



THE SOCIETY OF THE PLASTICS INDUSTRY, INC.

250 PARK AVENUE • NEW YORK, NEW YORK 10017 • 212/573-9400

February 13, 1975

TO: VCM and PVC PRODUCERS GROUP

SUBJECT: OSHA LABELING for VCM and PVC

In the event that you have not been following the activities of the special committee within our regular SPI Committee on Distribution, you will be interested in seeing the progress they are making in standardizing the labeling required for conformance with the OSHA Standard on Vinyl Chloride.

This Committee responded to the need to develop standardized labeling that will be required when the OSHA Standard goes into effect.

I suggest that you contact your company's representative on the SPI Committee on Distribution (list attached) for more information on this activity.

Respectfully,

John R. Lawrence
Technical Director

JRL:jo
Attachments

NGC 16325



THE SOCIETY OF THE PLASTICS INDUSTRY, INC.
250 PARK AVENUE • NEW YORK, NEW YORK 10017 • 212/687-2675

February 4, 1975

TO: PVC/VCM Ad Hoc Study Group
SPI Committee on Distribution

RE: OSHA Required Labeling for
PVC and VCM; MEETING NOTICE

Gentlemen:

As you are aware, the United States Court of Appeals for the Second Circuit has denied the petitions for review of the OSHA Standard for Exposure to Vinyl Chloride. The Court's decision, issued January 31, 1975, allows 60 days lead time for implementation of the Standard. Accordingly, the new effective date is April 1, 1975.

The Working Committee of the PVC/VCM Ad Hoc Study Group met on January 23, 1975, to review the results of the November, 1974 meeting of the full Committee and further to determine whether any additional steps may be appropriate. The Working Committee concluded that standardization of labeling practices is desirable. Furthermore, in order to implement a standardized approach and to assure that the recommended approach satisfies the regulation, the Working Committee believes that the industry should seek to obtain OSHA's concurrence with the recommended approach. The Minutes of the January 23 meeting of the Working Committee are enclosed herewith.

In order to further discuss the recommendations of the Working Committee and to discuss other problems of implementation of the OSHA Standard, Chairman Tom Smith has requested a meeting of all members of the PVC/VCM

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Ad Hoc Study Group to be held:

Tuesday, February 18, 1975
Commencing at 9:30 a.m.
MARRIOTT TWIN BRIDGES HOTEL
333 Jefferson Davis Highway
Arlington, Virginia

The Marriott Hotel has set aside a block of rooms for this meeting which will be held until Friday, February 14. Please advise the hotel when you call for reservations (Phone No. - (703)628-4200) that you are attending the SPI Committee on Distribution meeting. We anticipate the meeting will be concluded by 3:30 p.m.

There will be a \$15.00 registration fee for the meeting and luncheon arrangements. Please complete the enclosed registration form and return it to the above address no later than Wednesday, February 12.

Sincerely yours,

A. J. Evans,
Staff Administrator
Committee on Distribution

enclosure

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Mr. Albert J. Evans
Staff Administrator
Committee on Distribution
THE SOCIETY OF THE PLASTICS
INDUSTRY, INC.
250 Park Avenue
New York, NY 10017

Re: PVC/VCM Ad Hoc Study Group -
February 18, 1975 Meeting

Dear Al:

This is to advise you that I

Plan ☐

Do Not Plan ☐

to attend the February 18 meeting of the PVC/VCM Ad Hoc
Study Committee.

Sincerely yours,

(name) _____

(address) _____

(company) _____

ENCLOSURE: Check for registration fee in the amount of
\$15.00.

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M I N U T E S

PVC/VCM AD HOC STUDY GROUP
SPI COMMITTEE ON DISTRIBUTION

Thursday, January 23, 1975
9:30 a.m. - 4:00 p.m.

Conference Room
Keller & Heckman
Washington, D.C.

Committee Members:

Tom H. Smith, Chairman	B. F. Goodrich Chemical Company
Edward Bell	Union Carbide Corporation
D. V. Bierwert	Monsanto Company
(Substituting for Edwin F. Celette)	
Roy C. Danziger	Air Products & Chemicals Inc.
Gerry A. LaPointe	Tenneco Chemicals, Inc.
(Substituting for Sal Cincotta)	
Richard L. Way	Shell Chemical Company
Martin Bercovici	Keller & Heckman

Guests:

Grant Arnold	Ethyl Corporation
George Coffenberg	Stauffer Chemical Company
Edwin A. Olsen	Compressed Gas Association

Opening

Chairman Tom Smith opened the meeting at 9:30 a.m. He expressed that the meeting had been called to undertake contingency plans with respect to the OSHA Standard for Exposure to Vinyl Chloride currently under Court review. Following the November 21st meeting of the full committee of PVC and VCM producers, there had been an expression of interest in developing for transportation purposes a uniform approach to the labeling required under the standard and, to this end, further defining requisite labels. This meeting of the Working Committee would explore those suggestions and make further recommendations to the full Committee at a later date as dictated by the outcome of the pending Court case.

Martin Bercovici of the SPI's legal staff was asked for his comments. He stated that it is impossible to predict when the Second Circuit Court of Appeals in New York will issue its decision. He stated that the industry has requested, in the event of an adverse decision, that ninety days be allowed for implementation of the Standard and that it was not unreasonable to expect that the Court would allow

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a reasonable period of time for compliance.

A Uniform Approach for Marking and Labeling

The Working Committee then addressed itself to the major reason for the meeting. The benefits of the uniform approach were listed as follows:

1. Uniformity of approach by all producers and shippers will facilitate compliance with the Standard with respect to the marking or labeling of transportation equipment.
2. Uniformity will enable OSHA inspectors to impartially judge compliance and effect uniform enforcement of the standards.
3. Transportation companies and carrier employees will become accustomed to seeing the prescribed warnings in the identical form and in identical locations regardless of the company making shipment. The carriers are accustomed to standardization in hazardous materials regulations and such uniform approach would be welcomed.
4. No unnecessary or unwarranted statements, markings or placardings would appear on transportation equipment or shipping papers to cause confusion to involved personnel.
5. Uniformity would be more effective in warning the employees of industry, who are intended beneficiaries of the warning.

The OSHA standards are directed to three main groups of employees. The employees of the VCM manufacturers, the PVC manufacturers, and the employees of fabricators. The marking or labeling of transportation equipment required by the OSHA standard is directed to the warning of the aforementioned employees. It is also directed to the employees of carriers who may be involved in loading or unloading of VCM or PVC where the carrier employees are involved in such operations and, therefore, should be alerted as directed by the standards.

Recommended Labels

VCM

The Working Committee considered the options of marking tank cars with the required warning (1) on the DOT "DANGEROUS" placard, (2) at or near the manway housing, or (3) both on the placard and at or near the manway housing.

After reviewing a number of inputs, including legal opinions, the thoughts of the Compressed Gas Association and the viewpoints of the Working Committee members, it was agreed that the Committee would recommend addition of the legend "CANCER-SUSPECT AGENT" to the DOT placard, in 1/2 inch letters inserted under the vinyl chloride identification.

The underlying rationale for this decision is, as follows:

1. Several producers and the CGA have held discussions with DOT and OSHA, and DOT strongly favors this approach. Additionally, in the text of the OSHA report adopting the standard for exposure to vinyl chloride, and at the second full paragraph of page 35895 of the October 4, 1974 Federal Register, OSHA states that since the DOT placard already warns of the fire hazard, "only a statement concerning the carcinogenic hazard need be added to the Department of Transportation labels."
2. The alternate wording "EXTREMELY FLAMMABLE GAS UNDER PRESSURE" introduces new nomenclature for describing vinyl chloride which is different from the DOT nomenclature and therefore potentially confusing to persons in the transportation field.
3. The placard serves to give notice of hazard information to all persons handling the tank car. Further, specific notice at or near the manway protective housing for workers loading or unloading VCM tank cars should not be required in that such workers will be trained to handle vinyl chloride and further since the loading and unloading facilities will be subject to regulation pursuant to the standard.
4. Utilizing the placard approach will convey all relevant

hazard information warning at a single place on the tank car.

The recommendation for labeling of VCM tank trucks was left for further development. The Working Committee did not wish to make a recommendation with respect to tank trucks without the benefit of the advice of the limited number of parties affected.

Labeling of barge shipments of vinyl chloride will similarly be left to the development of appropriate guidelines by the limited number of shippers involved. It should be noted, however, that the Coast Guard is in the process of promulgating regulations which may preempt OSHA's jurisdiction.

Cylinders of vinyl chloride should be marked with the appropriate label using lettering of a size to be determined by the shipper.

Bulk Polyvinyl Chloride Products

It is recommended that hopper cars, latex cars and latex truck trailers are to be labeled, stenciled or tagged on or in the vicinity of all hatches and all outlets, in 3/8 inch lettering which contrasts in color to the background. Bulk truck trailers should be labeled in 3/8 inch lettering at or near the outlets.

The foregoing labeling with respect to bulk PVC products is intended to warn of the potential risks from exposure to trapped monomer which may escape from open hatches or outlets during unloading. Since bulk trailers are unloaded under pressure without need for opening the hatch, the Working Committee believes that a risk of exposure to monomer vapor is presented only at the outlets and accordingly that only the outlets should be labeled. Inasmuch as the label is required for "containers" of PVC, the labeling is not intended for the benefit of loading personnel who, in any event, must be trained for that function.

With respect to packaged PVC products, after considerable discussion the Working Committee recommends that bags should be stenciled or printed on the sides or ends in 1/4 inch lettering, contrasting to the background. Such lettering would be visible to workers handling both indi-

vidual bags and those observing the bags in a palletized unit. Bulk boxes should be labeled on front and back in 1/4 inch lettering, and drums should be labeled on the front in 1/4 inch lettering. The Working Committee concluded that such labeling will give appropriate notice to personnel handling such containers and that the lettering is appropriate in relation to the size of the container and in relation to the size of warning labels required pursuant to the hazardous materials regulations of the Department of Transportation.

In concluding its thoughts on the uniform approach, the Committee recommends that the warnings suggested above are sufficient to meet the regulations for any mode of shipment.

The Committee agreed to offer this contingency position for consideration by the entire Committee pending the Court ruling. It will call a meeting after the court ruling to consider whether to send a delegation to OSHA with this uniform approach. In the meantime, it encourages and would appreciate any position or comments from other members of the Ad Hoc Study Group.

Ocean Shipments

Tom Smith reported that informal discussions with a terminal operator indicated that they would refuse to handle bags or units labeled with "CANCER-SUSPECT AGENT". This company said they would feel comfortable handling ocean containers as long as they were not labeled. The Committee suggested an informal visit to the National Maritime Safety Association would be in order. The Committee Chairman and the legal counsel for SPI will arrange a meeting with NMSA and report back to the Ad Hoc Study Group.

Other Subjects

Several members have been providing test data to the American Trucking Association and the National Tank Truck Carriers. These two organizations are seeking background to determine the extent of the problem created by the regulations and to provide support in their seeking relief is necessary. These two organizations would appreciate help from any other

member of the Ad Hoc Study Group should they care to participate.

Several of the members have found that they have had no problem in meeting the requirements of the regulations so that their warehousing qualifies as non-regulated areas.

Adjournment

The meeting was adjourned at 4:00 p.m.

Respectfully submitted,

Thomas H. Smith, Chairman

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PVC/VCM AD HOC STUDY GROUPSPI COMMITTEE ON DISTRIBUTION

B. F. Goodrich Chemical Co.
6100 Oak Tree Boulevard
Cleveland, Ohio 44131
Thomas H. Smith, Chairman

Air Products & Chemicals Inc.
5 Executive Mall
Swedesford Road
Wayne, Penna. 19807
William Brand, Jr.
Roy C. Danziger

Allied Chemical Corp.
Columbia Road
Morristown, N. J. 07960
Charles Corle

Borden Chemical Company
180 East Broad Street
Columbus, Ohio 43215
Henry R. Blain

Certain-teed Products Corp.
P. O. Box 860
Valley Forge, Penna. 19482
Thomas F. McGrath

Chemplex Company
3100 Golf Road
Rolling Meadows, Illinois 60008
Jim L. Collins

Conoco Chemicals
Continental Oil Company
Park 80 Plaza East
Saddle Brook, N. J. 07662
John F. Pinkman
E. Marcus Smith
Roger G. Hutchinson

Diamond Shamrock Corp.
P. O. Box 191
Painesville, Ohio 44077
Rodney P. Becker

Diamond Shamrock Corp.
1100 Superior Avenue
Cleveland, Ohio 44114
E. E. Bracken
Proctor W. Dodson

Dow Chemical Company (The)
Operations Services
2020 Dow Center
Midland, Michigan 48640
J. A. Farawell

Ethyl Corp.
P. O. Box 341
Baton Rouge, La. 70821
J. F. Polito

Ethyl Corp.
451 Florida Boulevard
Baton Rouge, La. 70801
E. R. Schutz

Firestone Plastics Co.
P. O. Box 699
Pottstown, Penna. 19464
Russell A. Park

Firestone Tire & Rubber Co.
1200 Firestone Parkway
Akron, Ohio 44317
T. F. Cerchiaro
Cleo Cory

General Tire & Rubber Co.
One General Street
Akron, Ohio 44329
R. W. Laundrie

The Goodyear Tire & Rubber Co.
5408 Baker Avenue
Niagara Falls, N. Y. 14302
Rowland H. LeCain

W. R. Grace & Company
62 Whittemore Avenue
Cambridge, Mass.
Joseph W. Keating

Great American Chemical Corp.
650 Water Street
Fitchburg, Mass. 01420
O. Paul Cohen
John C. Cloros

Hooker Chemical Corp.
River Road
Burlington, N. J. 08016
Ram Abramowitz
Alan R. McAllister

Monsanto Company
800 North Lindbergh Boulevard
St. Louis, Missouri 63166
E. F. Celette

Olin Corporation
120 Long Ridge Road
Stamford, Conn. 06904

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PVC/VMC AD HOC STUDY GROUP

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Pantasote Co.
26 Jefferson Street
Passaic, N. J. 07055
William Link

PPG Industries, Inc.
One Gateway Center
Pittsburgh, Penna. 15222
Charles K. Dilley

Robintech, Inc.
P. O. Box 2342
Fort Worth, Texas 76101
John E. Ertel

Shell Chemical Co.
One Shell Plaza
Houston, Texas 77002
Richard L. Way

Stauffer Chemical Co.
Westport, Conn. 06897
Philip Cupertino
Patricia C. Watson

Tenneco Chemicals
P. O. Box 2
Turner Place
Piscataway, N. J. 08854
S. N. Cincotta

Union Carbide Corp.
1 River Road
Bound Brook, N.J. 08805
Edward Bell

Uniroyal Chemical
Spencer Street
Naugatuck, Conn. 06770
A. P. Wolff

Keller & Heckman
1150 17th Street, N. W.
Washington, D. C. 20036
Martin W. Bercovici

SPI
250 Park Avenue
New York, N. Y. 10017
A. J. Evans

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