

Minutes of Meeting
Occupational Safety and Health Committee
CHEMICAL MANUFACTURERS ASSOCIATION

CMA Conference Room 404
1825 Connecticut Avenue, N.W.
Washington, D.C. 20009

Wednesday
October 1, 1980
8:00 AM - 3:00 PM

<u>Attendees</u>	<u>Company</u>	<u>Telephone</u>
J. Aiken, M.D.	Cities Service Company	(918) 561-8756
E. E. Christofano	Hercules Incorporated	(302) 575-7055
T. F. Evans Chairman	Monsanto Company	(314) 694-4128
D. W. Hillman, M.D.	Diamond Shamrock Corp.	(214) 745-2736
R. B. Hoots	ICI Americas Inc.	(302) 575-3135
P. McNulty	Rohm & Haas Company	(215) 785-7307
M. E. Miller	IMC Chemical Group, Inc.	(312) 566-2600
J. Plaut Vice Chairman	Allied Chemical Corp.	(201) 455-4533
J. D. Robertson	Exxon Chemical Americas	(713) 656-0189
A. W. Sheldon	M&T Chemicals Inc.	(201) 499-2401
J. S. Snyder	Merck & Co., Inc.	(201) 574-4185
F. A. Ubel	3M	(612) 733-5181
J. Wheeler	Amoco Chemicals Corp.	(312) 856-3871

CMA Staff

Chris Nolde	(202) 328-4308
Pat Joyce	(202) 328-4338
Milt Freifeld	(202) 328-4264

Guests Present

R. Gold	Stauffer Chemical Co.	(203) 222-4386
B. Whiting	OSHA	(202) 523-6091

Members Absent

H. A. Eschenbach	W.R. Grace & Co.	(617) 876-1400
J. R. Venable, M.D.	The Dow Chemical Company	(517) 636-1355

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RECOMMENDED ACTIONS

- The Committee recommended that its revised charter

CMA 060571

be approved by the Board of Directors.

- The Committee plans to present timely comments to the Inter-Agency Regulatory Liaison Group (IRLG) which is planning to develop guidelines on reproductive toxicity risk assessment.
- A proposal on occupational medical education of general medical family doctors was favorably received by the Education Committee of the American Occupational Medical Association and will be pursued with them.
- A method for developing appropriate measurements of health performance, analogous to safety statistics, will be explored. This is known to be a difficult and longstanding problem.
- Two new task groups will be formed, one on Ergonomics and Stress and another on Education and Communication with Workers.
- No response to the OSHA listing of candidate carcinogens was thought to be necessary. However, the Committee recommended that a mechanism be established for CMA to be informed about responses from member companies.
- A meeting on Brain Cancers in the Chemical Industry, with emphasis on the Gulf Coast, October 27-29, 1980, sponsored by the New York Academy of Sciences, will be monitored by a Committee representative.

* * * * *

1. The meeting was called to order at 8:00 a.m. by chairman Evans.
2. Minutes of July 10, 1980, Meeting
These minutes were approved as distributed with corrections as indicated above in the telephone numbers of Messrs. Evans and Ubel plus a correction in the spelling of Arthur Oleinick's name as it appears in Minute #6.
3. OSHC Charter
The Committee recommended that the following revised

charter for the OSHC be approved by the Board:

Under broad policies established by the Board of Directors and within limits of authority specified by the Executive Committee, the Committee oversees Association occupational safety and health activities. In so doing, the Committee will be proactive as characterized by its position of advocacy relative to the Occupational Safety and Health Administration, National Institute for Occupational Safety and Health and the chemical industry. Key issues will be identified early and specific objectives and programs will be established to deal with them.

The Committee will seek to become the major force to which the agencies turn for industry representation on all occupational safety and health issues.

Legislative initiatives in this area will be monitored and changes will be sought which stress risk-benefit analysis, cost effectiveness, performance standards based on sound technical/scientific data and proper use of trained personnel. The Committee will further: seek relief from inappropriate regulation and legislation on this subject by suitable means which may include legal action; keep member companies informed about major trends, developments, issues and Association action on occupational safety and health; initiate, sponsor and administer research and development on related issues of widespread interest to the chemical manufacturing industry; and oversee the safety awards programs as well as the collection and publication of data on occupational injury and illness.

Committee approval of the charter was unanimous.

4. Liaison with CRAC on Section 8(c)

Mr. Plaut reminded the group that the key word here is "allegations." These need not be substantiated but must be significant to trigger action.

CMA 060573

5. Semi-Annual Meeting October 27-28, 1980, in Houston

Preparations for the OSHC portion of this meeting are essentially complete. Messrs. Hillman, Hoots and Snyder agreed to be members of the panel to ask questions of Dr. Bingham. Mr. Evans, who will be moderator for that part of the program, urged Committee members to submit additional questions that could be posed to Dr. Bingham. Also, a reserve of questions is needed for the panel discussion on risk/benefit analysis.

6. Task Group Reports

In addition to the actions noted, the Committee approved without dissent, each of the task group charters below.

6.1 OSHA Reform

Charter

To examine and, if appropriate, propose to OSHC legislative and administrative reform relative to the Occupational Safety and Health Act.

To examine the relationship of industry to OSHA, and OSHA to other agencies and institutions.

A policy of constructive proactive advocacy in making recommendations to the CMA-OSH Committee and relations with peers, etc. will be the guide.

Advocate: J. Plaut

Task Group Leader: J. Plaut

Members: Ray Randlett - Allied
Jeff Waldbesar - Monsanto
Gary Page - Olin
Arlin Voress - Union Carbide

Begun: 7/80

Sunset: 5/82

This task group, as noted in the minutes of its meeting, September 25, 1980, is planning strategy on how to attack the problem of reforming OSHA.

An item particularly needing attention was thought to be the lack of reliable data on illnesses related to

occupations. Past attempts by CMA groups and others to develop a measure of health performance analogous to safety statistics have failed. Nevertheless, the Committee felt this would be a suitable agenda item for the next meeting.

6.2 Reproductive Hazards in the Workplace

Charter

Respond to regulatory and legislative initiatives on reproductive hazards resulting from workplace exposures.

Establish and maintain contacts with appropriate agency personnel to anticipate their future actions and present our industry's view.

Disseminate relevant information to member companies and our industry (e.g. Symposia and Workshops).

Advocate: J. R. Wheeler
Task Group Leader: J. R. Wheeler
Members: B. Karrh - du Pont
W. McCarville - Monsanto
Z. Bell - PPG
C. Browdy - Dow

Begun: 5/15/80
Sunset: 12/81

The Federal Register of September 25, carried a notice that the Reproductive Toxicity Risk Assessment Task Group of the Inter-Agency Regulatory Liaison Group (IRLG) is planning to develop guidelines for the area of its responsibility. This CMA task group will prepare draft comments for submittal to IRLG by the deadline of November 24.

6.3 Joint Symposium with NIOSH

Charter

Plan and conduct joint CMA/NIOSH Symposium on "Control of Workplace Hazards in the Chemical Manufacturing Industry."

Advocate: T. F. Evans
Task Group Leader: R. N. Wheeler -
Union Carbide

Members: R. L. Harrison - Sherex
Chemical
M. D. Lay - Stauffer

Begun: 11/79
Sunset: 4/81

6.4 OSHA Cancer Policy

Charter

Where matters of principle are involved, intervene in OSHA administrative procedure when they attempt to implement their cancer policy. This may require defending a particular chemical where precedent-setting issues are involved.

Advocate: D. Hillman
Task Group Leader: M. N. Johnson -
Goodrich
Members: D. E. Ellison - Virginia
Chemicals
H. L. Skalsky - Reynolds
Metals
J. Sloan - Shell
M. Kaplan - du Pont
V. K. Yates - Cities Service

Begun: 7/80
Sunset: 5/82

At its September 26 meeting, the Task Group recommended that CMA should submit comments on the "Candidate List" published by OSHA in the Federal Register, August 12, 1980. The Task Group also recommended:

- A. That discussions be held with OSHA personnel to discuss unclear aspects of the OSHA announcement.
- B. CMA should request a delay in commenting on OSHA's candidate list until sixty days after the back-up material for the EPA list (incorporated by reference) becomes available.
- C. Microfiche sets of the underlying references for the 107 materials designated by OSHA should be made available, at cost, to member companies.

- D. CMA should act as a clearinghouse for determining which companies are interested in specific chemicals listed.

The consensus of the Committee, however, was that there was not enough to be gained by commenting on the OSHA candidate list, hence this should not be done. Since there are no plans for CMA comments on the OSHA list, it would be inappropriate for the Association to request a delay in the response deadline. On the other hand, the Committee had no objection to discussions with OSHA for purposes of clarifying their announcement. Also, the Committee suggested that member companies be asked to send CMA copies of comments they submit to OSHA regarding the candidate list.

6.5 Future Issues

Charter

Provide early warning on major regulatory, legislative and other related issues regarding safety and health. Maintain listening posts at appropriate agencies and maintain awareness of legislative activities to provide initial signals on up-coming issues.

Advocate: F. A. Ubel

Task Group Leader: W. Westendorf -
Monsanto

Members: P. Holladay - Shell
A. Bannon - 3M
I. Rosenthal - Rohm & Haas

Begun: 1/79

Sunset: 5/81

The Task Group met August 26 and made assignments. In addition to identifying issues, which the group thought would continue to require attention, the group noted the recent publicity given to the finding of brain tumors among chemical workers in the Gulf Coast area. Mr. Nolde reported that Congressman Eckhardt was very anxious to hold hearings on this subject. He also said that the New York Academy of Sciences is planning a meeting October 27-29, 1980, in which this matter will be aired. Mr. Freifeld was asked to arrange for coverage and a report on this

meeting.

6.6 Liaison with Technical and Professional Societies

Charter

Provide CMA input to the policymaking and other functions of selected associations. Use these contacts as an additional source of information about safety and health issues facing the chemical industry.

Advocate: J. Snyder
Task Group Leader: J. Pardee - Kodak
Members: To be named

Begun: 7/80
Sunset: 5/82

Mr. Snyder's task group is still in the process of considering modifications in our present method of representation on various consensus standards committees, technical societies and sister associations. In particular, the Committee questioned whether we should participate in ASTM Committee E34, dealing with health standards. In a similar vein, CMA should have input in the deliberations of the American Conference of Governmental Industrial Hygienists (ACGIH).

6.7 Safety Statistics

Charter

This task group will be responsible for the functioning and promotion of the CMA occupational injury and illness statistical program. Specific tasks will include:

1. Supervision of the collection and publication of occupational injury and illness statistics.
2. Promotion of this program by encouraging participation and assuring widespread use of the data in industry and government.

3. Overseeing the Safety Awards Program.
4. Revision of the guidelines and programs for recording and reporting injury and illness statistics as needed to assure compatibility with OSHA and other statistics.
5. Continuing the search for more meaningful statistics and promoting systems which may provide them.

Advocate: H. Eschenbach
Task Group Leader: R. Y. Levine - Olin
Members: R. J. Brant - ICI Americas
S. Schreiber - Allied
D. Windsor - du Pont

Begun: 9/78
Sunset: 5/81

The Committee approved the drafts of revised instructions to member companies for:

1. Occupational Injury and Illness Reports
2. The Lammot du Pont Safety Award
3. Certificates of Achievement and Honor

The task group will provide input for the contemplated Committee discussion regarding the development of a technique for measuring health performance.

6.8 Revision of ANSI Z129.1 (Labeling)

Charter

Assume key role in discharging responsibilities of CMA as secretariat in the revision of ANSI Z129.1 (American National Standards for the Precautionary Labeling of Hazardous Industrial Chemicals) in accord with ANSI requirements. Maintain liaison with Special Committee on Hazards Communication, and represent the Occupational Safety and Health Committee.

Advocate: A. Sheldon
Task Group Leader: W. Jones - Kodak
Members: L. W. Burnette - GAF
R. H. Dewey - IMC

R. Y. LeVine - Olin
K. A. Logan - Pennwalt
H. Sherman - du Pont
A. T. Talcott - Dow
J. J. Trexel - du Pont

Begun: 2/79
Sunset: 5/81

Mr. Sheldon reported that this task group is temporarily inactive pending the outcome of discussions with OSHA and EPA regarding regulations they are preparing.

Mr. Evans described the activities of the Special Committee on Hazards Communications. Issues such as trade secrets and listing of all ingredients were highlighted.

6.9 Safety Standards

Charter

The task group will monitor, evaluate and review OSHA's as well as other organizations' activities with respect to safety standards. It will attempt to influence those standard-producing organizations as follows:

1. To produce standards only where needed and worthwhile on a cost/benefit basis.
2. To produce fair and equitable performance standards which provide maximum latitude for compliance.
3. To discard obsolete and unneeded standards aggressively.
4. To consider the opinions of the chemical industry in determining the need for, the form, and the specifics of safety standards in the future.

Advocate: H. Eschenbach
Task Group Leader: R. Brant - ICI Americas
Members: J. Rivard - Shell
D. L. Dowell - Borg-Warner
C. Richards - Gulf
S. Schreiber - Allied

D. J. Willette - du Pont
R. E. Witter - Monsanto
H. Waltemate - B.F.Goodrich
J. M. Pardee - Eastman Kodak

Begun: 5/81
Sunset: 5/83

A status report was distributed on OSHA proposed standards for:

1. Lockout/Tagout
2. Hazardous Materials (Subpart H)

Mr. Evans requested that at the next Committee meeting, the Task Group submit a report to include industry reaction on the recently issued final Standard for Fire Protection (Subpart L).

6.10 Task Group on Access to Employee Records

Charter

Recommend policy and implementation of CMA decisions regarding legal action on OSHA regulations relating to access to employee records. Remain a source of interpretation of the rule and monitor industry experience.

Advocate: J. Venable
Task Group Leader: J. O'Reilly - P&G
Members: R. W. McBurney - Diamond
Shamrock
B. P. Quaintance - du Pont

Begun: 6/80
Sunset: 5/81

Mr. Joyce reported that the Louisiana Chemical Association has been unsuccessful to date in preventing the rule from taking effect. The litigants, including CMA as a party intervenor, are arguing whether the Fifth Circuit or the D.C. Circuit is the proper forum for review of the final rule issued by OSHA.

6.11 Informing Private Practice Physicians
about Occupational Health Problems

Charter

In cooperation with appropriate professional societies, to reach the general medical practitioners with suitable educational material that will sensitize them to occupational medical problems.

Advocate: J. Aiken

Task Group Leader (Tentative): J. Aiken

Members: To be named

Begun: 7/80

Sunset: 5/82

Dr. Aiken reported that the Education Committee of the American Occupational Medical Association responded favorably to the proposal that AOMA and CMA co-sponsor a continuing effort of occupational medical education directed at the general medical family doctor. He will assemble a task group and explore this lead further.

7. Proposed Task Groups

7.1 Ergonomics and Stress

These subjects are being widely discussed in the agencies as concerns for the future. While specific regulations may be years away, the Committee felt it would be appropriate to keep abreast of government thinking in this area. Joint advocates for this activity will be Messrs. Christofano and Robertson.

7.2 Worker Education

Mr. McNulty has agreed to be advocate for this project, help form a task group and develop a proposed charter. The purposes of the group will be first, to stay aware of the state of the art in the industry and secondly, to anticipate actions of regulatory bodies.

8. Inter-Industry Noise Study

CMA sent a check for \$2,000 in support of this study to the National Foundation for Occupational and Environmental Research as recommended by OSHC.

9. Representation at Meeting of International Agency
for Research on Cancer

The Committee accepted the offer of Dr. A. M. Kaplan of du Pont to represent CMA at the meeting of the IARC Working Group on February 10-17, 1981, in Lyon, France. He has agreed to submit a report to the Committee on those discussions.

10. Legislative Update

Mr. Nolde reported on various pieces of legislation, but said it was too late in the session to expect significant action from this Congress in our area of interest. However, topics like Workers' Compensation (which encompasses the issue of illness related to occupation) and OSHA Reform, are likely to reappear on congressional agendas in the future.

11. Liaison with Special Projects Advisory Group (SPAG)

Mr. Miller reported on the recent activities of SPAG which deal with the development of guidelines for the operation of special programs, fluorocarbons, chlorobenzenes and acrylonitrile.

12. Next Meeting

The next meeting was tentatively scheduled for December 10, 1980, in Washington, D.C.

13. Guest Speaker Remarks

During the lunch period Mr. Basil Whiting, Deputy Assistant Secretary for OSHA, discussed with the Committee, the Agency's current philosophy, outlook and programs. He stressed the increasing portion of the budget being used for non-regulatory purposes such as training and consultation.

14. The meeting was adjourned at 3:00 p.m.


Milton Freifeld
Associate Director
Health, Safety and
Chemical Regulations

Minutes subject to approval.
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