

safety of miners working with diesels because "neither engine and equipment manufacturers nor the mining industry have adequate economic incentive to undertake this kind of research." MESA told the subcommittee.

Barrett said that mines opened before the Coal Mine Health and Safety Act of 1969 have had to be retrofitted for ventilation and methane control, respirable dust control, and roof control. Plans for new mines are "progressively better engineered for health and safety as well as production."

The MESA administrator added that the agency plans to propose standards requiring coal mine operators to adopt training programs for miners. The National Mine Health and Safety Academy at Beckley, W. Va., to be dedicated formally on August 17, will serve as a national focal point for education and training in the minerals industry.

NIOSH Testimony

About \$3.7 million of NIOSH's fiscal 1976 budget of \$41.6 million was allocated for coal mine health research, Edward J. Baier, deputy NIOSH director, told the subcommittee. Another \$1.1 million was allocated for related services.

In response to a December 1975 General Accounting Office report questioning the reliability of NIOSH's air-sampling equipment and procedures (Current Report, January 15, p. 1113), NIOSH and MESA will conduct a joint study during fiscal 1977 to determine whether the equipment and procedures used in underground coal mines are reliable, Baier said. They proved reliable under controlled laboratory conditions.

Operators of new and existing underground coal mines should develop a unified plan to assure the fulfillment of their health-related responsibilities, Baier said. Also, the health and safety effect of any new technology should be evaluated before its introduction into the workplace.

Litigation

LABOR DEPARTMENT APPEALS RULING ON REFUSAL TO PERFORM HAZARDOUS WORK

The Secretary of Labor has appealed a federal district judge's ruling that employees who refuse to work in clearly hazardous conditions are not protected under the anti-retaliation provisions of the Occupational Safety and Health Act from discrimination by their employer.

Notice of appeal to the U. S. Court of Appeals for the Sixth circuit has been filed in the case of *Usery v. Whirlpool Corporation*. U. S. District Judge Don J. Young of the Northern District of Ohio had denied the secretary's request under Section 11(c) of the Act for back pay for the complaining employees (4 OSHC 1391; Current Report, July 9, p. 187).

Research

NIOSH REQUESTS NEW INFORMATION FOR UPDATE OF CRITERIA DOCUMENTS

Data on chemical and physical agents are being solicited by the National Institute for Occupational Safety and Health for the update and revision of 13 criteria documents.

NIOSH is seeking new data related to the following areas: establishment of safe occupational environmental levels; establishment of biological standards; engineering controls; personal protective devices; sampling methods; medical examinations; work practices; employee records; and warning devices and labels.

A \$77,650 contract was recently awarded by NIOSH to the Syracuse Research Corporation to review and evaluate literature the support the revision of the 13 criteria documents (Current Report, July 15, 220). The following criteria documents will be revised:

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| ▶ Hot environments. | ▶ Inorganic Mercury. |
| ▶ Carbon monoxide. | ▶ Vinyl chloride. |
| ▶ Noise. | ▶ Sulfuric acid. |
| ▶ Ultraviolet radiation. | ▶ Ammonia. |
| ▶ Inorganic Lead. | ▶ Cotton dust. |
| ▶ Coke ovens. | ▶ Silica. |
| ▶ Toluene. | |

Persons desiring to submit information should forward data with accompanying documentation to the Director, Division of Criteria Documents and Standards, Development, NIOSH, 5600 Fishers Lane, Park Building, Room 3-18, Rockville, Md. 20852, within 30 days.

Correction

SUBSTANCE GUIDELINES ISSUED BY OSHA INCLUDE PERMISSIBLE EXPOSURE LEVELS

Guidelines to employers issued by the Occupational Safety and Health Administration to protect employees exposed to lead, mercury, and crystalline silica included existing as well as recommended exposure levels.

The present permissible exposure level for lead is 200 $\mu\text{g}/\text{m}^3$, expressed as a time-weighted average airborne concentration for an eight-hour period. OSHA proposed a reduction in the permissible exposure limit to $\mu\text{g}/\text{m}^3$, which was reported incorrectly because of a typographical error in the July 29 Current Report, page 267.

The present permissible exposure limit to airborne mercury is 1 $\text{mg}/10\text{m}^3$ (1 mg/m^3) expressed as a time-weighted average concentration for an eight-hour period. The National Institute for Occupational Safety and Health has recommended the exposure limit be lowered to 100 $\mu\text{g}/\text{m}^3$.

The text of the three sets of guidelines appeared in the July 29 Current Report.

Meetings

ADVISORY COMMITTEE SCHEDULES SESSIONS ON OSHA DIVING STANDARD

A public meeting on a permanent diving standard proposed by the Occupational Safety and Health Administration will be held by the Advisory Committee on Construction Safety and Health on August 9-10.

The meeting will be held to consider and make recommendations to the assistant secretary for OSHA on the diving standard, which was issued on June 15. The meetings will begin at 9 a.m. in Conference Room B, Departmental Auditorium, Constitution Avenue between 12th and 14th Sts., N.W., Washington, D.C.

Written data, views, or arguments may be submitted, preferably with 20 copies, to the Committee Management Office, J. Goodell, OSHA, Room N-3635, 3rd St. and Constitution Ave., N.W., Washington, D.C. 20210.

Anyone wishing to make an oral presentation at the meeting should contact the committee office, stating the amount of time desired, the capacity in which the person will appear, and a brief outline of the content.