CC12-79-53

UNION CARBIDE CORPORATION
METALS DIVISION
P.O. BOX 579 · 4625 ROYAL AVE., NIAGARA FALLS, NEW YORK 14302

February 15, 1980

CPSC

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PLAINTIFF'S EXHIBIT
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Office of the Secretary
Consumer Product Safety Commission
Washington, DC 20207

Gentlemen:

This is in response to the Consumer Product Safety Commission's action designated as 10 CFR Chapter II, Consumer Products Containing Asbestos; Advance Notice of proposed Rulemaking.

Union Carbide Corporation has been engaged since 1963 in the mining and milling of asbestos ore at facilities in central California. This asbestos is marketed throughout the United States and in many foreign countries. Union Carbide is a substantial supplier of asbestos, similar to Canadian Grade 7, for the manufacture of floor tile and for oil-well drilling muds. It also supplies refined asbestos fiber to a substantial number of manufacturers of caulks, sealants, coatings, adhesives, mastics and similar materials that are widely used in the automotive and other industries. Union Carbide does not supply the type of asbestos fiber used for cement, fireproofing, or insulation products, nor does it manufacture any asbestos-containing products.

Union Carbide Corporation is a member of the Asbestos Information Association/ North America. We request that you give careful consideration to the Comments submitted by the AIA/NA which we believe merit your close attention. The AIA/NA has asked that you examine whether an "unreasonable risk" exists in order to merit the regulation of asbestos under the Consumer Product Safety Act or the Federal Hazardous Substances Act. It further questions whether, in the event an unreasonable risk can be shown as arising out of the use of asbestos, the CPSC's proposed regulatory options consider the full range of alternatives required under these statutes. We hope that you will examine the issues presented by the AIA/NA and not take any action which precipitously bans or unnecessarily restricts the use of asbestos.

Very truly yours,

Harrison B. Rhodes

Harrison B. Rhodes
Technology Manager

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