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INTERNAL USE ONLY

CARBIDE CORPORATION

270 PARK AVENUE, NEW YORK, NEW YORK 10017

Mr. A. W. Lutz

Date August 26, 1974

Originating Dept.

Floor Number

Answering letter date

Messrs. T. W. Carnody
J. W. Whittlesey
N. L. Zutty

Subject Comments On Post-Hearing Evaluation of
Submissions to Occupational Safety and
Health Administration on the Proposed
Permanent Standard for Occupational
Exposure to Vinyl Chloride
Date: August 21, 1974

A review of the evidence put on the Hearing record by Carbide and others interested in the matter of Proposed Permanent Standard for Occupational Exposure to Vinyl Chloride supports the following generalizations:

1. That present medical and scientific knowledge is not sufficient to support any specific level of exposure to vinyl chloride below concentrations of 50 ppm or even to describe the extent to risk to humans from exposure to vinyl chloride at concentrations of 50 ppm and higher.
2. That the critical scientific experiments and epidemiological surveys remain to be completed before any reasoned conclusions, using generally accepted scientific procedures can be made with regard to the effects on humans of occupational exposure to vinyl chloride at low concentration levels (below 200 ppm).
3. That it is not technologically feasible for industry to attain vinyl chloride exposure concentrations at a non-detectable level under the OSHA proposed work practices nor is it possible now to predict whether or not it will ever be technologically feasible to attain vinyl chloride exposure concentrations at any level below 25ppm (TWA) with excursions to a 40 ppm ceiling under the proposed work practice rules of OSHA.
4. That compliance within the language of the proposed Standard is indeterminable; the ambiguity arises from the requirement that all regulated areas be monitored for detectable levels

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of vinyl chloride (area monitoring) and the further requirement that monitoring must insure that any exposure be determined for each authorized employee with a confidence level of 95 per cent (employee monitoring). No consideration is given by OSHA to a time-weighted-average approach to control and regulation of vinyl chloride exposure.

5. That a permanent standard for occupational exposure to vinyl chloride at a non-detectable level with the OSHA proposed work practices would visit upon Carbide and upon the PVC industry at large an economic disaster by forcing regulation beyond the technical ability of the industry to comply; forcing a shutdown, abandonment of investment, and major loss of jobs.

Carbide, together with other members of the PVC industry, has requested that OSHA adopt as the permanent standard for occupational exposure to vinyl chloride limits of 25ppm (8-hour TWA) with permissible excursions to a ceiling of 40 ppm, with such limits being maintained until further more definitive medical and scientific data are available. Additionally, Carbide has urged the adoption of a work standard which includes realistic and meaningful work practice rules and monitoring procedures. The limits and the rules are designed to assure the safety and health of industry employees.

Based on recent soundings, I believe that OSHA will disregard the prudent advice provided by Carbide and by other PVC producers and will seek to impose limits and work standards beyond the ability of the industry to comply. Because of the severe economic consequences of an OSHA attempt to force a restrictive Standard unwarranted by the hazard sought to be met, I recommend that the Law Department be asked to review the requirements of Public Law 91-596 to determine the rights of parties adversely affected by any standard issued under OSHA Act and to propose a course of action to preserve Carbide's investment and competitive position in the PVC industry following the issuance of the Permanent Standard now scheduled for October 5, 1974.

A. B. Steele

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