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June 17, 1974

Ms. Joanne Goodell
Attn: Docket OSH-36
Occupational Safety and Health
Administration
U. S. Department of Labor
1726 "M" Street, N. W.
Room 200
Washington, D. C. 20210

Re: Notice of Intention to Appear
and Present Evidence; Occupa-
tional Exposure Standard.

Dear Ms. Goodell:

Responsive to the May 24, 1974 Hearing Notice published by the Occupational Safety and Health Administration of the Department of Labor in Docket OSH-36 (39 Fed. Reg. 102, p. 18303), this is to advise you of the intention of The Society of the Plastics Industry, Inc. (SPI)^{1/} to appear through its officers, various members and counsel to present comprehensive testimony relative to OSHA's proposed permanent standard concerning vinyl chloride. It is the intention of the Society to provide OSHA with an integrated presentation involving a group of witnesses expert in all of the relevant areas to be considered with respect to the standard in question. It is believed that such an integrated presentation, which we fervently hope, and indeed urge that OSHA consider hearing before other industry witnesses appear in these proceedings, will serve to expedite the Hearing and provide perspective relative to other testimony to be presented independently by witnesses appearing on their own or individual companies' behalf.

^{1/} The Society of the Plastics Industry, Inc. (SPI) is a Corporation organized under the Not-for-Profit Corporation Law of the State of New York. It is composed of approximately 1400 member companies and individuals who supply raw materials; process or manufacture plastics or plastics products; engineer or construct molds or similar accessory equipment for the plastics industry; and engage in the manufacture of machinery used to make plastics products or materials of all types.

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In keeping with this objective, the Society plans to make available the following list of witnesses to testify on the subjects indicated.^{2/}

1. Mr. Ralph L. Harding, Jr., President of The Society of the Plastics Industry, Inc. Mr. Harding will begin by explaining the nature, interests and role of SPI in the instant proceedings. He will identify the SPI constituency in this matter and the Society's general position relative to assuring employee and public safety where plastics raw materials and products are concerned.
2. Jerome H. Heckman, Esquire, General Counsel of The Society of the Plastics Industry, Inc. Mr. Heckman's presentation will begin the SPI case in chief. After an opening statement regarding a summary of the evidence to be adduced by the Society, Mr. Heckman will address the legal issues implicit in the proposed standard under consideration and a number of specific changes in the proposed permanent standard deemed essential to make some version of it workable.
3. Mr. Anton Vittone, Chairman of the SPI Vinyl Chloride and Polyvinyl Chloride Resin Producers Committee, and President of the B. F. Goodrich Chemical Company. Mr. Vittone will set forth the essential positions of the industry relative to the proposed permanent standard and, in terms of the current state of the art and all forecast improvements, will indicate the general capability of the industry to meet a feasible standard within a reasonable time framework.

1/ (Cont.) SPI is the major national trade association of the plastics industry; its membership is responsible for an estimated 75% of the total dollar volume of sales of plastics in this country.

2/ It should be understood that this Notice has been prepared on an expedited basis in light of the rather short time provided for preparation for the Hearing. For this reason we trust that the Administration will understand that changes in the contemplated schedule, or even the precise witnesses may become necessary. To the extent possible, OSHA will be notified of any changes as much in advance of the Hearing as possible.

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4. Mr. Vincent P. Ficcaglia, Industrial Economist, Arthur D. Little, Inc., Cambridge, Massachusetts. Mr. Ficcaglia, project director of Arthur D. Little's Economic Impact Analysis Study of the United States PVC Resin Industry, will testify on what might be expected to occur if the presently proposed permanent standard were adopted, thereby making it virtually impossible in the opinion of industry experts to produce vinyl chloride monomer and polyvinyl chloride resins. The impact of the U. S. PVC industry on the overall United States economy will be the focal point of Mr. Ficcaglia's testimony.

5. Joseph F. Tomashefski, M. D., Chief of the Pulmonary Department, The Cleveland Clinic, Cleveland, Ohio; Robert D. Soule, M. D., Vice President-Industrial Hygiene Services, George D. Clayton and Associates, Southfield, Michigan; and Mr. Roger Strassburg, Division of Environmental Affairs, the B. F. Goodrich Chemical Company. The named witnesses will address the protective equipment requirements of the proposed standard, the effectiveness and limitations of the various types of equipment involved, and human experience information related to various kinds of protective equipment.

6. M. L. Keplinger, Ph.D., Manager-Toxicology, Industrial Bio-Test Laboratories, Inc. Northbrook, Illinois, will provide a current report on the animal toxicology data presently available and its relevance to the vinyl chloride monomer industrial hygiene problem.

7. Carl U. Dernehl, M. D., Associate Medical Director, Union Carbide Corporation; and Paul L. Wright, Ph.D., Manager of Toxicology, Monsanto Company, will discuss the medical evidence and human experience data. The Society of the Plastics Industry's Vinyl Chloride and Polyvinyl Chloride Resin Producers' Committee has been able to gather and analyze thus far. They will also provide their conclusions as experts in the field of industrial hygiene as to the implications of such evidence.

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8. Carl U. Dernehl, M. D.; and M. N. Johnson, M. D., Director of Environmental Health, B. F. Goodrich Company. These witnesses will discuss the medical requirements of the proposed standard, especially those involving human surveillance, and make recommendations as to necessary and desirable changes in the proposed regulations.

9. Rudolph Stehl, Ph.D., Senior Analytical Specialist, The Dow Chemical Co., U.S.A.. Dr. Stehl will present testimony and recommendations concerning available monitoring instrumentation, its cost and reliability, for determining vinyl monomer concentrations under varying plant conditions. Recommendations will also be made by Dr. Stehl as to changes that should be incorporated in the final standard so as to make it more practical and effective.

10. Mr. Paul Beebe, Jr., Development Manager-Films and Flooring Division, Goodyear Tire & Rubber Company; Mr. Arthur A. Smith, Vice-President-Operations, Robin-Tech, Inc.; Mr. P. J. Weaver, Director of Industry Affairs, B. F. Goodrich Chemical Company; Mr. Rodney P. Becker, Manager-PVC Applications and Technical Services, Plastics Division, Diamond-Shamrock Chemical Company; Mr. L. Mollinini, Vice-President-Chief Chemist, Gollob Analytical Service Corporation, Berkley Heights, New Jersey. These witnesses will discuss the implications of the proposed standard with respect to PVC processors and fabricators. More specifically, this testimony will address the question of whether there is any necessity for coverage of processors or fabricators by the standard, the technological and economic feasibility of requiring such compliance, available vinyl chloride exposure data in processors' plants and other, related background and information about how processors are likely to be affected by any standard imposed on the VCM and PVC resin manufacturers.

It is estimated that the direct testimony presented by The Society of the Plastics Industry, Inc. will require an allocation of approximately four (4) hours.