

Sharp Drop in Vinyl Chloride Exposure Is Ordered by Labor Agency for Workers

By a WALL STREET JOURNAL Staff Reporter

WASHINGTON—The Labor Department ordered a sharp reduction in workers' exposure to vinyl chloride, a widely used industrial gas that has been linked to liver cancer.

The ruling, which comes after nine months of controversy, brought a lawsuit from the plastics industry, which contends the standard can't be met, and criticism from organized labor, which contends the rule contains too many loopholes. Vinyl chloride is a basic ingredient in making many everyday plastic products.

The new standard, issued by the Labor Department's Occupational Safety and Health Administration, requires that, starting Jan. 1, vinyl chloride levels in the air that workers breathe be held to one part vinyl chloride per million parts of air, averaged over an eight-hour period. Actual levels may exceed one part per million for short periods, but they must average out to no more than five parts per million for any 15-minute period within the eight-hour time span.

The standard also calls for regular monitoring of plant air, regular medical exams for workers and establishment of "regulated areas" where vinyl chloride exposure is high. It prohibits direct worker contact with liquefied vinyl chloride and requires posting of signs warning the chemical is a "cancer-suspect agent."

Since last April, companies handling vinyl chloride have been under an emergency restriction of 50 parts per million, without any time period.

The emergency standard was issued after the discovery, beginning last January, of cases of a rare and fatal liver cancer, angiosarcoma, among workers exposed to vinyl chloride. Nineteen deaths among such workers in the U.S. and other countries have been attributed to liver cancer caused by long exposure to the chemical.

Vinyl chloride is a gas that is processed to form a powdery substance known as polyvinyl chloride. Polyvinyl chloride, in resin or pellet form, is then fabricated into a wide variety of finished plastic products.

Coverage for Workers

Though only about 6,500 workers are employed in plants that make vinyl chloride and polyvinyl chloride, about 350,000 others, who work in facilities that create finished products from the polyvinyl chloride, will also be covered by the new ruling. Workers who handle only finished products, and don't have any chance of contact with "raw" vinyl chloride or polyvinyl chloride, are the only ones exempted.

The Labor Department initially proposed that exposure be limited to "no detectable level," without any averaging over time. This proposal pleased organized labor and some key researchers in the field of occupational health. But the Society of the Plastics Industry, a trade group, and many companies using the chemicals, denounced it as technologically impossible and warned it would drive the industry out of business.

Discretion in Enforcement

In selecting as its final standard one part per million over eight hours and five parts per million over 15 minutes, the department apparently was trying to reach a compromise between its original idea and the toughest proposal offered by the industry, which would have left exposures as high as 10 parts per million in some plants and 25 parts per million in others.

The department sought to smooth further the adjustment for industry by delaying until next January the drop from the present 50 parts per million. Also, it gave its enforcement staff discretion to determine how the companies must meet the standard. While the goal is to reach the new levels through "engineering and work practice controls," such controls must be deemed "feasible," and companies can deal with any exposures produced by inadequate controls by giving workers respirators.

A date wasn't set in the ruling for improving plant engineering and practices to the point where respirators won't be needed. What's more, until January 1976 workers may refuse to wear the respirators when exposures don't exceed 25 parts per million, even if they exceed the one part per million over eight hours specified in the regulation.

Despite this attempt at compromise, however, the Society of the Plastics Industry and some producers sued the Labor Department to overturn the ruling only moments after it was issued yesterday. And Firestone Plastic Co., a unit of Firestone Tire & Rubber Co., said it will ask a court to stay enforcement of the standard while the suits are being tried.

Ralph Harding, president of the industry group, said the standard is "unrealistic, probably will be impossible for most, if not all, of the industry to meet and appears to have been developed on some basis inconsistent with recorded facts." The job-safety agency "may believe that it has adopted a compromise position," but the result is unacceptable to the industry, he added.

Industry sources also indicated displeasure at the inclusion of plants making fabricated products from polyvinyl chloride. The industry had proposed excluding these plants, contending they didn't present any hazard.

But the department said it decided to include them because polyvinyl chloride resin and pellets can give off vinyl chloride gas in small amounts during processing. It said, however, if the plants weren't exposing workers to more than half a part per million of vinyl chloride gas, they needn't undertake any control measures.

In Midland, Mich., Dow Chemical Co. said the standards were "unnecessarily stringent" and unsupported by the data on Dow workers that was presented at public hearings.

Organized labor expressed some immediate reservations of its own.

In Akron, Ohio, Peter Bonmarito, president of the United Rubber Workers union, which represents many vinyl chloride workers, said "it would appear this thing has a number of loopholes in it." Mr. Bonmarito reserved final judgment until he has seen a full text of the regulations, but he was quick to take issue with the decision to let workers decline the use of a respirator until 1976. "We can't make a guy put on a respirator, and while he's not wearing one, he may be endangering himself." What is more, he added, "The respirator situation is going to be even worse in nonunion plants."

Union safety experts have been heavily involved in the rule-making process, and one of their major contentions has been that protection from the gas should be derived primarily from controlling exposure through engineering and work-rule changes rather than from respirators, which workers often balk at wearing because they can be bulky and unreliable.

The department defended its reliance on the use of respirators, saying definite dates couldn't be set for dealing with the problem solely through engineering and work rules because "we are presently unable to determine when it will be feasible." It added, "We would agree that respirators have many drawbacks" but said, in the absence of complete engineering control, they are needed.

The official explanation of the regulations also said that although a deadline wasn't set for completing engineering and work-rule changes, a continuing plan, available for government inspection, must be pursued by each company at a pace agreed on by safety inspectors, until respirators are needed only occasionally. It admitted, however, that at different plants this could take as long as "several years."

The unions are expected to study the ruling in depth, and they, too, could file a lawsuit if they conclude the standards are inadequate.

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