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TESTIMONY OF

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CENTERS FOR DISEASE CONTROL
PUBLIC HEALTH SERVICE
DEPARTMENT OF HEALTH AND HUMAN SERVICES

BEFORE

SUBCOMMITTEE ON MANPOWER AND HOUSING
GOVERNMENT OPERATIONS COMMITTEE

UNITED STATES HOUSE OF REPRESENTATIVES

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Good afternoon.

Thank you, Representative Collins, for inviting me here today to testify on the need for workers to be informed about the potential hazards of substances to which they may be exposed on the job. My name is Dr. James Melius, Chief, Hazard Evaluations and Technical Assistance Branch, National Institute for Occupational Safety and Health of the Centers for Disease Control. I have with me today, Dr. Peter Orris, a Medical Officer for the National Institute for Occupational Safety and Health, assigned to the Region V office in Chicago, Illinois.

As you know, the National Institute for Occupational Safety and Health (NIOSH) was established to conduct research in occupational health and safety; to develop criteria for safety hazards and occupational exposures to physical, chemical, and biological agents; to recommend these criteria to the Occupational Safety and Health Administration (OSHA) and the Mine Safety and Health Administration (MSHA) for consideration in setting standards; and to help train occupational safety and health professionals.

In 1974, NIOSH published a recommended standard entitled "An Identification System for Occupationally Hazardous Materials." Recognizing the need for employees to be informed about the hazards of the substances to which they may be exposed, this recommended standard outlined an approach for informing employees through labels on potentially hazardous materials and through the availability of further information on the potential hazards through Material Safety Data Sheets.

Recently, OSHA has published a proposed rulemaking on hazard communication which would establish a standard for conveying such information to employees in some industries. NIOSH has reviewed this proposed standard and has sent the comments to OSHA. One of the primary concerns we expressed about the proposed standard was that it excludes workers in certain key industries, such as construction, and certain service industries including automotive repair, hospitals, vocational schools, and others. On Tuesday, June 15, I presented this review of the proposed standard at a public hearing in Washington, D.C.

The need for such "Hazard Communication" was stated in the Occupational Safety and Health Act of 1970. Section 6(b)(7) of the Act states: "Any standard promulgated under this subsection shall prescribe the use of labels or other appropriate forms of warning as are necessary to insure that employees are apprised of all hazards to which they are exposed, relevant symptoms and appropriate emergency treatment, and proper conditions and precautions of safe use of exposure." While these criteria have been applied to new standards established by OSHA, the proposed "Hazard Communications" standard would greatly extend the applicability of these criteria.

The need for employees to know the toxicity of the substances with which they are working, and the current difficulties they have in obtaining this information, are well established. In 1972, NIOSH conducted the National Occupational Hazard Survey (NOHS), a survey of potential occupational exposures in approximately 5,000 industrial plants throughout the United States. We found that approximately 25% of the American workers were potentially exposed to an occupational health hazard. The survey also

identified 85,000 individual trade name products which accounted for 70% of all recorded exposures. In 90% of these trade name product cases, neither the employer nor employee knew the actual identity of the chemicals in the trade name product. Nearly half of the products contained an OSHA-regulated chemical, and slightly over 5% of the products contained a NIOSH-suspected carcinogen.

The NIOSH Health Hazard Evaluation Program evaluates occupational health problems at the request of employees or their unions, employers, or other governmental agencies. Currently, this program handles over 500 evaluation requests per year. In our evaluations, we have found that frequently employees are unaware of the potential occupational health hazards to which they are exposed. Recently, we evaluated the use of a cleaning solvent in a large steel mill. The employees working in this shop had no information on the chemicals contained in the solvent because the producer considered this information a trade secret. Our evaluation found that the solvent contained significant amounts of a chemical suspected to be a carcinogen.

In another recent evaluation, NIOSH found seven cases of peripheral neuropathy (a disabling disease due to nerve damage) at a manufacturing plant. These disorders resulted from exposure to a newly introduced chemical at that plant. Measures necessary to protect workers from exposure to this chemical were not being followed. In situations like this, if workers have access to material safety data sheets and are properly instructed in the proper protective measures to be followed, similar illnesses can be prevented.

The current situation subjects many employees to substances and possible hazards of which they have no knowledge and, therefore, no options. Management is confronted not only with unknown hazards to their employees and themselves, but also to possibly increased insurance costs due to higher rates of compensable illness. This situation can jeopardize both workers' health and industrial production.

As to the argument that employees will be panicked by information concerning the chemicals with which they are working, it is our experience that the reverse is true. Indignation and possibly panic develop when employees receive partial information or sensationalized versions of the truth through the news media and are not informed at their place of employment. When employees are responsibly alerted to hazards by management or the government, by and large, they are more likely to participate in programs that assure both protection and production.

Most large plants have a manual of safety procedures that is quite extensive. Many of these procedures are not always followed. One of the significant factors in this noncompliance on the part of the workforce is a lack of full information concerning the potential hazard that the procedures are designed to reduce. There are, of course, many factors in the situation, but I believe that the elimination of this aspect would significantly improve the use of control procedures.

Employers also deserve to know that their efforts in this area are duplicated by their competitors and that no one will receive an advantage. Without a nationwide standard, many city, county, and State governments have begun to create their own labeling laws. This could create unnecessary expenses and inconsistency for national firms attempting to comply with each regulation.

NIOSH strongly supports the need for a Hazards Communication Standard. With appropriate modification, we feel that the implementation and enforcement of the proposed OSHA Standard will make a significant impact in reducing unnecessary occupationally related illnesses and deaths for American workers.

Thank you. I would be pleased to respond to questions which the committee may have.

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16. Abstract (Limit: 200 words) - This testimony summarized the need for workers to be informed about the potential hazards of substances to which they may be exposed on the job. A recommended standard was published by NIOSH in 1974 for the purpose of providing an identification system for occupationally hazardous materials. This standard contained an approach for informing employees through labels on potentially hazardous materials and through further information made available to them about the hazards of the materials they were handling. A proposed rulemaking has been recently published by OSHA concerning hazard communication which would establish a standard for conveying such information to employees in some industries. One of the primary concerns NIOSH has expressed in relation to the proposed OSHA standard was that certain employees in key industries were excluded from consideration. These industries included automotive repair, hospitals, vocational schools and others. A 1972 survey conducted by NIOSH of potential occupational exposures in about 5,000 industrial facilities throughout the United States indicated that roughly 25 percent of the American workers were potentially exposed to an occupational health hazard. Almost 70 percent of the recorded exposures were to 85,000 individual trade name products. In 90 percent of these cases neither the employer nor the employee knew the actual identity of the chemicals in the product. Nearly half the products contained an OSHA regulated chemical and a little over 5 percent contained a NIOSH suspected carcinogen. Most large facilities had extensive safety manuals, but the recommendations were not always followed.				
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