

B.F.GOODRICH CHEMICAL COMPANY

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Date: January 5, 1976

From: R. M. Montgomery

Subject: Vinyl Chloride Physical Examinations

Enclosed for your review and information are copies of a recent Wall Street Journal article and a Bureau of National Affairs publication relating to medical examinations for people working with or near vinyl chloride.

Of particular interest is the ruling by OSHA contained in the BNA publication.

After you have made note of this information, please send it to your Industrial Relations Manager for his review and filing.

Also, please keep me informed of situations where people refuse to take the examinations we offer.

RMM:sc

cc: E. W. Harrington
G. Pow



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Wall Street Journal 12-30-75

WORKERS CAN SKIP medical tests
given at work, a union finds.

Although new federal job safety and health standards require employers to offer free medical screening to employees exposed to various chemicals, the workers needn't submit to the tests. The United Rubber Workers union says the Labor Department ruled three of its members in a Pottstown, Pa., vinyl chloride plant acted legally when they balked at tests for liver cancer.

Two of the Pottstown dissenters were tested by their own doctors, but submitted "statements of suitability" instead of test data. Despite the ruling, the union reminds members "we fought for" the health standards and urges them to "cooperate and participate in medical surveillance programs."

At a Rubber Workers local in New Jersey, members are balking at having risky liver biopsy operations to check damage from another chemical, vinylidene chloride.

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federal program, subject to stringent further evaluation of actual effectiveness — the only real test of personnel and resource efficiency — before final approval is made, the Labor Department's brief asserted. That test also accomplishes Congress' aim of expanding and integrating nationwide enforcement, according to the Labor Department, and is the only test which provides a determinate yardstick for measuring the sufficiency of submitted plans' personnel and resources.

Asbestos

OSHA EXTENDS COMMENT PERIOD FOR PROPOSED RULE ON ASBESTOS

The period of public comment on proposed revisions to the rule for occupational exposure to asbestos was extended by the Occupational Safety and Health Administration to February 9, 1976.

The notice of extension of the comment deadline appeared in the Federal Register on December 17. The revisions, which were proposed by OSHA on October 9, would reduce the permissible exposure limit to an eight-hour time-weighted average of 0.5 fibers per cubic centimeter of air except for construction activities (Current Report, October 16, p. 638). The original deadline for filing public comments expired on December 8.

As originally directed, comments must be submitted in quadruplicate to the Docket Officer, Docket H-033, U.S. Department of Labor, Room N-3620, 3rd & Constitution Ave., N.W., Washington, D.C. 20210, telephone 202-523-9076. The data, views, and arguments will be available for public inspection and copying at this address.

The Federal Register notice also includes typographical changes to the proposed revision.

Noise

ECONOMIC IMPACT REPORT BY BBN SHOULD BE DELIVERED TO OSHA SOON

After a month of delay, the second economic analysis prepared by Bolt Beranek and Newman, Inc., for the Occupational Safety and Health Administration on workplace noise standards is expected to be delivered to OSHA soon.

The report includes an inflation impact statement which should be released in January by the agency for 45 days of public comment after it is reviewed by OSHA staff.

An economic analysis and inflation impact study were developed by BBN for five alternative noise standards: (1) a 90 dBA limit with a three-year compliance period, (2) a 90 dBA limit with hearing protection conditionally acceptable, (3) an 85 dBA limit within five years, (4) an 85 dBA limit within 10 years, and (5) an 85 dBA limit within 15 years (Current Report, October 9, p. 584).

Beryllium

OSHA EXTENDS COMMENT PERIOD ON PROPOSED RULE FOR BERYLLIUM

The period of public comment on a proposed rule for occupational exposure to beryllium was extended by the Occupational Safety and Health Administration to February 2, 1976.

The notice of extension of the comment deadline appeared

in the Federal Register on December 17. The rule, which was proposed by OSHA on October 17, would limit worker exposure to beryllium to an eight-hour time-weighted average of one microgram per cubic meter of air (Current Report, November 6, p. 801). The original deadline for filing public comments expired on December 16.

As originally directed, comments must be submitted in quadruplicate to the Docket Officer, Docket H-005, U.S. Department of Labor, Room N-3620, 3rd & Constitution Ave., N.W., Washington, D.C. 20210, telephone 202-523-8076. The data, views, and arguments will be available for public inspection and copying at this address.

The Federal Register notice also includes typographical changes to the proposal.

Trichloroethylene

OSHA EXTENDS COMMENT PERIOD FOR PROPOSAL ON TRICHLOROETHYLENE

The period of public comment on a proposed rule for occupational exposure to trichloroethylene was extended by the Occupational Safety and Health Administration to February 20, 1976.

The notice of extension of the comment deadline appeared in the Federal Register on December 17. The rule, which was proposed by OSHA on October 20, would maintain worker exposure to trichloroethylene at the present level of 100 parts per million parts of air on an eight-hour time-weighted average while reducing the ceiling limit from 200 to 150 ppm and eliminating the current 300 ppm peak concentration (Current Report, October 23, p. 733).

As originally directed, comments must be submitted in quadruplicate to the Docket Officer, Docket H-048, U.S. Department of Labor, Room N-3620, 3rd & Constitution Ave., N.W., Washington, D.C. 20210, telephone 202-523-8076. The data, views, and arguments will be available for public inspection and copying.

The Federal Register notice also includes typographical changes to the proposal.

Vinyl Chloride

~~LABOR DEPARTMENT RULES NO WORKERS ARE NOT REQUIRED TO TAKE EXAMINATIONS~~

Employees are not required to submit to medical examinations when they work with or near vinyl chloride, though the Occupational Safety and Health Administration standard requires that such examinations be made available by employers, according to Labor Department Associate Solicitor Benjamin Mintz.

Mintz interpreted the provisions of the vinyl chloride standard in a December 4 response to a query by Peter Bommarito, president of the International United Rubber, Cork, Linoleum, and Plastic Workers of America. The medical examinations are mandated by Section 1910.1017(k) of the standard (Reference File 31:8345), which states "a program of medical surveillance shall be instituted for each employee exposed, without regard to the use of respirators, to vinyl chloride in excess of the action level. The program shall provide each such employee with an opportunity for examinations and tests in accordance with the paragraph. All medical examinations and procedures shall be performed by or under the supervision of a licensed physician, and shall be provided without cost to the employee."