Organics & Polymers
Division



Turner Place, P.O. Box 2
Piscataway, New Jersey 08854
(201) 881-5000

October 7, 1974

Dear Sir:

We are enclosing for your review a copy of OSHA's "Standard for Exposure to Vinyl Chloride" as published in the Federal Register of October 4, 1974. We believe that your company, as a processor of PVC, is intended to be included under this regulation. Therefore, we recommend that you obtain legal counsel to advise you in this matter.

In the judgment of Tenneco Chemicals, this Standard is unduly restrictive and unsupported by the extensive record before OSHA. As a result, Tenneco, along with other VC and PVC producers, has initiated the prescribed legal actions to obtain relief.

As further developments of significance occur, we will keep you advised of them. Meanwhile, we will make every effort to keep you supplied with needed raw materials while maintaining the well-being of our employees.

Very truly yours,

A handwritten signature in dark ink, appearing to read "F. X. Ritter".

Frank X. Ritter
Business Director - Polymers
Organics & Polymers Division

FXR:md

Enclosure

EXHIBIT G

URL 08377

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

STANLEY MIKYSKA and
JOYCE MIKYSKA, his wife,

Plaintiffs,

Civil Action
No. 870769

-vs-

Hon. James Harvey

UNION CARBIDE CORPORATION,
a foreign corporation,
DIAMOND SHAMROCK CORPORATION,
a foreign corporation,
STAUFFER CHEMICAL COMPANY,
a foreign corporation,
TENNECO CHEMICALS, INC.,
a foreign corporation,
UNIROYAL, INC.,
a foreign corporation,
ALLIED CHEMICAL CORPORATION,
a foreign corporation,
HOOKER CHEMICALS & PLASTICS CORP.,
a foreign corporation,
B. F. GOODRICH COMPANY,
a foreign corporation,
FIRESTONE TIRE & RUBBER COMPANY,
a foreign corporation,
GOODYEAR TIRE & RUBBER COMPANY,
a foreign corporation,

Defendants.

PROOF OF SERVICE

STATE OF MICHIGAN)
COUNTY OF WAYNE) ss

DEBRA C. LENZNER, being first duly sworn, deposes and
says that on the 6th day of March, 1981, she did serve a copy of
Defendant Tenneco Chemicals, Inc.'s Supplemental Answers to
First Set of Interrogatories to Defendants and a Proof of Service
upon:

Paul G. Bogos, Esquire
Bogos and Bogos
1315 Penobscot Building
Detroit, Michigan 48226

by placing a copy of said pleadings in an envelope addressed as
above with proper postage affixed and depositing same in the
United States Mail.

Subscribed and sworn to before me
this 6th day of March, 1981.

DEBRA C. LENZNER

Sharon C. Smale
Sharon C. SMALE
Notary Public, Wayne County, MI
My Commission Expires Dec. 18, 1983

UPL 08379