: for T. P. Norris
W. C. Thurber
J. E. Walsh
KC-File
NF-File

Calidria ASBESTOS

UNION CARBIDE CORPORATION
P.O. Box 579 Niagara Falls, N.Y. 14302

PLAINTIFF'S EXHIBIT
UC-317

By H. B. Rhodes

Date 5/1/75

Full Name Gypsum Drywall Contractors Assoc. Address 2010 Mass. Ave., N. W., Suite 600 Mfrs. of Washington, D. C.	Interviewed Mr. Howard Leederman Executive Director 202-872-0100

OBJECTIVES

1. Check on general OSHA attitude in the Drywall Industry.

2. Check on his knowledge of the Hawaiian situation.

OBSERVATIONS

Mr. Leederman had just returned from a week's tour of the U. S. with the objective of convincing the contractors that OSHA is here to stay and that they should begin to work on dust testing, work practices, etc. to develop a basis for a working agreement with OSHA. He feels he has succeeded. He offered the use of their magazine for anything appropriate that we had to contribute.

I pushed the concept that they are also going to face a problem with silica. Also told him that in a month or so we would be in a position to analyze for silica and would like to get some field samples.

He also stated that by-and-large the contractors are quite dissatisfied with the asbestos-free muds they have been getting. A number have gone to wet sponging at considerable additional expense.

Mr. Leederman had also heard from one of their members who had just returned from Hawaii. According to his information bill prohibiting asbestos in TJC was introduced but was not passed.

ACTION

HBR Continue to work with GDCI on contractor work practices.

Continue to track on the Hawaiian situation to obtain specific information.

Typed 5/2/75
gt

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Calidria asbestos

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UNION CARBIDE CORPORATION
P.O. Box 579 Niagara Falls, N.Y. 14302

By H. B. Rhodes

Date 7/22/74

Full Name	Gypsum Drywall Assoc., International	Interviewed
Address	Washington, D.C.	
Mfrs. of	Drywall Trade Association	

OBJECTIVE

Attend GDCI Safety Task Force Meeting.

OBSERVATIONS

The official group attending and the approximate agenda are attached. About 6 or 7 contractors from the Texas area were also present. The only non-drywall personnel present were Joe Volk, National Gypsum; Richard Entz, U.S. Gypsum; and the writer.

The meeting was basically chaired by Dick Gimer, the GDCI attorney. He reviewed the last meeting with OSHA, their July meeting with Selikoff, and the plan of action to move toward a request for variance. The OSHA regulations were reviewed in detail with emphasis on the fact that they were now in effect.

This led to an occasionally heated discussion on the possibility of getting rid of asbestos right away. Tom Waggoner and Bob Gulich of the California delegation were quite vocal in this regard. Waggoner talked about a West Coast supplier (almost certainly Hamilton Materials) that has a mud he is testing that looked satisfactory. There is another tonnage operation in Arizona with an asbestos-free mud. The comment was made that the contractor should not bow to the whims of the applicator but should take a firmer stand re the mud to be used. Asbestos-free mud should be given a real test not a quick trial. There was also talk of leaning on the manufacturers to provide a timetable for asbestos-free mud.

Joe Volk stated that the major manufacturers had been hard at work on the problem for several years. They had removed asbestos from their sprays and dry plaster products but had nothing that could adequately replace it in the mud. Wet-edge and freeze-thaw stability in the cans were cited as the major problem. He also mentioned that even without asbestos a serious silica nuisance dust problem remained.

Dick Entz (U.S. Gypsum) was less pro-asbestos than Volk but confirmed that finding a replacement was not easy. They too have asbestos largely out of their sprays and are trying to eliminate it from all products by 1976 when the two-fiber limit goes into effect. They have "blind" tested a number of formulations and still do not have a good one. He also mentioned an interesting point that even if they had one today it would be several years before the big volume users could be converted across the country due to limitations on raw materials availability.

This calmed the meeting down enough to proceed with the discussion of the GDCI program. Their approach is that the employees are being exposed to a possible hazard of unknown severity. They plan to get enough data to evaluate the hazard in the various parts of the country and apply for a variance A detailed review of all of the places on a job that asbestos dust could be generated was made and the variables affected the levels were explored. Mr. Gimer will work out a check list and a proposed program immediately. A copy of the AIA/NA work practices for the drywall industry was distributed for comment. Mr Gimer continues to impress me as an extremely competent, knowledgeable and well organized attorney. Without him, the GDCI efforts would be badly disorganized.

The California delegation stated that they had the money and manpower and could obtain the equipment. A testing program for their area would be started immediately and results would be made available to the GDCI. They felt that the burden of testing should not fall on any individual contractor.

The meeting ended with a heated discussion of the posture that the GDCI should adopt re Dr. Selikoff and the Unions. Selikoff has prepared a film showing a whole range of hazards in the building trades. It covers a number of other materials besides asbestos. It is scheduled to be shown at the Painters and Allied Trades Union Meeting in September along with a number of wheelchair and stretcher cases to illustrate the points. Selikoff is reported to have stated that anyone who has worked more than six years in the construction industry has suffered irreversible health damage. The meeting is to serve as a kickoff for a big safety compaign with a mobile medical and survey units moving into the field. It is a typical Selikoff extravaganza. The GDCI has been asked to assist in the selection of personnel for physical examinations.

There was a great deal of hostility toward Selikoff, particularly among the California delegation. They had gone so far as to explore the possibility of hiring a full-time medical counsultant but the $200,000 price tag had turned them off. They wanted to have nothing to do with Selikoff or to cooperate in any way.

Leederman and Gimer took the position that lack of cooperation was not going to slow Selikoff down and at least communication should be maintained so they would know what he was doing. No consensus was reached but I got the impression that the California Association would not help select personnel for physicals and the Washington representatives would back off some from their fairly extensive plan to meet regularly with Selikoff.

Added Note:

The writer took the opportunity to meet privately with both Volk and Entz to press the point that UCC had a substantial amount of product committed to supply their needs. They had an obligation to keep us informed well in advance of any substantial changes in requirements. They both indicated that there was nothing imminent but we are undoubtedly going to have to stay in regular contact.

RECOMMENDED ACTION

This a large, existing market and I feel that a substantial effort on our part is warranted to maintain substantial sales. Specifically:

HBR
EJK
1. Sit tight with GDCI until we hear from Gimer re their plans. Cooperate as appropriate and as our resources permit.

TPN
REB
JLM?
2. Serious missionary work at U.S.G. re safe use of asbestos in their plant.

HBR
3. Establish contact with Gulich about mid-September.

HBR
EJK
4. Move forward on a good priority with the pellet and high shear approach for TJC manufacture. This will reduce or largely eliminate in-plant dust for ready-mix, reduce the amount and fiber size of the asbestos in the product, and hopefully, reduce the dust potential in the field.

Typed 8/2/84
dg

GYPSUM DRYWALL
CONTRACTORS INTERNATIONAL

SAFETY TASK FORCE

AGENDA

9:00 o'clock a.m.
July 22, 1974
Hilton Palacio del Rio
San Antonio, Texas

I. Opening Remarks — E. Sanchez, Chairman, Safety Committee

II. Introductions — H. Leederman, Executive Director

III. Review of June 4, 1974 Meeting

IV. Goals and Objectives of Meeting

V. Items for Consideration:

a. On-site job inspections of Task Force members

b. Time schedule

c. Cost and financing

d. Report deadline

e. Schedule next meeting

12:00 o'clock — Lunch, El Commodore

1:00 o'clock p.m. — Reconvene

V. Items for Consideration (Cont'd.):

f. Report of OSHA Regulations relating to the Drywall Finishing Industry

g. Report of known current inspections and violations

V. Items for Consideration (Cont'd.):

h. Remarks concerning meeting July, 1974 with International Brotherhood of Painters and Allied Trades, its Safety Committee and management advisors with Dr. Selikof, Special Guest

BAT

i. Report of meeting scheduled with Dr. Selikof in Washington, D.C. on August 26 and 27, 1974

j. Report of meeting scheduled August 1 and 2, 1974 at Mount Sinai, New York City, by DRYWALL Magazine staff to interview research staff dealing with Drywall Finishing Industry

k. Other items for consideration

VI. Adjournment

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GYPSUM DRYWALL
CONTRACTORS INTERNATIONAL

SAFETY TASK FORCE
MEETING

July 22, 1974

Individuals scheduled to attend:

H. Bartles	Los Angeles, California
V. Cagle	Omaha, Nebraska
J. Coldiron	Philadelphia, Pennsylvania
W. DeBord	Houston, Texas
R. Enz (Emtz)	Chicago, Illinois U.S.G.
R. Gimer	Washington, D. C.
R. Gulick	Los Angeles, California — Lath
R. Jurischk	Houston, Texas
H. Leederman	Washington, D. C.
W. Marek	Houston, Texas
H. Rhodes	Niagara Falls, New York
E. Sanchez	San Antonio, Texas - Chairman - Safety Com
R. Slowinski	Ft. Lauderdale, Florida Not present.
J. Volk	Buffalo, New York Nat Gyp
T. Waggoner	Buena Park, California
S. Watton	Washington, D. C. Rep/alternate -

Calidria asbestos

for T. P. Norris
W. C. Thurber
J. E. Walsh
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UNION CARBIDE CORPORATION
P.O. Box 579 Niagara Falls, N.Y. 14302

~~DEC~~ RWK GLJ File

By H. B. Rhodes

Date 6/4/74

Full Name	Gypsum Drywall Contactors International	Interviewed
Address	2010 Massachusetts Ave.,N.W. Washington, D.C. 20036	See below
Mfrs. of		

OBJECTIVE

Attend meeting between GDCI and OSHA re asbestos hazards in tape joint applications.

OBSERVATIONS

Those attending were as follows:

A. Reis, OSHA - Assoc. Asst. Secretary for National Programs
D. Boyd, OSHA - Works for Reis
M. Gabis, OSHA - Appears to be involved with enforcement and as watchdog on statements by other OSHA personnel
H. Reisenfeld, President GDCI
H. Leederman, Exec. Director GDCI
E. Sanchez, Chairman of Safety Committee GDCI
A. Salvadore, Chairman of Labor Committee GDCI
C. Holds, GDCI
? Kuluf, GDCI
R. H. Gimer, Attorney for GDCI
C. Craven, Representing Painting, Decorating Contractors Assoc.
J. Volk, National Gypsum
C. Almand, U.S. Gypsum, Mgr. Govt. Services
H. B. Rhodes, Union Carbide Corp.

After the preliminary courtesies and introductions, Mr. Reisenfeld opened the discussion with an outline of the problem as GDCI saw it, i.e.,

1. OSHA had made a public statement which had received wide press coverage about health hazards to tapers. This had occurred in the midst of labor contract negotiations.

2. The Selikoff data, upon which the statement was based, were not representative of practices in other parts of the country.

3. They had been considerably damaged by the unjustified publicity.

It immediately became evident that there was a communications problem. The OSHA people were unaware of the TJC "release" and none of the GDCI people, including their attorney, had read the OSHA asbestos regulations.

The OSHA group took the position:

1. The OSHA warning undoubtedly came through NIOSH and had their evaluation and endorsement. The press release was a matter of good practice.

2. OSHA has not been going after the tape joint industry (nobody in the room had ever been cited) but there is a standard and if the compliance officer inspects he must follow the standard.

3. Specifically, what was the GDCI problem and what did they want OSHA to do about it?

This put GDCI on the spot since none of them had ever had a dust count run and had to rely on our results with confirmation by Joe Volk (National Gypsum) based on their experience. Mr. Volk also explained the function of asbestos in the TJC and the difficulty in finding a substitute. The U.S.G. representative said little but when asked did agree with Mr. Volk re the difficulty in finding a suitable substitute.

The main discussion evolved around the monitoring requirements and the difficulty in applying them to the field situation faced by the TJC industry. The OSHA people agreed that a literal application of the monitoring requirements might be an unnecessary hardship for this industry and said they would be receptive to considering any alternative proposal that would provide equal protection to the worker. The meeting broke up with the agreement that the GDCI would submit a written proposal to OSHA.

Following the departure of OSHA, a short meeting was held where it was planned to form a task group to put together the TJ industry inputs. A position would be carefully worked out before any statement was made to OSHA. It is clear they plan to set up a test program to get some facts and to look carefully at work practices. The GDCI attorney, Mr. Gimer, lead the discussion and seemed very well versed on both dealing with OSHA and in organizing what needed to be done. Both Mr. Volk and I agreed to provide advise and assistance but it was made clear that the GDCI would have to carry the ball. In spite of the fact that they were a little unprepared for this meeting, I was very much impressed with the GDCI and their ability to make decisions and act. There is no question that they are a powerful force in the drywall contracting industry.

ACTION

HBR Continue to stay in contact and provide reasonable help.

Typed 6/10/74
cjb

Calidria asbestos

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UNION CARBIDE CORPORATION
P.O. Box 579 Niagara Falls, N.Y. 14302

By H. B. Rhodes

Date 2/7/75

Full Name Gypsum Drywall Contractors International Address 2010 Mass. Ave. N.W., Suite 600 Washington, D. C. Mfrs. of	Interviewed Mr. Howard Leederman - Director

OBJECTIVE

Check on the status of the Gypsum Drywall Contractors Intl. asbestos toxicology activities.

OBSERVATIONS

Had a very interesting conversation with Mr. Leederman. The asbestos dust testing program is still on dead center with the general attitude among the contractors a mixture of "hoping that OSHA will go away" and "It is the suppliers problem." The California Drywall Contractors Association spearheaded by Robert Gulick has sent a questionaire to the joint-compound manufacturers regarding the possibilities of getting rid of asbestos. The Gypsum Drywall Contractors Intl. Safety Committee is just sitting tight.

There have been a number of asbestos-less muds appear in the field but none seem to have performed too well. A key problem is freeze-thaw stability. One redi-mix that was tested recently in the north turned to a doughy mass after the second thaw. U. S. Gypsum is doing considerable talking but has not yet placed any advertising for such muds.

The OSHA Advisory Committee for the Construction Industry was discussed. He was aware of the committee and knows the people but did not know about the asbestos related subcommittee. He will check into what is going on.

We also covered OSHA enforcement problems. They had very recently encountered the sign posting problem in Tampa, San Antonio, and Houston. He had been in the area in each case and had talked on a low-key basis with the OSHA enforcement people before any citations were actually issued. In all three cases they agreed not to cite. In general the OSHA people were very courteous and reasonable to talk with once they understood he wasn't a Washington bureaucrat telling them how to do their job. In connection with OSHA, I left him a copy of the RG-244 brochure as an illustration of what we are currently doing in this area.

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The reaction to Dr. Selikoff's big presentation at the union convention last September was noted briefly. A group in Idaho gave the contractors an ultimatum and a date to begin using only asbestos free products. The Gypsum Drywall Contractors Intl. has smoothed this over and the date has passed with no changes in the mud.

The Gypsum Drywall Contractors Intl. was not aware of the upcoming silica regulations. I left a copy of the NIOSH proposal and stressed the theme that they had an overall sanding dust problem, not just an asbestos problem.

Mr. Leederman gave me the name of the director of a contractors organization similar to the Gypsum Drywall Contractors Intl. and suggested we also talk with them. The writer will follow up.

Glen Craver, Executive Director
Painting & Decorating Contractors of America
7223 Lee Highway
Falls Church, Virginia 22046
(703) 534-1201

ACTION

HBR The Gypsum Drywall Contractors Intl. continues to do a good job in helping their members contend with OSHA. We should continue regular contact.

typed 2/11/75
mlv

Calidria ASBESTOS

or T. P. Norris
W. C. Thurber
J. E. Walsh
KC-File /
NF-File

UNION CARBIDE CORPORATION
P.O. Box 579 Niagara Falls, N.Y. 14302

CALIDRIA

By H. B. Rhodes

Date 9/4/74

Full Name Gypsum Drywall Contractors Intl Washington, D. C. Address Mfrs. of	Interviewed Howard Leederman (telecon)

OBJECTIVE

Update on progress with their OSHA situation.

OBSERVATIONS

Mr. Gimer is scheduled to meet with them tomorrow to present his recommended check list for field collection of dust samples. This will be discussed with the California Association in about two weeks.

National Gypsum has offered their services at four locations in the country to train people to sample and count.

Only the Safety Task Force Members will get together at the GDCI Semi-annual meeting in Minneapolis, September 19th and 20th. The Advisors are not being invited.

Dr. Selikoff is addressing the Painters Union convention in about a week. The GDCI has had no recent contact with him.

They had an asbestos crisis recently in Rochester, NY as follows:

1. A state inspector shut the job down and told them to remove all mud containing asbestos. This is a NY State Law.
2. Contractor responded, "What law, please provide copy."
3. Inspector responded it was not a state law but a federal law.
4. Contractor responded, "What federal law? Please show me where asbestos is prohibited."
5. Inspector responded he had been misinformed. Job went ahead.

Unfortunately, it is often hard to get the management of a plant that has been inspected to stand up and question the inspector. There is no doubt that

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Gypsum Drywall Contractors

the information and backing given the GDCI by National Gypsum and Union Carbide was very important solidifying their position. The GDCI could then back the contractor.

ACTION

HBR Continued regular contact with GDCI.

typed 9/5/74
mlv

Calidria ASBESTOS

cc for T. P. Norris
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UNION CARBIDE CORPORATION
P.O. Box 579 Niagara Falls, N.Y. 14302

By H. B. Rhodes

Date 5/31/74

Full Name	Gypsum Drywall Contractors International (GDCI)	Interviewed
Address	2010 Massachusetts Ave.,N.W. Suite 600	Howard R. Leederman (Executive Director)
Mfrs. of	Washington, D.C. 20036 (202) 872-0100	Sharon Watson (Asst. Director)

OBJECTIVE

To review the overall situation re asbestos exposure in the drywall industry in preparation for the GDCI Executive Ad. meeting and their meeting with OSHA on June 4, 1974.

OBSERVATIONS

The GDCI is a trade association representing over 500 drywall contractors. It appears to be similar to,but considerably larger and older than the AIA/NA. They also seem to be much more involved in labor negotiations and writing of industry standards and training manuals. Some information on GDCI and examples of their efforts are attached. They look like a good organization to work with in this industry.

Our data for dust levels on sanding, mixing of dry-mix, and clean-up on the job site were discussed. The were also compared qualitatively with what we have been able to learn of Selikoff's comparable data. Dust masks and the requirements for compliance with the present regulations were also covered.

It became evident in the discussion that work practices in the industry differed widely in different parts of the country. As you might expect, the practices in New York where the Mt. Sinai group obtained their data are the most archaic. Ames tools are not allowed by Union rules and sanding is most extensively and heavily used. Florida, where we got most of our data, is the best. The West Coast and North Central (Chicago) fall in between.

It was apparent that this was the first time they had seen any dust count data or had become aware of some of the real OSHA compliance problems. They were most appreciative but somewhat shaken by the implications, particularly in areas like California where the sanders are exposed for eight hours almost every day.

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The GDCI is having an executive board meeting June 3 and 4 where the asbestos exposure question is one of the primary items on the agenda. Their position, basically, is as follows:

1. Different parts of the country have different problems.

2. The New York data does not apply generally.

3. There is no acceptable substitute product available now or in the immediate future. (He has talked to U.S.G. and has been assured that they are not going to claim such a product.)

4. OSHA handling of the problem has caused considerable confusion and if pursued actively will result in chaos in the industry.

A meeting had been arranged with John Stender for June 4 but a schedule conflict has developed for him. He will be represented by his Associate Assistant, Alexander Reese. Mr. Reese will be accompanied by Ray McClure and Dr. Dan Boyd. The GDCI will be represented by Mr. Leederman and the chairmen of their Safety, Technical, and Labor Committees. Joe Volk (National Gypsum) and Dick Ens (U.S. Gypsum) have accepted invitations to attend to represent the TJC manufacturers. Mr. Leederman urged strongly that I attend as a major supplier and I agreed to do so. The group seems a little large to me but it's their meeting.

I also told them that we would be glad to take a limited number of dust counts of general usefulness, i.e., a typical New York, Midwest, and West Coast construction job. We could not, however, serve as a general dust count service. I agreed to act as a consultant on their recommendations to contractors and to talk at one of their forthcoming general meetings.

ACTION

HBR Attend June 4 meeting in Washington and stay in close touch with developments.

Typed 6/3/74
cjb