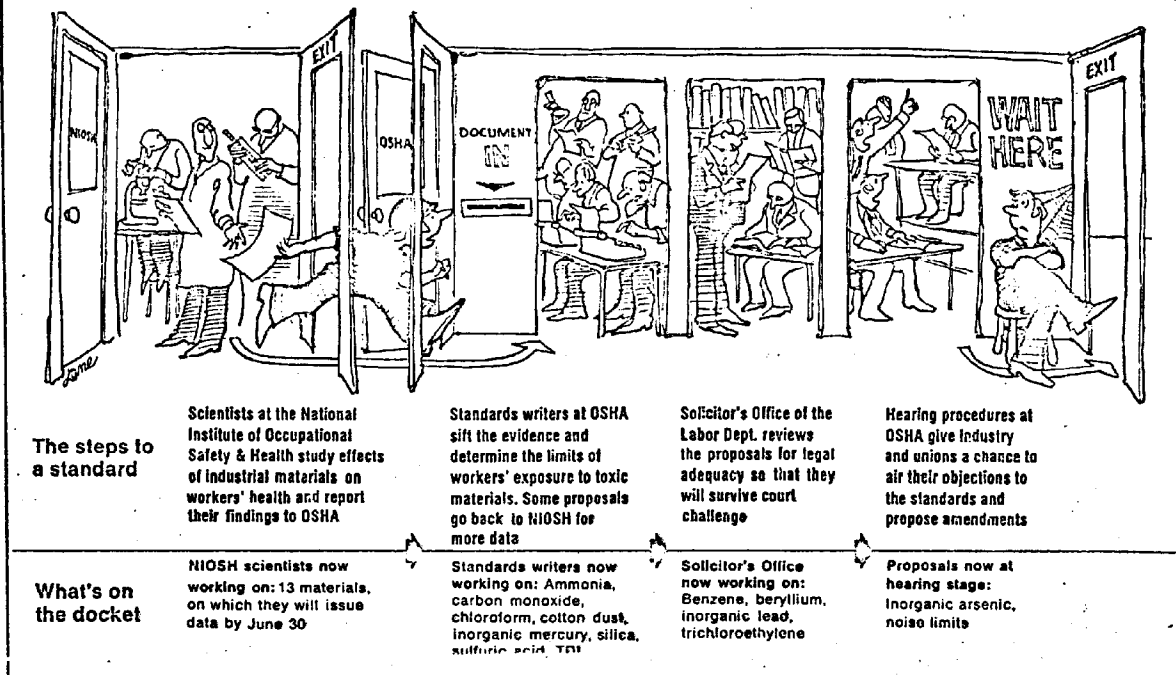




INDUSTRIAL PRODUCTION

Why things are in such a mess at OSHA

Scientists from E. I. du Pont de Nemours & Co. last month alerted the National Institute of Occupational Safety & Health (NIOSH) to a possible new cancer threat. Reports from the Soviet Union drew a strong link between cancer and chloroprene, a bulk chemical that is used to make synthetic rubber, adhesives, and coated fabrics. NIOSH is now assessing chloroprene itself and will pass its findings on to the Occupational Safety & Health Administration for action.

OSHA—which, its critics say, is already failing to cope with the work it has—hardly needs another chemical to reckon with. It is concerned with hundreds of substances that are known or suspected to be harmful to the health of workers exposed to sufficient quantities. Yet in its four years of existence, OSHA has managed to issue only a handful of health standards that have stood up. Two cover asbestos and vinyl chloride; others deal with a dozen suspected carcinogens, most of which are little used in U. S. industry.

The vinyl chloride standard, sus-

tained by an appeals court just two weeks ago, is significant because it affects an important segment of the plastics industry. But OSHA's unimpressive output has led to charges that the agency is lax and too ready to knuckle under to political pressure. During the Nixon Administration, in fact, charges that OSHA chief George C. Guenther had delayed certain standards at the behest of the White House were later substantiated. Even outgoing Labor Secretary Peter J. Brennan, who has had OSHA under his wing, recently conceded in a letter to Senator Harrison Williams (D-N. J.), whose labor subcommittee is investigating OSHA, that the record "is not an exemplary one." Improvements. The pace of new standards development has picked up considerably since late fall, however. Daniel P. Boyd, in charge of standards development, has added dozens of people to his staff, which is beginning to grind out new proposals at a steady rate. Drafts for eight new standards, covering such widely used substances as benzene and nitric acid, are ex-

pected to reach the Labor Dept.'s Solicitor's Office by July 1. Another 400 standards are scheduled to be released in batches over the next two years.

But many drafts have already become jammed at the solicitor's level. That unit, under Benjamin W. Mintz, is seriously understaffed, particularly as more standards become the object of litigation. Mintz plans to add seven or eight lawyers to his staff of 10, but that probably will not be enough. "It's the toughest kind of legal writing the department has ever done," says Mintz. "We want to write standards so they can hold up to court challenge."

Court decisions. Legal challenges have already seriously undermined OSHA's health effort. Every health standard having a significant potential economic impact on industry has wound up in court. The asbestos standard survived and has been in force since 1972. The vinyl chloride standard will take effect on Apr. 1. The Second District U. S. Court of Appeals in New York emphatically rejected industry's contention that OSHA had set the exposure limit