

MINUTES OF THE MEETING
LABOR & EMPLOYMENT RELATIONS COMMITTEE
MONTANA STATE SENATE

February 21, 1985

The sixteenth meeting of the Labor and Employment Relations Committee was called to order on February 21, 1985, at 5:10 p.m. in Room 413/415, State Capital Building.

ROLL CALL: All members were present except for Senator Towe, who was excused.

CONSIDERATION OF SENATE BILL 452:

Chairman Lynch called on Senator Dorothy Eck, sponsor of Senate Bill 452. Senate Bill 452 is the Employee and Community Hazardous Chemical Information Act, popularly known as the "Right-To-Know Act." Senator Eck summarized the bill.

PROPONENTS OF SENATE BILL 452:

Don Judge, representing Montana State AFL-CIO, rose in support of Senate Bill 452.

(Exhibit No. 1)

Gene Fenderson, representing Montana State Building Construction Trades Council, passed out testimony that he was asked to give to the committee for Mill Morton, representing Montana Painters District Council #59.

(Exhibit No. 2)

Mike Walker, representing Montana Council of Professional Fire Fighters, said that last session what killed this bill was that it was not made relative to Montana because we are not an industrious state and we have a low population. Since last session, we have had two fires at Montana State University, each one of them involving chemicals. He encouraged the committee to vote for Senate Bill 452.

Howard Rosenleaf, representing the business manager of Carpenters Local #88 in Anaconda, Montana State Council of Carpenters, and Robert Kokoruda, submitted testimony.

(Exhibit No. 3)

Dan Figgins, representing the Farm Marshall in Bozeman, said there were two incidences in Bozeman that have happened in the past, both dealing with chemicals. His group supports this bill strongly.

Russ Brown, representing Northern Plains Resource Council, submitted testimony and said his organization urges the passage of this bill.

(Exhibit No. 4)

Joe Brand, representing the Brotherhood of Railway and Airline Clerks, Brotherhood of Locomotive Engineers Brotherhood of Maintain of Wade Employees, and the United Transportation Union. These groups concern is, when hazardous materials are on trains, the people of the communities along the route should be notified far in advance that there are going to be hazardous materials on that train and where they are in the train. They think this is much needed.

Judy Olson, representing Montana Nurses' Association, said her group supports the legislation because of three reasons:

1) The welfare of the people; 2) Knowing how to treat the exposed patient; and 3) Problems that they are experiencing in the profession.

Ben Havdahl, representing Montana Motor Carriers Association, said the bill is not without its problems. It impacts the transportation of hazardous materials, especially by motor carriers, throughout the state. He would like to suggest that certain requirements of the bill, particularly those that make certain requirements of OSHA, should also be covered under the requirements of the Department of Transportation. He handed out a book, EMERGENCY RESPONSE GUIDEBOOK.
(Exhibit No. 5)

George Ochenski, representing the Environmental Information Center, said his group is in strong support of this bill.
(Exhibit No. 6)

Mike Fennegon, Anaconda, said employees have not been aware of hazardous wastes. He is in favor of the Right-To-Know Act.
(Exhibit No. 7)

Mike Stotts, State Fire Marshall Bureau, rose in support of Senate Bill 452. He is the project manager of the state reporting system. The state reporting system is a system that mandates all fire services in the state to report their calls. He presented some statistics: in 1981 the fire service in Montana responded to 1,650 hazardous conditions; in 1982 they responded to 1,632; in 1983 they responded to 1,979; and in 1984 they responded to 1,458

Tom Brown, representing Burlington Northern Railroad, said BN supports Senate Bill 452. He gave reports of Burlington Northern Railroad.
(Exhibit No. 8)

Al Sampson, City of Missoula, said there are two things extremely scary about the fireman's job: 1) kids; 2) when something is burning and you have no idea what that is.

Butch Turk, representing the Peace Legislative Coalition, rose in support of Senate Bill 452.

C.B. Pearson, Executive Director of the Montana Public Interest Research Group, submitted testimony in support of Senate Bill 452.
(Exhibit No. 10)

Bob Anderson, Common Cause, rose in support of Senate Bill 452.

Ray Blihm, representing Montana State Fireman, spoke about hazard areas in Billings.

OPPONENTS OF SENATE BILL 452:

None were present.

QUESTIONS FROM THE COMMITTEE:

Senator Keating referred to page 17, line 14. He said, "A person found to be in violation of [this act] is guilty of a misdemeanor. Each day a violation is a separate offense. What point in time does the violation begin?"

John MacCaster said the court would rule that it is from the day you, knowingly violate.

Senator Keating said that in some cases, the knowledge of the danger comes after the fact, after the bad things had happened. He wasn't sure that PCB was understood to be a hazard when it was used. He asked if this bill is going to prevent unknown hazardous substances from being hazardous.

Senator Eck, said she didn't think so; we are relying on the OSHA list.

Senator Eck said, "I would like to ask John MacMaster; we talked about the matter of Department of Transportation regulations. I don't see that they are referred to any place."

Hugh Zackheim, staff member for the Environmental Quality Council, said he worked on drafting the bill. They worked up another bill called the Delaware Bill and didn't specifically address the issue.

Senator Keating said he didn't find in this bill a period of time for correction of a violation before someone is in violation. He didn't see how it is going to be helpful to file everything with the clerk and recorder.

George Ochenski, said these things can be recorded on micro-fiche. MSDS is one sheet of paper that lists the fire and explosive hazards and health hazards.
(Exhibit No. 11)

Senator Keating said that doesn't tell him how it is going to help anybody.

Mike Walker said that it helps because the emergency response personnel can go to the public office and get that information without having to harass any people. It is a central place where no one would be harassed. They can put all the information in one location. Most fire services pre-plan every major building throughout the city.

Senator Keating asked if there is a regular form for this.

Mike Walker said yes.

Senator Keating said he would like to remind the public for the record that it cost five dollars a page to file anything with the clerk and recorder. He asked if this means anybody handling this is going to have to pay for their own filing.

Senator Eck affirmed that that is generally the procedure of the clerk and recorder.

Senator Blaylock said you would like to have the DOT, which requires in the division, the motor carriers.

Ben Havdohl said his concern is complying with the statute as it is written.

Senator Eck closed on Senate Bill 452, saying we should someplace, rest the DOT regulations.

The hearing was closed on Senate Bill 452.

CONSIDERATION OF SENATE BILL 447:

Chairman Lynch called on Senator Richard Manning, sponsor of Senate Bill 447. Senate Bill 447 is an act to amend section 39-51-2304, MCA, of the Montana Department Insurance Law to conform it to Federal Unemployment Tax Law as required by federal law; and providing an immediate effective date. What this bill does in essence is take care of the problem in Senate Bill 70.

PROPOSERS OF SENATE BILL 447:

Dave Wanzenried, Commissioner, Montana Department of Labor and Industry, said on page 3, subsection 4, the stricken material there is in conflict with the preceding section. The test that the federal government sets out for this is defined in subsection (3)(d) on the preceding page.

OPPOSERS OF SENATE BILL 447:

None were present.

There were no questions from the Committee.

EXECUTIVE ACTION ON SENATE BILL 447:

Senator Haffey made a motion that Senate Bill 447 Do Pass. On a voice vote, the Committee voted unanimously, except for Senator Aklestad who voted no, that Senate Bill 447 DO PASS.

ADJOURNMENT: The Committee having no further business adjourned at the hour of 6:50 p.m.

STANDING COMMITTEE REPORT

February 22..... 19 35...

MR. PRESIDENT

We, your committee on..... **LABOR AND EMPLOYMENT RELATIONS**.....

having had under consideration..... **SENATE BILL**..... No. **447**.....

first reading copy (white)
color

**SUITABLE WORK FOR UNEMPLOYMENT COMP. PURPOSES, CONFORM STATE
TO FED. LAW**

Respectfully report as follows: That..... **SENATE BILL**..... No. **447**.....

DO PASS

~~DO NOT PASS~~

.....
SENATOR J.D. LYNCH

.....
Chairman.

Labor and Employment COMMITTEE

48th LEGISLATIVE SESSION -- 1985

Date 2/21/85SENATE
SEAT
#

NAME	PRESENT	ABSENT	EXCUSED
1 <u>Senator Aklestad</u>	X		
46 <u>Senator Blaylock</u>	X		
9 <u>Senator Haffey</u>	X		
20 <u>Senator Keating</u>	X		
49 <u>Senator Manning</u>	X		
33 <u>Senator Thayer</u>	X		
<u>Sentor Towe</u>		A	
5 <u>Chairman Lynch</u>	X		

Each day attach to minutes.

ROLL CALL VOTE

SENATE COMMITTEE LABOR AND EMPLOYMENT RELATIONS

DATE February 21 1985 BILL NO. SB 356 TIME

NAME	YES	NO
SENATOR ALKESTAD	X	
SENATOR BLAYLOCK		X
SENATOR HAFHEY		X
SENATOR KEATING	X	
SENATOR MANNING		X
SENATOR THAYER	X	
SENATOR TOWE		X
CHAIRMAN LYNCH	X	

SECRETARY

J.D. LYNCH

Motion: Senate Bill 356 Do Pass. Motion fails.

ROLL CALL VOTE

SENATE COMMITTEE LABOR AND EMPLOYMENT RELATIONS

DATE February 21 1985 BILL NO. SB 362 TIME

NAME	YES	NO
SENATOR ALKESTAD	X	
SENATOR BLAYLOCK	X	
SENATOR HAFHEY	X	
SENATOR KEATING		X
SENATOR MANNING	X	
SENATOR THAYER	X	
SENATOR TOWE	X	
CHAIRMAN LYNCH	X	

SECRETARY

J.D. LYNCH

Motion: Senate Bill 362 Do Pass

ROLL CALL VOTE

SENATE COMMITTEE LABOR AND EMPLOYMENT RELATIONS

DATE February 21 1985 BILL NO. SB 393 TIME

NAME	YES	NO
SENATOR ALKESTAD	X	
SENATOR BLAYLOCK		X
SENATOR HAFHEY		X
SENATOR KEATING	X	
SENATOR MANNING		X
SENATOR THAYER	X	
SENATOR TOWE		X
CHAIRMAN LYNCH		X

Brian S. Sweeney
SECRETARY

J.D. Lynch
J.D. LYNCH

Motion: Senate Bill 393 Do Pass Amended by Senator Keating

Motion fails.

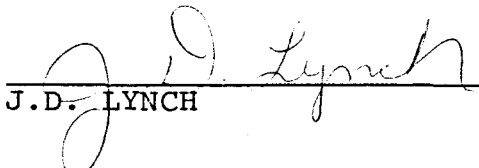
ROLL CALL VOTE

SENATE COMMITTEE LABOR AND EMPLOYMENT RELATIONS

DATE February 21 1985 BILL NO. SB 393 TIME

NAME	YES	NO
SENATOR ALKESTAD		X
SENATOR BLAYLOCK	X	
SENATOR HAFHEY	X	
SENATOR KEATING		X
SENATOR MANNING	X	
SENATOR THAYER		X
SENATOR TOWE	X	
CHAIRMAN LYNCH	X	

SECRETARY


J.D. LYNCH

Motion: Reverse vote on Senate Bill 393 Do Not Pass As
Amended. A Minority Report was requested.

ROLL CALL VOTE

SENATE COMMITTEE LABOR AND EMPLOYMENT RELATIONS

DATE February 21 1985 BILL NO. SB 356 TIME

NAME	YES	NO
SENATOR ALKESTAD	X	
SENATOR BLAYLOCK		X
SENATOR HAFHEY		X
SENATOR KEATING	X	
SENATOR MANNING		X
SENATOR THAYER	X	
SENATOR TOWE		X
CHAIRMAN LYNCH	X	

Beth Daily
SECRETARY

J.D. Lynch
J.D. LYNCH

Motion: Senate Bill 356 Do Pass. Motion fails.

This motion was already voted on earlier in the meeting.

VISITORS' REGISTER

NAME	REPRESENTING	BILL #	Check One	
			Support	Oppose
Butch Turk	Peace Legislative Coalition	SB 452	✓	
Geo. Ochenski	ENV. INF. CENTER	" "	✓	
Howard Houlton	Mont State Police Capt	" 452	✓	
Mike Henningsen	Amesbury	" 452	✓	
Ernest J. Funder	Helena	SB 452	X	
Don Wright	MT. Chamber of Commerce	SB 452		
De Brand	MTL, BRAC, BLE, B.M.W.F. - Helena	SB 452	✓	
Dan Higgins	City of Bozeman Fire Dept	SB 452	✓	
Mike Wabner	MT St. Council Pro. Firefighters	SB 452	—	
Michael A. Stettin	STATE FIRE MARSHAL BUREAU	SB 452	✓	
Paul F. Olson	MT Nurses' Assoc	SB 452	✓	
Ray Blehm	MT Firefighters	SB 452	✓	
Don Judge	MT STATE AFL-CIO	SB 452	X	
Russ Brown	NORTON PLUM & RESOURCE COUNCIL	SB 452	X	
Al Sampson	N.P.R.C. Helena	SB 452	X	
C.B. Pave	City of Missoula	SB 452	X	
Robert Anderson	Mont PIRG	SB 452	X	
David W. Henningsen	Common Cause/MT	SB 452	✓	
Bar Hudson	Dept of Labor	SB 447	X	
Thomas J. Brown	MT Motor Carriers	SB 447	X	
	Burlington Northern RR	SB 452	X	



Box 1176, Helena, Montana

JAMES W. MURRY
EXECUTIVE SECRETARY

ZIP CODE 59624
406/442-1708

TESTIMONY OF DON JUDGE ON SENATE BILL 452, BEFORE THE SENATE LABOR AND EMPLOYMENT RELATIONS COMMITTEE, FEBRUARY 21, 1985.

Mr. Chairman and members of the committee, for the record, I am Don Judge, representing the Montana State AFL-CIO. I am here to testify in support of Senate Bill 452.

For the past three years our conventions have passed resolutions supporting a Montana Right-to-Know Law. Workers are the ones who suffer from exposure to unknown substances, and who will tell you of the vital need for this important legislation. A Newsweek article of December 17, 1984 asks the disturbing question: Could the Bhopal tragedy that killed thousands, and injured tens of thousands happen here?

The article reports that:

"An estimated 6,000 U.S. facilities make possible hazardous chemicals. There are approximately 180,000 shipments by truck or rail every day in the United States of everything from nail polish remover to nuclear weapons."

"...The 1976 Toxic Substances Control Act requires that new chemicals be reviewed before they go on the market. But only 20 percent of those already in use have been tested even to minimal standards, according to the National Research Council."

Government studies report that there are over one-half million chemicals being used today in America's workplaces, and new chemicals are being introduced daily, (OSHA).

-In 5,200 plants surveyed, workers were exposed to 85,000 different trade name products. At 90 percent of those workplaces, workers did not know what actual chemicals were contained in those products, (NIOSH).

-17 percent of working mothers may be exposed to occupational factors that represent reproductive risks, (NIOSH). Nobody seems to know how many birth defects, miscarriages, abortions or other reproductive problems are caused by the hazardous substances to which mothers and fathers are exposed on the job.

-100,000 Americans die each year from occupational diseases, (U.S. DOL), which is the equivalent of a jumbo jet crashing everyday. These Americans die silently without the concern or press attention focused on the deaths caused when the Russians shot down the Korean Airliner or on the tragedy in Bhopal.

-Up to 38 percent of all cancers are related to work hazards, (NIOSH). The World Health Organization estimates that over 75 percent of all cancers are caused by environmental including occupational, exposures.

-Nearly two million Americans are suffering from disabling occupational diseases, (U.S. DOL) and yet only three percent of those Americans are receiving any type of workers' compensation benefits. It is not known how many people receiving social security or welfare disability payments are receiving those payments because of a disabling occupational disease. It is not known how much social security and welfare payments subsidizing workers' compensation.

It is far past the time that our advanced civilization has demanded information basic to the survival of workers and our communities. The lives of too many workers and the environments of too many citizens and communities are being put on the line daily by exposure to hidden chemicals.

There is no conceivable circumstance that should allow any employer to deny hazard information to any employee. It is a basic human right to be advised of risks. Every employer has a moral obligation to guarantee that he and his employees are fully protected and completely knowledgeable of any possible hazards.

We in Montana need Senate Bill 452 because:

- Doctors and health professionals can not adequately diagnose and treat patients unless and until they have full knowledge of what that patient has been exposed to.
- Citizens and the community need facts to prevent problems from toxics in the environment.
- Workers cannot protect themselves from workplace hazards unless and until they know and understand those hazards.
- Fire fighters, disaster and emergency personnel need information to protect themselves and to better protect property and the community in the event of fires, spills, accidents or disaster.
- State, county, city and local governments need to know about real and potential hazards to make rational decisions affecting the lives and property of citizens and taxpayers.

The U.S. Department of Labor, Occupational Safety and Health Administration has produced a "Hazard Communications" standard that will take effect this fall. That federal standard is deficient in many respects. It is limited in its scope and coverage, which is restricted only to manufacturing industries. The OSHA standard would only cover about 25,000 of the more than three hundred thousand people in Montana's workforce and it provides no right or benefit to the community. Senate Bill 452 would extend the benefits and protection of the OSHA standard to all Montana workers and their communities. We urge you to support this much needed legislation. Thank you.

NAME BILL MORTON BILL NO. S.B. 452
ADDRESS BOX 666, GREAT FALLS, MONTANA 59403 DATE 2-21-85
WHOM DO YOU REPRESENT MONTANA PAINTERS DISTRICT COUNCIL #59
SUPPORT XXXXXXX OPPOSE _____ AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

40 Years ago the chemical hazards in the painting field were very few in comparison to today.

Today the chemistry is changing so fast in the painting industry that it's impossible to stay abreast of it.

We live in a post World War II chemical revolution. From 1,500-2,000 new chemicals enter the market every year.

Some of these substances have been found to be linked to birth defects, genetic defects and miscarriages. These products are used by Painters or anyone else who uses paint products containing these chemicals, such as lead, benzene, benzidine, zinc, urethane and vinyl chloride.

There are other chemicals which effect the nervous system and the brain.

Disorders and diseases of the brain and nervous system due mainly to solvents ranks #1 among painters.

In a Mt. Sinai School of Medicine study, 84% of the epoxy painters reported disorders and diseases due mainly to solvents.

Epoxy paints are widely used today and are good products which are very durable, but they are harmful.

The solvents used in epoxy's and some of these other paints are real chemical culprits such as:

Aromatic Hydrocarbons, Esters, Glycols, Ketones-such as Methyl-Ethyl-Keytone, Methylene Chloide, Mineral Spirits, Naphtha, Toluene, Acetone, Carbin Tetrochloride.

Some of these solvents also effect the kidneys and liver. Some have long range effects. Some of our people are finding now that chemicals they used 20 years ago are causing them, or their children, to have children with birth defects.

Some of these products are good products and we can be thankful for them and for the progress made in the field of chemistry in the past 40 years.

We need these products in the painting industry today, but they are dangerous and harmful and we feel that the user, not only the professional painter, but anyone who uses these products needs to know what they are using, the dangers involved and the protective equipment necessary to use the product safely.

This problem has become so serious to our people that our International President has put out a pamphlet for our members to give to our Family Doctors, advising them of some of the chemicals we are working with so they might be aware of the problem. He also has a short letter to the Physician.

For these reasons Painters District Council #59 supports this bill.

Nervous System

Encephalopathy

(organic brain syndrome)
(chronic painters' syndrome)
(certain forms of dementia)

Organic solvents

(toluene, xylene, styrene, methylene chloride, trichloroethylene, methyl ethyl ketone, etc.)

Lead*

Acute narcosis
(possible coma, death)

Organic solvents
methylene chloride
toluene
benzene
trichloroethylene

Peripheral neuropathy

Lead*

Arsenic

Respiratory System

Asthma

Polyurethane (toluene diisocyanate)
Epoxies (epichlorohydrin, bisphenol A)

Lung cancer

Arsenic
Chromates

Cardiovascular

Angina
Cardiac arrhythmias

Methylene chloride
Trichloroethylene and other chlorinated hydrocarbons
Toluene

Hematopoietic

Anemia—hypochromic
Aplastic anemia, leukemia

Lead*
Benzene

Skin and Mucous Membranes

Nasal septal perforation
Skin ulcers
Increased pigmentation
Eczematous dermatitis
Conjunctivitis

Chromates, arsenic
Chromates
Arsenic
Epoxies
Styrene

Kidney

Tubular damage
Chronic renal failure
Chronic glomerulonephritis

Cadmium
Lead*
Organic solvents

Loss of memory, attention, coordination; irritability, lassitude
Neuropsychological and neuropsychological tests; neuro exams

GI pain, nausea, metallic taste
Blood lead levels, blood zinc protoporphyrin level (ZPP), neuropsychological and neuropsychological tests

Euphoria, headache, stupor, loss of coordination, lassitude
Carboxyhemoglobin levels;
Urinary hippuric acid levels
CBC
Urinary trichloroacetic acid (TCA); expired air analysis

Weakness of distal extensor muscles,
Blood lead levels, ZPP, neurological exam, neuropsychological testing.
Urinary arsenic level; neuro exam; neuropsychologic testing

Wheezing, dyspnea, bronchospasm
PFT before and after work
PFT before and after work

CXR
CXR

Carboxyhemoglobin levels; EKG and other tests
EKG and other tests
EKG and other tests

Fatigue; C.B.C., blood lead level, zinc protoporphyrin level
Pallor, fatigue, reduced WBC count, infections

ENT exam
Skin exam
Skin exam, urinary arsenic level
Skin exam, patch testing
Ophthalmic exam

Urinary B₂ microglobulin
Blood lead level, ZPP, renal function tests
Renal function tests

*Lead has not been banned for industrial paints and sealings and is still widely used as a pigment; painters may also remove old paint which contains lead.

NOTE: This table includes only a very brief list of the possible symptoms and disorders of painters and a handful of the thousands of substances commonly found in paint and sealings. Industrial paints and sealings contain pigments, resins, solvents, and other chemicals, including benzene, toluene, xylene, styrene, and many others. Some of these substances are known to be carcinogenic, and about 10% are intended to be toxic.

International Brotherhood of Painters and Allied Trades
Washington, D.C.

Dear Physician:

Your patient is a painter employed in construction and maintenance.

Painters are exposed to thousands of chemical and mineral substances—often at concentrations in excess of those permitted by law.

Perhaps the most hazardous coatings are epoxies, urethanes, chromates, vinyls, lead primers, polyesters and alkyds. Solvents used with industrial paints may also be highly toxic.

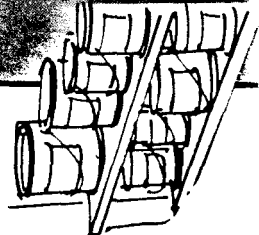
Exposure to paints and coatings may adversely affect human health in numerous ways, and painters are known to suffer high incidences of certain diseases and disorders, especially neurological and respiratory conditions. For example, a clinical investigation of 2,000 U.S. painters by the Mount Sinai School of Medicine showed that up to 86% exhibited neurotoxic symptoms due to occupational exposures, and Scandinavian researchers found a work-related encephalopathy in painters significant enough to label as "chronic painters' syndrome."

As president of the 200,000 member International Brotherhood of Painters and Allied Trades, I must call attention to work-related health problems among our members. This pamphlet contains an incomplete table of disorders of painters, potential etiologic agents and recommended medical surveillance. Please maintain this in your patient's file. Sources of additional information about occupational illnesses are printed on the back.

Sincerely,

William A. Duwall

William A. Duwall
General President



Health Effects of Paints and Coatings

For information about the health effects of paints and coatings:

Harvard University
Occupational Health Program
655 Huntington Avenue
Boston, Massachusetts 02115
(617) 732-1260

For emergency information about severe acute effects:

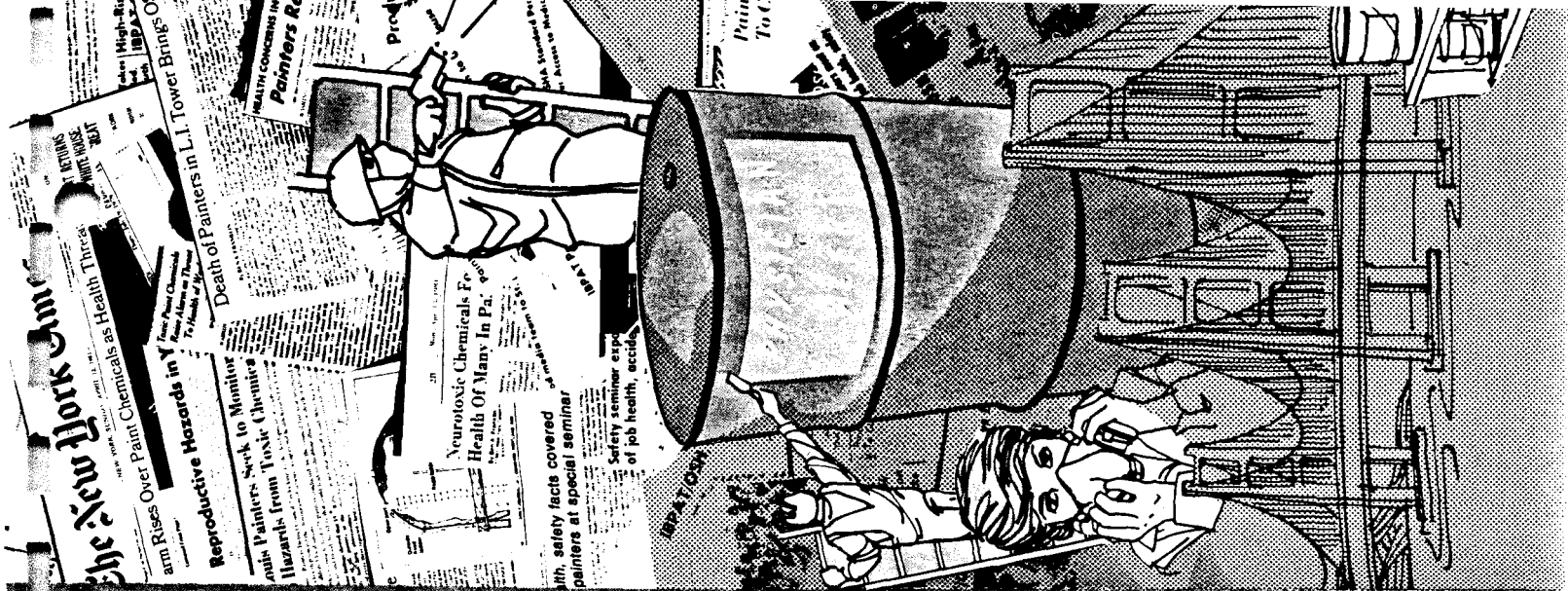
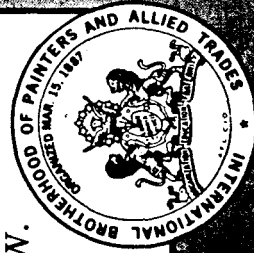
National Poison Center
(412) 681-6669

This material has been funded in part with funds from the Occupational Safety and Health Administration, U.S. Department of Labor. These materials do not necessarily reflect the view or policies of the U.S. Department of Labor. Mention of trade names, commercial products or organizations does not imply endorsement by the U.S. Government.

For paint formulations, educational materials, and current bibliographies of relevant clinical, animal and epidemiological research

- neurotoxicity of paints
- cancer and paints
- lung diseases and paints

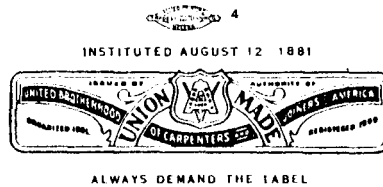
International Brotherhood of Painters and Allied Trades
1750 New York Ave., N.W.
Washington, D.C. 20005
(202) 637-0745



Montana State Council of Carpenters

Robert G. Kokoruda
Executive Secretary
P. O. Box P
East Helena, MT 59635

United Brotherhood of Carpenters and Joiners of America



Phone
406/443-3847
or Leave Message
406/442-4326

February 21, 1985

Senate Bill 452 Senate Committee on Labor and Employment Relations

I am Howard Rosenleaf, business manager for Carpenters Local #88, Anaconda. Our members are supporting Senate Bill 452, because we believe that it will help prevent the health problems that worker experience from exposure to dangerous substances.

I'd like to tell you about one such experience. I had a friend who was burying a 50-gallon container of beryllium with a caterpillar, when the container broke. He inhaled the fumes. Within one month he experienced nosebleeds, nausea, dizziness, and weight loss. He was on and off work for the next year. His weight dropped from 220 pounds to 110 pounds and he died at work in the seat of his caterpillar.

The saddest thing of all is that he was never warned of the dangers of this chemical, and what was even more frightening was that he never knew what was happening to him. Now that we have some information about dangerous chemicals, we realize what caused his death. But there are still too many substances we are not informed about.

This bill will allow us to know about the dangers we face, how to prevent them and how to get treatment. We can prevent needless suffering and death like my friend experienced.

I ask that you vote in favor of Senate Bill 452.

Thank you.

TESTIMONY of MONTANA Agri Business Ass.
IN SUPPORT of S.B. 452

The MONTANA Agri Business Ass. is AN ASSOCIATION of approximately 200 chemical and fertilizer dealers, Retailers and manufacturers.

The M.A.B.A. supports the concept of this "Right to Know" legislation. The industry seeks to support legislation that insures safety for workers and the public but that is at the same time workable for the industry.

Because this bill was introduced AND A HEARING set within such a short time frame the industry has not had time to carefully review all provisions of the Bill, for possible amendments.

We urge the passage of S.B. 452 with the knowledge and hope, that the other supporters of the bill will work with the industry in the House to amend the bill, if need be, to make it workable for the public and industry.

Learn Salen

5

from Ben

Spokane County
INT 110601

**1984
EMERGENCY
RESPONSE
GUIDEBOOK**

GUIDEBOOK
FOR
**HAZARDOUS
MATERIALS**
INCIDENTS



READ INSTRUCTIONS
ON FIRST PAGE

SB 452

WHAT IS SB 452 ?

Commonly known as the Right-to-Know Bill, SB 452 creates the "Employee and Community Hazardous Chemical Information Act." It requires employers who use, store, process or manufacture toxic or hazardous substances to provide employees with information concerning hazardous chemicals in the workplace. It also requires county clerk and recorders to maintain and provide public access to the information.

THIS IS A NEW RIGHT-TO-KNOW BILL

The major objectionable parts of last session's Right-to-Know bill, HB 850, have been removed or streamlined in SB 452.

- * HB 850 required employers to deal directly with the public.
- * SB 452 requires the public to go through their local government, and employers simply to file the information with the local government.
- * HB 850 required employers to maintain information on 5,700 chemicals.
- * SB 452 requires employers to keep a Material Safety Data Sheet (MSDS) on chemicals listed by the Occupational Safety and Health Administration (OSHA). OSHA has recently passed a rule which takes effect this year that requires the chemical producers to send with any hazardous materials an MSDS to the company who is using it. Employers need only to keep a file of these MSDSs.

HOW SB 452 WORKS

* SB 452 requires a simple and quick way for the public, employees and emergency response personnel to obtain access to information on hazardous materials. Employers using such substances record an MSDS with their county clerk and recorder, which is then available to public access.

* The fact that the whole process goes through the local, rather than the state government is an important part to the bill because while it provides employees and emergency response personnel and the community the right to information about hazardous substances, it relieves employers and the state of burdensome paperwork and expense.

* Employers send the state only a list of the substances in use at their facilities. The MSDS on record locally would be available to anyone.

* Trade secret confidentiality will be honored in legitimate circumstances.

* Employers will post notice of the workers' right to know, maintain a workplace chemical list and MSDS on any hazardous material, and label all hazardous material containers.

* The local fire chief is permitted on-site inspection of work places for emergency preparedness and compliance with the law.

WHY WE NEED SB 452

Chemical exposures are linked to a host of adverse health effects: cancer, birth defects, miscarriages, sterility, lung disease, central nervous system damage, kidney damage, skin disease, and chemical sensitization. Spouses and children of asbestos workers have been stricken by cancer caused by asbestos brought home in the workers' clothes.

The Federal OSHA programs regulate worker exposure to a number of chemical substances, and set exposure levels. SB 452 would smoothly mesh with the Federal program and provide valuable health information to workers and emergency response personnel as well as community planners and residents.

Montanan workers are exposed to potentially thousands of hazardous chemicals in their workplace.

OVER 20 STATES HAVE ALREADY PASSED RIGHT-TO-KNOW LEGISLATION, AND MANY MORE ARE CURRENTLY CONSIDERING IT.

** VOTE YES

ON SB 452 **

MONTANANS HAVE THE
RIGHT TO KNOW THE
HAZARDOUS SUBSTANCES
THEY ARE EXPOSED TO
IN ORDER TO PREVENT
ACCIDENTS AND ILLNESSES
OR TO OBTAIN PROMPT
AND ACCURATE DIAGNOSIS
AND TREATMENT.

U.S. DEPARTMENT OF LABOR Occupational Safety and Health Administration MATERIAL SAFETY DATA SHEET	
SECTION I: IDENTIFICATION	SECTION V: HEALTH HAZARD DATA
SECTION II: HAZARDOUS INGREDIENTS	SECTION VI: REACTIVITY DATA
SECTION III: PHYSICAL DATA	SECTION VII: SPECIAL PROTECTION INFORMATION
SECTION IV: FIRE AND EXPLOSION HAZARD DATA	SECTION VIII: SPECIAL PRECAUTIONS

NAME: M. J. Fernandez DATE: 2-20-85

PHONE: 563-2847

APPEARING ON WHICH PROPOSAL: Right to Know

DO YOU: SUPPORT? X AMEND? _____ OPPOSE? _____

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

Permit OKed

Two hi-volume air monitoring stations are to be installed and operated, one outside of the ARCO main gate, the other in the Mill Creek area. They will operate on a one-in-six day schedule, sampling for the total suspended particulate, arsenic, lead, cadmium and zinc.

The permit will be valid from the date it was issued through completion of the flue dust processing from the Anaconda Smelter site for a period of no longer than five years. If additional material is to be processed, a new permit will be required.

If all of the required conditions do not adequately control dust emissions the State Health Department can require further controls.

The firm plans to process the flue dust by moving it from various locations on the smelter to a hydrometallurgical processing facility which will produce cathode copper, commercial grade copper/silver concentrates and tailings which will be deposited in the existing Anaconda tailings pond.

The plant is designed to process 200 tons of flue dust per day

and is intended to operate seven days per week, 48 weeks per year. It will require approximately four years to process all of the material at the site.

The major potential source of emissions from the project are from the handling of the flue dust prior to the actual processing. This involves the removal of the material from piles, ponds and buildings and transporting it to the screening plant.

At the screening plant the material is dumped into hoppers and conveyed to screens. Iron oxide and manganese dioxide ore is added at the screening plant to be blended with the flue dust as part of the initial processing. The screening operation will be entirely enclosed except the top of the hopper bins where water sprays will be located. Water sprays will also be located at the discharge of the bins and at the top of the screens. The material will be slurried to the process plant from that point. The flue dust will go through a wet process at the plant, which will be fully enclosed, and no significant emissions are expected.

The other source of potential emissions would involve the tailings facility. A wet surface will be maintained through the life of the plant and will be covered upon abandonment.

The Environment Protection Agency monitor at the smelter will also have the responsibility to monitor the activities of the flue dust process.

Approximately 67 tons of uncontrolled particulate will be released into the air each year from the plant. This compares to 13,000 tons per year when the smelter was in operation.

With the application of water to the flue dust as required in the controls, it is estimated that emissions will be reduced to

see PERMIT page three

be added.

Once the Cottrells are down, the 585 foot high smelter smoke stack may be demolished. A power house, which stood to the south of the stack, has already been removed.

The stack is scheduled to be demolished in the spring of 1984 unless the organization working to save it, the Anacondans to Preserve the Stack, can ready a proposal for its preservation by Feb. 1.

Arsenic

Linked to smelter worker mortalities

by Walter Mundstock

Exposure to arsenic has been found to be strongly related to respiratory cancer mortality in a sampling of 1,642 former smelter workers, according to a University of Michigan School of Public Health study. Smelter workers were found to have three times the death rate expected from respiratory cancer for white men living in the State of Montana.

The Higgins, Welch and Burchfield study, "Mortality of Anaconda Smelter Workers in relation to arsenic and other exposures," made use of data from a 1969 National Cancer Institute study of 8,047 employees at the Anaconda Smelter from 1938 to 1963. That study was updated to include workers up to 1978.

Employees at the smelter were divided into several arsenic exposure categories, low, medium, high or very high, by the department in which the men had spent at least 30 days, to obtain their average exposures. Their history of smoking was also studied.

Depending on which of the 35 departments at the smelter a worker was employed at, there was found to be a clear dose/response relationship, from no apparent increased risk

Three times the death rate expected from respiratory cancer

among men exposed to low concentrations of arsenic to a roughly seven fold excess risk in those exposed to the highest concentrations, particularly for those that smoked.

Those in low and medium categories had a risk close to that expected for most U.S. born white males.

The report found that brief exposures to high concentrations of arsenic may be more important with respect to respiratory cancer than an employee's average exposure over a length of time in several different departments.

The arsenic roaster, arsenic refinery, Cottrells and main flue were classed as "very high exposures." Classed as high exposures were the ore roaster, reverberatory furnaces, miscellaneous crusher and masons and the maintenance surface shops. The tram, converter and zinc roaster and zinc plant were classed as medium exposure while the remainder of the smelter and the City of Anaconda were said to have low exposure to arsenic.

For example, those working in the arsenic roaster were found to be exposed to 20,228 micrograms per cubic meter, while those in the city were exposed to .45 micrograms per cubic meter.

"Exposure to arsenic appears to be the principle factor in the increased risk," the report notes. "Exposure to other occupational contaminants, such as sulfur dioxide and asbestos, does not appear to account for respiratory cancer excess in this population."

The study found that while smelter workers appeared to be a relatively heavy smoking group when compared with the rest of the U.S. population, that would only explain a small fraction of their excess respiratory cancer mortality.

An association between country of origin and respiratory cancer death rates was also found. Those of foreign birth had a higher death rate for respiratory cancer than native born Americans, except in the highest arsenic exposure group.

For U.S. born white males, the study found in a group of 834 that had a life time ceiling exposure to arsenic of 500 to 4,999 micrograms per cubic meter, there were 32 cases of mortality from all respiratory diseases compared to 14.6 for all white males in the U.S. For non U.S. born males, which had an identical exposure, there were nine mortalities in a group of 135 compared to the 5.5 that could be expected.

For a group of 223 smelter workers who smoked that were exposed to arsenic exceeding 5,000 micrograms per cubic meter, there were 28 deaths compared to the 3.8 that were expected. In a group of 46 nonsmokers, that had the same arsenic exposures, there were three deaths compared to the .8 that was expected.

The smelter workers were also found to have increased mortality from cardiovascular diseases, cerebrovascular diseases, cirrhosis of the liver, urinary cancer and all respiratory diseases, but they were not related to the measures of arsenic exposure used in the study. The study did find however, that cardiovascular disease mortality increased for those exposed to higher levels of arsenic for smokers than nonsmokers. Further study of that relationship was urged.

The 232-page report, which was financed by the Anaconda Company, contained 165 pages of tables and appendixes.

February 21, 1985
SB 452

C40 P23 P23 303055B047											
BURLINGTON NORTHERN RAILROAD COMPANY											
TRAIN 01 0876 07 8 JAN 85 20:30 PG 1 OF 4 PGS CABOOSE LOCOMOTIVES											
CONDUCTOR/S THOLTS 2 3 4 5											
SEQ	INITIAL NUMBER	L CAR E KND	DESTN TONS	CONTENTS JCT	SPECIAL GDE MTY	P B TAG HANDLING C O NBR	STATION TAKEN NUMBER DATE/TIME		STATION LEFT NUMBER DATE/TIME		
1	BN 7055	ENG		DIRECTION EAST							
2	BN 6664	ENG		DIRECTION WEST							
3	BN 5772	ENG		DIRECTION EAST							
4	TTX 251214	L FT	083	32777 VANS		B 116 (30855)	(()
5	BN 560414	E G1	031	30841 853220	P8168	B (30855)	(()
6	BN 457254	L C6	120	30841 BARLEY	WI	C (30855)	(()
7	UP 171609	L B5	042	30841 INSMTL		B (30855)	(()
8	CBQ 85527	E C6	036	30837 846001	E-BLGS	B 005 (30855)	(()
9	USLX 50297	L B5	082	MEMSB LUMBER		B 636 (30855)	(()
10	BN 624250	L FS	103	CBLIA LUMBER		C 616 (30855)	(()
11	BN 624476	L FS	103	MEMSB LUMBER		C 636 (30855)	(()
12	TPFX 81833	L FB6	111	25300 LUMBER		B 636 (30855)	(()
13	BN 245251	L B7	076	BIMSO LUMBER		B 636 (30855)	(()
14	LVRC 4030	L B3	042	30841 TISSUE		C (30855)	(()
15	CN 172454	E C6	032	08473 356001	WATAUGA	B 033 (30855)	(()
16	MTCX 601	L TS	128	30837 F GAS	FCG DAN	C 005 (30855)	(()
17	ACFX 18793	L TS	127	30837 F GAS	FCG DAN	C 005 (30855)	(()
18	MTCX 9013	L TS	129	30837 F GAS	FCG DAN	C 005 (30855)	(()
19	GATX 97020	L TS	128	30837 F GAS	FCG DAN	C 005 (30855)	(()
20	CGTX 63646	L TS	131	30841 F GAS	FCG DAN	B (30855)	(()
21	ACFX 46610	L C6	080	30841 BRAN		C (30855)	(()
22	NP 103034	E TS	032	30841 830006	P4915	B (30855)	(()
23	BN 875073	E TS	032	30841 850006	P4915	B (30855)	(()
24	BN 875081	E TS	032	30841 850006	P4915	B (30855)	(()
25*	BN 875056	L TS	082	30855		B (30855)	(()

BURLINGTON NORTHERN RAILROAD COMPANY

TRAIN 01 0876 07 8-JAN-85 20:30 PG 2 OF 4 PGS CABOOSE

LOCOMOTIVES

CONDUCTOR/S		1	HOLTS	2	3	4	5		
SEQ	INITIAL NUMBER	L CAR E KND	TNS JCT	DESTN GDE	CONTENTS MTY	SPECIAL HANDLING	P B TAG C O NBR	STATION TAKEN NUMBER DATE/TIME	STATION LEFT NUMBER DATE/TIME
26	PGEX	1 E GSD	026	30828	156110	P8870	B 005	(30855)	()
27	GN	70065 E H4	025	86931	133110	P4101	B 159	(30855)	()
28	HOKX	8299 L TS	129	30837	C ACID	DAN	B 005	(30855)	()
29	CONX	1698 E TS	037	30841	840006		B	(30855)	()
30	PGEX	4 E GSD	027	30828	856007	P8870	B 005	(30855)	()
31	BN	566062 L G1	100	30841			B	(30855)	()
32	BN	376174 L A5	106	26007	FIBBRD		F 475	(30855)	()
33	BN	319640 L BEC	107	MTRSD	TALC		B 475	(30855)	()
34	SLSF700105	L BEC	101	CHICK	TALC		C 475	(30855)	()
35	GACX	47308 L CB	132	CHICK	SUGAR		B 475	(30855)	()
36	TTBX800690	E F2	042	CHIBO	810	P9022	B 475	(30855)	()
37	TTKX800140	E F3	048	CHINW	810	P9844	F 475	(30855)	()
38	ETTX902864	E FA3	057	CHINW	810	P9844	G 475	(30855)	()
39	TTKX903058	E F3	047	MINCN	810	P9030	G 475	(30855)	()
40	AMOX	13352 L TS	128	ESLSB	SULPHR		B 476	(30855)	()
41	CDQ	184331 L C5	115	04998	CLAYS		B 465	(30855)	()
42	BN	437270 L C5	115	MINCN	CLAYS		B 475	(30855)	()
43	GN	173895 L C5	107	MINCN	CLAYS		B 475	(30855)	()
44	GN	173949 L C5	107	MINCN	CLAYS		B 475	(30855)	()
45	BN	617874 L FB5	092	CHIGT	LUMBER		B 476	(30855)	()
46	LPN	60003 L B9	100	CHICK	LUMBER	UOS	E 476	(30855)	()
47	BN	624625 L F3	112	00440	LUMBER		C 476	(30855)	()
48	BN	621575 L FB5	113	00440	LUMBER		C 476	(30855)	()
49	BN	621413 L FB5	114	09011	LUMBER		C 476	(30855)	()
50	CBQ	10024 L BF	103	26007	LUMBER	UOS	C 476	(30855)	()

BURLINGTON NORTHERN RAILROAD COMPANY

TRAIN 01 0876 07 8-JAN-85 20:30 PG 3 OF 4 PGS CABOOSE

LOCOMOTIVES

CONDUCTOR/S		1HOLTS		2		3		4		5					
INITIAL		L CAR		DESTN		CONTENTS		SPECIAL		P B TAG		STATION TAKEN		STATION LEFT	
SEQ	NUMBER	E	KND	TONS	JCT	GDE	MTY	HANDLING	C	O	NBR	NUMBER	DATE/TIME	NUMBER	DATE/TIME
51	BN 621744	L	FB6	110	00440	LUMBER			C	476	(30855)	()	()	()	()
52	TTPX 81679	L	FB6	108	00028	LUMBER			B	476	(30855)	()	()	()	()
53	BN 234067	L	B5	070	CHICN	ASCRAF			B	476	(30855)	()	()	()	()
54	GN 172624	L	C6	121	03003	BARLEY			B	476	(30855)	()	()	()	()
55	BN 452119	L	C6	122	03003	BARLEY			C	476	(30855)	()	()	()	()
56	BN 452492	L	C6	122	03003	BARLEY	WI		C	476	(30855)	()	()	()	()
57	SBD 325266	E	H4	025	CHISO	843			B	476	(30855)	()	()	()	()
58	LN 198063	E	H5	031	CHISO	854			B	476	(30855)	()	()	()	()
59	CO 151580	E	H4	026	CHICO	833			B	476	(30855)	()	()	()	()
60	BN 376157	L	A5	107	26007	FIBBRD			F	475	(30855)	()	()	()	()
61	BN 376079	L	A5	114	00009	FIBBRD			F	475	(30855)	()	()	()	()
62	BN 376098	L	A5	107	00501	FIBBRD			F	475	(30855)	()	()	()	()
63	BN 244467	L	B3	097	MINSO	FIBBRD			C	475	(30855)	()	()	()	()
64	BN 376101	L	A5	119	03003	FIBBRD			F	475	(30855)	()	()	()	()
65	GN 319202	L	B3	083	03003	FIBBRD			C	475	(30855)	()	()	()	()
66	BN 376018	L	A5	112	03003	FIBBRD			F	475	(30855)	()	()	()	()
67	BN 376007	L	A5	111	03003	FIBBRD			F	475	(30855)	()	()	()	()
68	BN 376199	L	A5	119	SPACH	FIBBRD			F	475	(30855)	()	()	()	()
69	GN 319245	L	B3	097	CHICN	FIBBRD			C	475	(30855)	()	()	()	()
70	BN 376108	L	A5	111	MINMI	FIBBRD			F	475	(30855)	()	()	()	()
71	BN 376027	L	A5	112	MINMI	FIBBRD			F	475	(30855)	()	()	()	()
72	BN 376033	L	A5	110	03003	FIBBRD			F	475	(30855)	()	()	()	()
73	BN 376003	L	A5	119	00501	FIBBRD			F	475	(30855)	()	()	()	()
74	BN 250356	L	B3	083	MINCN	FIBBRD			B	475	(30855)	()	()	()	()
75	BN 249089	L	B3	077	SPACH	FIBBRD			B	475	(30855)	()	()	()	()

BURLINGTON NORTHERN RAILROAD COMPANY

TRAIN 01 0876 07 8-JAN-85 20:30 PG 4 OF 4 PGS CARBOOSE

LOCOMOTIVES

CONDUCTOR/S		1	2	3	4	5					
INITIAL	L CAR	DESTN	CONTENTS	SPECIAL	F B TAG	STATION TAKEN	STATION LEFT				
SEQ	NUMBER	E KND	TONS	JCT	GDE RTY	HANDLING	C O NBR	NUMBER	DATE/TIME	NUMBER	DATE/TIME
76	BN 376308	L A5	091	LACHI	FIBRD		B	475 (30855)	()	()	()
77	BN 249393	L B3	086	LACHI	FIBRD		B	475 (30855)	()	()	()
78	BN 219349	L B3	098	MINSO	FIBRD		C	475 (30855)	()	()	()
79*	BN 768117	E MD	058	20126	92 007	RE	B R 476 (30855)	()	()	()	()
80*	CBQ 47338	E B7	037	50016	938009	RE	B R 476 (30855)	()	()	()	()
81*	NFX 172	E MD	001	20126	7 007	RE	B R 476 (30855)	()	()	()	()
82*	BN 237124	E B5	031	50016	938009	RE	B R 476 (30855)	()	()	()	()
83*	NF 1758	E B5	030	50016	938009	RE	B R 476 (30855)	()	()	()	()
84*	BN 768033	E MD	053	20126	8	RE	B R 476 (30855)	()	()	()	()
85*	GN 138501	E B5	035	50016	938009	RE	C R 476 (30855)	()	()	()	()
86*	BN 315857	E B5	030	50016	938009	RE	B R 476 (30855)	()	()	()	()
87*	BN 315147	E B5	029	50016	938009	RE	B R 476 (30855)	()	()	()	()
88	BN 11770	E CAB	027	30855	820000	P0303	B	(30855)	()	()	()

STATION LDS HTYS TONS FEET

TOTALS 58 27 6972 5089 85 CARS 1 CABS 3 ENGS

CAR INITIAL AND NUMBER X 11657	KIND T	CAR ORDERED LENGTH CAPACITY	FURNISHED 042 200	WAYBILL DATE 01 02 85 REV 01 02 85	WAYBILL NUMBER 667192	PAGE 1 OF 3
INITIALS AND NUMBERS	CHASSIS	LENGTH	PLAN	TFC SERVICE		

030841 BILLINGS MT	FROM	031075 EAST HELENA MT B/A MISSOULA MT
BN	ROUTE CODE	ASARCO
	SRJ <small>A = AGENT S = SHIPPER</small>	
NSIGNEE	B/L DATE	B/L NO.
DYCE CHEMICAL DYCE LEASED SIDING	REBILL REFERENCE	
FINAL DESTINATION	WEIGHED AT	
	GROSS	261220
	TARE	57780
	NET	203440

SPECIAL INSTRUCTIONS **DANGEROUS**

WILL COL CHGS TO DYCE CHEMICAL INC P O BOX 30176
BILLINGS, MT 59107

01/08/85 20:28 CT NK	COMMODITY CODE	SECTION 7 SIGNED					
DESCRIPTION OF ARTICLES	49 300 40	WEIGHT	U	RATE	FREIGHT	ADVANCE	PREPAID

TKR SULFURIC ACID
CORROSIVE MATERIAL **UN1830**
RQ-1000/454
LACARDED CORROSIVE

203440

TOTAL 203440

CONTRACT NUMBER **MRC1085**

LACARDED CORROSIVE UN 1830

TRIP LEASED CAR SL&C

MRC 1085

SULFURIC ACID **4930040**
CORROSIVE MATERIAL, ACIDIC, POISONOUS **UN1830**
ENVIRONMENTALLY HAZARDOUS SUBSTANCE (RQ-1000/454)

SULFURIC ACID IS A COLORLESS OILY LIQUID. IT IS USED TO MAKE FERTILIZERS AND OTHER CHEMICALS. IN PETROLEUM REFINING. IN IRON AND STEEL PRODUCTION, AND FOR MANY OTHER USES. IT IS SOLUBLE IN WATER WITH RELEASE OF HEAT. IT IS CORROSIVE TO METALS AND TISSUE. IT WILL CHAR WOOD AND MOST OTHER ORGANIC MATTER ON CONTACT, BUT IS UNLIKELY TO CAUSE A FIRE.

IT WEIGHS 15.3 POUNDS PER GALLON.

IF MATERIAL INVOLVED IN FIRE

EXTINGUISH FIRE USING AGENT SUITABLE FOR TYPE OF SURROUNDING FIRE (MATERIAL ITSELF DOES NOT BURN OR BURNS WITH DIFFICULTY.)

USE WATER IN FLOODING QUANTITIES AS FOG

COOL ALL AFFECTED CONTAINERS WITH FLOODING QUANTITIES OF WATER

APPLY WATER FROM AS FAR A DISTANCE AS POSSIBLE

CONTINUED

076 BURLINGTON NORTHERN RAILROAD COMPANY 076
ORIGINAL FREIGHT WAYBILL
CONTRACT SHIPMENT

ORIGINAL

* COPY *

CAR INITIAL AND NUMBER UTX 11657	KIND	CAR ORDERED LENGTH CAPACITY	FURNISHED	WAYBILL DATE 01 02 85 REV 01 02 85	WAYBILL NUMBER 667192	PAGE 2 OF 3
INITIALS AND NUMBERS	CHASSIS	LENGTH	PLAN	TOFC SERVICE		

030841 BILLINGS	MT	FROM	031075 EAST HELENA	MT
			B/A MISSOULA	MT
		ROUTE CODE	SHIPPER	
		A = AGENT S = SHIPPER		
CONSIGNEE		B/L DATE	B/L NO.	
		REBILL REFERENCE		
FINAL DESTINATION		WEIGHED AT		
		GROSS		
		TARE		
		ALLOW		
		NET		

SPECIAL INSTRUCTIONS

COMMODITY CODE	
DESCRIPTION OF ARTICLES	WEIGHT U RATE FREIGHT ADVANCE PREPAID

IF MATERIAL NOT INVOLVED IN FIRE
KEEP MATERIAL OUT OF WATER SOURCES AND SEWERS
BUILD DIKES TO CONTAIN FLOW AS NECESSARY
NEUTRALIZE SPILLED MATERIAL WITH CRUSHED LIMESTONE, SODA ASH, OR LIME

PERSONNEL PROTECTION
AVOID BREATHING VAPORS
KEEP UPWIND
AVOID BODILY CONTACT WITH THE MATERIAL
WEAR BOOTS, PROTECTIVE GLOVES, AND GOGGLES
DO NOT HANDLE BROKEN PACKAGES WITHOUT PROTECTIVE EQUIPMENT
WASH AWAY ANY MATERIAL WHICH MAY HAVE CONTACTED THE BODY WITH COPIOUS AMOUNTS OF WATER OR SOAP AND WATER
IF CONTACT WITH THE MATERIAL ANTICIPATED, WEAR FULL PROTECTIVE CLOTHING

ENVIRONMENTAL CONSIDERATIONS - LAND SPILL
DIG A PIT, POND, LAGOON, HOLDING AREA
TO CONTAIN LIQUID OR SOLID MATERIAL
DIKE SURFACE FLOW USING SOIL, SAND BAGS, FOAMED POLYURETHANE, OR FOAMED CONCRETE
ABSORB BULK LIQUID WITH FLY ASH OR CEMENT POWDER
NEUTRALIZE WITH AGRICULTURAL LIME (SLAKED LIME), CRUSHED LIMESTONE, OR SODIUM BICARBONATE

ENVIRONMENTAL CONSIDERATIONS - WATER SPILL
NEUTRALIZE WITH AGRICULTURAL LIME (SLAKED LIME), CRUSHED LIMESTONE, OR SODIUM BICARBONATE

ENVIRONMENTAL CONSIDERATIONS - AIR SPILL
APPLY WATER SPRAY OR MIST TO KNOCK DOWN VAPORS

CONTINUED

076 BURLINGTON NORTHERN RAILROAD COMPANY 076

ORIGINAL FREIGHT WAYBILL

CONTRACT SHIPMENT

ORIGINAL

* COPY *

INITIAL AND NUMBER	KIND	CAR ORDERED	FURNISHED	WAYBILL DATE	WAYBILL NUMBER	PAGE
X 11657		LENGTH CAPACITY		01 02 85 REV 01 02 85	667192	3 OF 3
INITIALS AND NUMBERS	CHASSIS	LENGTH	PLAN	TOFC SERVICE		

TO	030841 BILLINGS	MT	FROM	031075 EAST HELENA	MT
				B/A MISSOULA	MT
			ROUTE CODE	SHIPPER	
			A - AGENT S - SHIPPER		
CONSIGNEE			B/L DATE	B/L NO.	
			REBILL REFERENCE		
FINAL DESTINATION			WEIGHED AT		
DELIVERY LOAD			GROSS		
			TARE		
			ALLOW		
			NET		

SPECIAL INSTRUCTIONS

COMMODITY CODE	
DESCRIPTION OF ARTICLES	

VAPOR KNOCKDOWN WATER IS CORROSIVE OR TOXIC AND SHOULD BE DIKED FOR
CONTAINMENT

076 BURLINGTON NORTHERN RAILROAD COMPANY 076

ORIGINAL FREIGHT WAYBILL

* COPY *

CONTRACT SHIPMENT

CAR INITIAL AND NUMBER YR 250022	KIND FC	CAR ORDERED LENGTH CAPACITY	FURNISHED 094 08	WAYBILL DATE 01 02 85	WAYBILL NUMBER 667169	PAGE 1 OF 1
INITIALS AND NUMBERS INZ 204732	CHASSIS	LENGTH 040	PLAN 1	TOFC SERVICE REV 01 02 85		

030841 BILLINGS	MT	FROM 000009 CHICAGO	IL
BN	ROUTE CODE	SHIPPER U0672 UNITED PARCEL SERVICE	
INSIGNEE UNITED PARCEL SERVICE	SRJ	B/L DATE 01 02 85	B/L NO. 11074008
FINAL DESTINATION	WEIGHED AT GROSS TARE ALLOW NET	WEIGHT AGREEMENT DO NOT WEIGH	

SPECIAL INSTRUCTIONS

BILL PPD CHGS TO U0672 UNITED PARCEL SERVICE
PO BOX 688

TOFC DEPT
ST CHARLES IL 60174

01/08/85 21:03 CT CMM	COMMODITY CODE	TO BE PREPAID					
DESCRIPTION OF ARTICLES	49 501 50	WEIGHT	U	RATE	FREIGHT	ADVANCE	PREPAID

T/L FREIGHT OF ALL KINDS
OTHER HAZARDOUS MATERIAL

	30000	B1100.0000	110000	110000
TOTAL	30000		110000	110000

WAYBILL CROSS REFERENCES

WB 667167 01 02 85 COER 250022 (NON REV MVMT WB - DO NOT TRACE FOR REV)

CONTRACT NUMBER UPS

COMPRESSED GAS NOS NONFLAMMABLE GAS UN1956 36X120Z

ALL FREIGHT RATE SHIPMENTS, NEC. OR TRAILER-ON-FLAT-CAR SHIPMENTS. 4950150
COMMERCIAL.

CONSULT SHIPPING PAPERS FOR THE EXACT CONTENTS OF THE CAR, CONTAINER,
OR TRAILER.

076 BURLINGTON NORTHERN RAILROAD COMPANY 076
ORIGINAL FREIGHT WAYBILL
CONTRACT SHIPMENT

ORIGINAL

* COPY *

CAR INITIAL AND NUMBER R 250022	KIND FC	CAR ORDERED LENGTH CAPACITY	FURNISHED 094 08 151	WAYBILL DATE 01 02 85 REV 01 02 85	WAYBILL NUMBER 667168	PAGE 1 OF 1
INITIALS AND NUMBERS NZ 204287	CHASSIS	LENGTH 040	PLAN 1	TOFC SERVICE		

030841 BILLINGS MT			FROM 000009 CHICAGO IL
BN	ROUTE CODE SRJ	SHIPPER U0672 UNITED PARCEL SERVICE	
INSIGNEE UNITED PARCEL SERVICE		B/L DATE 01 02 85	B/L NO. 17571290
FINAL DESTINATION		WEIGHED AT GROSS TARE ALLOW NET	WEIGHT AGREEMENT DO NOT WEIGH

SPECIAL INSTRUCTIONS
AM
BILL PFD CHGS TO U0672 UNITED PARCEL SERVICE TOFC DEPT
PO BOX 688 ST CHARLES IL 60174

01/08/85 21:07 CT CMM	COMMODITY CODE	TO BE PREPAID				
DESCRIPTION OF ARTICLES	46 111 10	WEIGHT	RATE	FREIGHT	ADVANCE	PREPAID
T/L FREIGHT OF ALL KINDS		35000	B1100.0000	110000		110000
TOTAL		35000		110000		110000

WAYBILL CROSS REFERENCES
B 667167 01 02 85 COER 250022 (NON REV MVMT WB - DO NOT TRACE FOR REV)
CONTRACT NUMBER UPS

076 BURLINGTON NORTHERN RAILROAD COMPANY 076
EMPTY CAR WAYBILL

ORIGINAL

* COPY *

CAR INITIAL AND NUMBER X 77544	KIND T	CAR ORDERED LENGTH CAPACITY	FURNISHED 056 05 188	WAYBILL DATE 12 04 84	WAYBILL NUMBER 901001	PAGE 1 OF 1
INITIALS AND NUMBERS	CHASSIS	LENGTH	PLAN	TOFC SERVICE		

EAST BILLINGS MT				FROM	016031 TACOMA WA	
BN				ROUTE CODE	SHIPPER B/A SEATTLE	
				AGENT OR SHIPPER	U S OIL & REFINING CO	
SIGNEE EXXON CO				B/L DATE		B/L NO.
				REBILL REFERENCE		
FINAL DESTINATION				WEIGHED AT		
				GROSS		
				TARE		
				ALLOW		
				NET		

SPECIAL INSTRUCTIONS								
01/08/85 20:59 CT CMM		COMMODITY CODE						
DESCRIPTION OF ARTICLES		EMPTY	WEIGHT	U	RATE	FREIGHT	ADVANCE	PREPAID

EMPTY: LAST CONTAINED
FUEL OIL (PETROLEUM
RESIDUAL FUEL OIL OR DIESEL
OIL
COMBUSTIBLE LIQUID

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.



Montana Public Interest Research Group

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TESTIMONY IN FAVOR OF S B 452

CHAIRMAN AND MEMBERS OF THE COMMITTEE, MY NAME IS C.B. PEARSON. I AM SPEAKING TODAY ON BEHALF OF MONTPIRG, THE MONTANA PUBLIC INTEREST RESEARCH GROUP. MONTPIRG IS A NON-PROFIT, NON-PARTISAN RESEARCH, EDUCATION AND ADVOCACY ORGANIZATION ESTABLISHED AND DIRECTED BY UNIVERSITY OF MONTANA STUDENTS. IT IS FUNDED BY OPTIONAL STUDENT FEES AND SMALL DONATIONS FROM MONTANANS AND DOES WORK PERTAINING TO THE ENVIRONMENT, CONSUMER PROTECTION AND GOVERNMENTAL RESPONSIBILITY. WE SUPPORT SB 452.

FOR MUCH OF 1983, MONTPIRG CONDUCTED A "CRADLE TO GRAVE" STUDY OF HAZARDOUS MATERIALS IN MISSOULA COUNTY. THE REPORT HAS NOT YET BEEN RELEASED FOR PUBLIC DISTRIBUTION. THE STUDY FOCUSES ON SMALL HAZARDOUS WASTE GENERATORS THAT WERE NOT SUBJECT TO FEDERAL REGULATION. AS A RESULT OF THIS INFORMATION, THE GROWING NATIONAL PROBLEM OF HAZARDOUS WASTES, AND THE GENERAL DIFFICULTY IN GETTING INFORMATION ON HAZARDOUS MATERIALS WE ADVOCATE STRONG COMMUNITY "RIGHT-TO-KNOW" PROVISIONS.

MONTPIRG'S STUDY INCLUDED 100 BUSINESSES THAT PRODUCE, TRANSPORT, OR DISPOSE OF HAZARDOUS MATERIALS IN MISSOULA COUNTY. THE BUSINESSES WERE IDENTIFIED THROUGH THE TELEPHONE BOOK BASED UPON PREVIOUSLY STUDIED BUSINESSES DETERMINED TO GENERATE HAZARDOUS MATERIALS. THESE BUSINESSES WERE CONTACTED BY MAIL AND ALSO BY FOLLOW-UP PHONE CALLS TO COMPLETE A SURVEY. TEN BUSINESSES RESPONDED, ~~ON~~ TWO SURVEYS CONTAINED INFORMATION OF SUBSTANTIAL VALUE. MANY REFUSED TO COMPLETE THE SURVEY.

OUR GOAL IN CONDUCTING THIS SURVEY WAS TO IDENTIFY THOSE BUSINESSES THAT POSE A HAZARD TO THE WORKER AND THE COMMUNITY AND TO DETERMINE IF THE BUSINESS HAD TAKEN ANY SPECIAL PRECAUTIONS FOR THE WORKER OR THE COMMUNITY. WE HAD LITTLE LUCK WITH THE EFFORT.

THE NATIONAL CANCER INSTITUTE ESTIMATES THAT UP TO 20% TO 40% OF ALL CANCERS ARE ATTRIBUTABLE TO OCCUPATIONAL FACTORS. ALL INDIVIDUALS

IN AN AREA OF POTENTIAL EXPOSURE SHOULD KNOW THE POTENTIAL RISK AND WHAT CAN BE DONE ABOUT LESSENING THAT RISK. SB 452 SERVES TO PROVIDE THE COMMUNITY AND THE WORKER WITH MUCH NEEDED INFORMATION ABOUT THE HAZARDOUS MATERIALS AND WHAT PRECAUTIONS SHOULD BE TAKEN TO CURB ANY HARMFUL CONSEQUENCES OF EXPOSURE.

SB 452 PROTECTS THE COMMUNITY AND THE WORKER BY:

- *ALLOWING PHYSICIANS IMMEDIATE ACCESS TO INFORMATION AS TO WHAT CHEMICALS A PATIENT MAY HAVE BEEN EXPOSED TO HELP DIAGNOSE AND TREAT THE PATIENT EARLIER AND MORE EFFECTIVELY,
- *PROVIDING EMERGENCY PERSONEL WITH INFORMATION ON WHAT CHEMICALS THEY ARE RESPONDING TO ALLOWING FOR QUICKER CLEAN-UPS WITH MINIMUM DAMAGE TO THE ENVIRONMENT AND REDUCED EXPOSURE TO HUMANS, AND
- *PROVIDING CITIZENS WITH A MEANS TO ENABLE THEM TO IDENTIFY POSSIBLE PROBLEMS AND TO TAKE ACTION ON THEIR BEHALF.

ONCE IN PLACE, PROVISIONS IN SB 452 WILL BE EASY TO MAINTAIN. THE SYSTEM ESTABLISHED BY SB 452 SETS UP A REASONABLE AND WORKABLE MEANS WHICH INTERESTED INDIVIDUALS, AS WELL AS EMERGENCY RESPONSE PERSONEL, CAN GAIN ACCESS AND MAKE USE OF BENEFICIAL INFORMATION. SB 452 SIMPLY PROVIDES AN INVENTORY OF HAZARDOUS MATERIALS -- THE FIRST STEP IN SOLVING PROBLEMS THAT SURFACE WHEN HAZARDOUS SUBSTANCES ARE IN USE OR STORED.

THANK YOU.

GEO. OCHOSKI - ENV. INF. CENTER
SB 452

WHAT IS SB 452 ?

Commonly known as the Right-to-Know Bill, SB 452 creates the "Employee and Community Hazardous Chemical Information Act." It requires employers who use, store, process or manufacture toxic or hazardous substances to provide employees with information concerning hazardous chemicals in the workplace. It also requires county clerk and recorders to maintain and provide public access to the information.

THIS IS A NEW RIGHT-TO-KNOW BILL

The major objectionable parts of last session's Right-to-Know bill, HB 850, have been removed or streamlined in SB 452.

- * HB 850 required employers to deal directly with the public.
- * SB 452 requires the public to go through their local government, and employers simply to file the information with the local government.
- * HB 850 required employers to maintain information on 5,700 chemicals.
- * SB 452 requires employers to keep a Material Safety Data Sheet (MSDS) on chemicals listed by the Occupational Safety and Health Administration (OSHA). OSHA has recently passed a rule which takes effect this year that requires the chemical producers to send with any hazardous materials an MSDS to the company who is using it. Employers need only to keep a file of these MSDSs.

HOW SB 452 WORKS

- * SB 452 requires a simple and quick way for the public, employees and emergency response personnel to obtain access to information on hazardous materials. Employers using such substances record an MSDS with their county clerk and recorder, which is then available to public access.
- * The fact that the whole process goes through the local, rather than the state government is an important part to the bill because while it provides employees and emergency response personnel and the community the right to information about hazardous substances, it relieves employers and the state of burdensome paperwork and expense.
- * Employers send the state only a list of the substances in use at their facilities. The MSDS on record locally would be available to anyone.
- * Trade secret confidentiality will be honored in legitimate circumstances.
- * Employers will post notice of the workers' right to know, maintain a workplace chemical list and MSDS on any hazardous material, and label all hazardous material containers.
- * The local fire chief is permitted on-site inspection of work places for emergency preparedness and compliance with the law.

WHY WE NEED SB 452

Chemical exposures are linked to a host of adverse health effects: cancer, birth defects, miscarriages, sterility, lung disease, central nervous system damage, kidney damage, skin disease, and chemical sensitization. Spouses and children of asbestos workers have been stricken by cancer caused by asbestos brought home in the workers' clothes.

The Federal OSHA programs regulate worker exposure to a number of chemical substances, and set exposure levels. SB 452 would smoothly mesh with the Federal program and provide valuable health information to workers and emergency response personnel as well as community planners and residents.

Montanan workers are exposed to potentially thousands of hazardous chemicals in their workplace.

OVER 20 STATES HAVE ALREADY PASSED RIGHT-TO-KNOW LEGISLATION, AND MANY MORE ARE CURRENTLY CONSIDERING IT.

** VOTE YES

ON SB 452 **

MONTANANS HAVE THE
RIGHT TO KNOW THE
HAZARDOUS SUBSTANCES
THEY ARE EXPOSED TO
IN ORDER TO PREVENT
ACCIDENTS AND ILLNESSES
OR TO OBTAIN PROMPT
AND ACCURATE DIAGNOSIS
AND TREATMENT.

U.S. DEPARTMENT OF LABOR Occupational Safety and Health Administration MATERIAL SAFETY DATA SHEET Replaces OSHA 101, 102, 103, and 104. (Revised 10-1-80)	
SECTION I - IDENTIFICATION	
SECTION II - HAZARDOUS INGREDIENTS	
SECTION III - PHYSICAL DATA	
SECTION IV - FIRE AND EXPLOSION HAZARD DATA	
SECTION V - HEALTH HAZARD DATA	
SECTION VI - REACTIVITY DATA	
SECTION VII - SPILL OR LEAK PROCEDURES	
SECTION VIII - SPECIAL PROTECTION INFORMATION	
SECTION IX - SPECIAL PRECAUTIONS	