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Honorable, September 25, 1981

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NEW JERSEY STATE AFL-CIO

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TESTIMONY
of
NEW JERSEY STATE AFL-CIO
before
SENATE STUDY COMMISSION ON CANCER
on
SENATE BILL 3035

Despite what many on this commission may have read or heard in recent months, the N. J. State AFL-CIO is not opposed to the control and final eradication of cancer-causing agents from the air we breathe and the water we drink. In fact, I will tell you today that the AFL-CIO applauds your efforts to get at the root causes of this most feared and insidious of all diseases.

This should come as no real surprise. Our past record certainly indicates a desire and commitment to making the workplace as safe and healthy as possible for our membership, and to creating an environment they can enjoy in their leisure time.

In 1969 the AFL-CIO was one of the primary supporters and spokesmen for creation of a State Department of Environmental Protection. I think I can truthfully say that our organization can take much of the credit for the existence of DEP today. And, on the national level, it was largely due to the persistent efforts and lobbying of the AFL-CIO that Congress adopted the Occupational Safety and Health Act (OSHA) of 1970 -- legislation that is the

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Magna Carta of workers' health rights.

Our record is clear. We were one of the first organizations to launch the campaign for a cleaner, healthier workplace and environment, and we remain steadfast to those goals and objectives.

But, there are those who would have you believe otherwise. Latecomers to the environmental movement who, perhaps in their eagerness to make up for lost time, have adopted an all or nothing mentality that in the long run does more harm than good to the cause. Their intensity and dedication is admirable, but their tunneled-vision provincialism, if given free reign, would wreck havoc on our society and economy.

The thought I would leave with you today is that you remember in all your deliberations, recommendations, and final actions, that the jobs and futures of hundreds of thousands of people might very well be at stake. Every effort and consideration must be expended so that industry, employment, and a healthy economy are not irrevocably drained from our state.

The State AFL-CIO feels that Senate Bill #3035, as drafted, fails to provide adequate or even the most rudimentary economic protection to an industry which has invested much time, effort and money in New Jersey, and to the tens of thousands of employees in that industry.

This legislation would call for an outright ban on the production, manufacture and use of 16 different chemicals in New Jersey. There are no provisions made for the resulting loss of jobs and salaries; there are no provisions made for the monumental impact on the plants and firms which now produce these chemicals; there are no provisions made for the purchasing of equipment that

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might control or neutralize the effect of these carcinogens.

All we have in this legislation is an outright, wholesale ban on these chemicals. Do I have to tell the members of this commission just what kind of chaos this would create in an industry that currently employs 130,000 people in almost 1,000 plants and pays them well over \$1 billion?

Do I have to tell the members of this commission what kind of added impact this legislation would have on the economic and social life of a state which suffers one of the highest unemployment rates in the nation and has lost approximately 200,000 jobs since 1969?

It's already painfully apparent that New Jersey is not now a popular place for business and industry to locate. Pass this legislation as written and we might very well be relegated to a 17th Century agrarian society, or a new dark age of economic devastation.

You must also remember that some of the chemicals that would be prohibited by this legislation have uses - some of them protective - which would cause disruptions in other industries. Asbestos, for instance, is used in automobile brake bands, home construction, manufacturing plants, even by workers to protect themselves in smelting and similar operations.

Several products which would be banned under the bill are intermediates used by the pharmaceutical and health-care industries in the production of leading penicillin and cephalosporin antibiotics, which are critical to human health. An outright ban on these chemicals would not only reduce the availability of beneficial antibiotics, it would also have a detrimental economic effect on pharmaceutical companies, another major industry in our

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state.

And, it is my understanding that at least one of the banned chemicals is itself used in cancer treatment.

The AFL-CIO wants to, and will, support this commission in an aggressive attack on cancer and cancer causes, but we are convinced the process must be based on sound research and testing. Simplistic answers, such as S #3035, which completely ignore a myriad of resulting effects and conflicting needs, may create problems as serious as the one we're trying to solve.

One simplistic argument even theorizes that, if our nation should adopt a limited or no growth philosophy, the potential number of jobs in environmental protection would more than offset a corresponding loss of jobs in the construction, manufacturing and chemical industries. While the argument hardly warrents consideration, let me just assure you that the production of environmental equipment can only flourish, if there are thriving industries to purchase the equipment. If we eliminate whole industries, we'll only be cutting our noses off to spite our faces.

Certainly this commission must allow for, and even encourage, technical research and development which might uncover a viable means of eliminating or neutralizing carcinogens so they will not be a threat to human life or the environment. In the past, man has always been able to adapt to circumstances by discovering ways to overcome adversity. Why are we now being asked to abandon the search for adequate solutions and merely consign ourselves to failure?

If a firm does not have the finances to engineer-out carcinogenic substances, they now have an opportunity under OSHA's

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Small Business Act to borrow low-interest funds to help abate the problem. Since 1970 only 181 businesses have availed themselves of this special funding, even though hundreds of millions of dollars are in waiting to assist in the fight against pollution and disease.

On January 24th, OSHA also proposed a new cancer policy which would provide uniform job health standards and regulate potential carcinogens in the workplace. On the national level, the Federal Toxic Substances Control Act, enacted just last October, requires the EPA to control substances which present an unreasonable risk of injury to health or the environment.

This commission, as well as all state officials, should be devoting a good deal of time and effort to the establishment of tough but uniform pollution controls throughout the nation. Only in that way will environmentally-conscientious states like New Jersey not suffer economic blight due to their pollution control efforts. If standards are uniform, business and industry won't be attracted to other areas of the nation with less expensive and less stringent standards.

This commission should undertake a program to educate the public on conditions that tend to foster cancer, including living habits. It should lobby vigorously for its proposed early detection and cancer registry bills. And it should aid the state in making the best possible use of all available public and private financing of cancer research programs.

Let me emphasize once again that the N. J. State AFL-CIO does not oppose strict regulations and controls on cancer-causing agents. We do insist, however, that if industries are to be closed down and

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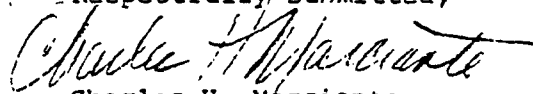
employees layed-off, the state be absolutely certain that a particular chemical is causing cancer and that there is no way to either control or eliminate it short of an outright ban.

Sacrificing jobs to feed an ideal may be altruistic, but it doesn't help to feed, clothe, or house those who lose their jobs.

If all precautions have been taken and it's still found that a carcinogen is uncontrollable, or that an industry or plant cannot or will not undertake the required protections, then, so be it, that plant must close, or that chemical must be prohibited. We have no other choice!

But every contingency should first be accounted for, and S #3035, as drafted, simply does not do that. Thank You.

Respectfully submitted,


Charles H. Marciante

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Statement by John Dickey on 2/15/77 for duPont, Wilmington, Delaware -
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IMPACT OF NEW JERSEY'S CANCER LEGISLATION

A ban on use or manufacture of the sixteen chemicals as proposed in Senator Skevin's Bill S-3035 would result in the closing of two duPont operations in New Jersey. Approximately 82 jobs would be eliminated.

The impact on New Jersey would be much greater than duPont's limited loss of jobs. For example, one of the products which would be banned is MOCA, a curing agent for urethane rubber. MOCA is used to convert liquid polymers to strong, durable, oil and weather resistant, rubber articles. End uses exist in every major industry including track seals for off road tractors, critical parts in military missile systems, seals on nuclear submarines, abrasion protection in many mining applications, drive belts and cast components in home appliances, and cutting bars and sanding mandrels used in the manufacture of plywood.

duPont sold MOCA to twenty one New Jersey accounts in 1976 who, in turn, produced approximately 6 million dollars worth of finished elastomeric products and provided an estimated 200 jobs. A ban on MOCA would eliminate these products and jobs. The national and worldwide impact of a New Jersey ban on MOCA would be significantly greater since duPont's New Jersey operation is one of only two domestic sources and produces a large share of the world's MOCA needs. Domestic production of MOCA-cured elastomers for 1975 was valued at 175 million dollars. Many of the elastomeric end products produced with MOCA cannot be duplicated with competing products.

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