

Rachel's Environment & Health News

#46 - At A Snail's Pace, Federal Agency Tightens Workplace Benzene Rule; Osha's Current Role Now D October 11, 1987

After more than 10 years of delay, the federal Occupational Safety and Health Administration (OSHA) has tightened the standard for worker exposures to benzene by a factor of 10, bringing the allowable air exposure limit down to 1 part per million, averaged over 8 hours. The highest allowable exposure for a short time is 5 ppm and the level at which officials become concerned (the official "action level") is 0.5 ppm. Benzene causes leukemia in humans.

In 1977 OSHA first proposed the standard that was finally adopted in 1987. The original proposal was attacked in court by the American Petroleum Institute. Two appeals courts and the U.S. Supreme Court sided with the oil giants, arguing that OSHA had not shown that benzene threatened workers' health. After the Supreme Court decision in 1980, OSHA built a new case against benzene but it took them five years to do it, using data available as early as 1976. The old benzene standard caused a five-fold increase in the risk of leukemia for workers.

Today an estimated 240,000 workers are exposed to benzene in the petroleum, chemical, printing, paint, rubber fabricating and other industries where benzene is used as a solvent. As lead has been phased out of gasoline, its benzene content has been rising. Editorializing about the new benzene standard, the Washington Post Sept. 4 (pg. 24) said the benzene case demonstrates that OSHA's chemical-by-chemical attack on these problems is hopeless. If it takes 10 years to overcome industrial opposition and set safe standards for each dangerous chemical, American workers will never be adequately protected. The Post asked whether OSHA shouldn't be given the authority to ban whole classes of chemicals. The Post didn't say so, but this would put Uncle Sam in the toxics use reduction business. The Post said, "...it's time to rethink what OSHA does, the strategy to follow. The benzene standard is nice to have, but the broader record of accomplishment is paltry."

Rethinking OSHA's job, and devising a national strategy for toxics use reduction (one that protects workers and their jobs) should be high on the list for a new administration.

For further information about the new benzene standard, contact James Foster, Director, Office of Information and Consumer Affairs, OSHA, Room N-3649, 200 Constitution Ave., NW, Washington, DC 20210; phone 202/523-8151. For a copy of the final benzene standard (which goes into effect Dec. 10) phone (202) 523-9667 or see the FEDERAL REGISTER Vol. 52 (Sept. 11, 1987), pgs. 34459-34578.

--Peter Montague

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SALE OF A CARCINOGENIC PESTICIDE BANNED, AT LEAST FOR TIME BEING

Velsicol Chemical Co. and the U.S. EPA (Environmental Protection Agency) announced October 1 an agreement that takes the termite-killing pesticide chlordane off the market for a time, possibly even forever. Most sales of chlordane are banned as of November 30, 1987, and all sales are banned as of April 30, 1988. However, the purpose of the ban is to allow the chemical's only manufacturer, Velsicol, to find new ways to apply the chemical beneath homes without contaminating indoor air. If Velsicol demonstrates they can do this, chlordane will be back on the market. "This only bans sale, not use," said Jay Feldman of the National Coalition Against Misuse of Pesticides, with obvious dissatisfaction.

A related chemical, heptachlor is also covered by the chlordane agreement and its sales will be phased out as well.

Chlordane causes cancer in laboratory mice and is listed by the EPA as a "suspected human carcinogen." It can also cause liver damage and nerve damage in exposed humans and animals. The chemical is

pumped into the ground beneath one million U.S. homes each year to kill termites; chlordane accounts for 2/3rds of the termite control business in the U.S., a business dominated by Orkin and Terminix.

The agreement was announced in a federal court one day before the EPA was reportedly going to announce a true ban on the chemical. Under federal law, if the EPA had announced such a ban the agency would have been required to purchase all existing stocks of the chemical and dispose of them (probably by incineration). The agreement saved EPA a lot of money and trouble; the existing stocks will now be disposed of by being pumped beneath homes. John A. Moore of EPA denied that financial considerations played any part in the EPA's decision to accept the agreement and forget the ban. He said federal law would have required the agency to declare chlordane an "imminent hazard" before a ban would stick. In addition, he argued that the agreement gets chlordane out of use more quickly than a ban because Velsicol could have appealed a ban and a federal pesticide appeal can take many years, during which time use of the pesticide goes on.

Chlordane is one of a group of pesticides called cyclodienes; others in the class are heptachlor, aldrin and dieldrin. They were developed 40 years ago when almost everyone embraced chemical bug killers enthusiastically. Now cyclodienes are known to cause nerve damage to exposed humans. They cause dizziness, headaches, muscle spasms and nausea. In 1978, EPA banned agricultural use of chlordane because of the cancer risk. Its use in termite control was allowed to continue because the agency believed no chlordane would enter homes.

True, in the '70s the Air Force had given the EPA evidence that chlordane applied by the book had contaminated indoor air in homes of Air Force personnel. However Velsicol disputed the evidence and the EPA backed off. Then in early 1987 Velsicol itself came forth with a study showing that proper treatment of homes had resulted in substantial contamination of indoor air. The EPA had evidence on which to act. Still it did not act.

Then in September, 1987, a coalition of environmental and labor groups went to court seeking an emergency suspension of chlordane. Only then did EPA get together with Velsicol and work out the agreement.

--Peter Montague

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EPA HAS DRINKING WATER HOTLINE

The U.S. EPA (Environmental Protection Agency) maintains an 800 hotline telephone to provide you with information about drinking water. Friendly people try to answer your questions. Call 800/426-4791. Within DC, call 202/382-5533.

--Peter Montague

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Descriptor terms: epa; drinking water; hotlines; chlordane; pesticides; insecticides; velsicol; bans; heptachlor; carcinogens; cancer; termites; epa; zero discharge; indoor air pollution; osha; occupational safety and health; benzene; workers; air pollution; american petroleum institute; petroleum industry; pollution prevention;