

is the rate at which OSHA has been proposing occupational health standards. The record of the past is not an exemplary one, and, although the matters are extremely complex, I will offer no excuse for past delay. There is and will continue to be a significant improvement in this area as a result of the actions described in the enclosed response to issue paper number 14. I assure you that I will continue to focus the utmost attention upon the problem of workplace health hazards and the means for their elimination.

"I am certain that you are aware of the milieu within which this program exists. The Act is a complex piece of legislation, virtually unprecedented when passed, which the Department had to implement on a full-scale basis almost immediately after its enactment. There is considerable and vocal opposition to many of the policies and decisions involved in implementing the law as well as to the statute itself. Such factors as availability of qualified personnel, finite resources, court decisions and jurisdictional questions all impinge upon the manner in which we implement the Act. You can be assured, however, that consideration of these factors will not lead to any lessening in our efforts to enforce this legislation."

SENS. WILLIAMS, HART URGE CONSULTATION WITH LABOR ON DR. KEY'S SUCCESSOR:

Senators Harrison Williams (D-N.J.) and Philip A. Hart (D-Mich.) have written a letter to President Ford urging that labor be consulted, along with management and technical groups, in appointing a successor to Dr. Marcus Key as Director of NIOSH. Dr. Key retired last month and is now in the Washington office of the American Medical Association.

The committee screening a possible successor to Dr. Key has succeeded thus far only in weeding down the potential list of candidates from 80 to 50. It seems unlikely that the committee's recommendation will come before elections next month. Several unions have joined the American Industrial Hygiene Association in urging the promotion of Edward Baier to the post. Baier, a hygienist, is currently serving as Acting Director.

"As the recent headlines concerning the hazards of vinyl chloride and asbestos make clear, the safety of the working environment is a critical national problem," wrote Williams and Hart to the President. "To reassure the working men and women of America that everything possible to reduce the incidence of occupational disease is being done, it is important that the new head of NIOSH be familiar with and sensitive to labor's concerns.

"May we suggest therefore that you consult with labor union representatives, as well as management and technical groups, in making your selection for this post. We are entering a difficult time for labor-management relations. A director of NIOSH who enjoys the confidence of labor and management can do much to improve the atmosphere for amicable settlements of disputes based on safety issues."

NIOSH WITHHOLDING CERTIFICATION OF RESPIRATORS FOR VINYL CHLORIDE:

NIOSH is reaffirming its policy that only air-supplied respirators can be certified as safe for workers exposed to vinyl chloride and thus far no manufacturer has submitted an air-supplied respirator for testing and certification.

The net effect could be to neutralize the vinyl chloride standard, or at least that part of it which requires respirators if the level exceeds 25 ppm.

It's the view of NIOSH that only an air-supplied respirator provides sufficient protection for the workers and has reaffirmed that position in a series of meetings.

Respirators with cartridges might be efficient but they have the risk of leakage around the face and do not have the necessary warning property, said Edward J. Baier, Acting Director of NIOSH. An effective and certifiable respirator must contain a warning device of some kind to alert the worker to the exposure level, he said.

Several respirators which include cartridges and chemicals have been tested by NIOSH but have been found to be subject to leakage and contamination. Baier noted that vinyl chloride generally cannot be smelled until it reaches a level of 2000 to 5000 ppm—far above the level considered to be safe.

NIOSH is currently working with two manufacturers on a timing device, but the problem appears to be one of economic feasibility rather than technological possibility.

Note: The Industrial Union Department of AFL-CIO has entered the suit filed against the Labor Department by the Society of Plastics Industry and individual companies in New York court seeking judicial review of the vinyl chloride standard. IUD has entered the case on the side of the Government as an "intervenor."