

AGENDA  
MEETING OF THE MCA BOARD OF DIRECTORS  
10:00 a.m., Tuesday, February 8, 1977  
Washington Hilton (Map Room), Washington, D. C.

- I. Opening Remarks and Introduction of Guests
- II. Minutes of Meeting of January 11, 1977
- III. Business Items:
  - (a) Approval of Director's Alternate:  
Charles E. Brookes (for Robert D. Goodall)
  - (b) Report of Membership Committee  
Nease Chemical Company, Inc.
  - (c) Proposed Benzene Study Relative to OSHA Regulation (Attachment)
  - (d) Appointment of Committee Members (Attachment)
- IV. Report of Director of Government Relations
- V. Reports of Committees: (Attachment)
  - (a) Chemical Regulations Advisory Committee  
George Dominguez, Chairman  
Discussion leader: Richard E. Heckert
  - (b) Government Relations Committee  
Don A. Goodall, Chairman  
Discussion leader: John M. Henske
  - (c) Labels and Precautionary Information Committee  
Charles J. (Charlie) O'Connor, Chairman  
Discussion leader: Andrew J. McNeill
- VI. Information Items by Directors
- VII. Report of the President

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Next Meeting of the Board of Directors - 9:00 a.m., Tuesday, March 8, 1977,  
Lakeway Inn, Austin, Texas

CMA 071432

MINUTES of the two hundred fifty-fifth meeting of the Board of Directors of the Manufacturing Chemists' Association, Inc. held at the Washington Hilton, Washington, D. C., Tuesday, February 8, 1977, at 10:00 a.m.

Directors: Earle B. Barnes, Chairman  
Edward Donley, Vice Chairman  
Dieter H. Ambros Raymond H. Marks  
John T. Connor John K. McKinley  
William J. Driver Andrew J. McNeill  
J. Morris Evans Thomas B. Nantz  
Thomas S. Farmer George F. Polzer  
John T. Files Tom K. Smith, Jr.  
Edward J. Goett Harvey J. Taufen  
John M. Henske Konrad M. Weis  
James W. Kent Robert A. Winslow  
W. C. Krumrei

Alternates: Frank W. Bradley (for James W. Kent)  
Donald T. Brophy (for Vincent L. Gregory, Jr.)  
Charles R. Carson (for John F. Welch)  
Peter H. Conze (for Robert L. Mitchell)  
Richard Fleming (for Edward Donley)  
M. Donald McClusky (for Thomas B. Nantz)  
Elwood W. Phares, II (for Ralph M. Knight)  
Charles A. Polachi (for George F. Polzer)  
C. Robert Powell (for William H. Bricker)

Outside Counsel: John H. Pickering

Staff Counsel: Bruce M. Barackman

Secretary-Treasurer: George E. Best

By Invitation: George D. Dominguez, CIBA-GEIGY Corporation  
Don A. Goodall, American Cyanamid Company  
George W. Ingle, MCA  
Charles J. O'Connor, Stauffer Chemical Company  
John E. Slavick, MCA  
William M. Stover, MCA  
John G. Tritsch, MCA  
James P. Turner, MCA

Chairman Barnes opened the meeting by calling for self-introduction of those present in turn.

I. MINUTES OF JANUARY 11, 1977, MEETING

Minutes of the January 11th Board meeting, as distributed, including the financial statement for six months ended December 31, 1976, were duly approved.

II. REPORT OF THE SECRETARY-TREASURER

Exhibit A

III. BUSINESS ITEMS

(a) Approval of Director's Alternate Charles E. Brookes was approved as Mr. Goodall's newly designated alternate.

(b) Report of Membership Committee As chairman, Mr. McNeill reported the committee's having examined the qualifications of the company named below and recommending its election.

ON MOTION, duly made and seconded,  
it was

VOTED: That Nease Chemical Company,  
Inc. be elected to membership in the  
Association.

(c) Proposed Benzene Study Relative to OSHA Regulation  
Mr. Driver reviewed the objectives of this proposed study, a description of which was distributed in advance with the tentative agenda after having been favorably recommended by the Executive Committee. He also drew attention to the policy guidelines referred to in the proposal, titled in reference to the Toxic Substances Control Act but intended for general application on regulatory matters. These guidelines were recommended by the Legal Advisory Committee and endorsed by the Executive Committee.

Several Directors commented that occupational exposure to benzene already has received much attention. They were given assurance that a prime purpose of the proposed study is to assemble and assess all of the available pertinent information, and that this program would be coordinated with the Chemical Industry Institute of Toxicology.

ON MOTION, duly made and seconded,  
it was

VOTED: That the study on benzene described in Exhibit B be approved for MCA administration with full funding by voluntary subscription, subject to the policy

guidelines for MCA participation in regulatory matters (titled Toxic Substances Control Act), also approved for general application -- copy appended to this exhibit.

(d) Appointment of Committee Members Appoint-  
ments listed in Exhibit C were approved.

(e) Free Enterprise System Mr. Goodall's report, recorded below, was directed to the importance of developing a well informed constituency for support of the chemical industry in relation to the free enterprise system. In ending his remarks, he offered to have the Government Relations Committee design a model program which individual companies could adapt to their own purposes.

Thereupon approval was given to this undertaking, with the understanding that inquiry would be made as to what member companies already may be doing along this line, and that the Industrial Relations Advisory and Public Relations Committees would be consulted.

#### IV. REPORT OF DIRECTOR OF GOVERNMENT RELATIONS

Mr. Stover's report is attached as Exhibit D. A tabulation of the status of legislation of interest to MCA as of February 5 was distributed to those present.

#### V. REPORTS OF COMMITTEES

Reports presented by the following committee chairmen are attached as indicated:

Mr. George Dominguez, Chairman  
Chemical Regulations Advisory Committee Exhibit E

Mr. Don A. Goodall, Chairman  
Government Relations Advisory Committee Exhibit F  
(Discussion leader: Mr. Henske)

Mr. Charles J. O'Connor, Chairman  
Labels and Precautionary Information  
Committee Exhibit G  
(Discussion leader: Mr. McNeill)

#### VI. INFORMATION ITEMS BY DIRECTORS

(a) Public Forum Participation Mr. Polzer recounted his experience as MCA's representative in a Philadelphia telecast

last November in which chemicals as carcinogens were prominent in the questioners' interests. He strongly encouraged industrial representatives to become more available for such participation.

(b) Energy Conservation Mr. Henske mentioned President Carter's request to heat buildings only to 65°F for fuel conservation, and urged company executives and MCA to do all possible to make this a uniform practice.

(c) DOT Proposal/Pressure Tank Cars Responding to Mr. McClusky's expression of interest, Mr. Donley indicated that the Compressed Gas Association is giving active attention to the matter, and Mr. Driver gave assurance consideration would be given to supporting the CGA position.

## VII. REPORT OF THE PRESIDENT

Mr. Driver's Staff Report is attached as Exhibit H.

In conjunction with the activities of the Chemical Regulations Advisory Committee reported by Mr. Dominguez, Mr. Driver mentioned the first issue of a Toxic Substances Management Memo mailed to Executive Contacts and to allied trade associations on February 4. Each member company was invited to designate a Toxic Substances Contact responsible for receiving these communications, designed to provide current reporting on MCA's involvement with regulatory development under the Toxic Substances Control Act, and for disseminating the information appropriately within the company.

Mention was made of former EPA Administrator Train's request to OMB for approval of an EPA Advisory Committee on Toxic Substances, and the probable opportunity to suggest candidates to represent industry. Directors were invited to submit names for consideration.

Mr. Driver summarized recent improvements in tank car mileage compensation, which has received continuing attention through MCA, estimated to benefit chemical shippers to the extent of about \$6 million annually.

He spoke of his attendance and that of Mr. Barackman at the first World Congress on Product Liability last month in London, indicating that the U.S. trend to strict liability is a mounting concern, in Europe as well as in the United States, and that our Legal Advisory and Insurance Committees will have this subject under continuing surveillance.

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He outlined OSHA's proposed cancer policy and MCA's preparation for taking part in the public meeting on it scheduled by the National Advisory Committee on Occupational Safety and Health on February 17.

*George E. Best*

George E. Best  
Secretary-Treasurer

Certified correct:

*Earle B. Barnes*

Earle B. Barnes  
Chairman of the Board

CMA 071437

Proposed Program  
on  
OSHA Regulation  
of  
Benzene

NIOSH has recommended that permissible exposure levels for benzene be reduced from 10 ppm to 1 ppm. Under pressures to establish a workplace standard at this new low level, OSHA now has under consideration a guideline and/or an emergency standard proposal to effectuate the 1 ppm exposure limit.

The basis for the NIOSH recommendation has been questioned. It is proposed that a program be organized under MCA administration to conduct expert analysis of the information leading to the NIOSH recommendation, to consolidate and organize other currently available data relevant to development of an OSHA standard for benzene and to discuss details of criteria documents, standards or guidelines concerning benzene exposure in the workplace with appropriate personnel in NIOSH, OSHA or other involved agencies. These activities, especially those in discussion with the agencies, would be conducted consonant with the Legal Advisory Committee recommendations on the handling of individual chemicals problems.

A description of the program, outlined in greater detail, is attached.

Of the fourteen member companies indicating initial interest, nine out of ten have responded favorably to a formal request for pledge of support. Favorable replies are expected shortly from others. The fourteen companies account for a substantial majority of the benzene production capacity and a significant use by MCA members.

The staff recommends approval subject to funds becoming available and subject to the acceptance by the Board of Directors of the Legal Advisory Committee recommended guidelines.

MCA

EC - 1/11/77  
BD - 2/8/77

Proposed Program  
on  
OSHA Benzene Regulation

Purpose

NIOSH has proposed that the permissible exposure levels for benzene be reduced from 10 ppm to 1 ppm. The basis for this reduction is questioned. The purpose of the proposed program is to develop a sound technical base for a position by industry on potential regulation and to advance that position with OSHA and NIOSH.

Program

An ad hoc planning group composed of representatives of fourteen producers and users of benzene, having reviewed readily available information, have recommended that a special project on benzene be established within MCA to prepare and present to OSHA and NIOSH information and recommendations on benzene occupational health exposure regulations. This program would encompass two principal objectives as dictated by the criticality of timing. The first objective with highest priority would address the following areas:

1. From a review of information available (primarily in the public literature), assess the hazards associated with various levels of exposure with the view to relating to NIOSH recommendations and OSHA proposals. The background papers, deliberations, and resolution of the November 9-11, 1976, international workshop on toxicology of benzene in Paris may be of especial value. The consensus was that outside expertise should be hired for this task.
2. Consolidate and organize other currently available data to arrive at appropriate conclusions to be presented to OSHA. This is meant to apply primarily to epidemiologic studies carried out in various companies, but not publicized from a concern that they did not represent a large enough base. Adding them together may provide a more convincing picture. Again it was felt that outside expertise should be sought to consolidate the information.



Individual members would be encouraged to conduct and report monitoring observations to enable an assessment to be made of the impact of different permissible exposure levels.

3. React to details of criteria documents, standards, or guidelines.

A longer-term objective would be to assess the desirability of undertaking appropriate additional research, industry epidemiology studies, and economic studies in conjunction with, or independent of, programs within other trade associations.

#### Supervision

The program would be supervised by a Special Project Unit consisting of one representative from each subscribing company, plus an MCA staff representative who would also serve as a project manager. Due to the expected numbers, they might wish to designate a working group containing a mixture of toxicologists and/or physicians, industrial hygienists, epidemiologists, and regulatory affairs personnel.

It was agreed that close supervision by legal counsel should be provided for.

#### Funding

The benzene special project would be fully financially supported by participating companies with costs to be distributed on the basis of nominal benzene production capacity and use. In spite of great uncertainties, the following budget is proposed initially:

Legal counsel	\$ 50,000
Review of information for assessment of hazard	100,000
Collation and assessment of epidemiologic information	100,000
MCA supervision	100,000
Contingencies	<u>150,000</u>
Total	\$500,000

Stipulations

Any scientific information developed from this program is to be fully disclosed, without restriction. For purposes of consistency and control, however, all releases would be made solely through MCA.

Any interpretation or recommendation stemming from this project attributable to MCA, or any unit thereof, shall be subject to approval by the Board of Directors.

The foregoing requirements would not preclude private scientific interchange of non-competitive information useful to the advancement of the program, nor relevant private communication within and among subscribing companies. It would be an obligation to inform the MCA staff representative on a current basis about all such interchanges and communications other than those internal to the company.

Operation

The Special Project Unit would be governed by MCA practices and policies, including the requirements of the "General Principles Applicable to the Structure and Operations of Committees."

MCA  
EC - 1/11/77  
BD - 2/8/77

CMA 071445