



NATIONAL SAFETY COUNCIL OSHA UP TO DATE

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OSHA Considering Emergency Asbestos Standard

While more than a dozen petitions from labor groups seeking an emergency temporary standard on asbestos remain unanswered, OSHA chief Thorne Auchter told the Asbestos Information Association's Eighth Industry-Government Conference in September that evidence of asbestos' cancer-causing potential is "overwhelming and unequivocal."

Auchter said that workers are now being exposed to dangerous levels of the substance, but contended that the term "emergency" must be dealt with legally, not emotionally. An ETS must meet narrowly circumscribed legal provisions, he said, and if an ETS is issued for asbestos, it will be a performance standard that allows compliance by any combination of engineering controls, work practices, and respirators.

Earlier in September, a risk assessment was prepared by OSHA's Office of Carcinogen Standards in conjunction with Dr. William Nicholson of the Environmental Sciences Laboratory of the Mt. Sinai School of Medicine in New York City. The study concluded that lowering the exposure limit to 0.5 would reduce lung cancer deaths resulting from a 20-year exposure from 2,713 to 692 per 100,000 workers. At a limit of 0.1, the study said, lung cancer deaths resulting from the same time period would drop to 139 per 100,000 workers.

Auchter has been meeting with Labor Secretary Raymond J. Donovan and three of his staff advisors to resolve the asbestos issue. OSHA is expected to issue a revised standard in the near future.

OSHA Proposes Model Training Guidelines

OSHA has proposed a set of model training guidelines for employers to provide employees more information and instruction on recognizing, avoiding and preventing unsafe and unhealthful working conditions. OSHA chief Thorne Auchter said the proposed guidelines are "designed to help employers provide the information necessary for employees to work at minimal risk." Workers can do much to protect themselves if they are aware of the hazards in their workplaces, Auchter said.

Currently, more than 100 of OSHA's standards contain training requirements, but many of them do not provide employers with detailed information on how to comply. OSHA says the proposed guidelines will help employers develop, conduct, evaluate and revise training programs for combatting any type of occupational safety and health hazard identified in the workplace.

OSHA says the guidelines will help employers identify if training is needed, to determine the training content, prepare instructional objectives, develop learning activities, conduct the training, evaluate program effectiveness, and revise the program. Auchter pointed out that the guidelines are voluntary and are not intended

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as a basis for mandatory requirements. He said the guidelines can be used to supplement the employer's other education and training activities.

Notice of the model guidelines appeared in the August 30, 1983, *Federal Register*.

OSHA Names Seven to Advisory Committee

OSHA has reappointed four and named two new members to two-year terms on the National Advisory Committee on Occupational Safety and Health (NACOSH). A third new member will serve a one-year term.

Public representative Joyce C. Hearn, a South Carolina legislator from Columbia, will continue to serve as chairperson. Also reappointed were management representative Dr. Bruce Karrh, DuPont & Co., Inc., Wilmington, Del.; safety representative B. Gawain Bonner, Tenneco, Inc., Houston, Tex.; and health representative Dr. Marcus Key, University of Texas School of Public Health, Houston, Tex.

New two-year appointments are labor representative R.V. Durham, International Brotherhood of Teamsters, Chauffeurs, Warehouse & Helpers of America, Washington, D.C.; and health representative William E. McCormick, formerly with the American Industrial Hygiene Association, Akron, Ohio. Robert B. Taylor, Tennessee Department of Labor, Nashville, Tenn., will serve as public representative for one year, completing the term of Russell B. Swanson, formerly Minnesota Commissioner of Labor, who resigned to become OSHA regional administrator in San Francisco.

Frank R. Barnako, Chairman of the Board of the National Safety Council, is also a member of the committee which consults with and makes recommendations to the Secretaries of Labor, and Health and Human Services on the administration of the OSHA Act.

Reagan Administration Has Shackled OSHA, Nader Charges

Ralph Nader, consumer advocate, has charged that "the Reagan Administration, using code words such as 'voluntary compliance' and 'nonadversarial,' has shackled OSHA and changed it from an enforcement agency against industrial hazards to an industry-indentured, demoralized bureaucracy." Nader said the Administration "pretends that safe working conditions can best be achieved through a 'cooperative relationship' between business and government. But workers have learned that...this euphemism - 'cooperation' - means less government protection in all directions, from inspections to issuing standards to compliance actions."

Accompanying Nader's statement was a report by the Center for the Study of Responsive Law, which accused OSHA of "bureaucratic surrender" to "powerful corporate disinterests in advancing safety and health" in the workplace. The report, among other things, stated that (1) the number of workers "guaranteed protection" dropped 40 per cent between 1980 and 1982 as a result of the policy of "targeting" inspections; (2) the number of inspections resulting from worker complaints dropped 58 per cent in the same period; (3) OSHA failed to issue new workplace exposure standards for a variety of chemicals.

Thorne G. Auchter, Assistant Secretary of Labor for OSH, issued a statement, calling the report "a collection of lies, distortions and generalizations based on isolated and unrepresentative cases, wrapped in the philosophy that the free enterprise system is out to squeeze profits from the very blood and bones of workers. That is a philosophy foreign to the ideals of President Reagan and most Americans. This Administration does not accept the Ralph Nader belief that government should exist as an adversary."

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Philip Simon, the Report's compiler, stated elsewhere that OSHA's activities "signal industry that OSHA no longer takes its enforcement efforts seriously," based "on the belief that the private sector will voluntarily maintain safe conditions for workers." Instead, he said, "the Administration has launched an ambitious deregulatory program that sacrifices workers' health and safety and makes it easier for employers to sidestep the laws protecting millions of workers."

Drug and Alcohol Ban Among Railroad Workers Called For

Patricia Goldman, Vice Chairman of the National Transportation Safety Board, called for Federal rules banning use of drugs and alcohol by railroad employees for a specified period before reporting to work and while on duty. "The time has now come for action..."

The Federal Railroad Administration issued a notice of proposed rulemaking to make all truck safety standards applicable to trucks used to provide commuter or short-haul passenger service in a metropolitan or suburban area. Eight major cities would be included.

Auchter Promises EDB Standard Soon

OSHA chief Thorne Auchter told the House Education and Labor Subcommittee that his agency would issue a final standard lowering the exposure limit for ethylene dibromide by early 1984. Auchter said that OSHA was not doing any work on EDB when he took office, but has since "worked as expeditiously as we can, given all the constraints," in order to come forth with a proposal for public comment.

The agency's notice of proposed rulemaking -- which covers exposure monitoring, employee education and training, hygiene practices, methods of controlling exposure through engineering and respirators, medical surveillance, recordkeeping and emergency plans -- is being reviewed by the Office of Management and Budget.

Currently, the standard adopted in 1971 allows exposure levels of 20,000 parts per billion over an eight-hour day. Auchter did not say what exposure level is included in the proposal, but an earlier draft would have lowered it to 100 parts per billion.

Subcommittee Chairman George Miller (D-Calif.) was critical of Auchter's efforts on EDB, saying he has not taken any action to further control its use and has not given adequate notice to employees concerning the health effects of the chemical. Miller contrasted OSHA's performance with his own state's "prompt and effective action" in issuing an emergency standard "150 times more stringent than the federal government's 12-year-old requirement." California's ETS, which was issued in 1981 and became a permanent standard in 1982, requires that workplace exposure to EDB not exceed an eight-hour TWA of 130 parts per billion.

Several unions and NIOSH have asked OSHA to issue an ETS on the chemical, but the agency has maintained that there isn't enough information to meet the statutory criteria. An ETS, Auchter said, would have been stayed by the courts.

Inspections Outdistancing Goals, OSHA Says

OSHA says that based on the number of inspections for the first six months of fiscal year 1983, it will exceed its original goal of inspecting 63,500 workplaces this year, significantly increasing the number devoted to high-hazard operations. In the general schedule category, inspections rose from 22,412 during the first half of FY 1982 to 27,814 in the first six months of this year -- an increase of nearly 25 per cent.

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OSHA chief Thorne Auchter said the agency is continuing to increase both the number and the percentage of the agency's inspections devoted to worksites with higher than average injury rates. By giving priority to those companies in hazardous industries, he said, OSHA is most likely to make the greatest possible impact on safety and health in the workplace.

During the first half of FY 1983, OSHA inspected 32,093 workplaces. Walk-around inspections accounted for 83 per cent of the total, while injury records review indicated no further OSHA investigation was required for 17 per cent of the companies visited. Of the total, 87 per cent were "general schedule" inspections -- those targeted by the agency toward companies in industries which have higher than average incidence rates for serious workplace injuries. About 80 per cent of OSHA's inspections during the first half of FY 1982 fell into this category. OSHA also continued its emphasis on inspections in the construction industry, the most hazardous of the major industry sectors. The 15,021 construction inspections OSHA conducted in the first half of FY 1983 represent 46 per cent of total, compared with 12,300 inspections and 44 per cent of the total for the same period in 1982.

New Directions Grants Total \$3.02 Million

OSHA has awarded a total of \$3.02 million in grants to labor, management, academic and other nonprofit groups providing job safety and health services. Most of the 43 groups have identified a serious problem in industry and developed programs to solve it, although the grants also fund different projects.

Of those receiving grants, 20 are labor groups, eight are employer associations, and five are universities. Ten other groups also received grants. The 43 grantees are contributing about \$5 million of their own money to the projects.

The New Directions grants are designed to allow grantees to develop their skills and staff so they can eventually become self-sufficient.

Free Booklets Available From OSHA

OSHA is offering two free booklets to employers. "OSHA: Safety and Health Is Our Middle Name" describes the OSHA Training Institute, New Directions grants, onsite consultations and voluntary protection programs.

"Personal Protective Equipment" helps employers and employees select, use and maintain protective equipment worn in the workplace. It covers the types of equipment most commonly used to protect a worker's head, including the face, eyes, and ears; torso, arms, and hands; legs and feet; and respiratory tract. It also addresses devices used for protection against other life-threatening hazards.

The pamphlet's discussion of the selection, fitting, inspection, and maintenance of personal protective equipment is largely general in nature and is designed to complement the information and requirements in OSHA's mandatory regulations. The booklet also references key voluntary standards and safety recommendations.

For one free copy of "OSHA: Safety and Health Is Our Middle Name" or "Personal Protective Equipment," write to the OSHA Publications Office, Room N-4101, Third St. and Constitution Ave., N.W., Washington, D.C. 20210. A self-addressed envelope or mailing label should be enclosed with the request.

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