

CHEMICAL MANUFACTURERS ASSOCIATION
OCCUPATIONAL SAFETY AND HEALTH COMMITTEE

Minutes of Meeting

CMA Terrace Conference Room
2501 M Street, NW
Washington, DC 20037

Thursday
January 26, 1984
9:00 am - 3:00 pm

Attendees

Harry Eschenbach
(chairman)
Gary Sunshine
(vice-chairman)
John Dougherty, MD
Thomas Evans
James K. Filan, MD
Brad Garber
Richard Lippin, MD
John Murphy
(for L. Heath)
Paul Nees
James Norwood
John G. Page, Jr.
Charles Ryan, MD
Allan Sherr
Lloyd Zelewski
(for C. Irwin)

Company

W.R. Grace & Company
ICI Americas Inc.
Celanese Corporation
Monsanto Company
The Procter & Gamble Company
Olin Corporation
ARCO Chemical Company
Stauffer Chemical Company
Occidental Chemical Company
Air Products & Chemicals Inc.
E.I. du Pont de Nemours & Company
Sun Company Inc.
American Cyanamid Company
Phillips Chemical Company

Absent

Charles Richards

Gulf Oil Products Company

Guests

Ed Baier (part-time)
Leonard Guarria (part-time)

OSHA
Monsanto Company

CMA Staff

Chris Cathcart (part-time)
Bob Fensterheim (part-time)
Milt Freifeld
Robin Hertz
Chris Nolde (part-time)
Randy Schumacher

Action

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|------|--|---------------------|
| 83/2 | Draft charter for task group on general issues in toxicology. | J. Dougherty |
| 83/3 | Draft letter to member companies urging critical review of voluntary standards that overlap regulations. | Freifeld/
Garber |
| 83/7 | Draft comments on OSHA Health Policy when it is published. | T. Evans |
| 84/1 | Vote on contract with Argus to compare toxicology information obtained from 1-, 2-, and 3- generation animal studies. | R. Hertz |
| 84/2 | Tie Hazard Communication Rule into program and publicity for three symposia planned on Worker Education. | A. Sherr |
| 84/3 | Seek clarification regarding OSHA's intentions to assume responsibility for controlling workplace concerns where there is an overlap with EPA. | T. Evans |
| 84/4 | Seek advice from CMA Legal Department on offering guidance to members on preparing labels. | R. Hertz |
| 84/5 | Prepare comments on the Office of Technology Assessment Findings and Options chapter of their control technologies draft report. | J. Page |

The meeting was convened at 9:00 am.

1. Minutes of Last Meeting, November 17, 1983

These were approved as distributed.

2. Informational Meeting

The December 15 Informational Meeting, organized by T. Evans, on Right to Know and Hazard Communication was a huge success. It could not have been more timely, coming three weeks after OSHA's promulgation of its rule on this subject.

The planned Worker Education symposia this spring should satisfy the requirement for an informational meeting. Hence no plans were made for an additional one.

3. Task Group Reports

3.1 OTA Control Technology Report

J. Page said that CMA objected to the anti-industry tone in comments to the Office of Technology Assessment on their draft report on "Health and Safety Control Technologies in the Workplace."

CMA will also comment on the Findings and Options chapter of the above report by the deadline of January 29. This chapter was more evenhanded in its attitude towards industry. Also, with a few exceptions, we agreed with the options presented.

Should control technology generate legislative interest, CMA staff will bring our comments on the OTA report to the attention of appropriate people on the Hill.

3.2 Education and Communication

In an earlier telephone poll, the Committee approved the draft report on Worker Education. At the meeting, the Committee also approved the task group's tentative plan to hold symposia based on this report this spring in Houston, Philadelphia, and San Francisco. Approval was conditioned on the task group's including in the program and promotional literature for the symposia assistance for attendees in complying with the new OSHA Hazard Communication Rule.

3.3 Future Issues

At its next meeting, said R. Lippin, this task group will discuss real vs. perceived hazards and cytogenetic screening.

3.4 Health Standards

J. Dougherty reported that as part of our ASPER review, reports from P. Enterline and P. Barth are close to their final form. We have signed contracts with I. Selikoff, P. Hull, and Westat. A remaining subject in the ASPER report is toluediisocyanate and J. Dougherty is discussing this with potential contractor, D. Wegman.

C. Ryan urged Committee members to prepare specific suggestions for budgeted projects the Committee should consider for FY 84/85 and beyond. Near-term projects might deal with the development of data to support our positions on Superfund and victim compensation.

The task group did not recommend proceeding with the proposed project on air purification for respirators. C. Ryan said they questioned the need for it.

3.4 Health Standards (contd.)

The reactivated Work Group on Cancer Policy, said C. Ryan, prepared the comments CMA submitted on both parts of the document on chemical carcinogens from the Office of Science and Technology Policy. Overall, it is a thorough, well-written document. Nevertheless, we did comment on the counting of malignant with benign tumors, the use of maximum tolerated dose and the primacy of animal data over epidemiology.

R. Hertz distributed copies, at the meeting, of a proposal by Argus to compare information obtained from 1-, 2-, and 3-generation reproductive toxicity studies. (Subsequently, in a telephone call, the Committee approved the expenditure of \$31,000 for this project). The Committee agreed that if approved, the money for this project should be taken from the funds budgeted for the National Occupational Exposure Survey-II. The NOES-II project has not been started since NIOSH has delayed making the data available.

The Office of Technology Assessment has a reproductive hazards assessment advisory panel and J. Wheeler is a member. In a letter to C. Ryan, December 19, 1983, J. Wheeler transmitted an OTA inquiry about whether CMA and the American Industrial Health Council (AIHC) wish to assist OTA by funding, developing and carrying out a survey of member company corporate activities dealing with reproductive risk. An alternative suggestion was to ask CMA and AIHC to assist OTA with the design of a suitable questionnaire. The Committee declined to undertake the survey in question as a CMA project but thought that we should offer help in developing the questionnaire and interpreting the results of such a survey if OTA decides to proceed with it.

A work group was recently formed on the Ritter/Martin Bill (H.R. 4192). Their objective is to develop CMA positions, to be used if needed, on demonstration risk analysis projects in the federal government and the use of science boards as part of the regulatory process.

3.5 Process Safety Analysis

J. Page said this group is revising its draft report, which includes a survey of member companies on this subject. In cooperation with the Engineering Advisory Committee this group is planning a symposium on Process Safety Management in the spring of 1985 on the east coast.

3.6 Right to Know

T. Evans reported that in cooperation with the State Affairs Hazard Communication Task Group the RTK Task Group is defining areas of significant difference between the federal standard and state right to know laws.

CMA intervened on the side of OSHA in the labor and environmentalists law suits challenging the federal Hazard Communication Standard. The issue is whether the federal rule preempts state laws on right to know.

The RTK Community Activities Work Group is developing outlines for industry use in providing information to local emergency services. This group is also preparing a position paper on community emergency preparedness.

3.7 Safety Standards

L. Heath reported that the task group was considering whether to revise or drop the current CMA Occupational Injury and Illness Report Guidelines for members. C. Boccella had noted earlier that there were some potential legal problems with the current version of the guidelines. The Committee favored revising the guidelines to eliminate possible legal difficulties and reissuing them.

The task group will prepare comments on the issues of confined space entry and lockout/tagout in the OSHA proposed standard on grain elevators.

4. Ed Baier, OSHA - Guest Speaker

E. Baier described the structure and function of the Technical Support Division at OSHA which he heads.

5. Liaison

L. Guarria, representing the Chemical Regulations Advisory Committee, talked about the overlap between OSHA and EPA in regulating the workplace. He noted that EPA has a strong lead in collecting information, risk assessment and consideration of risk reduction alternatives. Yet, CRAC and OSHC agree that OSHA is the proper agency to issue workplace regulations. He suggested that OSHC should seek clarification of OSHA's intentions to assume responsibility for controlling workplace concerns where there is an overlap with EPA.

CMA 060687

5. Liaison (contd.)

A group headed by Dr. I. Selikoff is planning a meeting in New York in June 1984, on occupational disease and workers' compensation. The Committee agreed that Mr. J. Kronk, manager of workers' compensation at E.I. du Pont de Nemours & Company, would be a suitable representative on that group for CMA.

6. Legislative Review

C. Nolde reported that the Miller Bill remains in the House subcommittee and still has not proceeded to markup. In the Senate, staff is said to be working on a proposal for Edward Kennedy, but no draft has been forthcoming.

He agreed it was desirable for CMA to have a position ready on the Ritter/Martin Bill (H.R. 4192) in case of need. Prospects for passage of the bill this year are slim, particularly as to the central science board provision in Title II.

7. Future Meetings

The next meeting was scheduled for March 20 (but has since been moved up to March 15).

The Committee's meeting and retreat were tentatively scheduled for May 21, 22 and 23.

The meeting was adjourned at 3:00 pm.


Milton Freifeld
Associate Director
Health, Safety and
Chemical Regulations

Minutes Subject to Approval

MF:mw
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cc: C. Boccella

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