



ICI Americas Inc.

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Legal
Department
DR. R. L. GOTTESMAN

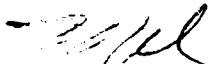
July 10, 1984

Roy Gottesman
The Vinyl Institute
Division of SPI
355 Lexington Avenue
New York, NY 10017

Dear Mr. Gottesman:

Per our telephone conversation, I am enclosing a copy of the U.S. Department of Labor Memorandum dated October 23, 1975. Although the letter appears incomplete, Mark Duvall was advised that this was the entire letter.

Very truly yours,


Melford F. Tietze
Environmental Counsel

071084KDR01
Enclosure

U.S. DEPARTMENT OF LABOR

Office of the Solicitor
WASHINGTON, D.C. 20208



OCT 23 1973

FIELD INFORMATION MEMORANDUM

Subject: Enforcement of Vinyl Chloride Standard
With Respect to Low Residual Monomer Resins.

OSHA has received numerous inquiries from suppliers of certain resins which contain a very low amount of residual vinyl chloride monomer, requesting an exemption from the labeling requirements of the vinyl chloride standard, 29 CFR 1910.1017. Some of these suppliers have asked that their products be regarded as "fabricated products" under 29 CFR 1910.1017(b)(6) which would exempt them from the requirements of the standard. Although such resins are not "fabricated products" within the meaning of the standard, some degree of discretion must be used in enforcing the standard with respect to the labeling of such resins.

A fabricated product is a product in its final, useable and recognizable form which does not require further processing at temperatures, and for times, sufficient to cause mass melting of polyvinyl chloride resulting in the release of vinyl chloride. These resins are not a product in their final useable form and therefore may not be included in the fabricated product exemption. However, when there is no realistic possibility that employees handling or using these resins will be exposed to concentrations of vinyl chloride in excess of .25 ppm in the absence of engineering controls, we will not cite their employer for failure to comply with the labeling requirements of the standard because there is no direct and immediate relationship to the health of the employees.

SPI-00850

The federal standard is a rigorous program which applies to all manufacturing employees in every state and provides uniform, nationwide right-to-know coverage. Its adoption and enforcement by states eliminates the patchwork inconsistencies among states which have adopted their own laws without close adherence to this federal framework.

The federal standard provides provisions for the following:

- * written hazard communication program
- * labels and other forms of warning
- * material safety data sheets (MSDS)
- * employee information and training
- * trade secret protection

In summary, The Society of the Plastics Industry believes the Federal Standard is a comprehensive hazard communication and right-to-know program for manufacturing employees and encourages its adoption by all states.

SPI-00851