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April 1, 1987

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MARK A. SIEVERS****ADMITTED IN PENNSYLVANIA ONLY
**ADMITTED IN VIRGINIA ONLY
***ADMITTED IN MARYLAND ONLY*Massive release*James W. Kachtick
Occidental Chemical Corporation
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Pasadena, Texas 77501

Re: OSHA Definition of Massive Release

Dear Jim:

At the March 12 meeting of the Health, Safety and Environment Committee of the Vinyl Institute, you requested information concerning how the Occupational Safety and Health Administration (OSHA) defines the term "massive release" under its vinyl chloride standard. 29 C.F.R. § 1910.1017. As discussed more thoroughly below, a concentration of vinyl chloride greater than 100 parts per million (ppm) is normally considered a "massive release" under the OSHA standard.

The OSHA vinyl chloride standard defines the term "emergency" as situations likely to result in the "massive release" of vinyl chloride. 29 C.F.R. § 1910.1017(b)(5). OSHA presented its interpretation of massive release in Program Directive No. 200-35, p. 3, where it stated:

'Massive release' refers to an unexpected release of vinyl chloride. The term would apply to any operation or place where the concentration of VC is greater than 100 ppm. To specify, a pipe breakage might cause massive release, whereas a pipe leak might release only a small amount of VC and therefore not be considered a massive release. Also heat sealing, such as meat wrapping, would not be expected to cause massive release.

KELLER AND HECKMAN

James W. Kachtick
April 1, 1987
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This interpretation has been relied upon in at least one case before the Occupational Safety and Health Review Commission. Secretary of Labor v. Air Products & Chemicals, Inc., OSHRC Docket No. 76-0150 (March 28, 1977) (see pp. 15-16 of Opinion). Copies of the OSHA Directive and the decision are enclosed.

In 1978, OSHA redesignated Program Directive 200-35 as Instruction CPL 2-2.4. When it revised the Field Operations Manual (FOM) it cancelled the earlier vinyl chloride documents. OSHA Notice CPL 2 (July 16, 1984). In theory, the vinyl chloride guidelines were incorporated into the revised FOM. In actuality, the FOM contains no guidance on the term massive release and the cancelled materials provide the only existing guidelines in the area.

I trust that this will be an adequate response to your request. If you have any comments or questions or if I can be of any assistance, please call me.

Cordially yours,



Peter L. de la Cruz

Enclosure

cc: W.C. Holbrook (w/o encs.)
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