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STATE OF OHIO

JAN 21 1946

FRANK J. LAUSCHE, GOVERNOR

ROGER E. HEERING, M.D., M.P.H.
DIRECTOR OF HEALTH

306 STATE DEPTS. BUILDING
COLUMBUS 18, OHIO



DEPARTMENT OF HEALTH
COLUMBUS

Industrial Hygiene Division

January 18, 1946

PUBLIC HEALTH COUNCIL:

L. F. HUFFMAN, M.D. CHAIRMAN
RUSSELL G. MEANS, M.D. VICE-CHAIRMAN
WILLIAM HELMER
SAMUEL F. RIDINGS, D.D.S.
MRS. LILY COOPER
J. HOWARD HOLMES, M.D.

PLAINTIFF'S
EXHIBIT

4487.0

Mr. Edward Ames
Public Relations Manager
Owens-Corning Fiberglas Corporation
Toledo, Ohio

Dear Mr. Ames:

Enclosed is a copy of the most recent revision of the proposed industrial health regulations for the State of Ohio. Many changes have been made since the initial copy was distributed and it is possible that the inclusion of these changes will make the proposed code more suitable to various groups concerned.

At the Public Health Council meeting in Columbus on January 13th, it was decided that final action should not be taken at that time and another hearing has been called for this matter at 10 A. M., February 16th at the Deshler-Wallick Hotel. Between now and February 16th, we wish that you would discuss this proposed code as it now stands with the members of your organization and if any members of your organization have any suggestions or criticisms to offer, we would appreciate the opportunity of discussing the matter with them. You may feel free to make as many copies of these regulations as you wish for distribution.

We wish to hear from everyone who is interested in this matter and we wish you to be assured of the cooperation of this Department to the extent that all possible corrections shall be made before final approval is given to these regulations by the Public Health Council.

Mr. Clayton Smucker of your Newark, Ohio plant has a copy of these regulations.

Very truly yours,

Joseph E. Flanagan, Jr.
Joseph E. Flanagan, Jr.
Industrial Hygiene Engineer

JEF:ab
Encl.

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STATE OF OHIO

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JEF:ab
Encl.

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January 24, 1946

Mr. Joseph E. Flanagan, Jr.,
Industrial Hygiene Engineer
State of Ohio Department of Health
306 State Departments Building
Columbus 15, Ohio

Dear Mr. Flanagan:

Many thanks for your letter of January 18 enclosing a copy of the most recent revisions of the proposed industrial health regulations for the State of Ohio.

I have discussed the matter with Mr. Snucker and members of our General Engineering Department who find nothing to which to take exception in the present draft, and for that reason we do not expect to be represented at the meeting in Columbus on February 16.

I want you to know, however, that we do appreciate very much your bringing the matter to our attention.

Yours very truly,

Public Relations Manager

Edward C. Ames/rms

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INDUSTRIAL PUBLIC HEALTH HAZARDS

The Public Health Council of the State of Ohio hereby ordains and promulgates the following regulations for the prevention and control of diseases resulting from exposure to toxic fumes, vapors, mists, gases and dusts in order to preserve and protect the public health.

Regulation 244. (Application of Regulations). These regulations shall apply to every place of employment and particularly to those places of employment where a work or process is carried on by which dusts, fumes, mists, vapors, gases or environmental conditions of a harmful nature are produced or generated, or exist independently of the work or process, which may be inhaled or absorbed or in any other manner enter the body in quantities or concentrations that constitute harmful exposure as hereinafter defined.

Regulation 245. (Modifications). When strict compliance with all of the provisions of these regulations would involve undue hardship, the Ohio Department of Health may, upon application in writing, permit modification of the requirements when protection practically equivalent to that required by these regulations has been provided. The application for the modification of any of these regulations in any particular case shall be accompanied by a full statement of the existing conditions and the reasons for requesting such modification. Any modification granted under the provisions of this paragraph shall be limited to the particular case covered by the application for such modification.

Regulation 246. (Definitions).

(1.) A "Gravity System of Ventilation" means one which depends wholly upon relative air density.

(2.) A "Mechanical System of Ventilation" means one which depends upon the operation of power-driven equipment.

(3.) "General Ventilation" means the ventilation of the general atmosphere in the place of employment.

(4.) "Dilution Ventilation" means ventilation provided to dilute the concentration of dusts, fumes, vapors, or gases in the atmosphere of all or part of the place of employment.

(5.) "Local Exhaust Ventilation" means that type of ventilation in which suction is applied at the point of generation or escape of dusts, fumes, mists, vapors or gases.

(6.) "Exhaust System" means a complete suction device, including all hoods, ducts, fans, separators, and receptacles when required, and any other part necessary for the proper installation and operation thereof.

(7.) "Hood" means that part of an exhaust system into which the contaminated air or dust, fume, mist, vapor or gas first enters. Ordinarily it consists of an enlargement of the end of the duct of such shape and design as to facilitate the entry of dust or other impurities to the exhaust system.

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- (8.) "Duct" means any pipe, flume, or channel, forming a part of a ventilating system, used to convey air, dusts, fumes, mists, vapors, or gases.
- (9.) "Fan" means the machine which creates the movement of air in a mechanical system of ventilation.
- (10.) "Separator" means that part of an exhaust system in which the contaminant or entrained material is separated from the air which conveys it.
- (11.) "Refuse Receptacle" means that part of the exhaust system into which dust or other material separated from the air is deposited.
- (12.) "Approved" means approved by the Ohio Department of Health.
- (13.) "Dust" means particles of solid matter that have undergone comminution.
- (14.) "Fumes" means solid particles generated by condensation from the vapor or gaseous states, usually of metals, and often accompanied by oxidation.
- (15.) "Mist" means liquid droplets suspended in air.
- (16.) "Vapor" means the gaseous form of a substance normally in the liquid or solid state.
- (17.) "Gas" means a formless fluid occupying the space of enclosure.
- (18.) "Harmful" as applied to the effect of dusts, fumes, vapors, mists, or gases, and any environmental condition, arising from industrial operations or processes means any mechanical or toxic action which in any way injures any part of the body.
- (19.) An "Isolated Operation" means one which is carried on in a location where, or at such time that, no employee except such as actually engaged in the operation involved is subjected to the harmful exposures resulting therefrom.
- (20.) "Silica (free or uncombined)" is the name given to the chemical compound silicon dioxide (SiO_2). It occurs in nature most commonly in the crystalline form as the mineral quartz. Other less common modifications are tridymite, cristobalite, opal chalcedony, flint and silica glass.
- (21.) "Singular and Plural Number". Whenever in these regulations the singular is used the plural shall be implied and whenever the plural is used the singular shall be implied.

Regulation 247. (Harmful Exposure).

- (1.) No employer shall use or permit to be used in the conduct of his business, manufacturing establishment or other place of employment, any process, material or condition known to have an adverse effect on health, unless reasonable provisions have been made to prevent injury to the health of the employees and of the public.

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Regulation 247 (cont'd)

(2.) The concentration of dusts, fumes, mists, vapors, or gases, in the air breathed by employees shall not exceed the following maximum allowable concentrations for an 8-hour daily exposure:

GASES AND VAPORS

CONCENTRATION
Parts per million
(by volume)

Acetone	500
Acrolein	0.5
Acrylonitrile (Vinyl Cyanide)	20
Ammonia	100
Amyl Acetate	400
Butyl Acetate	400
Ethyl Acetate	400
Aniline	5
Arsine	1
Benzene (Benzol)	100
Butanone (Methyl Ethyl Ketone)	300
Butyl Alcohol	100
Carbon Disulfide	20
Carbon Monoxide	100
Carbon Tetrachloride	100
Chlorine	5
Chloroform	100
Dichlorobenzene	75
Dichlorethyl Ether	15
Dimethyl Aniline	5
Ether (Ethyl)	400
Ethylene Dichloride	100
Ethylene glycol monomethyl ether (Methyl "Cellosolve")	100
Formaldehyde	10
Hydrogen Chloride	10
Hydrogen Cyanide	20
Hydrogen Fluoride (Calculated as H F)	3
Hydrogen Sulfide	20
Methyl Alcohol	200
Methyl Bromide	20
Methyl Chloride	200
Naphtha:	
Coal Tar	200
Petroleum	1,000
Nitrobenzene	5
Nitrogen Oxides	25
Ozone	1
Phosgene	1
Phosphine	1
Styrene (Monomer)	400
Sulfur Dioxide	10

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GASES AND VAPORS (Cont'd)

CONCENTRATION
Parts per million
(by volume)

Tetrachlorethane	10
Tetrachlorethylene (Perchlorethylene)	200
Toluene (Toluol)	200
Trichlorethylene	200
Turpentine	200
Xylene (Xylol)	200

METALLIC DUSTS AND FUMES

CONCENTRATION
Milligrams
per cubic meter

Cadmium	0.1
Chromic Acid and Chromates (Calculated as chromic oxide, CrO ₃)	0.1
Lead	0.15
Manganese	6.0
Mercury	0.1
Zinc Oxide	15.0

OTHER DUSTS AND FUMES

Chlorinated Diphenyls	1.0
Chlorinated Naphthalenes:	
Trichlornaphthalene	5.0
Pentachlornaphthalene	0.5

MINERAL DUSTS

CONCENTRATION
Million particles
per cubic foot

Asbestos	5
Silica, free or uncombined:	5
Over 40%	10
20 to 40%	20
10 to 20%	

RADIATION

X-ray (Roentgens per day)	0.1
Radium (Roentgens per day)	0.1
Radon gas (Curie per liter)	10 ⁻¹¹

"Explanatory Note:

(1) At least three atmospheric samples, spaced at intervals to yield an average measurement of

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"Explanatory Note: (cont'd)

exposure over the entire cycle of operation under test shall be collected in the breathing zone of the worker or wherever such exposures are suspected or known to exist.

(2) The sampling and analysis of contaminated air and the interpretation of the data in relation to the stated maximum allowable concentrations shall be done only by technically qualified and competent persons using methods approved by the Ohio Department of Health.

(3) Temporary concentrations in excess of the maximum allowable concentrations listed shall not be permitted if exposure to such concentrations for a period of one hour or less may result in an adverse effect on health.

(4) For the purpose of the above maximum allowable concentrations for silica, the free silica content shall be the percent of free silica in the fraction of the air-borne dust in the breathing zone of the worker that is smaller than 5 microns in maximum diameter.

(5) For all other dust determinations millions of dust particles per cubic foot of air by the light field microscope counting technique shall include all microscopically visible particles up to 10 microns in size."

Regulation 248. (General Ventilation.) Special Requirements:- Wherever harmful concentrations of dust, fumes, mists, vapors or gases exist, or are produced in the course of the employment, and prevention, elimination, or control of said harmful exposures is not practical by local exhaust, or by other means as herein-after provided, the capacity of the general ventilation system, be it a gravity or mechanical means of moving air, shall be augmented, or sufficient dilution ventilation provided, so as to provide for the elimination of said harmful exposures to a degree specified under Regulation 247:

Regulation 249. (Local Exhaust Ventilation.)

(1.) Where Required:- All equipment and processes that emit or create harmful dusts, fumes, mists, vapors, gases, or other contaminants in quantities that tend to be harmful to the health of the employees exposed thereto, and where general ventilation alone or in conjunction with other provisions of these regulations, is inadequate to furnish the required protection, shall be connected to an exhaust system for the removal of said hazards, as far as practicable at their point of origin. Wherever practicable, application of local exhaust ventilation is preferred.

(2.) General Requirements:- Exhaust fans, ducts, hoods, separators, and all necessary appurtenances including refuse receptacles shall be so designed, constructed, maintained and operated as to insure the required protection in the production of volume and velocity of exhaust air sufficient to gather dusts, fumes, mists, vapors, or gases from said equipment or process and to convey them

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Regulation 249 (cont'd) (2)

to suitable points of safe disposal thereby preventing their dispersion in harmful quantities, into the atmosphere of work rooms, or other places where persons are employed.

(3.) Duration of Operation:- The exhaust system shall be in operation continually during all operations which it is designed to serve. If the employee remains in the contaminated zone, the system shall continue to operate for some time after the cessation of said operations, the length of time to depend upon the individual circumstances and effectiveness of the general ventilation system.

(4.) Disposal of Exhaust Materials:- The air outlet from every dust separator and the fumes, mists, vapors, or gases collected by an exhaust system shall discharge in such a manner that the discharged materials shall not re-enter places of employment in harmful quantities or in concentrations which exceed the maximum allowable concentrations specified in Regulation 247. Dust, and refuse discharged from an exhaust system shall be burned (when feasible), buried, treated, or otherwise disposed of in a manner that will prevent its harmful dispersion.

Regulation 250. (Dust-Allaying Media). Use shall be made of water, oil or chemicals in such non-injurious quantities and with such frequency, as may be necessary to suppress and allay harmful dust wherever the provisions of Regulation 249 are impracticable or inadequate to prevent harmful exposure. The use of dust allaying media may also be supplementary to other provisions of these regulations.

Regulation 251. (Personal Protective Equipment).

(1.) When to be Worn:- Where the removal of harmful dusts, fumes, mists, vapors or gases at their source, as provided for in Regulation 249 is impracticable the employees who may be liable to harmful exposure shall be protected by means of respiratory or other protective equipment approved by the Ohio Department of Health for the specified employment involved.

(2.) Protection of Temporary Nature:- The use of respiratory equipment shall in general, be regarded as emergency protection against occasional and/or relatively brief exposure.

(3.) Approval Required:- Respiratory protective equipment including filter, cartridge and supplied-air respirators, hose masks, canister-type gas masks, supplied air-hoods and helmets, and self contained oxygen breathing apparatus shall be of a type approved by the Ohio Department of Health.

(4.) Education and Use of Equipment Required:- Employers and employees shall familiarize themselves with the use, sanitary care and limitations of such respiratory equipment as they may have occasion to use.

(5.) Provision and Care of Equipment Required:- Duty of Employer and Employee:- It shall be the duty of the employer to provide and replace when necessary, such respiratory and other personal protective equipment as may be required, and to maintain same in efficient and sanitary condition.

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Regulation 251 (cont'd) (5)

It shall be the duty of the employee to use such equipment provided for him and to exercise due care to maintain same in efficient and sanitary condition. Protective devices and protective clothing shall be worn or used at all times during the period of exposure.

(4.) Air Supply to Positive Pressure Equipment:- Air supplied to hose masks and positive-pressure air helmets shall be free from harmful dusts, fumes, mists, vapors or gases to the extent that the inhalation of such air shall not constitute harmful exposure as set forth in Regulation 247. The air should, preferably, be supplied by means of a blower-type fan. Whenever compressed air is used, an approved filter shall be inserted in the supply line to remove any oil, sediment or condensation that it may contain. Such filter shall be maintained in efficient working condition.

(7.) Ordinary commercial air filters do not remove carbon monoxide. Hence, wherever the air delivered to respiratory equipment is supplied by a compressor, the compressor intake shall be so located as to prevent contamination of the air by carbon monoxide, and an approved filter for carbon monoxide shall be inserted in the air line whenever necessary.

(8.) Air Pressure to be Regulated:- Wherever positive-pressure air respiratory equipment is used, an automatic pressure relief valve shall be installed in the supply line. The maximum allowable pressure shall be 10 pounds per square inch. This does not apply to self-contained oxygen breathing apparatus.

a. The standard of health protection when using positive-pressure air respiratory equipment is the maintenance of positive pressure within the equipment. The minimum of air pressure to be maintained within such equipment is therefore that which will assure a steady and continuous outward flow of air from within the apparatus.

(9.) Sanitation of Respiratory Equipment:- The employer shall provide an approved means for cleaning and sterilizing all respiratory equipment, and it shall be the duty of the employer to cause such equipment to be maintained in a clean and sterile condition. Respiratory equipment shall not be passed on from one man to another until such equipment is cleaned and sterilized. When filter or cartridge type respirators are used, each employee shall have such respirator for his own exclusive use. Respiratory equipment and replacement units shall be stored, when not in use, in approved containers.

Regulation 252. (Isolation of Hazardous Operations)

(1.) In every place of employment where a work or process is carried on, in which, or in connection with which, dusts, fumes, mists, vapors or gases are produced in quantities or concentrations and under conditions which may injure the health of the employees, or where environmental conditions harmful to the health of employees are produced, such operations shall be isolated unless the employer elects to control said harmful exposures under other provisions of these regulations.

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Regulation 252 (cont'd)

(2.) Whenever practicable, the industrial operation or process shall be effectively controlled or enclosed to prevent harmful chemicals or injurious substances from coming in contact with the skin.

Regulation 253. (Sanitation and Cleanliness)

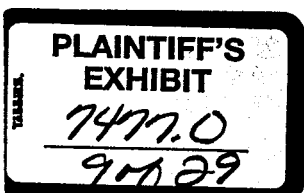
(1.) Maintenance:- The interiors, exteriors and environs of buildings that contribute to a harmful exposure to which these regulations apply shall be cleaned and maintained in such condition as will prevent harmful exposure as set forth in Regulation 247.

(2.) Cleaning:- When to be Done:- Cleaning shall be done at such time of day or night as will cause a minimum of exposure of employees. Employees engaged in cleaning operations and all others who may be exposed shall wear approved respiratory equipment unless such cleaning is done by means of suction apparatus capable of preventing harmful exposure.

Regulation 254. (Warning of Health Hazards.) In all places of employment where harmful exposures exist from infective agents in materials used, from toxic dusts, fumes, mists, vapors or gases and from heat, radiation, humidity, radioactive material or any other injurious substance or cause, the employer shall call attention to such hazards, and shall periodically instruct all employees regarding the harmful exposures connected with their duties and the best preventive measures and methods to protect themselves therefrom.

Regulation 255. (Violation). A violation of any of the provisions of the foregoing regulations, or failure to comply with any orders made pursuant thereto by the Ohio Department of Health, shall subject the person so violating or failing to comply to the penalties provided by law.

Regulation 256. (Interpretation). If any of the foregoing regulations shall be held to be unlawful, such holding shall not affect the validity of any other of the foregoing regulations.



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