

VC standards

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JAN 12 1981  
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\* OHIO BAR ONLY  
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To: The SPI-PVC Safety Group

Re: Oregon Occupational Safety and  
Health Standard for Vinyl Chloride

Ladies and Gentlemen:

In April, 1980, the state of Oregon approved an occupational safety and health standard for vinyl chloride so that the State standard would be "as effective" as the federal Occupational Safety and Health Administration ("OSHA") standard. Subsequently, OSHA recognized the Oregon State standard as part of the approved State Plan. In the Federal Register notice publicizing its approval of the Oregon standard, OSHA incorrectly stated that the Oregon standard applied to the "use of fabricated products made of polyvinyl chloride, while the Federal standard does not provide this coverage." 45 Fed. Reg. 81132 (Dec. 9, 1980). Apparently relying on the Federal Register notice, the Occupational Safety and Health Reporter published by the Bureau of National Affairs ("BNA") also incorrectly reported that the Oregon standard applied to fabricated products. In fact, as explained below, the Oregon standard does not apply to fabricated products.

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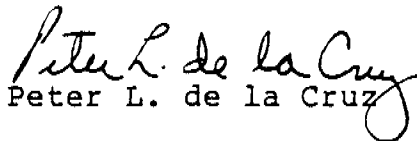
The Oregon standard applies where vinyl chloride may be released into the air during the manufacture or use of vinyl chloride or polyvinyl chloride. Polyvinyl chloride is defined as polyvinyl chloride homopolymer or copolymer "before conversion to a fabricated product." Thus, because the definition of polyvinyl chloride excludes fabricated products, the Oregon standard does not apply to fabricated products made from polyvinyl chloride.

I confirmed this reading with the Oregon occupational safety and health administrators. OSHA's Federal Register notice was prepared by Region X in Seattle, Washington. After I explained the definitional sections, the author admitted that the Federal Register notice was incorrect. Because the requirements of this standard have been misreported, I am enclosing a copy of the standard for your use should you receive inquiries from downstream processors. The applicable portions can be found under sections 131-004(4) and 131-005(7).

The Oregon standard does differ from the federal standard in one particular. Both standards require medical surveillance of employees exposed to vinyl chloride in excess of the action level, which is 0.5ppm averaged over an 8-hour work day. Under the federal standard, when the required tests show abnormalities, the tests are required to be repeated as soon as practicable and if the tests remain abnormal consideration should be given to withdrawal of the employee from contact with vinyl chloride pending a more comprehensive examination. In contrast, under the Oregon standard if the second set of tests remain abnormal the employee must be removed from contact with vinyl chloride while a more comprehensive examination is made. It does not appear that this difference between the federal and Oregon standards is of significant consequence.

If you have any further comments, or if I can be of any further assistance, please feel free to contact me.

Cordially yours,

  
Peter L. de la Cruz

cc: Thomas J. McGrath (w/o encl.)  
John R. Lawrence

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