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February 20, 1974

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TO: All members of:
SPI Ad Hoc Liquor Bottle
Committee;
BATF Mailing List;
Plastic Bottle Division
(Voting Representatives);
Food, Drug and Cosmetic
Packaging Materials Committee

RE: [REDACTED]
Occupational Safety and
Health Administration
Hearings

Gentlemen:

You will recall that, on January 31, 1974, Mr. Heckman wrote to you advising about a "Request for Information and Notice of Fact-Finding Hearing" published in the January 30 Federal Register. In particular, the Notice advised of the intention of the Occupational Safety and Health Administration to hold public hearings on the possible hazards of vinyl chloride manufacture and use, said hearings to be held on February 15, 1974. Since Mr. Heckman was required to be away from Washington at a Society of the Plastics Industry Board of Directors meeting on February 15, I attended the session at his request; the purpose of this letter is to give you a summary report on the proceedings. I should also point out, as a prelude, that no testimony on behalf of SPI was given at the hearings since we received no indication of disagreement with our January 31 recommendation in this respect. Moreover, I am somewhat pleased to note that the hearings did not highlight any PVC packaging materials problems although three Food and Drug Administration representatives were in attendance as observers.

Despite the fact that the Hearing was billed as an "informal fact-finding hearing," it was conducted by

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Administrative Law Judge Gordon J. Myatt who announced that the purpose of the proceeding was to make a record of such facts as might be presented by interested parties in connection with possible health hazards associated with the manufacture and use of vinyl chloride monomer. In addition to information submitted at the hearing, the record will be kept open to receive additional material until March 8, 1974. Interested parties are welcome to submit such information as they wish, in triplicate, provided it is received by that date. A full transcript of the hearings including whatever exhibits were presented orally will be made available.

Before the hearing began, Judge Myatt held a pre-hearing conference during which he called upon any parties who were not already listed and who wished to make a statement before the hearing or to submit evidence to come forward. Judge Myatt also announced that no questions or cross-examination would be permitted except by those who were listed as participants. In light of this, Professor R. J. Jaeger of Harvard and two representatives of the Health Resources Group announced their intention to make a statement. The list of participants was then amended to provide for Dr. Jaeger, and for Andrea Rickel and Bertrand Coteen (spelling is phonetic and not necessarily accurate). A copy of the schedule of appearances is attached.

The hearing began with an introductory statement by Mr. John O'Neill, Chief, Division of Health Standards for OSHA. This was followed by a statement by Vernon E. Rose, Acting Assistant Institute Director at the National Institute for Occupational Safety and Health (NIOSH). These laid the procedural framework for the meeting and introduced a report that NIOSH prepared as a result of its "walk-through" at a B. F. Goodrich Chemical Company facility in Louisville. The NIOSH recommendations for precautionary monitoring and control procedures for polymerization processes involving vinyl chloride were developed by a group under the direction of Dr. Marcus M. Key and of the NIOSH Center for Disease Control. A copy of these procedures is attached for your information.

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In these presentations, it was indicated that the tentative conclusion expressed at a NIOSH briefing in Cleveland, based upon post-mortem evidence from four former B. F. Goodrich employees, was that "angiosarcoma is a new industrial health problem." Likewise, it was stated that although NIOSH recognizes that all the workers were exposed to other chemicals, vinyl chloride remains the principal suspect as an etiological agent.

The next speaker was Dr. I. J. Selikoff, Director of the Environmental Sciences Laboratory of the Mount Sinai School of Medicine, who is also a consultant to the Oil, Chemical, and Atomic Workers International Union (OCAWI). The major point that Dr. Selikoff made was that in literally thousands of general autopsies performed in various sections of the country no cases of angiosarcoma were reported. Consequently, the appearance of four cases in Louisville must be considered as extremely significant.

Dr. Selikoff was followed by Mr. Mazzocchi of the OCAWI. He called for the immediate promulgation of emergency temporary standards for vinyl chloride monomer manufacturing and polymerization plants.

One of the more impressive presentations was that of Professor Cesare Maltoni of the Instituto Di Oncologia. Professor Maltoni reported on preliminary results obtained in a major study of inhalation carcinogenicity of vinyl chloride monomer. He reported that at levels well below those previously used by the now renowned Dr. P. L. Viola, tumors appeared in the experimental animals including, among others, liver angiosarcomas. At the lowest levels tested, no tumors were noted; this work is being repeated with larger numbers of animals.

Not directly related to vinyl monomer, but of significant interest to some in the plastics industry, vinyl acetate was found to cause no tumors in any of the test animals.

Following Professor Maltoni's presentation, A. C. Clark appeared for the Manufacturing Chemists

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Association; Mr. Clark provided details on an ongoing study on VCM inhalation toxicity including carcinogenicity. He was followed in the course of the hearing by speakers for several chemical companies including Goodrich, Shell Chemical, Dow, and Firestone. All these presentations were, in my opinion, objective and based upon facts in evidence as distinguished from the very emotional presentations by speakers representing the United Rubber, Cork, Linoleum and Plastic Workers Union of the AFL-CIO.

In general, the industrial concerns called for standards promulgated through the regular rulemaking procedures, whereas the unions "demanded" immediate emergency temporary standards. Dr. Jaeger, speaking extemporaneously since he had no advance statement prepared, indulged in speculations, some of which were scientifically ill-founded.

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The full transcript of the hearing can be obtained from Joanne Goodell, Office of Standards, Occupational Safety and Health Administration, United States Department of Labor, 1726 M Street, N.W., Washington, D. C. 20210, Room 240. The price is \$38.80 for the full transcript, but individual pages or exhibits can be purchased separately.

We hope this report will transmit some of the substance and flavor of the informal hearing. If you have any questions, however, please do not hesitate to contact us.

Cordially yours,

Daniel S. Dixler
Daniel S. Dixler, Ph.D

Enclosure

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