REPORT OF CALL

CC for
T. P. Norris
J. W. Rawlings
King City - File ✓
Niagara Falls - File

UNION CARBIDE CORPORATION

P.O. Box 579 Niagara Falls, N.Y. 14302

By R. E. Byrne

END USE
Polyester

Date 9/23/71

Full Name Interplastics Address 2015 N.E. Broadway Minneapolis, Minn. Mfrs. of	Interviewed W. Sofko

PLAINTIFF'S EXHIBIT UC-632

OBJECTIVE

Determine results of introductory program for RG-244.

DISCUSSION

Bill Sofko told Tom Norris and me that most of the TL of RG-244 has been used and the resulting resin sampled to 5 or 6 customers whom they can watch carefully. To date, there have been no bad results. Interplastics especially likes the economic advantage of 244. They are learning how to mix it in their several different mixers including a Cowles (150 HP), Hockmeyer, and a Meyers. Each is different and none agrees with laboratory results. (Sofko admits they also went through this with silica.)

Interplastics uses "a pinch" of TiO_2 to mask the fact that RG-244 is being used. The customer, therefore, is not aware of a difference in their resin.

Sofko also confirmed that they use about 100 ppm hydroquinone inhibitor in all their resins. This stabilizes both the styrene monomer and the ethylenic unsaturation in the polyester resin (mainly the maleic acid portion). He claims that all manufacturers do likewise and that hydroquinone is about the best.

In general, Interplastics feels that their program is going well. They are not ready to order again, but so far they are encouraged. They are formulating a strategy for its use which will apparently involve a partial replacement of silica. RG-244 usage should increase as they gain confidence in its use.

Sofko asked about asbestos toxicology and seemed satisfied with the data we cited on TLV and respiratory protection.

Sofko also said Interplastics has a capacity of about 3MM lb. of polyester per month. They produce at this rate currently and are looking for ways to expand, probably through acquisition of a new plant. They sell in Florida, Texas, Colorado and on the East Coast as well as the mid-west.

FUTURE ACTION

T. Norris - Sleep with 'em!

Typed 9/28/71

CUSTOMER & LOCATION Interplastic Corp. Minneapolis, MN

INDUSTRY CLASSIFICATION Polyester

SALESMAN Edward J. Kleber REGION Midwest DATE OF CALL 8/29&31/78

ASBESTOS HEALTH & REGULATORY DOCUMENTS PROVIDED:

- ☐ MSDS
- ☐ Health & OSHA Information Blue Book
- ☐ Dust Count Report
- ☐ Other, specify below

PERSONS INTERVIEWED:

Howard Melin - Corporation Secretary
Terry McCabe - Technical Director
Sharon Fisk - Purchasing Agent

CALL OBJECTIVE:

Regular call.

RESULTS OF CALL:

I checked in with Howard primarily to find out whether or not Interplastic has had any more harassment from OSHA. Howard said that, "no, they have now been inspected in both plants by OSHA and have everything straightened out." He told me not to be concerned, we would be the first to know if he had any trouble from OSHA. Even though they did not get cited for needing medical exams, Howard says they have decided to administer them to the handlers of asbestos. I replied that this was probably a good idea and left it at that.

I spoke briefly with Sharon, strictly social, because as she points out RG-244 is not a commodity item with Interplastic so all she has to do is monitor the inventories.

As usual, Terry took time out from his busy schedule to remind me that the secrecy agreement we have with them regarding the silane-treated product is almost one year old and all he has seen so far is 40 grams of material. I told them that we did have a plant trial that was pretty much of a flop, and he would just have to be patient and wait. He mumbled something about whether or not there was a statute of limitations on secrecy agreements and we left the subject. Things continue along here as normal, with no great increases or decreases of business in sight. The big hope we have now for RG-244 is that with all the changes at Hatco/U.S. Steel, they will somehow mess up at Kohler and Interplastic will get the business. He admits that's not very likely. All in all, RG-244 continues to perform as advertised and Terry has no complaints.

FOLLOW-UP ACTION REQUIRED:

EJK - Continue normal calls.

COPIES TO: JRL:TPN:WCT:JEW:KC-FILE:NF-FILE NF PERMANENT FILE ☒

dal 9/8/78

CC for
T. P. Norris
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King City - File
Niagara Falls - File

UNION CARBIDE CORPORATION

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FUTURE ACTION

T. Norris - Sleep with 'em!

Typed 9/28/71
bsn

Calidria ASBESTOS

CC: J. E. Lenahan
T. P. Norris
R. L. Schult
W. C. Thurber
J. E. Walsh
KC-File
NF-File
J. V. Murray

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

E. J. Kleber and
By H. B. Rhodes

Date 9/2 - 9/5/75

Full Name Interplastic Corp. Minneapolis, MN. Address Mfrs. of	Interviewed Howard Melin - Corp. Sec'y. Terry McCabe - Chief Chemist Doug Guenther - Technical Sup't Marvin Weiss - Plant Mgr. Mike Nyland - OSHA Industrial Hygenist

OBJECTIVES

Help Interplastic understand and, if necessary, fight their recent OSHA citations.

OBSERVATIONS

Interplastic has been cited for 3 violations:
1.) No initial fiber count
2.) Poor housekeeping
3.) No medical exams

Terry McCabe called on 9/2 and asked for help. He requested we come in and explain the regulations as we saw them, and also run a fiber count. We, of course, agreed to help in any way possible, and told him we'd be in on 9/5. On 9/3 Terry called back and said they had decided to invite Mike Nyland of OSHA to this meeting. We agreed that this was a good idea and decided to get together the evening of 9/4 to get a head start on the meeting and try to let Interplastic know how we stood on their citations.

9/4/75

A meeting was held with Howard Melin, Doug Guenther and Marvin Weiss.

We proceeded to go over the OSHA citation point-by-point, reflecting our opinions based largely on H.B. Rhodes conversations this week with J.V. Murray in UCC's law dept.

1.) No Fiber count - poppycock! We had conducted a test for them in October of 1972. This is irrefutable fact. Upon discussion with Interplastic, however, it was learned that a mix-up had occurred and they couldn't lay their hands on it when Nyland asked (they have since found it).

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2.) Housekeeping - the sticky part of this violation is that the law reads "All external surfaces in any place of employment shall be maintained free of accumulations of asbestos fibers if, with their dispersion there would be an excessive concentration." No definition of excessive concentration is made and therein lies the rub. Our belief is that it should mean in excess of the limits.

3.) Medical exams - as we all know this is an extremely gray area that is only going to be solved by a revision of the standard. The hang-up obviously is the definition of the word "exposed." Interplastic is probably wide open on that one.

We discussed these points at some length and left with the impression that Interplastic was not about to be railroaded into paying fines, etc. unless they were absolutely sure they violated the law.

9/5/75

We met with Messrs. Melin, Guenther, Weiss and Terry McCabe from Interplastic plus Mike Nyland from OSHA.

Nyland comes across as a reasonable guy who has been given the job of enforcing standards which are, by his own admission, darn near impossible to understand. It is an unenviable position to be in and he deserves high marks for coming into the "lion's den" and explaining his thoughts. Unfortunately his thoughts are as vague as the standard. For example, he said that Interplastic probably wouldn't have been cited had they shown him their fiber count and their asbestos handling program. We never did find out what an asbestos handling program is. He also admitted that both the housekeeping and medical exam citations were based on his personal feelings rather than any hard and fast rules (it is important to note here that OSHA has never collected air samples at Interplastic). Terry McCabe made the comment that it is difficult enough to look into a crystal ball and predict how a particular inspector is going to interpret the law, let alone anticipate something that the standard doesn't call for. Nyland more or less agreed, but still wouldn't change his opinion.

A number of other points were covered such as: definitions of exposure and excessive concentration, sampling times, housekeeping guidelines, etc. None of these questions were satisfactorily answered.

Nyland departed leaving everyone as confused as ever. Based on what went on in that meeting it was decided to have an informal discussion with the OSHA regional director ASAP.

A fiber count was run and the results showed that Interplastic was significantly below any levels that OSHA has set up (Ceiling concentration sample = 1.0 fibers/cc).

Report of Call
Interplastic Corp.
Minneapolis, MN.

RECOMMENDED ACTION

E. J. Kleber - Interplastic is willing to pursue these citations and it certainly is in our best interest to give them as much support as possible. During all our discussions, they have never mentioned any possibility of dropping the use of RG-244, and we need to make sure that it doesn't happen.

ADDED NOTES:

For those who haven't had the opportunity to see one, a copy of the citation is attached.

We have a meeting set up with the Regional Director of OSHA on 9/11/75. E. J. Kleber and J. L. Myers will attend with Interplastic personnel.

Typed 9/12/75
ejp

Attachment

AREA	REGION
4760	5

Room 437 Federal Courts Building
110 South Fourth Street
Minneapolis, Minnesota 55401

TO:
2.
Interplastic Corporation
2015 N.E. Broadway
Minneapolis, Minnesota 55413

Subject: Citation(s) for Alleged Occupational Safety and Health Violation(s)

An inspection of a place of employment has revealed conditions which we believe do not comply with the provisions of the Occupational Safety and Health Act of 1970, (29 U.S.C. 651 *et seq.*). The nature of such alleged violation(s) is described in the enclosed citation(s) with references to applicable standards, rules, regulations and provisions of the said Act. These conditions must be corrected on or before the date shown to the right of each alleged violation therein.

The Act requires that a copy of the enclosed citation(s) be prominently posted "in a conspicuous place upon receipt" at or near each place a violation referred to in the citation occurred. It must remain posted until all violations cited therein are corrected, or for 3 working days*, whichever period is longer. A sufficient number of copies of the attached citation(s) should be prepared to permit posting in accordance with the requirements of the Act. The Act provides for penalties for violation of the posting requirements.

You are hereby notified, or will soon be notified, whether or not penalty(ies) will be proposed as a result of the cited violation(s). You have the right to contest any or all parts of either the citation(s) or the proposed penalty(ies) before the Occupational Safety and Health Review Commission. The Review Commission is an independent agency with authority to issue decisions regarding citation(s) and proposed penalty(ies). If you do contest, you should submit a letter to the Area Director at the address shown above within 15 working days* after receipt of the certified mail notice regarding proposed penalty(ies). If you fail to contest within the 15 working day period, the citation(s) and the penalty(ies) as proposed, shall be deemed to be a final order of the Review Commission and not subject to review by any court or agency.

If an employer contests the citation, the abatement period specified therein does not begin to run until the date of the Commission's final order in the case *PROVIDED* the employer initiated his contest in good faith and not solely for delay or avoidance of penalties.

You have a right to request a discussion with the Area Director concerning any results of the inspection (abatement dates, citations, penalties, etc.). Please direct correspondence to, or call, the Area Director at the address shown at the top of this letter. A request for an informal discussion cannot extend the 15 working day period allowed for filing a notice of contest. Therefore, a request for an informal discussion should be brought to the attention of the Area Director prior to the end of the 15 working days allowed for filing a notice of contest, preferably as soon as possible.

An employee or representative of employees may file a notice (letter) to contest the reasonableness of the time stated in the citation for the abatement of the alleged violation(s).

Alleged violations that are not contested shall be corrected within the abatement period specified in the citation. A followup inspection may be made for the purpose of ascertaining that the employer has posted the citation(s) as required by the Act and corrected the alleged violations. Failure to correct an alleged violation within the abatement period may result in further proposed penalties for each day the alleged violation has not been corrected. Timely correction of an alleged violation does not affect the initial proposed penalty.

Correction of alleged violations which have an abatement period of 30 days or less should be reported in writing to the Area Director promptly upon correction. Reports of corrections should show specific corrective action on each such alleged violation and the date of such action. On alleged violations having an abatement date of more than 30 days, a written progress report should be submitted each 30 days. The progress report should detail what has been done, what remains to be done, and the time needed to fully abate each such violation. When the alleged violation is fully abated, the Area Director should be so advised.

The Act provides that whoever knowingly gives false information is subject to a fine up to $10,000, imprisonment up to 6 months, or both.

If you wish additional information, you may direct such request to the undersigned at the address shown above.

*Under the Occupational Safety and Health Act, the term "Working Day" means Mondays through Fridays but does not include Saturdays, Sundays, or Federal Holidays.

3. Citation(s) Enclosed

Quantity		Pages
1	Nonserious	1
	Serious	
	Willful and/or Repeated	

4. Notification of Proposed Penalty enclosed
☒ Yes ☐ No

U.S. Department of Labor
by Area Director Vernon P. Fern

5. [signature]

Date August 29, 19 75

OSHA-2C
Rev. Sept. 1972

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asbestosclaims.law/library/15868/7

CITATION

Room 437 Federal Courts Building
110 South Fourth Street
Minneapolis, Minnesota 55401

AREA 4760 | REGION 5

TO: 2.
Interplastic Corporation
2015 N.E. Broadway
Minneapolis, Minnesota 55413

3. Citation Number 1

4. Page 1 of 5. 1

6. TYPE OF ALLEGED VIOLATION(S):

7. An inspection was made on August 27, 1975 of a place of employment located at:

8. 2015 N.E. Broadway, Minneapolis, MN 55413 and described as follows:

9. Manufacturer of polyester resins.

On the basis of the inspection it is alleged that you have violated the Occupational Safety and Health Act of 1970, 29 U.S.C. 651 *et seq.*, in the following respects:

10. Item number	11. Standard, regulation or section of the Act allegedly violated	12. Description of alleged violation	13. Date by which alleged violation must be corrected
	All References are from Title 29 CFR Part 1910:		
1.	1910.93a(f)(1)	Employees exposure to asbestos has not been monitored in order to determine whether the exposure to asbestos fibers is below the limits perscribed in 1910.93a(b).	Oct. 29, 1975
2.	1910.93a(h)(1)	External surfaces have not been maintained free of accumulations of asbestos fibers. For example: Areas in which the asbestos is stored was observed to have significant amounts of free asbestos on the floor, on the bags of asbestos and on the asbestos skids.	Sept. 12, 1975
3.	1910.93a(j)(1)	Medical examinations as required by 1910.93a(j)(2), (3) & (4) have not been provided to employees exposed to asbestos.	Nov. 28, 1975

The law requires that a copy of this citation shall be prominently posted in a conspicuous place at or near each place that an alleged violation referred to in the citation occurred. The citation must remain posted until all alleged violations cited therein are corrected, or for 3 working days*, whichever period is longer.

RIGHTS OF EMPLOYEES

Any employee or representative of employees who believes that any period of time fixed in this citation for the correction of a violation is unreasonable has the right to contest such time for correction by submitting a letter to the U.S. Department of Labor at the address shown above within 15 working days* of the issuance of this citation.

"No person shall discharge or in any manner discriminate against any employee because such employee has filed any complaint or instituted or caused to be instituted any proceeding under or related to this Act or has testified or is about to testify in such proceeding or because of the exercise by such employee on behalf of himself or others of any right afforded by this Act." Sec. 11(c)(1) of the Occupational Safety and Health Act of 1970, 29 U.S.C. 651, 660(c)(1).

*Under the Occupational Safety and Health Act, the term "Working Day" means Mondays through Fridays but does not include Saturdays, Sundays, Federal Holidays.

Area Director's Signature [signature] Issuance Date August 29, 1975

Room 437 Federal Courts Building
110 South Fourth Street
Minneapolis, Minnesota 55401

AREA	REGION
4760	5

TO:
2. Interplastic Corporation
2015 N.E. Broadway
Minneapolis, Minnesota 55413

3. Date August 29, 1975

THERE IS NO REQUIREMENT THAT THIS NOTIFICATION BE POSTED.

NOTIFICATION OF PROPOSED PENALTY

This notification and the penalty(ies) proposed by the Secretary of Labor shall be deemed to be the final order of the Occupational Safety and Health Review Commission (*an independent agency with authority to issue decisions respecting citations and proposed penalties*) and not subject to review by any court or agency unless, within 15 working days from the date of receipt of this notification, you submit a letter of contest. The letter of contest should be mailed or otherwise delivered to the Area Director named below at the address shown at the top of this notification. If no notice of contest is filed within the 15 working day period the proposed penalty(ies) becomes final and is immediately payable.

Payment of all penalties shown is to be made by check or money order payable to the order of "Occupational Safety and Health-Labor". Payment of penalties should be remitted to the Area Director at the address shown above.

Section 17(1) of the Act states: "Civil penalties owed under this Act shall be paid into the Treasury of the United States and shall accrue to the United States and may be recovered in a civil action in the name of the United States brought in the United States district court for the district where the violation is alleged to have occurred or where the employer has its principal office."

4. On the 29th day of August, 1975, a citation(s) was issued to you in accordance with the provisions of Section 9(a) of the Occupational Safety and Health Act of 1970 (84 Stat. 1601; 29 U.S.C. 651, et seq.) hereinafter referred to as the Act. You were thus notified of certain alleged violations of the Act, as specified in that citation(s).

YOU ARE HEREBY NOTIFIED that pursuant to the provisions of Section 10(a) of the Act, the penalty(ies) set forth below is/ are being proposed, based on the citation(s).

5. NONSERIOUS VIOLATIONS

5A. Citation No.	5B. Item No.	5C. Proposed Penalty
1	1	$ 150.00
	2	90.00
	3	90.00

6. VIOLATIONS

6A. Citation No.	6B. Item No.	6C. Proposed Penalty

7. Total Proposed Penalty for All Alleged Violations $ 330.00

8. Area Director — Date August 29, 1975

The proposed penalty for Nonserious Violations of safety and health standards reflects a 50 percent adjustment factor for corrective action to be taken within the period prescribed in the citation. If a particular alleged violation is not corrected within this period, the 50 percent adjustment will be added to such other penalty as may subsequently be proposed for failure to correct a violation within the abatement period. No abatement credit is allowed for violations of recordkeeping or posting requirements.

GPO 938-035

OSHA-3

Calidria ASBESTOS

CC: J. E. Lenahan
T. P. Norris
R. L. Schult
W. C. Thurber
J. E. Walsh
KC-File
NF-File
J. V. Murray

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

By E. J. Kleber

Date 9/17/75

Full Name Interplastic Corporation Minneapolis, MN Address Mfrs. of	Interviewed Doug Guenther (TELECON)

OBJECTIVES

Find out what OSHA decided regarding Interplastic's citations as described in ROC's of 9/2 and 9/11.

OBSERVATIONS

OSHA has withdrawn the citations for no fiber count and medical exams! This leaves Interplastic with a $90 fine for poor housekeeping. Doug admitted that the warehouse looked crummy the day the inspection took place (incidentally, the inspector took pictures), and has decided to pay the fine. They have written a letter to OSHA promising better housekeeping and enclosed their check.

All things considered, Interplastic seems to have come out of this smelling like a rose. At our last meeting, we had all felt that OSHA would probably nail them for medicals. Doug thinks that the housekeeping violation is more of a face-saving devise than anything. He is probably right.

RECOMMENDED ACTION

EJK Conduct fiber count at their Pryor, OK plant to insure that Interplastic is covered for any surprises there.

Continue normal sales follow-up.

ADDED NOTE:

They continue to praise us for our help and my guess is that we are very high on their "Friends" list. This should help us as they look at new formulations.

Typed 9/17/75
cjb

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Carbide asbestos

APR 21 1975

cr for 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

By E. J. Kleber with T. P. Norris

Date 3/11/75

Full Name Interplastics Corporation Address Minneapolis, MN Mfrs. of	Interviewed Jim Wallenfelz - General Manager Terry McCabe - Technical Services Doug Guenther - Technical Servies

OBJECTIVES

Turn over call with T. P. Norris.

OBSERVATIONS

Business is a little slow at Interplastics, but they are using the extra time to expand their product lines. Terry McCabe is going to head up a new group of technical people for that purpose. Fred Kwan (ex AMOCO) has recently come up with a new fire-retardant polyester(known around Interplastics as Fred Kwan No. 1) to compete directly with Hooker Hetron and others of this type. RG-244 is in this resin. We are also going into filament winding and laminating resins. This appears to be another case of a company putting 244 to work on new formulations, but not reformulating old ones. We now have a substatial portion of their business and it should be increasing all the time.

We were given a history lesson by Terry which goes as follows: Interplastics is only about 15 years old. They have a lot of financial backing, which explains why they are hiring people and expanding plants in these hard times. Of the newer polyester producers only Alpha sells more resin, but according to Terry, Interplastics is immensely more profitable. They have always been very aggresive and will probably continue to be so. They leave one with the impression of a very hungry group.

Doug and Terry are both interested in "handling problems" with RG-244 and want to have another fiber count run. We agreed and will phone Terry 3/31 or 4/1 to make an appointment.

One of the purposes of seeing Jim Wallenfelz was to break the news on the RG-244 price increase. He took it very calmly and in fact, ended up cussin' out Cabot for their very high increases. We suggested that if they are running low on 244, they should order before 4/1/75 and save 8¢/lb. Wallenfelz promised to check and let us know.

We certainly seem to be in solid here and getting into more resins all the time. Although Terry spends most of a call trying to confuse you, it's obvious he likes RG-244 and will continue to look for new uses. Somewhere in this smokescreen he casually mentioned building a plant in California (San Diego, I think). Whether this is wishful thinking, or on the drawing boards is just impossible to find out. One thing for sure, we aren't going to know until they want us to.

RECOMMENDED ACTION

EJK - Call Terry 3/31 or 4/1 to arrange a fiber count. Continue normal follow-up

Typed 4/7/75
ds

CUSTOMER CALL REPORT

CUSTOMER & LOCATION: Interplastic Corporation Minneapolis, MN

INDUSTRY CLASSIFICATION: Polyester

SALESMAN: Edward J. Kleber

REGION: Midwest

DATE OF CALL: 5/4/78

PRODUCTS DISCUSSED:

Cr	Mn	Spec.	Si	CaC_2	W	V	Asb.	Other:
☐	☐	☐	☐	☐	☐	☐	X	

PERSONS INTERVIEWED: Terry McCabe - Technical Director

CALL OBJECTIVE: Regular call on carload RG-244 user.

RESULTS OF CALL:

Interplastic got caught short of RG-244 recently and promptly ordered a carload. At the same time they back hauled some 244 from their Pryor, OK, plant but it didn't arrive in time. The worst of all possible things happened; they actually used Aerosil in a resin which has been strictly RG-244 for years. Actually, it didn't turn out to be too bad, because a customer complained about the cloudy looking resin that Interplastic sent them. The usage rate of RG-244 has gone up recently because their business has been excellent.

Terry still dreams of getting the Kohler business. Kohler, of course, is the largest manufacturer of tubs and shower stalls in the U.S. He says they've got another shot at the business and if successful this would double our RG-244 sales. They are so intent on this business that they hired a chemist from OCF to work primarily on this project. They have recently submitted some samples to Kohler and expect to hear back from them within 3-4 weeks.

Terry also mentioned that they are about to come out with a new line of HAF resins and Terry claims that all the formulating is being done with RG-244.

All in all, things seem to be going well here. We got over the very serious toxicology/OSHA problem here and things seem to be back to normal.

(OVER)

FOLLOW-UP ACTION REQUIRED:

EJK - Regular calls.

COPIES TO: JRL:TPN:WCT:JEW:KC-FILE:NF-FILE

dal 5/18/78

Calidria ASBESTOS

CC: J. E. Lenahan
T. P. Norris
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NF-File
J. V. Murray

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

By E. J. Kleber

Date 9/17/75

Full Name Interplastic Corporation Minneapolis, MN Address Mfrs. of	Interviewed Doug Guenther (TELECON)

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Typed 9/17/75
cjb

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cc for: H. B. Rhodes - Niagara Falls
R. E. Byrne - Niagara Falls
T. P. Norris - Chicago
W. C. Thurber - NY 38
KC Files ✓
NF Files

Calidria asbestos

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

By J. E. Walsh

Date 5-22-75

Full Name	Interplastics	Interviewed	
Address	Pryor, Oklahoma		Gerry Gerondale, Plant Manager
Mfrs. of	Polyester Resins		

Call made on new RG-244 carload user in this geography.

The plant opened about a year ago, but last month's carload was the first direct shipment they received. They did receive a carload a couple of months ago, but it was stopped off here enroute to Minneapolis. Right now space is limited, and Gerry wasn't sure if they would go to the stop off route again the next time they need material. Production is erratic on thixed resins, as they make a variety for the tank coating, boat, automotive, and sanitary ware markets. Briefly discussed the toxicology topic, and our latest information on the subject has been sent to him. Left Gerry with my card in case they had an emergency or if he felt I could help him in anyway.

HBR They are interested in having a dust count done the next time we have someone in the area. Please put them on your list of stops to make. Thank you.

JEW Once a year courtesy call frequency should be sufficient.

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Calidria ASBESTOS

Dave

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NF-File
J. V. Murray

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

E. J. Kleber and
By H. B. Rhodes

Date 9/2 - 9/5/75

Full Name Interplastic Corp. Minneapolis, MN. Address Mfrs. of	Interviewed Howard Melin - Corp. Sec'y. Terry McCabe - Chief Chemist Doug Guenther - Technical Sup't Marvin Weiss - Plant Mgr. Mike Nyland - OSHA Industrial Hygenist

OBJECTIVES

Help Interplastic understand and, if necessary, fight their recent OSHA citations.

OBSERVATIONS

Interplastic has been cited for 3 violations:
1.) No initial fiber count
2.) Poor housekeeping
3.) No medical exams

Terry McCabe called on 9/2 and asked for help. He requested we come in and explain the regulations as we saw them, and also run a fiber count. We, of course, agreed to help in any way possible, and told him we'd be in on 9/5. On 9/3 Terry called back and said they had decided to invite Mike Nyland of OSHA to this meeting. We agreed that this was a good idea and decided to get together the evening of 9/4 to get a head start on the meeting and try to let Interplastic know how we stood on their citations.

9/4/75

A meeting was held with Howard Melin, Doug Guenther and Marvin Weiss.

We proceeded to go over the OSHA citation point-by-point, reflecting our opinions based largely on H.B. Rhodes conversations this week with J.V. Murray in UCC's law dept.

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2.) Housekeeping - the sticky part of this violation is that the law reads "All external surfaces in any place of employment shall be maintained free of accumulations of asbestos fibers if, with their dispersion there would be an excessive concentration." No definition of excessive concentration is made and therein lies the rub. Our belief is that it should mean in excess of the limits.

3.) Medical exams - as we all know this is an extremely gray area that is only going to be solved by a revision of the standard. The hang-up obviously is the definition of the word "exposed." Interplastic is probably wide open on that one.

We discussed these points at some length and left with the impression that Interplastic was not about to be railroaded into paying fines, etc. unless they were absolutely sure they violated the law.

9/5/75

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Nyland comes across as a reasonable guy who has been given the job of enforcing standards which are, by his own admission, darn near impossible to understand. It is an unenviable position to be in and he deserves high marks for coming into the "lion's den" and explaining his thoughts. Unfortunately his thoughts are as vague as the standard. For example, he said that Interplastic probably wouldn't have been cited had they shown him their fiber count and their asbestos handling program. We never did find out what an asbestos handling program is. He also admitted that both the housekeeping and medical exam citations were based on his personal feelings rather than any hard and fast rules (it is important to note here that OSHA has never collected air samples at Interplastic). Terry McCabe made the comment that it is difficult enough to look into a crystal ball and predict how a particular inspector is going to interpret the law, let alone anticipate something that the standard doesn't call for. Nyland more or less agreed, but still wouldn't change his opinion.

A number of other points were covered such as: definitions of exposure and excessive concentration, sampling times, housekeeping guidelines, etc. None of these questions were satisfactorily answered.

Nyland departed leaving everyone as confused as ever. Based on what went on in that meeting it was decided to have an informal discussion with the OSHA regional director ASAP.

A fiber count was run and the results showed that Interplastic was significantly below any levels that OSHA has set up (Ceiling concentration sample = 1.0 fibers/cc).

Published by AsbestosClaims.Law
asbestosclaims.law/library/15868/17

Interplastic Corp.
Minneapolis, MN.

RECOMMENDED ACTION

E. J. Kleber - Interplastic is willing to pursue these citations and it certainly is in our best interest to give them as much support as possible. During all our discussions, they have never mentioned any possibility of dropping the use of RG-244, and we need to make sure that it doesn't happen.

ADDED NOTES:

For those who haven't had the opportunity to see one, a copy of the citation is attached.

We have a meeting set up with the Regional Director of OSHA on 9/11/75. E. J. Kleber and J. L. Myers will attend with Interplastic personnel.

Typed 9/12/75
ejp

Attachment

N-3252	5	99
AREA	REGION	
4760	5	

Room 437 Federal Courts Building
110 South Fourth Street
Minneapolis, Minnesota 55401

TO:
2.
Interplastic Corporation
2015 N.E. Broadway
Minneapolis, Minnesota 55413

Subject: Citation(s) for Alleged Occupational Safety and Health Violation(s)

An inspection of a place of employment has revealed conditions which we believe do not comply with the provisions of the Occupational Safety and Health Act of 1970, (29 U.S.C. 651 *et seq.*). The nature of such alleged violation(s) is described in the enclosed citation(s) with references to applicable standards, rules, regulations and provisions of the said Act. These conditions must be corrected on or before the date shown to the right of each alleged violation therein.

The Act requires that a copy of the enclosed citation(s) be prominently posted "in a conspicuous place upon receipt" at or near each place a violation referred to in the citation occurred. It must remain posted until all violations cited therein are corrected, or for 3 working days*, whichever period is longer. A sufficient number of copies of the attached citation(s) should be prepared to permit posting in accordance with the requirements of the Act. The Act provides for penalties for violation of the posting requirements.

You are hereby notified, or will soon be notified, whether or not penalty(ies) will be proposed as a result of the cited violation(s). You have the right to contest any or all parts of either the citation(s) or the proposed penalty(ies) before the Occupational Safety and Health Review Commission. The Review Commission is an independent agency with authority to issue decisions regarding citation(s) and proposed penalty(ies). If you do contest, you should submit a letter to the Area Director at the address shown above within 15 working days* after receipt of the certified mail notice regarding proposed penalty(ies). If you fail to contest within the 15 working day period, the citation(s) and the penalty(ies) as proposed, shall be deemed to be a final order of the Review Commission and not subject to review by any court or agency.

If an employer contests the citation, the abatement period specified therein does not begin to run until the date of the Commission's final order in the case *PROVIDED* the employer initiated his contest in good faith and not solely for delay or avoidance of penalties.

You have a right to request a discussion with the Area Director concerning any results of the inspection (abatement dates, citations, penalties, etc.). Please direct correspondence to, or call, the Area Director at the address shown at the top of this letter. A request for an informal discussion cannot extend the 15 working day period allowed for filing a notice of contest. Therefore, a request for an informal discussion should be brought to the attention of the Area Director prior to the end of the 15 working days allowed for filing a notice of contest, preferably as soon as possible.

An employee or representative of employees may file a notice (letter) to contest the reasonableness of the time stated in the citation for the abatement of the alleged violation(s).

Alleged violations that are not contested shall be corrected within the abatement period specified in the citation. A followup inspection may be made for the purpose of ascertaining that the employer has posted the citation(s) as required by the Act and corrected the alleged violations. Failure to correct an alleged violation within the abatement period may result in further proposed penalties for each day the alleged violation has not been corrected. Timely correction of an alleged violation does not affect the initial proposed penalty.

Correction of alleged violations which have an abatement period of 30 days or less should be reported in writing to the Area Director promptly upon correction. Reports of corrections should show specific corrective action on each such alleged violation and the date of such action. On alleged violations having an abatement date of more than 30 days, a written progress report should be submitted each 30 days. The progress report should detail what has been done, what remains to be done, and the time needed to fully abate each such violation. When the alleged violation is fully abated, the Area Director should be so advised.

The Act provides that whoever knowingly gives false information is subject to a fine up to $10,000, imprisonment up to 6 months, or both.

If you wish additional information, you may direct such request to the undersigned at the address shown above.

*Under the Occupational Safety and Health Act, the term "Working Day" means Mondays through Fridays but does not include Saturdays, Sundays, or Federal Holidays.

3. Citation(s) Enclosed

Quantity		Pages
1	Nonserious	1
	Serious	
	Willful	
	and/or	
	Repeated	

4. Notification of Proposed Penalty enclosed
☒ Yes ☐ No

U.S. Department of Labor
by Area Director Vernon P. Fern

5. [signature]

Date August 29, 19 75

OSHA-2C
Rev. Sept. 1972

CITATION

Room 437 Federal Courts Building
110 South Fourth Street
Minneapolis, Minnesota 55401

AREA	REGION
4760	5

TO: 2.
Interplastic Corporation
2015 N.E. Broadway
Minneapolis, Minnesota 55413

3. Citation Number 1

4. Page 1 of 5. 1

6.
TYPE OF ALLEGED VIOLATION(S):

7.
An inspection was made on August 27, 1975 of a place of employment located at:

8. 2015 N.E. Broadway, Minneapolis, MN 55413 and described as follows:

9. Manufacturer of polyester resins.

On the basis of the inspection it is alleged that you have violated the Occupational Safety and Health Act of 1970, 29 U.S.C. 651 *et seq.*, in the following respects:

10. Item number	11. Standard, regulation or section of the Act allegedly violated	12. Description of alleged violation	13. Date by which alleged violation must be corrected
	All References are from Title 29 CFR Part 1910:		
1.	1910.93a(f)(1)	Employees exposure to asbestos has not been monitored in order to determine whether the exposure to asbestos fibers is below the limits perscribed in 1910.93a(b).	Oct. 29, 1975
2.	1910.93a(h)(1)	External surfaces have not been maintained free of accumulations of asbestos fibers. For example: Areas in which the asbestos is stored was observed to have significant amounts of free asbestos on the floor, on the bags of asbestos and on the asbestos skids.	Sept. 12, 1975
3.	1910.93a(j)(1)	Medical examinations as required by 1910.93a(j)(2), (3) & (4) have not been provided to employees exposed to asbestos.	Nov. 28, 1975

The law requires that a copy of this citation shall be prominently posted in a conspicuous place at or near each place that an alleged violation referred to in the citation occurred. The citation must remain posted until all alleged violations cited therein are corrected, or for 3 working days*, whichever period is longer.

RIGHTS OF EMPLOYEES

Any employee or representative of employees who believes that any period of time fixed in this citation for the correction of a violation is unreasonable has the right to contest such time for correction by submitting a letter to the U.S. Department of Labor at the address shown above within 15 working days* of the issuance of this citation.

"No person shall discharge or in any manner discriminate against any employee because such employee has filed any complaint or instituted or caused to be instituted any proceeding under or related to this Act or has testified or is about to testify in such proceeding or because of the exercise by such employee on behalf of himself or others of any right afforded by this Act." Sec. 11(c)(1) of the Occupational Safety and Health Act of 1970, 29 U.S.C. 651, 660(c)(1).

*Under the Occupational Safety and Health Act, the term "Working Day" means Mondays through Fridays but does not include Saturdays, Sundays, Federal Holidays.

Area Director's Signature [signature] Issuance Date August 29, 19 75

Room 437 Federal Courts Building
110 South Fourth Street
Minneapolis, Minnesota 55401

4760	5

TO:
2. Interplastic Corporation
2015 N.E. Broadway
Minneapolis, Minnesota 55413

3. Date August 29, 1975

THERE IS NO REQUIREMENT THAT THIS NOTIFICATION BE POSTED.

NOTIFICATION OF PROPOSED PENALTY

This notification and the penalty(ies) proposed by the Secretary of Labor shall be deemed to be the final order of the Occupational Safety and Health Review Commission *(an independent agency with authority to issue decisions respecting citations and proposed penalties)* and not subject to review by any court or agency unless, within 15 working days from the date of receipt of this notification, you submit a letter of contest. The letter of contest should be mailed or otherwise delivered to the Area Director named below at the address shown at the top of this notification. If no notice of contest is filed within the 15 working day period the proposed penalty(ies) becomes final and is immediately payable.

Payment of all penalties shown is to be made by check or money order payable to the order of "Occupational Safety and Health-Labor". Payment of penalties should be remitted to the Area Director at the address shown above.

Section 17(1) of the Act states: "Civil penalties owed under this Act shall be paid into the Treasury of the United States and shall accrue to the United States and may be recovered in a civil action in the name of the United States brought in the United States district court for the district where the violation is alleged to have occurred or where the employer has its principal office."

4. On the 29th day of August, 1975, a citation(s) was issued to you in accordance with the provisions of Section 9(a) of the Occupational Safety and Health Act of 1970 (84 Stat. 1601; 29 U.S.C. 651, et seq.) hereinafter referred to as the Act. You were thus notified of certain alleged violations of the Act, as specified in that citation(s).

YOU ARE HEREBY NOTIFIED that pursuant to the provisions of Section 10(a) of the Act, the penalty(ies) set forth below is/ are being proposed, based on the citation(s).

5. NONSERIOUS VIOLATIONS

5A. Citation No.	5B. Item No.	5C. Proposed Penalty
1	1	$ 150.00
	2	90.00
	3	90.00

6. VIOLATIONS

6A. Citation No.	6B. Item No.	6C. Proposed Penalty

7. Total Proposed Penalty for All Alleged Violations $ 330.00

8. Area Director [signature] Date August 29, 1975

The proposed penalty for Nonserious Violations of safety and health standards reflects a 50 percent adjustment factor for corrective action to be taken within the period prescribed in the citation. If a particular alleged violation is not corrected within this period, the 50 percent adjustment will be added to such other penalty as may subsequently be proposed for failure to correct a violation within the abatement period. No abatement credit is allowed for violations of recordkeeping or posting requirements.

GPO 838-935

OSHA.3

Calidria ASBESTOS

21

CC: J. E. Lenahan
T. P. Norris
R. L. Schult
W. C. Thurber
J. E. Walsh
KC-File
NF-File
J. V. Murray

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

E. J. Kleber and
By H. B. Rhodes

Date 9/2 - 9/5/75

Full Name Interplastic Corp. Minneapolis, MN. Address Mfrs. of	Interviewed Howard Melin - Corp. Sec'y. Terry McCabe - Chief Chemist Doug Guenther - Technical Sup't Marvin Weiss - Plant Mgr. Mike Nyland - OSHA Industrial Hygenist

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Interplastic Corp.
Minneapolis, MN.

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Typed 9/12/75
ejp

Attachment

AREA	REGION
4760	5

Room 437 Federal Courts Building
110 South Fourth Street
Minneapolis, Minnesota 55401

TO:
2.
Interplastic Corporation
2015 N.E. Broadway
Minneapolis, Minnesota 55413

Subject: Citation(s) for Alleged Occupational Safety and Health Violation(s)

An inspection of a place of employment has revealed conditions which we believe do not comply with the provisions of the Occupational Safety and Health Act of 1970, (29 U.S.C. 651 *et seq.*). The nature of such alleged violation(s) is described in the enclosed citation(s) with references to applicable standards, rules, regulations and provisions of the said Act. These conditions must be corrected on or before the date shown to the right of each alleged violation therein.

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3. Citation(s) Enclosed

Quantity		Pages
1	Nonserious	1
	Serious	
	Willful and/or Repeated	

4. Notification of Proposed Penalty enclosed
☒ Yes ☐ No

U.S. Department of Labor
by Area Director Vernon P. Fern

5. [signature]

Date August 29, 1975

OSHA-2C
Rev. Sept. 1972

Published by AsbestosClaims.Law
asbestosclaims.law/library/15868/25

CITATION

Room 437 Federal Courts Building
110 South Fourth Street
Minneapolis, Minnesota 55401

AREA	REGION
4760	5

TO: 2.
Interplastic Corporation
2015 N.E. Broadway
Minneapolis, Minnesota 55413

3. Citation Number 1

4. Page 1 of 5. 1

6. TYPE OF ALLEGED VIOLATION(S):

7. An inspection was made on August 27, 1975 of a place of employment located at:

8. 2015 N.E. Broadway, Minneapolis, MN 55413 and described as follows:

9. Manufacturer of polyester resins.

On the basis of the inspection it is alleged that you have violated the Occupational Safety and Health Act of 1970, 29 U.S.C. 651 *et seq.*, in the following respects:

10. Item number	11. Standard, regulation or section of the Act allegedly violated	12. Description of alleged violation	13. Date by which alleged violation must be corrected
	All References are from Title 29 CFR Part 1910:		
1.	1910.93a(f)(1)	Employees exposure to asbestos has not been monitored in order to determine whether the exposure to asbestos fibers is below the limits perscribed in 1910.93a(b).	Oct. 29, 1975
2.	1910.93a(h)(1)	External surfaces have not been maintained free of accumulations of asbestos fibers. For example: Areas in which the asbestos is stored was observed to have significant amounts of free asbestos on the floor, on the bags of asbestos and on the asbestos skids.	Sept. 12, 1975
3.	1910.93a(j)(1)	Medical examinations as required by 1910.93a(j)(2), (3) & (4) have not been provided to employees exposed to asbestos.	Nov. 28, 1975

The law requires that a copy of this citation shall be prominently posted in a conspicuous place at or near each place that an alleged violation referred to in the citation occurred. The citation must remain posted until all alleged violations cited therein are corrected, or for 3 working days*, whichever period is longer.

RIGHTS OF EMPLOYEES

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"No person shall discharge or in any manner discriminate against any employee because such employee has filed any complaint or instituted or caused to be instituted any proceeding under or related to this Act or has testified or is about to testify in such proceeding or because of the exercise by such employee on behalf of himself or others of any right afforded by this Act." Sec. 11(c)(1) of the Occupational Safety and Health Act of 1970, 29 U.S.C. 651, 660(c)(1).

*Under the Occupational Safety and Health Act, the term "Working Day" means Mondays through Fridays but does not include Saturdays, Sundays, or Federal Holidays.

Area Director's Signature [signature] Issuance Date August 29, 19 75

Room 437 Federal Courts Building
110 South Fourth Street
Minneapolis, Minnesota 55401

AREA	REGION
4760	5

TO:
2. Interplastic Corporation
2015 N.E. Broadway
Minneapolis, Minnesota 55413

3. Date August 29, 1975
THERE IS NO REQUIREMENT THAT THIS NOTIFICATION BE POSTED.

NOTIFICATION OF PROPOSED PENALTY

This notification and the penalty(ies) proposed by the Secretary of Labor shall be deemed to be the final order of the Occupational Safety and Health Review Commission *(an independent agency with authority to issue decisions respecting citations and proposed penalties)* and not subject to review by any court or agency unless, within 15 working days from the date of receipt of this notification, you submit a letter of contest. The letter of contest should be mailed or otherwise delivered to the Area Director named below at the address shown at the top of this notification. If no notice of contest is filed within the 15 working day period the proposed penalty(ies) becomes final and is immediately payable.

Payment of all penalties shown is to be made by check or money order payable to the order of "Occupational Safety and Health-Labor". Payment of penalties should be remitted to the Area Director at the address shown above.

Section 17(1) of the Act states: "Civil penalties owed under this Act shall be paid into the Treasury of the United States and shall accrue to the United States and may be recovered in a civil action in the name of the United States brought in the United States district court for the district where the violation is alleged to have occurred or where the employer has its principal office."

4. On the 29th day of August, 1975, a citation(s) was issued to you in accordance with the provisions of Section 9(a) of the Occupational Safety and Health Act of 1970 (84 Stat. 1601; 29 U.S.C. 651, et seq.) hereinafter referred to as the Act. You were thus notified of certain alleged violations of the Act, as specified in that citation(s).

YOU ARE HEREBY NOTIFIED that pursuant to the provisions of Section 10(a) of the Act, the penalty*(ies)* set forth below is/ are being proposed, based on the citation(s).

5. NONSERIOUS VIOLATIONS

5A. Citation No.	5B. Item No.	5C. Proposed Penalty
1	1	$ 150.00
	2	90.00
	3	90.00

6. VIOLATIONS

6A. Citation No.	6B. Item No.	6C. Proposed Penalty

7. Total Proposed Penalty for All Alleged Violations $ 330.00

8. Area Director — Date August 29, 1975

The proposed penalty for Nonserious Violations of safety and health standards reflects a 50 percent adjustment factor for corrective action to be taken within the period prescribed in the citation. If a particular alleged violation is not corrected within this period, the 50 percent adjustment will be added to such other penalty as may subsequently be proposed for failure to correct a violation within the abatement period. No abatement credit is allowed for violations of recordkeeping or posting requirements.

GPO 838-035

OSHA-3

cc for: H. B. Rhodes - Niagara Falls
R. E. Byrne - Niagara Falls
T. P. Norris - Chicago
W. C. Thurber - NY 38
KC Files
NF Files ✓

Carbide asbestos

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

By J. E. Walsh

Date 5-22-75

Full Name	Interplastics	Interviewed	
Address	Pryor, Oklahoma		Gerry Gerondale, Plant Manager
Mfrs. of	Polyester Resins		

Call made on new RG-244 carload user in this geography.

The plant opened about a year ago, but last month's carload was the first direct shipment they received. They did receive a carload a couple of months ago, but it was stopped off here enroute to Minneapolis. Right now space is limited, and Gerry wasn't sure if they would go to the stop off route again the next time they need material. Production is erratic on thixed resins, as they make a variety for the tank coating, boat, automotive, and sanitary ware markets. Briefly discussed the toxicology topic, and our latest information on the subject has been sent to him. Left Gerry with my card in case they had an emergency or if he felt I could help him in anyway.

HBR They are interested in having a dust count done the next time we have someone in the area. Please put them on your list of stops to make. Thank you.

JEW Once a year courtesy call frequency should be sufficient.

Calidria ASBESTOS

CC: J. E. Lenahan
T. P. Norris
R. L. Schult
W. C. Thurber
J. E. Walsh
KC-File
NF-File
J. V. Murray

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

By E. J. Kleber

Date 9/17/75

Full Name Interplastic Corporation Minneapolis, MN Address Mfrs. of	Interviewed Doug Guenther (TELECON)

OBJECTIVES

Find out what OSHA decided regarding Interplastic's citations as described in ROC's of 9/2 and 9/11.

OBSERVATIONS

OSHA has withdrawn the citations for no fiber count and medical exams! This leaves Interplastic with a $90 fine for poor housekeeping. Doug admitted that the warehouse looked crummy the day the inspection took place (incidentally, the inspector took pictures), and has decided to pay the fine. They have written a letter to OSHA promising better housekeeping and enclosed their check.

All things considered, Interplastic seems to have come out of this smelling like a rose. At our last meeting, we had all felt that OSHA would probably nail them for medicals. Doug thinks that the housekeeping violation is more of a face-saving devise than anything. He is probably right.

RECOMMENDED ACTION

EJK Conduct fiber count at their Pryor, OK plant to insure that Interplastic is covered for any surprises there.

Continue normal sales follow-up.

ADDED NOTE:

They continue to praise us for our help and my guess is that we are very high on their "Friends" list. This should help us as they look at new formulations.

Typed 9/17/75
cjb

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CUSTOMER & LOCATION Interplastic Corp. Minn.,MN INDUSTRY CLASSIFICATION

SALESMAN Edward J. Kleber REGION Midwest DATE OF CALL 12-2-75

PRODUCTS DISCUSSED:

Cr	Mn	Spec.	Si	CaC_2	W	V	Asb.	Other:
☐	☐	☐	☐	☐	☐	☐	☒	

PERSONS INTERVIEWED: Howard Melin, Doug Guenther

CALL OBJECTIVE: Normal sales call on large RG-244 user.

RESULTS OF CALL:

Interplastic is just beginning to come out of the Polyester sales doldrums and we should see a c/l order about January. They have had a terrible year in Polyester, but are confident that next year will see the return of normal business. Terry McCabe (Technical Director) is under orders to replace Silica with RG-244 wherever possible and has initiated a program to accomplish that end. Interplastic is very cost concious and as Silica prices continue to rise, our chances of getting more business here should be better.

Incidentally, they haven't heard a word from OSHA since the mess we went through with them in Sept.

FOLLOW-UP ACTION REQUIRED:

EJK Continue regular calls.

COPIES TO: Gen'l. Sales Mgr. (2); Mktg. Services; Others: JRL:TPN:WCT:JEW:KC-FILE:NF-FILE
R. L. Schult J.E.Lenahan

Typed:12/2/75 lb

Published by AsbestosClaims.Law
asbestosclaims.law/library/15868/30

Calidria ASBESTOS

CC: J. E. Lenahan
T. P. Norris
R. L. Schult
W. C. Thurber
J. E. Walsh
KC-File
NF-File
J. V. Murray

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

By E. J. Kleber & J. L. Myers

Date 9/11/75

Full Name Interplastic Corporation Minneapolis, MN Address Mfrs. of	Interviewed Terry McCabe) Doug Guenther) Interplastic Howard Melin) R. J. Geisen) B. W. Ekstrom) OSHA

OBJECTIVES

Meet with Vern Fern, area director of OSHA, to try to resolve Interplastic's citations as described in ROC of 9/2/75.

OBSERVATIONS

We were greeted with all sorts of apologies because Vern Fern was "delayed" in San Francisco and could not make the appointment. Geisen is an OSHA industrial hygienist while Ekstrom appears to be some sort of assistant to Fern.

The meeting was a total bust. These two, obviously, can make no decisions, but at least they listened politely and took some notes. We were ushered out with assurance that they understood the problems and would consult with Fern.

A few interesting points from the meeting were:

1. They were, obviously, surprised to find out how prepared we were. J. L. Myers' comments on the proposed regulations and the fact that he was going to present testimony at the OSHA hearings next week seemed to make a deep impression.

2. They appreared to be very careful, almost to the point of being nervous, throughout the meeting. Personally, I had the impression that they couldn't wait for us to leave.

3. We did tell them that the 15-day period was running out and we wanted an answer from them in time to plot a course of action. They agreed and promised a prompt reply.

4. The attending Interplastic people were livid with rage. I suspect they would fight this citation now just for spite.

RECOMMENDED ACTION

EJK Wait for a call from Interplastic regarding what, if anything, they have heard from OSHA

Typed 9/16/75 (cjb)

Published by AsbestosClaims.Law
asbestosclaims.law/library/15868/31

CUSTOMER & LOCATION Interplastic Corp. Minn.,MN INDUSTRY CLASSIFICATION

SALESMAN Edward J. Kleber REGION Midwest DATE OF CALL 12-2-75

PRODUCTS DISCUSSED:

Cr	Mn	Spec.	Si	CaC_2	W	V	Asb.
☐	☐	☐	☐	☐	☐	☐	X

Other:

PERSONS INTERVIEWED: Howard Melin, Doug Guenther

CALL OBJECTIVE: Normal sales call on large RG-244 user.

RESULTS OF CALL:

Interplastic is just beginning to come out of the Polyester sales doldrums and we should see a c/l order about January. They have had a terrible year in Polyester, but are confident that next year will see the return of normal business. Terry McCabe (Technical Director) is under orders to replace Silica with RG-244 wherever possible and has initiated a program to accomplish that end. Interplastic is very cost concious and as Silica prices continue to rise, our chances of getting more business here should be better.

Incidentally, they haven't heard a word from OSHA since the mess we went through with them in Sept.

FOLLOW-UP ACTION REQUIRED:

EJK Continue regular calls.

COPIES TO: Gen'l. Sales Mgr. (2); Mktg. Services; Others: JRL:TPN:WCT:JEW:KC-FILE:NF-FILE
R. L. Schult J.E.Lenahan

Typed:12/2/75 lb

Calidria ASBESTOS

CC: J. E. Lenahan
T. P. Norris
R. L. Schult
W. C. Thurber
J. E. Walsh
KC-File
NF-File
J. V. Murray

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

By E. J. Kleber

Date 9/17/75

Full Name Interplastic Corporation Minneapolis, MN Address Mfrs. of	Interviewed Doug Guenther (TELECON)

OBJECTIVES

Find out what OSHA decided regarding Interplastic's citations as described in ROC's of 9/2 and 9/11.

OBSERVATIONS

OSHA has withdrawn the citations for no fiber count and medical exams! This leaves Interplastic with a $90 fine for poor housekeeping. Doug admitted that the warehouse looked crummy the day the inspection took place (incidentally, the inspector took pictures), and has decided to pay the fine. They have written a letter to OSHA promising better housekeeping and enclosed their check.

All things considered, Interplastic seems to have come out of this smelling like a rose. At our last meeting, we had all felt that OSHA would probably nail them for medicals. Doug thinks that the housekeeping violation is more of a face-saving devise than anything. He is probably right.

RECOMMENDED ACTION

EJK Conduct fiber count at their Pryor, OK plant to insure that Interplastic is covered for any surprises there.

Continue normal sales follow-up.

ADDED NOTE:

They continue to praise us for our help and my guess is that we are very high on their "Friends" list. This should help us as they look at new formulations.

Typed 9/17/75
cjb

Calidria ASBESTOS

CC: J. E. Lenahan
T. P. Norris
R. L. Schult
W. C. Thurber
J. E. Walsh
KC-File
NF-File
J. V. Murray

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

By E. J. Kleber & J. L. Myers

Date 9/11/75

Full Name Interplastic Corporation Minneapolis, MN Address Mfrs. of	Interviewed Terry McCabe) Doug Guenther) Interplastic Howard Melin) R. J. Geisen) B. W. Ekstrom) OSHA

OBJECTIVES

Meet with Vern Fern, area director of OSHA, to try to resolve Interplastic's citations as described in ROC of 9/2/75.

OBSERVATIONS

We were greeted with all sorts of apologies because Vern Fern was "delayed" in San Francisco and could not make the appointment. Geisen is an OSHA industrial hygienist while Ekstrom appears to be some sort of assistant to Fern.

The meeting was a total bust. These two, obviously, can make no decisions, but at least they listened politely and took some notes. We were ushered out with assurance that they understood the problems and would consult with Fern.

A few interesting points from the meeting were:

1. They were, obviously, surprised to find out how prepared we were. J. L. Myers' comments on the proposed regulations and the fact that he was going to present testimony at the OSHA hearings next week seemed to make a deep impression.

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4. The attending Interplastic people were livid with rage. I suspect they would fight this citation now just for spite.

RECOMMENDED ACTION

EJK Wait for a call from Interplastic regarding what, if anything, they have heard from OSHA

Typed 9/16/75 (cjb)

Published by AsbestosClaims.Law
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Calidria ASBESTOS

CC: J. E. Lenahan
T. P. Norris
R. L. Schult
W. C. Thurber
J. E. Walsh
KC-File
NF-File
J. V. Murray

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

E. J. Kleber and
By H. B. Rhodes

Date 9/2 - 9/5/75

Full Name Interplastic Corp. Minneapolis, MN. Address Mfrs. of	Interviewed Howard Melin - Corp. Sec'y. Terry McCabe - Chief Chemist Doug Guenther - Technical Sup't Marvin Weiss - Plant Mgr. Mike Nyland - OSHA Industrial Hygenist

OBJECTIVES

Help Interplastic understand and, if necessary, fight their recent OSHA citations.

OBSERVATIONS

Interplastic has been cited for 3 violations:
1.) No initial fiber count
2.) Poor housekeeping
3.) No medical exams

Terry McCabe called on 9/2 and asked for help. He requested we come in and explain the regulations as we saw them, and also run a fiber count. We, of course, agreed to help in any way possible, and told him we'd be in on 9/5. On 9/3 Terry called back and said they had decided to invite Mike Nyland of OSHA to this meeting. We agreed that this was a good idea and decided to get together the evening of 9/4 to get a head start on the meeting and try to let Interplastic know how we stood on their citations.

9/4/75

A meeting was held with Howard Melin, Doug Guenther and Marvin Weiss.

We proceeded to go over the OSHA citation point-by-point, reflecting our opinions based largely on H.B. Rhodes conversations this week with J.V. Murray in UCC's law dept.

1.) No Fiber count - poppycock! We had conducted a test for them in October of 1972. This is irrefutable fact. Upon discussion with Interplastic, however, it was learned that a mix-up had occurred and they couldn't lay their hands on it when Nyland asked (they have since found it).

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2.) Housekeeping - the sticky part of this violation is that the law reads "All external surfaces in any place of employment shall be maintained free of accumulations of asbestos fibers if, with their dispersion there would be an excessive concentration." No definition of excessive concentration is made and therein lies the rub. Our belief is that it should mean in excess of the limits.

3.) Medical exams - as we all know this is an extremely gray area that is only going to be solved by a revision of the standard. The hang-up obviously is the definition of the word "exposed." Interplastic is probably wide open on that one.

We discussed these points at some length and left with the impression that Interplastic was not about to be railroaded into paying fines, etc. unless they were absolutely sure they violated the law.

9/5/75

We met with Messrs. Melin, Guenther, Weiss and Terry McCabe from Interplastic plus Mike Nyland from OSHA.

Nyland comes across as a reasonable guy who has been given the job of enforcing standards which are, by his own admission, darn near impossible to understand. It is an unenviable position to be in and he deserves high marks for coming into the "lion's den" and explaining his thoughts. Unfortunately his thoughts are as vague as the standard. For example, he said that Interplastic probably wouldn't have been cited had they shown him their fiber count and their asbestos handling program. We never did find out what an asbestos handling program is. He also admitted that both the housekeeping and medical exam citations were based on his personal feelings rather than any hard and fast rules (it is important to note here that OSHA has never collected air samples at Interplastic). Terry McCabe made the comment that it is difficult enough to look into a crystal ball and predict how a particular inspector is going to interpret the law, let alone anticipate something that the standard doesn't call for. Nyland more or less agreed, but still wouldn't change his opinion.

A number of other points were covered such as: definitions of exposure and excessive concentration, sampling times, housekeeping guidelines, etc. None of these questions were satisfactorily answered.

Nyland departed leaving everyone as confused as ever. Based on what went on in that meeting it was decided to have an informal discussion with the OSHA regional director ASAP.

A fiber count was run and the results showed that Interplastic was significantly below any levels that OSHA has set up (Ceiling concentration sample = 1.0 fibers/cc).

Report of Call
Interplastic Corp.
Minneapolis, MN.

RECOMMENDED ACTION

E. J. Kleber - Interplastic is willing to pursue these citations and it certainly is in our best interest to give them as much support as possible. During all our discussions, they have never mentioned any possibility of dropping the use of RG-244, and we need to make sure that it doesn't happen.

ADDED NOTES:

For those who haven't had the opportunity to see one, a copy of the citation is attached.

We have a meeting set up with the Regional Director of OSHA on 9/11/75. E. J. Kleber and J. L. Myers will attend with Interplastic personnel.

Typed 9/12/75
ejp

Attachment

AREA	REGION
4760	5

Room 437 Federal Courts Building
110 South Fourth Street
Minneapolis, Minnesota 55401

TO:
2.
Interplastic Corporation
2015 N.E. Broadway
Minneapolis, Minnesota 55413

Subject: Citation(s) for Alleged Occupational Safety and Health Violation(s)

An inspection of a place of employment has revealed conditions which we believe do not comply with the provisions of the Occupational Safety and Health Act of 1970, (29 U.S.C. 651 *et seq.*). The nature of such alleged violation(s) is described in the enclosed citation(s) with references to applicable standards, rules, regulations and provisions of the said Act. These conditions must be corrected on or before the date shown to the right of each alleged violation therein.

The Act requires that a copy of the enclosed citation(s) be prominently posted "in a conspicuous place upon receipt" at or near each place a violation referred to in the citation occurred. It must remain posted until all violations cited therein are corrected, or for 3 working days*, whichever period is longer. A sufficient number of copies of the attached citation(s) should be prepared to permit posting in accordance with the requirements of the Act. The Act provides for penalties for violation of the posting requirements.

You are hereby notified, or will soon be notified, whether or not penalty(ies) will be proposed as a result of the cited violation(s). You have the right to contest any or all parts of either the citation(s) or the proposed penalty(ies) before the Occupational Safety and Health Review Commission. The Review Commission is an independent agency with authority to issue decisions regarding citation(s) and proposed penalty(ies). If you do contest, you should submit a letter to the Area Director at the address shown above within 15 working days* after receipt of the certified mail notice regarding proposed penalty(ies). If you fail to contest within the 15 working day period, the citation(s) and the penalty(ies) as proposed, shall be deemed to be a final order of the Review Commission and not subject to review by any court or agency.

If an employer contests the citation, the abatement period specified therein does not begin to run until the date of the Commission's final order in the case *PROVIDED* the employer initiated his contest in good faith and not solely for delay or avoidance of penalties.

You have a right to request a discussion with the Area Director concerning any results of the inspection (abatement dates, citations, penalties, etc.). Please direct correspondence to, or call, the Area Director at the address shown at the top of this letter. A request for an informal discussion cannot extend the 15 working day period allowed for filing a notice of contest. Therefore, a request for an informal discussion should be brought to the attention of the Area Director prior to the end of the 15 working days allowed for filing a notice of contest, preferably as soon as possible.

An employee or representative of employees may file a notice (letter) to contest the reasonableness of the time stated in the citation for the abatement of the alleged violation(s).

Alleged violations that are not contested shall be corrected within the abatement period specified in the citation. A followup inspection may be made for the purpose of ascertaining that the employer has posted the citation(s) as required by the Act and corrected the alleged violations. Failure to correct an alleged violation within the abatement period may result in further proposed penalties for each day the alleged violation has not been corrected. Timely correction of an alleged violation does not affect the initial proposed penalty.

Correction of alleged violations which have an abatement period of 30 days or less should be reported in writing to the Area Director promptly upon correction. Reports of corrections should show specific corrective action on each such alleged violation and the date of such action. On alleged violations having an abatement date of more than 30 days, a written progress report should be submitted each 30 days. The progress report should detail what has been done, what remains to be done, and the time needed to fully abate each such violation. When the alleged violation is fully abated, the Area Director should be so advised.

The Act provides that whoever knowingly gives false information is subject to a fine up to $10,000, imprisonment up to 6 months, or both.

If you wish additional information, you may direct such request to the undersigned at the address shown above.

*Under the Occupational Safety and Health Act, the term "Working Day" means Mondays through Fridays but does not include Saturdays, Sundays, or Federal Holidays.

3. Citation(s) Enclosed

Quantity		Pages
1	Nonserious	1
	Serious	
	Willful and/or Repeated	

4. Notification of Proposed Penalty enclosed
☒ Yes ☐ No

U.S. Department of Labor
by Area Director Vernon P. Fern

5. [signature]

Date August 29, 1975

OSHA-2C
Rev. Sept. 1972

Published by AsbestosClaims.Law
asbestosclaims.law/library/15868/38

CITATION

Room 437 Federal Courts Building
110 South Fourth Street
Minneapolis, Minnesota 55401

AREA 4760 | REGION 5

TO: 2.
Interplastic Corporation
2015 N.E. Broadway
Minneapolis, Minnesota 55413

3. Citation Number 1

4. Page 1 of 5. 1

6. TYPE OF ALLEGED VIOLATION(S):

7. An inspection was made on August 27, 1975 of a place of employment located at:

8. 2015 N.E. Broadway, Minneapolis, MN 55413 and described as follows:

9. Manufacturer of polyester resins.

On the basis of the inspection it is alleged that you have violated the Occupational Safety and Health Act of 1970, 29 U.S.C. 651 *et seq.*, in the following respects:

10. Item number	11. Standard, regulation or section of the Act allegedly violated	12. Description of alleged violation	13. Date by which alleged violation must be corrected
	All References are from Title 29 CFR Part 1910:		
1.	1910.93a(f)(1)	Employees exposure to asbestos has not been monitored in order to determine whether the exposure to asbestos fibers is below the limits perscribed in 1910.93a(b).	Oct. 29, 1975
2.	1910.93a(h)(1)	External surfaces have not been maintained free of accumulations of asbestos fibers. For example: Areas in which the asbestos is stored was observed to have significant amounts of free asbestos on the floor, on the bags of asbestos and on the asbestos skids.	Sept. 12, 1975
3.	1910.93a(j)(1)	Medical examinations as required by 1910.93a(j)(2), (3) & (4) have not been provided to employees exposed to asbestos.	Nov. 28, 1975

The law requires that a copy of this citation shall be prominently posted in a conspicuous place at or near each place that an alleged violation referred to in the citation occurred. The citation must remain posted until all alleged violations cited therein are corrected, or for 3 working days*, whichever period is longer.

RIGHTS OF EMPLOYEES

Any employee or representative of employees who believes that any period of time fixed in this citation for the correction of a violation is unreasonable has the right to contest such time for correction by submitting a letter to the U.S. Department of Labor at the address shown above within 15 working days* of the issuance of this citation.

"No person shall discharge or in any manner discriminate against any employee because such employee has filed any complaint or instituted or caused to be instituted any proceeding under or related to this Act or has testified or is about to testify in such proceeding or because of the exercise by such employee on behalf of himself or others of any right afforded by this Act." Sec. 11(c)(1) of the Occupational Safety and Health Act of 1970, 29 U.S.C. 651, 660(c)(1).

*Under the Occupational Safety and Health Act, the term "Working Day" means Mondays through Fridays but does not include Saturdays, Sundays, or Federal Holidays.

[illegible]'s Signature [signature] Issuance Date August 29, 19 75

Room 437 Federal Courts Building
110 South Fourth Street
Minneapolis, Minnesota 55401

AREA	REGION
4760	5

TO:
2.
Interplastic Corporation
2015 N.E. Broadway
Minneapolis, Minnesota 55413

3.
Date August 29, 1975

THERE IS NO REQUIREMENT THAT THIS NOTIFICATION BE POSTED.

NOTIFICATION OF PROPOSED PENALTY

This notification and the penalty(ies) proposed by the Secretary of Labor shall be deemed to be the final order of the Occupational Safety and Health Review Commission *(an independent agency with authority to issue decisions respecting citations and proposed penalties)* and not subject to review by any court or agency unless, within 15 working days from the date of receipt of this notification, you submit a letter of contest. The letter of contest should be mailed or otherwise delivered to the Area Director named below at the address shown at the top of this notification. If no notice of contest is filed within the 15 working day period the proposed penalty(ies) becomes final and is immediately payable.

Payment of all penalties shown is to be made by check or money order payable to the order of "Occupational Safety and Health-Labor". Payment of penalties should be remitted to the Area Director at the address shown above.

Section 17(1) of the Act states: "Civil penalties owed under this Act shall be paid into the Treasury of the United States and shall accrue to the United States and may be recovered in a civil action in the name of the United States brought in the United States district court for the district where the violation is alleged to have occurred or where the employer has its principal office."

4.
On the 29th day of August, 1975, a citation(s) was issued to you in accordance with the provisions of Section 9(a) of the Occupational Safety and Health Act of 1970 (84 Stat. 1601; 29 U.S.C. 651, et seq.) hereinafter referred to as the Act. You were thus notified of certain alleged violations of the Act, as specified in that citation(s).

YOU ARE HEREBY NOTIFIED that pursuant to the provisions of Section 10(a) of the Act, the penalty*(ies)* set forth below is/ are being proposed, based on the citation(s).

5. NONSERIOUS VIOLATIONS

5A. Citation No.	5B. Item No.	5C. Proposed Penalty
1	1	$ 150.00
	2	90.00
	3	90.00

6. VIOLATIONS

6A. Citation No.	6B. Item No.	6C. Proposed Penalty

7. Total Proposed Penalty for All Alleged Violations $ 330.00

8. Area Director [signature] Date August 29, 1975

The proposed penalty for Nonserious Violations of safety and health standards reflects a 50 percent adjustment factor for corrective action to be taken within the period prescribed in the citation. If a particular alleged violation is not corrected within this period, the 50 percent adjustment will be added to such other penalty as may subsequently be proposed for failure to correct a violation within the abatement period. No abatement credit is allowed for violations of recordkeeping or posting requirements.

GPO 838-935

OSHA-3

c for: H. B. Rhodes - Niagara Falls
R. E. Byrne - Niagara Falls
T. P. Norris - Chicago
W. C. Thurber - NY 38
KC Files
NF Files

Calidria asbestos

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

By J. E. Walsh

Date 5-22-75

Full Name	Interplastics	Interviewed	
Address	Pryor, Oklahoma		Gerry Gerondale, Plant Manager
Mfrs. of	Polyester Resins		

Call made on new RG-244 carload user in this geography.

The plant opened about a year ago, but last month's carload was the first direct shipment they received. They did receive a carload a couple of months ago, but it was stopped off here enroute to Minneapolis. Right now space is limited, and Gerry wasn't sure if they would go to the stop off route again the next time they need material. Production is erratic on thixed resins, as they make a variety for the tank coating, boat, automotive, and sanitary ware markets. Briefly discussed the toxicology topic, and our latest information on the subject has been sent to him. Left Gerry with my card in case they had an emergency or if he felt I could help him in anyway.

HBR They are interested in having a dust count done the next time we have someone in the area. Please put them on your list of stops to make. Thank you.

JEW Once a year courtesy call frequency should be sufficient.

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asbestosclaims.law/library/15868/41

cc for 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

By E. J. Kleber with T. P. Norris

Date 3/11/75

Full Name Interplastics Corporation Address Minneapolis, MN Mfrs. of	Interviewed Jim Wallenfelz - General Manager Terry McCabe - Technical Services Doug Guenther - Technical Servies

OBJECTIVES

Turn over call with T. P. Norris.

OBSERVATIONS

Business is a little slow at Interplastics, but they are using the extra time to expand their product lines. Terry McCabe is going to head up a new group of technical people for that purpose. Fred Kwan (ex AMOCO) has recently come up with a new fire-retardant polyester(known around Interplastics as Fred Kwan No. 1) to compete directly with Hooker Hetron and others of this type. RG-244 is in this resin. We are also going into filament winding and laminating resins. This appears to be another case of a company putting 244 to work on new formulations, but not reformulating old ones. We now have a substatial portion of their business and it should be increasing all the time.

We were given a history lesson by Terry which goes as follows: Interplastics is only about 15 years old. They have a lot of financial backing, which explains why they are hiring people and expanding plants in these hard times. Of the newer polyester producers only Alpha sells more resin, but according to Terry, Interplastics is immensely more profitable. They have always been very aggresive and will probably continue to be so. They leave one with the impression of a very hungry group.

Doug and Terry are both interested in "handling problems" with RG-244 and want to have another fiber count run. We agreed and will phone Terry 3/31 or 4/1 to make an appointment.

One of the purposes of seeing Jim Wallenfelz was to break the news on the RG-244 price increase. He took it very calmly and in fact, ended up cussin' out Cabot for their very high increases. We suggested that if they are running low on 244, they should order before 4/1/75 and save 8¢/lb. Wallenfelz promised to check and let us know.

We certainly seem to be in solid here and getting into more resins all the time. Although Terry spends most of a call trying to confuse you, it's obvious he likes RG-244 and will continue to look for new uses. Somewhere in this smokescreen he casually mentioned building a plant in California (San Diego, I think). Whether this is wishful thinking, or on the drawing boards is just impossible to find out. One thing for sure, we aren't going to know until they want us to.

RECOMMENDED ACTION

EJK - Call Terry 3/31 or 4/1 to arrange a fiber count. Continue normal follow-up

Typed 4/7/75
ds

Calidria ASBESTOS

CC: J. E. Lenahan
T. P. Norris
R. L. Schult
W. C. Thurber
J. E. Walsh
KC-File
NF-File
J. V. Murray

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

By E. J. Kleber & J. L. Myers

Date 9/11/75

Full Name	Interplastic Corporation Minneapolis, MN	Interviewed Terry McCabe) Doug Guenther)	Interplastic
Address		Howard Melin)	
Mfrs. of		R. J. Geisen) B. W. Ekstrom)	OSHA

OBJECTIVES

Meet with Vern Fern, area director of OSHA, to try to resolve Interplastic's citations as described in ROC of 9/2/75.

OBSERVATIONS

We were greeted with all sorts of apologies because Vern Fern was "delayed" in San Francisco and could not make the appointment. Geisen is an OSHA industrial hygienist while Ekstrom appears to be some sort of assistant to Fern.

The meeting was a total bust. These two, obviously, can make no decisions, but at least they listened politely and took some notes. We were ushered out with assurance that they understood the problems and would consult with Fern.

A few interesting points from the meeting were:

1. They were, obviously, surprised to find out how prepared we were. J. L. Myers' comments on the proposed regulations and the fact that he was going to present testimony at the OSHA hearings next week seemed to make a deep impression.

2. They appeared to be very careful, almost to the point of being nervous, throughout the meeting. Personally, I had the impression that they couldn't wait for us to leave.

3. We did tell them that the 15-day period was running out and we wanted an answer from them in time to plot a course of action. They agreed and promised a prompt reply.

4. The attending Interplastic people were livid with rage. I suspect they would fight this citation now just for spite.

RECOMMENDED ACTION

EJK Wait for a call from Interplastic regarding what, if anything, they have heard from OSHA

Typed 9/16/75 (cjb)

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asbestosclaims.law/library/15868/44

CUSTOMER & LOCATION Interplastic Corp. Minn.,MN INDUSTRY CLASSIFICATION

SALESMAN Edward J. Kleber REGION Midwest DATE OF CALL 12-2-75

PRODUCTS DISCUSSED:

Cr	Mn	Spec.	Si	CaC_2	W	V	Asb.	Other:
☐	☐	☐	☐	☐	☐	☐	☒	

PERSONS INTERVIEWED: Howard Melin, Doug Guenther

CALL OBJECTIVE: Normal sales call on large RG-244 user.

RESULTS OF CALL:

Interplastic is just beginning to come out of the Polyester sales doldrums and we should see a c/l order about January. They have had a terrible year in Polyester, but are confident that next year will see the return of normal business. Terry McCabe (Technical Director) is under orders to replace Silica with RG-244 wherever possible and has initiated a program to accomplish that end. Interplastic is very cost concious and as Silica prices continue to rise, our chances of getting more business here should be better.

Incidentally, they haven't heard a word from OSHA since the mess we went through with them in Sept.

FOLLOW-UP ACTION REQUIRED:

EJK Continue regular calls.

COPIES TO: Gen'l. Sales Mgr. (2); Mktg. Services; Others: JRL:TPN:WCT:JEW:KC-FILE:NF-FILE
R. L. Schult J.E.Lenahan

Typed:12/2/75 lb

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asbestosclaims.law/library/15868/45

CUSTOMER & LOCATION Interplastic Corporation Minneapolis, MN

INDUSTRY CLASSIFICATION Polyester

SALESMAN Edward J. Kleber REGION Midwest DATE OF CALL 9/1/76

PRODUCTS DISCUSSED: Cr ☐ Mn ☐ Spec. ☐ Si ☐ CaC_2 ☐ W ☐ V ☐ Asb. ☒ Other:

PERSONS INTERVIEWED: Doug Guenther
Terry McCabe

CALL OBJECTIVE: Regular call.

RESULTS OF CALL: Next month, they say, should be the beginnings of a tremendous increase in RG-244 business. They expect to begin shipping RG-244 thixed resins to an outfit named Kohler in Wisconsin who they report is one of the three largest tub and shower stall manufacturers in the U.S. Right now they are selling Kohler nothing, but expect to sign a contract for 50-75% of their business for 1977 and will begin shipping immediately. I suggested they lay in a supply before the 9/15 price increase and Doug said he would check the inventory and let us know.

I chided them about the small amount of RG-244 they've bought this year and Terry says tha it's nothing personal, their thixed resin business has been depressed for the last 18 months. He went on to illustrate the point by noting that the Cabot man was in last week and is convinc that Interplastic has switched to RG-244 completely because it has been so long since he has received an order from them.

They were inspected by OSHA last week, incidentally, and the inspector wanted to know if they were still using asbestos. They told him yes and the inspector's comment was that everything looked pretty neat, so he wouldn't hassle them about it. Terry said that his body temperature at that point was about 211.9°F, but decided to let that crack slide by.

Doug again asked if we could help them use RG-244 in gel coats. Unfortunately, the gun plugging problem is very difficult to solve in the field and they are not going to try to (see belo

FOLLOW-UP ACTION REQUIRED:

EJK - Continue normal calls.

*switch every customer to a larger orifice. If we ever figure out how to get around it, we've got some ready-made business here.

COPIES TO: Gen'l. Sales Mgr. (2); Mktg. Services; Others: JRL:TPN:WCT:JEW:KC-FILE:NF-FILE
R. L. Schult J.E.Lenahan

Typed 9/3/76 cjb

AIRBORNE FIBER COUNTS

for

Interplastic Corporation
Minneapolis, Minnesota

Date Sampled: June 23, 1976
Date Reported: July 12, 1976

Samples Collected By: E. J. Kleber
Union Carbide Corporation

Samples Analyzed By: B. L. Ingalls
Union Carbide Corporation

Reported By: E. J. Kleber
Union Carbide Corporation

Union Carbide Corporation
Metals Division
Niagara Falls, New York

OBJECTIVE

Monitor airborne asbestos fiber concentrations during the preparation of polyester resin containing "Calidria" asbestos RG-244.

DESCRIPTION OF OPERATION

Tests were conducted June 23, 1976 at Interplastic Corporation, Minneapolis, Minnesota.

Personal breathing zone and environmental air samples were collected before, during, and after the addition of 114 pounds of "Calidria" asbestos RG-244 to thinning tank #2.

SAMPLE EQUIPMENT AND TEST PROCEDURES

Sampling and dust counting were carried out in accordance with OSHA Regulation 1910.1001, using the Bayer, Zummalde and Brown method for counting asbestos fibers by phase contrast microscopy (Bureau of Occupational Safety and Health, Feb. 1969).

Battery-powered air pumps (M.S.A. type), calibrated to 2 liters per minute, were used to collect personal breathing zone and environmental samples on Millipore membrane filters of 0.8 micron porosity.

Fiber counting was performed on a Nikon phase contrast microscope at 400X utilizing a Porton reticle for sizing and field definition.

The numbers reported are fibers greater than 5 microns in length per cubic centimeter of air sampled. A fiber is defined as a material having an aspect ratio greater than 3:1.

COMMENTS

The OSHA regulations permit a maximum limit of 5 fibers greater than 5 microns in length per cubic centimeter of air sampled on an 8-hour, time-weighted average (TWA). This allowable level will be reduced to 2 fibers/cc on July 1, 1976. The formula $\frac{C_1T_1 + C_2T_2 + C_nT_n}{\Sigma T}$ describes the TWA where C = fiber count in fibers/cc and T = time.

The regulations also stipulate a ceiling concentration of 10 fibers/cc greater than 5 microns which is not to be exceeded at any time.

TEST RESULTS

The details of sample collection and resultant fiber counts are listed in the attached table(s).

SUMMARY OF FIBER COUNTS

Interplastic Corporation
Minneapolis, Minnesota

Sample No.	Air Sample Time	Minutes	Operation Description	Airborne Fiber Count (fibers/cc >5μ)
F-23	9:49-11:22 AM	93	Environmental - Before test, no RG-244 in vicinity. Sampler located 6 ft. off catwalk, 4 ft. from charging hole of thinning tank #2.	< 0.1
F-19	11:59 AM - 12:10 PM	11	Personal - Operator (Davis Bertram) adding 114 lbs. RG-244 to thinning tank #2. Sampling time includes packing RG-244 bags into large plastic bags and transporting to dumpster.	1.5
F-20	11:59 AM - 12:10 PM	11	Environmental - Same location as F-23 during addition of RG-244 to thinning tank.	1.3
F-21	12:11-2:27 PM	136	Environmental - Same location as F-21 after test. No RG-244 in area.	< 0.1

CUSTOMER CALL REPORT

CUSTOMER & LOCATION: Interplastics Pryor, Oklahoma

INDUSTRY CLASSIFICATION: Polyester Manufacturers

SALESMAN: J.E. Walsh REGION: Southern DATE OF CALL: 4-21-81

ASBESTOS HEALTH & REGULATORY DOCUMENTS PROVIDED:

- ☐ MSDS
- ☐ Health & OSHA Information Blue Book
- ☐ Dust Count Report
- ☐ Other, specify below

PERSONS INTERVIEWED:

Glen Wigginton Assistant Plant Manager

CALL OBJECTIVE:

Call made with Ross Frank of D & F Distributing on former RG244 customer.

RESULTS OF CALL: Gerry Gerondale, the plant manager here, was in the Minneapolis headquarters for the week so Glen was filling in for him. Glen remembers 244 quite well, giving it complimentary grades as to its quality and performance and regrets that they could no longer use it. We went down the drain, Glen said, when Phillips Petroleum bought them out and edicted that they would no longer use it. That was a little over a year ago, and they haven't used any since, Glen advised. They would have no objections to using it again,'but it is doubtful that the Phillips position can be reversed' was the theme Glen left with us. "Even though Phillips may be involved with asbestos elsewhere, it has no bearing on what the Chemicals Division does", was Glen's response to the mention of the drilling mud activity.

FOLLOW-UP ACTION REQUIRED:

COPIES TO: JRL:TPH:JLM: :KC-FILE:NF-FILE NF PERMANENT FILE ☐

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asbestosclaims.law/library/15868/51

CUSTOMER & LOCATION Interplastics - Pryor, Oklahoma CLASSIFICATION Polyesters

SALESMAN J.E. Walsh REGION Southern DATE OF CALL 5-4-79

ASBESTOS HEALTH & REGULATORY DOCUMENTS PROVIDED:

- ☐ MSDS
- ☐ Health & OSHA Information Blue Book
- ☐ Dust Count Report
- ☒ Other, specify below

PERSONS INTERVIEWED: Gerry Gerondale - Plant Manager

CALL OBJECTIVE: Call made on carload RG-244 customer.

RESULTS OF CALL: This location continues to split a half a car of 244 on its way to their Minneapolis plant. Gerry advised that he only makes product according to approved Minneapolis formulations and has no latitude on switching ingredients. They monitor every six months and have not had an inspection visit in quite a while but Gerry still feels uneasy about using asbestos and if he had his druthers he said, he probably wouldn't use it at all. His main concern is that down the road one or a number of their employees will bring suit against the company for health problems related to working with 244 and the result will be not only costly, but he feels, could be catastrophic financially to the company. Discussed the health issue and current trends toward potential solutions to asbestos manufacturers out of their current legal morass and to hopefully reduce some of his concerns and keep him current on proposals and discussions going on about the liability issue.

FOLLOW-UP ACTION REQUIRED:

COPIES TO: JRL:TPN:JLM: :KC-FILE:NF-FILE NF PERMANENT FILE ☒

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CUSTOMER CALL REPORT

CUSTOMER & LOCATION: Interplastic Minneapolis, MN

INDUSTRY CLASSIFICATION: Polyester

SALESMAN: Edward J. Kleber

REGION: Midwest

DATE OF CALL: 11/10/76

PRODUCTS DISCUSSED:

Cr	Mn	Spec.	Si	CaC_2	W	V	Asb.
☐	☐	☐	☐	☐	☐	☐	X

Other:

PERSONS INTERVIEWED: Terry McCabe - T. D.
Howard Melin - Corp. Secretary

CALL OBJECTIVE: Regular call on large RG-244 customer.

RESULTS OF CALL: Well, here we go again. Interplastic is getting ready for another OSHA citation, this time in Pryor, OK.

The background on this one is a little strange. Interplastic was inspected in October. Air samples were collected and the highest number on the test was a ceiling concentration of 0.05 fibers/cc. A few weeks later, citations were issued on wiring, fire extinguishers, ladders, etc., but nothing on asbestos. Interplastic looked them over and decided that the one on wiring would cost $150,000 to fix and upon closer reading of the OSHA regulations satisfied themselves that they were not in violation and decided to formally contest the wiring citation. A couple of weeks after they notified OSHA that they were contesting, Gerry Gerondale, plant manager, began getting phone calls from his friendly local OSHA man that more citations were on the way, a total of nine. Two of these concern asbestos, one on no warning signs and one on inadequate medical exams. Howard is convinced that the reasons for these new citations are strictly harassment techniques because they chose to fight rather than switch. Howard and the other corporation officers are incensed and have decided to fight this one all the way. The purpose of our meeting was to review the regulations and determine if anything is different now than a year ago. I assured them that nothing had changed except the TWA which really doesn't mean anything to them because of the low fiber counts by OSHA's own measurements. It is important to note that as of this writing no citations on asbestos have been issued yet! Howard just wants to be ready. (OVER)

FOLLOW-UP ACTION REQUIRED:

REB - How did you make out with Terry?

EJK - Stay on top with them on Kohler business and OSHA.

COPIES TO: Gen'l. Sales Mgr. (2); Mktg. Services; Others: JRL:TPN:WCT:JEW:KC-FILE:NF-FILE:REB
R. L. Schult J.E.Lenahan

Typed: 11/11/76 dal

CUSTOMER & LOCATION Interplastic Corp. Minn.,MN INDUSTRY CLASSIFICATION

SALESMAN Edward J. Kleber REGION Midwest DATE OF CALL 12-2-75

PRODUCTS DISCUSSED:

Cr	Mn	Spec.	Si	CaC_2	W	V	Asb.	Other:
☐	☐	☐	☐	☐	☐	☐	X	

PERSONS INTERVIEWED: Howard Melin, Doug Guenther

CALL OBJECTIVE: Normal sales call on large RG-244 user.

RESULTS OF CALL:

Interplastic is just beginning to come out of the Polyester sales doldrums and we should see a c/l order about January. They have had a terrible year in Polyester, but are confident that next year will see the return of normal business. Terry McCabe (Technical Director) is under orders to replace Silica with RG-244 wherever possible and has initiated a program to accomplish that end. Interplastic is very cost concious and as Silica prices continue to rise, our chances of getting more business here should be better.

Incidentally, they haven't heard a word from OSHA since the mess we went through with them in Sept.

FOLLOW-UP ACTION REQUIRED:

EJK Continue regular calls.

COPIES TO: Gen'l. Sales Mgr. (2); Mktg. Services; Others: JRL:TPN:WCT:JEW:KC-FILE:NF-FILE
R. L. Schult J.E.Lenahan

Typed:12/2/75 lb

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CUSTOMER CALL REPORT

CUSTOMER & LOCATION Interplastic Minneapolis, MN

INDUSTRY CLASSIFICATION Polyester

SALESMAN Edward J. Kleber REGION Midwest DATE OF CALL 11/10/76

PRODUCTS DISCUSSED:

Cr	Mn	Spec.	Si	CaC_2	W	V	Asb.
☐	☐	☐	☐	☐	☐	☐	X

Other:

PERSONS INTERVIEWED: Terry McCabe - T. D.
Howard Melin - Corp. Secretary

CALL OBJECTIVE: Regular call on large RG-244 customer.

RESULTS OF CALL: Well, here we go again. Interplastic is getting ready for another OSHA citation, this time in Pryor, OK.

The background on this one is a little strange. Interplastic was inspected in October. Air samples were collected and the highest number on the test was a ceiling concentration of 0.05 fibers/cc. A few weeks later, citations were issued on wiring, fire extinguishers, ladders, etc., but nothing on asbestos. Interplastic looked them over and decided that the one on wiring would cost $150,000 to fix and upon closer reading of the OSHA regulations satisfied themselves that they were not in violation and decided to formally contest the wiring citation. A couple of weeks after they notified OSHA that they were contesting, Gerry Gerondale, plant manager, began getting phone calls from his friendly local OSHA man that more citations were on the way, a total of nine. Two of these concern asbestos, one on no warning signs and one on inadequate medical exams. Howard is convinced that the reasons for these new citations are strictly harassment techniques because they chose to fight rather than switch. Howard and the other corporation officers are incensed and have decided to fight this one all the way. The purpose of our meeting was to review the regulations and determine if anything is different now than a year ago. I assured them that nothing had changed except the TWA which really doesn't mean anything to them because of the low fiber counts by OSHA's own measurements. It is important to note that as of this writing no citations on asbestos have been issued yet! Howard just wants to be ready. (OVER)

FOLLOW-UP ACTION REQUIRED:

REB - How did you make out with Terry?

EJK - Stay on top with them on Kohler business and OSHA.

COPIES TO: Gen'l. Sales Mgr. (2); Mktg. Services; Others: JRL:TPN:WCT:JEW:KC-FILE:NF-FILE:REB
R. L. Schult J.E.Lenahan
Typed: 11/11/76 dal

CUSTOMER CALL REPORT

CUSTOMER & LOCATION: Interplastic Corporation Minneapolis, MN

INDUSTRY CLASSIFICATION: Polyester

SALESMAN: Edward J. Kleber REGION: Midwest DATE OF CALL: 9/1/76

PRODUCTS DISCUSSED:

Cr	Mn	Spec.	Si	CaC_2	W	V	Asb.	Other:
☐	☐	☐	☐	☐	☐	☐	X	

PERSONS INTERVIEWED: Doug Guenther
Terry McCabe

CALL OBJECTIVE: Regular call.

RESULTS OF CALL: Next month, they say, should be the beginnings of a tremendous increase in RG-244 business. They expect to begin shipping RG-244 thixed resins to an outfit named Kohler in Wisconsin who they report is one of the three largest tub and shower stall manufacturers in the U.S. Right now they are selling Kohler nothing, but expect to sign a contract for 50-75% of their business for 1977 and will begin shipping immediately. I suggested they lay in a supply before the 9/15 price increase and Doug said he would check the inventory and let us know.

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They were inspected by OSHA last week, incidentally, and the inspector wanted to know if they were still using asbestos. They told him yes and the inspector's comment was that everything looked pretty neat, so he wouldn't hassle them about it. Terry said that his body temperature at that point was about 211.9°F, but decided to let that crack slide by.

Doug again asked if we could help them use RG-244 in gel coats. Unfortunately, the gun plugging problem is very difficult to solve in the field and they are not going to try to (see belo

FOLLOW-UP ACTION REQUIRED:

EJK - Continue normal calls.

*switch every customer to a larger orifice. If we ever figure out how to get around it, we've got some ready-made business here.

COPIES TO: Gen'l. Sales Mgr. (2); Mktg. Services; Others: JRL:TPN:WCT:JEW:KC-FILE:NF-FILE
R. L. Schult J.E.Lenahan

Typed 9/3/76 cjb

AIRBORNE FIBER COUNTS

for

Interplastic Corporation
Minneapolis, Minnesota

Date Sampled: June 23, 1976
Date Reported: July 12, 1976

Samples Collected By: E. J. Kleber
Union Carbide Corporation

Samples Analyzed By: B. L. Ingalls
Union Carbide Corporation

Reported By: E. J. Kleber
Union Carbide Corporation

Union Carbide Corporation
Metals Division
Niagara Falls, New York

OBJECTIVE

Monitor airborne asbestos fiber concentrations during the preparation of polyester resin containing "Calidria" asbestos RG-244.

DESCRIPTION OF OPERATION

Tests were conducted June 23, 1976 at Interplastic Corporation, Minneapolis, Minnesota.

Personal breathing zone and environmental air samples were collected before, during, and after the addition of 114 pounds of "Calidria" asbestos RG-244 to thinning tank #2.

SAMPLE EQUIPMENT AND TEST PROCEDURES

Sampling and dust counting were carried out in accordance with OSHA Regulation 1910.1001, using the Bayer, Zummalde and Brown method for counting asbestos fibers by phase contrast microscopy (Bureau of Occupational Safety and Health, Feb. 1969).

Battery-powered air pumps (M.S.A. type), calibrated to 2 liters per minute, were used to collect personal breathing zone and environmental samples on Millipore membrane filters of 0.8 micron porosity.

Fiber counting was performed on a Nikon phase contrast microscope at 400X utilizing a Porton reticle for sizing and field definition.

The numbers reported are fibers greater than 5 microns in length per cubic centimeter of air sampled. A fiber is defined as a material having an aspect ratio greater than 3:1.

COMMENTS

The OSHA regulations permit a maximum limit of 5 fibers greater than 5 microns in length per cubic centimeter of air sampled on an 8-hour, time-weighted average (TWA). This allowable level will be reduced to 2 fibers/cc on July 1, 1976. The formula $\frac{C_1T_1 + C_2T_2 + C_nT_n}{\Sigma T}$ describes the TWA where C = fiber count in fibers/cc and T = time.

The regulations also stipulate a ceiling concentration of 10 fibers/cc greater than 5 microns which is not to be exceeded at any time.

TEST RESULTS

The details of sample collection and resultant fiber counts are listed in the attached table(s).

SUMMARY OF FIBER COUNTS

Interplastic Corporation
Minneapolis, Minnesota

Sample No.	Air Sample Time	Minutes	Operation Description	Airborne Fiber Count (fibers/cc >5μ)
F-23	9:49-11:22 AM	93	Environmental - Before test, no RG-244 in vicinity. Sampler located 6 ft. off catwalk, 4 ft. from charging hole of thinning tank #2.	< 0.1
F-19	11:59 AM - 12:10 PM	11	Personal - Operator (Davis Bertram) adding 114 lbs. RG-244 to thinning tank #2. Sampling time includes packing RG-244 bags into large plastic bags and transporting to dumpster.	1.5
F-20	11:59 AM - 12:10 PM	11	Environmental - Same location as F-23 during addition of RG-244 to thinning tank.	1.3
F-21	12:11-2:27 PM	136	Environmental - Same location as F-21 after test. No RG-244 in area.	< 0.1

CUSTOMER & LOCATION Interplastic Corp. Minneapolis, MN

INDUSTRY CLASSIFICATION Polyester

SALESMAN Edward J. Kleber REGION Midwest DATE OF CALL 8/29&31/78

ASBESTOS HEALTH & REGULATORY DOCUMENTS PROVIDED:

- ☐ MSDS
- ☐ Health & OSHA Information Blue Book
- ☐ Dust Count Report
- ☐ Other, specify below

PERSONS INTERVIEWED:

Howard Melin - Corporation Secretary
Terry McCabe - Technical Director
Sharon Fisk - Purchasing Agent

CALL OBJECTIVE:

Regular call.

RESULTS OF CALL:

I checked in with Howard primarily to find out whether or not Interplastic has had any more harassment from OSHA. Howard said that, "no, they have now been inspected in both plants by OSHA and have everything straightened out." He told me not to be concerned, we would be the first to know if he had any trouble from OSHA. Even though they did not get cited for needing medical exams, Howard says they have decided to administer them to the handlers of asbestos. I replied that this was probably a good idea and left it at that.

I spoke briefly with Sharon, strictly social, because as she points out RG-244 is not a commodity item with Interplastic so all she has to do is monitor the inventories.

As usual, Terry took time out from his busy schedule to remind me that the secrecy agreement we have with them regarding the silane-treated product is almost one year old and all he has seen so far is 40 grams of material. I told them that we did have a plant trial that was pretty much of a flop, and he would just have to be patient and wait. He mumbled something about whether or not there was a statute of limitations on secrecy agreements and we left the subject. Things continue along here as normal, with no great increases or decreases of business in sight. The big hope we have now for RG-244 is that with all the changes at Hatco/U.S. Steel, they will somehow mess up at Kohler and Interplastic will get the business. He admits that's not very likely. All in all, RG-244 continues to perform as advertised and Terry has no complaints.

FOLLOW-UP ACTION REQUIRED:

EJK - Continue normal calls.

COPIES TO: JRL:TPN:WCT:JEW:KC-FILE:NF-FILE NF PERMANENT FILE ☒

dal 9/8/78

CUSTOMER CALL REPORT

CUSTOMER & LOCATION: Interplastic Corporation Minneapolis, MN

INDUSTRY CLASSIFICATION: Polyester

SALESMAN: Edward J. Kleber

REGION: Midwest

DATE OF CALL: 5/4/78

PRODUCTS DISCUSSED:

Cr	Mn	Spec.	Si	CaC_2	W	V	Asb.	Other:
☐	☐	☐	☐	☐	☐	☐	☒	

PERSONS INTERVIEWED: Terry McCabe - Technical Director

CALL OBJECTIVE: Regular call on carload RG-244 user.

RESULTS OF CALL:

Interplastic got caught short of RG-244 recently and promptly ordered a carload. At the same time they back hauled some 244 from their Pryor, OK, plant but it didn't arrive in time. The worst of all possible things happened; they actually used Aerosil in a resin which has been strictly RG-244 for years. Actually, it didn't turn out to be too bad, because a customer complained about the cloudy looking resin that Interplastic sent them. The usage rate of RG-244 has gone up recently because their business has been excellent.

Terry still dreams of getting the Kohler business. Kohler, of course, is the largest manufacturer of tubs and shower stalls in the U.S. He says they've got another shot at the business and if successful this would double our RG-244 sales. They are so intent on this business that they hired a chemist from OCF to work primarily on this project. They have recently submitted some samples to Kohler and expect to hear back from them within 3-4 weeks.

Terry also mentioned that they are about to come out with a new line of HAF resins and Terry claims that all the formulating is being done with RG-244.

All in all, things seem to be going well here. We got over the very serious toxicology/OSHA problem here and things seem to be back to normal.

(OVER)

FOLLOW-UP ACTION REQUIRED:

EJK - Regular calls.

COPIES TO: JRL:TPN:WCT:JEW:KC-FILE:NF-FILE

dal 5/18/78

CUSTOMER & LOCATION Interplastics - Pryor, Oklahoma INDUSTRY CLASSIFICATION Polyesters

SALESMAN J.E. Walsh REGION Southern DATE OF CALL 5-4-79

ASBESTOS HEALTH & REGULATORY DOCUMENTS PROVIDED:

- ☐ MSDS
- ☐ Health & OSHA Information Blue Book
- ☐ Dust Count Report
- ☒ Other, specify below

PERSONS INTERVIEWED: Gerry Gerondale - Plant Manager

CALL OBJECTIVE: Call made on carload RG-244 customer.

RESULTS OF CALL: This location continues to split a half a car of 244 on its way to their Minneapolis plant. Gerry advised that he only makes product according to approved Minneapolis formulations and has no latitude on switching ingredients. They monitor every six months and have not had an inspection visit in quite a while but Gerry still feels uneasy about using asbestos and if he had his druthers he said, he probably wouldn't use it at all. His main concern is that down the road one or a number of their employees will bring suit against the company for health problems related to working with 244 and the result will be not only costly, but he feels, could be catastrophic financially to the company. Discussed the health issue and current trends toward potential solutions to asbestos manufacturers out of their current legal morass and to hopefully reduce some of his concerns and keep him current on proposals and discussions going on about the liability issue.

FOLLOW-UP ACTION REQUIRED:

COPIES TO: JRL:TPN:JLM: :KC-FILE:NF-FILE NF PERMANENT FILE ☒

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cc for: H. B. Rhodes - Niagara Falls
R. E. Byrne - Niagara Falls
T. P. Norris - Chicago
W. C. Thurber - NY 38
KC Files
NF Files ✓

Carbide asbestos

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

By J. E. Walsh

Date 5-22-75

Full Name	Interplastics	Interviewed	
Address	Pryor, Oklahoma		Gerry Gerondale, Plant Manager
Mfrs. of	Polyester Resins		

Call made on new RG-244 carload user in this geography.

The plant opened about a year ago, but last month's carload was the first direct shipment they received. They did receive a carload a couple of months ago, but it was stopped off here enroute to Minneapolis. Right now space is limited, and Gerry wasn't sure if they would go to the stop off route again the next time they need material. Production is erratic on thixed resins, as they make a variety for the tank coating, boat, automotive, and sanitary ware markets. Briefly discussed the toxicology topic, and our latest information on the subject has been sent to him. Left Gerry with my card in case they had an emergency or if he felt I could help him in anyway.

HBR They are interested in having a dust count done the next time we have someone in the area. Please put them on your list of stops to make. Thank you.

JEW Once a year courtesy call frequency should be sufficient.

Published by AsbestosClaims.Law
asbestosclaims.law/library/15868/64

CUSTOMER & LOCATION Interplastics - Pryor, Oklahoma INDUSTRY CLASSIFICATION Polyesters

SALESMAN J.E. Walsh REGION Southern DATE OF CALL 5-4-79

ASBESTOS HEALTH & REGULATORY DOCUMENTS PROVIDED:

- ☐ MSDS
- ☐ Health & OSHA Information Blue Book
- ☐ Dust Count Report
- ☒ Other, specify below

PERSONS INTERVIEWED: Gerry Gerondale - Plant Manager

CALL OBJECTIVE: Call made on carload RG-244 customer.

RESULTS OF CALL: This location continues to split a half a car of 244 on its way to their Minneapolis plant. Gerry advised that he only makes product according to approved Minneapolis formulations and has no latitude on switching ingredients. They monitor every six months and have not had an inspection visit in quite a while but Gerry still feels uneasy about using asbestos and if he had his druthers he said, he probably wouldn't use it at all. His main concern is that down the road one or a number of their employees will bring suit against the company for health problems related to working with 244 and the result will be not only costly, but he feels, could be catastrophic financially to the company. Discussed the health issue and current trends toward potential solutions to asbestos manufacturers out of their current legal morass and to hopefully reduce some of his concerns and keep him current on proposals and discussions going on about the liability issue.

FOLLOW-UP ACTION REQUIRED:

COPIES TO: JRL:TPN:JLM: :KC-FILE:NF-FILE OF PERMANENT FILE ☒

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CUSTOMER CALL REPORT

CUSTOMER & LOCATION Interplastic Minneapolis, Minn INDUSTRY CLASSIFICATION Polyester

SALESMAN T. P. Norris REGION Western DATE OF CALL 3/27/80
cc E.J. Kleber

ASBESTOS HEALTH & REGULATORY DOCUMENTS PROVIDED:

- ☐ MSDS
- ☐ Health & OSHA Information Blue Book
- ☐ Dust Count Report
- ☐ Other, specify below

PERSONS INTERVIEWED: Terry McCabe, Technical Director

CALL OBJECTIVE: Routine — Turn over Call.

RESULTS OF CALL: One of Interplastic's largest Customers, Artic Enterprises, has filed Chapter 11. This was a Customer that used RC 244 laminating resin, and so our business could be affected at a later date.

Terry still often us to submit samples of Silane treated RC 244. This request slated back my months and in the light of Johns between Terry & E.J. Kleber, and now the writer.

FOLLOW-UP ACTION REQUIRED:

R.E.B. Please stay on top of S. Ramachandra so that we can submit samples at an early date.

COPIES TO: JRL:REB:[redacted]:JEW:KC-FILE:NF-FILE NF PERMANENT FILE ☐

CUSTOMER & LOCATION Interplastic Minneapolis, MN

INDUSTRY CLASSIFICATION Polyester

SALESMAN Edward J. Kleber w/ Bill Sutherland - Escon Resin

REGION Midwest

DATE OF CALL 2/15/80

ASBESTOS HEALTH & REGULATORY DOCUMENTS PROVIDED:

- ☐ MSDS
- ☐ Health & OSHA Information Blue Book
- ☐ Dust Count Report
- ☐ Other, specify below

PERSONS INTERVIEWED:

Terry McCabe - Technical Director

CALL OBJECTIVE:

Give our largest Australian RG-244 customer a tour of a U.S. polyester plant.

RESULTS OF CALL:

Terry was most cooperative in giving Bill a complete tour of their plant and lab. He also included a pep talk on the virtues of "Calidria" RG-244 and tried to assist Bill with a settling problem Escon is experiencing.

He also told us that Interplastic has been successful in incorporating RG-244 in a highly pigmented gel coat. Currently they are selling this gel coat to their largest customer, Proform, Inc. for their fiberglass boat covers. He was very vague when asked how they overcame the filtration problem. He did note that the RG-244/gel coat is not a system which can be sold as a standard gel coat. They are going to have to pick their spots.

Phillip's Petroleum, Interplastics new parent, has informed them that by 1985 they will have 20% of the domestic polyester business or else! Plans have been completed and construction will soon begin on a new plant in the southeast (location undisclosed) and by 1985 two more plants will probably be built.

FOLLOW-UP ACTION REQUIRED:

EJK - Regular calls.

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NF PERMANENT FILE ☐

dal 2/25/80

CUSTOMER CALL REPORT

CUSTOMER & LOCATION Interplastic Minneapolis, MN — INDUSTRY CLASSIFICATION Polyester

SALESMAN Edward J. Kleber w/J. E. Walsh — REGION Midwest — DATE OF CALL 9/13&14/79

ASBESTOS HEALTH & REGULATORY DOCUMENTS PROVIDED:

- ☐ MSDS
- ☐ Health & OSHA Information Blue Book
- ☐ Dust Count Report
- ☐ Other, specify below

PERSONS INTERVIEWED:

Roman Kramer - Plant Engineer
Terry McCabe - Technical Director
Howard Melin - Corp. Secretary
Jim Wallenfelz - General Manager
Sharon Fisk - Buyer

CALL OBJECTIVE:

Account maintenance

RESULTS OF CALL:

Roman Kramer - Roman's work on bulk handling continues, and although some problems have surfaced, he feels they are solvable. After he gets the system working smoothly with Aerosil he will tackle RG-244. Given proper packaging, this could be an almost dustless system.

Terry McCabe - Now that Terry has been given responsibility for gel coats, he is working on RG-244 in highly pigmented systems where filtration should not be a problem. So far the work looks encouraging. I received the usual zinger about the status of the silane-treated RG-244, to which I replied that we are working on it.

Howard Melin - Interplastic has been cited by OSHA again, this time for an infraction having to do with medicals. The fine levied was $48.00. As Howard put it, it would cost more for a lawyer to read the citation than the fine costs. Therefore, after some vacillating, they've decided to pay the fine.

Jim Wallenfelz - Apparently someone in their plant is calling OSHA almost weekly and is driving Management crazy. Jim stated that they are near the point where they may have to drop "Calidria" because it's just not worth the hassle. I pointed out the cost savings to Jim which he understands very well, but his rejoinder was that it is costing them much more to "waste" time messing with OSHA, and fighting customers who want no asbestos.

FOLLOW-UP ACTION REQUIRED:

(OVER)

EJK - We need a big success here fast and working through Terry is probably the only way to get one.

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dal 9/28/79

CUSTOMER CALL REPORT

CUSTOMER & LOCATION Interplastic Corp. Minneapolis, MN

INDUSTRY CLASSIFICATION Polyester

SALESMAN Edward J. Kleber REGION Midwest DATE OF CALL 8/28/79

ASBESTOS HEALTH & REGULATORY DOCUMENTS PROVIDED:

- ☐ MSDS
- ☐ Health & OSHA Information Blue Book
- ☐ Dust Count Report
- ☐ Other, specify below

PERSONS INTERVIEWED:

R. T. McCabe - Technical Director

CALL OBJECTIVE:

Present dust count

RESULTS OF CALL:

We exchanged dust counts with Terry. We gave him ours and he presented us with the results of the Minnesota OSHA counts. There was one major discrepancy in the numbers. Their sample 250 showed 2.77 fibers/cc while our side-by-side equivalent was 0.1. With that exeption, our counts were right in line with theirs. There really is no reason to be upset about this since in the final analysis, they are not over the limits and they give medicals so that the 0.1 fibers/cc is not a factor.*

Terry noted that NL Industries is making a big push with a material called Polytrope 1183. Used in conjunction with RG-244, Terry says it looks to be a "perfect" thixotrope. I have no idea what Polytrope 1183 is, but it might be worth looking at in the lab.

*Copy of Minnesota's dust count attached.

FOLLOW-UP ACTION REQUIRED:

EJK - Regular calls.

REB - Ever heard of Polytrope 1183?

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dal 9/4/79

CUSTOMER CALL REPORT

CUSTOMER & LOCATION: Interplastic Minneapolis, MN

INDUSTRY CLASSIFICATION: Polyester

SALESMAN: Edward J. Kleber REGION: Midwest DATE OF CALL: 1/13/79

ASBESTOS HEALTH & REGULATORY DOCUMENTS PROVIDED:

- ☐ MSDS
- ☐ Health & OSHA Information Blue Book
- ☐ Dust Count Report
- ☐ Other, specify below

PERSONS INTERVIEWED:

Jim Wallenfelz - V.P. & General Manager
Sharon Fisk - Purchasing Agent
Terry McCabe - Technical Director

CALL OBJECTIVE:

Routine

RESULTS OF CALL:

Interplastic is going through a major expansion program both at Minneapolis and Prior, OK. Business has been improving in leaps and bounds, but customer resistance to asbestos containing resins has been high. Jim emphasized that the price differential between RG-244 and Cab-O-Sil is so great that they'd be stupid not to try to exploit it. The problem remains that customers don't want asbestos, they'll keep trying.

Terry wants to sit down with a technical expert and discuss asbestos in BMC/SMC. They recently bought a plant and want to make it profitable. I suggested the SPI would be a good opportunity.

FOLLOW-UP ACTION REQUIRED:

REB - Brush up on SMC/BMC applications.

EJK - Regular calls.

COPIES TO: JRL:TPN:JEW:KC-FILE:NF-FILE:REB NF PERMANENT FILE ☐

dal 1/25/79