

CHEMICAL MANUFACTURERS ASSOCIATION

Health and Safety Committee

Minutes of Meeting

CMA Terrace A&B Conference Rooms
2501 M Street, N.W.
Washington, D.C. 20037

Wednesday
June 20, 1990
9:30 a.m. - 2:30 p.m.

Members Present

Wallace F. Dyste
Susan P. Engelman
Harry A. Eschenbach
Marvin A. Friedman
John J. Kasper
Philip G. Lewis
Haines B. Lockhart
Thomas J. Marriott
Neil O. Neunaber
James H. Senger
Ladd W. Smith
Gary L. Ter Haar
John C. Willett

Dow Corning Corporation
Hoechst Celanese Corporation
W.R. Grace & Company
American Cyanamid Company
Nalco Chemical Company
Rohm and Haas Company
Eastman Kodak Company
Air Products & Chemicals
Olin Corporation
Monsanto Company
Occidental Chemical
Ethyl Corporation
Shell Oil Company

CMA Staff

*Susan Conti
*Nancy Cookson
Karen Creedon
Arlene Crain
Emily Currie
*David Hastings
*Diane Layne
Kathryn Rosica
*Langley Spurlock
*Sandra Tirey

*Part-time

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1. J. Willett, chairman, convened the meeting at 9:30 a.m.

2. Minutes

The minutes of the May 8, 1990, meeting were approved as written.

3. 1989-90 Budget

J. Willett reviewed the end year 1989-90 budget, noting that anticipated projects in the following areas were not completed as expected:

ATSDR/Superfund Assessment Comparison
Health Surveillance Options Handbook
Consensus GEPS

Changes in regulatory timing was cited as one of the reasons.

4. 1990-91 Budget

T. Marriott reviewed the FY 1990-91 Committee budget, noting total funding of \$818,800 for Board approved project areas. Sponsors were asked to begin planning on the new projects immediately.

5. June 6, 1990, Board of Directors Meeting

J. Willett briefed the Committee on the June 6, 1990, presentation to the Board of Directors on the May 1990 CMA Risk Management Conference. There was a high degree of interest among the Board, particularly from those members who directly participated in the Conference. The Ad Hoc Study Group on Risk is developing an action plan addressing the Conference's key recommendations for Board presentation in September 1990.

J. Willett also noted that a September 1990 Board briefing on the progress of the OECD High Production Volume (HPV) pilot testing program has been scheduled.

6. Committee Organization

K. Rosica and T. Marriott reviewed the Committee and task group structure that was developed at the May 1990 annual planning meeting. The Committee endorsed the plan as developed and acted on the following appointments:

- a. Richard Wise of Union Carbide to chair the newly formed Existing Chemical Testing Task Group.
- b. Dan Thomas of Hoechst Celanese to replace Harry Eschenbach of Grace Specialties as chair of the Health Programs Task Group.
- c. Michael Kaplan of du Pont to chair the newly formed Scientific Issues Task Group.
- d. Phil Lewis of Rohm and Haas to sponsor the newly formed Industrial Hygiene Issues Task Group; a chair is being sought for the group.

Task/Work groups which were sunset (or redefined) were noted and included:

- o OSHA Reform and Transition Task Group
- o TSCA Reauthorization and Transition Task Group
- o OSHA Issues Task Group
- o Carcinogen Classification Work Group
- o TSCA/RCRA Work Group
- o Hazard Assessment Task Group
- o Notification and Reporting Task Group*
- o Liability and Compensation Task Group

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(A feasibility survey of member company tort and workers compensation claim costs will be conducted by CMA's Office of General Counsel; future activity in this area will be reviewed and decided in conjunction with the HSC).

7. FY 1990-91 Meeting Dates

The Committee confirmed the following meeting schedule, noting that the September and November meetings were changed to accommodate holidays:

June 20, 1990
July 18, 1990
August 15, 1990
September 26, 1990
October 17, 1990
November 14, 1990
December 19, 1990
January 16, 1991
February 20, 1991
March 20, 1991
April 17, 1991

The Steering Task Group will meet on the preceding afternoons, 2:30 p.m. - 5:00 p.m. Members of the full Committee are welcome to attend.

Tentative Spring Open Meeting:

March 19, 1991

Tentative Annual Planning Meeting:

May 14-16, 1991 (Williamsburg)

8. OSHA

- A. P. Lewis briefed the Committee on OSHA's activities to collect information on industrial medical surveillance programs and requested approval to submit written responses to OSHA on a series of informal questions. The Committee approved the submission.

- B. J. Senger requested approval to submit comments to OSHA on a proposed standard for walking and working surfaces. The Committee approved the request, pending changes in the wording regarding the cost-effectiveness of OSHA grandfathering certain provisions of the standard.
- C. J. Senger requested approval for CMA to join a coalition with the National Association of Manufacturers and Chamber of Commerce opposing proposed legislation to change the scope and type of violations and respective enforcement for OSHA penalties.

9. MSDS

L. Smith requested approval to proceed with developing a CMA MSDS public access policy for material safety data sheets and a proposal to determine what improvements to the current CMA MSDS management/distribution system may be needed. The Committee discussed how distribution of the data sheets would be managed and the need for proper integrity of the system. The Committee approved a modified motion requesting that the Product Safety Task Group prepare an issues paper describing the proposal in more detail for subsequent Committee discussion.

10. TSCA

- A. G. Ter Haar noted the submission of a letter to EPA regarding the Agency's interpretation of exclusions for salts under Section 5 of TSCA. The draft letter was approved by the Committee between meetings and the final letter was distributed.
 - B. G. Ter Haar and S. Conti briefed the Committee on the status of CMA's request to meet with EPA on interpretive guidance and retroactive enforcement under TSCA. CMA's written request was deferred to the Office of Toxic Substances staff for action and CMA has received a letter from EPA indicating a potential meeting in approximately one month. EPA's letter indicated Agency interest in discussing the generic issue of enforcement as related to interpretive guidance.
- S. Conti briefed the group on the status of recent subpoenas and inspections by EPA concerning compliance with TSCA Section 8(e) reporting. These activities followed EPA's mailing of a letter expressing concern about Section 8(e) reporting to the chief executive officers of approximately 700 companies.

In light of this activity, the Committee discussed the need to meet with L. Fisher, Assistant Administrator, Office of Pesticides and Toxic Substances in a more timely manner. The Committee requested that a second letter be drafted to Fisher and that staff consult with counsel to discuss possible further actions if a meeting is not forthcoming. Further action might include communicating our concerns to EPA Deputy Administrator Habicht. S. Conti will pursue the matter.

11. EPA/OTS

J. Willett briefed the Committee on the June 7, 1990, meeting between CMA and EPA on product stewardship. The meeting was very constructive in informing EPA of the current CMA initiative to develop a product stewardship code of management practice under the Responsible Care initiative. L. Fisher was supportive of her staff working with CMA as both the CMA program and EPA's thoughts on developing a "product stewardship" regulation are developed. Fisher indicated she was not concerned that timing would be an impediment to discussion, but is interested in concrete measures of performance. A series of meetings between EPA and CMA will be scheduled, involving the members of the Committee, Existing Chemical Control Task Group and Product Safety Task Group.

12. ATSDR

H. Lockhart requested approval of comments to ATSDR on the priority data needs for four pilot chemicals under SARA Section 110, noting minor changes that were made to the draft. The changes improved the consistency between the procedural generic comments and those developed by CMA on specific chemicals. A revised draft of the comments was distributed and the Committee approved the comments.

13. Risk

L. Smith requested the Committee approve comments to EPA on the risk assessment methodology used in proposed standards for hazardous waste incinerators. A further draft of the comments, with editorial and organizational changes only, was distributed. The Committee approved the comments.

14. Ecological Risk Assessment

H. Lockhart requested approval to spend \$1,500 to obtain technical support documents for EPA's developing ecological risk assessment guidelines. The Committee approved the expenditure.

15. Focus Area Reports

- A. G. Ter Haar briefed the group on the first Product Programs and TSCA Focus Area meeting, noting that the organization of each task group was reviewed and guidelines for task group membership were developed. The next meeting is scheduled for August 14, 1990, and will focus on long-term planning and developing strategies.
- B. H. Lockhart briefed the group on the first Risk Management and Assessment Methods Focus Area meeting. The meeting participants developed a mission statement, discussed current and future issues, and resource needs. The next meeting is scheduled for July 17, 1990, and will focus on reviewing the role and purpose of the task groups.

16. CHEMSTAR

L. Spurlock gave a presentation to the Committee on the organization and activities of the Chemical Self-Funded Technical Advocacy and Research (CHEMSTAR) division.

17. Sponsor Reports

Committee sponsors briefed the Committee on activities and programs within their assigned areas as follows:

- A. J. Kasper reported that CMA will hold a New Chemical Development Workshop for EPA staff on October 24, 1990.
- B. L. Smith reported on a June 28, 1990, interassociation meeting to discuss environmental labeling, the success of the 4th Annual Product Safety Conference and the international discussions on harmonizing the headings and sequence of information on Material Safety Data Sheets.
- C. L. Smith reported that the Risk Assessment Task Group is redrafting their mission statement, developing a series of position papers on risk assessment issues and will be reviewing the assessment methodologies used to develop the risk numbers in EPA's integrated Risk Information System (IRIS).
- D. N. Neunaber noted that the lead representatives working on the OECD pilot testing program will meet on June 19, 1990, to review data dossiers. The sponsor, staff and chair of the new Existing Chemical Testing Task Group will also meet on that day to discuss organization and goals. Neunaber also noted that a House Government Operations Subcommittee was holding a hearing this day on EPA's chemical testing program. A written statement submitted by CMA was distributed.

- E. W. Dyste reported that the CAER Task Group is planning a fall workshop to help companies implement the CAER Code of Management Practices.
- F. P. Lewis noted the status report on CMA's MEDTREC program included in the meeting book.
- G. M. Friedman reported on AIHC activities on the residual risk issues contained in the Clear Air Act Reauthorization bills.

Kathryn A. Rosica

Kathryn A. Rosica
Director
Health Programs

Minutes Subject to Approval