N.J. debates ‘right to know’ about chemicals

By Timothy Dwyer

TRENTON — In the beginning, there was only polite discussion and debate in the hearings rooms of the state legislature over the proposal known as ‘right to know.’ But in recent weeks, the discussion has stepped into a political street fight over whether the proposal will prevent — or bring on — the very debate of industry in New Jersey.

The issue involves hazardous chemicals and whether or not workers have the right to know what chemicals they are handling. The issue was first argued in Philadelphia three years ago and has been spreading nationally ever since.

For a long time, debate in New Jersey over the issue remained low key, restricted to those activists — in and out of industry — who foresaw the inevitable public fight over whether this highly industrialized state needed to regulate the workplaces in which hazardous chemicals were used.

But now that the issue has reached the statehouse, it could result in the most stringent legislation on the subject yet enacted in United States. For it is here that, for the first time, legislation has been proposed that would protect not only the worker’s right to know, but also the community in which the company using the chemicals is located.

The bill, sponsored by Sen. Daniel J. Dalton (D. Gloucester), would require all companies that use hazardous chemicals, over a 12-month period, to:

1. Give the workers a list of all hazardous chemicals used or stored in their plants.
2. Label all containers of hazardous chemicals, identify the chemicals inside and identification number — which physicians can use in diagnosing a chemical-induced illness.
3. Establish a program for educating workers about the chemicals with which they work and about the chemicals’ potential dangers.
4. Give upon request, specific information to aid in diagnosing chemical-induced illness.
5. Pay for a per-employee fee to the state to fund the bill’s implementation.

Dalton’s bill has been embraced by a broad-based coalition of groups and organizations, some of which have sided with anything in the past. For example, anti-nuclear activists and some nuclear plant constructors.

(See CHEMICALS on 8-B).
N.J. debates chemical-labeling bill

Workers and community

"The basic premise of the bill is that workers should have an opportunity to know about the substances that they work with, both the short-term and long-term health effects, and community residents also should have that same opportunity to learn about what is being stored in their community and what is being emitted to their environment," Dalton said last week in a telephone interview from Boston, where he was attending a conference.

The first "right-to-know" law passed in the United States was adopted three years ago in Philadelphia. It required companies to label containers, identifying the chemicals inside. Since then, eight states and municipalities have adopted similar legislation. In New Jersey, the process of drafting legislation began about 18 months ago, Dalton said.

"We had a number of meetings with industry representatives as well as labor organizations, community organizations such as tenants, citizens and environmental groups. I felt that in order to or develop a comprehensive piece of legislation that there was a need for all parties with vested interest in the legislation to be involved in the process. Initially, I wanted a bill that maintained, or upheld, two basic positions — worker and community information — but one that was not burdensome to industry."
Right to know measure up for vote

By DEBBIE APPLEGATE
Sunbeam Staff

TRENTON — The Assembly Agriculture and Environment Committee will vote today on whether to release the "Right-to-Know" bill, requiring industry to label hazardous chemicals, to the full Assembly. The five-man committee, which includes Salem County legislator Thomas A. Pankok, is expected to endorse the measure by a 3-2 vote.

Assemblymen Raymond Lesniak and Anthony Marsella, two other members of the committee, authored the bill. Late last month, Pankok publicly came out in support of the measure. Probable dissenter on the committee are Assemblymen Elliot F. Smith and John O. Bennett.

Essentially, the bill would require industries to inform workers about the materials they are working with and the public about potentially hazardous chemicals within their communities.

Industries would have to label substances, keep medical records about harmful effects and make those records available to the public. The bill would also allow workers to refuse to handle substances for which medical information has not been provided.

The chemical industry, which generally has opposed the bill, says the federal government already has right-to-know legislation on the books and says that labeling chemicals could jeopardize trade secrets.

Charles Morris of the Right-to-Know coalition, a collection of labor, environmental and other groups, said early this week he does not expect any problems with the bill's release from committee onto the Assembly floor.

He said the coalition was particularly happy with Pankok's support. Morris said the legislator told the coalition in a meeting this week he would support the bill in committee, on the Assembly floor and in the Assembly. (Continued on page 5)

Industry airs grievances

By DEBBIE APPLEGATE
Sunbeam Staff

SALEM— County freeholders reaffirmed their support of industry last night at a one-hour, 45-minute discussion in which industry officials aired grievances about problems plaguing them today.

Company officials from most major county industries spoke of such problems as high energy costs, taxes, overregulation and the "right-to-know" legislation in a session designed to improve communication between the freeholders and the large firms in the county.

"We don't know what's on your mind unless you tell us," said Freeholder Walter J. Frey in opening remarks. "We are here to understand, to help you and to promote industry, which leads to jobs and a healthy economy.

"We still have a business to run," he said. "The problem I see here is that in order to get where we're at, we've had to get rid of people." He said state regulations on pollution especially have hurt the plant. The state Department of Environmental Protection is too "vigorous" in its enforcement of pollution laws, he said.

"We won't vote for any legislation (Continued on page 5)
Industry airs grievances

(Continued from page 1) that drives industry out of Salem County,” Pankok told the officials. Late last month, Pankok came out in support of the bill and said it is a “liveable piece of legislation” that is satisfactory to both industry and labor.

Pankok also suggested a study be done to make county residents aware of the economic impact of the industries in Salem County.

Other ideas discussed included employee training and reform of other state laws burdensome to industry, such as unemployment insurance.

Following the meeting, Ware said he was pleased with the session.

“It’s good for a start,” he said. “There were some real concerns out in the open.

“The main thing is that we made initial contact. Industry knows we’re serious and committed to helping them out.”

Kern also said the meeting was a success and called it “very positive.”

He admitted many of industry’s concerns cannot be dealt with at the county level, but added he hoped the freeholders could influence decisions at other levels of government.

Ware said this meeting will be followed up with contact to industries individually and other meetings.

Right to know

(Continued from page 1) event an override of the governor’s veto is needed.

“We’re very happy with that,” Morris said.

Morris said the coalition’s next big hurdle will be pressing for passage in the Senate, which is scheduled to consider the bill on May 23.

He said a large group of citizens are expected to attend that Senate session, many of whom may testify before the senators.

He said the coalition expects industry to push for weakening amendments, but added the group has met regularly with legislators to convince them the amendments should not be added.
Bad chemistry brews in N.J.

The chemical industry, New Jersey's biggest employer, is unhappy about a bill in the state legislature that would make companies tell workers and communities just what sorts of dangerous chemicals are going into their products, through their pipelines and out their back doors.

But the bill was adopted, and there hasn't been a peep about it since. In fact, when Allied Chemical burned in Bridesburg several months ago, the company decided to rebuild in Philadelphia rather than move out of town.

OK, the chemical industry says, maybe the concept of right-to-know laws isn't all bad, but if every state and city has a different one, it will be a royal headache to keep up. The truth of the matter is that, if the federal government would provide lists of those chemicals to workers who handle them every day, that may sound sensible to most people — given the episodes at Love Canal and the rather poor record of industry in keeping its workers up to date on in-plant health hazards — but the chemical industry (cheered on by the New Jersey Chamber of Commerce) is fighting tooth and nail.

It argues that, not only would the rules cost a bundle ($20 million for the first year, it says), but also that hard-pressed industries would line up to skip New Jersey for less-regulated climes should the bill pass.

Well, those arguments don't wash. When Philadelphia debated a similar, though more modest, bill three years ago the business community went on the same warpath: Jobs would go down the drain, trade secrets would be lost, red tape, etc., went the refrain. But the bill was adopted, and there has been no local interest in California since. In fact, when Allied Chemical burned in Bridesburg several months ago, the company decided to rebuild in Philadelphia rather than move out of town.

If there is an overriding interest to be protected in New Jersey, where the cancer rate is frighteningly high and where industry coexists cheek-by-jowl with densely populated communities, it is the public interest. The chemical industry has no persuasive case for resisting disclosure in the face of growing evidence that whole communities and entire work forces may be at risk.

Those risks can be minimized, or at least taken into consideration, when a company puts its cards on the table, and the chemical industry's opposition to the right-to-know bill puts it squarely at odds with the clear and undeniable public interest.
‘Right to know’ bill will hurt, not help, workers

By ROBERT J. GEARY
Special to the Courier-Post

Organized labor is working to enact the “Worker and Community Right to Know” bill, (S-1670), sponsored by Sen. Daniel Dalton. The New Jersey Business and Industry Association is among the business organizations in the state which unanimously oppose this legislation.

The association believes that employees have a right to know what hazardous substances exist in their workplace. They have the right to know what dangers are or may be associated with substances they handle on the job. Our quarrel with Sen. Dalton and his allies has never been over this fundamental point. Rather, we have had (and continue to have) difficulty with the senator’s translation of that right into the language of the bill.

SEN. DALTON SEEMS to believe that he is the first person in New Jersey to recognize the importance of protecting employees from workplace hazards. Fortunately for industry and its employees, this is not the case.

Most companies have long since recognized that plants must be kept safe, if not as a matter of morality, then for reasons of dollars and cents.

S-1670, as introduced, called for every company in New Jersey to file a report with the state on each of more than 100,000 substances “used, manufactured or stored” on site. The substances were not, by definition, hazardous. They were merely “substances,” and the list included such things as table salt, ink, cleaning fluid, and bicarbonate of soda.

That’s where we all started with this bill.

AS I SEE IT

Currently, the amended S-1670 calls for reporting on a list of some 400 hazardous substances (the so-called OSHA Sub-Part Z list), plus any other substances the State Department of Health wishes to add.

In addition to reporting, the bill calls for companies to label every container and pipeline holding one of these listed substances. That’s within six months of enactment. Within two years of enactment, companies must label every container and pipeline in the work place, regardless of what it holds. The label must include the name of the substance and its chemical abstracts number.

IT IS TO THESE provisions that we object. Many companies, anticipating the need for “hazardous communications” sought by this bill, have established effective programs for labeling that use color codes (green for safe, red for dangerous) or geometric shapes.

The Dalton bill makes no provision for certifying these programs (many of them in place for years) as adequate. Instead, it would require that these companies tear up their existing programs (well understood by their employees) and replace them with the program devised by Sen. Dalton.

Frankly, we wonder of how much use to employees it will be to know that the barrel over here holds polychlorinated biphenyls, Abstract No. 86538, and the barrel over there holds sodium chloride, Abstract No. 20358. Better to say that the one over here is hazardous (red) and the one over here is salt (green).

Employees should be taught the hazards of the substances with which they come into contract — and they are — as a means of convincing them to follow plant safety rules. If an employee wants to know more about the hazards associated with a particular substance, that information is available from company reports to OSHA.

A WORD ABOUT OSHA. Ten years ago, New Jersey decided — over the objections of the association and other business groups — to cede jurisdiction over plant health and safety matters to OSHA, the new federal agency. As a result, the state unit that conducted workplace inspections was eliminated.

Today, OSHA is on the verge of adopting regulations regarding “hazardous communications” to employees. Those regulations have been published and industry is anticipating their adoption in June. The regulations contain a strong pre-emption clause — that is, states are preempted from adopting different regulations. For companies operating in many states, it is clearly preferable to have one national standard rather than 50 state standards.

Perhaps we were wrong 10 years ago. But whether we were right or wrong, it makes little sense to keep changing the decision for what essentially are political reasons. Industry has spent a decade working to accommodate OSHA. Sen. Dalton would have us forget all that and deal once again with a state bureaucracy that, at this moment, does not exist.

And because it does not exist, the Dalton bill calls for industry to pay a fee-per-employee to pay for its creation.

The writer is vice president of the New Jersey Business and Industry Association.
I learned long ago that evaluating an issue by looking at who supports which side can often give one a better indication of the facts than simply listening to all the rhetoric.

Senator Dalton's "Worker and Community Right To Know Act" is just such an issue. The industry rhetoric says that it will drive jobs out of New Jersey and that it will actually harm rather than improve health and safety.

If industry is to be believed, labor unions across the state should be denouncing this threat to jobs and health. The fact is that labor organizations helped write this bill and have convincingly and unanimously supported it.

If industry is to be believed...

An op-ed piece by Robert Geary of the N.J. Business and Industry Association which appeared in the May 12th Courier-Post manages to destroy industry's credibility on this issue and should have convinced anyone with even a rudimentary understanding of the issue of the absolute need for Senator Dalton's bill.

While conceding that employees have the "... right to know what hazardous substances exist in their workplace." Mr. Geary adds his name to the list of people opposing any practical application of that right.

According to Mr. Geary, Senator Dalton's original bill, which has been much revised in accord with industry wishes, called for reporting on 100,000 chemicals which "... were not, by definition, hazardous."

In fact, the original bill was based on the Registry of Toxic Effects of Chemical Substances, compiled by the National Institute for Occupational Safety and Health, under a congressional mandate, as a list of "all known toxic substances." Inclusion of a substance on the list of 50,000, not 100,000, chemicals means that "...the substance has the documented potential of being harmful if misused, and care must be exercised to prevent tragic consequences."

These chemicals are, by definition, Mr. Geary notwithstanding, toxic.
Moving from outright lies to flights of fancy, Mr. Geary argues that companies are currently doing a fantastic job of "hazardous communication", (is it the chemical or the communication that is hazardous?). He points to a program which uses color coded labels, red for dangerous, green for safe. A couple of questions come to mind. When does a chemical become dangerous enough to be "red", (NIOSH identifies 50,000 toxic chemicals and OSHA only regulates 450) and who makes that decision? How is a worker supposed to distinguish between, for example, a potent neurotoxin and a carcinogen?

In the system promoted by Mr. Geary, workers, whose health is at stake, are denied any opportunity to independently verify the company's hazard evaluation. The history of occupational safety and health is strewn with the bodies of workers who believed the company when they were told, "It's safe."

In the end, the clear implication of Mr. Geary's article is that the problem of chemical exposure is under control. Government statistics indicate that each year 390,000 American workers are added to the disabled list, and 100,000 die from occupational disease.

These are not the statistics of success. New Jersey needs the Right to Know.
Backers plot final ‘know’ bill push

By CHAPIN WRIGHT
Staff Writer

The Trenton Room at the Capitol Plaza Hotel looked more like the War Room at the Pentagon. About 70 people gathered there yesterday afternoon to plan a final, last-minute assault on the State House. Taped to the walls were lists of New Jersey legislators targeted to be bombarded with phone calls, letters and telegrams in the coming weeks.

The objective: To insure passage of the Worker and Community Right to Know Act. The strategy: An all-out lobbying blitz.

Members of the New Jersey Right to Know Coalition listened intently as environmental lobbyist James Lanard told them how far they have gone and where they go from here.

“When we got involved in right-to-know, we were told we would never see the bill get out of committee,” he said.

ONLY A YEAR old, the New Jersey Right-to-Know Coalition is comprised of labor and environmental groups from around the state. It is part of New Jersey Citizen Action, an umbrella organization representing a variety of public interest groups.

More than 400 members of the Citizen Action were on hand at the Capitol Plaza yesterday for a Founding Convention to adopt by-laws, elect officers and attend a number of workshops.

The Right-to-Know Coalition group worked for months with Sen. Daniel J. Dalton, D-Camden, on the legislation, which would require certain companies to disclose the names of potentially toxic substances in the workplace.

The bill was released last month from the Senate Revenue, Finance and Appropriations Committee and may get a full Senate vote in early June.

“We need your assistance so we can reach every legislative district in great numbers,” said Lanard.

The chemical industry and State Chamber of Commerce have already "mounted a major media campaign" to defeat the bill, Lanard said.

“We have to stop them from trying to persuade legislators, through the media, not to take us seriously,” he said.

The pro-right-to-know effort will also consist of a heavy letter-writing campaign to newspapers around the state. It will culminate on the day the bill comes up for a vote when hundreds of lobbyists will invade the State House.

“NOBODY CAN oppose this thing and expect to get the support of labor and the environmentalists in November,” Lanard said.

Eric Scherzer, health and safety representative for Local 8149 of the Oil, Chemical and Atomic Workers, warned the group to be on guard during the crucial last days before a final vote.

“The key thing to watch out for is weakening amendments,” he said. “They know they can’t defeat the concept so they will try to change the bill.”

Industry has been trying unsuccessfully to slow down progress on the Dalton bill ever since it was first introduced last September.

Lanard said it was due to the group’s lobbying efforts that the bill was released from the Senate Energy and Environment Committee in February by a 5-0 margin.

Just two days prior to the vote, Sen. John F. Russo, D-Ocean, remained uncommitted on the bill. Lanard said. That day Russo received more than 100 phone calls urging him to cast a yes vote.

“Senator Russo voted yes only because of what Citizen’s Action was able to do,” Lanard said.

The coalition was “riding high” after that victory, Lanard said, “but we were finessed by industry.”

SENATE PRESIDENT Carmen A. Orechio, D-Essex, unexpectedly referred the bill to the revenue committee.

“We were stunned,” Lanard said. “It was a setback.” But after an intense lobbying barrage, he added, “we turned it into our most significant success.”

“Lobbyists in Trenton couldn’t understand it,” he continued.

Coalition member Peter Montague said that right-to-know is a growing national movement.

“I suspect that we are sitting on the tip of an iceberg,” he said. “I suspect that this is an idea whose time has come.”
There wouldn't be a fuss if industry obeys rules

The May 12 comments by Robert J. Geary regarding the Workers' Right to Know Bill hold two typical objections peculiar to spokesmen for business and industry.

First, that it would cost money to educate workers, and second, that the workers are too ignorant to understand the hazards in their work place.

State Sen. Daniel Dalton and his supporters did not wake up one morning and decide to harass business and industry via burdensome new rules and regulations.

The proposed legislation followed continual complaints from the workers. Had industry followed existing rules there would have been no need for such additional protective policies.

When the welfare of a company's most valuable asset, its workers, takes priority over profit, this type of controversy will be unnecessary.

EDWARD J. MONAHAN
Pennsauken

DuPont scientist, was fired after he published a report linking that chemical and bladder tumors.

Would that chemical have received a red or green label?

Through organizations such as PHILAPOSH (Philadelphia Area Project on Occupational Safety and Health) workers are becoming more educated in how to review chemical information and utilize this knowledge to protect themselves.

The Right-to-know bill (S-1670) would provide the means for access to this data. Will all workers use it? No — not any more than people avoid cigarettes knowing the health hazards. But should all be denied because some choose to ignore?

Certification of programs already in place for communication of hazards is another industry request. This would only compound the employee's difficulty in obtaining information.

To clarify, I point to DuPont, the recognized leader in safety. Naturally this chemical giant would be considered for certification as it has a "hazardous communication" system.

However, according to the testimony of its corporate medical director before the U.S. Department of Labor in October, 1982, "DuPont believes . . . The appropriate criterion for determining whether disclosure is necessary should be whether the information is needed by a physician who has clinical responsibility for an employee."

I am employed by DuPont and frankly I don't want to wait until I have cancer before they tell my doctor what chemical exposures may have caused it. I want to prevent it.

Geary finally talks of OSHA and says "it makes little sense to keep changing the decision for what essentially are political reasons."

I wonder if he made this argument in 1981 when President Reagan ordered the OSHA "labeling standard" reviewed — a review in which industry lobbyists so watered down the standard, it is a waste of paper to print.

CHARLES W. MORRIS
Chairman
South Jersey Right-to-Know Coalition
Pennsville
Wait for the feds

The current New Jersey legislative session has been a generally quiet one but one of the few issues that has sparked controversy has been the so-called right-to-know bill. This far-reaching measure would require most employers to post labels revealing the contents of every container on their premises—first hazardous chemicals and, eventually, the most commonplace of compounds.

The logic behind this proposal is irrefutable. Employees most certainly have a right to know whether they are dealing with dangerous substances. The only question is how to accomplish this goal.

The Legislature itself gives unmistakable signs of uncertainty about how to resolve this question. It has, since the beginning of the year, been in the process of drafting legislation. There have been a large number of amendments as it searched for a formula which would fulfill the intended purpose while meeting the concerns of industry that requirements might be unwieldy and impractical. A vote is now scheduled for mid-June but in light of these difficulties, it would not seem unlikely if there were still further changes in the bill.

A reasonable question to ask before such a vote would be: How have other states handled this problem? The answer, for the most part, is that they haven't. Only nine states have any legislation at all on the books and in most instances their laws are far less comprehensive than the proposed New Jersey statute. The reason for this is not widespread negligence but because a federal agency, the Occupational Safety and Health Administration (OSHA), has been preparing national regulations that will have the force of law.

At the outset of the year, supporters of the proposed New Jersey legislation said it was necessary because they felt the federal government was unlikely to act. More recently, however, there has been some movement on the federal scene. Douglas Clark, special assistant to OSHA Administrator Thorne Auchter, has said the federal regulations will be adopted sometime this summer.

The proposed federal law is unlikely to be as exhaustive as the one being prepared in New Jersey. But, in its draft stage, it does appear to fulfill the basic need of giving the worker the information as to whether the material in the workplace is likely to be hazardous to health or safety. In this sense, it may be preferable to the proposed New Jersey statute, which would require the employer to take not only this basic, necessary step but some others that seem like needless additions to normal safety precautions.

In any event, a sensible national standard is always preferable to a hodgepodge of conflicting statutes in the various states. For that reason, it would be well if the Legislature would delay action on a New Jersey statute and let the federal government set policy in this important area.
To the Editor:

The following is in response to your May 29th editorial on the "Worker and Community Right To Know Act."

The writer is the Political Action Representative on the PHILAPOSH Board of Directors. PHILAPOSH is a coalition of unions concerned with occupational safety and health and is part of the New Jersey Right To Know Coalition.

Sincerely,

Charles Richardson
Your May 29th editorial opposing Senator Dalton's "Worker and Community Right To Know Act" made at least two very important points. Unfortunately, your conclusion that the bill is not necessary is not supported by the facts.

You begin by pointing out that "The logic behind this proposal is irrefutable. Employes most certainly have a right to know whether they are dealing with dangerous substances."

The fact is that without exact chemical names it is impossible for workers, industrial hygienists, doctors and others to do any sort of toxicological research into the real hazards of a chemical. In the absence of a Right To Know law which requires the labeling of substances with their exact chemical names, the evaluation of hazards, and therefore the health of workers is left in the hands of the same companies that told us for years that asbestos is harmless, despite overwhelming evidence to the contrary, and that today still deny the validity of studies proving that dioxin is harmful to humans.

Later in your editorial you state that "In any event, a sensible national standard is always preferable to a hodgepodge of conflicting statutes in the various states."

Organized labor, a key component of the Right To Know effort in New Jersey, has consistently supported a strong national OSHA standard. It was the Chemical Manufacturers Association which originally opposed that standard, as proposed during the Carter administration, with the arguments of federal de-regulation and states' rights. Now that the states are actually passing strong Right To Know laws (there are laws in 10 states and bills in at least 20 others), the CMA has reversed itself and supports a weak national standard.

By leaving the evaluation of hazards totally up to the companies, and by denying workers access to exact chemical names, the federal standard will do little to protect workers and will give workers no opportunity to protect themselves.

The National Institute for Occupational Safety and Health, the government agency which does scientific research on occupational safety and health, testified against
the proposed standard on precisely this basis:

"The often conflicting scientific data in the literature and the increasing amount of newly published information on the toxicity of occupational exposures makes the process of determining whether or not a substance is hazardous subject to abuses which could significantly undermine the effectiveness of the proposed rule. Selective or biased interpretations of the scientific literature could lead to wide variations in the labels and Material Safety Data Sheets developed for identical products."

The New Jersey bill avoids these faults by putting the real names of chemicals in the hands of those who are affected.

New Jersey needs a strong and effective Right To Know.
State House chemistry

Beating the drum for right-to-know

By
BOB NARUS

• ITEM: A worker in Ocean County, exposed to phosgene gas, is treated by the company clinic and two area hospitals, and is sent home. That night, the phosgene reacts with the fluid in his lungs to form hydrochloric acid — and he dies.

• ITEM: Asbestos fibers hang in the air in — and around — the Johns-Manville plant in Manville. Company officials apparently knew of the dangers of lengthy exposure long before the public was told.

• ITEM: Thousands of drums of unidentified chemicals erupt into flames at Elizabeth’s Chemical Control site. Firemen must put out the blaze without knowing what is burning — or what they might be exposed to.

• ITEM: Polychlorinated biphenyls, better known and feared as PCBs, drop onto the shop floor at the Singer plant in Elizabeth for years. No one outside management knows what the substance is until the plant closes and the company has to clean up the site for a new occupant.

In the past decade almost everyone has become aware of the chemicals which turn up in the air, in the water, and in the workplace — and of the dangerous effects they can have. But while we know that those chemicals are “out there,” we often do not know the specific substances we may be coming in contact with, or their particular effects.

Is the stuff in the container marked “Caution” just something you don’t want to set a match to, or is prolonged exposure to it liable to cause cancer? Is that funny taste in the water just the result of a rusty pipe, or is the harbinger of another Love Canal? If the plant down the road has a fire, does the local fire department have the training and equipment to fight it properly, or will firemen go in without knowing what risks they are exposing themselves to? It has become clear that what you don’t know can hurt you.

Frustration about what we do not know has helped to fuel the environmental movement in the past few years. Today, the movement to require manufacturers to reveal information about dangerous chemicals has moved from the suburban living room of the environmental activist to the urban factory of the labor movement.

In the final days of the Carter Administration, the federal Occupational Safety and Health Administration published a proposed regulation to get that information. It would have required employers to make a detailed survey of the hazards of all chemicals they used, and to label all chemical containers with the chemical name of their contents and extensive hazard warnings. Less than a month later, OSHA — now the Reagan OSHA — withdrew the proposal as part of a general attack on big government. A revised proposal was released last
spring, and a final regulation is expected within a few weeks.

The concerned groups aren't waiting. The question of what workers should be told about the substances they handle is being taken up on the state and local levels. Ten states and the city of Philadelphia now have what environmental and labor groups, grabbing the high ground, call "right-to-know" laws. Similar bills are pending in about two dozen other states, including New Jersey.

On the surface, it seems a fairly unarguable proposition that people who are exposed to any sort of risk ought to be told what that risk is and how best to minimize it. Senator Daniel Dalton (D-Gloucester Township), the sponsor of "The Worker and Community Right-to-Know Act," certainly thinks so. But perhaps surprisingly, so does James Morford, who speaks for the New Jersey Chamber of Commerce: "We support the concept that workers should be informed of the hazards in the workplace." And at least on the question of general principles, lobbyists James Lanard of the New Jersey Environmental Lobby and Hal Bozarth of the Chemical Industry Council of New Jersey can sound more like friends than foes.

But the right-to-know battle that has been raging in the Legislature and the state's newspapers for several months is not about general principles; it is about how much workers and residents should know, and how much it should cost to tell them. Industry spokesmen who claim to support right-to-know insist in the same breath that they are already providing it. Hal Bozarth trumpets the sterling safety record of his industry at every opportunity and attributes it to extensive "hazard communication programs" adopted voluntarily by most companies. Employees are trained in the proper handling of dangerous chemicals, containers are labeled and often include extensive instructions on what precautions to take and what to do in the event of an emergency, and more extensive records of a substance and its hazards may also be kept. In industry's view, another government program superimposed on this would merely cost money and confuse workers who are used to the industry's programs — without providing any more protection.

Labor officials reply persuasively that more protection is necessary. They point out, for instance, that the chemical industry's good safety record reflects a lack of accidents (like dropping an anvil on a worker's toe or falling off a ladder) rather than long-term health effects (like coming down with lung cancer after 20 years' work in an asbestos plant).

Naomi Fatt, the director of the Occupational Safety and Health Department of District 65 of the United Auto Workers, argues that industry programs provide only "acute information, not what happens if you are exposed to a little of it over a long period of time." Her pet example is formaldehyde, a chemical which can cause a strong allergic reaction and burning in the eyes on contact. Those dangers are highlighted by industry, she says, but not the fact that formaldehyde is also a suspected carcinogen.

Nor is a label listing the hazards of
a substance sufficient. The worker who died of phosgene gas poisoning because no one who treated him knew what he had been exposed to is an extreme example of the need to know precisely what workers are handling. Fatt and other labor officials recount futile efforts to learn the identities of chemicals their members may be exposed to so they can do their own analysis of the health effects of that exposure.

There the health issue becomes an economic issue as well. Fatt claims that only 5 percent of all occupational illnesses receive any form of worker's compensation. The major reason for the low figure, she asserts, is the difficulty of proving that a worker came in contact with a chemical that would cause such an illness. “Very few chemicals get as startling a reaction as asbestos,” she says. An effective right-to-know standard would give unions the opportunity to prove that connection.

(Although union officials won’t admit it, it will also give workers another reason to join a union and provide another bargaining chip in contract negotiations: “You want us to handle that? Well then you can pay us for it.”)

Nor is right-to-know just a labor issue. Environmentalists and community organizations have embraced it as a means of determining what neighborhood plants may be spewing into the environment. In Lanard’s phrase, “Pollution in the factory is the source of pollution outside the factory.” Environmentalists insist that the information on hazardous chemicals provided for the workers’ benefit also be made available to county health departments. And firefighters’ organizations want the information as well, so that they will know when they face the next Chemical Control just what they are dealing with.

Industry’s response is predictable: Worker protection is all well and good, but too much costly regulation will drive business out of the state altogether. Proponents of right-to-know legislation are unimpressed by that plea. “When New York adopted a right-to-know law, I didn’t see all those chemical companies moving into New Jersey because we didn’t have one,” says Dalton. Other supporters have pointed to Allied Corporation’s decision to rebuild a plant in Philadelphia after a serious fire last year rather than relocate, even though a right-to-know ordinance is on the books there.

Of course, Dalton’s proposal is considerably stricter than that in force anywhere else, so it is impossible to predict the exact consequences of its adoption. But most studies of the reasons behind business decisions to relocate or build new facilities rank the level of environmental regulations fairly low as a factor in those decisions.

Still, business does have a legitimate point to make about the cost of complying with a right-to-know law (even if you don’t believe the precise figures in their cost estimates). Environmentalists, who rarely run chemical companies, do not always stop to think about the practical problems of complying with the regulations they propose. When industry claims that labeling is too expensive and they shouldn’t have to do it at all, the proponents of right-to-know can argue that vested economic interests are trying to gut the bill. But when business notes that it is ludicrous to label miles of pipelines in a petrochemical plant (and very difficult besides if the contents of those pipelines changes from day to day); or that it is cumbersome to list every chemical substance in a complex mixture on a label; or that industry needs some reasonable means of protecting its trade secrets if it is to remain competitive — then the proponents ought to pay attention and seek sensible ways of overcoming those problems. To the extent that they don’t, sympathetic lawmakers ought to step in and do it for them. That would be one mark of an effective legislative process.

In an absolute sense, the right-to-know bill that will almost certainly be signed into law in New Jersey this year will be an improvement over the original draft. But it probably won’t be as good as it could have been, thanks to the exigencies of lobbying tactics and interest-group politics. The final version will be more cumbersome than it should be, and perhaps not as far-reaching as it is now. But the outcome, finally, will depend not on the merits of the legislation but on the political clout of its proponents and detractors.

Right-to-know was first introduced in the New Jersey Legislature in 1981 by then-Assemblyman Donald Stewart. When Stewart retired, the bills (“Worker Right-to-Know” and “Community Right-to-Know”) were picked up by Dalton, the chairman of the Senate Energy and Environment Committee. Dalton pre-filed the bills, S-350 and S-351, in January 1982.

A month later, Lanard came to New Jersey to become the lobbyist for the New Jersey Environmental Lobby. Lanard had been active in the effort to enact right-to-know in Philadelphia, and he immediately set out to do the same here. Lanard pulled together a group of environmentalists, community organizers, and labor officials, some of whom were already working on the issue, to establish a united, grass-roots effort in support of the measure.

The result was the “New Jersey Right-to-Know Coalition,” which the press has widely (and prematurely) touted as the vanguard of a new political alliance. For the first time, environmentalists and labor officials — traditionally at odds over the supposed trade-off between jobs and environmental quality — were working together in support of a major piece of legislation. (Whether that joint effort can last beyond one legislative battle is uncertain; Jim Lanard’s other pet project is the bottle bill, a sore point with glassworkers in particular and the AFL-CIO in general).

The formation of the Coalition changed the course the right-to-know legislation has taken. Originally it was two bills: one provided information about hazardous chemicals in the workplace to workers; the other made similar information about both on-site chemicals and emissions available to the public. But labor and environmental groups found they could work together and trust each other — on this issue at least — and the Coalition decided it could be more effective if it joined forces behind a single bill. Dalton agreed, and last September reintroduced his legislation as a single measure, S-1670.
Even if a compromise could be fashioned that would make the right-to-know bill relatively simple to comply with, the business lobbies were in no position to endorse a compromise.

The original draft of S-1670 required every employer in the state to prepare and keep on file "Material Safety Data Sheets" on any of 40,000 chemicals (appearing in the registry of the National Institute of Occupational Safety and Health) that might be used in the workplace or discharged into the environment. Containers of those chemicals would have to be labeled as such (with the common name of the chemical and its Chemical Abstracts Service number), and a list of those substances would have to be filed with the Department of Environmental Protection. Employers who wanted to protect a trade secret would have to request a public hearing from the DEP and prove the need for such protection.

The legislative battle began in earnest with three public hearings last October. It was at those hearings that the opposition was first heard from publicly - and first displayed its strategy for opposing the bill. Three groups ultimately played a role in opposition to the bill: the state Chamber of Commerce, the Chemical Industry Council, and the New Jersey Business and Industry Association. It was the chemical industry, however, which took the lead in the lobbying effort.

On the surface, that would seem to make sense, since that is the industry most affected by the bill. "A little dry cleaning plant probably uses only one solvent," notes William Bobsein of Ciba-Geigy, the chairman of NJBIA's Environmental Quality Committee. A labeling requirement would be nothing more than a minor nuisance for such operations. But a major chemical plant may use hundreds of chemicals, with an ever-changing inventory. The monitoring, record-keeping, and labeling that would be required under a right-to-know law would be substantial - and expensive.

Of course, having the chemical industry out front on the issue did little to help the business community's case in the eyes of the public. And so far as the effects of a right-to-know law are concerned, most of the state's businesses are more like a dry cleaning plant than a Ciba-Geigy. The strong opposition to the bill from the Chemical Industry Council is easily understood: the chemical companies it represents have the biggest stake in the bill. To understand the role of the Chamber of Commerce and the Business and Industry Association, whose memberships embrace firms far beyond the chemical industry - and, in fact, far beyond the manufacturing concerns which would be most heavily affected by the bill - requires some background on the dynamics of lobbying by associations.

The committees to which lobbyists like Jim Morford or Hal Bozarth report are - despite whatever internal disagreements they may have in normal times - a band of brothers when an outside challenge like the right-to-know bill arises. Think back to committees you have served on, and reflect how the most extreme member often can shape policy. No one on the committee wants a personal feud with an obnoxious colleague, so if old Charlie is sounding off, well, it won't hurt to go along with him in the testimony we're preparing, will it? So old Charlie, unreconstructed troglodyte that he is, gets his way.

That tendency is made more extreme by the lobbyist - who is, after all, a well-paid employee of the association - to want to appear to be earning his keep. He'll want to be able to assure old Charlie that it might be tough, but we should be able to block this one. He might brag a bit, work up a substitute bill to sow confusion, pull strings to get a bill referred to a hostile committee, try to stop it rather than modify it. These two tendencies, then, work against forging a compromise position.

The environmental-labor coalition, of course, also had its tensions between hard-liners and compromisers. One radical, for instance, was expelled by the Coalition for raising a ruckus at the Senate committee's public hearing in Newark.

So even if a compromise could be fashioned that would make the right-to-know bill relatively simple to comply with for most companies, the business lobbies were not in any position to endorse such a compromise. That inescapable law of political nature led to the most serious strategic error made by the opponents of Dalton's bill: They decided to try to kill it rather than simply seek amendments to make it less onerous.

That decision might not have made all the difference; it is quite possible that no compromise between the Coalition and business could have been hammered out in any event. But the futility of any effort to defeat the bill outright should have been self-evident. "Anything with the word 'right' in it is going to fly in an election year," says Joseph Gonzalez, the former executive director of the Assembly minority who joined the fight in midstream as NJBIA's new top lobbyist.

Gonzalez's wisdom was unavailable to the business community last fall, however, and Bozarth, chief lobbyist for the Chemical Industry Council, went ahead with the shoot-to-kill strategy. In his three appearances at Dalton's committee hearings, Bozarth

June 1983
did outline numerous problems with the initial draft of S-1670, but the focus of his testimony was a simple message: We don't need it. He offered a laundry list of federal and state laws which he said already required reporting of much if not all of the information required under S-1670, and insisted that his industry was already doing a bang-up job of protecting its workers with voluntary Hazard Communication Programs. These programs, he said, were more effective than Dalton's right-to-know legislation would be, because they told workers how to handle chemicals rather than just what they were. "We submit that the thrust should be toward communicating hazards, not words that are 18 letters long that will mean little or nothing to the man in the plant who needs and wants to be protected," he argued.

Despite the hard line of the business community, Dalton realized that the original draft of S-1670 had serious flaws, and he hoped he could still get business to at least discuss possible improvements in the bill. So he made an attempt to forge a compromise between the two sides. He held two meetings with "negotiating teams," a popular tactic in Trenton ever since

The Coalition agreed to that amendment, according to Lanard, because it retained something almost as valuable - universal labeling. Under the new bill every chemical container in every plant in the state would have to be labeled with its chemical name and Chemical Abstracts Service number. That way, Lanard explains, if a company did not have to keep a fact sheet on a chemical that workers were concerned about, they could go to their union's health specialist with the name and find out for themselves if what they were handling was dangerous. In Lanard's view, the environmentalists and labor unions were going to do the work of compromise by task force became apparent. Dodd succeeded because all parties agreed that the state needed some way to handle hazardous waste. Dalton had no such consensus. He made universal labeling non-negotiable. Business groups, realizing they had gotten about all they were going to get from the bill, resumed the shoot-to-kill strategy with a vengeance. Now the two sides were not only far apart but frozen there.

former Senator Frank Dodd succeeded in passing the Major Hazardous Waste Facilities Siting Act in 1981 after it had been completely rewritten by a task force representing both industry and environmental groups.

Over the winter, S-1670 was rewritten twice by Dalton's committee aide, Mark Connelly. Dalton made clear at the time that he thought he made substantial concessions to industry, telling the press he made over 100 amendments to please industry. But he now concedes that the bill is much improved. "It wasn't really a concession," he says of the changes. "It just makes sense."

The biggest change was in the number of chemicals covered. Under the new version, only about 800 substances would be reported initially, drawn largely from a list of chemicals regulated by OSHA and another monitored by the DEP. The state Department of Health, rather than employers, would prepare and disseminate the renamed "Hazardous Substance Fact Sheets." The change was made, according to Lanard, to avoid the duplication of effort by many employers who use the same chemical and to insure that the fact sheets were uniform and correct. The number was reduced from 40,000 to 800 because that was all the health department said it could handle.

The Coalition agreed to that amendment, according to Lanard, because it retained something almost as valuable - universal labeling. Under the new bill every chemical container in every plant in the state would have to be labeled with its chemical name and Chemical Abstracts Service number. That way, Lanard explains, if a company did not have to keep a fact sheet on a chemical that workers were concerned about, they could go to their union's health specialist with the name and find out for themselves if what they were handling was dangerous. In Lanard's view, the environmentalists and labor unions were going to do the work of compromise by task force became apparent. Dodd succeeded because all parties agreed that the state needed some way to handle hazardous waste. Dalton had no such consensus. He made universal labeling non-negotiable. Business groups, realizing they had gotten about all they were going to get from the bill, resumed the shoot-to-kill strategy with a vengeance. Now the two sides were not only far apart but frozen there.

Thanks to industry's initial opposition to any sort of right-to-know legislation, Dalton and his supporters became convinced that anything industry proposed on the labeling issues was aimed at gutting the bill.

former Senator Frank Dodd succeeded in passing the Major Hazardous Waste Facilities Siting Act in 1981 after it had been completely rewritten by a task force representing both industry and environmental groups.

Over the winter, S-1670 was rewritten twice by Dalton's committee aide, Mark Connelly. Dalton made clear at the time that he thought he made substantial concessions to industry, telling the press he made over 100 amendments to please industry. But he now concedes that the bill is much improved. "It wasn't really a concession," he says of the changes. "It just makes sense."

The biggest change was in the number of chemicals covered. Under the new version, only about 800 employers' work for them. Instead of adding another layer of burdensome regulation, the bill empowered people to protect themselves.

Needless to say, that is not how the employers saw it. Industry had seen many improvements in the bill - fewer employers were covered, rules for labeling some types of containers were relaxed, it became easier to establish and protect trade secrets - and further improvements would be made in future committee deliberations. But those matters became secondary when industry realized the expense it would have to go to in order to provide information it didn't necessarily want to provide.

There may have been some room for compromise on the universal labeling provision at this point. The proponents overstate their case when they insist that labeling is the only way to identify chemicals. Surely nearby postings can convey the same information as easily at lower cost to the employer - especially in the case of complex mixtures or pipelines and containers that may hold many different substances. If their major concern was cost, business lobbyists could have offered less expensive ways to provide the information the Coalition wanted.

Unfortunately, such a compromise has not happened and isn't likely to happen. Thanks to industry's initial opposition to any sort of right-to-know legislation, and its insistence that workers did not need to know what they were handling as long as they knew what its hazards were, Dalton and his supporters became convinced that anything industry proposed on the labeling issue was aimed at gutting the bill. Similarly, the proponents, feeling they had offered business a lot without any mellowing of the opposition, were ready to stand firm.

The limitations of the Dodd method of compromise by task force became apparent. Dodd succeeded because all parties agreed that the state needed some way to handle hazardous waste. Dalton had no such consensus. He made universal labeling non-negotiable. Business groups, realizing they had gotten about all they were going to get from the bill, resumed the shoot-to-kill strategy with a vengeance. Now the two sides were not only far apart but frozen there.
Beating the drum for right-to-know

(Continued from page 10)

at least until the new OSHA regulations came out, demonstrating either that a state law was unnecessary or that the OSHA regulations would supersede state statute. But Bozarth denies having spoken to Orechio at the time, and in fact the bill belonged in the Appropriations Committee on its merits. Any bill that would require an appropriation of more than $100,000 must go to Appropriations, according to Senate Rule 88 – and S-1670 requires a fund of several million dollars, collected as a $2-per-employee tax on all businesses covered by the bill.

Nor did the referral slow the bill up; although it spent eight weeks in committee, during most of that period Orechio was only posting bills that had already passed the Assembly and would go straight to the Governor. Still, Dalton – now as set as the opposition was – had a scapegoat. “I stopped being profound, and started being political,” he explained later.

His first political move was to ask the Assembly to consider the same legislation. Assemblywoman Barbara Kalik (D-Willingboro) had sponsored Dalton’s original bill in the lower house, and she now introduced the amended version, which was sent to the Agriculture and Environment Committee. Business responded, or seemed to anyway, by trying to clog up the legislative debate. The industry had been lobbying various legislators for a while, and Assemblyman Elliot Smith (R-Hillsborough) agreed to introduce a weaker bill that did away with universal labeling and permitted certification of existing Hazard Communication Programs – thus relieving the chemical industry of the most cumbersome procedures of the Dalton bill. Smith’s bill, which was drafted by the Assembly minority staff, was intended – according to its sponsor – as a workable alternative that might be adopted in whole or in part by the Legislature.

Unfortunately for Smith, Morford and Bozarth seemed to have other ideas. Morford sent a memo to the Chamber’s Right-to-Know Task Force referring to the introduction of the bill as “diversionary.” When the memo was leaked to the press, Dalton and Lanard called a press conference and lambasted the opposition. They also went after Bozarth, who, taking credit where credit could be taken, referred to Smith’s bill in a Chemical Industry Council newsletter as an industry-drafted substitute.

Industry tried one other delaying tactic, calling for an economic impact statement on the bill. A 1977 law gave legislative committees the power to order such a study, but the process would have taken several months to complete. None of the committees through which the bill traveled was willing to wait that long.

Had Governor Kean stepped in earlier, he might have been able to extract concessions from both sides in the dispute while they were still talking to each other.

All this intrigue produced plenty of smoke in Trenton as well as the news columns, but there was very little light. S-1670 and its sister bill, A-3318, had a very easy time of it in committees this spring. On matters other than the major labeling issue, committee members were able to reach compromises on language. The Senate Revenue, Finance, and Appropriations Committee reported it out with minor amendments (mostly dealing with the funding mechanism) with a single negative vote. And the Assembly Agriculture and Environment Committee did the same, adopting the Senate committee amendments and adding a few of its own. Industry lobbyists, finally recognizing that delaying tactics were not going to succeed, set about pushing amendments to gut the universal labeling provision of the bill, but both committees rejected those attempts.

Industry lobbyists hope to get another crack at passing their weakening amendments on the floor. Dalton can avoid that entirely by letting Kalik’s bill, which contains the most recent amendments, move through the Assembly and then the Senate. If he wants his own bill to move, he will have to amend it on the floor, opening it up to the business amendments as well. Even so, he will almost certainly succeed in passing the measure intact – after all, it has already moved through three committees by a combined vote of 16 to 1.

Which leads us to the one interested party who has not been lobbying this bill: Thomas Kean. As chief counsel W. Cary Edwards explains it, the Governor left his department heads free to form their own opinions on the issue, and plans to listen to all their advice when the bill reaches his desk. And his departments are all over the lot: Health and Environmental Protection support the portions of the bill that fall under their purview, and the Public Advocate has endorsed it as well; Labor is publicly noncommittal but privately has assented to the provisions of the bill that it would administer: Commerce and Economic Development opposes the bill out of fear that it would hamper growth. (After Commerce Commissioner Borden R. Putnam testified against the bill, the Coalition charged him with conflict of interest because he held $400,000 worth of stock in American Cyanamid, where he was a vice president before his retirement last year. The ethics commission, however, cleared him of any wrongdoing.)

All that advice has been available since last fall, however, and the Governor has yet to take a stand on the issue. Given the inflexibility of both sides, that is unfortunate. Had Kean chosen to step in earlier, he might have been able to extract some concessions from both sides while they were still talking to each other. Perhaps neither side would have been happy with the outcome, but at least Kean would have gotten a bill to sign that was still effective without being overly costly.

It seems clear now, however, that it is too late to reach such a compr-
promise. Debate over the merits has largely given way to a show of political strength, and even if legislators and the Governor want to find some middle ground, the two sides are not about to lead them to it. The trade association lobbyists cannot and will not offer to back down for less than the deletion of the universal labeling provision. And the Coalition is not about to give anything on that issue, for fear that it might give too much.

In addition to all the advice, Kean will get plenty of pressure from both sides, and with the battle lines drawn, most participants and observers agree that he will have only two choices: sign the bill as is, in order to take the issue away from the Democrats (who want it badly); or conditionally veto it, returning it to the Legislature with one or more business amendments, including replacement of the universal labeling clause with a provision for certifying existing Hazard Communication Programs. In the latter case, the Coalition will have to prove it has the clout to override the Governor on a technical and little-understood issue.

Whatever the final result, New Jersey workers and residents will be better protected from hazardous chemicals than they are now. Although the bill is far too technical to expect legislators to grasp all its nuances in a one-day committee hearing or floor debate, the quality of the bill as it now stands attests to the ability of the legislators who have worked on the bill to turn a good idea into a respectably effective piece of legislation.

Legislators are not experts; lobbyists are — or can produce them on demand. When lobbyists are willing to reach a compromise, legislators can produce a bill that is in everyone’s best interests. When the willingness to compromise dries up, as it did in the middle of the right-to-know debate, legislators — and governors — are left with no choice but to choose sides.

That’s how the fight for right-to-know will end: choosing sides. In one case, the state gets the most effective right-to-know legislation in the county, but at a cost that might be a good deal higher than necessary. In the other, workers and residents get only a fraction of the protection they need. Either way, the lengthy legislative process will have produced quite a bit — but less than it could have.

(Continued from page 2)

• A New York Times article with a sample size of 212 (a sample larger than any quoted in Mrs. Morrison’s article) stressed that of these 212 birth mothers, 90 percent dreaded a confrontation with the past.

• In the Michigan Voluntary Registry results for the first year of operation, there were 144 birth parents who filed denials stating that they did not want contact with the adult adoptee.

• The courts have repeatedly upheld the right of the birth parent to anonymity. As recently as 1982, the Michigan Court of Appeals said the adoptee did not have good cause to infringe on the biological parents’ right to privacy. In 1979, the Second Circuit Court rejected the constitutional arguments of the Adoptees’ Liberty Movement Association (ALMA) to open the records, and the Supreme Court of the United States refused to overturn the decision.

The search groups, like ALMA, who support open records without restraint, have emotional arguments to defend their position. We who favor a more moderate approach of a registry also have emotional arguments. I receive frequent phone calls telling of the damage done to the adoptive family and biological family because of the “unannounced knock on the door.”

I am sorry that a magazine as fine as yours did not present the issue of open adoption records in a fair and unbiased manner so that your readers could determine for themselves whether there should be unlimited access to adoption records, without regard to the feelings and rights of others (A-228), or whether there should be controlled access, which allows only those who wish contact to have it (A-1773).

Toni McHugh
Chairman
National Committee for Adoption
New Vernon

Unfortunate implication

To the Editor:

The special education issue of New Jersey Reporter (April 1983) is an outstanding report on the problems facing the New Jersey urban public schools. One comment in the lead article by Rick Sinding, however, is unfortunate in its implications.

In his discussion of the scores on the Minimum Basic Skills examinations, Sinding notes that the disparity between the urban and suburban district increases with the age of the students and says that “Either the suburban schools are doing a terrific job or the urban schools are doing a terrible job or both.”

Another explanation of this phenomenon which is probably more accurate is that the distractions from the educational process are far greater for older urban than suburban children. Economic and social pressures to avoid school attendance and to fail to pay attention when present are far greater in the inner cities than in the suburbs. The quality of teaching may be equivalent, but the ability of the students to respond may be quite different.

Jim Boskey
Professor
Seton Hall University School of Law

June 1983 29
Dioxin Found at Newark Plant

10 other sites to be tested

By Bob Drogin, Mark Jaffe and James Asher

TRENTON — High levels of dioxin, one of the most toxic chemicals known, have been found in soil at a former Agent Orange factory in Newark, N.J., and tests are planned for possible dioxin contamination at least 10 other sites in northern New Jersey, state and federal officials said here yesterday.

The dioxin levels at the Newark, N.J., site may be higher than those found in Times Beach, Mo., where the federal government ordered evacuation and offered to buy all the homes earlier this year.

State officials said that tests of soil last week at the former Diamond Alkali Co. factory showed dioxin levels of 60 to 457 parts per billion on the one-acre site, which is now owned by Marised Inc. Dioxin levels of 100 to 300 parts per billion were found on streets in Times Beach.

Officials of the federal Centers for Disease Control (CDC) in Atlanta have said that they consider any level of dioxin a potential health risk, and levels of more than one part per billion pose significant risks.

Gov. Kean yesterday urged residents near the plant in Newark's blue-collar Ironbound section to move away until further testing can be done around the site. Diamond Alkali produced Agent Orange, a herbicide containing dioxin, during the 1960s.

Kean offered free housing at a local YMCA to 75 to 100 residents in 25 homes within 300 yards of the Diamond Alkali plant, but stopped short of ordering an evacuation. He said that a voluntary health screening program would begin today for area residents and former workers at the plant, which is now closed.

"We have no reason to believe that these persons are in any health danger," Kean said at a crowded news conference in the statehouse. "This step is being taken purely as a precautionary measure to provide maximum public health protection."

Kean also invoked emergency powers to close a busy wholesale food market about a block from the dioxin site. He also said federal environmental officials would test for dioxin in nearby homes, factories and in the Passaic River, which flows behind the factory.

Tiny amounts of dioxin cause cancer, birth defects, liver disease and death in laboratory animals. It causes chloracne, a severe skin rash, in humans. Other effects on humans are widely disputed.

Medical studies published in 1964 and 1971 reported that Diamond Alkali workers exposed to dioxin-laced herbicides suffered from chloracne and liver problems.

As word of the dioxin spread late yesterday, Ironbound residents began gathering on the porches of their small brick and clapboard homes.

"I'm frightened to death," said El-

(See WASTE on 10-A)
Numerous N.J. sites to be tested for presence of toxic chemicals

By Susan Ondrovick New Jersey Monthly

"We are looking at them as potential terrorist targets. This is why there are some sites in the U.S. that have been closed to public access," said Susan Ondrovick, editor of the New Jersey Monthly.

According to Ondrovick, there are currently 1,000 sites in New Jersey that have been identified as potential terrorist targets due to their presence of toxic chemicals.

"These sites range from chemical plants to utilities," she said. "They are all potential targets for terrorists who may want to cause widespread destruction and panic."
Dioxin is found at plant

KENT, from a

Intruder, Pete, who took a black powder sample from a trash box, has since been "very close by even since I came here."

The news of the discovery that the plant is responsible for dioxin contamination in the area is being met by a mixture of surprise and anger. The local community is not alone in its reaction. Across the country, the United States Environmental Protection Agency (EPA) and the Department of Defense are investigating whether the plant is the source of dioxin contamination in the area. The EPA has already determined that the plant is a potential source of dioxin, but has not yet made a formal ruling.

The discovery of dioxin at the plant has sparked a wave of concern among local residents. "It's not just about the health of the people who work there," said one local resident. "It's about the health of everyone in the community." The community is calling for immediate action to prevent further contamination.

The company that owns the plant, Diamond Alkali, has been slow to respond. The company has repeatedly refused to provide information about the plant's operations and has been accused of covering up evidence of contamination.

The EPA has announced that it will begin a正式 investigation of the plant in the near future. Until then, the community is calling for more information and action to protect their health.

The discovery of dioxin at the plant is a reminder of the ongoing battle to clean up contamination left by decades of industrial activity. The community is determined to hold the company accountable and to ensure that the health of its residents is protected.
Newark dioxin threat: A question of seriousness

‘Long shot,’ says environmental aide

By Matthew Purdy
Inquirer Staff Writer

A top New Jersey environmental official said over the weekend that it was a “real long shot” that dioxin contamination at Diamond Alkali Co. in Newark threatened the health of residents near the plant.

Tom Burke, director of the state environmental department’s office of science and technology, which initiated the search for dioxin in the state, said the surveying of the residents’ health and the testing of homes and food from the Farmers Market near the site were “totally precautionary” measures.

He said that steps initiated last week — including moving the market and offering voluntary evacuation to 75 to 100 residents — were taken to “err on the side of safety,” not because of any evidence that the residents had suffered any ill effects of the contamination.

At the Farmers Market yesterday, a ban remained on the outdoor sale of Waste was ‘all over’ plant, doctor says

By Bob Drogin and H. G. Bissinger
Inquirer Staff Writers

NEWARK, N.J. — Dioxin and other toxic chemicals were “all over the place” at a Diamond Alkali Co. plant that produced the herbicide Agent Orange here in the 1960s, according to a former company doctor.

Dr. Roger Brodkin, now head of dermatology at the University of Medicine and Dentistry of New Jersey in Newark, said that workers had “no protection from chemical powders and vapors that routinely contaminated the plant grounds.”

“The stuff was coming out of the plant, being loaded into box car and it was all over the place,” Brodkin said yesterday. “The smokestack were belching the chemical intermediaries, including the dioxin. . . . was all over the ground, in your hair everywhere.”

Brodkin said that he treated about 50 workers at the plant for a severe skin rash, known as chloracne, due to (See DOCTOR on 4-A)
Toxic waste 'all over' at plant, doctor says

DOCTOR, from 1-A

ing weekly visits between 1962 and 1971, when the plant closed. Studies have shown that dioxin causes chloracne.

"I have seen workers who have had only one brief exposure and developed chloracne that lasted for years," he said. "There was a welder who put a pipe in the dioxin fire. His arm grew to the size of two cantaloupes, his face all covered with cysts and pus. It's rough stuff."

State and federal officials this week confirmed that high levels of dioxin, one of the most toxic chemicals, are still contaminated soil on the former Diamond Alkali site. Testing is underway to see if the contamination is spread beyond the plant gates and into the surrounding Ironbound neighborhood.

"It's a terrible disease, chloracne," Brodkin said. "You have to live with it, have 50 boils all over your arms, your groin, your back and go to the doctor every week to get four or five lance? It hurts."

Brodkin said he still treats "10 to 15" former plant workers for chloracne. He participated in a study conducted in 1962 and published two years later that found 29 Diamond Alkali workers with chloracne and 11 with liver problems.

The study followed an explosion at an autoclave at the herbicide plant in 1960. One man died and 19 were injured.

In another interview yesterday, a 75-year-old former employee of the plant, who asked not to be named, said he still suffers from chloracne rash under his arms and on his groin. He did not want his named used because "the company was very good to me."

He said that Diamond Alkali produced herbicide used in the defoliant Agent Orange in a building separate from other buildings on the three-acre site. Agent Orange contained dioxin.

He said there was no dumping or spills at the plant, but said, "there's always leakage in a chemical plant." A second study of plant workers by the Federal Public Health Service in 1969 found 13 workers with moderate rashes and 35 with mild rashes. A number of workers also complained of stomach illness, eye irritation and liver disorders.

In addition, the National Institute for Occupational Safety and Health in Cincinnati is reviewing certificates for workers at the Diamond Alkali plant in Newark and at 11 other plants around the nation where workers had been exposed to dioxin. NIOSH began the study in 1979 and expects to complete it in 1985, a NIOSH spokesman said yesterday.

The study is designed to see if the exposure to dioxin may have played a role in the deaths of former employees.

Dioxin is extremely toxic in laboratory animals and causes cancer, birth defects and other problems at very low levels. Other than chloracne, its effects on humans are disputed, however.

Brodkin said he approved of the state's efforts to guard the former Diamond Alkali plant and test for dioxin in surrounding homes and businesses.

"I think there is cause for concern," he said. "I think they should try to clean it up."

Dioxin threat to residents called 'long shot'

DIOXIN, from 1-A

fruits and vegetables. But about 40 residents said they don't trust produce inside their stores after installing plastic strips in doorways and windows, in order to be suspected by state environmental commissioner Robert Hughey.

In a telephone interview Saturday evening, Burke said he had been surprised by the lack of health complaints and that none of the residents had taken up the state's offer for free housing elsewhere in Newark.

By tomorrow morning or Wednesday morning, state officials expect to have the first results of tests on the contents collected from vacuum-cleaner bags in homes in Ironbound. The tests will help determine whether the dioxin has spread.

Tomorrow, testing will begin in Edison at the abandoned Chemical Insecticide Corp. plant, the second of 11 sites the state suspects of having been contaminated by dioxin, a chemical that has been associated with cancer and skin rashes.

Burke said the other sites that will be tested in the next few weeks have only a "slight" potential for being contaminated. Unlike the Newark and Edison sites, which have been out of use for some time, the other nine sites are operating, and state investigators, therefore, will have the "less likely possibility of finding something."

He said that although dioxin may have been used at other sites, by now the contaminant probably would have been cleaned up or dumped somewhere else. The state selected the 11 sites to examine because the chemical processes they use are suspected of producing dioxin as a byproduct.

Burke said that because they are abandoned, the Newark and Edison sites are in a "class by themselves."

In particular, the Newark site was notable for evidence of "really bad housekeeping."

There's nothing to compare with the kind of things we found up in Newark," he said.

There is evidence of at least two explosions at the plant and numerous spills, state officials have said. Burke said that he was unsure of the condition of the Edison site but that the nine operating plants were not worked by the poor state of the Newark operation.

"You can tell a bad actor when you see one," he said of the former Diamond Alkali plant.

In another development, the Associated Press reported that a former owner of the site in Newark alerted the current owner of the property two years ago that the site was contaminated.

The news service said that G. William Mitchell sent a mailgram with such a warning in June 1981 to Mari-
EPA seeks firms to begin cleanup of county's 2 worst chemical sites

By ELLIOT GOLDENBERG Times Staff

The search has begun for private firms to start work on the long- awaited proposal of cleanups at two Gloucestor County's worst environmental problem sites, state and federal environmental officials announced yesterday.

The actions are the first step toward cleanup of the 100-acre site in Mantua Township and the Bridgeton Oil and Refining Services Co. in Lavallette, which

The program to clean up the two sites has been managed by the Environmental Protection Agency, which

The cleanup projects have been discussed for several years and site was recently re- opened on an as-needed status for the last two years $1,067,000 a day to clean up.

At least 35 firms have been made before about the cleanup of Lavallette, but this time the work might actually start.

The site has been placed on the Superfund list by the Environmental Protection Agency.

The World Trade Center, which was destroyed by terrorists, is located in Mantua Township and the Bridgeton Oil and Refining Services Co. in Lavallette, which

The site has been placed on the Superfund list by the Environmental Protection Agency.

The economic impact of the terrorism will be felt throughout the county, including in Mantua, Bridgeton, and Lavallette.

The state Department of Agriculture's environmental testing will cover all cattle in Salem County and all farms in the county affected by the disease.

The disease is caused by a virus that infects cattle and can be transmitted through contact with infected cattle or by birth or birth of infected calves. It can be spread from farm to farm by small animals, people and equipment.

By celebrating its 100th anniversary, the company became the first in the United States to produce beef cattle for the meat industry.

The major breakthrough was the development of artificial insemination technology, which allowed farmers to cross-breed their herds and produce a more uniform product.

Cattle were tested for brucellosis in county

By ELIJAH GOLDENBERG Times Staff

About 75 percent of the estimated 350 cows and bulls in Gloucester County will be tested for brucellosis disease, as part of a state- sponsored initiative to test all dairy and beef farms in South Mountain and Eel River areas.

The disease Brucellosis has been detected in cattle in Salem County and one in Warren County in northern New Jersey.

Experts say the tests are important for both public health and for the dairy industry, as they help ensure the safety of the meat supply and reduce the risk of disease transmission.

In fact, the state has already tested more than 1,500 animals in Salem County and has found the disease in two additional herds.

The state Department of Agriculture's environmental testing will cover all cattle in Salem County, plus those in the northern part of Gloucester County.

The disease is usually transmitted among cattle in a form through contact with affected cattle or by birth or birth of infected calves. It can be spread from farm to farm by small animals, people and equipment.

By celebrating its 100th anniversary, the company became the first in the United States to produce beef cattle for the meat industry.

The major breakthrough was the development of artificial insemination technology, which allowed farmers to cross-breed their herds and produce a more uniform product.

Cattle were tested for brucellosis in county

By ELIJAH GOLDENBERG Times Staff

About 75 percent of the estimated 350 cows and bulls in Gloucester County will be tested for brucellosis disease, as part of a state- sponsored initiative to test all dairy and beef farms in South Mountain and Eel River areas.

The disease Brucellosis has been detected in cattle in Salem County and one in Warren County in northern New Jersey.

Experts say the tests are important for both public health and for the dairy industry, as they help ensure the safety of the meat supply and reduce the risk of disease transmission.

In fact, the state has already tested more than 1,500 animals in Salem County and has found the disease in two additional herds.

The state Department of Agriculture's environmental testing will cover all cattle in Salem County, plus those in the northern part of Gloucester County.

The disease is usually transmitted among cattle in a form through contact with affected cattle or by birth or birth of infected calves. It can be spread from farm to farm by small animals, people and equipment.
**People**

**Music awards**

NASHVILLE, Tenn. (AP) — "The Voice" has added another victory to its growing list of wins, and they reciprocated by taking home three more trophies at the annual Country Music Awards.

Billy Ray Cyrus, who died of heart failure last week, was posthumously honored at the Country Music Awards on Monday. The ceremonial award, for "A Song That'll Go On Forever," was presented to the late country star's widow, Tish Cyrus.

"He loved his family and they really thought about him," said Tish Cyrus.

**Show goes on**

PHILADELPHIA (AP) — The show will go on, with actress Tyne Daly taking the place of the show's cancelled star, who was fired from a dinner theater production after a controversy over a past relationship.

Ms. Minnelli recently revealed a novel she was writing, "A Dream of Rome," as her first published novel.

"Her Majesty" by Howard Hughes after visiting the set. The actress agreed to take the starring role in "The Love Letter," a mix of the popular series "The Bold and the Beautiful," public relations spokesmen said.

**Dixion**

LOUISVILLE (AP) — Timothy Dixion and his cousin, Charles Johnson, a both of Dixion, submitted a list of candidates, including actress Lynn Minnelli, for consideration for the position of mayor of the Dixion, officials said.

The Johnson professions were a shock to the officials of Dixion, who said the mayor's race will become a familiar one. It was believed the mayor would not seek the office in Dixion.

The mayor's campaign said she was at the Dixion dinner Tuesday night. They said they were the lead candidate in the Dixion mayor's election.

**College graduate**

John P. Kennedy Jr., right, walks with his mother Jacqueline Kennedy Obama on the campus of Brown University in Providence, R.I., after he received his bachelor of arts degree in May.

Artist honored

DUHRAM, N.C. (AP) — Christophor Paul Taylor, head of the Paul Taylor Dance Company, has been named to the 38th annual New England Awards. The awards are given to outstanding artists in the field of dance.

The ceremony was held at the Paul Taylor Dance Center on Saturday.

**Weather**

The Forecast For 8 a.m. EDT

<table>
<thead>
<tr>
<th>Location</th>
<th>High</th>
<th>Low</th>
</tr>
</thead>
<tbody>
<tr>
<td>North Jersey</td>
<td>50°F</td>
<td>36°F</td>
</tr>
<tr>
<td>North Carolina</td>
<td>55°F</td>
<td>40°F</td>
</tr>
<tr>
<td>South Carolina</td>
<td>60°F</td>
<td>45°F</td>
</tr>
</tbody>
</table>

**New England**

Rain and snow showers. Rain at times. Windy, with a high of 50 mph, and a low of 35 mph. Winds out of the northwest.

**Area**

Wednesday will be a partly sunny day, according to the National Weather Service. Northern parts of the state will be the windiest, with a high of 35 mph and a low of 20 mph. Winds will be northeasterly at 5 to 10 mph.

**Extended Forecast**

Fair Thursday. Mostly sunny with showers possible. Friday. Partly cloudy, with a high of 70 and a low of 40. Saturday. Mostly sunny, with a high of 75 and a low of 45.

**Jersey Shore**

Tuesday. Fair, with a low in 60s, and a high in 70s. Wednesday. Mostly cloudy, with a high in 70s. Thursday. A mix of sun and showers, with a high in 60s.

**River Area**

Grand view of the river at high tide. High in the 80s.

**Swedesboro council may apply for economic grant**

Swedesboro council may apply for an economic grant program that was a success in Siren, Wis.

She said each community interested in applying for the federal program would have to meet specific criteria for their area to be considered.

"The program was successful because it helped communities find specific economic improvements," she said. "It will also have a real sense of community pride," she said.

The reaction from council members was favorable.

**EPA**

EPA officials said the project is aimed at reducing waste and improving water quality.

"The project will help to reduce waste and improve water quality," said EPA Administrator Scott Pruitt. "It will also help to improve the environment and reduce the need for water undermines of water systems.

**Dioxin**

LARGE (AP) — The in the Georgia Department of Natural Resources was given a grant by the federal government.

The grant will be used to help the state's efforts to clean up dioxin contamination.

**Announcement**

Samuel H. Bullock, Esq., has been named Director of the General Practice of Law at 38 N. Broad St. Woodbury, N.J. 08096. For appointment call 845-8808.
Terry Moore steps in for Zsa Zsa on stage

By KEVIN RICHARD
27 of The Courier-Post

PHILADELPHIA — Terry Moore, an actor who stands in for performers of similar size as the late Roger Williams, will replace the Zsa Zsa Gabor in the leading role of "Zsa Zsa." Moore, 42, was first seen in "After Six," which is currently running in Philadelphia. Moore, who is married to actress Linda Williams, was discovered by the late Roger Williams after nearly marrying him in 1949.

Last week, Moore achieved a record on a Philadelphia television show called "The Backroom." He was given the role of the lead actor in the show, and Moore will receive a settlement that he described as "more than eight times" the $5,000 he had been offered.

With her seven-year-old battle won, Moore said yesterday she is ready to return to acting.

"I do all the hard work, and I really love the theater. I'll get back up on that stage," Moore said.

"I'm not going to let this go to waste. We put in a lot of money and time into this," Moore added.

The leak began about 18 hours later, when a building on the grounds where chlorate is stored caught fire. The leak is expected to continue for at least a month, according to officials.

"We're meeting with the fire department to ensure the safety of the workers," said one official.

Large turnout expected for today's primary

State legislative races, county freeholder bids highlight ballot

By LILLIAN McKENZIE
27 of The Courier-Post

New Jersey voters went to the polls today with state election officials predicting the highest turnout since 1968 for a primary election. Turnout was expected to be between 30 and 35%.

The leak began about 18 hours later, when a building on the grounds where chlorate is stored caught fire. The leak is expected to continue for at least a month, according to officials.

"We're meeting with the fire department to ensure the safety of the workers," said one official.

Large turnout expected for today's primary

State legislative races, county freeholder bids highlight ballot

By LILLIAN McKENZIE
27 of The Courier-Post

New Jersey voters went to the polls today with state election officials predicting the highest turnout since 1968 for a primary election. Turnout was expected to be between 30 and 35%.

The leak began about 18 hours later, when a building on the grounds where chlorate is stored caught fire. The leak is expected to continue for at least a month, according to officials.

"We're meeting with the fire department to ensure the safety of the workers," said one official.

Large turnout expected for today's primary

State legislative races, county freeholder bids highlight ballot

By LILLIAN McKENZIE
27 of The Courier-Post

New Jersey voters went to the polls today with state election officials predicting the highest turnout since 1968 for a primary election. Turnout was expected to be between 30 and 35%.

The leak began about 18 hours later, when a building on the grounds where chlorate is stored caught fire. The leak is expected to continue for at least a month, according to officials.

"We're meeting with the fire department to ensure the safety of the workers," said one official.

Large turnout expected for today's primary

State legislative races, county freeholder bids highlight ballot

By LILLIAN McKENZIE
27 of The Courier-Post

New Jersey voters went to the polls today with state election officials predicting the highest turnout since 1968 for a primary election. Turnout was expected to be between 30 and 35%.

The leak began about 18 hours later, when a building on the grounds where chlorate is stored caught fire. The leak is expected to continue for at least a month, according to officials.

"We're meeting with the fire department to ensure the safety of the workers," said one official.

Large turnout expected for today's primary

State legislative races, county freeholder bids highlight ballot

By LILLIAN McKENZIE
27 of The Courier-Post

New Jersey voters went to the polls today with state election officials predicting the highest turnout since 1968 for a primary election. Turnout was expected to be between 30 and 35%.

The leak began about 18 hours later, when a building on the grounds where chlorate is stored caught fire. The leak is expected to continue for at least a month, according to officials.

"We're meeting with the fire department to ensure the safety of the workers," said one official.

Large turnout expected for today's primary

State legislative races, county freeholder bids highlight ballot

By LILLIAN McKENZIE
27 of The Courier-Post

New Jersey voters went to the polls today with state election officials predicting the highest turnout since 1968 for a primary election. Turnout was expected to be between 30 and 35%.

The leak began about 18 hours later, when a building on the grounds where chlorate is stored caught fire. The leak is expected to continue for at least a month, according to officials.

"We're meeting with the fire department to ensure the safety of the workers," said one official.

Large turnout expected for today's primary

State legislative races, county freeholder bids highlight ballot

By LILLIAN McKENZIE
27 of The Courier-Post

New Jersey voters went to the polls today with state election officials predicting the highest turnout since 1968 for a primary election. Turnout was expected to be between 30 and 35%.

The leak began about 18 hours later, when a building on the grounds where chlorate is stored caught fire. The leak is expected to continue for at least a month, according to officials.

"We're meeting with the fire department to ensure the safety of the workers," said one official.

Large turnout expected for today's primary

State legislative races, county freeholder bids highlight ballot

By LILLIAN McKENZIE
27 of The Courier-Post

New Jersey voters went to the polls today with state election officials predicting the highest turnout since 1968 for a primary election. Turnout was expected to be between 30 and 35%.

The leak began about 18 hours later, when a building on the grounds where chlorate is stored caught fire. The leak is expected to continue for at least a month, according to officials.

"We're meeting with the fire department to ensure the safety of the workers," said one official.
Fly AIA to Cleveland, Detroit or Boston and save up to $190.10.

AIA makes it worth your while to take off from Atlantic City International instead of Philly.

American International Airways has the lowest fares to Cleveland, Detroit and Boston. With savings up to $100 over any other airline.

- Convenient DC-9 nonstop jet service to all three cities.
- Free parking less than 1 minute from your flight.
- Only 55 minutes from Center City Philadelphia, less from South Jersey.
- Easy-to-load schedules and fares to Ft. Lauderdale, Miami, Orlando, and West Palm Beach, too.

We're easy to take.

Tomorrow's forecast

- Poconos

- New Jersey

- Delaware Valley

- Atlantic City

- Cape May

- South Jersey Skies

South Jersey Skies

Tuesday, July 10


Wednesday, July 11

Expect thunderstorms and a high of 85°F. Humidity: 65%. Wind: 8 mph.

Thursday, July 12

A chance of showers and a high of 88°F. Humidity: 70%. Wind: 6 mph.

Friday, July 13

Mainly sunny with a high of 89°F. Humidity: 65%. Wind: 6 mph.

Saturday, July 14

A chance of showers and a high of 84°F. Humidity: 65%. Wind: 8 mph.

Sunday, July 15

Mainly sunny with a high of 87°F. Humidity: 60%. Wind: 8 mph.

Travel forecast

Thunderstorms were expected over most of the Eastern Seaboard. Many state office were forecast for the rest of the nation.

Temperatures

<table>
<thead>
<tr>
<th>U.S.</th>
<th>Temperatures</th>
</tr>
</thead>
<tbody>
<tr>
<td>CAPE MAY</td>
<td>70°F</td>
</tr>
<tr>
<td>NEW JERSEY</td>
<td>72°F</td>
</tr>
<tr>
<td>NEW YORK</td>
<td>74°F</td>
</tr>
<tr>
<td>DELAWARE</td>
<td>70°F</td>
</tr>
<tr>
<td>POCONOS</td>
<td>70°F</td>
</tr>
<tr>
<td>SOUTH JERSEY</td>
<td>74°F</td>
</tr>
<tr>
<td>PHILADELPHIA</td>
<td>74°F</td>
</tr>
</tbody>
</table>

Resorts

- Cape May
- Frankford
- Atlantic City
- Jersey Shore
- Poconos
- South Jersey
- Philadelphia

Weather

South Jersey: TOMORROW: Fair. Lows in the mid to low 70s. Highs in the low to mid 80s.

NEXT THREE DAYS: Fair with possible showers through the period. Highs in the mid to upper 80s. Lows in the low 70s.

The Jersey Shore: TOMORROW: Fair. Lows in the mid to high 70s. Highs in the low to mid 80s.

NEXT THREE DAYS: Fair with possible showers through the period. Highs in the low to mid 80s. Lows in the low to upper 70s.

The State: TOMORROW: Fair. Lows in the low to mid 80s. Highs in the mid to upper 80s.

NEXT THREE DAYS: Fair with possible showers through the period. Highs in the mid to upper 80s. Lows in the low to upper 70s.

The Poconos: TOMORROW: Fair. Lows in the low to mid 70s. Highs in the upper 70s to low 80s.

NEXT THREE DAYS: Fair with possible showers through the period. Highs in the low to mid 80s. Lows in the low to upper 70s.

How To Get Your First Degree Without Getting The Third Degree.

If you're serious about continuing your education, security is serious about lending you the money to do it. What's more, we think you should be able to get the money you need without going through a grand jury investigation.

That's why you should talk to the people at Security Savings before you put anywhere else for a student loan. We're here to make this the first step in building a larger sum of money. Security Savings makes your student loans to make things as easy as possible for you. Security student loan terms are available at substantially lower interest rates.

And your loan is interest free while you're in school. What's more, you don't have to begin payments until six months after you graduate. And you can take up to ten years to pay it back.

One more important point: Fill out the coupons and we'll send you a copy of what the required forms are sent to you. On call and answer the forms from Dona Bullah at (408) 271-2012.

Security

"Let what you think of next?"
Newark tests reveal some dioxin spread

By TOM ROSENTHAL
Associated Press

NEWARK — Dioxin has spread beyond the grounds of an abandoned herbicide plant here, but officials say tests show contamination of nearby homes and businesses by the toxic chemical is not as serious as they had feared.

The tests were done after officials announced last week that large amounts of dioxin were found in the ground around a plant formerly operated by the Diamond Alkali Co.

Gov. Thomas H. Kean said that of 31 dust and dirt samples taken in the neighborhood, dioxin in low concentrations was found at one home, at a chemical treatment plant and at a street curb.

Kean said yesterday that the results made him "guardedly optimistic" that the contamination primarily was contained at the plant. And Richard Dewling, assistant regional

Please see TESTS, Page 4A

Courier Post
June 8, 1983
Tests near Newark plant reveal limited spread of dioxin

Continued from Page 1A

Kean said further tests would be conducted and that parts of the four-acre plant site would be shrouded with a canvas tarpaulin to prevent any further spread of dioxin. He said areas at the site "hot" with contamination eventually would be entombed, possibly in concrete.

The plant manufactured the defoliant Agent Orange and other herbicides in the 1960s. Dioxin — an unwanted byproduct in the manufacture of some of the herbicides, including Agent Orange — is the most dangerous substance synthesized by man. It has been linked to a host of unwanted byproduct in the manufacture of some of the herbicides, including Agent Orange — is the most dangerous substance synthesized by man. It has been linked to a host of health problems, including cancers, birth defects and liver and kidney ailments.

Kean said the preliminary findings will be sent to a California laboratory for verification. He noted the EPA would return to the area Monday to conduct more extensive sophisticated testing.

Samples taken two weeks ago by the EPA at plant site found levels of dioxin ranging from 58 parts per billion to 1,200 parts per billion. One part per billion is considered hazardous to human health, according to the state Department of Environmental Protection.

The preliminary results found 1.1 parts per billion at the residence, whose occupants officials did not identify. 1.2 parts per billion at SCA Chemical Services Inc.; and 5.8 parts per billion at a street curb. Officials would not say how far the contamination found in the street was from the plant.

"We did not find the kind of gross contamination we were concerned about, given the levels of contamination (at the plant). What we've got right now is not high levels," Kean said, adding he would not be fully relieved until the test results were returned from California.

Kean said the Department of Health employees to visit the residences of the house where traces of dioxin were discovered.

The plant owned by Diamond Alkali, which eventually became part of Diamond Shamrock Corp. through a merger, was sold in 1971. It is now owned by Marisol Inc., which purchased it as a real estate investment.

Kean invoked his emergency powers last Thursday to order a nearby farmers market closed. He also banned consumption of fish taken from the Passaic River, which runs along the rear of the plant in Ironbound section of the state's largest city.

The governor also offered to house 100 residents of homes within 300 yards of the plant at a city YMCA at state expense pending final testing, but no one accepted his offer.

After the disclosure of preliminary tests yesterday, Kean stopped at a bar about a block from the contaminated plant to tell area residents he was cautiously optimistic about the findings. At the bar, the Lisbon at Night, Kean bought all the patrons a beer.

Kean also noted no levels of dioxin were found at the farmers market, but he said the restrictions previously ordered — including a ban on outdoor sales of food there — would remain in effect.

While Kean was praised by area residents for visiting their neighborhood, the governor was not able to reduce all fears.

"I'm not relieved," said John Vuocola, who added officials had not taken a sample from his house about a block from the plant. "There's not enough information. I'll wait until next week."

"I'm not reassured," said Nancy Zack, who lives seven blocks from the plant. "It's good it's not at the level that's at the site, but it's still a level, dangerous to health."

Meanwhile, in Edison, inspectors in white-hooded safety suits combed a vacant lot yesterday, scooping up soil that will be tested to determine whether it is contaminated with dioxin.

The two-acre lot on Whitman Avenue is one of 10 sites in New Jersey officials decided to test for dioxin after the discovery of the contamination at the Newark site.

Private homes are about 1,000 feet from the former Chemical Insecticide Corp. site. If tests reveal dioxin contamination, the EPA will do its own tests and will screen local residents and workers in the surrounding industrial area, said James Staples, spokesman for the state Department of Environmental Protection.
Dioxin: Why a chemical quirk remains such a threat

In Rick Bihler's

Thursday, July 17, 1980

The Environmental Protection Agency received two letters last week from two former attorneys general expressing their support for a national ban on dioxin. "Dioxin is a serious threat to public health, and any further delay in its prohibition would be both irresponsible and indefensible," said Edward H. Levi, attorney general of the District of Columbia. "That's why we've asked the EPA to act now," he added. "There is no time to be lost in this matter."...
Dioxin probe spreads to Pa., 2 other states

By Bob Drogin, James Asher and Matthew Purdy
Inquirer Staff Writers

The federal Environmental Protection Agency yesterday began a preliminary investigation of 14 sites in Pennsylvania, Maryland and West Virginia that may be contaminated with dioxin, EPA officials in Philadelphia said yesterday.

The EPA said the list comprised six sites in Pennsylvania and four each in Maryland and West Virginia where companies were reported to have manufactured herbicides associated with dioxin, one of the most toxic chemicals known.

The officials cautioned, however that the list was still incomplete and unconfirmed. They said a complete list would be issued today or tomorrow.

"We're trying to find out if we have a problem," said Steve Wassersug, head of regional EPA air and waste management. "These are not necessarily sites where there is dioxin. We're talking about sites where (See DIOXIN on 14-A)
EPA begins dioxin probe of 14 sites in Pennsylvania, Maryland, West Virginia

DIOXIN, from 1-A

there may be the potential of a problem.

He said the EPA notified state officials yesterday and set up a dioxin task force to coordinate investigations and testing at the sites.

Wassersug declined to identify the companies or the sites, but he said the list was being drawn from a lengthy 1980 EPA report on dioxin as well as from state and federal records. Dioxin is a chemical impurity formed during the production of certain herbicides.

According to the 1980 report, area companies that produced herbicides associated with dioxin include: Alco Chemical Corp., 3136 Guilford St. in Northeast Philadelphia; Machem Products Inc. and Union Carbide Corp. Both in Ambler, Montgomery County; American Color and Chemical Corp. in Lock Haven, Pa.; Miller Chemicals in Whiteford, Md.; Monsanto Chemical Co. and Roberts Chemicals Inc., both in Nitro, W.Va., and Union Carbide Corp. in Charles Town, W.Va.

None of the companies could be contacted last night. Most of the companies had produced 2,4,5-Trichlorophenoxy acetic acid, called 2,4-D, or 2,4,5-Trichlorophenoxy acetic acid, called 2,4,5-T, according to the 1980 report. Dioxin known to be an impurity in both herbicides.

Two herbicides were combined during the 1960s to form Agent Orange, herbicide sprayed in Vietnam. Herbicide 2,4,5-T also was widely used in this country until 1979, when it was restricted because of reports of birth defects and other problems.

We're looking at sites involved with the production and handling of 2,4-D and 2,4,5-T," said Ed Skernolis, head of the dioxin task force. He said none of the companies so far identified by the EPA had been contacted. "On one side, we want to move out as quickly as possible, but the other side is we want to move out as accurately as possible," Skernolis said.

"We need to make sure we're not talking about a paper corporation. Some of these might be inactive sites. Some of these might be operating facilities. Some of these might have at one time or the other produced a herbicide."

Skernolis said it "might be a week or more" before testing could begin. The Monsanto plant in Nitro, W.Va., had the nation's first reported accident involving dioxin in 1949. A 1981 report by the American Medical Association noted that 47 firms, Monsanto workers had sued the company for $7 billion after they claimed suffering from kidney disease and other ailments.

Wassersug said the first two areas found to contain dioxin were the former Diamond Alkali plant in Orange, N.J., and another suspected dioxin site in Edison, N.J. The abandoned Chemical Insecticide Corp. plant in Edison is the second site to be inspected of the 11 suspected of possible dioxin contamination. Soil samples were taken Tuesday from the Edison site, and tests are expected to be completed by early next week.

Michael Catania, chief of regulatory enforcement for the DEP, said he hoped to know in the next week where the Diamond Alkali plant disposed of wastes.

Last week, tests by state and federal authorities found levels ranging from 60 to 1,200 parts per billion in the soil at the Diamond Alkali plant, which produced the herbicide Agent Orange,庄具 its byproduct, dioxin.

The levels of 1.1 parts per billion, found in the debris taken from a vacuum cleaner bag at one area residence, and 1.2 parts per billion, from the air conditioner of a waste-treatment plant adjacent to the contaminated site, fall just outside the "safe" level of dioxin set earlier this year by the federal Centers for Disease Control for two contaminated sites in Missouri.

Renate Kimmich, a toxicologist at the CDC, said the acceptable level of 1.1 parts per billion for human beings would be established by testing labors of 15 parts per million under the federal dome. Walter Lee, an organ...
Town's lifeblood may be killing it

DIOXIN, from 1-A cough and gag.
"Every now and then you'd hear a buzzer go off, and everyone would be running out of the plant," Mrs. Marcaccio said as she sat sewing in her living room. "Sometimes it would smell so bad; there'd be a blue — what do you call it — an ammonia cloud, and you'd have to shut your doors."

When her dog turned yellow and the color wouldn't wash out, the company sent someone to the house. "A guy came over here — he was a big shot all dressed up in a suit — and he clipped some of the fur off and said there was nothing to worry about. The yellow never did come out. We had to have the dog shaved."

Mrs. Marcaccio continued to live in the neighborhood, and people continued to go to work every day at the plant. Some neighbors said the workers would emerge with red skin one day, purple another. The plant emptied for the last time in November.

With the city's unemployment rate more than 20 percent these days, it would not surprise Mrs. Marcaccio to see a line forming outside the door if the plant announced it was reopening. At one time, the company employed about 350 people, according to Frank Taggart, who has been city manager here for 13 years.

"Of course, the company had a tremendous impact on our community when they ceased operation," Taggart said in an interview in his office. "They were the biggest users of our city water. They made a big contribution to the sewer-treatment plant. There is an impact on taxes — there was a tax levy of $10 per employee. But the biggest impact was employment."

Residents are finding out here, and in other places like the Iron City section of Newark, where there is dioxin contamination, that what has kept them alive all these years may also be killing them.

It was the discovery of dioxin in Newark that led regional EPA officials to broaden their investigation of potential dioxin-contaminated sites. Dioxin is recognized as one of the most deadly chemicals. Minute levels have been known to cause cancer, birth defects and other problems in laboratory animals. Its effect on the health of humans is disputed. Until the last couple of years, in fact, residents here, of course, residents didn't even know whether the area was contaminated.

For some former workers, like Frank Furl, the testing is not enough.

"I've had residents attributed the problems with their sheets and animals to the plants, but it was just in the last year or so that they began to question the connection between instances of cancer and the proximity of their homes to the plants. Now they talk about their illnesses as easily as some people discuss their car troubles."

"We had a cow that died. It got sick after those fumes went across the back yard, and the next day it was dead. We went to the plant, but it didn't do no good. They said it was progress, there was nothing they could do. There must have been something wrong with the cow."

Still, Gorham continued to play there, and when he got older he hunted rabbits and rats. He said he couldn't let many of the rabbits go though. "We'd cut them open, and they have these growths. I just thought there were a hell of a lot of sick rabbits back there."

The developments of last week had residents remembering things that they assumed were all a part of living next to buildings with smokestacks and colored lagoons. And though they are beginning to raise questions, they're still withholding judgment.

"Oh no, no one is getting hysterical," Mrs. Jerles said when asked about the EPA's investigation. "They lived around it all their lives. They worked in it, so there's no sense in getting hysterical. If they do find anything, there's not much they can do."

Beverly Marcaccio cuddles her granddaughters Jamie Phoenix, 7, (right) and Jodie, 4.

A kind of rural toughness here allows residents to joke about the "moon suits" used by the EPA to work with chemicals that they handled for years dressed only in coveralls.

"They keep telling us that nothing's wrong," said Raymond Gorham, an auto mechanic who grew up in a house with a yard that ran adjacent to Drake Chemical. "If there's nothing wrong, why are they wearing those suits?"

Gorham, 45, lived in the neighborhood around Drake for 23 years. When he was a boy, he and his pals used to play commando on the grounds of the plant. "Sometimes it would eat your shoes right off if you stepped in the wrong stuff," he said with a tight-lipped smile.

"We had a cow that died. It got sick after those fumes went across the back yard, and the next day it was dead. We went to the plant, but it didn't do no good. They said it was progress, there was nothing they could do. There must have been something wrong with the cow."

Still, Gorham continued to play there, and when he got older he hunted rabbits and rats. He said he couldn't let many of the rabbits go though. "We'd cut them open, and they have these growths. I just thought there were a hell of a lot of sick rabbits back there."

The developments of last week had residents remembering things that they assumed were all a part of living next to buildings with smokestacks and colored lagoons. And though they are beginning to raise questions, they're still withholding judgment.

"Oh no, no one is getting hysterical," Mrs. Jerles said when asked about the EPA's investigation. "They lived around it all their lives. They worked in it, so there's no sense in getting hysterical. If they do find anything, there's not much they can do."
NEWS RELEASE

RELEASE: June 15, 1983
CONTACT: Joe Gonzalez
Bob Geary

NJBIA ASKS REASONABLE "RIGHT TO KNOW" AMENDMENTS

The New Jersey Business and Industry Association today called for serious debate in the Assembly on the "universal labeling" provisions of the proposed "Worker and Community Right to Know Act" before a final vote on the bill.

As it stands now, the proposed Act (A-3318) would require some 27,000 companies in New Jersey to label every container in the workplace, whether it contains anything hazardous or not. The labels would have to provide a complete breakdown of the ingredients that make up the substance in the container.

(The latest amendments, adopted Monday at the request of the sponsor, Assemblywoman Barbara Kalik, provide that, for non-hazardous substances, only the five predominant ingredients would have to be listed on the label. Obviously, however, companies would be forced to gather a complete list of ingredients, even for non-hazardous substances, in order to determine which five are predominant.)

NJBIA believes that the bill now before the Assembly goes far beyond the widely accepted goal of assuring that workers and key local officials have access to detailed information about hazardous substances with which they may come into contact.

In particular, A-3318's "universal labeling" clause appears to be designed with the goals of labor union organizers in mind rather than the needs of workers and community leaders.

Under universal labeling, plant workers will be confronted with a mass of unrecognizable chemical formulations on container labels that will have the effect of obscuring the information about workplace hazards that they need to assure day-to-day plant safety.

At the same time, thousands of New Jersey companies, from chemical plants to auto body shops to newspaper publishers will be required to label every substance in the workplace down to the ink in the copying machines—and the labels won't just say "ink," they'll contain a list of the bases, the pigments, the dyeing additives, and whatever else "predominates" in ink.
"In all, we are talking about 27,000 companies of various sizes and descriptions labeling more than 150,000 substances made up of more than 500,000 'chemical' ingredients, and all of this for no discernible 'public policy purpose,'" Bruce G. Coe, president of NJBIA said.

Proponents of A-3318 have argued that NJBIA, among other groups, "opposes labeling." That statement is just not true.

NJBIA has consistently argued, however, that container labels should be functional, conveying as quickly and effectively as possible to the employees who handle them 1) a common, recognizable substance name, 2) safe handling instructions, and 3) instructions, including possible medical treatment, if the substance is mishandled.

NJBIA has also said that the labels on hazardous substances should direct interested employees to a Material Safety Data Sheet (MSDS) on file in a central location in the workplace that would contain the detailed ingredient information that A-3318 requires be put on every label, whether for hazardous or non-hazardous substances.

In fact, the proposed OSHA regulation regarding "hazardous communications" uses this kind of labeling-and-reference system. NJBIA believes that the clear pre-emption clause in the OSHA regulation will, when it is adopted, bar New Jersey from enacting different rules on the same subject. That issue is likely to be settled in the courts.

"The effect of the OSHA-style approach, which we favor, will be to convey to interested employees and community leaders, firemen, and others the very same information about workplace hazards as is called for by A-3318, but in a far more efficient and effective manner," NJBIA's Coe said.

The only apparent reason for requiring this information to be put directly on millions of containers in thousands of work sites around the state is for the convenience of labor organizers.

For their purposes, surrounding workers on a daily basis with hundreds of obscure-sounding chemical formulations helps convince members and potential members that they need the union to protect against workplace hazards.

Any union could fetch the same information from the files, of course, but the impact on the employees they are working to cultivate would be nowhere near as dramatic.

"Industry does not object to providing relevant information to workers and the community, and we have not made an issue of the cost of doing so," Coe said.

"We do object to the high cost of providing redundant and confusing information for the sole apparent purpose of doing organized labor's work for them," he said.
FYI -- Attached are two labels, one currently in use by a major New Jersey company, the other what would be required by A-3318.

The first label conveys safety information and, by number, corresponds to a company MSDS that is available for inspection by employees and contains detailed chemical information.

The second (A-3318) label contains the information required by the bill.

Both labels describe a common "coal tar dye," in one case a black dye and in the other a blue dye.
CALCOZINE* BLACK 
CSP LIQUID

Mixture of basic dyes in acetic and hydroxyacetic acids and water

DANGER! CAUSES BURNS OF EYES AND SKIN
HARMFUL IF INHALED. VAPOR IRRITATING.
COMBUSTIBLE LIQUID AND VAPOR.
Do not get in eyes, on skin, on clothing. Avoid breathing vapor.
Keep away from heat and flame. Keep container closed.

Use with adequate ventilation. Wash thoroughly after handling.

FIRST AID: In case of contact, immediately flush eyes or skin with plenty of water for at least 15 minutes while removing contaminated clothing and shoes. Get medical attention. Wash clothing before reuse.

NOTICE
This product contains the following material to which employees exposure, as air contaminants, must be limited according to the Occupational Safety and Health Act and its regulations (29 CFR Section 1910.1000): Acetic Acid.

ATTENTION
Do not use air pressure or apply heat with open flame to remove contents of this drum. After emptied, drum may retain solid, liquid, and/or vapor residues. Continue to observe all precautions, if any, on label. Do not cut, puncture, torch, or weld on or near the emptied drum. Do not use for other purposes.

AVG. GR. 317½ NET 300
143.9 kg 159.9 kg

PROTECT FROM FREEZING

42198-07

ABC CORP—TRENTON, NJ
<table>
<thead>
<tr>
<th>CAS#</th>
<th>CAS NAME</th>
<th>COMMON NAME</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>64-19-7</td>
<td>Acetic Acid</td>
<td>Acetic Acid</td>
<td>24.7</td>
</tr>
<tr>
<td>112-80-1</td>
<td>9-Octadecenoic Acid</td>
<td>Oleic Acid</td>
<td>0.2</td>
</tr>
<tr>
<td>79-14-1</td>
<td>Acetic acid, hydroxy-</td>
<td>Hydroxyacetic Acid</td>
<td>7.8</td>
</tr>
<tr>
<td>448-25-1</td>
<td>1, 3-Benzenediamine, 4, 4'—((4-Methyl-1, 3-Phenylene) Bisd (Azol) Bisd (6-Methyl)—</td>
<td>Bismarck Brown Rx Base</td>
<td>10.2</td>
</tr>
<tr>
<td>5329-14-6</td>
<td>Sulfamic Acid</td>
<td>Sulfamic Acid</td>
<td>6.2</td>
</tr>
<tr>
<td>7732-18-5</td>
<td>Water</td>
<td>Water</td>
<td>37.3</td>
</tr>
<tr>
<td>510-13-4</td>
<td>Benzenemethanol, 4-(Dimethylamino)—Alpha—(4-Dimethylamino)Phenyl)—</td>
<td>Malachite Green Color Base</td>
<td>3.0</td>
</tr>
<tr>
<td></td>
<td>Alpha—Pheny[—</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7664-93-9</td>
<td>Sulfuric Acid</td>
<td>Sulfuric Acid</td>
<td>0.8</td>
</tr>
<tr>
<td>109-86-4</td>
<td>Ethanol, 2-Methoxy—</td>
<td>Methyl Cellosolve</td>
<td>0.8</td>
</tr>
<tr>
<td>126-86-3</td>
<td>5-Decyne-4, 7-Diol, 2, 4, 7, 9-Tetramethyl—</td>
<td>Surlynol 104H</td>
<td>0.03</td>
</tr>
<tr>
<td>548-62-9</td>
<td>Methanamium, N-(4-(Diethylamino)Phenyl) Methylene)—2, 5-Cyclohexadiene-1—Ylidene)-N-Methyl—, Chloride</td>
<td>Crystal Violet</td>
<td>2.6</td>
</tr>
<tr>
<td>72102-56-8</td>
<td>Methylum, (4-(Dimethylamino) Phenyl) Bis (4-Ethylamino)—3-Methylphenyl—Chloride</td>
<td>Cellulosate Acetate</td>
<td>1.5</td>
</tr>
<tr>
<td>111-15-9</td>
<td>Ethanol, 2-Ethoxy-, Acetate</td>
<td>Hydrochloric Acid</td>
<td>0.4</td>
</tr>
<tr>
<td>7547-01-0</td>
<td>Hydrochloric Acid</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7440-60-9</td>
<td>Hydrochloric Acid</td>
<td></td>
<td></td>
</tr>
<tr>
<td>CAS#</td>
<td>CAS NAME</td>
<td>COMMON NAME</td>
<td>%</td>
</tr>
<tr>
<td>--------</td>
<td>----------------------------------------------------</td>
<td>-------------</td>
<td>-------</td>
</tr>
<tr>
<td>64-19-7</td>
<td>Acetic Acid</td>
<td>Acetic Acid</td>
<td>24.7</td>
</tr>
<tr>
<td>112-80-1</td>
<td>9-Octadecenoic Acid</td>
<td>Oleic Acid</td>
<td>0.2</td>
</tr>
<tr>
<td>79-14-1</td>
<td>Acetic acid, hydroxy—</td>
<td>Hydroxyacetic Acid</td>
<td>7.8</td>
</tr>
<tr>
<td>448-25-1</td>
<td>1, 3-Benzenediamine, 4, 4'—</td>
<td>Bismarck Brown Rx Base</td>
<td>10.2</td>
</tr>
<tr>
<td></td>
<td>((4-Methyl-1, 3-Phenylene) Bis (Azol) Bis (6-Methyl)—</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5329-14-6</td>
<td>Sulfamic Acid</td>
<td>Sulfamic Acid</td>
<td>6.2</td>
</tr>
<tr>
<td>7732-18-5</td>
<td>Water</td>
<td>Water</td>
<td>37.3</td>
</tr>
<tr>
<td>510-13-4</td>
<td>Benzenemethanol, 4-(Dimethylamino)—</td>
<td>Malachite Green Color Base</td>
<td>3.0</td>
</tr>
<tr>
<td></td>
<td>Alpha-(4-Dimethylamino)Phenyl)—</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Alpha—Phenyl—</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7664-93-9</td>
<td>Sulfuric Acid</td>
<td>Sulfuric Acid</td>
<td>0.8</td>
</tr>
<tr>
<td>109-86-4</td>
<td>Ethanol, 2-Methoxy—</td>
<td>Methyl Cellosolve</td>
<td>0.8</td>
</tr>
<tr>
<td>126-86-3</td>
<td>5-Decyne-4, 7-Diol, 2, 4, 7, 9-Tetramethyl—</td>
<td>Surfnol 104H</td>
<td>0.03</td>
</tr>
<tr>
<td>548-62-9</td>
<td>Methanamium, N-(4-(Bis (4-(Dimethylamino Phenyl) Methylene)—2, 5-Cyclohexadiene-1— Ylidene)-N-Methyl)— Chloride</td>
<td>Crystal Violet</td>
<td>2.6</td>
</tr>
<tr>
<td>72102-56-8</td>
<td>Methylium, (4-(Dimethylamino) Phenyl) Bis (4-Ethylamino)— 3-Methylphenyl)— Chloride.</td>
<td>Cellosolve Acetate</td>
<td>1.5</td>
</tr>
<tr>
<td>111-15-9</td>
<td>Ethanol, 2-Ethoxy-, Acetate</td>
<td>Hydrochloric Acid</td>
<td>0.4</td>
</tr>
<tr>
<td>7647-01-0</td>
<td>Hydrochloric Acid</td>
<td>Vanadium</td>
<td>0.03</td>
</tr>
<tr>
<td>7440-62-2</td>
<td>Vanadium</td>
<td>Molybdenum</td>
<td>0.3</td>
</tr>
</tbody>
</table>

AVG. GR. 317½ NET 300
143.9 kg 159.9 kg

PROTECT FROM FREEZING
42198-07
EDITORIAL MEMORANDUM

TO: Editors and Editorial Writers
FROM: The "Right-to-Know" Coalition
RE: Right-to-Know Legislation

The purpose of this memorandum is to inform you about the current status of "Right-to-Know" legislation, to describe the provisions of the bill and to respond to the main arguments which industry is making against this bill.

The New Jersey State Assembly and Senate are expected to vote on the Right-to-Know proposals on Thursday, June 23, 1983.

Please use this material in any way you like. For further information or for direct quotations from members of the coalition, call any of the people listed below:

Naomi Fatt, Chairman: 212-673-5120
Jim Lennard, Co-Chairman: 201-878-0446
Joe DeBella, Co-Chairman: 201-933-9494
Rick Engler, PHILAPOSH: 215-386-7000
**New Jersey Right To Know Coalition Endorsers**

- International Association of Firefighters (IAFF) Local 290 and Association of New Jersey Firefighters (IAFF)
- New Jersey State Firemen's Mutual Benevolent Association
- International Ladies Garment Workers Union (ILGWU), South Jersey Joint Board
- American Federation of Teachers (AFT) Local 2373
- New Jersey League of Conservation Voters
- New Jersey Environmental Lobby
- Princeton Environmental Action
- Oil, Chemical & Atomic Workers Union, (OCAW), District 8 Council
- International Union of Electrical Workers (IUE), District 3, & Locals 140 & 134
- Association of Federal, State, County and Municipal Employees (AFSCME) Council 71
- United Auto Workers (UAW) Region 9, District 65 and Locals 918 & 585
- American Association of University Professors (AAUP)
- Sierra Club of New Jersey
- American Civil Liberties Union (ACLU)
- United Rubber Workers, Region 2, District 2 and Local 367
- American Federation of Government Employees, Local 1778
- Cumberland Central Labor Union
- Camden-Gloucester Central Labor Union
- Industrial Union Council, AFL-CIO
- Chemical Workers Association
- Communication Workers of America (CWA) Locals 1022, 1084, 1038
- Environmental Research Foundation
- United Food & Commercial Workers Locals 1360, 56, 80
- Committee for Abortion Rights & Against Sterilization Abuse (CARASA)
- Independent Oil Workers
- Burlington Central Labor Union
- United Paper Workers International Union, (UPIU) Region 3
- United Electrical Workers, District 1
- International Brotherhood Electrical Workers (IBEW), Local 592
- New Jersey Public Interest Research Group (PIRG)
- Chemical & Industrial Union
- Mobilab Union
- Cumberland Conservation League
- New Jersey Toxics Project
- Oil, Chemical & Atomic Workers (OCAW), Locals 8-638, 8-5570, 8-760, 8-562
- United Steelworkers of America, Locals 2026, 7836, 13945, 7098
- Citizens for a Better Environment
- International Chemical Workers Union
National Organization of Women (NOW)
United Silverton Alliance (USA)
Serious Taxpayers Opposed to Pollution (STOP)
Re-Inhabiting New Jersey
United Food & Commercial Workers Locals 1360, 56, 80
Committee for Abortion Rights & Against Sterilization Abuse (CARASA)
Independent Oil Workers
Burlington Central Labor Union
United Paper Workers International Union, (UPIU) Region 3
United Electrical Workers, District 1
International Brotherhood Electrical Workers (IBEW), Local 592
New Jersey Public Interest Research Group (PIRG)
Chemical & Industrial Union
Mobilab Union
Cumberland Conservation League
New Jersey Toxics Project
Oil, Chemical & Atomic Workers (OCAW), Locals 8-638, 8-5570, 8-760, 8-562
United Steelworkers of America, Locals 2026, 7836, 13945, 7098
Citizens for a Better Environment
International Chemical Workers Union
Coalition of Labor Union Women-North Jersey Chapter
New Jersey Tenants Organization
Association of New Jersey Environmental Commissions
A. Philip Randolph Institute (APRI)
Philadelphia Area Project on Occupational Safety & Health (PHILAPOSH)
Great Swamp Watershed Association
The Committee for a Better Environment, Inc.
Princeton University Democrats
New Jersey Common Cause
The Right-to-Know Coalition is a broad-based coalition comprised of citizens' groups, firefighters, labor unions and environmentalists who have joined together to work for the passage of the Worker and Community Right to Know Act, sponsored by Senator Daniel Dalton (S-1670) and Assemblywoman Barbara Kalik (A-3318).

The Purpose of This Legislation

"To establish a comprehensive program for the disclosure of information about hazardous substances in the workplace and the community, and to provide a procedure whereby residents of this State may gain access to this information." (from Senate Bill No. 1670 and Assembly Bill No. 3318).

Under the present law, New Jersey workers and residents do not have the right to know even the names of the various chemicals to which they are exposed. Exposure to toxic chemicals is a deadly problem in New Jersey. Our state ranks second in the nation in production of chemicals and, to add to this, each year thousands of new chemicals are introduced into industry. Many of these materials pose a serious threat to the health of the workers who handle these substances and to the surrounding communities. The recent discoveries of Dioxin contamination in Newark and Edision are prime examples of this problem.

Dangers faced by workers and by citizens in surrounding communities range from relatively innocuous rashes, through serious eye injuries and life-threatening liver and kidney damage to death from emphysema and cancer. New Jersey ranks near the top in the nation in the incidence of cancer among workers, and over 3,000 occupation-related deaths are reported each year in this state.

Although many of the materials used in industry in New Jersey are known to be hazardous to the health of workers, the community and to the quality of the environment, there is no mechanism for informing those who are at risk about these hazards. In spite of some scattered "well-meaning"
efforts by industry to inform their own workers of the nature of the substances they are working with, most people in New Jersey are either entirely uninformed or misinformed about the daily dangers to their health posed by these materials.

This ignorance itself promotes a general fear; there is a high degree of serious unfocused apprehension among New Jersey citizens about the extent and nature of the toxic contamination of the air, water and land around them.

The Provisions of S-1670 and A-3318

Over the past 18 months, the provisions of this proposal have been discussed extensively in public meetings and in legislative committee hearings. The end result is a compromise that addresses many of the concerns raised by both the opponents and proponents of this legislation. The major provisions are as follows:

1. Employers covered by this act will be required to label and disclose the chemical names and abstract numbers of approximately 1000 chemicals known to be extremely hazardous. This must occur within 18 months of enactment. Within 3 years of enactment, all chemical containers shall be labeled. When a container holds a mixture, only the top 5 ingredients and the Chemical Abstract Number must be labeled. In addition the Department of Health will issue a list of chemicals which can be labeled with their common name rather than with their chemical name. This provision which requires labeling with the chemical name and Chemical Abstract Number is known as "UNIVERSAL LABELING" and is one of the most important features of this bill.

2. Information on hazardous substances will be available to workers at the work site and to the public through the Department of Environmental Protection, Department of Health and County Health Departments.
This will include a list of hazardous substances used, stored or produced at a facility. The Department of Health will provide a detailed fact sheet for each hazardous substance that includes acute and chronic health effects, symptoms of exposure, safe handling procedures and emergency and first aid procedures. Local police and fire departments will receive all of this information.

3. Other provisions include measures for workers’ protection against retaliation, employers’ protection against the revealing of trade secrets, the right of citizens to sue for failure to abide by or enforce this act, availability of all information in Spanish, routine inspections, the establishment of a Right-to-Know Advisory Council and a $2 per employee fee to cover the cost of administration.

The Arguments Put Forward By Industry and The Coalition’s Responses.

"Universal labeling is the heart of Right-to-Know...."

Senator Daniel Dalton
Sponsor, S-1670

Industry is currently trying to have the labeling of all chemicals with their chemical names deleted from the bill. Without this provision, the bill will not provide the protection that workers and firefighters need. Below are some of the main industry arguments against universal labeling, along with our responses.

Industry argues that specific chemical names are useless to workers. In fact, it is incomplete or inaccurate hazard information which is useless or harmful to workers. There are no standard texts that translate most chemical trade names (not to mention numerical codes or symbols) into specific chemical names. It is only with the specific chemical names that workers, physicians,
and others can attempt to find in toxicology tests the acute and chronic health hazards of workplace substances.

The histories of such substances as benzene, vinyl chloride, dioxin and asbestos show that companies cannot be relied upon to fully inform and protect workers. We must have the precise chemical names so that we can inform and protect ourselves.

Although it is true, as industry argues, that many chemical names are long and confusing, precise identity is still crucial. An amendment was added in the Assembly committee which will allow common names to be used on labels when they clearly identify a specific chemical.

Industry argues that they will be forced to label many non-toxic chemicals and that this is a waste of resources. Industry's views of what is toxic and non-toxic clash with reality. Numerous chemicals which industry has said are harmless have been associated with cancer, birth defects, lung disease, etc. Beach sand, one of industry's favorite examples, can cause silicosis, a debilitating and deadly lung disease.

If the price we pay to save thousands of lives is the labeling of a few truly harmless chemicals, it seems we have found ourselves a bargain.

Industry argues that universal labeling will be too costly. The costs of not implementing a real Right-to-Know are seen all over New Jersey in the forms of death, disease, birth defects, lost production and a threatened environment. The costs of implementation of occupational safety and health and environmental regulations have been consistently over-estimated by industry. Their cost estimates for the New Jersey bill have never been substantiated.

Industry argues that the Occupational Safety and Health Administration will soon issue a standard which will give the workers the Right-to-Know.

The federal OSHA standard—if it becomes law in its current form—will require
that companies evaluate the hazards of a substance and inform their workers of those hazards. Because the standard will not require the disclosure of chemical identities, workers will have no way to verify whatever information they are given or to do further research. This is precisely why labeling with specific chemical names is so important to the N.J. bill.
The legislation is poised to vote on a controversial bill that would require almost all New Jersey employers to label every container in their workplaces, listing everything from the most hazardous chemicals to even the most common substances such as salt, water, and sugar.

The Public's Right-to-Know bill (S-1670), if enacted, will cost the state's employers—excluding agriculture—as much as $25 million the first year, based on preliminary estimates by the Chemical Industry Council of New Jersey and the New Jersey Business and Industry Association.

The landmark legislation, considered the toughest in the nation for identifying chemical substances inside containers, has again pitted environmental and labor interests against business and industry.

The Right-to-Know issue has divided the Kean administration into two camps: The environmental and health authorities versus the commerce and economic development officials.

Sponsors of the bill, led by State Sen. Daniel J. Dalton (D-Camden), say they have the votes to win legislative approval of the measure. The Senate and Assembly are expected to vote on the bill the week of June 16.

State Environmental Commissioner Robert E. Hughey, whose department helped draft the bill, says Gov. Thomas Kean supports the concept although "he has some questions on labeling all containers" even if their contents are harmless.

State Commerce Commissioner Borden R. Putnam thinks the Right-to-Know bill is premature because the federal government is about to adopt a comparable law this summer.

"New Jersey businesses would again be placed in an economically uncompetitive position if they have to label all of their containers while businesses in other states will be following the new federal ruling which involves much less paperwork and costs to employers," Putnam said.

The federal regulation is to be adopted this summer by OSHA (Occupational, Safety and Health Administration), according to Douglas Clark, special assistant to OSHA Administrator Thorne G. Auchter.

Hal Bozarth, chief spokesman for the Chemical Industry Council of New Jersey, said the state's business community supports the federal regulation be-
Battle lines drawn over labeling

(Continued from Page One)

cause all employers in the United States will have to comply with its labeling requirements.

all chemical containers on the job

The New Jersey bill, Bozarth said, is "excessive" because it means "labeling anything and everything, from containers to valves on pipelines in process-

ing plants."

He cited what he called some ludicrous examples of the New Jersey bill. For purposes of illustration, he referred to four common everyday materials that could be listed by their chemical names:

- Alpha-D-Glucopyranosyl Beta-D-Fructofuranoside, which is ordinary sucrose, or sugar.
- 1,3,7-trimethyl-2,6-dioxopurine, or caffeine used in coffee and some sodas.
- Aceticylic acid, or aspirin.
- Sodium 1, 2-Benzothiazolin-3-One-1,1-dioxide, or sodium saccharin, a sweetener used as a substitute for sugar.

Even tap water has an eye-opening chemical name, di-hy dro-oxide, while common table salt is, to a chemist, sodium chloride. Water also contains chlorine and in many municipalities, fluoride.

The OSHA regulation, which will be federal law within three months, will cost New Jersey's businesses $5.4 million, initial calculations show, compared to four times that amount for the state's Right-to-Know bill.

There is also the still unresolved question of whether the OSHA regulation would preempt the New Jersey bill, as have a number of environmental laws such as the 1970 U.S. Clean Air Act and the 1972 U.S. Clean Water Act. That question would have to be settled in the courts.

The heart of the issue is the worker's and public's right to know what substances they are exposed to in the workplace and community. The issue was first raised in 1976 by former New Jersey congressman Andrew Maguire, a Democrat from Bergen County, and the Health Research Group. They petitioned OSHA to establish a standard to require the labeling of all workplace chemicals. The standard was to be comprehensive in scope, but not complex in design so that the average person could read a label and know what to do.

The federal thrust was to come up with a sound "hazard communication standard." The success of any identification and labeling program would depend on the method of communication used. The worker would have to understand what he or she was reading, and residents in the vicinity of chemical plants, refineries or storage sites would likewise have to know what a particular substance was and its impact on humans.

OSHA officials believe they have done just that with a new standard under review by the Office of Management and Budget (OMB) before it is published in the Federal Register in July or August, when it will become law.

President Carter, in his final weeks in office, receptiously decided to exempt the new standard from the OMB process because the administration wants to get the labeling program out of the door before the end of the year.

Assemblyman John O. Bennett (B-Monmouth), a proponent of the Right-to-Know bill, said he was surprised to find that many New Jersey industries are properly labeling all containers with potentially harmful materials.

"I visited IFF (International Favors and Fragrance) in Hazlet and Union Beach, and they do far more in labeling than what is required by S-1670," Bennett said. He is the ranking Republican on the Agriculture and Environment Committee where the Assembly bill has been amended several times. One estimate puts the number of amendments at more than 100 since the bill was introduced in January 1982.

Bruce Coe, president of the New Jersey Business and Industry Association, said all of the state's major chemical and petroleum companies have comprehensive labeling procedures simply to protect themselves against worker and public lawsuits.

"Everyone knows what happened to Johns-Manville and the asbestos nightmare," Coe said. "No industry wants to go through that mess today."

Industry failed to get Dalton to change his bill, exempting those companies that have comprehensive labeling instructions. Dalton's bill has about a dozen cosponsors, while a companion bill in the Senate has the same number of cosponsors. Assemblywoman Barbara Kalik (D-Burlington) is the sponsor of the Assembly bill. If they are passed, they will be merged into one bill and sent to the Governor, who then has 45 days to sign it.

The New Jersey Right-to-Know bill is the product of the powerful Right-to-Know Coalition made up of labor, academic, environmental, health and municipal fire fighting interests, about 70 organizations in all.

At first, the coalition had 40,000 chemicals it wanted listed in the New Jersey legislation. Eventually, that was reduced to the 1,000 hazardous chemicals on the OSHA list and those included in a survey.
OSHA officials believe they have done just that with a new standard under review by the Office of Management and Budget (OMB) before it is published in the Federal Register in July or August, when it will become law.

President Carter, in his final weeks in office, recommended that chemical names be listed on labels. If the worker or resident wanted additional information, he would have to consult a 19-pound book listing 50,000 chemicals, compiled by the National Institute of Occupational Safety and Health (NIOSH).

Ironically, the official government compendium is the result of chemical studies conducted largely by the industries that created the molecular compounds in their laboratories.

Another reference is the Material Safety Data Sheet (MSDS). It tells one what the exposure symptoms are, what to do, what not to do, what to wear, and anything related to protection of human health.

There is no definitive book on chemicals in existence. Industry produces 80,000 chemical compounds, which, when mixed to produce other compounds, total somewhere in the neighborhood of a half-million chemical mixtures. And each year another 1,000 chemicals come into the marketplace, adding to the mixture total.

When President Reagan took office, he scrapped the Carter administration approach and replaced it with a "communicating standard" requiring training by workers so they know what they are reading and how to find the appropriate literature after they've read the label.

The new OSHA standard coming out this summer is a "hazard evaluation system," rather than a listing of long chemical words, according to Clark. The label warns of "imminent peril" and describes the chemical or chemicals as "corrosive" or "explosive" and advises how to handle the material properly. Many companies of the powerful Right-to-Know Coalition that includes labor, academic, environmental, health and municipal fire fighting interests, about 70 organizations in all.

At first, the coalition had 40,000 chemicals it wanted listed in the New Jersey legislation. Eventually, that was reduced to the 1,000 hazardous chemicals on the OSHA list and those included in a survey done by the Department of Environmental Protection (DEP).

The present bill would direct businesses to label all containers storing hazardous substances within 18 months, and to label all containers within the workplace within three years, with certain exemptions.

The state Public Advocate, representing the public interest, sees the bill in its present form as a necessity in order to inform workers and residents of neighborhoods near industries who need to have knowledge about chemicals that may be safety hazards or may affect their health.

Some lawmakers, including State Sen. John Russo (D-Russo), said legislation should protect the worker, but not "to the point where they lose their job."

The state health department estimates 1,200 citizens develop cancer each year as a result of exposure to chemicals in the workplace. Another 1,300 residents are hospitalized annually with occupation-related diseases.

A Bureau of Labor Statistics survey in 1977 and 1978 found that an average of 59 per cent of all occupational diseases that resulted in time off were caused by exposure to hazardous chemicals in the workplace.

The consensus among business, industry and state commerce leaders is that New Jersey will be able to live with the federal OSHA labeling standard due out soon.

Proponents of the New Jersey Right-to-Know bill say they've been waiting a year for the federal government to act on a national standard. The New Jersey bill, they say, is designed to protect state workers and residents in the absence of any federal regulations.
New Jersey's right to know

You don't have to look further than the headlines for arguments in favor of the toxic-chemical-reporting bill that is set for a vote in the New Jersey Legislature today. The bill is the first in the nation that would extend rights to workers and communities under the same umbrella. And, in New Jersey, Lord knows, both have suffered enough.

The bill would provide workers with safety information about the chemicals they handle on the job. (Perhaps they would have thought twice about the dangers of vinyl chloride or dioxin, had they known.) It would provide municipal governments with the rundown on the chemicals that are stored or emitted in the community. (Perhaps the chemical contagion in Elizabeth a few years ago might have been better contained, had local firefighters known.)

Unlike three years ago in Philadelphia, when the City Council passed pioneering chemical right-to-know legislation, there is broad conceptual support of the bill in New Jersey. But although compromises have been made to ease some objections of the chemical industry, major points of contention remain.

The industry's opposition is focused on a provision that would require, in two phases, that all chemicals be clearly labeled with the chemical name of the substance — not a color code, a brand name or other possibly confusing identification. Initially, the bill would require labeling of about 1,000 chemicals determined hazardous by the state. Later, all substances would have to be labeled.

Industry trade groups insist that only known hazards need be labeled in some fashion. But labeling all drums or containers provides a failsafe to the worker or fireman who does not have to wonder upon encountering an unmarked drum: Is it innocuous or is it poison that hasn't been stenciled yet?

It is late in the game for New Jersey residents to be finding out about the chemicals they handle and breathe every day. They are facing dioxin scares almost daily and worrying about contaminated water, and they suffer one of the highest cancer rates in the country.

The Community and Worker Right-to-Know bill is a modest beginning. To weaken it at the last minute by dropping labeling provisions that would assist workers in making independent health decisions would fly in the face of its whole purpose. It should be passed promptly and passed intact.
Workplace right-to-know wins big Senate boost

By TOM JOHNSON

Following a frantic day of lobbying, the Senate last night overwhelmingly approved a far-reaching bill that guarantees workers and the public information about hazardous substances in the workplace.

The legislation, called the right-to-know bill, was passed 39-0, a margin that belied the intense negotiations and debate that has swirled around the proposal in the 18 months it has been under discussion.

Even late yesterday, the outcome of the vote was uncertain. It was only after supporters and opponents agreed on amendments that would narrow the scope of the measure as it applies to research and development labs that opposition among lawmakers faded.

Upon approval, hundreds of members of a right-to-know coalition, comprised of labor, environmentalists and citizen groups, who were sitting in the Senate gallery broke out in cheers and applause. The coalition had carried out heavy lobbying in the past week, deluging targeted senators with phone calls and holding several rallies in front of the State House.

Despite the near unanimous consensus in the Senate, business and industry lobbyists vowed to press for further amendments to the bill, considered the toughest law of its kind in the nation. It is expected to be heard by the Assembly Monday.

Assemblyman Richard Van Wagner (D-Middlesex) signs a placard that was placed in the State House hallway by the Right to Know coalition to draw attention to the chemical bill.
Larry Cohen, director of organizing for Communications Workers of America District 1, at the podium.

Backers plot final 'know' bill push

By CHAPIN WRIGHT
Staff Writer

The Trenton Room at the Capitol Plaza Hotel looked more like the War Room at the Pentagon. About 70 people gathered there yesterday afternoon to plan a final, last-minute assault on the State House. Taped to the walls were lists of New Jersey legislators targeted to be bombarded with phone calls, letters and telegrams in the coming weeks.

The objective: To insure passage of the Worker and Community Right to Know Act. The strategy: An all-out lobbying blitz.

Members of the New Jersey Right to Know Coalition listened intently as environmental lobbyist James Lanard told them how far they have gone and where they go from here.

"When we got involved in right-to-know, we were told we would never see the bill get out of committee," he said.

ONLY A YEAR old, the New Jersey Right-to-Know Coalition is comprised of labor and environmental groups from around the state. It is part of New Jersey Citizen Action, an umbrella organization representing a variety of public interest groups.

More than 400 members of the Citizen Action were on hand at the Capitol Plaza yesterday for a Founding Convention to adopt by-laws, elect officers and attend a number of workshops.

The Right-to-Know Coalition group worked for months with Sen. Daniel J. Dalton, D-Camden, on the legislation, which would require certain companies to disclose the names of potentially toxic substances in the workplace.

The bill was released last month from the Senate Revenue, Finance and Appropriations Committee and may get a full Senate vote in early June.

"We need your assistance so we can reach every legislative district in great numbers," said Lanard.

The chemical industry and State Chamber of Commerce have already "mounted a major media campaign" to defeat the bill, Lanard said.

"We have to stop them from trying to persuade legislators through the media, not to take us seriously," he said.

The pro-right-to-know effort will also consist of a heavy letter-writing campaign to newspapers around the state. It will culminate on the day the bill comes up for a vote when hundreds of lobbyists will invade the State House.

"NOBODY CAN oppose this thing and expect to get the support of labor and the environmentalists in November," Lanard said.

Eric Scherzer, health and safety representative for Local 8149 of the Oil, Chemical and Atomic Workers, warned the group to be on guard during the crucial last days before a final vote.

"The key thing to watch out for is weakening amendments," he said. "They know they can't defeat the concept so they will try to change the bill."

Industry has been trying unsuccessfully to slow down progress on the Dalton bill ever since it was first introduced last September.

Lanard said it was due to the group's lobbying efforts that the bill was released from the Senate Energy and Environment Committee in February by a 50 margin.

Just two days prior to the vote, Sen. John F. Russo, D-Ocean, remained uncommitted on the bill. Lanard said. That day Russo received more than 100 phone calls urging him to cast a yes vote.

"Senator Russo voted yes only because of what Citizen's Action was able to do," Lanard said.

The coalition was "riding high" after that victory. Lanard said, "but we were fined by industry."

SENATE PRESIDENT Carmen A. Orecchio, D-Essex, unexpectedly referred the bill to the revenue committee.

"We were stunned," Lanard said. "It was a setback." But after an intense lobbying barrage, he added, "we turned it into our most significant success."

"Lobbyists in Trenton couldn't understand it," he continued.

Coalition member Peter Montague said that right-to-know is a growing national movement.

"I suspect that we are sitting on the tip of an iceberg," he said. "I suspect that this is an idea whose time has come."
Within the next 45 days, Gov. Kean will have a chance to prove that he wants to leave New Jersey something more tangible than a scrapbook of shirt-sleeved tours of dioxin scenes. He has on his desk a far-reaching bill — passed overwhelmingly by both houses of the legislature — that would require factories and public agencies that handle hazardous chemicals to make health and safety information available to workers and the public.

There has been intense lobbying on the bill from both the chemical industry, which has tried to soften it by fighting labeling provisions, and a coalition of unions and environmental groups. “We’re going to kill the dog, when we’re trying to kill the fleas,” argued Assemblyman C. William Haines (R., Burlington), in opposing the bill.

But in New Jersey, the nation’s second largest producer of chemicals, there has been little evidence of industrial hardship on the scale of the human suffering that workers have been exposed to in handling dioxin or vinyl chloride or asbestos. At this point, not knowing what’s in the drum a worker is handling creates, according to Common Cause of New Jersey, “serious unfocused apprehension.”

The legislature has not been insensitive to industrial concerns. Included in the Worker and Community Right To Know Act are protections against disclosure of secret formulas and exemptions for research labs. As far as costs go, there are the continuing costs of business as usual: escalating cancer rates, lost time on the production line and environmental degradation.

If Gov. Kean is serious about the environment, if he is serious about heading off future dioxin scares in New Jersey and leaving a legacy that will endure long after the shirt-sleeved photos fade, he should stop making nice talk about the “concept” of the right-to-know bill and sign it.
Kean shouldn't sign

The wrong right-to-know bill

To the Editor:

If the proposed Worker and Community Right-to-Know legislation in New Jersey were as you described it ("Kean should sign toxics bill"), the business community, too, would support it. The bill you describe is reasonable. Senate Bill 1670 is not.

You suggest that "factories and public agencies that handle hazardous chemicals (should) make health and safety information available to workers and the public." We agree. S.B. 1670, however, would require not only that information on hazardous substances be made available, but that the chemical makeup of more than 150,000 non-hazardous substances (for example, the ink for the printing press) be spelled out on a label affixed to every container in every "manufacturing" facility in New Jersey. "Manufacturing is defined to include 27,000 companies, from chemical plants to auto body shops to newspaper publishers.

You suggest that research labs are exempt. They are not. However, as a "compromise," S.B. 1670 would permit research facilities to use the kind of hazardous communications system that we sought for all companies. That is, instead of requiring container labels with a dozen or so undecipherable chemical names (does it help you to know that one of the components of blue dye is 5-Decyne-4, 7-Diol, 2, 4, 7, 9-Tetramethyl?), containers could be labeled blue dye. The label would carry useful safety and handling information. Companies would be required to honor employee requests for detailed information about blue dye within five days.

You suggest that "not knowing what's in the drum a worker handles creates serious unfocused apprehension." We believe that surrounding workers with thousands of obscure chemical names on labels describing the components of harmless dyes and inks will create unfocused apprehension. Moreover, cluttering up labels with chemical names may deflect workers' attention from the practical information they need: Is the substance flammable? Is it corrosive? How should it be handled?

You suggest that, "As far as costs go, there are the continuing costs of business as usual: escalating cancer rates, lost time on the production line and environmental degradation." We agree. That is why industry, for economic as well as moral reasons, has spent so much time, effort and money putting together effective workplace safety programs. Not to do so is to assure higher worker compensation bills, higher insurance rates and lawsuits with the potential to put companies out of business.

In short, the business community supports the "right to know." What we object to is a "right-to-know" bill that heaps useless and expensive administrative and labeling burdens on business in order to achieve what should be a simple objective: the transfer of information.

Or as Assemblyman C. William Haines put it, "We're going to kill the dog when we're trying to kill the fleas."

ROBERT J. GEARY
New Jersey Business and Industrial Association
Trenton.
CHEMICAL RIGHT TO KNOW BILL WINS IN LEGISLATURE
Citizens Claim Victory Over Chemical Lobby

Senator Dan Dalton, original sponsor of S1670, surrounded by staff and leaders of the NJCA Right to Know Coalition after victory on Right to Know in the state Senate. (credit: Phil Savoie)
Farm Labor Unprotected by ‘Right-to-Know’

By DODIE MURPHY WAGNER  
Staff Writer

Farmworkers throughout New  
Jersey will not be protected by  
Right to Know legislation, which if  
signed by the governor will re-  
quire industries to reveal the  
chemicals they use and store.

The legislation has been ap-  
proved by both the New Jersey  
Senate and Assembly. Gov. Thom-  
as Kean’s signature is anticipated  
by September, according to  
Sen. Dan Dalton, D-Turnersville,  
who sponsored the bill.

Protection to farmworkers  
wasn’t included because Dalton  
and other supporters felt it would  
jeopardize the bill’s chances of  
passing in both houses, Dalton  
said Tuesday.  

“This was a judgment call,” the  
Senator said. “It was not based on  
substance but on what we had to  
do to get the bill passed. Every  
time you involve farmers in an  
issue the whole thing blows up politi-  
cally.”

The American Civil Liberties  
Union is upset about the situation  
“and the notion you can trade-off  
farmworkers,” according to direc-  
tor Jeff Fogel.

Fogel attacked political stra-  
egy which gives rights to some  
workers and denies them to oth-  
ers.

“People with dark skin are enti-  
tled to the same rights as those  
with white skin and people with  
Spanish surnames nonetheless  
have American surnames,” Fogel  
said yesterday from his Newark  
office.

“At some point, both unions and  
politicians who support labor must  
stand up and say those who work  
on farms are entitled to the same  
benefits as those who work in facto-  
tories,” he added.

Dalton said a federal law pro-  
tects farmworkers by requiring la-  
bes on some insecticides.

Fogel disagrees.  

“We’ve looked at it carefully  
and it’s not enough,” he said.

Bergen County Assemblyman  
Byron Baer has introduced legis-  
lation to extend Right to Know’s  
protection to farmworkers.

“The only question is if we can  
get it out of committee for a hear-  
ing,” Fogel said.

Meanwhile, New Jersey Citizen  
Action, a Hackensack-based coal-  
tion representing community  
groups, churches, trade and labor  
organizations, issued a statement  
yesterday praising passage of the  
bill and blasting two local assem-  
blymen for failing to support Right  
to Know.

The bill’s opponents “were vot-  
ing against the health and well-be-  
ing of their constituents,” said  
Chair of the Chemical Workers As-  
association.

He criticized Republican Assem-  
blymen Joseph Chinnci of Bridge-  
ton and Guy Muziani of North  
Wildwood, both of whom represent  
Cumberland and Cape May coun-  
ties.

“Legislators like Chinnici and  
Muziani were elected to represent  
citizens, not just monied interests  
like the chemical lobby,” Morris  
said.

New Jersey Citizen Action did  
not take a stand on the bill’s fail-  
ure to protect farmworkers.

---

Wed., July 6, 1983

Vineland Times Journal - 3
Right to Know Law Ignores Farmworkers

By DODIE MURPHY WAGNER
Staff Writer

Angel Dominguez knows of the deals, the lobbying and the pressure.

Politicians struck their compromises in full view of the people they're paid to represent, he says. For the most part, the silent constituents — those ignored by Right to Know legislation — have brown skin and Spanish surnames.

"We made the calls but hit a dead wall," he said. "No one would listen to us."

As director of the American Civil Liberties Union's Farmworkers Rights Project in Glassboro, Dominguez, a 32-year-old Vineland activist, crusades for South Jersey's 15,000 migrant farmworkers.

Months ago he met with state Sen. Daniel Dalton of Turnersville, Right to Know's sponsor. The meeting was fruitless — Dalton and his supporters kept farmworkers out of the legislation. To do otherwise, the senator said last week, would have jeopardized the bill's chances of passing the state Assembly and Senate.

Dominguez sees a pattern to the discrimination and it befalls minorities, the poor, who would benefit from new laws. Right to Know is not the first piece of legislation to ignore the people Dominguez represents.

He is livid that Right to Know — which would require industries to reveal chemicals used or stored in the workplace — does not apply to farmers. If signed into law by the governor, it will protect only those who work in factories.

The current Legislature was not the first to greet farmworkers with deaf ears, according to Dominguez.

"The Assembly, in 1978, did not want farmworkers included in the minimum wage bill," he recalled. "What I saw then I see again: very few people care."

(Continued on Page 7, Col. 3)

Report Studies Health Hazards Of Migrants

By DODIE MURPHY WAGNER
Staff Writer

Three years ago, investigators for the Field Foundation, a nationally-respected organization, studied the health status of migrant farmworkers.

Among the foundation's findings were:

- "Migrant farmworkers and their families suffer from a combination of factors — poverty, worker exploitation, poor agricultural practices, un-focused and sporadic public programs, rural poverty, and the condition of migrancy itself."

- Pesticide use has increased and changed while regulations to protect farmworkers has not kept pace. "State and federal governments will not take the initiative in protecting fieldworkers from exposure."
Right to Know Law

(Continued from Page 1)
about farmworkers. They're the least protected class of workers in the state — in the nation.

A separate Right to Know bill, one that would protect migrant workers, sleeps in a state Assembly committee.

It's time to awaken it, according to the farmworker advocate, with public hearings this summer, before farm crews leave South Jersey.

If the bill is ever to leave the committee, he said he must battle. He is ready for that, and to wage it alone.

Most migrant workers know the danger they confront in their daily exposure to pesticides. "One national study found farmworkers have more of one type of liver cancer than anyone else," Dominguez said. "But the problem with (exposing the dangers of) pesticides is that very few studies are available."

Ten years ago, three physicians from the New Jersey Medical School in Newark delineated the effects which pesticide exposure may have on migrant farm workers — frequent headaches, dizziness, blurred vision and a general feeling of weakness.

Their study was the first and last one known to be undertaken in the fertile fields of South Jersey.

Their report said most cases of pesticide poisoning come from "inhalation of pesticide dust or vapors or accidental contact with clothing and skin, with subsequent absorption through the skin."

Additionally, "migrant farmworkers in New Jersey often live in the midst or on the fringe of vegetable fields," the report said. When airplanes spray vegetables with toxic pesticides, "the planes almost unavoidably spray the farmworkers and their homes as well."

Recent parathion spraying in Franklin Twp. led a 9-month-old child to death's door, Dominguez said. When he speaks about farmworkers and pesticide dangers, he carries with him copies of news article detailing the child's near death.

Dominguez agrees with the Rutgers medical investigators who said the migrant population has been given the lowest priority in terms of health and social services.

"Obviously, programs to improve this situation are needed in New Jersey," the report said.

Dominguez calls the issue and his crusade a moral one. "Mostly I'm without support," he admitted. "There aren't many friendly faces out there."

Report Studies
Health Hazards
Of Migrants

(Continued from Page 1)

"Medical care given migrant farmworkers has been described as approaching that available in developing countries. One article referred to 'interesting parallels' between the illnesses in the children of migrant farmworkers in the U.S. and those in Vietnamese and Cambodian orphans."

A migrant worker's life expectancy is 49 years.

The federal government's Task Panel of Migrant and Seasonal Farmworkers said: "In no other industry have the economic risks been shifted so directly from management to the public, which must compensate for the abuses farmworkers endure as a result of the agricultural industry's failure to attend to the needs of its own work force."

Pesticides represent the outstanding occupational hazard (for farmworkers).

The cumulative effect of farmworker exposure to pesticides is not understood. The federal Environmental Protection Agency allows pesticides to be mixed freely in spite of ignorance of the possible effects.

Many of the solvents in pesticides are considered carcinogenic.

Agricultural pesticides are not chosen on the basis of safety to human beings. "Parathion (and ethyl parathion and methyl parathion) is a very popular and very dangerous pesticide."

Recognition of pesticide poisoning has been rare because: doctors do not recognize it; investigations of pesticide incidents are conducted by people who do not know the toxicant involved; clinical laboratories are unequipped to detect pesticides; effects are difficult to demonstrate unless elaborate studies are performed; pesticide mixtures with solvents or other chemicals may result in symptoms which are difficult to diagnose.

"The risks associated with exposures to pesticides are even greater for children than for adults."
Our Readers Write

Back Separate Bill

Dodie Wagner's story in your newspaper (July 6, 1983), "Farm Labor Unprotected by Right to Know," left the impression that New Jersey Citizen Action has no position on this issue.

Quite the contrary, New Jersey Citizen Action, a statewide coalition of labor, community, minority, senior, women and environmental organizations, has a strong position supporting the farmworkers. They need the right to know the hazards of pesticides and other toxic chemicals they work with.

Every day farmworkers in New Jersey are exposed to some of the deadliest chemicals known to man. Pesticides like Dieldrin, Mirex and DDT are banned only after farmworkers, residents and communities are poisoned with them for years.

Studies show male farmworkers face twice the risk of developing liver cancer as most other workers due to exposure to toxic chemicals. Researchers are unable to link the disease to specific chemicals because most farmworkers do not know what they have been exposed to.

New Jersey Citizen Action is fighting, with farmworker organizations, for passage of Assembly Bill 3631, the Farmworker Right to Know Bill. A-3631, sponsored by Byron Baer, D-Bergen, extends coverage under the Worker and Community Right to Know Act to farmworkers. The farmworker bill is in the Assembly Agriculture and Environment Committee.

New Jersey Citizen Action urges Assemblymen Pankok, Marsella, Bennett, Hollenbeck and Smith to support A-3631.

We believe the people who help feed us deserve the right to know.

CHARLES MORRIS,
Chairperson,
South Jersey-N.J.
Right to Know Coalition

Editor's Note: In its news release supporting the current Right to Know Bill awaiting the governor's signature, N.J. Citizen Action did not take a stand.
Legislators Opposed ‘Right to Know’

By DODIE MURPHY WAGNER
Staff Writer

Cumberland County’s two state Assemblymen opposed state legislation which would require growers to reveal the chemicals they use and store on their farms.

Republicans Joseph Chinnici of Bridgeton and Guy Muziani of North Wildwood — who represent Cumberland and Cape May counties — said they do not support the Farmworkers’ Right to Know Bill, which languishes in the Assembly’s agriculture and environment committee.

Both said they will vote against the bill if it reaches the Assembly floor.

A similar bill requiring industries to tell workers and communities which chemicals they use and store needs Gov. Thomas Kean’s signature by Aug. 12 to become law.

The assemblymen oppose the farmworker bill — which would protect migrant fieldworkers by identifying the pesticides to which they are exposed — because they claim the legislation would hurt farmers.

“The EPA (federal Environmental Protection Agency) labels everything,” Chinnici said. “If the state requires labeling we’ll have to import produce.”

Muziani opposes the bill for two reasons: farmers “already are over-regulated” and because “the EPA is supposed to come out with new regulations (concerning chemicals and pesticides on farms).

“I don’t know how far reaching they’ll be,” he said, “but the state shouldn’t act until we see how far the federal government goes.”

Jeff Fogel, director of the American Civil Liberties Union in Newark, last week said federal EPA requirements do not protect farmworkers because not all chemical ingredients are required to be labeled.

The Community and Worker Right to Know bill governing industry was passed without support from Cumberland’s assemblymen.

Chinnici said he supported that bill but state Legislature records show he abstained when the vote was taken last June 27.

Told of the discrepancy, Chinnici maintained his support for Community and Worker Right to Know.

“I don’t care what the record shows,” he said when contacted Tuesday at his district office. “As far as I’m concerned I supported it.”

Muziani also abstained from voting on the legislation.

“That bill contained a universal labeling requirement that I thought would confuse the worker because it requires the labeling of hazardous and non-hazardous chemicals,” he said. “I don’t think the workers can understand the information on labels; there are too many technical terms.”
"MOBIL UNION URGES KEAN TO SIGN TOXICS BILL"

Richard A. Meyer, President of the Independent Oil Workers Union representing nearly 1000 workers at Mobil Oil's Paulsboro, New Jersey Refinery, today urged Governor Kean to protect New Jerseyans from future toxic disasters by signing into law the Worker and Community Right to Know Act which has been on his desk for several weeks.

The Right to Know Act, which requires chemical companies to label their chemicals, and to provide workers and nearby residents with information on potential health hazards, recently passed both houses of the legislature in an overwhelmingly bi-partisan vote (40-0 in the Senate, 62-12 in the Assembly).

According to Mr. Meyer, "In a State that is the second highest producer of chemicals --and toxic wastes-- we need preventive measures to protect our workers and citizens from health hazards associated with these chemicals". "Industry has proven to us all that they cannot be trusted to protect our health and environment."

The Right to Know measure has had strong opposition from industry, and many believe that Governor Kean may conditionally veto the Bill. Meyer and members of the Union called on the Governor to protect the people of this State by signing the bill into law and to give no consideration to any weakening amendments.
Bias Unintended in ‘Right to Know’

In your July 18 articles written by Dodie Murphy Wagner entitled “Right to Know Ignores Farmworkers,” Angel Dominguez, director of the American Civil Liberties Union’s Farmworkers Rights Project, offered some views which I believe warrant further comment.

I share in Angel’s disgust over the fact that migrant workers will not be covered by this legislation; however, I must disagree with his suggestion that brown-skinned people with Spanish surnames were intentionally kept out of the bill by State Sen. Daniel Dalton, D-11th Dist., and his supporters.

The notion of discrimination won’t wash with those of us who know that workers in many other industries also are excluded from the protection afforded by this act, namely: construction workers, retail trade and general merchandise workers, recreation and amusement services workers and those employed by certain crude petroleum, natural gas and ordinance and accessories industries.

Exclusion of the agricultural industry from Right to Know not only fails to protect migrant workers from chemical exposure, it also does not protect our school kids who have traditionally worked on farms each summer. In fact, the farmers themselves are excluded, as are their wives, children and surrounding neighbors.

The issue of preventing death and illness should be relatively uncontroversial, yet it has generated tremendous opposition from the chemical industry and the New Jersey Chamber of Commerce which spent untold money to weaken and ultimately defeat this legislation. They are responsible for more than 100 of the weakening amendments the bill suffered, including prohibiting coverage for workers in certain industries.

As to who was really responsible for keeping Right to Know protection from those in the agricultural industry? Well, it certainly was not Sen. Dalton. After all, he sponsored this bill which, by the way, is the strongest hazard communication bill in the country.

You may be appalled and some what puzzled to know that, according to the legislators in my district, the farmers themselves voiced the strongest opposition and actually wanted to be excluded for fears that this regulation would be burdensome and hurt their already declining industry.

I sincerely believe that reducing the number of chemical-induced cancer cases in this state is a benefit that greatly outweighs any problems this bill could cause to our farmers.

Without question, the right to know should be guaranteed to all people, but many will continue to be excluded unless we remind our legislators — today — of their obligation to serve the people of New Jersey.

If you have a story to tell or a point of view to express and it’s longer than a letter to the editor, send it to Marvin Smith, Editorial Page Editor, The Times Journal, 891 E. Oak Rd., Vineland, N.J. 08360. Enclose your name, address and telephone number. We’ll be happy to print it so long as it is in good taste.
DON'T CHANGE BILL ON TOXIC LABELING, FLORIO TELLS KEAN

By Ernest Tollerson


Florio, author of the federal Superfund toxic-waste cleanup law, said that signing the legislation, which is called the Worker and Community Right to Know Act, "would give New Jersey the most comprehensive hazardous communication law in the nation."

Generally, the legislation requires that hazardous chemicals be listed on containers in the workplace and that companies disclose descriptions of the chemicals to the Department of Health.

In a letter to Kean yesterday, Florio urged the governor to sign the measure "in its present form," referring to statehouse speculation that the governor may veto a provision requiring the labeling of about 1,000 hazardous chemicals and the eventual labeling of nonhazardous chemicals.

Florio aide Wayne Fisher said the Camden County Democrat had written the letter "primarily because there are indications that the governor is going to conditionally veto" all or part of the labeling section of the bill.

In the eyes of labor, community and environmental groups, the labeling provision is the heart of the bill. If the legislation were signed into law with the labeling section intact, companies would have 18 months to post labels listing hazardous chemicals. It would also give companies three years to phase in labels for nonhazardous chemicals.

Critics from industry found this section burdensome and sought to modify it as the bill moved through the legislature in June. They would like Kean to veto it and substitute a different clause.

Private industry groups, including the New Jersey Chemical Industry Council, favored labels with safety and health warnings and fact sheets compiled by state health officials. They argued that warnings were more important than labels with complex chemical names.

Kean has until Aug. 12, or the first time the Senate meets, to sign, veto or conditionally veto the bill.

Yesterday, W. Cary Edwards, the governor's chief counsel, said Kean planned to meet with the bill's sponsor, Sen. Daniel Dalton (D., Gloucester), and confer with cabinet officers. He said Kean had not decided whether to sign or veto the labeling provision, but he noted that Kean had backed the concept of the bill.

Edwards said Kean had received a variety of position papers on the labeling issue. Environmental Commissioner Robert Hughey supported the labeling provision, he said, and Commerce and Economic Development Commissioner Borden Putnam opposed it.

The Florio letter also attempts to discredit the arguments of critics who say the bill is unnecessary because the federal Occupational Safety and Health Administration (OSHA) is drafting its own chemical-disclosure regulations.

"The preliminary OSHA regulation, in my estimation, is less protective of workers and communities and, therefore, is less acceptable than S-1670," Florio said in the letter.

The proposed OSHA regulation, Florio said, does not require universal labeling, only labeling of hazardous chemicals. Florio said "the inadequacy of such a provision becomes clear when one considers that certain forms of dioxin, one of the most toxic substances known, might not be considered a 'hazardous chemical' for the purpose of the regulation."

Unlike the legislation, the proposed OSHA rule does not provide towns, police and firefighters with community access to data on chemicals that a factory produces or uses, Florio said.

Hal Bozarth, a lobbyist for New Jersey Chemical Industry Council, said yesterday that OSHA soon would develop a standard "that will be sufficiently strong." Whatever OSHA selects will pre-empt any state law, he said.

Florio's letter takes the position that the labeling provision of the legislation would not inflict financial hardship on businesses operating in New Jersey.

"Arguments that a hazard communication standard as comprehensive as S-1670 would harm economic development are tenuous at best," Florio said in his letter. "The experience of other cities and states with right-to-know provisions have demonstrated little, if any, effect on development or the propensity of firms to relocate in areas without such laws."

Bozarth said yesterday that chemical companies had estimated that the first-year implementation costs of the Dalton legislation would be $60 million. Bozarth said that cost would affect corporate decisions on whether to expand in the state or relocate.