

U.S. Department of Labor

Assistant Secretary for
Occupational Safety and Health
Washington, D.C. 20210



Mr. Cooper 4/1/85
II 1
4 days

SEP 13 1985

AUG 30 1985

Mr. B. Coopersmith
Manager, Polymer Chemical Department
American Cyanamid Company
Chemical Group
One Cyanamid Plaza
Wayne, New Jersey 07470

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SEP - 5 1985
B. COOPERSMITH

Dear Mr. Coopersmith:

This is in reference to your request for an extension of your temporary variance and an interim order from Section 1910.1025 (k)(1)(i)(D), Medical Removal Protection (MRP), of the Standard for Occupational Exposure to Lead.

Our technical staff has determined that an evaluation of your request for an extension of your temporary variance will be necessary to determine if additional relief from the 50 ug/100g MRP provision will be warranted for your facility located at 4500 West Fifteenth Street, Chicago, Illinois 60623.

Accordingly, OSHA has decided to grant an interim order, which will expire in 60 days, temporarily relieving American Cyanamid Company from complying with the 50 ug/100g removal trigger. However, as conditions of the granted relief, you shall continue to comply with the 60/40 ug/100g medical removal and return triggers, all other provisions of the lead standard, and shall satisfy the conditions and requirements of the order set forth below.

Therefore, pursuant to the authority in Section 6(b)(6)(A) of the Occupational Safety and Health Act of 1970, in 29 CFR Part 1905.10(c), and in the Secretary of Labor's Order No. 9-83 (48 FR 35736), it is ordered that American Cyanamid Company be, and is hereby granted, an interim order effective on the date of this letter (with respect to your supervisory, maintenance, and skilled production employees referenced in your application for temporary variance) in lieu of complying with the requirement of 29 CFR 1910.1025(k)(1)(i)(D).

CYWI 3-001033

The conditions and requirements of the interim order are enumerated below:

- (1) As presently required by 29 CFR 1910.1025(j)(2) of the lead standard, employers shall perform blood lead and zinc protoporphyrin (ZPP) tests every two months on each employee whose last blood test indicated a blood lead level at or above 40 ug/100g and who is exposed to lead above the 30 ug/m³ action level.
- (2) For employees whose last three blood tests or all blood tests for the previous six months (whichever is longer) average 50 ug/100g or above who work in jobs having airborne lead exposure at or above 30 ug/m³ and who are not removed because of the interim order, the employer shall provide:
 - (a) A personal consultation with a licensed physician immediately and every two months thereafter; and
 - (b) A comprehensive medical examination by a licensed physician immediately and every six months thereafter, or sooner, as determined by a physician.
- (3) After each such personal consultation and comprehensive medical examination, the physician shall make a written medical determination as to whether the employee has a detected medical condition that places the employee at increased risk of material impairment to health from exposure to lead.
 - (a) If the employee is determined to have such a condition, the employee shall be removed from work having an exposure to lead at or above 30 ug/m³;
 - (b) If the employee is determined not to have such a condition, the employer shall submit to the Office of Variance Determination a written statement from the physician stating that it is medically appropriate for the employee to continue at work at the employee's present job.
- (4) Employers shall remove each employee with blood lead levels at or above 60 ug/100g and return the employee when the employee's blood lead level is at or below 40 ug/100g, in accordance with the provisions of Sections 1910.1025 (k)(1)(i)(C) and 1910.1025(k)(1)(iii)(A)(3) of the lead standard.

(2)

- (5) The name and job classification of each employee on MRP and the area where the employee is assigned shall be submitted to the Office of Variance Determination each time an affected employee is placed on medical removal protection as a result of either a blood lead level at or above 60 ug/100g or the recommendation of a physician.
- (6) For employees with blood lead levels at or above 50 ug/100g who are working in areas with air lead levels at or above 30 ug/m³, respirator usage shall be mandatory during the entire workshift.
- (7) For all employees with blood lead levels between 50-59 ug/100g, who need not be removed under the terms of this interim order, the employer shall make immediate inspections and evaluations of:
 - (a) The lead-related work practices affecting the employee;
 - (b) The employee's respirator usage;
 - (c) The use and availability of hygiene facilities, and the employee's relevant personal hygiene habits; and
 - (d) The existing engineering controls, to determine whether they are maintained properly to assure that such controls do not have an adverse effect on the employee.

Based on that inspection and evaluation, the employer shall take all reasonable and appropriate corrective steps in these regards to reduce the employee's absorption of lead. The employer shall submit to the Office of Variance Determination a written report (within 30 days after the effective date of this order) documenting when and where the evaluation took place, any corrective actions that were necessary, and the name and job classification of the affected employee. Periodic inspections and evaluations shall be conducted until the employee's blood lead level is below 50 ug/100g.

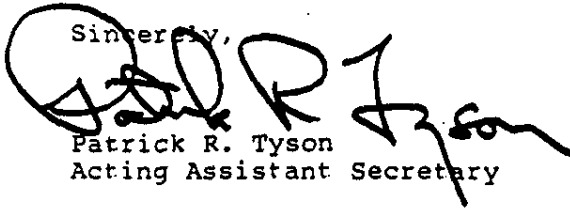
- (8) The employer shall submit to the Office of Variance Determination blood lead, ZPP and air lead data, immediately and as accumulated every two months thereafter for all affected employees.
- (9) The employer shall agree to allow OSHA or, where relevant, State safety and health officials to inspect its facility in connection with this variance application and this interim order.

(3)

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As soon as possible American Cyanamid Company shall give notice to affected employees of the terms of this order by the same means required to be used to inform them of the application for temporary variance and interim order. The Assistant Secretary may revoke this order at any time, without prior notice, whenever the applicant does not comply with any requirements of the order or the relevant standards, or if other information indicates that revocation of the interim order is warranted. Unless revoked, the interim order will remain in effect until November 1, 1985.

Sincerely,



Patrick R. Tyson
Acting Assistant Secretary

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