

UNIVERSAL PVC RESINS, INC.

Number 4

A SUBSIDIARY OF ROBINTECH

786 HARDY ROAD
PAINESVILLE, OHIO 44077
216-352-6241
TWX 810 425 2253

June 30, 1975

Occupational Safety & Health Administration, USDL
1240 East 9th Street, Room 847
Cleveland, Ohio 44199

Attn: Mr. Kenneth Bowman
Area Director

Dear Mr. Bowman:

The Department of Labor Standards on Vinyl Chloride, 29 CFR 1910.93q dated October 4, 1974, has since its promulgation, given rise to several questions and possible ramifications on interpretations of certain sections. In accordance with our meeting June 13, 1975, during discussion on several alleged violations, we agreed I'd reduce the questions to writing so that the regional or national office(s) could respond.

It is my understanding that the Standards reference to vinyl chloride on May 25, 1975 (page 23072) has been changed from 29 CFR 1910.93q to 29 CFR 1910.1017. References to sections for clarification are so indicated.

Reference: 29 CFR 1910.1017(k)(1) and Appendix A

1. Since the company must provide each employee the opportunity for examinations and tests, is it mandatory for the employee to take tests? If abnormalities are found in initial exam, would follow-up test be mandatory on the part of both employer and employee?
2. If it is not mandatory for the employee to take the medical examination and tests, what then is the company's responsibility?

Reference: 29 CFR 1910.1017(k)(3)

3. If under the Standard, OSHA considers an exposure of 100 ppm to be an emergency, what specific type of medical surveillance should the employee receive?
4. If an employee is exposed to an emergency and refuses medical attention, what is the company's responsibility?
5. If an emergency occurs in a plant but no employees are exposed to VCM, would this incident have to be reported within 24 hours to the OSHA director?

REC-111

6151 T 708
VAR 0001052100

Attn: Mr. Kenneth Bowman

Reference: 29 CFR 1910.1017(k)(4)

- ⑥ How would that affect the suitability statement that each employee is to receive after the exam from the examining physician if the examinations are not mandatory?
7. Malpractice suits against physicians are now a major problem. If there is a refusal on the examining physician's part to issue a statement of suitability to each employee after examination, what would the company's responsibility be? What action should the company then take?

Very truly yours,

N. E. Seyler
N. E. Seyler
Plant Manager

NES:sp

