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VIA FACSIMILE

Ponca City, Oklahoma
May 24, 1974

J. J. Langford
Conoco Chemicals
Saddle Brook

Please supply copies of the attached to RWG, JDBu, KLS, LNV and JDBr.

Please schedule the 2nd floor Conference Room for May 29.

The attached document contains the objections to the proposed permanent standard defined as 1910.93 q Vinyl Chloride found in the Federal Register,

Vol. 39, No. 92 - May 10, 1974 on pp 16897, 16898, 16899, and 16900.

The first page of the attachment has the latest Federal Register publication (May 24, 1974) wherein the procedure regarding an informal hearing on June 25, 1974 is defined and replaces the earlier information regarding objections due June 10, 1974 (see middle column, p. 16897, just above 1910.93 q Vinyl Chloride heading).

I understand the attached proposal is to be reviewed in Saddle Brook at 8:30 am, May 29.

Flynt Kennedy

CHARGE: 8924-10-27

Copy by mail to:
DVP CLW EMS RDG RGW

VVC 000004757

Excerpt from Federal Register, Vol. 39, No. 102, Friday, May 24, 1974

Data, views and arguments concerning the proposed standard will be received by an administrative law judge, to be appointed by the Chief Administrative Law Judge of the Department of Labor at an informal hearing to begin at 9:30 a.m. June 25, 1974 in the Departmental Auditorium on Constitution Avenue, between 12th and 14th Streets, NW., Washington, D. C.

The hearing shall be conducted in accordance with the rules of procedure in 29 CFR Part 1911. Any interested person desiring to participate at the hearing must file a notion of intention to appear with Ms. Joanne Goodall, Attn: Docket OSH-36, Occupational Safety and Health Administration, 1726 M Street, NW, Room 200, U.S. Department of Labor, Washington, D.C. 20210 no later than June 17, 1974. A notice must state the name and address of the person to appear, the capacity in which he will appear, and the approximate amount of time required for his presentation. In addition, to the extent practicable, the notice should contain a general statement of the position to be taken with respect to any provision of the proposed standard, and of the evidence to be adduced in support of the position.

VVC 000004758

<u>Objection Number</u>	<u>Provision</u>	<u>Objections Recommendations Grounds</u>
1	(b)(6)	It is our position that the "detectable level" requirement stated throughout the standard is not a feasible requirement in view of existing technology. We propose that this definition be changed to "base level" and that the base level of VCM be defined at 25 ppm ceiling and 10 ppm Time Weighted Average (TWA). Such a requirement for atmospheric VCM levels is, we believe, feasible. We would further recommend that the words "base level" be substituted throughout the standard for "detectable level."
2	(b)(8)	Since the realization of no detectable level of VCM in workplace environments is not feasible, we propose that an emergency be defined to reflect an unforeseen circumstance or set of circumstances resulting in the release of vinyl chloride of greater than an allowable ceiling into areas occupied by employees. An allowable ceiling should be defined as atmospheric concentrations of VCM in excess of 25 ppm.
3	(b)(9)	Consistent with the comments made above, we feel that exposure should be defined to designate actual contact with vinyl chloride in concentrations above 25 ppm.

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4	(4)(sic)	The regulated areas defined in the standard are general enough to include the entire plant area. We feel that there should be at least two categories of limited access areas. For example, a regulated area is an area wherein a likely opportunity for exposure exists and a restricted area is an area wherein there is not a reasonable chance for exposure. This would allow the definition and policing of high risk, regulated areas, while not requiring such stringent record keeping, etc., for lower risk, restricted areas. Access to regulated areas should be extended to include authorized persons. The daily roster requirement should be limited to people whose normal, routine duties could result in exposure.
5	(e)	Monitoring requirements should allow the use of more sophisticated systems than personnel mounted devices, such as continuous, fixed point monitors. These units should be allowed as primary units with personnel mounted devices used as backup units. Options should exist, however, to allow only personnel monitoring where continuous fixed point monitors are impractical. Entire section (e)(3) should be deleted and replaced with one allowing the individual employee and OSHA

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		employees free access to monitoring records, techniques, etc. Allowing any "designated representative" to do the extensive observing defined in this section as it exists now could lead to difficulties with insurance, secrecy, licensing agreements, evaluations by unqualified persons, etc.
6	(f)	All engineering controls and work practice methods indicated in this section would be activated by VCM levels exceeding the base level. The word "airborne" should be replaced by "atmospheric" to avoid possible confusion.
7	(g)	We propose that full face piece masks should be required whenever respiratory protection is specified. However, we also propose that the requirements for combination units as specified by (iii) and (iv) be changed to allow the use of airline respirators without a self-contained backup unit on the employee's person. Self-contained respirators should, however, be located in readily accessible areas when air-line respirators are used.

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8	(k)	The labeling requirements as defined in sections (1) (3) (4) and (5) should be modified to declare vinyl chloride as a "hazardous chemical" instead of a "cancer-suspect agent." We believe that the declaration of VCM as a cancer-suspect agent at this time will unduly alarm people. We feel that section (2) should be deleted as unnecessary for reasons discussed later [cf., Objection 9 (1) section (4)].
9	(1)	Compliance with the second sentence of (1) and all of (2) would, we feel, create safety and fire hazards. These portions of the standard should, therefore, be deleted. Section (4) requires the use of whole-body air-supplied suits for certain operations including vessel entry. This is an impractical and unnecessary requirement and should be changed to require only protective clothing. Reactor cleaning and certain other operations would be unsafe in whole-body air-supplied suits. The local exhaust ventilation specified in section (6) should be modified to read proper ventilation: Non-open air plants have different requirements for ventilation than open air plants.

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		Section (7) (ii) (B) should be changed to allow the use of double block <u>and bleed</u> valve arrangements for isolation of any vessel, not merely for vessels having welded pipe. The two valves in series requirement in the standard is, incidentally, unsafe without a pressure bleed. We recommend that there be no requirement for a hole watch over all reactors when they are entered. Adequate ventilation and monitoring prior to entry should insure that very low levels of monomer are present before entry.
10	(m)	Section (1) should read as follows: "Facilities for the loading and unloading of vinyl chloride to and from containers shall have each transfer line and vapor equalizer line equipped with vent connections, and shall have an inert gas or vacuum purging system. Vent and purge effluent shall be returned to a process stream or vented or flared in a safe location." There are circumstances whereby vacuum recovery systems would be better than inert gas purging systems. Venting of monomer could also be more desirable than flaring.

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11	(o)	Medical surveillance should be a requirement. This paragraph should not give the employee the opportunity to refuse to take the medical examination defined therein. Under section 8, institution of a medical workshop is required. Unless workshop is a typographical error for work-up, the term workshop should be defined.
12	(p)(3)	The privilege to examine and copy records of monitoring and measuring should be restricted to the employee and OSHA representatives as discussed in Objection Number 5.
13	(q)	The reporting requirements defined in section (1) and (2) are unnecessary. These sections should be replaced with one defining reporting requirements in accordance with standard OSHA procedures. Manufacturers should maintain exposure logs recording any information judged necessary. These logs could be made available to OSHA. Semi-annual reports could also be made to OSHA to provide any additional information they require. Paragraph (3) deals with employee ratification of exposure and requires, among other things, that the employee be informed of specific completion dates for

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		corrective actions. We object to this requirement. Quite often <u>specific</u> completion dates cannot be determined because of parts delivery, sickness, and other factors beyond our control.
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