May 4, 1949

Mr. L. W. Shank,
Ethyl Corporation,
National Bank of Tulsa Building,
Tulsa 3, Oklahoma.

Dear Lou:

A day or two ago I received a telephone call from Doctor Townsend, Chief of the Division of Industrial Hygiene of the United States Public Health Service, concerning a letter sent to him by Mr. Fifield of the Sales Department of Phillips Petroleum Company at Bartlesville. Doctor Townsend has now sent me a copy of this letter with his reply which was somewhat non-committal. Copies of Mr. Fifield's letter to Doctor Townsend had been sent to Mr. E. J. Webster and Mr. L. C. Frank. The question in the letter to Doctor Townsend referred to the problem of the use of warning signs on dispensing pumps and mobile refuelers at airport installations. It was apparently Mr. Fifield's feeling that pumps and equipment of the latter kind should carry such signs and that this presumably was a requirement of the regulations of the Surgeon General's Office.

I cannot but wonder how this question came about, and I also wonder why Mr. Fifield and/or any other representatives of Phillips Petroleum would not have taken this up with representatives of Ethyl Corporation rather than by writing directly to the Public Health Service. Mr. Fifield is evidently under the impression that these regulations proposed by the Office of the Surgeon General have the effect of law and that they apply to gasoline dispensing equipment at all points. I am not prepared to say that this is not a correct interpretation of the principle of the regulation, but I wonder why it is that any industrial establishment is cultivating more regulation rather than less. In his letter Mr. Fifield writes, "It is our thought that your regulations for installing the signs on stationary dispensing equipment that is similar to a service station pump, is adequately covered by your present regulations. Your earliest advice on this problem will enable us to properly handle what we feel is a necessary precaution against a recognized hazard at our airport installations." Doctor Townsend replies that the warning signs on pumps "did not consider the labeling of equipment on mobile and stationary equipment at airport installations," but goes ahead to ask why the question has been raised. This, I may say in confidence, was asked by Doctor Townsend at my suggestion, since I wanted to know what was behind this whole matter. Obviously, if Ethyl Corporation should come to feel that it is necessary to have signs used on pumps and equipment of this kind, this should be done as a matter of general policy and not as a sporadic and occasional action to suit the individual custom. I should appreciate very much if you could find the means of making some discreet inquiry into this situation, so that we might be guided by fact in considering this question. If this were done before the Dallas meeting, the matter could be discussed in some detail

there.

I am sending a copy of this letter to Mr. Jones, and I enclose an additional copy for such use as it may be to you in presenting this situation to anyone of your own personnel whom you may designate to look into the matter. It should not be made too obvious to representatives of Phillips that Doctor Townsend has referred the matter to me for my opinion. It has been his practice to bring all such matters to my attention for a long time, but I should not want to embarrass him in the eyes of industry by making this too obvious.

Sincerely yours,

Robert A. Kehoe, M. D.

RAK of

C.C.: Mr. E. O. Jones

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