

General Indus.
Hygiene Educa-
tional Material
All CONDO

INDUSTRIAL HYGIENE 1982

VVC 000009514



Interoffice Communication

To Steve Ashby
From P. L. Fetzer
Date May 27, 1982
Subject Summary Report of 1982 I.H.
Meeting in Houston

Report is attached.

A handwritten signature in cursive script, appearing to read "P. L. Fetzer", is positioned above the typed name.

P. L. Fetzer

kf

I. REGULATORY UPDATE

A. Cancer Policy

1. Issued January, 1980.
2. Ammended after benzene decision.
3. Several court challenges - Now in 5th Circuit.
4. List of 200 suspect carcinogens.
5. Revised under Reagan Administration.
6. Included cost analysis on new ANPR.
7. 12/19/81 ammended policy reissued as (ANPR)

At Issue

1. Chemical Candidate.
2. How to include cost/benefit requirement.
3. No exposure level requirement.
4. Review and utilization of negative data.

Don't worry about it now.

B. Medical and Exposure Records Access

Apparent Changes

1. "Employee" definitions limited - Those "casually" exposed office workers etc., are not to be included.
2. Contract physicians - We are only obligated to inform physician of "standard" requirements of access. Not to help employee get records.
3. "Interm" or Partial Tox & EPI - Studies are not required.
4. Biological Monitoring - Not requestible unless required by specific standard, only blood lead.
5. Retention - Duration of employment "or" 30 years.
6. Employee under 1 year - Not necessary to keep 30 years. But employee may be requested by employee upon leaving. Must tell employee of his rights yearly.

C. Legal Challenges

No. 80-1550

Attempt to establish right of union doctor to records without express consent.

No action to extensions. Last one to expire February, 1983.

No. 80-3724

La. Chemical Ass. vs. Bingham

1. Standard vs. Regulatory Question
2. 5th Circuit ruled it was a regulatory question, not a standard, to be heard by Judge Veron in Lake Charles.

VVC 000009516

D. Noise Standard

Only development is field memorandum for compliance.
Standard still pending.
Audiometric testing needed.
We can choose from "grandfather" audiograms for establishing reasonable baseline.

E. Hazard Communication (Labeling Standard)

To be discussed later.

F. General Comments

1. NLRB has ruled that employers "must" supply health and safety records for good faith bargaining. Article coming from Grumbles.
2. OSHA is changing the repeated citation stance in that it is now at the same site rather than company wide.

General Duties Clause - Citation (4 Reasons)

- a. ?
 - b. Serious to health and safety.
 - c. Must be able to state abatement program.
 - d. Cannot be used to enforce a "should" clause.
3. Inspection - Compliant inspection is limited to site of complaint. Keep an eye out for what happens in your own state NLPR on ethylene oxide.
 4. NIOSH list of 10 most hazardous.
List of Occupational Diseases & Injury Categories.

Movie - Baltimore Incident

1. Type of equipment

II. CONTRACT EMPLOYEE - Mona Yoes

A. General Contract Was Ready For Printing

1. Tax department setting stringent guide lines for independent contracts - Sen. Dole.
Proposed legislation - Independent contracts.
Guidelines for determining their independent status.
2. Tax Man Statement - "The Training of or loan of equipment to contractors eliminates the independent contractor status".
 - a. Legal asked for clarification.
 - b. Law spoke to "specializer" contractor-experts tank cleaning, as opposed to general contractor - all services.
 - c. Committee hearing now in progress.

3. All contracts to independent contractors will include new wording-Senator Dole proposed Bill - Senate Bill 2369.
 - a. Written contract.
 - b. Written contract before work done.
 - c. Contractor control his worker hours (day to day hours).
 - d. Contractor rents place of business at fair rental. Automation maintenance contractor - VCM Plant, must compensate for travel time (spell out)
May have to charge rent for work space.
 - e. Contractor must have substantial investment in equipment.
Should not use company equipment. May have to charge rental.
 - f. Report to IRS what contractor was paid and must tell contractor what he (contractor) earned.
4. Lawyers are excited.
5. Safety & Health Issues
Must have a set of Safety & Health Rules - should be attached to the contract.
Still in confusion.
6. Under age employees
 - a. Still our responsibility even if employed by contractor.
 - b. Labor Law - under age statement - in and around the site engaged in manufacturing goods for commerce.
Enforcement (in reality) is light. Baltimore \$50 fine.
7. Conoco Company employees being held non liable by the contract.

III. OSHA - Michelle Mallory

- A. OSHA
 1. Citations
 - a. No contractual authority - supervision.
 - b. Did not cause the hazard.
 - c. Could not recognize the hazard - not experts.
 - d. Use realistic measures to correct the hazard and protect the hazard.
 2. Corrections should be made to the same employee in safety and health matters regardless if the contractor recognized that individual as the proper person to whom such correction should be made.
 3. Ponca City Refinery received "8" citations after 3 months wall-to-wall. Negotiated 6, cut other 2 in half.
 4. Training - Independent Contractor
 - a. Separate training for IC Employees - possible charge back.
 - b. Separate safety rules for IC.

B. Action Steps

1. Develop a proposed plan of how to train contractor personnel on safety matters.
2. Control access of contractor personnel.

Grumbles & Lawyers

3. Guidelines for above
 - a. Program for Conoco people in dealing with contractors
See Sid.
 - b. Start with what is the right deal. This includes realistic manpower.
 - c. Make sure the rules are followed.
 1. Sign contract for each contractor.

C. Noise Survey

1. Action Plan - Grumbles indicated an action plan was needed.
2. Gave summary of our present status.

D. Industrial Hygiene Audit - Covered Briefly.

E. Medical Examination - Apparent blessing past Landers.

1. Preplacement exams
 - a. Potentially exposed to toxic chemicals.
 - b. Back x-rays will not be paid by medical unless previously cleared by medical.
2. Medical clearance required for all transferred personnel.
 - a. Clarification on this subject needed.
 - b. This means transfer within the plant-bids, etc.
3. Leave of Absence
 - a. Needed after 9 months to return to work.
 - b. P.R. people need to tell employee this is required.
4. Termination of employee exam
 - a. 1 or more years service - for most all people.
 - b. Company are getting suits about alledged industrial work danger - hearing, etc.

F. Periodic Physical

1. Nominated by management.
2. Charges

G. Mobile Equipment Operator

1. Must take (not optional) physical exam to be an equipment operator (guidelines only - plant has some options).
2. Van Pool Driver - must have physical.

H. Hazardous Surveillance

COMMENTS

1. If you have specific questions about a given section, ask through Grumbles Norwood.
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3. Conoco Medical Division - Policy and Procedure Guidelines

IV. INDUSTRIAL HYGIENE

1. Definition phase of HISS - 6 months.
2. Hygiene module - start in fall - possible by end of 83. If manpower is available.
3. Haskel Laboratories
 - a. Toxicological Testing - John Braddle - Ray Alriend
 - b. We may use Haskel on information.
Copies of completed Search - IH Work.
4. Breathing Air
 - a. Get a copy of the "ANSI Standard"
 - b. Hall wasn't impressed with efforts - my opinion.
 - c. All future guidelines will have review prior to release.
5. Air Sampling - next.
6. Ventilation Measurement Proper

V. VALLIN INSTRUMENT DISPLAY

- A. High Technology Magnesium (Current 1) Chromatography

VI. CLOSING COMMENTS

1. Respiratory Protection Guide-needs by next Friday.
2. Training
 - a. Develop a list of minimum training requirements
-by name - manhours - plant personnel hrs. -

VVC 000009520



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-by name - manhours - plant personnel hrs. -

①

5-12-82

Regulatory Update

A. Cancer Policy

1. ISSUED JAN 1980
2. Amended after Benzene Decision
3. Several Court Challenges - Now in 5th Circuit
4. List of 200 Suspect Carcinogens
5. Revised under new classification
6. Included Cost Analysis on NEW ANPR
7. 12/29/81 Amended Policy Reissued AS (ANPR)

ISSUE

1. Candidate Chem. Cand.
2. How to ensure cost/Benefit Requirement
3. No-Exposure Level Requirement
4. Review and utilization of Negative Data.

Advised Mr. Brown
Re: M. Brown

Don't Worry ABOUT IT NOW

B. Medical And Exposure Records Access

OMA APPARENT CHANGES

- a. "Employee" Limiting limited - those "usually" exposed (office workers etc.) are not to be included
- b. Contract Physicians - We are only obligated to inform physician of standard requirement of access - Not to help employee get records
- c. "Inform" or Partial Tox. & EPI. STUDIES ARE NOT REQUIRED
- d. Biological Monitoring - Not required unless required by specific standards - only blood and
- e. Prevention - Duration of employment or exposure
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But employee may be requested by employee upon leaving.
Must Tell employee of his rights yearly

C. RIGHT TO KNOW ACT

No. 87-1550

attempt to establish right of union leader to records without
Express consent

No action to Extensions - Last one to expire Feb. 1983

No. 80-3124

1. Chemical Ass. vs. Burlington a very just, not a stand
2. Standard vs. Regulatory Commission
3. 5th Circuit ruled it was not a stand to be kept in the record

by Judge

d. Noise Standard

Only development is field memorandum for compliance compliance

STANDARD STILL PENDING

AUDIOMETRIC TESTING NEEDED

We can choose from "Grandfather" audiograms -

VVC 000009527

E. HAZARDOUS COMMUNICATIONS (hazardous standard)
- TO BE DISCUSSED LATER -

F. General Comments

11 1) NLRB Has ruled that employers "must" supply health and safety records for good faith bargaining - Article coming from Brambles

2. OSHA is changing the Repeated Citation stance in that it is now at the same site rather than company wide.

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Practitioner ... Complaint Inspection is limited to site of complaint
Keep an eye out for what happens in your own state
NLRB on ethylene oxide. done

4. NIOSH List of 10 most Hazardous list of
Occupational Diseases & Injury Categories

9:32

MWIE - Baltimore Incidents

1. Type of equipment

Contract Employee - Mona Yates

A. General Contract was ready for printing

12 Dep. department setting stringent guide lines for independent contractors See Note

Proposed legislation - Independent Contractors
Guideline for determining their independent

Subcontractor contract
prior written agreement

Not a subcontract
2369

2. TAX MAN STATEMENT
LOAN OF THE 1 RANING OF ORAE EQUIPMENT TO CONTRACTORS - ELIMINATES THE INDEPENDENT CONTRACTOR STATUS.

a. LEGAL ASKED FOR clarification
b. how spoke to "specialized" contractor - Experts
Tale clearing -
as opposed to general contractor - all services

c. Committee hearing now in progress
d. All contracts to independent contractors will exclude new wording - Senator Dale proposed Bill - Sen. Bill 2369 -

a. within contract -

b. with contract before work done -

c. contractor contract his working hours (day & night hours)

d. Contractor must plan of business at given time -
must maintain contract - (on plot) -
may have to change time for work, or not -
Contractor must have subcontracted in equipment. should not use company equipment. may have to deplete.

4. Reasons are omitted
5. SAFETY & HEALTH Issues

must have a set of SAFETY & Health Rules - should be attached to the contract

still in confusion

6. Under age employees - ① still our responsibility even if employed by contractor -
- ② Labor Law - under age statement -
in and around the site
engaged in manufacturing goods for commerce
Enforcement (in reality) is light. Baltimore "50 fine"

7. Company employees being held non liable by the contractor
OSHA - Missile Malfunction

A. OSHA ① - Citations -

- a. No contractual authority - supervision
- b. did Not cause the hazard
- c. Could Not recognize the hazard - not experts
- d. Use realistic measure to correct the hazard and protect the hazard.

B. Corrections should be made to the same employee in safety & health matters regardless if the contractor recognized that individual as the proper ~~person~~ person to whom such correction should be made

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4. TRAINING - Independent Contractor

- a) Separate Training for I.C. employees - Possible charge back
- b. Separate safety Rules for I.C.

C. ~~Action Steps~~ B. Action Steps

(5)

① Develop a proposed plan of how to TRAIN Contractor Personnel on SAFETY MATTERS

② Control access of contractor Personnel

Grumbles & lawyers

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a. Program for concave people in dealing with contractors - see Sid.

b. Start with what is the right deal - this includes realistic manpower -

c. Make sure the rules are followed
1. Sign contracts for each contractor

VVC 000009531

NOISE Survey

a. Action Plan - Grumbles indicated on Action Plan

b. Have summary of our present ^{was needed} status.

metro sonic dosimeters

asset Guy Warren - Has 4 people
Need input on when we need G. Warren

F. Industrial Hygiene Audit - Covered briefly
 Lewis Legender
 John Riddle - Health Services
 Jim Rutledge - Let him know if you
 receive Smith

Medical Examination - Apparent blessing post Landis
A. Preplacement exam -

1. Potentially Exposed to Toxic Chemicals

2. back x-rays will not be
 paid ^{by medical} unless previously cleared by medical

B. Medical clearance required for ^{all} transferred person
 ① clarification on this subject needed
 ② this means transfer within the
 plant - bids, etc.

C. Leave of Absence - ① needed after 9 months
 to return to work & ② P.R. people need
 to tell employee this is required.

D. Termination of Employee exam.

① 10 or more years service - for most all
 people.

② company are getting suits about alleged
 industrial work damage - heavy etc.

F. Periodic Physical - ① Nominated by Management

② Charger - ^{you} Steve you may want to talk to
Sid about Pre-employment - budgeting
value

G. Mobile Equipment Operator - ① Must Take
(not optional) physical exam to be an
equipment operator (Guideline only - plenty of
some options)

←

H. Hazardous Surveillance

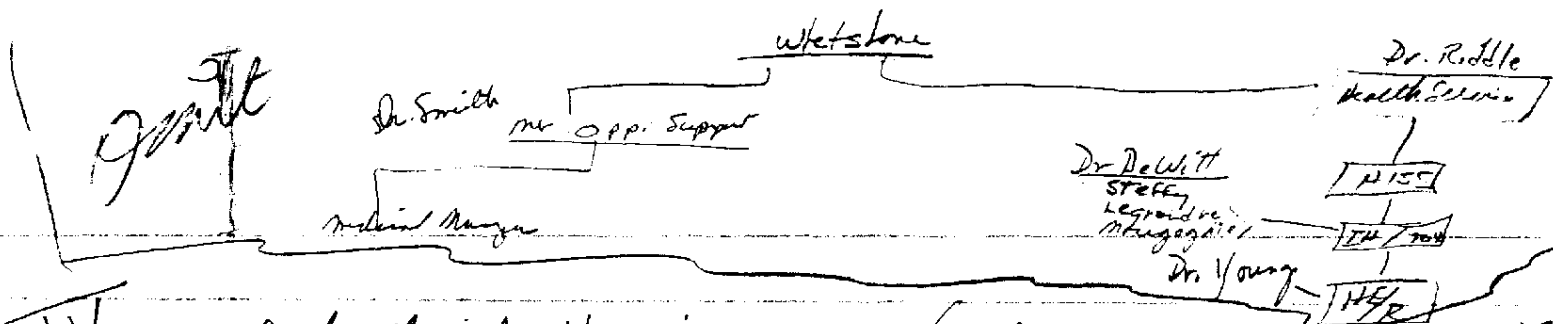
② Van Pool Drivers - must have physical

COMMENTS

① If you have specific question about a
given section ask through Grenville
Norwood -

② This appears to be finalized and everything
OK in bronze.

③ Convo Medical Division - Policy + Procedure Subline



IV Industrial Hygiene (Louise Legendre - John Riddle)

1. Definition phase of HISS - 6 months
2. Hygiene Module - Start in Fall - possible by end of 83 - IF manpower is Available
3. Hookel Laboratories -
 - a. Adm. & Logistical Testing - John Bridd - Ray Almond
 - b. We may use Hookel on information - Copies of completed search - IFH work.

4. Breathing Airs - Get a copy of the ANSI STANDARD
 - ① for use
 - ② feel would improve with efforts - my opinion
 - ③ all future building will have reviewed prior to release

5. Air Sampling - Next

6. Ventilation Measurement Program

V Better Instrument display

- (a) High Technology Magnifier (Current 1) Monitors

VI CLOSING COMMENTS

- * 1. Respiratory Protection Guide needs Drunkles by next Friday

Cost about \$3,000/min.

2. Training
 - a. Develop a list of training requirements - by name - manhours - plant personnel

VVC 000009534