

CHEMICAL MANUFACTURERS ASSOCIATION

Health and Safety Committee

Meeting Minutes

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

Wednesday
April 15, 1987
9:40 a.m. - 2:30 p.m.

Members Present

Robert F. Brothers
J. Ronald Condray
Robert E. Hanson
Michael Marshall
Thomas J. Marriott
Irv Rosenthal
Mitchell Sauerhoff (part time)
David Sigman
Gary Sunshine
Gary Ter Haar

Company

Eastman Kodak Company
Monsanto Company
Shell Chemical Company
Lonza, Inc.
Air Products & Chemicals, Inc.
Rohm & Haas Company
Stauffer Chemical Company
Exxon Chemical Americas
ICI Americas, Inc.
Ethyl Corporation

Members Absent

Eugene C. Capaldi
Raymond W. Hussey
George A. Rodenhausen
Frank Ubel

ARCO Chemical Company
The Lubrizol Corporation
Celanese Corporation
3M Company

CMA Staff

Kathy Bailey (part time)
Timothy Burns (part time)
Nancy Doerrer
Joanne Padron
Christopher Nolde (part time)
Timothy O'Leary (part time)
Lori Ramonas (part time)
Randy Schumacher
Stephanie Siegel (part time)
Gabrielle Williamson (part time)
David Zoll (part time)

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1. R. Condray convened the meeting at 9:40 a.m. The committee approved the minutes of the April 15, 1987 committee meeting with the following changes; M. Herz and J. Henshaw attended the meeting part time.

2. Title III Manual

G. Sunshine briefed the committee on the proposal to hire an outside consultant to prepare an "owner's manual" on Title III. The manual will act as a set of guidelines for setting up successful right-to-know and emergency preparedness programs. The committee agreed to authorize

the Steering Task Group to approve up to \$50,000 for a consultant to begin drafting the manual.

3. Animal Testing Bills

The committee discussed the various animal rights bills pending that would restrict the use of animals for health effects testing. It agreed to gather more information on policies and positions that other trade and professional groups have adopted. The Health and Safety Committee recommended that CMA allow the Cosmetic, Toiletries and Fragrance Association to take the lead advocacy role on this issue.

4. Product Safety Guideline

The Product Safety Task Group asked the committee to approve the draft Product Safety Guidelines. The committee approved the basic concept of the guideline but agreed that additional editorial comments are needed. N. Doerrler will resubmit the guidelines to the Product Safety Task Group and ask for additional comments by the end of April. R. Schumacher will determine what level of CMA review beyond the Health and Safety Committee is appropriate before printing the guidelines.

5. NTP Annual Report on Carcinogens

On April 21, 1987 CMA will testify before the National Toxicology Program (NTP) on their process used to produce the Annual Report on Carcinogens. The Hazard Assessment Task Group requested that the committee approve their final draft comments on the Report. The committee delegated responsibility for final review to the task group. N. Doerrler will contact the Office of Toxicology Assessment (OTA) and recommend they consider the Federal Register's comments before they complete the report, Federal Testing and Regulation of Carcinogens.

6. TSCA Section 8(d) Interpretation

The committee discussed EPA's interpretation of TSCA Section 8(d) in the Lonza case. The committee agreed that each member should talk to their respective legal counsel regarding a CMA legal challenge, and ask each legal counsel to contact D. Zoll.

7. Worker Notification Legislation

C. Nolde briefed the committee on the status of Sen. Metzenbaum's and Rep. Gaydos' bills. The mark up for Rep. Gaydos' bill is scheduled for April 23, 1987 and the mark up for Sen. Metzenbaum's bill is April 28.

8. Noise Recordkeeping

The committee discussed the issue of recordable hearing loss in the workplace, and asked the Health Programs Task Group to address the recording hearing loss issue and make a recommendation back to the committee.

9. Ozone Standard Revision

The committee discussed alleged health effects of ozone and the ozone standard under the Clean Air Act that is being revised. R. Schumacher will consult with D. Carroll on the health issues, with API on its reviews on health effects of ozone, and with AIHC on its involvement in the issue.

10. Notification and Reporting Task Group

The committee confirmed John Kasper as the new task group chairman.

11. Sponsor's Reports

The Public Compensation Task Group will review Sen. Richardson bill and recommend a CMA position at the upcoming Task Group meeting.

The Hazard Assessment Task Group is negotiating with a contractor to prepare comments on ATSDR's 100 list, model toxicological profile format, and criteria for listing.

R. Schumacher will provide a copy of the State Affairs Division's book on state Title III legislative proposals to the committee members. R. Schumacher will arrange to show a copy of the CAER Title III implementation videotape and the Risk Communication videotape at the next committee meeting.

R. Schumacher will contact D. Boggs regarding NIOSH's NOES II Survey.

12. Adjournment

The committee adjourned at 2:30 p.m.



Randal P. Schumacher
Director
Health, Safety and
Chemical Regulations

Minutes Subject to Approval
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2. HSC Planning Meeting Follow Up

The Health and Safety Committee will review summaries of the goal sessions presented at the Planning Meeting at their next meeting and discuss workplans to implement the goal programs during the coming year. Summaries of the goal sessions will be sent to all attendees of the Planning Meeting.

3. MTD Workshop

The Hazard Assessment Task Group requested approval of an expenditure up to \$10,000 in outside services funds to help fund the National Agricultural Chemicals Association's (NACA) workshop on the "maximum tolerated dose" (MTD) commonly used in oncogenicity studies. The task group informed the committee that AIHC and PMA have declined to support NACA's proposal until further work is done to develop a better scientifically-oriented program. The committee agreed to evaluate a revised proposal from NACA for such a workshop at a later date.

4. Proposed Comments on SARA Section 110

The committee expressed interest in obtaining EPA's draft documents on Significant Human Exposure Levels (SHEL) and data gaps. N. Doerrerr will contact EPA to obtain copies for the Hazard Assessment and Health Programs Task Groups to review. The committee asked the Hazard Assessment Task Group to comment on appropriateness and criteria of quantitative exposure assessments for data generation. Also the committee would like use of the Structure-Activity Relationships (SAR) for generating data included in our comments. Committee members should give N. Doerrerr additional comments by May 26.

The committee recommended sending a one page condensation of Wilmer, Cutler and Pickering's memo on SARA Section 110 to CMA's Executive Committee, Health and Safety, and Legal contacts. G. Williamson will follow up on the committee's recommendation to alert executives about potential millions of dollars in testing costs and impact of SHELs.

5. Keystone Center Project on OIIR

R. Schumacher requested approval of the expenditure of \$10,000 in outside services funds to support the Keystone Center's project to establish a National Policy Dialogue on Occupational Health and Safety Record-Keeping. The committee waived the Rules of Procedure and approved the funds for the project.

6. CMA Comments on EPA's Use of TSCA Section 5(e)

The committee approved the Notification and Reporting Task Group's recommendation to file comments to EPA on the use of TSCA Section 5(e). The task group will analyze the impacts on innovation by Section 5(e) with a view of possible future TSCA reauthorization. I. Rosenthal will provide the task group with a copy of Rohm & Haas' analysis of Section 5(e) impacts.

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7. TSCA Section 8(d) Enforcement Policy

The committee reviewed the status of litigation involving EPA's TSCA Section 8(d) enforcement policy and were informed that Lonza, Inc. has decided to litigate with or without CMA participation. CMA has decided to request the court to intervene on behalf of Lonza. AIHA has also expressed an interest in participating in the litigation. G. Williamson requested that member companies provide CMA with any company specific guidance that EPA has given them. She will send committee members copies of the Lonza document that triggered the citation so that their companies can evaluate whether they would submit this kind of information under Section 8(d) regulations.

8. NIOSH NOES II Request for Information

The committee discussed the appropriateness of NIOSH's request for formulation information on the Noes II project. R. Schumacher will meet with R. Boggs to discuss further follow up with NIOSH. S. Siegel will contact NIOSH about sending letters to member companies assuring confidentiality, and will outline NIOSH's legal authority to obtain information.

9. Title III Implementation

The committee discussed the status of CMA's Title III program and the need to communicate with other associations Title III requirements. R. Schumacher will speak with D. Carroll regarding the Environmental Management Committee's setting up a health group to address Title III Implementation. C. Cathcart will send the committee members copies of the outline for the Title III "Owners Manual". The committee will discuss whether CMA needs to do anything additional at the next meeting.

10. TSCA Section 8(e) Reporting by CMA

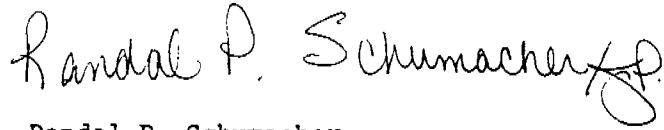
R. Hanson requested that the committee consider a written policy to guide Special Program Panels on Submitting TSCA Section 8(e) notices to EPA. Members referred the issue to the Special Programs Policy Committee (SPPC) for its consideration. G. Williamson will report on the Health and Safety Committee's discussion to SPPC

11. Liability Reform Work Group Speakers

The Liability Reform Work Group requested that the committee approve spending \$4,000 in outside services funds for speakers to participate in a special meeting on Compensating Toxic Injuries, and for the taping and transcribing of the presentations. The committee waived the Rules of Procedure and approved the expenditure of outside services funds.

12. Adjournment

The committee adjourned at 1:20 p.m.

A handwritten signature in cursive script that reads "Randal P. Schumacher". The signature is written in dark ink and is positioned above the printed name.

Randal P. Schumacher
Director
Health, Safety and
Chemical Regulations

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