

FROM BERTRAM D. DINMAN, M.D.
PITTSBURGH OFFICE - 7

TO MR. J. A. MCGOWAN
PITTSBURGH OFFICE - 24

1977 December 14

RE: MCA ACTIVITY REGARDING OSHA GENERIC CANCER STANDARD PROPOSAL
Ref: Your letter of 1977 December 09

We have been aware of multiple industry efforts, concerns and responses as regards the proposed OSHA Generic Standard for Carcinogens. The Booz, Allen and Hamilton effort included in your letter represents an effort which has been funded by the American Industrial Health Council (AIHC), an ad hoc group which was established through the efforts primarily of SOCMA and SPI, with MCA trailing along. The president of AIHC is Paul Orefice, President of Dow, U.S.A. and the vice president is Bill Brucker, President of Diamond Shamrock. They have put together the following working committees:

- Alternatives
- Associations
- Economics
- Legal
- Public Relations
- Public Affairs
- Scientific
- Steering

From the membership of the Scientific Committee, it is apparent to me that they are committing top notch talent into a heavy effort. On the basis of this serious effort, we have recommended supporting them to the extent of \$10,000. Other industries whose main product lines are chemicals have anted up to the extent of \$15,000 to \$25,000 each, with about 40 companies accounted for so far. The Aluminum Association has been alerted and also may provide some support. My basis for recommending support is noted in the attached memo.

I believe that the threat to our business should be clear and present after a reading of my attached memo. Although the format for the Booz, Allen and Hamilton worksheets is reasonably straight forward, a close reading of its contents should indicate that a significant amount of engineering pencil work is entailed.

I do believe we should participate in this effort, being in agreement with the position of the AIHC, i.e., that the only way this effort is going to keep the feds from getting even more unreasonable is to provide:



PLAINTIFF'S
EXHIBIT
AL-1025

ALCOA0004306

- 1) A deep data base documenting the potential economic impact of the proposal, and
 - 2) A broad industry base of inputs, going across many and diverse corporations
- so as to get some sense in the situation, both at hearings and by lobbying.

Accordingly, I would recommend that we actively consider participating in this effort by:

- 1) Participating in the Economic Impact Analysis
- 2) Preparing testimony with the Aluminum Association (put into action 1977 December 2)
- 3) Considering whether Alcoa should individually testify

I shall look forward to quick decisions on the matter, since the amount of work involved will not be insignificant. If there is any other information I can provide, please call upon me.

BERTRAM D. DINMAN, M.D.
CORPORATE MEDICAL DIRECTOR
GENERAL MANAGER OF HEALTH AND SAFETY

gd

cc: J. G. Morber - 29
C. W. Parry - 30
F. C. Irving, Jr. - 29
M. E. Gantz - 30
P. R. Atkins - 7

ALCOA0004307

OSHA GENERIC CARCINOGEN PROPOSAL

In place of an approach which develops Standards on a substance-by-substance basis, OSHA has proposed a different vehicle for rapid rulemaking for control of putative carcinogens. They have proposed a standard which leaves only blank spaces for the name of the chemical to be regulated. If in their infinite wisdom a chemical is declared a carcinogen, and if this proposal is adopted, a series of regulatory consequences then automatically flow. It should be noted that the National Institute of Occupational Safety and Health (NIOSH) has already published a candidate list of over 2400 substances they consider "Suspect Carcinogens," and that this list grows at the rate of 100 substances per month.

Many substantive, complex and unresolved scientific issues revolve about the appropriateness of the criteria for declaring a substance a carcinogen; similar unresolved questions also concern questions of modes of control as well. However, once this Generic Carcinogen proposal passes through rulemaking, these issues will not be open to further question unless we have taken exception to them in the first instance. We can expect improper classification as well as ongoing regulatory action on a substantial number of substances, with economic costs out of proportion to possible benefits.

To counter what is considered by some as an Industrial Delaney Clause (e.g., as was applied automatically by rule to saccharin), SOCMA, SPI, MCA and other chemical producers and allied industries have formed the American Industrial Health Council. Their intent is to mobilize a broad segment of industry to bring representation to the forthcoming hearings. They will frame legal, legislative, scientific and alternative counter-proposals, as well as bring information as regards the breadth of economic impacts over a broad industrial base (e.g., Booz, Allen and Hamilton, Inc. are undertaking an Economic Impact Study to which Alcoa has been invited to contribute information). At this time, there is no intent to continue this organization beyond this problem area.

POTENTIAL IMPACT OF THE GENERIC CARCINOGEN STANDARD ON ALCOA

As a simple example, each of our metal-cleaning locations would be considered as a Category I Exposure (Confirmed carcinogen--on the basis of animal studies) because of our use of methyl chloroform, tri-or-perchloroethylene. We would accordingly be required to incur:

1. Capital costs
 - a. Engineering controls of
 - (1) Ventilation increase/tank, 10 to 100 fold over present
 - (2) Storage tank vapor control

- (3) Mechanize seals for pumps (\$5-10K per pump)
 - (4) Liquid level alarm, each storage and process tank @ \$3K/tank
 - (5) Closed loop sampling system @ \$500/sampling location
 - (6) Enclosures for each tank @ \$20-30K/tank
 - b. New equipment - present dip and vapor phase tanks may not be amenable to retrofit. Off the shelf equipment to meet proposed standards are not presently available and would require original design, construction, etc.
 - c. Segregation (Physical) of Work Areas - construction costs and production flow disruption can be expected.
 - d. Lunchroom construction - may be required to provide pressurized, temperature controlled, filtered air.
2. Operating Program Costs
- a. Initial monitoring costs \$(450 + 10x no. of employees)
 - b. Exposure monitoring costs \$(45 x no. of employee start-up costs)
Exposure monitoring costs \$(67 x no. of employee annual operating)
 - c. Medical surveillance \$(120 x number of employees)
 - d. Personal equipment costs - includes provision of uniforms which will be cleaned, laundered, maintained and replaced at total cost to Alcoa and other equipment @ ~ \$170/employee/yr.
 - e. Signs at \$80/employee, start-up
 - f. Emergency Plan - first year differential cost \$400/employee
 - g. Recordkeeping cost:
First year start-up costs ~ \$200/employee
Annual cost ~ \$15/employee
 - h. Training costs:
(Annual cost = \$(160 + 15 x no. of employees)
(First year start-up cost = \$(200 + 15 x no. of employees)

These requirements also have a high probability of occurring wherever we handle or process the following chemicals:

Beryllium	Ethanol
Cadmium	Perchloroethylene
Carbontetrachloride	MEK
Chronic acid (+3) salt	Formaldehyde
Dow therm E	Methylene Chloride
Trichlorethylene	Mineral Naphtha
Methyl chloroform	Naphthylene
Polystyrene	Nickel
Quartz	Phthalicanhydride
Vinyl chloride polymer	Titanium dioxide
Toluene	

according to the NIOSH list of suspected carcinogens, 2nd edition. This list does not cover process-by-process products such as our entire problem with the coal tar pitch volatiles, phosgene and nickel carbonyl at Anderson County, etc.

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