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Vinyl Chloride Curbs Ordered

CHICAGO (AP) — Plastics industry officials quickly denounced and filed lawsuits contesting new federal safety standards reducing worker exposure to vinyl chloride, a gas that may cause cancer.

One industry official called the standards "economically unrealistic, technically unfeasible, politically motivated and medically ridiculous."

President Todd C. Walker of the Firestone Plastics Co., a division of the Firestone Tire & Rubber Co., added in a statement Tuesday that the standard "puts the vinyl plastics industry on a collision course with economic disaster. More importantly, it throws two million jobs down the drain, according to an economic impact study made earlier this year by Arthur Little & Co.," an industrial consulting firm.

Asst. U.S. Labor Secretary John H. Stender, who had announced the new Occupational Safety and Health Administration (OSHA) standards earlier Tuesday, said some plants will have trouble meeting the tightened standards, but he added, "This will not cause the industry to shut down."

The stricter regulations for vinyl chloride, a chemical used in numerous plastic products, would cover 7,500 U.S. plants with 350,000 workers. Present standards will remain in effect until January with a gradual, one-year transition to the tighter standards, Stender said.

Stender said provisions would allow a company that cannot meet the standards to ask for a variance or a time extension.

At least two industrial groups immediately filed court actions contesting the new standards.

The Society of the Plastics Industry, Inc., which represents more than 90 per cent of vinyl chloride and polyvinyl chloride producers, filed suit in New York asking the U.S. Court of Appeals for judicial review. A separate suit was filed by the Hooker Chemical Co., of Stamford, Conn.

After several deaths from a rare liver cancer which were thought to be related to the handling of vinyl chloride were reported, the government in April ordered an emergency lowering from the then-prevailing limit of 500 parts per million to which workers could be exposed.

Preliminary tests conducted in Northbrook, Ill., later that month showed that test mice developed liver cancer when exposed to concentrations of 50 parts per million of vinyl chloride.

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PLASTICS SOCIETY, COMPANIES ASK COURTS TO REVIEW NEW EXPOSURE STANDARD FOR VCM

Washington—A newly adopted worker-exposure standard for vinyl chloride due to take effect 1 Jan. 1975 has drawn fire from the industry and resulted in several requests to the courts for judicial review.

The standard—which calls for a 1-part-per-million limit of VCM exposure over an eight-hour working day and a ceiling of 5 ppm over any 15-minute period—"does not take into account in a practical way the known medical and technological facts," the Society of the Plastics Industry contended.

OSHA's job-health rules, announced 2 Oct. by OSHA's head, Assistant Labor Secretary John H. Stender, were published Friday in the Federal Register (pp 35889-98). They include these main points:

- Emergency standards limiting exposure to 50 ppm are extended through 31 Dec. 1974 (they were due to expire 5 Oct.).
- As of 1 Jan., employers must reduce exposure levels to 1 ppm averaged over any eight-hour period and 5 ppm averaged over any period no longer than 15 minutes.
- Wearing of repirators will become mandatory on 1 Jan. 1976 for workers exposed to levels greater than the 1 ppm and 5 ppm limits, but wearing of respirators is discretionary before than for exposures greater than 25 ppm.
- "Regulated areas" should be set up where concentrations exceed permissible limits, with access limited to "authorized" workers.
- Workers may not handle liquid VCM.
- Monitoring and measuring programs are to be set up with "reasonable opportunity for employes or their representatives to observe these methods and procedures."
- Protective garments, respiratory protection devices, written emergency procedures, employe training and record-keeping must be provided.

Release of details of the new standards earlier in the week brought immediate reaction from the industry.

SPI and Hooker Chemical Co. asked the U.S. Circuit Court of Appeals in New York to carry out a judicial review of the OSHA guidelines. Firestone Plastics Co., has joined the Hooker suit in New York and has also filed its own action at the U.S. Circuit Court of Appeals in Cincinnati. B. F. Goodrich Chemical Co. and Dow are also seeking court reviews.

SPI president Ralph L. Harding Jr. said the SPI suit is "simply a petition for the court to review the OSHA standard and examine the important question of its feasibility."

He added that "we believe now, as we did when we presented our testimony to OSHA only two months ago" (PCN, 15 July 74, p 1), that "an excessively strict standard cannot be met by the industry. We also believe that the standard announced by OSHA is so restrictive that it merits immediate appeal."

Raymond H. Marks, president of Tenneco Chemicals, described the new standard as beyond the capability of industry to meet. "Every practical effort should be made to reduce worker exposure while preserving the industry and the jobs of workers," he said, "but this standard cannot effectively serve either goal."

Dow Chemical Co. also described the new standard as "unnecessarily stringent" and not supported by data presented at the OSHA hearing, observing that "our data, based on nearly 25 years of experience without any cases of liver cancer, indicates that the new standard is more restrictive than necessary to protect the health of our workers."

Dow also said it has voluntarily dropped exposure standards from 500 ppm to 50 ppm and that worker exposure in its plants generally is limited to less than 10 ppm.

Questioning whether the industry can "develop the technology to meet the level of 1 ppm and a 5 ppm ceiling in the time specified," Dow said it would "seek remedies through the judicial process."

Last month, the Environmental Protection Administration said it planned to go ahead on developing air emission standards for VCM despite a recommendation of its staff that VCM emissions pose "no imminent hazard" (PCN, 23 Sept 74, p 4).

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