

NEWS ITEMS**736/87 COURT RULES STANDARDS TO BE BASED ON HEALTH.**

Chem. & Eng. News 65(31): 6, Aug. 1987

In a unanimous decision, the U.S. Court of Appeals for the District of Columbia ruled that the Environmental Protection Agency cannot set standards for hazardous air pollutants based solely on cost and technological feasibility. The court ordered EPA to reconsider its vinyl chloride standard to set a safe emissions level based on health considerations. The decision is likely to affect how EPA sets emission rules for a host of other toxic air pollutants. Writing for the court, Supreme Court nominee Robert H. Bork reversed himself and an earlier judicial-panel decision on how the agency may set an emission level for the cancer-causing chemical vinyl chloride. Last November appellate Judge Bork, writing for a three-judge panel, ruled that EPA could consider cost and technological feasibility in setting health safety standards for toxic air pollutants. In the latest decision, Bork wrote that health risks must be considered first in determining a safe emission level, a level that results in acceptable risk to health. If, however, EPA "cannot find that there is an acceptable risk at any level, then [it] must set the level at zero." But, quoting a recent Supreme Court ruling, safe does not mean risk-free. "Once 'safety' is assured, [EPA] should be free to diminish as much of the statistically determined risk as possible by setting the standard at the lowest feasible level," Bork wrote. So in setting an emission standard with an ample margin of safety to protect public health called for by the Clean Air Act, EPA may then consider cost and technological feasibility. EPA spokesman Chris Rice says the decision "reflects reality" in that it recognizes that a zero emission standard is not required by the law, and that "cost and technological feasibility can be used in establishing the margin of safety." He says the decision will have an immediate effect on the agency's proposed coke-oven emissions standard, and a more distant effect on rules for cadmium, carbon tetrachloride, and chloroform now under development.

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737/87 SOLVENT USE LINKED TO LIVER DAMAGE, LEADS TO \$481,000 PROPOSED PENALTY FROM OSHA.

Occup. Safety & Health Reporter 17(9):387, July 29, 1987.

In the latest of a lengthy string of six-figure penalty actions this year, the Occupational Safety and Health Administration July 28 cited a small Connecticut fabric coating firm for 179 alleged violations of personal protective equipment standards and other safety and health regulations, and proposed a fine of \$480,840. Uretek Inc. was cited for 34 alleged willful violations for fail-

ing to comply with health requirements for its 34 employees, who were exposed to the solvent dimethylformamide, a "potent" liver toxin. According to accident and illness records reviewed by the agency, 34 Uretek employees showed signs of overexposure to the chemical. In announcing the citations, OSHA Administrator John A. Pendergrass cited the company's "continued failure to ensure the use of protective equipment for employees exposed to dimethylformamide - which can be readily absorbed through the skin - [which] demonstrates a serious disregard for the health of those workers." According to OSHA's citations, Uretek failed to ensure the use of appropriate protective gloves, aprons, and foot coverings for its 34 employees who work with chemical solvents. Of the alleged serious violations, the agency contended that the company allowed employees to eat and store food and beverages in contaminated areas and failed to mark containers with the identity of the chemical inside. OSHA's investigation leading to the citations found that despite a detailed hazard communication program as well as company officials' knowledge of the hazards associated with DMF, little effort was made to train the employees about personal protection from exposure to that and other chemicals.

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738/87x RADON LEVELS IN HOMES IN NINE MARYLAND COUNTIES AND THE CITY OF BALTIMORE EXCEED EPA'S STANDARD.

Environ. Sci. Technol. 21(7): 616, July 1987.

Radon levels in homes in nine Maryland counties and the city of Baltimore exceed EPA's standard of 4 picocuries (pCi)/L, according to a report by the University of Pittsburgh's Radon Project. The highest levels of radon-43.7 pCi/L in basements and 18.7 pCi/L in living areas-were found in the Westminster section. One brick house showed a radon level of 629 pCi/L. The University of Pittsburgh compiled the data from 2,600 readings in Maryland households and catalogued the data by postal ZIP code. The report says that the seriousness of Maryland's radon problems ranks behind only two other states: Pennsylvania and Colorado. Radon is held responsible for a portion of the 15,000-20,000 annual deaths from lung cancer that occur among nonsmokers in the United States.

---Text reprinted

739/87x AS MANY AS 20,000 CASES OF CANCER MAY RESULT FROM PESTICIDES THAT CONTAMINATE COMMON FOODS.

Environ. Sci. Technol. 21(7): 616, July 1987.

As many as 20,000 cases of cancer may result from pesticides that contaminate common foods, according to a report issued May 20 by the National Academy of Sciences (NAS). Foods posing the greatest risk include tomatoes, beef, potatoes, oranges, and lettuce. In its study, NAS made

stomach, and lymphatic system, while one showed no increased cancer risk. These studies were limited by small numbers of people surveyed, and none has assessed the effect of cigarette smoking habits on the results. The current research includes a survey of cigarette smoking in a sample group to evaluate whether smoking will affect exposure-response relationships. Part of the research will focus on workers hired after the Occupational Safety and Health Administration in 1978 set a 2 parts per million, eight-hour, time-weighted average permissible exposure level for acrylonitrile. OSHA first set a permissible exposure level of 20 ppm as an eight-hour, time-weighted average in 1972.

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848/87 STUDY SAYS CHILDHOOD LEUKEMIA LINKED TO FATHERS' EXPOSURE TO CHLORINATED SOLVENTS.

Chem. Reg. Reporter. 11(17): 768, July 24, 1987.

Children whose fathers were exposed to chlorinated solvents at work had an increased risk of leukemia, according to a federally funded study reported in the July issue of the Journal of the National Cancer Institute. The study investigated children age 10 and under in Los Angeles County to determine the causes of leukemia. Researchers from the Department of Preventive Medicine at the University of Southern California School of Medicine interviewed the mothers and fathers of 123 acute leukemia sufferers about specific occupational and home exposures. Based on information on the patients and 123 other children who were matched to the leukemia sufferers in age, race, sex, and ethnicity, the study concluded there was an increased risk of leukemia for children whose fathers had occupational exposure, after the birth of the youngster, to chlorinated solvents or worked at plants manufacturing transportation equipment - mostly aircraft. It also found an increased risk for children whose parents used pesticides in the home or garden or who burned incense in the home. These results remained statistically significant after researchers adjusted for other significant findings. The study said the findings are "consistent with previous investigations that have demonstrated elevated risks for leukemia in youngsters whose fathers are employed in occupations where exposure to hydrocarbons may occur." It continued, "Children may be exposed to the substances with which their parents work because the parents bring home these substances on their skin or clothes or in their exhaled air." Other risk factors identified in the study were the fathers' exposure to spray paint, methyl ethyl ketone, and cutting oil after the child was born or fathers' exposure to spray paint during the mothers' pregnancy. For all of these factors, the risk was greater for frequent rather than infrequent use.

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849/87 HAZARD COMMUNICATION GUIDANCE MANUAL IN DRAFT STAGE FOR FEDERAL AGENCY USE.

Occup. Saf. & Health Reporter. 17(9): 392, July 29, 1987.

As the federal government gears up to protect its employees from workplace hazards by voluntarily extending the hazard communication standard to all federal workers, a 90-page implementation guide is being prepared giving agencies the A-to-Z of the rule. The Occupational Safety and Health Administration's hazard communication standard currently covers chemical manufacturers, importers, and distributors, including federal entities engaged in manufacturing activities. Because OSHA will expand the scope of the standard to cover all workers in response to a court order, a decision was made last year to initiate a cooperative effort to bring all agencies under the standard as soon as possible. A recent draft of the guidance manual, obtained by BNA, includes provisions of OSHA's performance standard, with the caveat that the materials included are generic so that they may be adapted to fit the needs of different federal facilities. According to the manual, the senior agency official in each field office or location is responsible for implementing the program. The primary provisions of the standard - a written plan; hazard identification; development, collection, and maintenance of material safety data sheets; hazard labeling; and employee training - are explained in detail in the manual. Participating federal agencies will be assisted in training employees through the availability of a generic training program. The training program - which is to include videotapes, employee brochures, and instructor guides - is designed to be adapted to meet the needs of different government facilities where employees are exposed to hazardous substances. The hazard communication guidance manual also includes lengthy appendices on the text of the OSHA standard, lists of chemicals "presumed to be hazardous," health hazards "associated with industrial operations," and samples of written hazard communication programs, chemical inventories, and MSDSs.

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850/87 RESULTS OF FIRST AGENCY-MANDATED TESTS SAY 1,1,1-TRICHLOROETHANE NOT TERATOGENIC.

Chem. Reg. Reporter. 11(17): 770, July 24, 1987.

Maternally toxic doses of 1,1,1-trichloroethane were not teratogenic in rabbits and rats in a study performed by the Halogenated Solvents Industry Alliance, according to test results announced by the Environmental Protection Agency. The results stemmed from the first final testing rule issued by the agency under Section 4 of the Toxic Substances Control Act. In October 1984, the agency mandated developmental toxicity studies on 1,1,1-trichloroethane (CAS No. 71-55-6) by inhalation, saying the research was needed because the