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This pay only to Fleming
AMERICAN INDUSTRIAL HEALTH COUNCIL

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4-998-L-D

March 8, 1978

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LAW DEPT.

TO: AIHC MEMBERS

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MAR 16 1978

J. T. BARR

PLANS FOR DISTRIBUTION OF AIHC TESTIMONY

Gentlemen:

As you know, February 28th was the deadline for filing written comments and oral testimony of more than 15 minutes in connection with OSHA's proposed generic standard on carcinogenicity, the public hearings for which begin on May 16th. Attached for your information is a copy of AIHC's request to present testimony along with a list of its witnesses. Also attached is the AIHC paper which was filed last week with regard to the legal aspects of OSHA's proposal.

Copies of the full AIHC testimony, which includes the final Alternatives document, the full economic study by Foster D. Snell and the testimony of its scientific witnesses, will be provided to the designated contacts of each AIHC supporting company as well as to all of the trade associations with which AIHC has been working for the past few months.

have used!
In addition, members of all AIHC Committees and other involved individuals will receive a copy of both the AIHC Alternatives document and the Executive Summary of the Snell study. Members of Committees particularly involved in certain areas will also receive the full documents in their areas of interest, i.e. the full scientific testimony to the Scientific Committee, the full Snell study to the Economics Committee, etc. Additional copies of these materials will be available from AIHC at the cost of reproduction, i.e. approximately \$1.00 each for the Alternatives and for the Snell Executive Summary and \$5.00 each for the full Snell study and the full testimony of scientific witnesses.

Mailings of this material will be provided as soon as it is available from the printer with the first distribution expected to be on its way by Monday, March 13th, and all copies in the mails by Thursday, March 16th.

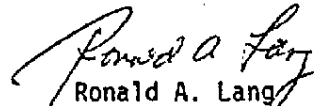
AIHC has also made arrangements to copy virtually all of the papers submitted to OSHA on February 28th (with only a few exceptions). This record approximates 25,000 pages. One copy of this record will be available at the offices of AIHC's Counsel, Cleary, Gottlieb, Steen & Hamilton,

AP00049557

1250 Connecticut Avenue, NW, Washington, DC, for use by the AIHC Committees. A second copy will be maintained at the AIHC Document Center at the Manufacturing Chemists Association, 1825 Connecticut Avenue, NW, Washington, DC, for use by AIHC participating companies. A third copy has been provided to the Society of the Plastics Industry and will be maintained at the offices of their Counsel, Keller and Heckman, 1150 17th, NW, Washington, DC, for use by AIHC participating associations.

AIHC will also shortly be mailing out to all designated contacts and participating associations information kits which will be useful in discussing the OSHA issue within your companies, with customers and suppliers and with labor unions and hourly-paid employees. The initial mailing of these kits will be to designated contacts and a few other individuals within each company, but quantities of the kits will be available shortly thereafter for wide distribution.

Sincerely,


Ronald A. Lang
Executive Director

Encl.

AP00049558

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February 28, 1978

BY HAND

OSHA Division of Consumer Affairs
Docket No. H-090
Room N 3635
U. S. Department of Labor
Third Street & Constitution Ave., N.W.
Washington, D. C. 20210

Re: Generic Carcinogen Proposal

Dear Sirs:

In accordance with the procedures outlined in the Federal Register of October 7, 1977 (42 Fed. Reg. 54147) as amended, we are filing herewith in quadruplicate on behalf of our client, the American Industrial Health Council (AIHC), the following:

- (1) Notices of intent (notice) to appear, testimonies and supporting documents for the following witnesses as follows:
 - (a) Introductory witness
 - (1) Paul Orefice - Notice and testimony
 - (b) Scientific Witnesses
 - (1) Robert E. Olson - Notice and testimony
 - (2) Francis J. C. Roe - Notice and testimony
 - (3) Richard Wilson - Notice and testimony
 - (4) David Brusick - Notice and testimony
 - (5) Ronald W. Hart - Notice and testimony
 - (6) R. F. Crampton - Notice and testimony

AP00049559

- (7) Paul Grasso - Notice and testimony
 - (8) George Claus - Notice and testimony
 - (9) A. E. M. McLean - Notice and testimony
 - (10) Bernard L. Oser - Notice and testimony
 - (11) Leonard Goldwater - Notice and testimony
 - (12) Johannes Clemmesen - Notice and testimony
 - (13) Frank C. Lu - Notice and testimony
 - (14) Robert Murray - Notice and testimony
 - (15) James H. Jandl - Notice and testimony
 - (16) H. G. S. Van Raalte - Notice and testimony
 - (17) T. Colin Campbell - Notice and testimony
- (c) Alternatives Panel
- (1) Elwood P. Blanchard and Fred Hoerger will lead the panel - Notice and "AIHC Recommended Alternatives to OSHA's Generic Carcinogen Proposal (Alternatives)"
- (d) Economics Panel
- (1) George Dominguez will lead the panel - Notice and report by Foster D. Snell entitled "Preliminary Estimates of Direct Compliance Costs and Other Economic Effects of OSHA's Generic Carcinogen Proposal on Substance Producing and Using Industries"

The above-referenced AIHC Alternatives and the Snell report contain the full text of the testimonies of the Alternatives and Economics Panels. The panels will draw from them in their oral presentations.

- (2) Legal objections to the OSHA proposal and procedures.

AP00049560

For your convenience attached hereto is a summary sheet of AIHC witnesses and the amounts of time requested for them.

Respectfully,



Robert C. Barnard
Counsel to the
American Industrial Health Council

P.S. Due to mailing and other delays, the Notice of Intent to Appear for James Jandl and his testimony is not available for filing prior to the close of business at OSHA today. Copies will, however, be mailed and postmarked prior to the end of the day.

Attachments

AP00049561

CLEARY, GOTTlieb, STEEN & HAMILTON

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Summary Sheet of AIHC Witnesses

Introductory Remarks

Paul Oreffice

1/2 hour

Scientific Witnesses

Robert E. Olson

1-1/2 hours

Francis J. C. Roe

1-3/4 hours

Richard Wilson

1-1/2 hours

David Brusick

3/4 hour

Ronald W. Hart

3/4 hour

R. F. Crampton

1/4 hour

Paul Grasso

1/4 hour

George Claus

1-1/2 hours

A.E.M. McLean

3/4 hour

Bernard Oser

1/2 hour

Leonard Goldwater

1/2 hour

Johannes Clemmesen

3/4 hour

Frank C. Lu

1/4 hour

Robert Murray

1/2 hour

James H. Jandl

3/4 hour

H.G.S. Van Raalte

1 hour

T. Colin Campbell

1/4 hour

Alternatives Panel

Elwood P. Blanchard and Fred Hoerger
will lead the panel

2-1/2 hours

Economics Panel

George Dominguez will lead the panel

3 hours

AP00049562