

CHEMICAL MANUFACTURERS ASSOCIATION

Minutes of Meeting

Occupational Safety & Health Committee

Chemical Manufacturers Association
General Conference Room
2501 M Street, NW
Washington, DC 20037

Wednesday
March 31, 1982
9:00 a.m. - 3:00 p.m.

Attendees

Thomas Evans (Chairman)
John Dougherty, MD
Ben Fay
 (for R. Hoots)
Warren Ferguson
Thomas Hamilton
 (for H. Eschenbach)
Patrick McNulty
James Pickett
 (for J. Wheeler)
Jerry Robertson
Arthur Sheldon
Ronald Van Mynen
Ned Walters

Monsanto Company
Celanese Corporation
ICI Americas Incorporated

Allied Corporation
W. R. Grace & Company

Rohm & Haas Company
Standard Oil Company (Indiana)

Exxon Chemical Americas
M & T Chemicals Incorporated
Union Carbide Corporation
E. I. du Pont de Nemours & Company

Members Absent

Joseph Caporossi
Donald Hillman, MD
Charles Richards
Charles Ryan, MD

American Cyanamid Company
Diamond Shamrock Corporation
Gulf Oil Chemical Company
Sun Company

Task Group Leaders Present

Carl Bohl
Robert Brant
Alfred Capuano
Albert Greene
 (for C. Richards)
Maurice Johnson, MD
Jerry Schroy
James Trexel
Chris Waisanen

Monsanto Company
ICI Americas Incorporated
ICI Americas Incorporated
Air Products & Chemicals Incorporated

BFGoodrich Chemical Company
Monsanto Company
E. I. du Pont de Nemours & Company
ICI Americas Incorporated

CMA Staff Present

Christopher Cathcart (part time)
Rita Comotto (part time)

CMA Staff Present (Con't)

Milton Freifeld
Patrick Joyce
Christopher Nolde
Janet Steel (part time)
Gordon Strickland
Charles Van Vlack (part time)

Luncheon Guest Speaker

Patrick Tyson
Director State Plans

OSHA

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ACTION ITEMS

- The Health Standards Task Group will develop a recommended CMA position on the Miller Bill (HR 5735). It deals with compensating employees for certain occupational illnesses based on a set of presumptions. It also provides a means to include other illnesses in the future.
- Lamont DuPont Safety Awards will be presented at the CMA Annual Meeting to Velsicol Chemical Corporation in over 2,000,000 man-hour category, and Dixie Chemical Company in the smaller company group. Certificates will be sent to the runners-up in each category, Hooker Chemical Company and NIPRO, Inc. respectively.
- CMA will submit comments to OSHA in response to its ANPR of January 5, 1982, on the carcinogen policy.
- The reproductive hazards work group will proceed with plans for a two-day conference this fall, on the management of reproductive hazards in the workplace.
- CMA will develop comments on a preliminary draft of the expected OSHA Notice of Proposed Rulemaking on Access to Records.
- The respirator work group will develop a test to measure contaminants inside and outside of a respirator, then try to generate data demonstrating the efficacy of such equipment.
- CMA will forcefully point out to the Office of Technology Assessment, shortcomings of their recent test questionnaire on genetic screening.

- CMA will comment favorably to OSHA on their use of personal sampling devices during inspections (47 FR 6529, Feb. 12, 1982).
- CMA will submit the revised ANSI Z 129.1 Standard on Labeling to the Institute for publication after dealing with the few remaining objections to it.
- The Worker Education Task Group will make minor changes in their questionnaire and send it to CMA member companies.
- NIOSH has made all the changes we requested in their protocol for studying control technology. CMA will make a renewed effort to convince member companies to make available to the Institute, data on successful sealing devices.
- CMA will attempt to have NIOSH verify their data before writing a report on the Second National Occupational Health Survey (NOHS, II) now in progress.

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The meeting was convened at 9:00 a.m.

1. Minutes of the Last Meeting January 20, 1982

Minutes were approved as distributed.

2. Legislative Update

Mr. Nolde reported that in a recent OSHA oversight hearing by the House Labor Standards Subcommittee, Mr. Auchter did an excellent job of describing the Agency's activities. Even Chairman Gaydos complimented Mr. Auchter for his forthright presentation and for bringing a sense of professionalism to his Agency.

At another OSHA oversight hearing by Congresswoman Collins' Manpower and Housing Subcommittee, the role of the Office of Management and Budget in the regulatory process was scrutinized.

The Committee will develop a proposed CMA position on the Miller bill (HR 5735). It establishes a federal compensation system for employees disabled by occupational illness resulting from workplace exposure to asbestos or uranium ore. The proposed legislation sets up criteria for establishing occupational exposure as a presumptive cause of illness. Proof of cause and effect would not be required. The bill also provides a mechanism for covering other occupational diseases in the future. Committee members agreed to furnish Mr. Nolde names of independent medical scientists for him to recommend to Congressional minority staff as possible witnesses on occupational disease causal relationships.

3. Task Group Reports

3.1 Safety Statistics - This year's winner of the Lammot DuPont Safety Award in the over 2,000,000 man-hour category is Velsicol Chemical Corporation, and Hooker Chemical Company is runner-up. Among the smaller companies, Dixie Chemical Company is the winner and NIPRO Inc. is runner-up. Certificates, yet to be designed, will be sent to the runners-up.

A computer program to handle occupational injury and illness reports (OIIR) is being developed to replace manual computations.

The task group's telephone survey of member companies, stressing new incentives in the award program, has increased participation by 50%.

The Committee approved the following change in the rules for the Lammot DuPont Safety Award Program:

If the identity of a member company changes by one-third or more of the exposure hours for the previous calendar year, the company should submit recalculated injury statistics for the previous four (4) years for DuPont Safety Award purposes. Such changes may include, but are not limited to, acquisitions, divestitures, reorganization, relocation of a major division, etc. The change would not include changes in actual labor force due to economic factors.

3.2 Health Standards

OSHA Carcinogen Policy

Dr. Johnson reported that his work group has prepared a response to the Agency's Advance Notice of Proposed Rulemaking (ANPR) on this subject. Committee members were asked to comment promptly so that CMA's submittal can be forwarded by the April 5 due date.

Reproductive Hazards

The work group recommended that a two-day conference be held in the fall on the management of reproductive risks in the workplace. The Committee agreed, without dissent, that the work group should proceed with the planning for this function.

Access to Employee Records

OSHA has released a preliminary draft of its Notice of Proposed Rulemaking (NPR) on this regulation. A work group

has been organized under the leadership of Harry Eschenbach to draft comments on it.

Hearing Conservation Amendment (HCA)

Dr. Bohl summarized recent CMA testimony given at an OSHA hearing on this matter. After the Agency has taken action on the HCA to the Noise Standard, it is expected to deal with the permissible exposure level.

Respirators

The Committee approved the following portion of the work group's charter:

Develop data which reflect the efficacy of respirators in protecting against workplace exposure.

Develop a proposed CMA position regarding the role of respirators relative to engineering controls in protecting against workplace exposures.

The Committee felt the charter should be broadened to include expected reopening CFR Paragraph 1910.134 Respiratory Protection. Dr. Dougherty described the work group's effort to develop guidelines for generating data to support industry's contention that respirators are effective.

Genetic Screening Questionnaire

The Committee believes that a draft CMA letter to the Office of Technology Assessment regarding their questionnaire on genetic screening should be more strongly worded.

Personal Sampling Devices

The Committee concurred with the Health Standards Task Group's recommendation that CMA respond favorably to OSHA's request for comments on their Interpretive and Procedural Rule (47 FR 6534, Feb. 12, 1982) on the "use of personal sampling devices during inspection".

3.3 Safety Standards

Model Performance Standard

Mr. Brant reported that the response to OSHA's ANPR on Subpart H - Hazardous Materials (46 FR 7692-7699, Jan. 23, 1981) will be used as a vehicle for presenting a model stan-

dard. This process may take several months but as portions of it are prepared, they will be discussed with the Agency.

Balanced Performance Standard

Mr. Walters presented a slide talk prepared by the Safety Standards Task Group on this subject. It has been given to a variety of audiences and additional opportunities were solicited to explain our position in this way.

Voluntary Programs

Mr. Brant reviewed CMA comments submitted March 15, 1982, to OSHA on their proposals in this area. In CMA's opinion, the Agency's proposals delegated too much authority to labor/management safety committees. We also recommended that these programs be aimed at workplaces with poor safety records rather than those with injury rates below the national average.

Chemical Protective Clothing

Mr. Brant reported on the task group's recent visit to Morgantown, WV, where NIOSH conducts tests on protective clothing and equipment. He also discussed the newly established Safety Equipment Institute, which certifies brand name items if they pass SEI tests. The task group will look into the composition and procedures of this newly established institute.

3.4 Worker Education Task Group - Mr. Capuano reviewed the Committee's responses to the task group's questionnaire on worker education. The Committee agreed that after some minor changes the questionnaire should be sent to CMA membership.

3.5 OSHA Reform - Mr. Van Mynen solicited additional suggestions from the Committee. He is reorganizing this task group which will draft a CMA position regarding suggested changes in the OSH Act.

3.6. ANSI Z 129.1 Revision (labeling) - The canvassing procedure for the proposed revision of the ANSI Standard for the Precautionary Labeling of Hazardous Industrial Chemicals is nearly finished. Almost all objections have been overcome and the task group is working on the remaining few. Mr. Trexel expects ANSI to publish the final version of the revision before the end of this year.

3.7 Liaison with Technical Societies - The Committee responded well to the request for nominees to represent CMA on key committees of NFPA and ANSI. Representatives will be selected soon and the others thanked for their efforts. ANSI Committee A 2 on Protection of Head, Eyes, and Respiratory Organs, has been broken up into three separate groups. Mr. Van Mynen questioned whether we want to consider all three of these as key committees on which we should be represented.

3.8 Future Issues - A highlight of Ms. Waisanen's report was a proposal for sharing of information on product hazards. The task group is considering ways this can be done.

3.9 Process Safety Analysis - The Committee unanimously approved the following charter for this task group:

Review and evaluate the systematic approaches to process safety analysis currently used in the chemical industry. Provide information to the membership on the results of this review and describe systems available.

The task group has started an informal telephone survey to determine the state-of-the-art among members.

3.10. Ergonomics - Mr. Robertson reported on the group's visit to NIOSH and said the task group will also follow OSHA activities regarding ergonomics and stress.

3.11 NIOSH Control Technology Study - Mr. Schroy said that NIOSH had been extremely cooperative in modifying the protocol for their sealing devices study. We now have the obligation of helping them get the data they need.

4. Lunch Guest Speaker

Mr. Patrick Tyson, OSHA Director of State Plans, gave an excellent presentation on the "new federalism" and how state and federal agency activities mesh.

5. Second National Occupational Health Survey (NOHS II)

NIOSH is continuing with this activity despite industry objections. It was agreed that we should try to get NIOSH to verify some of its data before reporting it.

6. Informing Physicians

Dr. Dougherty is investigating what role CMA might play in getting information about occupational medicine to family physicians who work part time for industry.

7. Special Programs Advisory Committee

Mr. Ferguson reported that two new special projects had been started recently, one on ethylene dibromide and the other on toluene diamines. In addition, SPAC recently reviewed the projects on arsenic and ketones.

8. International Advisory Group

Mr. Sheldon reported this group is dealing with a number of regulatory initiatives, largely from Europe, on health and safety.

9. Regulatory Impact Special Committee (RISC)

RISC is developing a CMA approach to risk/benefit analysis. They will work with individual committees on specific projects.

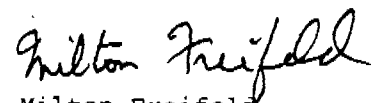
10. Informational Meeting

OSHC will hold an informational meeting April 29 at the Twin Bridges Marriott in Arlington, VA. Flyers will be distributed soon.

12. Next Meeting & Retreat

The next OSHC meeting will be held in Charlottesville, VA, May 24, and the Committee's retreat will be on the following two days.

The meeting was adjourned at 3:00 p.m.



Milton Freifeld
Associate Director
Health, Safety and
Chemical Regulations

Minutes Subject to Approval

MF:mjm 4/13/82

cc: G. Cox
G. Strickland
R. Schumacher
P. Joyce
C. Nolde

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