

CONOCO

R. FILE w/o attachments

Interoffice Communication

To Charles Whetstone, MD
From C. E. Gremillion
Date July 24, 1975
Subject OSHA Program Directive Interpretations

OSHA has recently come out with a Program Directive for their compliance officers to be used to enforce the VCM Health Standard among employers. The Directive is intended to provide interpretations of how the law will be enforced.

The Directive discusses several points regarding medical surveillance which I feel we need clarification. The following are the questions I feel must be resolved and coordinated to decide how we will interpret and implement the standard within Conoco Chemicals.

MEDICAL SURVEILLANCE PROGRAM

Law: "A program of medical surveillance shall be instituted for each employee exposed Where exposures are below the action level, the medical surveillance requirements do not generally apply." (Interpretation on pages 13 & 14)

Question: In the not to distant future we should have approximately between 80 to 90% of our employees who will be consistently below the 0.5 ppm action level in our plant. In addition, the further we progress in implementing feasible engineering controls the sooner the personnel exposure should be more rapidly reduced. Therefore, at what point, if any, should we consider dropping the annual and/or bi-annual VCM medical test and examination in our plant? Ever? If not, why not?

EMERGENCIES

Law: "Each employee exposed to an emergency shall be afforded the appropriate medical surveillance." (Interpretation on page 14)

Question: Assuming we have an "emergency" VCM release, as defined by our plant management, shall we send each employee potentially exposed to high concentrations of VCM to our company doctor, F. W. Bennerscheidt, MD? Since the word "afford" is used, does this mean we only "offer" the medical surveillance, by the company doctor? If we do insist and send the employee to the doctor for examination, shouldn't some type of form letter be sent to us following the Doctor's examination explaining the suitability and appropriateness for the employee to return back to work in the VCM plant?

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EMPLOYEE SUITABILITY STATEMENT

Law: "A statement of each employee's suitability for continued exposure to vinyl chloride including one of protective equipment and respirators, shall be obtained from the examining physician promptly after any examination. A copy of the physician's statement shall be provided each employee." (Interpretation on page 14)

Question: The present statement provided to the employee following the VCM tests and examinations do not, in my opinion, reflect what the law is requesting. (See Attachments A & B) No mention is made as to my suitability to continue work in VCM service or the plant. Also, no mention is made regarding my suitability to wearing the required protective equipment and respiratory protection. Can something be done to revise the present form we use and include a suitability statement regarding continued work in VCM service and protective equipment and respiratory protection?

LABORATORY LICENSES

Law: "Laboratory analyses for all biological specimens included in the medical examinations shall be performed in laboratories licensed under 42 CFR Part 74" (Interpretation on page 15)

Question: I received a HEW license no. 02773 098886-70-3-RAN from the Pathology Lab in Lake Charles with whom we use to conduct our laboratory specimen sampling. Is this all the information we need? Please advise.

Earl Gremillion

C. E. Gremillion
Safety Director

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Question: Assuming we have an emergency, full release, as defined by the law, shall we have a full release of the employee?

Since the word "release" is used, does this mean we have a full release of the employee?

Should we have a full release of the employee for the duration of the emergency?

Of course, we have a full release of the employee for the duration of the emergency.

Is this the VCM plant?