PLAINTIFF'S EXHIBIT
UC-1243

Johns-Manville Corporation

Ken-Caryl Ranch
Denver, Colorado 80217
(303) 979-1000

Executive Offices

June 16, 1980

Mr. John Myers
Union Carbide Corp.
P.O. Box 579
Niagara Falls, NY 14302

Dear John:

Attached is a copy of the text for our Asbestos Issue plant tour presentation. As I mentioned at the meeting, we will delete certain sections that are more pertinent to Johns-Manville and develop a version for use by AIA members.

I would appreciate any comments or suggestions you might have.

Very truly yours,

James F. Reis
Director, Asbestos Policy

JFR:tw

Attachment

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GOOD MORNING, LADIES AND GENTLEMEN:

I AM (NAME) (TITLE) OF JOHNS-MANSVILLE's (PLANT OR DEPT). WITH ME THIS MORNING ARE (NAME & TITLE). FIRST, WE'D LIKE TO THANK YOU VERY MUCH FOR JOINING US. YOUR PRESENCE DEMONSTRATES YOUR INTEREST IN HEARING MORE ABOUT OUR TOPIC -- ASBESTOS -- A TOPIC THAT USUALLY ~~OFTEN~~ IS EMOTIONAL IN NATURE. BEFORE WE GET INTO THE SUBJECT, HOWEVER, LET ME TELL YOU WHAT THE AGENDA IS. FIRST, WE WILL SPELL OUT THE DETAILS OF THE ASBESTOS ISSUE, AND THEN WE WILL FIELD ANY AND ALL QUESTIONS YOU MAY HAVE. FOLLOWING THAT WE WILL HAVE LUNCH.

LET ME INTRODUCE (NAME) FROM OUR CORPORATE OFFICES IN DENVER, WHO WILL PROVIDE SOME BACKGROUND INFORMATION ON ASBESTOS.

Title slide

THANK YOU (NAME) LET ME ADD MY WELCOME TO ALL OF YOU AND THANK EACH OF YOU FOR COMING. JOHNS-MANVILLE HAS RECEIVED MUCH NEGATIVE PUBLICITY ABOUT ASBESTOS, AND WE WANT YOU TO KNOW THE WHOLE STORY, NOT JUST WHAT YOU'VE READ IN THE PRESS. YOU PROBABLY HAVE MANY QUESTIONS.

- IS ASBESTOS A CARCINOGEN?
- IS THERE A SAFE EXPOSURE LIMIT?
- IS IT A HAZARD IN TODAY'S OCCUPATIONAL SETTING?
- IS AN ASBESTOS USING PLANT A HAZARD TO A NEIGHBORHOOD?
- IS THERE A RISK TO THE GENERAL PUBLIC IN USING ASBESTOS CONTAINING PRODUCTS, INCLUDING A/C WATER PIPE?
- DID J-M COVER UP THE HEALTH HAZARD?

WE PLAN TO ANSWER EACH OF THESE QUESTIONS CANDIDLY, AND, IF MOST OF WHAT YOU KNOW ABOUT ASBESTOS AND ASBESTOS-RELATED DISEASES IS WHAT YOU'VE HEARD OR READ IN THE MEDIA, WE HOPE TO CLARIFY THE ISSUE FOR YO

A10802

BECAUSE IT DEALS WITH HUMAN HEALTH, THE ASBESTOS MATTER IS NOT ONLY A VERY COMPLEX ISSUE, BUT ALSO A HIGHLY EMOTIONAL ONE. THE EMOTIONALISM OF THE ASBESTOS ISSUE IS OFTEN MADE WORSE BY THE PARTIES INVOLVED, ESPECIALLY PLAINTIFFS' ATTORNEYS, AND CERTAIN HEADLINE SEEKING GOVERNMENT REGULATORY AGENCY OFFICIALS. SO, I ASK YOU TO KEEP AN OPEN MIND AND TO DRAW YOUR OWN CONCLUSIONS. AGAIN, LET ME EMPHASIZE THAT WE WILL ANSWER TO THE BEST OF OUR ABILITY ANY QUESTIONS YOU MAY HAVE FOLLOWING OUR PRESENTATION.

A 10803

ASBESTOS IS A GENERIC TERM APPLIED TO SIX MINERALS WHICH ALL HAVE A FIBROUS STRUCTURE. ASBESTOS CAN BE DIVIDED INTO TWO MAIN CLASSES, BASED ON THE CRYSTALLINE STRUCTURE OF THE HOST ROCK -- SERPENTINE AND AMPHIBOLES. WITHIN THESE TWO CLASSIFICATIONS THERE ARE ~~FOUR~~ THREE COMMERCIALLY SIGNIFICANT VARIETIES OF ASBESTOS: CHRYSOTILE - The only serpentine variety & amphiboles crocidolite & amosite. ~~CROCIDOLITE, AMOSITE AND ANTHOPHYLLITE.~~ EACH OF THESE DIFFER PHYSICALLY AND CHEMICALLY FROM EACH OTHER.

WHILE ASBESTOS FORMATIONS ARE FOUND EVERYWHERE IN THE EARTH'S CRUST, CHRYSOTILE IS THE ~~MOST IMPORTANT~~ COMMERCIALLY SINCE IT REPRESENTS 95% OF WORLD PRODUCTION.

I know this correct but asbestos can't be lit in the first place I usually describe it as "non-burning".

~~THE~~ WORD "ASBESTOS" IS DERIVED FROM AN ANCIENT GREEK TERM MEANING "INEXTINGUISHABLE." THE GREEKS AND ROMANS USED ASBESTOS TO MAKE WICKS FOR TEMPLE LAMPS. CLASSICAL WRITERS OF REPUTE ~~SUCH AS PLINY, PEUTARCH AND PAUSANIAS~~ WROTE ABOUT A SUBSTANCE WHICH, WHEN LIT, DID NOT BURN OUT. ~~THEOPHI~~ SPECIFY WHAT IT WAS. ~~PLINY SPEAKS OF TABLECLOTHS WHICH WERE CLEANED BY EXPOSING THEM TO FIRE. LATER MARCO POLO WROTE OF HAVING SEEN FIREPROOF SHEETS IN SIBERIA.~~ IT IS ALSO KNOWN THAT ASBESTOS WAS USED FOR MEDICAL PURPOSES IN THE PAST AND IN CERTAIN COUNTRIES IT WAS USED IN THE MAKING OF LIGHT POTTERY AND IN THE BUILDING OF ~~HIGHLY RESISTANT~~ OVENS. HOWEVER, IN SPITE OF SUCH VARIED APPLICATIONS, FOR CENTURIES, ASBESTOS REMAINED NOTHING MORE THAN A CURIOSITY.

TODAY PRACTICALLY EVERYONE USES ASBESTOS IN ONE FORM OR ANOTHER. OVER THREE THOUSAND PRODUCTS CONTAIN ASBESTOS, USUALLY IN COMBINATION WITH OTHER MATERIALS, WITH PROPERTIES UNMATCHED BY ANY OTHER NATURAL OR MAN-MADE MATERIAL. ADEQUATE SUBSTITUTES FOR ASBESTOS HAVE NOT BEEN IDENTIFIED TO DATE FOR ~~MICRO~~ REINFORCEMENT, DURABILITY AND

A 10804

ROT RESISTANCE IN PRODUCTS LIKE ASBESTOS CEMENT PIPE, BUILDING PANELS, FLOOR ~~TILE~~ VINYL ASBESTOS TILE, SHEET GOODS AND FLOORING ROOFING. BUILT-UP COMPRISING ~~LESS THAN~~ FROM 5 TO 30% ~~15%~~ OF SUCH PRODUCTS. THESE INCREDIBLY STRONG FIBERS ARE NOT FREE BUT, LIKE REINFORCING RODS IN CONCRETE, THEY ARE BOUND IN ... ENCAPSULATED ... LOCKED IN ~~THE~~ BY BINDER SUCH AS PORTLAND CEMENT, RUBBER, ASPHALT, ~~MATERIAL~~. THE RESISTANCE OF THIS MINERAL TO HIGH TEMPERATURE MAKES IT EXTREMELY USEFUL IN HIGH TEMPERATURE PACKING MATERIALS, GASKETS AND FRICTION MATERIALS SUCH AS BRAKE LININGS AND CLUTCH FACINGS. THE SAME PROPERTIES HAVE MADE ASBESTOS INVALUABLE IN THE PRODUCTION OF MANY ASPHALT BASED COATINGS AND SEALANTS, TEXTILES SUCH AS THIS FIRE FIGHTING SUIT, AND INSULATING PRODUCTS. IN THE PAST, HOWEVER, THERE WERE SOME APPLICATIONS WHERE THE FIBERS WERE NOT LOCKED-IN BY BINDERS, ~~SUCH AS RESIN, RUBBER, ASPHALT OR PORTLAND CEMENT, AND~~ TODAY VIRTUALLY ALL OF THESE PRODUCTS HAVE BEEN DISCONTINUED.

FROM ITS HISTORY AS A ~~MIRACLE MINERAL THAT PROTECTED~~ MEMBERS OF SOCIETY, ASBESTOS TODAY IS ~~CONSIDERED A TOXIC MINERAL~~ many as a dangerous and toxic material. AN EXCESSIVE and continuous DOSE OF ASBESTOS ~~CAN~~ MAY CAUSE DISEASE, THERE IS NO QUESTION ABOUT THIS. BUT, THE KEY WORD HERE IS EXCESSIVE. ASBESTOS USED UNDER PROPER SAFEGUARDS IS NO ~~MORE DANGEROUS THAN HUNDREDS OF OTHER SUBSTANCES WE USE EVERYDAY~~. Water is dangerous if you inhale too much of it.

LET ME DELINEATE THE HEALTH SITUATION. THERE ARE THREE DISEASES ASSOCIATED WITH EXCESSIVE EXPOSURE TO ASBESTOS FIBER.

ASBESTOSIS, WHICH IS THE MOST PREVALENT OF THE THREE, IS A NON-CANCEROUS LUNG CONDITION THAT CAN BE CAUSED BY EXCESSIVE INHALATION AND RETENTION OF ASBESTOS FIBER OVER MANY YEARS. ASBESTOSIS IS A SCARRING OF THE LUNG TISSUE AND IS ONE OF SEVERAL DISEASES CLASSIFIED AS PNEUMOCONIOSES, EACH OF WHICH IS ~~CAUSED~~ BY INHALING SPECIFIC FOREIGN MATERIALS INTO THE LUNGS. Silicosis - caused by silica; Byssinosis - caused by cotton dust, etc.

THE SECOND DISEASE IS LUNG CANCER. THERE IS LESS INCIDENCE OF THIS ASBESTOS-RELATED DISEASE THAN THERE IS ASBESTOSIS, BUT LUNG CANCER IS SIGNIFICANT BECAUSE IT IS THE CHIEF CAUSE OF DEATH AMONG PERSONS EXPOSED TO ASBESTOS. HOWEVER, MEDICAL EVIDENCE CLEARLY INDICATES THAT ~~WERE IT NOT FOR~~ WITHOUT CIGARETTE SMOKING, THERE WOULD BE NO SIGNIFICANT EXCESS OF LUNG CANCER AMONG PEOPLE OCCUPATIONALLY EXPOSED TO ASBESTOS. I WILL COME BACK TO SMOKING IN A MOMENT.

MESOTHELIOMA IS THE THIRD DISEASE IDENTIFIED AS HAVING A RELATIONSHIP TO ~~EXCESSIVE~~ EXPOSURE TO ASBESTOS EXPOSURE, AS WELL AS CERTAIN OTHER SUBSTANCES. IT IS A ~~RARE~~ DISEASE AFFECTING THE LININGS OF THE CHEST AND ABDOMINAL CAVITIES. HOWEVER, ~~SO~~ BECAUSE IT IS EXTREMELY RARE MOST OF THE TALK YOU HEAR IS ABOUT EITHER ASBESTOSIS OR LUNG CANCER.

SO WHAT WE HAVE ARE THREE TYPES OF DISEASES. NOW, IN ORDER TO FULLY UNDERSTAND THE HEALTH ASPECTS, YOU SHOULD UNDERSTAND THE DIFFERENT CATEGORIES OF EMPLOYEES WORKING WITH ASBESTOS.

WORKERS IN MINES, MILLS OR FACTORIES MANUFACTURING ASBESTOS CONTAINING PRODUCTS HANDLING 100% ASBESTOS FIBER. THEY NUMBER APPROXIMATELY 250,000.

INSULATION WORKERS WHO WORKED WITH THE PRODUCTS ~~WE~~ J-M AND OTHERS IN ~~OUR~~ THE INDUSTRY PRODUCED ~~CONTAINING~~ during the years and which contained 5-15% ASBESTOS FIBER. THERE ARE AN ESTIMATED 30,000 ~~OF THEM~~. people in this group.

THERE IS A THIRD CLASS OF WORKERS WHICH DESERVES COMMENT -- WORKERS IN GOVERNMENT CONTROLLED ENVIRONMENTS, PRIMARILY WAR-TIME SHIPYARDS. BY THE GOVERNMENT'S OWN FIGURES, OVER 4 MILLION PEOPLE FALL INTO THIS CATEGORY.

Everyone is "exposed to asbestos". This should be rewarded. Is lung cancer the "chief cause of death", even for those heavily exposed?

A10806

ship

THE DISTINCTION OF THE SHIPYARD WORKER IS VERY IMPORTANT BECAUSE OF THE SHEER NUMBER OF PEOPLE INVOLVED AND THEIR INTENSE EXPOSURE TO ASBESTOS. ALSO, THE EVIDENCE IS QUITE CLEAR THAT THE GOVERNMENT FAILED TO TAKE RESPONSIBLE ACTIONS TO PROTECT ITS EMPLOYEES. THE BURDEN OF FAIRLY COMPENSATING THESE GOVERNMENT EMPLOYEES FALLS SQUARELY UPON THE U.S. NAVY AND CONGRESS.

LET ME MOVE ON TO AN AREA THAT IN RECENT TIMES HAS HAD THE MOST PUBLICITY -- LITIGATION AND ITS COROLLARY: THE STATE OF MEDICAL KNOWLEDGE ABOUT ASBESTOS HEALTH HAZARDS.

TODAY JOHNS-MANVILLE IS A DEFENDANT IN OVER 3,000 LAWSUITS. INSULATION WORKERS REPRESENT ABOUT ONE-HALF OF THOSE PLAINTIFFS, AND SHIPYARD WORKERS AND, IN A FEW CASES, SPOUSES OR FAMILY MEMBERS OF THOSE WORKERS REPRESENT THE OTHER HALF. AS YOU MAY KNOW, LITIGATION IS BASED UPON A FINDING OF FAULT (TO USE A LEGAL TERM) AND WITH RESPECT TO ASBESTOS RELATED DISEASE, ~~THERE SIMPLY IS NO FAULT ON THE PART OF~~ J-M IS NOT AT FAULT

DURING THOSE YEARS OF EXCESSIVE EXPOSURE THERE WAS NO AGREEMENT AMONG THE MEDICAL PROFESSION, THE U.S. GOVERNMENT, UNIONS, THE WORKERS, J-M AND OTHER ASBESTOS FIBER PRODUCERS OF ANY HEALTH HAZARD BEYOND ASBESTOSIS. AND, THE ASBESTOSIS DANGER WAS BELIEVED BY ALL TO DISAPPEAR WITH THE REDUCTION OF DUST COUNTS TO LEVELS RECOMMENDED BY THE U.S. PUBLIC HEALTH SERVICE IN 1938. A 10807

IT IS IMPORTANT TO RECOGNIZE THE LEVEL OF KNOWLEDGE ABOUT ASBESTOS HEALTH HAZARDS DURING THE YEARS. THERE ARE ACTUALLY TWO TIME PERIODS INTO WHICH MEDICAL KNOWLEDGE CAN BE DIVIDED.

There are also millions of others who work with or use asbestos-containing products in which the fibers are locked in as previously described. These workers, and the general population, may be exposed to fiber levels slightly above background; but these levels do not constitute a health hazard. Many publicity-seekers extrapolate from these numbers and forecast hundreds of thousands of deaths from asbestos. This is blatantly false and inaccurate!

IN THE FIRST PERIOD THERE WAS GENERAL KNOWLEDGE THAT ASBESTOSIS EXISTED AMONG ASBESTOS FACTORY WORKERS. J-M WAS PAYING WORKERS COMPENSATION CLAIMS FOR ASBESTOSIS TO ITS OWN FACTORY WORKERS AS FAR BACK AS THE 1930's AND EVERYONE INCLUDING THE MEDICAL PROFESSION, INSURANCE COMPANIES, UNIONS AND WORKERS KNEW ABOUT IT.

ALSO IN THE 1930's, JOHNS-MANVILLE, OTHERS IN THE INDUSTRY AND OUR INSURANCE CARRIERS, UNDERWROTE MEDICAL STUDIES ON ASBESTOS-RELATED DISEASE. SEMINARS WERE CONDUCTED DURING THESE TIMES AND ATTENDED BY THE CHIEF OCCUPATIONAL MEDICAL OFFICER OF THE U.S. PUBLIC HEALTH SERVICE AND HIS COUNTER-PART IN CANADA. REPORTS WERE PUBLISHED ONCE THE STUDIES WERE COMPLETE.

IN 1938, AS I SAID, THE U.S. PUBLIC HEALTH SERVICE PUBLISHED THE RESULTS OF ITS FIRST STUDY MADE SPECIFICALLY TO CHARACTERIZE ASBESTOSIS AND IDENTIFY A SAFE LEVEL OF EXPOSURE BELOW WHICH ONE WOULD NOT GET ASBESTOSIS. FROM THAT STUDY RECOMMENDED STANDARDS FOR WORKING ENVIRONMENTS WERE ESTABLISHED AND IT WAS BELIEVED THAT THERE WAS NOT ANY DISEASE PROBLEM BEYOND ASBESTOSIS.

TRAGICALLY THESE RECOMMENDED STANDARDS FOR ASBESTOS DUST CONTROL LATER PROVED TO BE INADEQUATE, AND, DURING THE WAR AND INTO THE 1960's, THERE CONTINUED TO BE EXCESSIVE EXPOSURE TO ASBESTOS.

FURTHER, IN 1946 THE GOVERNMENT UNDERTOOK AND PUBLISHED THE RESULTS OF ANOTHER STUDY WHICH INDICATED THAT INSULATION WORK IN SHIPYARDS WAS NOT A HAZARDOUS OCCUPATION. A 10808

~~AS YOU CAN SEE~~ THERE WAS A CONSIDERABLE BODY OF MEDICAL KNOWLEDGE INDICATING THAT ASBESTOS WAS A SAFE PRODUCT IN A CONTROLLED ENVIRONMENT AND POSED NO THREAT TO THOSE WORKING WITH ASBESTOS-CONTAINING INSULATION PRODUCTS.

1964

THAT LEADS US TO OUR NEXT KEY DATE - 1964. IN THAT YEAR DR. IRVING SELIKOFF OF MT. SINAI ~~HOSPITAL OF~~ SCHOOL OF MEDICINE IN NEW YORK PUBLISHED FINDINGS WHICH CHANGED EVERYTHING. HE SHOWED 1) THAT ASBESTOS ~~OVEREXPOSURE~~ EXCESSIVE EXPOSURE TO COULD HEIGHTEN THE RISK OF DISEASE AMONG INSULATION WORKERS AND 2) LUNG CANCER WAS AN ASBESTOS RELATED DISEASE, MAINLY CONFINED TO ~~CIGARETTES SMOKING~~ WORKERS WHO SMOKED ~~WORKERS~~. EVERY STUDY SINCE THEN HAS SUPPORTED DR. SELIKOFF'S FINDINGS AND RUNS COUNTER TO ALL FORMER KNOWLEDGE OF ASBESTOS AND HEALTH.

BECAUSE OF J-M AND INDUSTRY RESPONSE TO THE 1964 SELIKOFF STUDY, THE ~~INCIDENCE OF~~ POTENTIAL FOR CREATING NEW ASBESTOS-RELATED DISEASE ~~HAS BEEN~~ HAS BEEN MINIMAL SINCE THE MID TO LATE 1960's. THAT RESPONSE HAS TAKEN THE FORM OF 1) IMPROVED MEDICAL SURVEILLANCE 2) IMPROVED EDUCATION OF WORKERS AS TO APPROPRIATE WORK PRACTICES AND PROCEDURES 3) IMPROVED DUST CONTROL EQUIPMENT AND WORK PRACTICES TO ELIMINATE HAZARDOUS CONDITIONS. 4) MONITORING OF THE WORKPLACE BY INDUSTRIAL HYGIENISTS, AND 5) DISCONTINUED ~~MANUFACTURE OF DUSTY INSULATION PRODUCTS~~ which released excessive amounts of fibers when used.

~~WE KNOW FROM SCIENTIFIC~~ KNOWLEDGE AND THE PERSONNEL HISTORY AT OUR NEWEST ASBESTOS CEMENT PIPE PLANT IN STOCKTON, CALIFORNIA, (NOW 23 YEARS OLD) THAT THESE ~~RESPONSES~~ EFFORTS ARE WORKING SINCE WE'VE HAD NO ~~NEW~~ ASBESTOSIS OR ASBESTOS-RELATED LUNG CANCER CASES AMONG OUR WORKERS, WHOSE ONLY EXPOSURE TO ASBESTOS HAS BEEN AT THIS LOCATION. WE DO NOT KNOW PRECISELY WHAT THE DUST COUNTS WERE AT THE STOCKTON PLANT DURING ITS EARLIER YEARS BUT WE BELIEVE THEY WERE AS HIGH OR HIGHER THAN THE PRESENT OSHA STANDARD OF 2 FIBERS PER CUBIC CENTIMETER. ~~AND WE BELIEVE THAT THAT STANDARD IS EFFECTIVELY ELIMINATING~~ NEW CASES OF ~~DISEASE~~.

See attach. (A)

ABOUT TWO YEARS AGO WE TOOK ANOTHER STEP WHICH WAS A FIRST FOR A MAJOR CORPORATION. WE BANNED SMOKING AT OUR ASBESTOS-USING FACILITIES I WILL BE HAPPY TO EXPLAIN THE DETAILS OF THIS PROGRAM IF ANYONE IS ~~INTERESTED. BUT FOR NOW SUFFICE IT TO SAY THE EFFORT~~ HAS BEEN

(B) We banned smoking on asbestos plant property on 1/77.

A10809

(A) Current death rates related to asbestos, which are low compared to many other causes, are the result of exposures 20-30 years ago to admittedly higher-than-safe levels. We believe that control measures initiated in the 1960's, and improvements made since then, have essentially eliminated new cases of disease. This should result in a dramatic decrease in asbestos-related deaths beginning in the 1980's.

A108.0

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SUCCESSFUL AND IS A CLEAR DEMONSTRATION OF OUR CONTINUING COMMITMENT TO PROVIDE A SAFE WORKING ENVIRONMENT FOR OUR EMPLOYEES.

OUR CONCERN FOR EMPLOYEES' HEALTH - A LONG TERM CONCERN, CAUSES US TO WINCE WHEN SOME REPORTER OR CONGRESSMAN SHOUTS THAT WE COVERED UP THE HAZARDS FROM OUR OWN EMPLOYEES WITH ALLEGATIONS THAT J-M COVERED UP KNOWLEDGE OF ASBESTOS-RELATED DISEASE. HOWEVER, THE EVIDENCE SHOWS JUST THE OPPOSITE. J-M SPONSORED ONE MEDICAL STUDY AFTER ANOTHER, IN FACT, 30 MAJOR PROJECTS TO FIND OUT THE SERIOUSNESS OF THE PROBLEM. J-M ADOPTED EVERY CONCLUSION AND RECOMMENDATION OF THOSE STUDIES AND LOWERED THE WORKPLACE EXPOSURE TO OR BELOW THE STANDARDS ESTABLISHED. ADDITIONALLY, J-M ENGINEERED AND PIONEERED IN THE DEVELOPMENT OF OVER 500 DUST CONTROL PROCEDURES AND SYSTEMS OVER THE YEARS AT THE COST OF OVER $100 MILLION. THE FACTS SHOW THAT J-M ACTED RESPONSIBLY AT ALL TIMES AND FULLY CONSISTENT WITH AVAILABLE MEDICAL KNOWLEDGE.

TO DATE, IN NONE OF THE CASES PROCEEDING THROUGH TRIAL HAS A JURY AWARDED PUNITIVE DAMAGES, THE INDICATOR OF COVER-UP. WE CONTINUE TO BELIEVE THAT COVER-UP ALLEGATIONS ARE WITHOUT BASIS IN FACT AND NO COURT SHOULD FIND US GUILTY OF SUCH CHARGES.

THE JUDGE OR JURY HAS FOUND IN OUR FAVOR IN 11 OUT OF THE LAST 16 LEGAL CASES PROCEEDING THROUGH TRIAL. IN THE TYPICAL CASE INVOLVING AN INSULATION WORKER WITH ASBESTOSIS THE JURY MUST ULTIMATELY RESOLVE TWO ISSUES: FIRST, AT WHAT POINT IN TIME WAS A HAZARD TO THE INSULATION WORKER REASONABLY FORESEEABLE THUS GIVING RISE TO A DUTY TO WARN? SECOND, AFTER ANY SUCH DUTY AROSE, WERE REASONABLE PRECAUTIONARY STEPS TAKEN? RESOLVING THESE ISSUES IN ASBESTOS RELATED CASES IS HIGHLY COMPLEX AND IN THE CASES FOUND AGAINST US, WE BELIEVE THE JUDGEMENT WAS USUALLY THE RESULT OF

A 1081

AN EMOTIONAL NEED BY THE JURY TO RECOGNIZE THAT COMPENSATION WAS NEEDED FOR THE PLAINTIFF.

WHAT I HAVEN'T SAID AND WHAT WE SINCERELY FEEL, HOWEVER, IS THAT PREVAILING IN A MAJORITY OF THE LAW SUITS IN NO WAY ADDRESSES A FAR MORE DESIRABLE GOAL -- THAT OF FAIRLY AND EQUITABLY COMPENSATING THOSE WHO HAVE SUFFERED IN THE PAST FROM THE INCOMPLETE KNOWLEDGE OF THE DANGERS OF ASBESTOS EXPOSURE. THIS IS A FAR MORE PRESSING NEED IN OUR MINDS.

WE HAVE DEVOTED COUNTLESS HOURS OVER A LONG PERIOD WITH KEY CONGRESSIONAL LEADERS AND REGULATORS EXPLAINING THE FACTS OF THE ASBESTOS SITUATION AND OUR BELIEF THAT SOME FORM OF COMPENSATION LEGISLATION IS WARRANTED. WE WILL CONTINUE TO ACTIVELY PROMOTE THIS SOLUTION BECAUSE IT WOULD PROVIDE THE MEANS FOR PROMPT AND FAIR SETTLEMENT VERSUS YEARS OF DELAY AS CASES DRAG THROUGH THE COURTS. ALSO, IT WOULD GIVE OUR OWN J-M EMPLOYEES A WAY TO PARTICIPATE IN EQUAL COMPENSATION. THEY ARE NOW ONLY COVERED BY WORKERS COMPENSATION AND EXCLUDED FROM THE THIRD PARTY LITIGATION ROUTE. IT WOULD ALSO AVOID THE HIGH COSTS OF COURT ADMINISTRATION AND ATTORNEY FEES ON BOTH SIDES.

WE HAVE BEEN ~~VERY~~ ENCOURAGED LATELY BY THE RESPONSE WE HAVE RECEIVED IN WASHINGTON. A NUMBER OF SENATORS AND CONGRESSMEN ARE OPTIMISTIC THAT ~~THE~~ THIS MUCH-NEEDED LEGISLATION ON ASBESTOS RELATED COMPENSATION IS FORTHCOMING.

ANOTHER AREA OF GOVERNMENT INVOLVEMENT IN ASBESTOS ~~THAT YOU MAY HAVE HEARD OF~~ IS THE ~~PROPOSED REGULATIONS~~ PROPOSAL BY EPA/FCPSC TO RESTRICT THE USE OF OR ELIMINATE ASBESTOS IN FINISHED PRODUCTS. A NUMBER OF THE

A1082

REGULATIONS WHICH WOULD RESTRICT THE USE OF OR ELIMINATE ASBESTOS ARE CURRENTLY BEING CONSIDERED IN WASHINGTON. WE BELIEVE THOSE PROPOSALS ARE NOT SUPPORTED BY THE WEIGHT OF SCIENTIFIC EVIDENCE AND SHOULD NOT BE ADOPTED.

ADDITIONALLY, SUCH UNWARRANTED REGULATION WOULD DEPRIVE SOCIETY OF PRODUCTS WHICH HAVE THE SUPERIOR PROPERTIES SUCH AS RESISTANCE TO FIRE AND DETERIORATION AND STRENGTH ASBESTOS AFFORDS AND WHICH NEED POSE NO HEALTH HAZARD WHEN PROPERLY INSTALLED AND USED. FURTHER, IF THE USE OF ASBESTOS ~~WERE~~ IS BANNED, THOUSANDS OF WORKERS WOULD LOSE THEIR ~~EMPLOYMENT WITHOUT ANY OFF-SETTING BENEFIT TO SOCIETY~~ Should add paragraph on OSHA's lowering of TLV's and that current 2 f/cc is a safe level. Also industry-proposed work practices.

~~JOHNS MANVILLE BELIEVES FIRMLY THAT ASBESTOS CAN BE USED SAFELY~~, AND WE WILL DEFEND THE RESPONSIBLE USE OF ASBESTOS SO LONG AS THE MEDICAL EXPERTS TELL US THAT ASBESTOS CAN BE PRODUCED AND USED SAFELY.

this paragraph out of place

Drastic changes in

THE PROPOSED REGULATIONS HAVE GIVEN US AN UNSEEN BENEFIT. ~~HOWEVER,~~ ~~THEY HAVE MOBILIZED THE REST OF AMERICAN INDUSTRY~~. THE NATIONAL ASSOCIATION OF MANUFACTURERS AND OTHER INDUSTRY GROUPS ARE TAKING ISSUE WITH THE PROPOSED REGULATIONS BECAUSE THEY RECOGNIZE IT AS A TEST CASE FOR FUTURE RULES ON SUSPECTED CARCINOGENIC SUBSTANCES AND, THUS, AN ISSUE WITH CONSEQUENCES FAR BEYOND OUR OWN ASBESTOS INDUSTRY.

Potential

a little strong

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Them

Most of my discussion has been concerned with the inhalation of airborne asbestos fibers. You may have had questions about the use of asbestos-cement pipe and the potential health hazard from ingesting asbestos fibers.

~~I WANT TO CHANGE THE SUBJECT FOR A MOMENT FROM INHALATION OF ASBESTOS TO ITS INGESTION. YOU MAY HAVE HEARD QUESTIONS RAISED ABOUT ASBESTOS-CEMENT PIPE AND ASBESTOS RELATED HEALTH HAZARDS.~~

LET ME PUT ANY FEARS YOU MAY HAVE TO REST. THERE IS NO EVIDENCE THAT ASBESTOS IN DRINKING WATER HAS ANY KIND OF IMPACT ON INCREASING THE RISK OF ~~CANCER~~ DISEASE. STUDIES ON POPULATIONS EXPOSED

A10813

TO ASBESTOS IN DRINKING WATER FROM NATURAL SOURCES IN AREAS WHERE ASBESTOS IS A PART OF THE EARTH'S CRUST AND ON POPULATIONS RECEIVING DRINKING WATER THROUGH ASBESTOS-CEMENT PIPE HAVE UNIFORMLY FAILED TO DEMONSTRATE ANY RISK ASSOCIATED WITH THE INGESTION OF ASBESTOS IN WATER.

DOES ASBESTOS-CEMENT PIPE CONTRIBUTE ASBESTOS TO DRINKING WATER CONVEYED THROUGH IT? THIS PRODUCT HAS BEEN IN USE FOR OVER 50 YEARS AND HAS AN EXCELLENT FIELD PERFORMANCE RECORD. AS LONG AS THE CEMENT BINDER REMAINS INTACT THE RELEASE, IF ANY, OF THE LOCKED-IN FIBER IS ~~INFINITESIMAL~~ NEGLIGIBLE. HOWEVER, CERTAIN CORROSIVE OR AGGRESSIVE WATERS WILL ATTACK ANY PIPING MATERIAL. WHERE THESE TYPE WATERS EXIST, THE USE OF ASBESTOS-CEMENT PIPE IS NOT RECOMMENDED. IN MODERATE AND NON-AGGRESSIVE WATERS, FIELD MEASUREMENTS CONFIRM EPA LABORATORY RESULTS THAT A/C PIPE DOES NOT CONTRIBUTE SIGNIFICANT, OR IN MANY CASES, EVEN MEASURABLE AMOUNTS OF ASBESTOS TO DRINKING WATER CONVEYED THROUGH IT. THESE JUDGEMENTS HAVE BEEN CONFIRMED BY SOME OF THE MOST RESPECTED AUTHORITIES IN THE WORLD.

MT. SINAI'S DR. IRVING SELIKOFF, ~~A LEADING RESEARCHER IN ASBESTOS,~~ SAYS THAT "INSOFAR AS ASBESTOS-CEMENT PIPE FOR PUBLIC WATER SUPPLIES IS CONCERNED, THERE IS NO DATA DEMONSTRATING A HAZARD." THIS CONCLUSION IS SUPPORTED BY THE CANCER INSTITUTE.

IN SUMMARY, CAN ASBESTOS PRODUCE DISEASE? YES, THE EVIDENCE IS CLEAR THAT INHALATION OF AN EXCESSIVE DOSE OF ASBESTOS IS CONNECTED WITH DISEASE.

(SMOKERS RUN A 92 TIMES GREATER CHANCE OF GETTING LUNG CANCER THAN NON-SMOKING ASBESTOS WORKERS.) IS THERE A SAFE LEVEL OF EXPOSURE? ALL OF OUR EVIDENCE TODAY INDICATES THAT THE PRESENT

A 10814

STANDARD OF TWO FIBERS PER cc IN THE AIR IS A SAFE LEVEL. CAN ASBESTOS BE USED SAFELY? YES, IF PROPER HANDLING TECHNIQUES PRODUCTS WITH DURING MANUFACTURE AND APPLICATION ARE OBSERVED, THE LOCKED-IN FIBERS ~~IN PRODUCTS~~ CAN STILL BE OF GREAT BENEFIT TO MANKIND. STAY IN BUSINESS WILL J-M STAY IN THE ASBESTOS BUSINESS? YES, WE WILL STAY IN THE ASBESTOS BUSINESS SO LONG AS MEDICAL EXPERTS KEEP TELLING US THAT WE ARE NOT DOING ANYTHING TODAY WHICH WOULD CAUSE FUTURE DISEASE.

GENTLEMEN, LET ME NOW TURN THE MEETING BACK TO (NAME), WHO WILL BRIEFLY DETAIL SOME OF THE PRACTICES AND PROCEDURES USED HERE IN (_____) TO ASSURE OUR WORKER'S SAFETY. FOLLOWING HIS COMMENTS WE WILL ANSWER YOUR QUESTIONS.

(PLANT MANAGER) BRIEFLY REVIEWS GAINS MADE AT PLANT - DEMONSTRATES TESTING AND SAFETY EQUIPMENT - OUTLINES MEDICAL SURVEILLANCE PROGRAM -- COVERS DETAILS ON WASTE DISPOSAL.

Q. AND A.

A10815