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PLAINTIFF'S EXHIBIT UC-53

Mr. J. L. Myers
Mining & Metals Division
P. O. Box 579
Niagara Falls, New York

Date: May 14, 1971

Originating Dept.: Medical Department

Answering letter date:

Subject: Toxicology

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Mr. R. E. Byrne
Dr. C. U. Dernehl
Mr. J. W. Rawlings
Dr. H. B. Rhodes

Dear John:

For some time it has been rumored, if not officially stated, that asbestos would be on the first list of hazardous materials to be named by EPA. Actually the few materials named so far are only the beginning of the list. I believe there will be added lead, arsenic, selenium, chromates, manganese, some nickel compounds, chlorine, sulfur dioxide, phosphine, arsine, nitrogen dioxide and various organic compounds along with other materials that I have overlooked. As a matter of fact, if toxic response to small quantities is the criteria, then the list will be long indeed. Therefore, you can reasonably argue, I believe, that the need for control of exposure to asbestos is not greatly different from a similar need in relation to many materials that are common in our daily lives. We believe that adequate control is practically possible.

Asbestos, of course, is a toxic material that must be carefully controlled to prevent over-exposure of people who handle it or live near areas where it is handled. This we must accept. However, we argue that it is a material of great merit in many applications and that the control required is not greatly different from that we would provide for many other materials. This will be particularly noted as the nation feels the full impact of the new Occupational Safety and Health Act that became effective April 29, 1971.

I see nothing to be gained by questioning EPA on the toxicity of asbestos at this time. There has been too much publicity on it recently for their stand to be modified without strong evidence to the contrary. Actually, if we can get them and other official agencies to accept a belief that control in use and application is reasonably possible, we shall have accomplished a great deal.

Very truly yours,

Paul W. McDaniel

Paul W. McDaniel
Industrial Hygiene Engineer

PWM: dp

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