

JOSEPH E. KELLER
JEROME H. HECKMAN
CHARLES M. MEEHAN
WILLIAM H. BORGHESE, JR.
ROBERT R. TIERNAN
WAYNE V. BLACK
DAVID L. HILL
MARTIN W. BERCOVICI
JOHN S. ELDRED
JOSEPH E. HADLEY, JR.
CAROLE C. HARRIS
MICHAEL F. MORRONE
LARRY S. SOLOMON
JOHN B. DUBECK
CHRISTINE A. MEAGHER
SHIRLEY S. FUJIMOTO
LAWRENCE P. HALPRIN
DEBORAH SHUR TRINKER
C. DOUGLAS JARRETT

LAW OFFICES
KELLER AND HECKMAN
1150 17TH STREET, N. W.
SUITE 1000
WASHINGTON, D. C. 20036

February 5, 1978

TELEPHONE
202 457-1100
CABLE ADDRESS "KELMAN"
WRITER'S DIRECT DIAL NUMBER

(202) 457-1116

To: SPI-PVC Safety Group
SPI-PVC Health Committee
SPI-PVC Communications Committee

Re: OSHA Request for Information on
Vinyl Chloride and Polyvinyl Chloride

Ladies and Gentlemen:

Following up on our January 4, 1980 letter concerning the above-referenced Request for Information published by the Occupational Safety and Health Administration (OSHA), the purposes of this communication are to advise you that: 1) the filing date for responding to that Request for Information has been extended to May 9, 1980; 2) that some information which might be of interest to OSHA will be forthcoming from individual companies which would like to see the data submitted under the auspices of SPI; 3) that both SPI-Canada and APME (the European plastics trade association) will be coordinating with SPI regarding any submissions that are made; and 4) that plans for industry participation in the March 20-21, 1980 Symposium are nearing completion.

As was indicated in our January 4 letter, we asked OSHA informally about the possibility of extending the February 10, 1980 filing deadline for its Request for Information. As reported, the Agency had reacted favorably to a request for an extension of time when we first contacted the staff. Then, prior to the time when we could prepare and submit a formal request for an extension of time we were informed that it would not be necessary for us to file such a request because an internal decision had been made at OSHA to extend the time by 90 days and to publish the Notice of Extension in the Federal Register. In case you did not see it, we are enclosing a copy of that Notice as it appeared at 45 Fed. Reg. 668, January 29, 1980.

21521001

RECEIVED

FEB 6 1980

H. J. FAST

BFG52094

February 5, 1980
Page Two

The new deadline for submitting written comments is May 9, 1980. The matter of responding to the Request for Information within that timeframe will be discussed by the Health Committee at its meeting on February 7 and we anticipate that a recommendation will be made to the Steering Committee at its meeting on February 8, 1980.

As to a specific response to the Request for Information, we have been advised by several companies that they intend to file individual responses. Several of these companies and others have requested that they be permitted to send information to SPI for an industry-wide filing. We have also been contacted by a Canadian producer which intends to file its comments through SPI-Canada and request that SPI-Canada coordinate its filing in some way with any comments filed by the PVC Safety Group. Similarly, we are informed that APME will consider filing a response to the Request in conjunction with any SPI filing. These subjects are also likely to be discussed by both the Health Committee and the Steering Committee later this week. Accordingly, some time early next week we hope to be able to inform you about any "game plan" which pertains to an SPI response.

Also covered in our January 4, 1980 letter, was the fact that OSHA is planning a Symposium on PVC for March. More specifically, "A Re-evaluation of the Toxicity of Vinyl Chloride, Polyvinyl Chloride and Structural Analogues" will be held on March 20 and 21, 1980 in the Masur Auditorium, Bldg. 10, Clement Center located in the National Institutes of Health campus in Bethesda, Maryland. The topics to be covered are the same as those detailed in our January 4 letter. Program announcements and specific titles of presentations are not yet out.

In following up with the Agency staff regarding whether SPI and/or the Chemical Manufacturers' Association (CMA) would wish to offer speakers for this conference, with great difficulty the Health Committee assembled a list of speakers in which we thought the Agency would be interested. Our difficulties involved a lack of adequate notice relative to being able to find people still available to present reports, a short time in which to prepare reports for the Symposium, and a 15 minute limit on the length of presentations. Nonetheless, the Health Committee was able to compile a list of authors who would be willing to present papers at the Symposium. This list was submitted to the Agency. Because some of the subjects were already being covered, because some of the information which could be addressed involved

21391002

BFG52095

February 5, 1980
Page Three

the re-presentation of old papers in which the Agency was not interested, or because they had already been invited by the Agency, only two of the industry-offered speakers were accepted.

The first of these is Dr. Anthony Seaton, Director of the Institute of Occupational Medicine at the University of Edinburgh. The Institute of Occupational Medicine recently completed a study for Imperial Chemical Industries, Ltd. on workers exposed to PVC dust. The second is Dr. Clark Cooper, one of the original authors of the Tabershaw-Cooper study of the PVC fabricating industry. The Agency had specifically asked that SPI find someone such as Dr. Cooper to present a paper on the final results of the Equitable Environmental Health study completed for CMA in January 1978.

Other SPI-offered speakers who will not be sent invitations were Dr. John Stafford of ICI, Dr. Thomas Downs of the University of Texas School of Public Health and Dr. Tassignon of Solvay & Cie. In addition, Dr. Tamboro of the University of Louisville and Dr. Chiazzi of Georgetown University were on our "list" but were also invited by OSHA.

Obviously, there is considerable information about the Symposium which has not yet been made available to us by OSHA but, as always, as soon as we get more detail we will send it to you.

Finally, with regard to the bibliography of materials in the Agency files, an extensive list of documents was provided to us by OSHA and the same was distributed to members of the Health Committee. The next step is for the Health Committee to approve of a procedure for determining which studies are currently unavailable to industry so that they can be obtained from the Agency. We anticipate that this matter will also be taken up at the forthcoming meeting of the Health Committee.

As always, should you have any questions, comments, suggestions or need any further information, please do not hesitate to let us know.

Cordially yours,

Joseph E. Hadley, Jr.
Joseph E. Hadley, Jr.

Enclosure

cc: Mr. Ronald Evason
Mr. Joseph T. Seawell

BFG52096

200728572

DEPARTMENT OF LABOR

Occupational Safety and Health
AdministrationOccupational Exposure to Vinyl
Chloride and Polyvinyl Chloride

AGENCY: Occupational Safety and
Health Administration, Department of
Labor.

ACTION: Extension of time for written
comments.

SUMMARY: This notice extends the time period for submission of written comments in response to a request for information on vinyl chloride and polyvinyl chloride which was published on December 18, 1979 (44 FR 74928). The December 18 notice had requested the submission of written comments not later than February 10, 1980. Subsequently, several interested parties requested extension of the deadline by which their comments should be submitted. These requests were based on the need for additional time to coordinate efforts within the industrial groups to collect and collate the information requested in a manner that would be most beneficial to all parties concerned. OSHA finds validity in these requests and has granted an extension of time to submit written comments. Written submissions should be received by the OSHA Docket Officer, no later than May 9, 1980.

DATE: The period for submitting written comments is extended to May 9, 1980.

ADDRESS: The information requested on December 18, 1979 (44 FR 74928) should be submitted to the Docket Officer, Docket No. H-034, Room S6212, U.S. Department of Labor, OSHA, 200 Constitution Ave., N.W., Washington, D.C. 20210, (202) 523-7894.

FOR FURTHER INFORMATION CONTACT:
Dr. Peter Infante, Office of Carcinogen
Identification and Classification,
Directorate of Health Standards
Programs, Room N3718, U.S. Department
of Labor, OSHA, 200 Constitution Ave.,
N.W., Washington, D.C. 20210;
Telephone (202) 357-0325.

21581004

BFG52097