UC 149-2

UNION CARBIDE INTERNAL CORRESPONDENCE

PLAINTIFF'S EXHIBIT
UC-908

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

To (Name) Dr. H. B. Rhodes
Division UCC - Metals Division
Location Niagara Falls, NY

Date February 18, 1977
Originating Dept. "Calidria" Asbestos
Answering letter date

Copy to Messrs. R. E. Byrne, Jr.
J. H. Cleveland
R. L. Schult
E. W. Shortridge
W. C. Thurber
File

Subject OSHA Warning Label

Three areas concerning the Subject should be resolved at your earliest convenience but no later than March 31, 1977.

1. Sylodex Products SX-14 & SX-24: We package these products in paper bags with design specifications by W.R. Grace. Our name does not appear on the bags, we sell F.O.B. the plant and Grace is the shipper. Bags are loaded in ocean containers at the plant and sealed. They are opened at the customer's receiving locations in various countries outside the U.S. Their bags are now marked "Contains Chrysotile Asbestos - Do Not Breathe Dust". Are we required to use the OSHA warning label?

2. Bulk Shipments of Asbestos Pellets: We load 90-ton bulk hopper-type rail cars with pellets at the plant and sell on F.O.B. basis. The customer unloads the car by gravity or pneumatically. Are we required to use the OSHA warning label on the car exterior?

3. Export Shipments: We are currently limited, almost exclusively, to using ocean containers for shipping bags of products. Bags are shrink-wrapped except for a few exceptions, and we may use pallet shrink-wrap in the future. We occasionally have trial orders for less than container quantities and I would like to be able to ship these in wooden pallet boxes or something similar. Are we required to use the OSHA warning label on the container exteriors? If so, this could also apply to box-cars and trucks.

I realize that the latter two areas would involve DOT, perhaps the Coast Guard, etc. Rather than stir up problems with additional agencies perhaps we should do nothing more than get advice from our own legal dept. and make our own decisions.

John L. Myers

JLM:dal