

HB

197

# Alaska State Legislature



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## Senate

### Committee on Resources

May 11, 1983

#### Memo

To: Senate Resources Committee Members

From: Senate Resources Committee Staff

Subject: Hearing on SB 79, "Right to Know" legislation concerning hazardous and toxic substances in the workplace, May 11, 3:00pm, Beltz Room

Following hearings on the bill in Juneau and Fairbanks the Chairman asked staff to meet with concerned interest groups to try to work out problems which were widely acknowledged in the bill as originally drafted. Among these problems identified included:

- coverage of as many as 40,000 substances to be dealt with by employers.
- inclusion of "household" type substances salt, sand, bug spray and others.
- coverage of transportation industry where many break-in-transit handlings but no substance use were involved.
- Requirement of labeling of substance containers, piping systems.
- Reporting requirements to the State Department of Labor potentially involving extensive paperwork for employers and the state.
- Possible duplication and conflicts with federal OSHA regulations to be promulgated in the near future.

However, most agreed that the basic intent of the legislation to communicate the identity, health hazards and proper handling methods for hazardous and toxic substances to employees by employers was desirable.

Beginning in April a staff redraft of the bill was circulated to an ad hoc group of concerned individuals and interest groups. Following comments on this draft a meeting was held in Juneau May 2 and 3 with representatives from the following groups to try to arrive at consensus legislation:

Committee staff, Sen. Josephson's office, Alaska Environmental Lobby, Alaska Employer's Committee, Alaska General Contractors, Sohio, Arco, Alaska Health Project, Alaska District Council of Laborers, Alaska Department of Labor, Alaska Trucking Association.

The group proceeded under the following assumptions and objectives:

- that it was desirable to pursue legislation this session.
- that federal OSHA regulations would probably be published around July 1 of this year.
- that while federal OSHA regulations would cover several aspects of this legislation most employers in Alaska would not be covered.
- that it was desirable and possible to cover most Alaskan employers in a manner which would not duplicate or conflict with federal OSHA regulations.
- that any legislation pursued this session should represent a basic, simplified employer-to-employee communication system involving a minimum of paperwork or expense.

#### Provisions of the CS

The group agreed to a draft CS containing the following general provisions:

- The CS tracks the proposed OSHA regulations for the substances covered. Two basic lists of chemicals for which study and exposure limits have been set would be covered plus additional substances which would be covered by OSHA regulation following performance-based testing. The combined lists (large overlap) would cover approximately 600-700 chemical substances to be considered "hazardous" or "toxic" under the bill.
- Employers would be required to post a notice of hazardous and toxic substances in their workplaces with information on health hazards, handling procedures, and other information. Employers would also be required to provide safety training on these substances to new employees and reassignment of employees for substances they would be exposed to.
- The information required to be supplied by employers would be in the same form as required under OSHA regulation. This information would not have to be produced by employers but would come from manufacturers as required by the OSHA regs, would be required on all substances imported into Alaska (to cover middleman wholesalers not covered by federal regs), and would be on file with the state Department of Labor. In fact, information on most, if not all, the substances covered by the bill is currently available.
- No labeling or reporting requirements are included in the CS. Labeling will be required of all manufacturers under OSHA regulations and the reporting requirements were determined not to be critical to the basic communication to employees of substance information.
- Substances while in transit are exempt from the provisions of the bill. Current federal transportation of hazardous substances regulations were determined to be sufficient.
- Household items such as food, drugs, goods used for personal use are exempted as are substances in small quantities not representing a health hazard. Thus, no substances like salt or bug spray off the shelf are included. However, some items like sand (silicates) are on the list when used in concentrations (like sandblasting) which have been shown to represent real health hazards, but not for most common situations.
- Although the technical assistance activities and pre-implementation tasks of the Department of Labor would take effect immediately, employers would not be required to comply before July 1, 1984, to ensure that information is available

DRAFT LETTER OF INTENT, SB 79

The purpose of this legislation is to inform employees of the identity of and the health hazards and proper handling procedures for hazardous and toxic substances in their workplace through a communication and safety education program adopted by employers. While this legislation is designed to cover most employers in the state utilizing substances defined in the bill, it is not the intent to require employers to be responsible for the generation or creation of the information required to be posted or communicated to employees. Rather, the bill is designed under the assumption that federal regulations will be promulgated in the near future by the Occupational Safety and Health Administration (OSHA) which will require manufacturers to develop and distribute information for all the substances covered by the bill. The provision requiring that such information accompany substances imported into the state and the provision requiring the State Department of Labor to keep information on file for all substances covered by the bill are designed to aid employers in readily obtaining the required information.

It is the intent of the Committee that the Department of Labor play an active role in informing employers of the requirements of this bill and aiding them in meeting the requirements. Among the tasks required of and intended that the Department undertake are: the development of a poster outlining the provisions and employee rights under the bill and the printing of sufficient copies for all applicable employers; the compilation of all relevant information on the various substances covered by the bill and formulation of an information retrieval system capable of answering telephone inquiries by employers and employees on various substances and products; the compilation and printing of a list of the various substances identified in the bill as hazardous and toxic for use by employers; the provision of assistance to employers upon request in developing safety education programs; and the surveying of various employers or industries to identify the types of substances used and problems being encountered. In this last task it is intended that such surveys be made in cooperation with business and industry groups or associations.

It is the intent of the Committee that the Department complete the specific tasks identified in section 1 of the bill at least several months in advance of the July 1, 1984 effective date for section 2 of the bill requiring posting and training by employers.

The bill authorizes the Department to identify substances to be covered by the bill. It is the intent of the Committee that this authority be used only on a case-by-case basis pursuant to the Administrative Procedure Act to cover a very few substances which might be of specific concern in the state but for some reason, such as bureaucratic delay, have not yet been identified on the federal level pursuant to OSHA regulation. It is not the intent of the Committee to direct the Department to engage in a major identification, testing or research program which would result in large numbers of additional substances or additional lists of substances beyond those identified in the bill.

HB-14

IN ACTION ALLOWS PERMIT TO BE PROVIDED  
INFORMAL APPEAL - NO EVIDENCE; HEAD  
OF AGENCY!

(DISMISSAL)

APPEAL PERIOD QUESTION

GEORGE

Sec. 18.60.072. REPORTS TO BE FILED WITH DEPARTMENT. (a) A manufacturer or wholesaler who is subject to the requirements of AS 18.60.051 and 18.60.052, respectively, shall file with the department a report that includes

(1) the information required to be provided to purchasers under AS 18.60.051 or 18.60.052 for each hazardous or toxic substance specified by the department under (d) of this section;

(2) the quantities of hazardous or toxic substances being handled stored, used or produced; and

(3) other information considered appropriate by the department.

(b) An employer who is subject to the requirements of AS 18.60.071 shall file with the department a report that includes

(1) the chemical names and the CAS numbers of hazardous or toxic substances used in the workplace; and

(2) the safety procedures and equipment actually used in the workplace; and

(3) the information required under (a)(2) and (3) of this section.

(c) A manufacturer, wholesaler, or employer shall promptly report to the department any substantive changes in the information to be provided under (a) or (b) of this section.

(d) The department shall adopt regulations specifying the hazardous or toxic substances to be reported under this section.

Clarifying amendments for consideration.

\*Section 1

(12) adopt regulations listing "hasardous substance" (AS 18.60.105(11) and "toxic substance" (AS 18.60.105(12) and excluding from that list

\*Sec. 3 page 4 - 18.60.072 (c)

(c) The department shall adopt regulations specifying the specific hazardous or toxic substances to be reported on a substance by substance basis under this section.

\*Sec. 3 page 6 - 18.60.105

(11) "hazardous substance" means a chemical that is

(A) listed in the United States Department of Transportation Hazardous Materials Table, 49 C.F.R. 172.101;  
or

(B) any of the following: ...

(vi) an oxidizer; and

(C) is specifically listed in regualtion adopted by the department under AS 18.60.030(12);

(12) "toxic substance" means a chemical which, upon exposure, may result in the occurance of acute or chronic health effects in employees and is listed in regulation adopted by the department under AS 18.60.030(12);

4/12/83

POSITION PAPER/TESTIMONY/ALASKA EMPLOYERS' COMMITTEE

Bill No.: House Bill 197

Title: "An Act relating to hazardous and toxic substances and providing for an effective date."

Contact: Bill Schneider  
276-5354

T. J. Thrasher  
276-1149

My name is Bill Schneider and with me today is T. J. Thrasher. We presently serve as Co-Chairmen of the Alaska Employers' Committee (AEC). The Alaska Employers' Committee represents over 5,000 employers, including:

Associated General Contractors, Alaska Trucking Association, Alaska Retail Association, Alaska Seafood Processors, Alaska Loggers Association, Alaska Miners Association, Alaska Support Industry Alliance, Anchorage Laundry and Dry Cleaners Association, Resource Development Council, SQHIO and many individual Alaskan employers.

AEC has directed Ms. Thrasher and myself to be here today and present our Committee views on HB 197. We fully support the goal of this bill, that is, a safe and healthful Alaska workplace.

Unfortunately, this Bill creates many costly hurdles and pitfalls on the path towards worker safety.

More importantly, however, there is a key ingredient missing from this Bill -- common sense.

As someone who has spent over 12 years in the safety profession, I can tell you that the most important tool available in the prevention of accidents, on or off the job, is common sense. Allow me to briefly illustrate the absence of common sense from HB 197.

Most of the goods utilized in Alaska are shipped up from manufacturers in the Lower 48. Several thousand tons of different materials arrive annually by ship, plane and truck.

Under HB 197, over 40,000 of these substances will potentially be classified as toxic or hazardous.

Detailed scientific information must be provided on each of these substances: CAS numbers, chemical names, potential risks, etc.

Our Committee agrees that this information should be provided by the manufacturers as they are the experts on the substances they produce.

But, as we stated before, the manufacturers of almost all of the goods utilized in this state are not here but, rather they are located outside of Alaska and are consequently are not covered by this Bill.

There is an alternative course to follow on this path towards workplace safety. It makes sense and I encourage the Committee to give it serious consideration.

The Federal hazard communication regulations covering toxic and hazardous substances will go into effect this summer, according to Thorne Auchter, Undersecretary of Labor for OSHA.

These regulations will apply to all states and will require manufacturers to provide toxic information on their products.

According to the March 24, 1983 Bureau of National Affairs, Regulatory and Legal Developments, Newsletter the final draft of the federal regulations not only cover the manufacturers but, also the distributors of chemicals.

"All aspects of the supply chain" must be covered to make the rule effective, the agency (OSHA) said in defense of the new scope, which would apply the same duties to importers as it would to chemical manufacturers, and would require distributors to ship labeled containers and "provide downstream purchasers with access to an appropriate material safety data sheet."

Under HB 197, the Alaska employers would shoulder the burden of providing this information. And in most instances, the employer, lacking the expertise and

staff, would have to go back to the manufacturer to acquire this information. In other words, a costly, duplicative route could easily be avoided by adopting the federal regulations into our State codes.

With this in mind the Alaska Employer's Committee urges you to closely scrutinize the proposed federal regulations and if you believe that adjustments are necessary they can be dealt with after the federal regulations have been adopted. The Alaska Employer's Committee stands ready to assist the Committee in any manner appropriate.

Thank you for your time and I am available for any questions that the Committee might have.

# ENVIRONMENTAL LOBYIST

We strongly support HB 197, an act relating to hazardous and toxic substances in the workplace. Passage of HB 197 is an important first step in managing hazardous materials and protecting workers in Alaska. We urge House C, Commerce to take action on this important subject.

I have some specific comments pertaining to yesterday's testimony as well as some general comments on the Bill.

1. Amendments for consideration: Sec 3 page 4 18.60.072(c). I see a problem with this amendment because the situation could arise where we would have a RTK Bill regulating no substances at all. There must be some assurance that the adoption of the NIOSH, DOT, and ICRA lists of hazardous materials be performed without having to go through all the chemicals on those lists. We would, of course exclude those substances excluded under section 1 of HB 197. In addition, there should be some time limit put on the department to adopt the regulations.

2. With regard to Mr. Ames' comments on industry already providing enough health and safety information to workers. I congratulate the pulp industry for their work to protect their employees. Many other industries are also making great strides in this area primarily motivated by profit or humanitarian reasons. Many industries have argued that providing health and safety information to workers has saved them money in workman's compensation costs, and reduced the number absentee workers. This reduces the amount of on the job retraining and rehiring, again saving time and money. What Mr. Ames failed to say was that HB 197 is designed for industries who do not provide workers with information about the toxic materials in the workplace. Industries providing this information already would not be burdened by this legislation. There are 84 printshops and 2 newspapers in Anchorage which all require chemistry to function. The solvents and fixatives used by the workers are not labeled properly only labeled with the statement Do Not Dispose of In Municipal Sewer Systems. If the manufacturer says the materials present problems to sewer systems what do they do to workers?

3. With regard to Mr. Schneiders comments: I think that the Alaska employees Ass. needs a work session to discuss this Bill.

His argument that the fact that manufacturers are outside of the state of Alaska would have some bearing on HB-197-is-irrelevant. on the employers ability to obtain MSDS information is irrelevant. The only relevance to his comment is that yes indeed the manufacturers have MSDS.

He further argued that the employer would have to provide MSDS sheet information and implied that the employer would have to perform the research and analysis on the materials they use.

No where in HB 197 does it require employers to analyze the chemicals they use. As Mr. Schneider stated manufacturers already compile this information. All the legislation requires is that the employer provide the information that is, obtain MSDS. This procedure is relatively easy to do, by simply writing or calling the manufacturer. General Electric will gladly send all their MSDS forms to anyone who requests such information. The NY Dept of Health will also do this at no cost. Our Poison Control Centers located through out the State of Alaska already have much of this information compiled and ready to send out to anyone who requests the information.

4. Both Mr. Schneider and Mr. Ames testified that HB 197 would require too much paper work. The only paper work as I see it is writing a simple form letter requesting MSDS, ~~xeroxing~~ xeroxing it a few times, and sending it to those parties who have MSDS. Once the employer obtains the information, the only other requirement would be to xerox the MSDS sheets again, and post them in a conspicuous area in the workplace. One MSDS sheet with all the information about the chemicals is probably a whole lot more cost effective than the many pamphlets Mr. Ames hands out to pulp workers, and it might even reduce the amount of paper he finds in the parking lots.

5. Regarding the New OSHA regulations: I too agree that these regulations should be looked at very carefully. I have a chance to review much of the new legislation, and still these regulations are targeted at the manufacturing workplaces disregarding the millions of workers employed in agriculture, construction, transportation, and other service and non-manufacturing occupations. Read QUOTE:

And still the New osha standards are weak in the area of MSDS, the language allows for voluntary compliance on the part of both the manufacturer and the worker employer to obtain these safety sheets. *read quote*

Furthermore, decision-makers in Alaska have been stressing the need for reducing federal control over Alaskan activities. Why do we We can have our own RTK law which is better than OSHA and more easily managed. It seems strange that industry is now supporting the Federal RTK legislation when they lobbied heavily against it in the past. As many of us know there was once a Federal RTK law under Ula Bingham and the Carter Administration. Yet this law was one of the first to go under the new Administration. How can we be assured that the FED RTK law will be put into effect? And how can we be certain that future administrations retain it?

6. The HB 197 <sup>will</sup> should have some requirements for labeling of substances in the workplace. A color code could be used, or maybe just the most widely used chemicals should be labeled to protect workers

For the past two years, I have been involved professionally with the issue of hazardous and toxic substances. I am presently a member of the State of Alaska Hazardous Waste Advisory Work Group and am Chairman of the Sub-committee on Hazardous Waste to the Environmental Health Advisory Committee of the Anchorage Municipal Health Commission. It has become painfully clear to me that Alaskan work areas are without the proper safety equipment and information to protect workers from exposures to hazardous and toxic substances.

The use of hazardous materials is central to our daily lives if not our existence. Not a day goes by when one does not use a hazardous material or come into contact with items that have been manufactured with one or more of these dangerous substances. Use of hazardous materials can cause severe injury through misuse, lack of proper safety training, and inadequate personal protective equipment. Each year approximately 3000 new chemicals are introduced into the workplace, many of which are used in Alaska.

In examining the current situation of the handling of hazardous and toxic materials in Alaska, several questions emerge. For example, chemicals such as chromic acid, sulphuric acid, and hydrogen peroxide are used in Alaska. Their liquids and vapors are corrosive to human tissue. What personal protective equipment and safety measures should be taken when using these substances?

Toxic materials, such as 2,4-D, amitrole, bromacil, and picloram are herbicides used by the Alaska Railroad, Matanuska and Chugach Electric, the Military, and even homeowners. The misuse of these substances can cause physiological and biological damage. What is the safe exposure level for workers applying these and other dangerous materials?

Acetone, trichloroethylene, perchloroethane and other solvents and degreasers are utilized by industrial and service facilities such as print shops, dry cleaners, and paint manufacturers that are a necessity to all communities. These substances are highly flammable. What method of fire suppression should be used if one or more of these substances ignites in the workplace?

Answers to these questions would be provided by <sup>HB 197</sup>~~SB 79~~ and should be made available to all Alaskan workers. ~~This information should be posted in the workplace, and made known to prospective employees before they are hired.~~ ~~Who not~~

~~and other service occupations.~~

As Alaska grows and develops its Coal, NG, Asbestos, Timber, Gold, Zinc, Oil Shale, and other resources, I can only wonder how many more hazardous materials will be brought into the state. Perhaps, if the economy is advantageous, we will develop of large scale petrochemical industry and manufacture our own chemicals. I do not have to repeat the well-documented hazards associated with such an industry.

In Alaska, we have the unique challenge and opportunity to avoid the mistakes with which other communities have encountered themselves in the area of hazardous and toxic materials. While most of the nine states which have just recently adopted their own right-to-know laws have done so out of a reaction to increased cancers and deaths in the workplace, Alaska, relatively speaking, does not have these problems yet, and has the chance to grow and prosper and still provide safe work environments.

The challenge, as I see it, is whether we all can admit that ignorance is no longer an adequate excuse for unhealthy workplaces. We all know of the hazards associated with working with hazardous materials. In knowledge lies the power to make the right decisions. In short, we can no longer drive automobiles, paint houses, manufacture clothing, build roads and dams, and grow crops with out using dangerous substances. So long as we continue to use hazardous materials, we must all vigorously insist that workplaces are safe and that the health of the worker is protected.

Mr. Chairman / We urge House Labor & Commerce to take action on this important subject.

STATE OF ALASKA  
FISCAL NOTE

Revision Date April 1, 1983

I. REQUEST

Bill/Resolution No.: House Bill 197  
Title: "Hazardous & Toxic Substances"  
Sponsor: Labor and Commerce Committee  
Requestor: Labor and Commerce Committee

II. FISCAL DETAIL

Agency Affected: Labor  
Program Category Affected: Worker Protection  
BRU, Program of Subprogram(s) Affected:  
Labor Standards and Safety

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
OPERATING						
100 PERSONAL SERVICES		75.0	79.5	84.3	89.4	94.8
200 TRAVEL		12.5	5.3	5.6	5.9	6.3
300 CONTRACTUAL		29.3	31.1	33.0	35.0	37.1
400 COMMODITIES		1.5	1.1	1.2	1.3	1.4
500 EQUIPMENT		12.7				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
TOTAL OPERATING		131.0	117.0	124.1	131.6	139.6
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND		131.0	117.0	124.1	131.6	139.6
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS:

FULL-TIME		2	2	2	2	2
PART-TIME						
TEMPORARY						

III. SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

Not available.

IV. ANALYSIS: Attach a separate page for any Analysis

Prepared By: <sup>PKC</sup> Robert J. Bacolas, Sr. *Robert J. Bacolas* Phone: 465-4870  
Division: Labor Standards and Safety Date: April 4, 1983  
Approved by Commissioner: Jim Robison *Jim Robison* Date: April 4, 1983  
Department: Labor

LEG:A:21

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## FISCAL NOTE

THE LEGISLATURE OF THE STATE OF ALASKA

FOURTEENTH LEGISLATURE

TITLE: "An Act relating to hazardous and toxic substances."

AGENCY AFFECTED: Department of Labor

Page 2

Under this bill the Department of Labor will be responsible for collecting and disseminating information regarding hazardous chemicals and/or substances at work or storage sites in Alaska.

An Industrial Hygienist position in Anchorage will be required to review and respond to requests about the effects of hazardous chemicals or substances, recommend remedial action if required, and communicate this information to the requestor. In addition, one clerical position will be required to provide support for the hygienist.

In addition to the Personal Services costs associated with the Industrial Hygienist and the clerical position, there will be a need to increase the Department's current contract for laboratory services (\$5,000), as well as its management services and rent allocation (\$7,479 and \$6,800 respectively). All other costs in Contractual Services are normal operating costs. Additionally, the Industrial Hygienist position will require various scientific measuring and sampling equipment (\$7,600), as well as basic office equipment. The Travel budget for FY 1984 includes \$7,500 for recruiting and relocation expenses for the hygienist position and \$5,000 needed for extensive in-state travel to visit Alaskan work sites.

### Assumptions:

- 1) The Department will collect and disseminate information regarding hazardous chemicals and/or substances to the general public, and as a result will also be making increased work-site inspections.
- 2) Inflation rate of 6 percent per annum.
- 3) The equipment costs of \$12,700 and \$7,500 for travel and moving expenses are one-time items.
- 4) Effective date of July 1, 1983.

1.	POSITION TITLE Industrial Hygienist I			RANGE/STEP 19A	BARG. UNIT GGU	FORM 12 PAGE/LINE	GOV.	APPROV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER HB 197	PCN NUMBER	BRU PRIORITY	LOCATION Anchorage	ELECTION DISTRICT	LEG.	

3.	CONTINUATION LEVEL	ADDITION	XX
4.	TYPE OF EXPENDITURE:		AMOUNT
	1	2	3
	PERSONAL SERVICES		
5.	Salary	38,135	
6.	Benefits	6,053	
7.	Supplemental Benefits	2,338	
8.	Fixed Benefits	2,880	
9.	TOTAL PERSONAL SERVICES	01	49,406
10.	Travel	02	12,500
11.	Contractual	03	18,423
12.	Commodities	04	500
13.	Equipment	05	10,200
14.	Other		
15.	TOTAL COST		91,029

JUSTIFICATION

The hygienist will ascertain the effects a chemical/substance will produce, recommend remedial action if required and communicate this information to requestor in understandable terminology. As the populace becomes better informed, there will undoubtedly be more requests for this agency to visit work/storage sites to monitor them for potentially hazardous conditions.

Personal services calculations are based on the salary schedule that is currently awaiting approval for FY '84.

Travel funds include \$7,500 in relocation and recruiting expense and \$5,000 for in-state travel because this position is located in Anchorage and significant routine travel expense is anticipated.

Contractual services costs consist of telephone charges, equipment rent, management services support, space rent, and increased laboratory service charges.

The equipment costs are comprised of various scientific equipment (\$7,700), office equipment (\$1,500), and protective equipment (\$1,000).

	RFCEIPT CODE	FUNDING SOURCE	
16.		Federal Receipts 1002	
17.		G.F. Match 1003	
18.	100	General Funds 1004	91,029
19.		I-A Receipts 1005	
20.		Program Receipts 1028	
21.		Other	

FOR B&M USE ONLY  
4A KEY NUMBER \_\_\_\_\_

**13** REQUEST FOR NEW POSITION

AGENCY Labor  
PROGRAM Workers' Protection  
BRU Labor Standards and Safety  
COMPONENT Occupational Safety and Health Administration

**FY 84**

Page 1 of 2  
Revised Date \_\_\_\_\_

1.	POSITION TITLE Clerk Typist III			RANGE/STEP 8A	BARG. UNIT GGU	FORM 12 PAGE/LINE	GOV.	APPROV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER SB 79	PCN NUMBER	BRU PRIORITY	LOCATION Anchorage	ELECTION DISTRICT	LEG.	

3.	CONTINUATION LEVEL	ADDITION	XXI	JUSTIFICATION
4.	TYPE OF EXPENDITURE		AMOUNT	
	1	2	3	
	PERSONAL SERVICES			
5.	Salary	18,647		
6.	Benefits	2,960		
7.	Supplemental Benefits	1,143		
8.	Fixed Benefits	2,880		
9.	TOTAL PERSONAL SERVICES	01	25,630	
10.	Travel	02	0	
11.	Contractual	03	10,856	
12.	Commodities	04	1,000	
13.	Equipment	05	2,500	
14.	Other			
15.	TOTAL COST		39,986	

	RECEIPT CODE	FUNDING SOURCE	
16.		Federal Receipts 1002	
17.		G.F. Match 1003	
18.	100	General Funds 1004	39,986
19.		I-A Receipts 1005	
20.		Program Receipts 1028	
21.		Other	

FOR B&M USE ONLY  
4A KEY NUMBER \_\_\_\_\_

**13** REQUEST FOR  
NEW POSITION

AGENCY Labor  
PROGRAM Worker Protection  
BRU Labor Standards and Safety  
COMPONENT Occupational Safety and Health Administration

Page 2 of 2  
Revised Date \_\_\_\_\_

**FY 84**

"Where Dependability is a Tradition!"

# the Alaska Cleaners

TELEPHONE 274-8621

610 WEST FIREWEED LANE

ANCHORAGE, ALASKA 99503

March 14, 1983

Walt Furnace, Chairman  
House Labor and Commerce Committee  
Pouch V  
Juneau, Alaska 99811

Re: HB 197

Reff: Your letter dated 3/9/83

Dear Mr. Furnace:

A sincere thank you for your objective reply. I am chagrined over my failure to note 18.60.072(c) which would require that hearings be held prior to inclusion of specific substances. While it still would allow for "bureaucratic" abuse it never the less is a reasonable control that unfortunately is absent from SB 79.

After rereading HB 197, SB 79 and your letter I would concede that your bill is not particularly unreasonable. SB 79 is definitely unreasonable.

I am however still concerned as to the effective implementation of your bill as it would regulate manufacturers located in other States and with the potential for conflicting regulations from other States and given the small size of our market, We as end users might not be able to comply. If I may quote the Federal Register [Vol. 47, No. 54, 3/19/82, proposed rules, page 12095]:

"The potential for conflicting or cumulatively burdensome state and local laws has been acknowledged by a number of industry representatives, particularly those involved in chemical manufacturing. Since most manufactures transport their products across state lines, the proliferation of state and local standards may create a burden on intersate commerce. Furthermore, the differences among these standards result in varying levels of of protection for employees exposed to the same hazards. A single, comprehensive Federal Standard for hazard communication would eliminate this conflict, decrease the cumulative burden of compliance, and ensure basic protection for all employees."



Walt Furnace

Walt, I am also concerned that you might be misinformed somewhat on the Federal Regulations as you state we would not receive any information regarding hazardous substances under the Federal Regulations. If I may quote from the Federal Register [same numbers as before but page 12101 (Department of Labor, 29 CFR Part 19100)] again:

"Scope of application. The proposed standard applies to employers who have facilities classified in the manufacturing SIC codes 20 through 39, Division D, in the most recent edition of the Standard Industrial Classification Manual; Executive Office of the President-Office of Management and Budget. Employers within these codes who produce chemicals are required to assess their hazards, and TRANSMIT THE INFORMATION to their own employees and TO PURCHASERS OF THEIR PRODUCTS. ALL COVERED EMPLOYERS BOTH MANUFACTURES AND USERS OF CHEMICALS ALIKE, MUST ESTABLISH HAZARD COMMUNICATION PROGRAMS FOR THEIR EMPLOYEES."

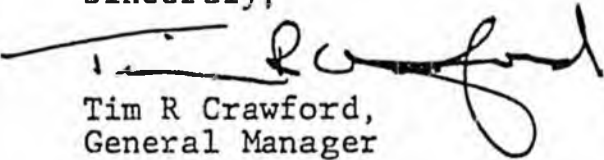
From the same page:

"Although non-manufacturing employers are not covered by the proposal, it is expected that their employees will also benefit from it to a great extent since EMPLOYEES IN THE MANUFACTURING SECTORS WILL BE REQUIRED TO SEND THE HAZARD-RELATED INFORMATION DOWNSTREAM TO THEIR CUSTOMERS."

I have included a copy of a letter from the U.S. Department of Labor to AGC which indicates that they intend to publish the Final Rule about July 1, 1983 (about time also, I would agree).

Again, I thank you for taking some of your valuable time to review my comments.

Sincerely,

  
Tim R Crawford,  
General Manager

*Schneider*



Reply to the Attention of:

*3/4/83  
Received*

March 1, 1983

Ms. Rena King  
Association of General Contractors  
134 N. Franklin  
Juneau, Alaska 99801

Dear Ms. King:

In response to your current inquiries to my staff about the proposed Federal Hazard Communication Standard; Final Rule, 29 CFR 1910.1200, we have contacted the National Office, OSHA, for guidance. The Final Rule is expected to be published about July 1, 1983, provided there are no unexpected delays or court challenges. None are expected at this time.

The Hazard Communication Standard will require chemical manufacturers and importers to assess the hazards of the chemicals which they produce or import and make this information known. All employers in manufacturing (SIC 20-29) will be required to provide information to their employees about the hazardous chemicals. Distributors will be required to properly label containers of the hazardous chemicals.

The standard is under final review in the National Office. Major changes in text are not expected.

We are pleased to be of assistance.

Sincerely,

John A. Granchi  
Assistant Regional Administrator  
Office of Technical Support

cc: C. A. Mangold

# THE ALLIANCE

P.O. Box 100 / Anchorage, Alaska 99510 / (907) 277-0010

March 15, 1983

Representative Walt Furnace  
State Capitol  
Pouch V  
Juneau, AK 99811

Dear Representative Furnace:

The Alaska Support Industry Alliance offers the following observations on Senate Bill 79, commonly referred to as "right to know" or "toxic and hazardous substances in the workplace" legislation.

- . The safety of our employees is a paramount issue with our members.
- . Safety standards and procedures are desirable and are good business practices.
- . The intent of the bill is laudable.
- . The bill is flawed.
- . The bill would essentially replicate standards which are to become effective on July 1, 1983, as promulgated by the U.S. Department of Labor, Division of Occupational Safety and Health, entitled "The Federal Hazard Communication Standard."

Members of the Alaska Support Industry Alliance believe that our employees should receive and use systems, procedures and equipment which maximize safety in the workplace and minimize potential risks to life, limb and health. Many of our members instituted such systems and procedures long ago and, more recently, many more have invested substantially in employee safety and health measures. Needless to say, issues attendant to toxic or hazardous substances have been carefully reviewed by industry. Moreover, federal regulations proposed last year will establish national standards requiring chemical manufacturers and importers to assess the hazards of the chemicals which they produce or import and to make such information known to those who might come in contact with such materials. All manufacturers will be required to inform their employees about hazardous chemicals. In addition, distributors will be required to label containers of the materials. We believe that after a full year of review and comment by industry and employee organizations, federal standards will effectively achieve the safety and health objectives which are envisioned within the scope of SB 79.

Alaska Support Industry Alliance . . . for responsible economic development

Joe Morris, President  
Universal Services, Inc. (INTL)  
Milton Evid, Vice President  
Former Companies of Alaska  
Paul Harding, Secretary/Treasurer  
Universal Services, Inc. (INTL)

Len Kelley  
Greyhound Support Services, Inc.  
Bill Woodland  
Quality Cleaners  
Roger Spencer  
Alaska Buswell Electric

Steve Simmons  
Drilling Supply and Rental  
Val Molyneux  
VECO  
Ron Jordan  
Northern Drilling Services

Ann Curtis  
Crowley Maritime  
Richard Danley  
Arctic Alaska Drilling  
Chuck Becker, Executive Director

Representative Walt Furnace

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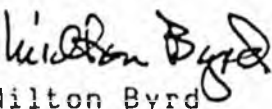
March 15, 1983

Should SB 79 be enacted, we would find two levels of government having laws, regulations, procedures and requirements governing hazardous and toxic substances aimed at industry, resulting in duplication, confusion and high costs for both government and industry. The bureaucracy needed by the state to administer the program of the proposed legislation would be very costly to Alaska. If, in the future, these national standards fail to provide significant protection for employees, adjustments can be made to assure such protection. We believe, therefore, that SB 79 should be tabled at this time.

We respectfully submit that enactment of SB 79 at this time is premature and that the bill simply adds confusion to an already complicated condition.

Very cordially yours,

For THE ALASKA SUPPORT INDUSTRY ALLIANCE



Milton Byrd  
President

MB/gj