

102D CONGRESS  
1ST SESSION

# H. R. 845

To require the Director of the National Institute for Occupational Safety and Health to conduct a study of the prevalence and issues related to contamination of workers' homes with hazardous chemicals and substances transported from their workplace and to issue or report on regulations to prevent or mitigate the future contamination of workers' homes, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 6, 1991

Mr. BALLENGER (for himself, Mr. GOODLING, and Mr. HENRY) introduced the following bill; which was referred to the Committee on Education and Labor

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## A BILL

To require the Director of the National Institute for Occupational Safety and Health to conduct a study of the prevalence and issues related to contamination of workers' homes with hazardous chemicals and substances transported from their workplace and to issue or report on regulations to prevent or mitigate the future contamination of workers' homes, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 SECTION 1. SHORT TITLE.

4 This Act may be cited as the "Workers' Family Protec-  
5 tion Act of 1991".

1 SEC. 2. FINDINGS AND PURPOSES.

2 (a) FINDINGS.—Congress finds that—

3 (1) hazardous chemicals and substances are being  
4 transported out of industries on workers' clothing and  
5 persons;

6 (2) the chemicals and substances are posing a  
7 threat to the health and welfare of workers and their  
8 families;

9 (3) additional information is needed on the issues  
10 related to employee transported contaminant releases;  
11 and

12 (4) additional regulation may be needed to prevent  
13 future such releases.

14 (b) PURPOSES.—The purposes of this Act are to—

15 (1) increase awareness of the extent and severity  
16 of the problem and incidents described in subsec-  
17 tion (a);

18 (2) prevent or mitigate future incidents of home  
19 contamination;

20 (3) clarify regulatory authority for preventing and  
21 responding to the incidents; and

22 (4) assist workers in redressing and responding to  
23 the incidents when they occur.

1 SEC. 3. STUDY OF EMPLOYEE TRANSPORTED CONTAMINANT  
2 RELEASES.

3 (a) IN GENERAL.—The Director of the National Insti-  
4 tute for Occupational Safety and Health (hereinafter in this  
5 Act referred to as the "Director"), in cooperation with the  
6 Secretary of Labor, the Administrator of the Environmental  
7 Protection Agency, the Administration of the Agency for  
8 Toxic Substances and Disease Registry, and the Secretary of  
9 Energy, shall conduct a study of the prevalence and issues  
10 related to contamination of workers' homes with hazardous  
11 chemicals and substances transported from their workplace.  
12 In conducting the study, the Director shall—

13 (1) identify industries prone to the contamination  
14 through a review of literature and past investigations  
15 and enforcement actions of the National Institute for  
16 Occupational Safety and Health and—

17 (A) the Secretary of Labor to enforce the  
18 Occupational Safety and Health Act of 1970 (29  
19 U.S.C. 651 et seq.);

20 (B) States to enforce occupational safety and  
21 health standards in accordance with section 18 of  
22 such Act (29 U.S.C. 667); and

23 (C) other government agencies (including the  
24 Department of Energy and the Environmental  
25 Protection Agency), as the Director may deter-  
26 mine to be appropriate;

1 (2) evaluate current statutory, regulatory, and vol-  
2 untary industrial hygiene measures used to prevent and  
3 remediate home contamination; and

4 (3) compile a review of the previous research con-  
5 ducted on employee transported contaminant releases,  
6 including a review of—

7 (A) the use and effectiveness of personal pro-  
8 tective equipment in preventing the incidents;

9 (B) the health effects of the resulting expo-  
10 sure on workers and their families; and

11 (C) the efficiency of normal house cleaning  
12 and laundry procedures for removing chemicals  
13 from workers' homes and personal clothing.

14 (b) CASE STUDIES.—

15 (1) IN GENERAL.—The Director shall provide  
16 grants to pay for the costs of conducting case studies  
17 to evaluate such areas as the economic, physiological,  
18 and psychological effects on workers and their commu-  
19 nities from, and preventive and remediation methods  
20 for, contamination of workers' homes with hazardous  
21 chemicals and substances transported from their  
22 workplace.

23 (2) APPLICATION.—To be eligible to receive a  
24 grant under this subsection, the applicant shall submit  
25 an application to the Director at such time, in such

1 manner, and containing such information as the Direc-  
2 tor requires. At a minimum, each application shall  
3 contain—

4 (A) a description of the case study to be con-  
5 ducted in accordance with paragraph (1);

6 (B) an assurance that the applicant will  
7 submit such reports to the Director describing the  
8 results of the study as the Director may require  
9 within a timeframe sufficient to allow the Secre-  
10 tary of Labor to comply with section 4; and

11 (C) such other information as the Director  
12 determines to be appropriate.

13 (3) GRANT ALLOTMENTS.—

14 (A) IN GENERAL.—except as provided in  
15 subparagraph (C), the Director shall use  
16 \$1,000,000, of the funds made available to the  
17 Director for studies, to conduct the case studies  
18 required under this subsection.

19 (B) GRANT LIMITATION.—Except as provid-  
20 ed in subparagraph (C), the amount of a grant  
21 made under this subsection for a case study may  
22 not exceed \$100,000.

23 (C) INSUFFICIENT APPLICATIONS.—If (by the  
24 date that is 180 days after the issuance of regula-  
25 tions in accordance with paragraph (4)) the Direc-

1           tor has not received a sufficient number of appli-  
2           cations to conduct case studies under this subsec-  
3           tion, the Director may—

4                   (i) use any remaining funds made avail-  
5                   able under this subsection to provide grants  
6                   to conduct research that is consistent with  
7                   this section; or

8                   (ii) make a grant under this subsection  
9                   in excess of the limitation prescribed in sub-  
10                  paragraph (B).

11           (D) **ELIGIBILITY.**—A State that enforces an  
12           occupational safety or health standard in accord-  
13           ance with section 18 of the Occupational Safety  
14           and Health Act of 1970 (29 U.S.C. 667) shall be  
15           eligible for a grant made under this subsection.

16           (4) **REGULATIONS.**—Not later than 90 days after  
17           the date of enactment of this Act, the Director shall  
18           issue such regulations as are necessary to carry out  
19           this subsection.

20           (c) **SECRETARY OF LABOR.**—The Secretary of Labor,  
21           in cooperation with the Administrator of the Environmental  
22           Protection Agency, shall—

23                   (1) cooperate with the Director and grantees to  
24                   assist in carrying out studies under this section;

1 (2) evaluate the effectiveness of programs estab-  
2 lished under the Occupational Safety and Health Act  
3 of 1970 (29 U.S.C. 651 et seq.), the Comprehensive  
4 Environmental Response, Compensation, and Liability  
5 Act (42 U.S.C. 9601 et seq.), and the Superfund  
6 Amendments and Reauthorization Act of 1986 (Public  
7 Law 99-499) in addressing the contamination of  
8 workers' homes with hazardous chemicals and sub-  
9 stances transported from their workplace;

10 (3) compile a review of previous research conduct-  
11 ed on indoor air quality, as the research pertains to the  
12 fate of chemicals transported from a workplace into the  
13 home environment; and

14 (4) evaluate whether current occupational safety  
15 and health and environmental laws and regulations  
16 pose an undue burden on families seeking to redress  
17 contamination of their homes.

18 (d) REPORTS.—

19 (1) INTERIM REPORT.—Not later than 1 year  
20 after the date of enactment of this Act, the Director  
21 shall issue an interim report to Congress describing the  
22 results of the studies conducted under this section.

23 (2) FINAL REPORT.—

24 (A) IN GENERAL.—Not later than 2 years  
25 after the date of enactment of this Act, the Direc-

1           tor shall issue a final report to Congress describ-  
2           ing the results of the studies conducted under this  
3           section.

4                   (B) REGULATORY OVEBLAP.—The Director  
5           shall include in the final report the recommenda-  
6           tions of the Secretary of Labor, the Secretary of  
7           Energy, the Administrator of the Agency for  
8           Toxic Substances and Disease Registry, and the  
9           Administrator of the Environmental Protection  
10          Agency for addressing any overlap in the regula-  
11          tion of the prevention of and response to contami-  
12          nation of workers' homes with hazardous chemi-  
13          cals and substances transported from their work-  
14          place under the Occupational Safety and Health  
15          Act of 1970, the Comprehensive Environmental  
16          Response, Compensation, and Liability Act, and  
17          other Federal laws and regulations considered ap-  
18          propriate by the Director, in consultation with the  
19          Secretary of Labor, the Secretary of Energy, the  
20          Administrator of the Agency for Toxic Substances  
21          and Disease Registry, and the Administrator of  
22          the Environmental Protection Agency.

23 **SEC. 4. REGULATIONS.**

24           (b) IN GENERAL.—Not later than 3 years after the date  
25 of enactment of this Act, the Secretary of Labor, based on



1 the studies conducted in section 3 and other information  
2 available to the Secretary, shall—

3 (1) issue regulations, as appropriate, to prevent  
4 the release of hazardous chemicals and substances from  
5 a workplace on worker's clothing or persons; or

6 (2) report to Congress on why the regulations are  
7 unnecessary

8 (b) REQUIREMENTS.—In carrying out subsection (a), at  
9 a minimum, the Secretary shall—

10 (1) determine whether additional regulations are  
11 needed to protect workers' families from employee  
12 transported releases of—

13 (A) lead;

14 (B) mercury;

15 (C) asbestos;

16 (D) pharmaceuticals; and

17 (E) other materials that may pose an occupa-  
18 tional safety or health risk to workers' families  
19 from employee transported releases, including  
20 risks posed by commercial pesticide application  
21 and manufacture;

22 (2) consider the risk of acute and chronic health  
23 effects to workers' families; and

24 (3) consider environmental laws and regulations.

1 SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

2     There are authorized to be appropriated for each fiscal  
3 year such funds as are necessary to carry out this Act.

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