

TENNECO CHEMICALS, INC.

TO See Distribution

AT

DATE August 20, 1975

FROM D. E. Rhoads

AT Saddle Brook

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SUBJECT OSHA STANDARDS AND INSPECTIONS

OSHA expects to publish proposed standards for benzene, lead, beryllium and trichloroethylene before the end of August. During September they expect to publish proposed standards for ammonia, toluene, sulphuric acid, sulphur dioxide, asbestos, chloroform, ionizing radiation, lasers, cotton dust, and non water carriage disposal systems (chemical toilets). Other proposed standards in process which will not be published until after September are carbon monoxide, toluene diisocyanate, crystalline silica, MOCA (methylene bischloroaniline) and mercury.

This sudden activity was prompted by a directive from the Office of Management and Budget and the Council on Wage and Price Stability which requires that all proposed standards after September 30th which could have an inflationary impact over 150 million dollars in a two year period, contain an inflationary impact study. This directive also requires that proposed standards published prior to September 30 publish an inflationary impact study 30 days before the hearing on the individual standard. Standards with an inflationary impact, of less than 150 million dollars will require a statement rather than a full study. The hearings on the above standards may be later this year or during the first half of 1976. OSHA is setting up a major contract with Arthur Young for impact studies and will probably set up contracts with other companies for impact studies.

OSHA recently initiated a pilot inspection program in New Jersey on industrial hygiene in petro chemical plants. It includes an initial visit to the plant to check injury and illness records with emphasis on chemical exposure, list of the chemicals and process flow sheets. The initial visit usually does not include a plant tour. Subsequently the OSHA industrial hygienist returns to sample the working environment. To date we have had initial visits at Burlington, Elizabeth, East Rutherford, Flemington, and Garfield with a follow up visits at East Rutherford and Garfield. Other chemical companies in New Jersey have experienced similar visits.

Mr. Marshall Miller recently transferred from EPA to OSHA and is managing the standards writing activities. He reports directly to Mr. Dunlop, Secretary of Labor. Mr. Miller, a lawyer, is very young and has had very little industrial experience or exposure. The impression of some people at a luncheon on August 14 was that Mr. Miller feels that he has a great mission, a tremendous confidence in himself, and a tendency to make snap decisions and dogmatically defend them. As example in discussion he stated that he felt the OSHA Review Commission rulings have no bearing on the Office of Standards.

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There may be a very significant competition in the area of regulations pertaining to the chemical industry between OSHA and EPA. The Toxic Substances Control Act currently in sub-committee in the House and Senate would make EPA responsible for regulations on pre-market screening of chemicals. The sub-committee work in the House is expected to be completed in October and in The Senate in September. This act which has been considered in the last two Congresses may or may not pass Congress this year because of the administration's concern over the inflationary economic impact. However, the Toxic Substances Control Act could not only have a tremendous direct impact on the chemical industry but also may serve to spur OSHA into much greater concentration on the chemical industry.

This activity in OSHA emphasizes the need for Tenneco Chemicals to continue concentration on the development of good industrial hygiene and medical programs. A good industrial hygiene program not only includes measurement and reduction of exposures through equipment design but also reduction of exposure through good work practices and maintenance. Anytime raw materials, intermediates, or products are spilled or leak out of equipment it represents a potential exposure. As we found out in vinyl chloride, equipment which was designed and maintained to keep leakage down to what we thought was a reasonable amount, is no longer satisfactory. The unions are now petitioning for very strict standards on PVC dust. In more and more Workmen's Compensation cases we are faced with trying to prove that our employee was not exposed to chemicals. Not only must we be concerned with the above chemicals but all chemicals, as the above is just a start. Our ultimate goal must be to eliminate all exposure and establish a high regard for the industrial environment in the minds of all operating personnel.

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