



General Instructions

Three coalitions representing environmental organizations, industry groups, and labor unions have had several meetings with the Agency to discuss regulating the production and use of a substance called DirtyStuff. They will meet again in 45 minutes to negotiate a portion of *The Proposed Rule Regarding the Production and Use of DirtyStuff*. A neutral facilitator has been in touch with the heads of the coalitions and the Agency, and all four have agreed to accept his/her help.

DirtyStuff is a by-product of a great many industrial processes that no one thought posed any health hazard at all. Recent studies, however, have shown that prolonged exposure to DirtyStuff can cause serious health problems.

Addressing this public concern, Congress has passed Federal Law #100 requiring the Agency to regulate the production and use of DirtyStuff. During the hearings, environmental groups argued that DirtyStuff should be banned immediately. Industry spokespeople took the position that the studies done thus far have been inconclusive. Labor representatives indicated that they wanted levels of DirtyStuff to be reduced to safe levels immediately.

In responding quickly to the wishes of Congress, the Agency leadership suggested that line personnel meet with representatives of all interested parties to work out a reasonable agreement. A major point of agreement at these meetings was that further investigation was needed to ascertain the community's views and incorporate them in an ensuing document.

The Agency asked a consultant to interview each of the coalition leaders and to work with top Agency staff to develop a preliminary draft of the proposed rule. The consultant's first draft is attached. The Agency has decided to convene some of the key groups to review the draft.

You have 45 minutes to revise the attached portion of the proposed rule before the meeting.

**DRAFT OF PROPOSED RULE REGARDING THE PRODUCTION
AND USE OF DIRTYSTUFF**

DirtyStuff produced in accordance with the procedures described may be used in a workplace as long as the five conditions listed below are met:

Condition 1

No more than one part per million (ppm) of DirtyStuff may be released into the workplace in a 24-hour period.

Condition 2

At the end of each 24-hour period, workplaces in which DirtyStuff has been released must be cleaned using the best available technology.

Condition 3

Before resuming operations at the beginning of a new 24-hour work period, all workers must be notified that the one ppm standard was not exceeded during the prior 24-hour work period and that a satisfactory cleaning has been completed.

Condition 4

Any worker with a legitimate reason to believe that either the one ppm standard has been exceeded or the required cleaning has not been completed satisfactorily is guaranteed the right to stop working (without any penalty, and without pay) until such time as the one ppm standard and the cleaning requirements have been met.

Condition 5

Organizations producing DirtyStuff, in any amount, must contract for independent monitoring and evaluation of their cleaning procedures on a semi-annual basis. The results of these independent evaluations must be reported to the Agency within seven working days of the date that monitoring and evaluation were completed.

Should further research indicate that the one-ppm standard is either too low, too high, or otherwise inappropriate, the Agency will issue further rules as quickly as possible.

FACTS ABOUT THE CLEANING TECHNOLOGIES

Steuben Technology

This method of cleaning workplaces in which DirtyStuff has been released involves mixing two or more products (acid and alkali) to obtain a neutral, non-hazardous salt plus water. The neutralizing solution is applied to surfaces which have been exposed to DirtyStuff. Typically, clean-up crews wipe these surfaces with sponges soaked in the neutralizing solution. A second wipe is then done with a bleach-like solution. The used cleaning solution is sufficiently neutral that it poses no known health or environmental hazards. This method is somewhat time-consuming and requires disposal of protective gloves, facemasks, and sponges after each clean up. However, this is the most effective method known.

Rohmer Technology

This method is roughly comparable to a fire-control sprinkler system. A number of nozzles installed in the walls and ceilings of the workplace spray an industrial strength cleaner into the workroom. The system is mechanically controlled and so once installed, there are lower operating costs. The cleaner is rinsed away with water and then drained. No special disposal is required.