

MEETING MINUTES

FEBRUARY 8, 1980

HEALTH ADVISORY STAFF MEETING

In attendance: Mr. F. J. Trunzo, Dr. C. H. Powell, Mr. R. D. Ondocsin, Mr. R. L. Rubino, Mr. L. W. Keller, Dr. A. P. Leber, Dr. Z. G. Bell, Dr. F. R. Jonas, Mr. R. E. Sourwine, Mr. J. L. Simkins, Mr. R. L. Miller and Mr. H. C. Underwood.

The meeting minutes of October 3 were in error; the number of chemicals reported reviewed for the C&R Division by Corporate Safety and Health should be changed from 40 to 3,000. The group indicated that they would like to review and approve the minutes before they are distributed to the Health and Safety Subcommittee.

The Advisory Staff agreed to change its meeting dates so that there would be sufficient time to send out a draft copy of the meeting minutes for comment before sending them to the Subcommittee.

It was agreed that regular HAS meetings for 1980 would be as follows:

April	18
June	13
August	15
October	17

CONTRACTOR SAFETY AND HEALTH PROGRAM

Dr. Bell, Mr. J. L. Simkins, and Mr. F. J. Trunzo have been working with the Safety Advisory Staff and because of joint efforts, Mr. R. L. Miller and Mr. Trunzo discussed action to this date.

Mr. Trunzo said if maintenance personnel are PPG employees, we would have to pay Workman's Compensation. If not, there is the possibility of a third party suit being filed against PPG. In some contracts, PPG would be paying for an injured workman possibly three times. The cost plus item in the LaPorte contract, for example, is very specific. PPG would reimburse on dollar-to-dollar for compensation tax. The insurance company, along with the employee, could file against PPG. Mr. Trunzo said we must have "work rules" for every plant and they must be specific for each plant and should include all chemicals.

In the contract, it will say that PPG is to provide, from time to time, Material Safety Data Sheets or appropriate data and work practices. If there are any revisions, we will provide them a copy of the revisions. Failure to provide information could mean a civil suit. If the government says you must have data and you do not, that is considered criminal liability. Dr. Bell said if we use Material Safety Data Sheets, we should supply them to the contractor.

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Mr. Trunzo said we could make many things mandatory. We could use termination of personnel or the contract as basis for compliance. Dr. Powell said that, in an emergency basis, PPG personnel may advise contractor employees of errors. Mr. Trunzo made the comment that new contracts should be reviewed by the Division and Corporate Industrial Hygiene and Safety Staff.

Mr. Miller discussed the need for the Plant Safety Manager to be aware of the contract language and how to communicate with the contractor to be sure that contract personnel take the proper safety precautions. Mr. Trunzo pointed out that if we want to change a work practice, we need only send a letter instead of changing the contract. It should be on a plant-by-plant, job-by-job basis. Mr. Miller said we should develop a document to inform the Safety Manager on how to work with the contractors.

OSHA REQUEST FOR INFORMATION

Dr. Powell passed out a letter from OSHA that he had received from the C&R Division. Mr. Trunzo said we do not have to give the Material Safety data sheets, and/or internal control values requested because OSHA does not have statutory authority to do research. Mr. Trunzo said a subpoena is almost impossible to obtain for this purpose. If we wish, we can try to find out what OSHA wants without divulging any of our own information. Requests for information need not be honored without question.

UPDATE ON SSHTP

Mr. Miller gave an update on the SSHTP's. Twenty-eight hundred participation manuals were ordered and distributed to the field units for training supervisory employees. Printing costs were put in the 1979 budget (\$12.00 per manual). An additional 250 manuals are currently being printed.

Completion certificates are being worked on by Bob Olenik to be passed out to recognize and record supervisory completion. Modules II and VII are being revised and will be sent out by the first of March. Ken Hall and Bob Olenik are developing appreciation sessions and methodology to use with SSHTP to evaluate effectiveness of the program and the implementation in their particular job.

ACTION: Health Advisory Staff is to give input on follow-up program.

OSHA IMPROVEMENT ACT

Mr. Miller is coordinating input and comment on the act with Phil Pulizzi. The bill was introduced and we will file written comments. It does not include health consideration, only safety. Ninety percent of PPG plants could be exempted under the proposed act. Mr. Miller said it has the support of Senator Williams but labor is opposed because it will open OSHA to change. Industry has problems with the bill because of the provision for a Safety Committee including Union members. OSHA is against the bill because it will weaken their authority. Because this is an amendment, Congress may ask for additional amendments and OSHA does not want the additional amendments to be made. PPG's position will be to redirect OSHA inspections with reservations as far as a joint Safety Committee. Dr. Powell asked for specific suggestions on direction.

ACTION: The Group wants to be kept informed but not to participate.

ANNUAL REPORT 1979

Mr. Ralph Miller wants a concise, overall, one-page report as soon as possible. Mr. Keller said he will be unable to write one for the C&R Division before one week.

REPRODUCTIVE EFFECTS - LEAD AND BENZENE

Dr. Powell gave an update. He has reviewed two-thirds of the chemicals selected by HAS for study. Data was lacking for vinyl toluene, sodium nitrate, chromic acid, and 1, 2, Dichloroethane. Xylene, ethanol, and RF radiation, PCB's and arsenic, are subject to outside review before a decision is made as to there causing reproductive effects. Fifteen additional chemicals must be deferred until more information is received. In addition, two chemicals looked supportive as causing reproductive effects - lead and benzene. An abstract of these two chemicals should be out for circulation to HAS soon. Dr. Leber has also been asked to review these two chemicals. Dr. Bell and Mr. Keller asked for a subgroup to review lead and benzene. Dr. Bell said they do not have to be a member of the Health Advisory Staff and Mr. Ondocsin and Mr. Rubino agreed. Dr. Powell asked for volunteers and Dr. Leber and possibly someone from the C&R Division will be on the work group with Dr. C. H. Powell as Chairman.

Dr. Jonas received a letter from Dr. Lovejoy and circulated a copy to the HAS Committee for consideration. The letter was in regard to problems with implementation by plant physicians or management of exposure cases to hazardous materials by pregnant employees. Discussion followed. Mr. Keller wants to convey a recommendation to the Health and Safety Subcommittee on PPG developing a policy to deal with pregnant females. He proposed a motion that:

1. Reproductive effects and the issue of pregnancy should be dealt with in the same manner as any other disability where the decision is left to the plant doctor and the employee's physician.
2. Also, HAS will continue reviewing individual chemical and physical agents so that information on reproductive effects is available on an ongoing basis.

Mr. Rubino proposed to modify Mr. Keller's motion as follows: "The final arbitrator will be the plant physician." Dr. Jonas proposed to modify that motion that consultants would be available for the plant physician.

The motion as proposed and modified was:

1. "Reproductive effects and the issue of pregnancy should be dealt with in the same manner as any other disability where the decision is left to the plant doctor and the employee's physician and the final arbitrator will be the company physician who will have consultants available to him.
2. The Health Advisory Staff will continue reviewing individual chemical and physical agents so that information on reproductive effects is available on an ongoing basis."

The question was open for discussion.

Dr. Powell asked what we should do with the information from the matrix. Mr. Keller said that positive information should be used as a reference tool but should not exclude other information. If it were the recommendation of the employee and plant physicians, the person would then be removed. It was pointed out that in the Chemical Division, Mr. Harris barred women employees from working in areas where there was possible exposure to lead at the Beaumont plant. Dr. Powell proposed an amendment to the motion which read as follows:

*Not same
may be if left
for committee.*

1. Reproductive effects and the issue of pregnancy should be dealt with in the same manner as any other disability where the decision is left to the plant doctor and the employee's physician.
2. The Health Advisory Staff will continue reviewing individual chemical and physical agents and the information developed on reproductive effects should be forwarded to the Health and Safety Subcommittee for consideration for implementation as company policy.

Mr. Underwood asked if the company physician would have the final decision and Mr. Rubino said that it would be a case-by-case recommendation by company physician.

Mr. Keller then proposed a new motion: "The objective of PPG is to protect all employees to the greatest extent possible. The issue of reproductive effects is complex with no scientific certainties and should be dealt within the context of any change in medical status, i.e., medical, management, or on a case-by-case basis with the company physician making the final determination of suitability of work status. This issue is best addressed by an informed employee population, an informed medical community, and method of developing new information and instituting protective programs as needed. Implementation should be as follows, on a priority basis.

1. The development of educational and training programs for both employees and physicians.
2. Acceptance of the plant physician's judgment utilizing whatever expertise he may have available to him to provide medical information to management for management decision.
3. Continued efforts to confine those materials utilized within PPG known to have reproductive effects."

Mr. Rubino, Dr. Jonas, and Dr. Powell indicated that modifications were necessary.

Dr. Powell pointed out that two motions cannot be considered at the same time. Dr. Bell would not present anything to management without looking at the ramifications.

The Committee agreed to meet again to discuss proposal made by Mr. Keller and the modifications introduced by Mr. Rubino, Dr. Jonas and Dr. Powell - as well as other members of HAS after review of the motion.

ACTION: Dr. Bell and Mr. Rubino will ask Drs. Lovejoy and Kinsel to attend the meeting for a plant physician point of view. A member of the Legal Department, will also be invited to the meeting. The Committee agreed to call this meeting to discuss recommendations for submittal to the Subcommittee.

REPORT OF THE OCCUPATIONAL EXPOSURE LIMIT WORKING GROUP

The first group of chemicals have been reviewed by the exposure limit working group and no comments were received except for Mr. Keller. No adverse comments from the Health Advisory Staff Committee were received. Mr. Keller opposed the time limitation and operational procedures and Dr. Powell said he devised these rules because of the time element. Mr. Keller said he does not agree with internal standards procedures. Dr. Bell said he needs to have the corporate exposure limits as soon as possible. If unable to do so, the Chemical Division will work alone. There has been no progress on these first six chemicals in the last six months. Mr. Keller said we should meet to discuss the proposed limits but he can't do it within 30 days. Mr. Keller said the working group should meet only if there is no agreement on the standards. Dr. Powell said we need time limits (suggested 60 days). The Health Advisory Staff agreed on a 60-day limit.

ACTION: Dr. Powell will set up the meeting the afternoon of March 3 on toluene, acetone and Butyl glycidylether with Dr. Bell, Dr. J nas, Mr. Keller, and Mr. Rubino. It was pointed out that it will be necessary for Mr. Keller to submit the rational for his proposed changes to the working group prior to the meeting and the documentation to Dr. Powell.

ATTENDANCE AT HAS MEETINGS

Mr. Keller had questions on attendance of guests and use of substitutes at the HAS meetings. Mr. Underwood said that, if Mr. Keller wants him to, he could take the matter to Mr. Parran for definition and pointed out that guests do attend Subcommittee meetings such as the Technical Subcommittee. Mr. Keller said it was not necessary to discuss the issue with Mr. Parran.

ACTION: The question was dropped.

ANNUAL HEALTH MEETING FOR 1980

Dr. Powell asked the group if they wanted to broaden the participation in the annual meetings. Mr. Keller said it should include an industrial hygienist from the plants and also guest speakers. Mr. Rubino said it should n t include staff people and others involved with health. Dr. Powell asked for suggestions on structuring the meeting. Dr. Powell asked for dates f r the meeting and the group suggested July.

ACTION: Dr. Powell will get back to the group with more information on time and place at a later date.

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OSHA CANCER POLICY

Mr. Underwood said Phil Pulizzi, Government Affairs, and Public Relations people wanted the reaction of the HAS Committee to the OSHA Cancer Policy. Dr. Powell noted that OSHA would have to go through rulemaking before PPG takes any action.

ACTION: It was agreed that no action is necessary until OSHA proposes rules under the Cancer Policy.

CONFIDENTIALITY OF HEALTH RECORDS

Dr. Powell indicated that two draft proposals have been written and considered by the working group.

Mr. Keller said that in the C&R Division, no one outside of physicians will review employee medical files without employee consent unless the individual employee is a litigant in either worker's compensation, EEOC or other complaint which make this information a matter of public record.

Dr. Jonas said he sent for a publication on laws of the 50 states on confidentiality. Mr. Underwood discussed what is expected from OSHA on confidentiality of health records. It can be expected that even with final rulemaking that the OSHA standard will be held up by legal action. The PPG policy should not be more restrictive than the OSHA standard.

This standard is close to publication and it is rumored that OSHA's access to medical records will be more restricted than in the first version. The following are said to be aspects of the new standard.

- a. An OSHA inspector will only be able to see that medical records are being maintained, but not to read or copy them.
- b. To be able to read or copy medical records, an inspector must first have an administrative subpoena, signed by the Assistant Secretary. The request for such a subpoena must go through the Regional Administrator.
- c. There will be a strict administrative procedure and protocol that will have to be followed to protect the confidentiality of all records that are copied.
- d. There is, however, a decision now being made to declare that some kinds of records are not medical, for instance, blood leads which would be regarded as monitoring records.

OSHA plans to have good access to medical records, but to control closely who has that access and for what reasons. All decisions on medical records will be made in Washington, D.C.

ACTION: The working group will continue its efforts.

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SHELL CHEMICAL SAFETY GUIDES

Dr. Powell asked how many were needed by each division and advised that they would be supplied with the number requested. Glass requested for 25 guides, Fiber Glass requested 8 guides, Chemical Division wanted 15, and C&R Division requested 25 guides.

HEARING CONSERVATION WORK GROUP

Dr. Jonas passed out a statement on hearing conservation for inclusion in the Medical Procedures Manual.

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

Charles H. Powell /jpe

Charles H. Powell, Sc.D.

CHP:rb