CHEMICAL MANUFACTURERS ASSOCIATION

Health and Safety Committee

Meeting Minutes

CMA, Terrace A & B Conference Room
2501 M Street, NW
Washington, DC 20037

Wednesday
January 25, 1989
9:30 a.m. - 12:40 p.m.

Members Present	Company
Wallace F. Dyste	Dow Corning Corporation
Harry A. Eschenbach	W. R. Grace & Company
Janice D. Florin	Amoco Corporation
Joseph E. LeBeau	The Dow Chemical Company
Thomas J. Marriott	Air Products & Chemicals, Inc.
Michael M. Marshall	Lonza, Inc.
James H. Price	Quantum Chemical Corporation
James H. Senger	Monsanto Company
David D. Sigman	Exxon Chemical Company
Gary A. Sunshine	ICI Americas, Inc.
Gary L. Ter Haar	Ethyl Corporation
Frank A. Ubel	3M Company
Ronald Van Mynen	Union Carbide Corporation
John Willett	Shell Oil Company

Members Absent

Leon C. Schaller	E. I. du Pont de Nemours & Company

CMA Staff

Garrity Baker *
Marilyn Browning *
Susan Conti
Marion Herz
Barbara Hindin *
Joseph Kelley
Leslie King
Diane Layne
Elizabeth Moran *
Kyle Olson
Bob Ondocsin
Randal Schumacher
Gordon Strickland *
Sandra Tirey
Eileen Winkelman
David Zoll *

* indicates part time attendance

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1. G. Sunshine, Chairman, convened the meeting at 9:30 a.m. The minutes were approved without change.

2. FY 88/89 Outside Services Budget

The committee reviewed the status of the outside services budget and approved the following projects:

- o Completion of the videotape, the presenter's guide, and the brochure on health effects from chemical exposures ($25,000)
- o Preparation of a Facility Safety Inspection and Safety Program Evaluation Guide ($30,000)
- o Development of comments on ATSDR's second 25 toxicological profiles and decision framework guide ($25,000)

3. CMA Litigation

D. Zoll discussed CMA's litigation experience and philosophy towards litigating issues that concern our members. He reviewed the various factors that CMA evaluates to determine whether to litigate, and the role of standing committees in reviewing litigation proposals.

The committee was informed that several parties, including the AFL-CIO, have challenged the OSHA Z-Tables revisions in various circuits throughout the U.S. CMA will likely file a protective intervention suit within the time period specified by the court. The Exposure Assessment Task group will take the lead in reviewing the issues raised in the litigation.

S. Conti reported that the CMA's Office of General Counsel is recommending that CMA seek judicial review of the EPA's Comprehensive Assessment and Information Rule under TSCA. CMA will challenge EPA's: 1) expanded definition of processing activities; and request under the rule 2) economic and financial information 3) advance substantiation of confidentiality and 4) trade name information.

4. Pilot Information Exchange of Chemical Exposure Values

J. Price reported that approximately 25% of those who have been invited will participate in the Pilot Information Exchange. He reviewed the criteria to determine whether to continue or modify the program, which the committee approved.

5. EPA's Biotechnology Rule

J. Willett discussed EPA's proposal to regulate biotechnology products under TSCA, which will appear as an advanced notice of proposed rulemaking (ANPR). The committee approved the draft letter with a modification to reflect the fact that EPA will propose the regulation as an ANPR.

6. ATSDR Transition Paper

F. Ubel reviewed with the committee the draft transition paper, with the modifications proposed by the Health Authorities Task Group. The document will include an executive summary preceding the issue paper. The committee approved the transition paper with the modifications discussed. The committee noted that transition papers for prospective new administrations should be prepared much further in advance of elections so the documents will be available to the transition team earlier.

7. Guidelines for Submitting Unpublished Health Effects Information to ATSDR

The committee reviewed the proposed guidelines for submitting unpublished health effects information to ATSDR in preparing toxicological profiles. Members approved the guidelines with a modification to reflect that ATSDR should consider non-GLP studies only if they been audited for quality assurance. The guidelines will be submitted to ATSDR with the revisions.

8. Letter to the Editor of the British Journal of Industrial Medicine

The committee discussed and approved the draft letter addressing the charge that industry-sponsored epidemiological studies are more likely to be negative because of bias.

9. Manager's Guide to Quantitative Risk Assessment

The committee commented on the draft manager's guide and requested that the title reflect its applicability to facility accidents. The committee approved the document and agreed that the chairman and CMA staff should determine whether to present the guide to the Board of Directors.

10. Briefing on the EPA Meeting Regarding OECD Existing Chemicals Program

J. LeBeau briefed the committee on the January 24 meeting with EPA on the upcoming OECD meeting on existing chemicals. EPA plans to prepare a base set of tests to evaluate existing chemicals, which EPA will bring to the OECD meeting. Industry representatives raised questions about how EPA's base set will relate to TSCA Section 4 testing requirements and SARA Section 110 testing authority and how EPA plans to manage international harmonization of agencies' lists. They also raised concerns about the lack of harmony between EPA and OECD test guidelines. EPA expressed interest in addressing these concerns. Another meeting is scheduled for the week of January 30 to further develop the base set.

11. OSHA and EPA-TSCA Program Reviews

The committee canceled the OSHA and EPA-TSCA program reviews because of scheduling conflicts .

12. HSC Planning Meeting

The dates of the Spring 1989 Health and Safety Committee Planning meeting in Annapolis were moved to May 9-11, 1989.

13. Sponsors' Reports

- o Letter to EPA on Implementing TSCA Section 5
  - In response to EPA's request to open a dialogue on implementing TSCA Section 5, the committee agreed to send a shortened letter with a positive tone to EPA and attach the list of issues that CMA wants to discuss.

- o EMC/HSC Management of Hazard /Risk Assessment Issues
  - G. Ter Haar and L. Johnson will discuss further procedures between the two committees for addressing hazard/risk assessment issues raised in regulations implementing environmental statutes.

- o NAOH Delisting Petition
  - The sense of the committee was that CMA should continue its present stance of not commenting on chemical-specific issues under SARA Section 313, including delisting petitions.

14. Health and Safety Review

Committee members were asked to provide R. Schumacher with ideas for the committee's open meeting, the Health and Safety Review. CMA staff will schedule a date and hotel for the meeting.

15. Adjournment

The meeting adjourned at 12:40 p.m.

Randal P. Schumacher

Randal P. Schumacher
Director
Health, Safety and
Chemical Regulations

Minutes Subject to Approval
1/25/89

RPS:dl