

HEP/NO8/OSU/11/12/81
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OCCUPATIONAL HEALTH & SAFETY LETTER

Volume 11, No. 22

GERSHON W. FISHBEIN, PUBLISHER

November 22, 1981

Main Office • 1097 National Press Building • Washington, D.C. 20045 • (202) 347-3868

Published twice a month. Rate: \$110 per year; \$205 in combination with Environmental Health Letter

Highlights of This Issue

NIOSH-OSHA team to dispute Union Carbide data, analysis of brain tumors	Page 1
Here's a switch—OMB official urges shift of OSHA to merge with NIOSH	Page 2
Occupational injuries and illnesses declined in 1980	Page 2
Dr. Lebrun appointed medical director of World Bank, IMF	Page 4
OSHA seeks public comment on California's EDB standard	Page 4
Hard-pressed educational resource centers to discuss changing rules	Page 5
Public views sought on additional formaldehyde data	Page 5
Method of ranking animal carcinogens for regulatory purposes proposed	Page 6

NIOSH-OSHA TEAM TO DISPUTE UNION CARBIDE DATA, ANALYSIS OF BRAIN TUMORS:

A team of Government investigators headed by Dr. Richard Waxweiler of NIOSH and Dr. Victor Alexander of OSHA expect to publish shortly (perhaps in Lancet or the Journal of the National Cancer Institute) an updated version of their epidemiological investigation of brain tumors at Union Carbide's facility in Texas City, Tex.

The company recently acknowledged that a nearly two-fold excess risk of brain tumor existed among workers at the plant but that no occupational link could be found and therefore the excess must be considered a chance possibility.

The company reported 12 deaths due to primary malignant brain cancer and by comparison with national rates 7.42 would have been expected. The company considered all deaths of employees working at Texas City from 1941 through 1977 but confined the survey only to white male employees.

By contrast, the Government investigators studied all male employees, white and non-white, and carried their study through 1979. Using those yardsticks, the Government will report on incidence of 23 cases of brain tumors compared to an expected incidence of 10 cases. A NIOSH official familiar with the study told us the difference could be accounted for almost entirely by the inclusion of non-white workers and extension of the survey period for two years.

In addition, the Government investigators will challenge the Carbide hypothesis that the increased incidence is due a chance possibility. That may be true, but there is also the distinct possibility that some chemical or chemicals in the plant may be responsible and should be investigated, they say.

The company and NIOSH have been conducting separate studies but using the same data base. Carbide has informed its employees that no correlation could be found between brain cancer cases and employee exposure to chemicals used or manufactured in the plant.

It said that the over-all mortality rate of employees working at Texas City since 1941 is significantly less than the national average (765 observed vs. 923.82 expected) and that of the 765 deaths which occurred among 6,588 employees, 12 were due to primary malignant brain cancer and that, finally, no correlation could be found between brain cancer cases and employee exposure to chemicals used or manufactured at the Texas City plant.

In a letter mailed to each employee of the Texas City facility, plant manager Damon L. Engle and plant physician Dr. David H. Glenn stated that they believe the four to five cases of brain cancer "may represent a chance occurrence and that these cases are not due to chemical exposure at our plant," because,

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they said:

"First, we have not been able to associate these brain cancer cases with any particular chemical exposure. Second, the types of brain cancer are present in the same percentages as that seen in the general population. Ordinarily, chemically caused cancer is a specific and often unusual type, different than those seen in the general population. Finally, excessive brain cancer has not been confirmed in chemical plants similar to ours in other parts of the country."

"Brain tumors," it continues, "are a rare cause of death and while there must be concern over any increase in incidence, there is no cause for alarm based on the results of this study."

HERE'S A SWITCH—OMB OFFICIAL URGES SHIFT OF OSHA TO MERGE WITH NIOSH:

It's not unusual for someone to recommend the transfer of NIOSH to the Labor Department in a merger with OSHA.

But now a high-ranking official of the Office of Management and Budget suggests, in a view he describes as his own and not necessarily that of OMB, that OSHA be transferred to the Department of Health and Human Services and merged with NIOSH.

What is intriguing is not only that it came from John F. Morrall III, Deputy Chief of Social Regulation in OMB's Office of Information and Regulatory Affairs (again emphasizing that it was his personal view) but that it was presented at a conference on government regulation sponsored by the American Enterprise Institute for Policy Research, a think tank which has given the Reagan Administration some of its top officials and philosophy.

Morrall said that a combination of the significant risk test provided by the Supreme Court's ruling on benzene and the use of cost-effectiveness analysis called for in its cotton dust decision, could produce most of the public policy improvement expected from a cost-benefit requirement, which the Supreme Court ruled out. Detailed examinations for individual OSHA regulations—coke ovens, benzene, acrylonitrile and cotton dust in particular—illustrate the potential improvement from such a strategy, he said.

"Although much can be done administratively," he said, "it can be accomplished mainly by reducing costs, not increasing benefits. Furthermore, a change in administrations could quickly lead us in the opposite direction. To assure more lasting reform, one that actually produces significant occupational safety and health benefits, legislation is needed. I recommend the following:

"(1) Merge OSHA into NIOSH at HHS where it can concentrate more on promoting occupational health and less on safety and labor issues such as pay, seniority and comfort.

"(2) Require cost-benefit balancing so that... more extensive cost-beneficial regulation can replace intensive inefficient regulation.

"(3) Press for reform of workers' compensation (experience rating, co-insurance and deductibles) to create incentives for firms to provide safer workplaces.

"(4) To deal with society's financial interest in reducing health and safety risks, reform the institutions that create these externalities since they create them for all risky situations, both in and outside the workplace.

In a subsequent interview with *OCCUPATIONAL HEALTH & SAFETY LETTER*, Morrall said one objective of moving OSHA into HHS and a merger with NIOSH would be to make the program more scientific and less responsive to the demands of labor. From a regulatory standpoint, he said, OSHA is currently moving in the direction sought by the Administration, is concentrating inspections and enforcement on companies with the worst safety records but that his suggestion for legislation transferring OSHA to NIOSH was predicated on the possibility that a subsequent Administration might reverse that trend by administrative action. From a practical standpoint, however, he acknowledged that such a move would probably prove politically infeasible.

OCCUPATIONAL INJURIES AND ILLNESSES DECLINED IN 1980:

Job-related injuries and illnesses declined in 1980, the last year of the Carter Administration, the Labor Department's Bureau of Labor Statistics reported in its annual survey.

About one injury or illness occurred for every 12 workers in the private sector during 1980, compared

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