

agency, according to Steve Newell, director of OSHA's Office of Statistics.

The OSHA data-gathering effort was approved by the Office of Management and Budget Sept. 28, but neither the agency's plan nor OMB's conditions of approval will be published in the *Federal Register*, according to OMB and OSHA officials. However, the data-gathering plan may be viewed by the public at OMB as required under the Paperwork Reduction Act.

OSHA already requires employers to maintain detailed injury and illness records as well as a year-end summary log and may review those records during the course of an inspection. But the agency until now has lacked an overall system to collect the data, which would help it determine which work sites are the most hazardous.

Data Uses

The OSHA data plan, submitted for budget office approval in June, has been a priority for the agency under OSHA Administrator Joseph A. Dear and will be launched with funds appropriated in the agency's current year budget.

However, the collection of such data after 1996 will depend largely upon the GOP-led Congress, which over the next several weeks will consider and reconcile competing House and Senate labor-related appropriations bills. The House bill approved Aug. 3 would cut the agency's funding by about 15.5 percent, while the version pending before the Senate would cut OSHA funds by a more modest 5 percent.

While the employer-reported information would be somewhat useful on its own, sources noted that it will be more valuable to the agency when compared and integrated with other information already available to the agency, including some state-based workers' compensation reports and OSHA's own inspection data maintained in its Integrated Management Information System.

A comparison of those different data sets would be particularly useful in analyzing and comparing the effectiveness of the agency's more recent targeted enforcement efforts, such as those launched in Maine in 1993 and New Hampshire in 1995, Newell said.

In addition to manufacturing, the industries targeted by the data-gathering effort include the following as identified by their respective Standard Industrial Classification codes, according to information released by OSHA:

- Ornamental shrub and tree service (SIC 0783);
 - Local trucking with storage (SIC 4214);
 - Courier services, except air (SIC 4215);
 - Public warehousing and storage (SIC 422);
 - Marine cargo handling (SIC 4491);
 - Airports, flying fields, and airport terminal services (SIC 458);
 - Packing and crating (SIC 4783);
 - Refuse systems (SIC 4953);
 - Metals service centers and offices (SIC 5051);
 - Scrap and waste materials (SIC 5093);
 - Groceries and related products (SIC 514);
 - Beer, wine, and distilled alcoholic beverages (SIC 518);
 - Lumber and other building material dealers (SIC 521);
- and
- Nursing and personal care facilities (SIC 805).

Construction Exempt

Newell noted that injury and illness data will not be collected by OSHA from employers in the construction industry, in part because construction sites tend to have a number of separate employers maintaining separate injury and illness logs. That practice makes it difficult for the

agency to establish an injury and illness picture for the entire site, Newell said.

"The way the data is configured you can't do individual employers," Newell said.

As part of a separate proposal to revise the agency's employer injury and illness recordkeeping requirements, OSHA has said it hopes to force construction companies that hire subcontractors to maintain a separate, more basic injury and illness log for the underlying company's workers from which OSHA could make larger assumptions about the safety and health of the overall site.

The revised recordkeeping requirements are part of a proposed rule delivered by OSHA for OMB review July 31. The proposal had not been cleared by OMB as of Oct. 10.

If approved by the budget office, the proposal would be published as a proposed rule in the *Federal Register*, which would be followed by a lengthy comment period and ultimately a final rule.

The actual collection of the employer data will be performed by state agencies that already have years of experience in conducting a similar national survey of annual injuries and illnesses conducted by the Bureau of Labor Statistics, according to Newell.

—By Dean Scott

*Health Hazards

CONTAMINATION OF WORKERS' HOMES MAY BE SERIOUS HEALTH PROBLEM, NIOSH REPORT SAYS

Contamination of workers' homes from toxic substances used on the job may be a serious health problem, although the extent of the potential hazard is not known, the National Institute for Occupational Safety and Health said in a report to Congress.

The report asserts that adverse health effects and deaths from contaminants brought home from the workplace have been reported in 28 countries and 36 U.S. states, according to an executive summary provided to BNA Oct. 6.

The extent to which health effects occur, however, is unknown because there are no information systems to track them and physicians do not always recognize the occupational contribution to various common diseases, the summary said.

In the summary, NIOSH said the prevalence of such health effects ought to be determined and the institute suggested one method for doing so would be a survey of health care providers and clinics specializing in occupational and environmental health medicine.

The report on home contamination was required under the Workers' Family Protection Act as part of legislation enacted in October 1992. It was sent to Congress Sept. 25, and copies will be available from NIOSH after Oct. 17, according to a NIOSH spokeswoman.

The 1992 legislation stemmed from anecdotal evidence of workers' families being contaminated by toxic substances tracked home from work on employees' bodies or clothing. NIOSH was ordered to evaluate the potential for, and prevalence of, home contamination, as well as to assess other issues related to contamination.

David Satcher, director of the Centers for Disease Control and Prevention in Atlanta, said in a foreword to the report that the document "puts us on the road to preventing the exposure of families to potentially harmful substances unknowingly brought home from the job." CDC is the parent agency of the job safety and health institute.

Among recommendations outlined in the report are the following:

- Employment practices and controls that work best in preventing transport of contaminants from the workplace to the home should be identified;
- Educational programs to prevent home contamination should be developed for employers, workers, children, teachers, parents, physicians, and other health professionals; and
- Special needs and problems of individuals who work in home or cottage industries need to be identified.

Most Reports Are Recent

NIOSH researchers compiling the report found that half the reports of health effects from home contamination are less than 10 years old.

Scientific literature on the subject identified approximately 30 different substances or agents, although the potential exists for many of the thousands of other chemicals used in commerce to be transported to workers' homes or to be used in home-centered businesses, according to the summary.

According to NIOSH, workers can inadvertently carry hazardous materials home from work on their clothes, skin, hair, tools, and in their vehicles. The NIOSH document summarized diseases among family members occurring as a result of exposure to a variety of substances, including beryllium, asbestos, lead, chlorinated hydrocarbons, mercury, arsenic, and fibrous glass.

The NIOSH summary noted the difficulties of decontaminating clothing brought home from the workplace. Normal house cleaning and laundry practices appear to be inadequate for decontaminating workers' clothes and homes, NIOSH said, noting that lead, asbestos, pesticides, and beryllium can be especially persistent.

Another serious concern, according to the institute, is that decontamination methods can increase the hazard to those performing decontamination operations—the person doing the laundry, for example.

The summary outlined measures for preventing home contamination, including reducing exposures in the workplace, changing clothes before going home and leaving soiled clothes at work, storing street clothes away from work clothes, and showering before going home.

Copies of the report may be obtained after Oct. 17 by calling NIOSH at 1-800-356-4674, or by writing to NIOSH, Publications Dissemination, 4676 Columbia Parkway, Cincinnati, Ohio 45226-1998. Ask for the report on "take-home toxins."

Health Hazards

EPA OFFICIAL JOINS OSHA TO DRAFT GUIDELINES FOR HEALTH RISK ASSESSMENTS

The Occupational Safety and Health Administration took its first concrete step toward formal guidelines for chemical substance risk assessments Oct. 2, bringing in an Environmental Protection Agency official to work on the project.

Joining OSHA in an intergovernmental transfer was Steven P. Bayard, who in the early 1990s was project manager for EPA's health effects report on environmental tobacco smoke.

At OSHA, Bayard is expected to help draft a formal document setting up guidelines for the agency to use when assessing health risks to workers exposed to toxic substances, according to Adam M. Finkel, director of OSHA's health standards programs.

Finkel told BNA Oct. 6 that, given the uncertainty over agency funding, it was impossible to estimate when the project would be completed. For the moment, he and Bayard will work on the guidelines together, Finkel said, adding that he hoped more staff could be added later.

At some point, OSHA will involve stakeholders outside the agency to provide feedback on the project, he said.

With formal guidelines, OSHA will not have to rethink assumptions or start from scratch every time it does a chemical risk assessment, Finkel said. Guidelines also could help OSHA determine the extent of analysis required for different substances, he added.

"I think it would help the public understand better what we're doing and why," Finkel said.

Finkel, who brought an extensive background in risk assessment to OSHA when he joined the agency in March, broached the idea of developing guidelines in a September interview with BNA.

Bayard worked in EPA's Office of Health and Environmental Assessment within the agency's Office of Research and Development.

Air Pollution

CHEMICAL MAKER AGREES TO PAY \$1.2 MILLION TO SETTLE ASBESTOS CHARGES UNDER AIR ACT

A chemical company agreed Oct. 12 to pay a record fine under the Clean Air Act asbestos regulations for charges that it improperly handled the carcinogenic material during demolition of an office building, the Justice Department announced Oct. (*U.S. v. Hercules Inc.*, DC WDVA, docket number not available).

Wilmington, Del.-based Hercules Inc. agreed to pay \$1.2 million to settle the allegations, DOJ said.

According to the Department of Justice, Hercules and a contractor—Carver Massie Carver—"failed to follow standard asbestos removal procedures," during 1992-93 demolition of a Hercules-owned building in Covington, Va.

DOJ said the charges included failing to notify the Environmental Protection Agency before demolition and not disposing of asbestos waste in a timely fashion. Another allegation was failing to wet asbestos adequately—to prevent the mineral fibers from becoming airborne—during stripping, removal, transportation, and disposal.

As part of the settlement, Hercules agreed to appoint a national asbestos coordinator to review all demolition and renovation projects at the company's U.S. facilities, DOJ said.

Lois Schiffer, assistant attorney general for environment and natural resources, said of the case in a statement, "There's a price to pay for ignoring federal asbestos laws." She praised the company for taking steps to prevent future violations of asbestos regulations.

Air Pollution

DRY CLEANERS' 'EPISODIC' EXCEEDANCES OF STANDARD ALLOWED UNDER SETTLEMENT

Dry cleaners that exceed certain source category thresholds set by an Environmental Protection Agency air toxics standard on perchloroethylene could avoid having to meet stricter control requirements under a settlement reached Sept. 29 between EPA and the industry (*International Fabricare Institute v. EPA*, CA DC, No. 93-1773, 9/29/95).