

Washington & Business

Health Hazards and the Workplace

By DAVID BURNHAM

WASHINGTON—Seven years after Congress approved the Occupational Safety and Health Act, the Federal Government this week laid out an enforcement plan that, if upheld by the courts, could have a significant impact on the health hazards found in the workplace.

Up to the present, although the Occupational Safety and Health Administration has been subjected to an almost endless barrage of criticism by businessmen, many experts agree it has been largely ineffective in confronting the health problems created by industrial processes.

In more than six years of operation, for example, OSHA has managed to put into effect regulations limiting the exposure of only 17 of the more than 1,500 carcinogens that scientists believe are present in the nation's factories, hospitals, chemical plants, beauty shops, mines, cleaning stores and even office buildings.

A report by the General Accounting Office last spring said that at the existing pace it would take OSHA more than a century to regulate substances already identified as hazards and that new and dangerous products were being added to the environment every day.

"Thus," the General Accounting Office report concluded, "the bleak health conditions, which Congress sought to improve (in the Health Act of 1970) still exist, and many may be getting worse."

But on Monday, Labor Secretary F. Ray Marshall and Dr. Eula Bingham, the head of the OSHA, made a proposal that would provide a drastic change in the agency's approach to health problems and a great increase in the pressure on business to confront these problems.

Mr. Marshall and Dr. Bingham recommended the Federal Government's first comprehensive plan to control the hundreds of substances that produce cancer and the abandonment of the present substance-by-substance approach. Under the plan, model fill-in-the-blanks regulations would be established for carcinogens. More important, perhaps, the proposal provides that the Government will argue on a once-and-for-all basis two key policy issues that in the past have been argued and reargued as each individual carcinogen came under regulation.

One issue the Government wants to decide as a general policy is what kinds of proofs will be required to declare that a given substance causes cancer. The second issue is what action the

Government will expect a business to take after a substance is declared a carcinogen.

As spelled out in the 278-page Labor Department proposal, evidence developed during specifically defined tests on mammalian animals could be the basis for determining that a toxic substance is a carcinogen and, once so determined, that the exposure limit "will be set as low as feasible."

Assuming the new comprehensive cancer proposal survives the expected challenges by business and industry, the potential impact of the plan is enormous. During the last 75 years of increasing industrialization, for example, deaths from cancer have risen from 64 per 100,000 in 1900, to 162.8 per 100,000 in 1970 and 171.5 per 100,000 in 1975. Cancer is now killing about 1,000 persons per day in the United States and each year 900,000 new cases are diagnosed.

Somewhere between 60 percent and 90 percent of these cases, scientists now believe, are triggered by substances in the environment of America, many of which originally are generated in the workplaces regulated by OSHA.

While the human anguish behind these statistics is impossible to qualify, the costs can be estimated. According to some studies, about \$1.8 billion a year is spent in the United States solely for hospital care for cancer patients, \$3 billion to \$5 billion a year is spent for all kinds of treatment of cancer and perhaps \$12 billion a year is lost in earning power and productivity because of cancer.

Mr. Marshall referred to these broader costs to society—some of which are reflected in higher health-care premiums paid for the general population—when asked whether he had calculated what the new comprehensive enforcement plan would cost industry. The Secretary said that he believed the policy, when implemented, would save society a great deal of money.

But the proposal could result in a tremendous increase in Government pressure on industry to limit the emissions of cancer-causing agents and this would cost money—first industry's money, then the public's money when it buys what industry sell. The plastics industry, representing a segment of industry that would be particularly affected, said that it shared the Government's concern in wanting to reduce occupational exposure to carcinogens. But it denounced the plan as "nothing more than an attempt by a regulatory agency to devise a 'quick fix' method of dealing with the admittedly difficult



Associated Press

Dr. Eula Bingham



Labor Secretary Ray Marshall

task of reducing the risks of occupational health hazards. No push button formula will provide the right answer."

The potential significance of the OSHA proposal does not end in the workplace. Other Federal agencies—such as the Consumer Product Safety Commission, and the Environmental Protection Agency—regulate carcinogens on a substance-by-substance basis. Should this approach survive legal challenges—which past individual cases would suggest is likely—then they, too, could begin a broader, far speedier, cleanup drive.

In a memorandum accompanying the proposal, OSHA said that it was encouraging full discussion. Written submissions should be sent to the OSHA Docket Officer, Docket No. H-090, Room S6212, United States Department of Labor, Third Street and Constitution Avenue, N.W., Washington, D.C. 20210 by Dec. 8. A public hearing has been scheduled to begin on March 14, 1978.