

CLOSURE 7

U.S. DEPARTMENT OF LABOR
Occupational Safety and Health Administration
WASHINGTON, D.C. 20319

DEC 17 1975

Mr. R. S. Brookman, Manager
Research, Development and Technical Services
Firestone Plastics Company
Pottstown, Pennsylvania 19464

Dear Mr. Brookman:

In response to your letter of July 14, 1975, petitioning for modification of the Vinyl Chloride Standard, the following determinations have been made:

1. 29 CFR 1910.1017(b)(5) Definitions

In regards to the definition of "massive release" in Program Directive #200-35, we agree that the definition should be modified. This will be addressed in a future program directive. In all probability the stipulation of 100 ppm will be removed.

2. 29 CFR 1910.1017(b)(6) Definitions

The standard defines a fabricated product as being one which is "made wholly or partly from polyvinyl chloride, and which does not require further processing at temperatures, and for times, sufficient to cause mass melting of the polyvinyl chloride resulting in the release of vinyl chloride."

"Release of vinyl chloride" means the release of an amount of vinyl chloride which would likely result in employee exposure at or above the action level without regard to the use of engineering controls. Products which can be classified as fabricated products are exempt from the provisions of the vinyl chloride standard. All other products are subject to the requirements of the standard. If the employer uses or manufactures a product which is not a fabricated product, he must initiate monitoring procedures. If the monitoring reveals that the employees are not exposed to vinyl chloride at or above the action level, the employers' operations will be exempt from the provisions of the standard.

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However, if the monitoring reveals exposure at or above the action level, the employer must implement the procedures specified in the standard.

3. 29 CFR 19101.1017(g)(4)(iii) Respiratory protection

Regarding your suggestion to add a Type C, Supplied Air Respirator, Pressure Demand type, with full or half face-piece to this section:

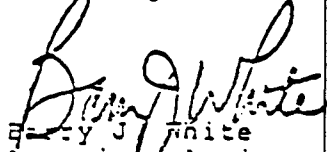
If an employer can show that a respirator provides equal or greater protection than those specified in the standard, he may be granted an interim order or a variance from the standard. Your company received such an interim order, dated May 30, 1975.

4. 29 CFR 1910.1017(k) Medical surveillance

There is no OSHA regulation requiring an employee to submit to a medical examination. If the employee refuses any medical examination required to be provided by the employer, the employer shall inform the employee of the possible health consequences of such refusal and obtain a signed statement from the employee indicating that the employee understands the risk involved by refusal to be examined.

We greatly appreciate your sharing data, experience and knowledge with us. At the present time there are no plans to formally amend or modify the vinyl chloride standard. We hope that the above clarification of the regulation will satisfy the request in your petition. Should you have further questions please do not hesitate to contact us.

Sincerely,



Harry J. White
Associate Assistant Secretary
for Regional Programs

Copy to T. C. Walker 12/26/75

Copies to: Mr. W. B. Connolly, Jr.
Mr. J. J. Cassidy, Jr.
Mr. C. J. Kleinert
Mr. F. F. Hoy
Mr. R. W. Arnold
Mr. H. N. West
Mr. G. D. Lloyd
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