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July 2, 1974

TO: All Members of:

SPI Food, Drug and Cosmetic
Packaging Materials Committee;
General Polyvinyl Chloride Interest
Mailing List;
Ad Hoc Liquor Bottle Committee;
Plastic Pipe Institute
(Executive Board);
Plastic Bottle Division
(Voting Representatives);
SPI Executive Committee;
SPI Public Affairs Committee;
VC and PVC Producers Committee

Ladies and Gentlemen:

As we are certain you are aware, the Hearing on the occupational standard for vinyl chloride began last Tuesday, June 25, 1974 at the Departmental Auditorium in the Department of Labor. One purpose of this week's letter is to briefly review the status of the Hearing. In addition, we will try to bring you up to date, as best we can, regarding other governmental activities of concern to the VC-PVC industry.

The Hearing opened with a statement by Dr. Dan Boyd, Director of the Office of Standards Development, reviewing the background of the problem and outlining the key points in the proposed standard. One point was repeatedly accented, i.e. that the standard is only a proposed one; it was published for the purpose of eliciting the maximum amount of relevant information to permit the preparation of a sound permanent standard.

Following Dr. Boyd's presentation representatives of the National Institute for Occupational Safety

and Health (NIOSH) testified. They reviewed animal experimental data and some human epidemiology which tended to show that vinyl chloride, at high exposure levels, was a carcinogen. Speakers for NIOSH stated their usual position that for a known carcinogen there is no such thing as a safe level. The best that one can do, they stated, is to sufficiently reduce the exposure so that the probability of inducing disease is either lowered to a socially acceptable figure, or until the time of latency for induction of the cancer is extended to beyond the normal lifetime. Upon questioning, it was admitted that there was no evidence that exposures at 50 parts per million or less was dangerous to humans; but it was stated that prudence dictated an exposure level of as low as possible.

The next presentation was that of the United Rubber Workers. Mr. Peter Bommarito, President of the union, made a fiery address but really did not add anything in the way of hard data to the record on the key questions of feasibility or safety threshold level. Although he and the other union speakers called for a "no-detectable" level in the workplace atmosphere, he did not state how this can be achieved; and during questioning the union more or less indicated that it was prepared to accept realistic levels and timetables for improvements.

The next presentation was by Dr. Irving Selikoff, Mt. Sinai Hospital. Dr. Selikoff, one of the country's outstanding authorities on industrial carcinogens, presented the results of an in-depth survey conducted among workers at the Goodyear plant in Niagara Falls. His conclusion was that exposures to the levels of vinyl chloride that existed in the earlier days of the industry were quite harmful. Although he indicated his preference for a "no-detectable" level of vinyl chloride in the workplace, he agreed under questioning that he would be "as patient as Job" in giving industry time to reach the lowest feasible levels if he felt it was making a good faith effort to do so as rapidly as feasible.

The next major presentation was that of SPI. Mr. Harding briefly outlined the history of SPI's involvement in this problem and acted as the "Master of Ceremonies" in introducing the Society's fifteen witnesses.

After an overview of the industry position and a general discussion of some of the more important points by the undersigned, the bulk of the SPI presentation was made by various industry representatives, although outside consultants were included. The major points made by our witnesses were the following:

a. It is impossible to operate PVC or VC plants under a "no-detectable" level standard since this would require that employees wear respirators full-time, which is unsafe and infeasible. Furthermore, there is no known technology that will permit these plants to operate under such a standard in the future.

b. An economic impact analysis was presented to show the effects that could be anticipated if the polyvinyl chloride industry and vinyl chloride industry had to shut down. The conclusions drawn, and many believed that these are conservatively stated, were that the loss to the economy would be around 65 billion dollars with the loss of approximately two million jobs. Furthermore, there is no likelihood that the loss of PVC could be rapidly compensated for, since most possible substitutes for specific purposes are already in very short supply.

c. Although workplace levels at 50 parts per million have not been proven unsafe, the industry recommended that levels in all plants be reduced to the lowest extent feasible. Here the industry indicated that a majority believed that for PVC producing plants the vinyl

chloride levels could be reduced by a three step timetable leading ultimately to a level of 25 parts per million as a maximum exposure, with 10 parts per million as the maximum time weighted average for an eight hour day. It should be noted that this latter proposal means that no eight hour time weighted average should exceed 10 parts per million; consequently, the average exposure in the plant would have to be far lower than this, probably in the range of two to four parts per million.

d. Strong evidence was presented to demonstrate that using presently available resins or compounds, no detectable level of vinyl chloride is found in processors and fabricators plants except possibly in those areas where incoming resin is stored and where compounds are mixed and fluxed. Here it was demonstrated that adequate engineering controls such as the introduction of proper ducting and ventilation would reduce workplace levels in even these areas to the no-detectable level. Consequently, SPI urged that processors and fabricators be excluded from the scope of the standard.

e. To still further reduce potential "down-stream" problems, the industry proposed lowering the residual monomer level in PVC resin to, ultimately, no higher than 0.01% in most resins.

Following the SPI presentation, individual companies presented statements on their own behalves. Many presented medical evidence drawn from their own employee population which tended to show that at low levels there were no discernible adverse effects from exposure to vinyl chloride. In addition, several reinforced the SPI presentation with respect to there being no exposure problems in processing and fabricating plants.

A number of smaller companies made presentations on their own behalf testifying mainly to the economic impact they would suffer if PVC could no longer be manufactured in this country.

As you may know, full transcripts of the Hearing record are being made. Those of you who want all or any part of the presentations can obtain them from:

H R Company
320 Massachusetts Avenue, N.E.
Washington, D. C. 20002
(202) 546-6666

at $.45 per page (roughly $1,000.00 for a complete copy) or, if you do not need a copy of the transcript right away, following the Hearings a bulk order for complete transcripts at $.15 per page (roughly $325.00) will be made if a sufficient number of parties are interested. To order at the bulk rate, notify Joseph E. Hadley of our offices by July 15, 1974 of the number of copies you require.

With respect to forthcoming actions of the Environmental Protection Agency (EPA) and the Food and Drug Administration (FDA), conditions remain as we have previously reported. At our last check with EPA personnel, we were informed that information on hand is being studied, and that no more formal action is planned at this time. However, the EPA Task Group's Report is being developed now.

Last week's Food Chemical News contained a report from Richard Ronk, Director of the Division of Food and Color Additives, confirming that the FDA is leaning toward an interim regulation such as we had previously described. As you know, this would involve the revocation of the prior-sanctioned status of polyvinyl chloride and the issuance of an Interim Food Additive Regulation which would continue to permit its use in food packaging applications. The interim regulation is expected to include the limitation that no detectable vinyl chloride migrate to food or food-simulating solvents using a method sensitive to 50 parts

per billion; it is also expected to carry a limitation of 10 parts per million as the maximum level of residual vinyl chloride in the polymer in the form in which it contacts food.

The OSHA Hearing is scheduled to resume on July 8 and there is, as yet, no clear indication as to how long it will run. This will depend in large measure on how many of those presently listed as intending to testify may decide to submit only a written statement for the record instead. In any event, we shall keep you fully informed.

Cordially yours,

Jerome H. Heckman