

Appeals ruling which invalidated the OSHA benzene standard. In October 1978 the Appeals Court ruled in *American Petroleum Institute et al. v. OSHA* (1978 OSHD ¶ 23,054) that OSHA had not proved reducing benzene exposure from ten ppm to one ppm TWA was "reasonably necessary" and therefore failed to justify the estimated half-billion dollar compliance costs.

OSHA Finds Postal Service Safety Program Weak

The employee safety and health program of the Postal Service has deteriorated in both size and strength over the past few years, while employee illness and injuries have risen dramatically, according to a July 1979 report prepared by OSHA's Office of Federal Agency Safety and Health Programs. The OSHA office indicated that the deterioration may be traceable to substantial reductions in the Postal Service OSH staff. The headquarters safety staff, for example, was described as being simply too small to manage the program effectively.

The analysis of the Interior Department's safety and health program found the program to be strong in some DOI bureaus, but weak to mediocre in others—the result of the Department's policy of allowing each Bureau to operate its individual program. Little progress in the health and safety area was being made at the Department level, and it provided little in the way of policy and evaluation for the Bureaus, OSHA said.

The evaluation reports are discussed at ¶ 11,778.

Occupational Disease "Epidemic" Topic of OSHA Media Seminar

Top OSHA and NIOSH officials, leading environmental health scientists and academics, and labor and industry representatives met in Chicago September 13 and 14 to exchange information on diseases resulting from workplace chemicals. "Lost in the Workplace: Is there an Occupational Disease Epidemic?", the OSHA-sponsored symposium, was intended primarily to provide members of the news media with a greater understanding of occupational disease and its impact on the nation and the worker.

Labor Secretary Ray Marshall urged the media to alert the public to the threat posed to American workers by toxic chemicals. Investigative journalism, he pointed out, has played a historic role in creating public awareness of health and safety issues, which has in turn led to the establishment of such major pieces of health and safety legislation as the pure food and drug laws. Unlike stories on construction accidents or grain elevator explosions, the dangers of toxic chemicals require the description of complex and subtle concepts such as dose-response relationship, bioassay tests and threshold limit values. Workers, Marshall concluded, have the right to know the nature of the substances and hazards to which they are exposed and to know how effective their employers and the government have been in protecting them against those hazards.

Joining OSHA Director Eula Bingham in discussing agency policy were NIOSH Head Dr. Anthony Robbins and Timothy Cleary, Chairman of the Occupational Safety and Health Review Commission. Deputy NIOSH Di-

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rector John Froines, speaking of controlling known hazards, predicted occupational disease will be a major social issue of the 1980's.

Industry Position

Dissenting from the majority of government, academic and public interest group speakers were representatives of the American Industrial Health Council and the Monsanto Company. AIHC spokesman Ronald Lang dispute OSHA's claim that a "cancer epidemic" exists. He was especially critical of OSHA's decision to issue a generic standard for carcinogens in the workplace. Instead of relying on animal tests as a criterion for carcinogenicity, he said the government should select top scientific experts to assess the degree of hazard to humans presented by a suspect chemical. The real issue involved should be "acceptable risk," rather than "zero risk," since the latter is an impossibility, he said.

Monsanto's representative described the concepts of occupational diseases and cancer epidemics as "myths," and challenged OSHA's assertion that 100,000 Americans die from workplace exposure to chemicals each year. The fact is, he said, that the incidence of cancer among workers is nearly the same as it is for the rest of the population, and that the majority of independent scientists agree that workplace cancer amounts to less than five percent of the total.

Changes to Worker Radiation Rules to Be Considered by EPA

Recommendations for new worker radiation protection guidelines will be published in the late fall, the Environmental Protection Agency announced in the September 17 *Federal Register*. The guidelines, when approved by the President, would supersede current guidelines approved by President Eisenhower in 1960. The EPA has considered dose limits, partial body exposure, exposure duration, worker-exposure categories and recordkeeping. Following publication of the guidelines, public meetings with OSHA and Nuclear Regulatory Commission participation will be held.

EPA asks potential participants to consider frequency and justification of exposures at or near current limits and the economic and productivity cost of lower limits; whether categories of exposure limits should be considered; and what methods exist for establishing worker lifetime dose records.

The advance notice of proposed recommendations and future hearing appears at ¶ 11,776, along with an address for requesting more information.

OSHA Corrects Instruction on Farm Labor Camp Standards

If labor camp housing built before January 1, 1979, meets the "relationship to employment" test, then either OSHA's § 1910.142 standards or Employment and Training Administration standards are applicable, according to OSHA *Instruction* CPL 2.37 CH-1. *Instruction* CPL 2.37 originally said that OSHA standards were applicable when the "relationship to employment" test was met. The correction appears in place at ¶ 11,709.

Seven OSHRC Decisions Appealed to Circuit Courts in August

Commission decision on flat-roof guarding and noise abatement were among seven cases appealed in August. R. L. Sanders Roofing (1979 OSHI

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