PLAINTIFF'S EXHIBIT
UC-1324

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C0003

Meeting: Asbestos Task Force

Date: January 14, 1987

A05131

NAME	TITLE	COMPANY	ADDRESS	PHONE
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Meeting: Asbestos Task Force

Date: January 14, 1987

A05137

NAME	TITLE	COMPANY	ADDRESS	PHONE
TIM RYAN	IND HYGIENIST	ROHM & HAAS	P.O. Box 584 BRISTOL PA 19007	(215) 785-73
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Diane Kobayashi	Industrial Hygienist	ARCO	515 S. Flower St, AP-1279 LA, CA 90071	(213) 486-80
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Merlin C. Race	Director Safety, Secur	Con Edison	4 Irving Pl, N.Y., NY 10003	212 460 670
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WENDELL K. STEVENS	MANAGER/SAFETY	AMERITECH	240 N. MERIDIAN ST Room 769 INDIANAPOLIS, IN 46204	(317) 265-3030
Chuck Hill	Staff Mgr. Safety	Southwestern Bell	One Bell Center - Room 33.A.3 St. Louis, MO 63101	314-235-559
Buff Culpepper	Med. Div.	DuPont	Nemours Bld. 11400 Wilmington DE 19898	314-774-522
Anne M. Venetta	Industrial Hygienist	AT&T Corp Hqtr.	1 Speedwell Avenue Morristown, NJ 07960	201-706-84
Dan Espach	Director Corp Safety	GTE	1 Stamford Forum Stamford, CT	203/965-2
Jim Williamson	Counsel	~~E.I.~~ DuPont	Wilmington DE 19898	302-774-70

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ASBESTOS MANAGEMENT

- Installing new jacket over good asbestos - Negative pressure enclosure not required. Monitor to prove exposure is below the action level.
- Only exception for small jobs is that shower can be remote from work site.
- Can remote shower be same as shower used by other or does it have to be dedicated to asbestos workers? - (Rotthoff will check)
- Is shower required before eating? (Rotthoff will check)

  Do we have to have head covers?

  Do we have to have shoe covers or are rubber boots acceptable?
- Is protective clothing required on glove-bag jobs?
- If we must have dedicated hygiene facilities, can we have one for entire plant?
- Competent person is required for large scale jobs only.
- Contractor will suply competent person for their jobs.
- Plant will have at least one competent person.
- Qualitative fit testing must be repeated every six months. All types of respirators.
- Medical certification must be repeated every year.
- What hygiene practices for small scale jobs?
- Would like to be able to leave in street clothes - after vacuuming - take-off coveralls.

1907A

A05138

(1) Garlock gaskets

(2) tremolite - was a
flexitallic gasket

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1331 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
202-737-6330

RECEIVED
JAN 26 1987
R. D. ONDOCSIN

Organization Resources Counselors, Inc.

Memorandum

January 23, 1987

To: ORC Asbestos Task Force

From: Darrell K. Mattheis and W. William Ament

Subject: Report of January 13, 1986 Asbestos Task Force Meeting and Announcement of Two New Subgroup Task Forces

The Asbestos Task Force Meeting was essentially an unofficial question and answer session between ORC Asbestos Task Force members and OSHA representatives, Dave Smith, Roy Gibbs, and Joe Hopkins, from OSHA's Office of Health Compliance Assistance.

The following is ORC's account of the concerns expressed by the task force, and responses given by OSHA representatives. Any errors or misinterpretations are the responsibility of ORC. Views expressed by the OSHA representatives are not necessarily OSHA policy and should not be stated as such. OSHA's official positions may differ from those expressed, and these comments should not be used to show discrepancies in the Agency's views!

ASBESTOS STANDARD QUESTIONS/ANSWERS

Q. When does the General Industry Standard Apply and When does the Construction Standard come into play?

A. The General Industry (GI) standard was designed for industries that use asbestos to manufacture products. It applies to workers who are exposed as a result of primary or secondary manufacturing of asbestos products. Exceptions to the "determination by process" rule include service industries such as automotive brake and clutch repair and replacement, and shipbuilding, which fall under the General Industry Standard.

The Construction Standard applies to workers who are exposed as a result of removal, demolition, new installation, maintenance, or new construction.

A05140

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there is no way to determine if they do or do not contain asbestos. At the same time it would be virtually impossible to monitor each and every job over the course of the day! How can we approach this problem?

A. If you have sampling data on the "typical" exposure found you can extrapolate to decide whether monitoring is necessary. You must, however, have statistically sound sampling data from which to extrapolate.

Q. What does OSHA consider a statistically reliable or acceptable historical data base from which to extrapolate to an analogous situation the probability that asbestos is not present above the action level, and therefore sampling for asbestos is unnecessary.

A. There are presently no guidelines by which to make this determination. OSHA will review such decisions based on statistical data to make a subjective determination of whether the analogies drawn between the data and specific job are sound and prudent. Specific guidance in this area is being developed and will be included in the final guidelines.

Q. If, after it has been determined on the basis of what is considered adequate historical data that it is statistically improbable that asbestos is present above the action level and that sampling is unnecessary, an OSHA inspection reveals otherwise, is the employer liable for citation?

A. Yes.

Q. In the particular case of service industries such as telecommunications and utilities where the employee's job consists primarily of installing material on sites which are owned by persons other than his employer, who is liable for citation if the employee is exposed to asbestos - the employer, or the owner or occupier of the site?

A. The employer.

Q. Under the Construction Standard the need to monitor daily is very expensive and many believe not necessary, what is OSHA's interpretation?

A. Under the Construction Standard, daily monitoring is required until asbestos fiber concentrations are under the action level. If you are over the action level, then you must monitor.

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Q. Can an employer comply with the labeling requirements by posting signs which instruct its employees, who are trained to deal with asbestos containing materials, to treat everything in the facility as if it contains asbestos?

A. Yes, that is an acceptable means of compliance.

Q. What is considered an adequate training program to qualify as a "competent person" under the standard. Are the courses provided by the EPA the only accepted means of training.

A. The standard doesn't set a specific time frame for a training program, nor does it rule out in house training. A course which is equivalent in content to the EPA courses would be acceptable. However, some sort of certification to document the training would be necessary. The EPA does not now, and does not intend to certify private sector training programs. EPA's regional training centers will provide courses to industry which could be tailored to meet specific needs.

Q. Can the function of the "competent person" be spread among several individuals i.e., can a "competent person" delegate some authority to other individuals with lesser background for specific tasks?

A. Yes. As long as the intent of the standard, which is that employees working with asbestos be supervised by a person who has the requisite training in the hazards of asbestos, is met. OSHA advises, however, that there be one primary person who would be ultimately responsible.

Q. Especially in the case of the petro/chemical industry, is the physical hazard created by enclosing an area, accepted by OSHA as a factor in determining the feasibility of complying with the standards enclosed area requirements?

A. Yes. If it can be shown that enclosing an area creates a hazard greater than that of exposure to asbestos.

Q. Is it necessary to set up enclosures on reactor towers in a refinery or chemical plant, even when they are 100 feet or more up in the air?

A. Yes. Enclosures should be set up on a reactor tower or distillation tower, and the job done piecemeal. Employers must use negative pressure in each of the enclosures. If an employer can demonstrate that the asbestos level will be below the PEL, an enclosure is not required. Again, if it

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A. It is likely that state regulations would be preempted, at least in part. It would depend on the purpose of the state regulation. If the Federal and state regulations have the same purpose or intent, Federal regulations take precedence.

Q. Under the Construction Standard, are showers mandatory after each and every exit from a negative pressure regulated area even for a short period of time such as a 15 min break or lunch?

A. Yes. Employees must shower before they leave an enclosed area, regardless of how short a time. There are no exceptions.

Q. Where it is physically not feasible to have a shower on the scene of a removal, is it possible to use a negative pressure equipment room for the gear, and a HEPA vacuum to clean up the protective clothing before removing it, and then have the employees go to a centrally located shower facility?

A. OSHA would be reluctant to allow an enclosed removal job to proceed without on site showers unless all of the obvious options to the requirements of the standard could not be met. A remote shower facility is acceptable, however, if it can be shown that it is not feasible to construct an appropriate decontamination unit adjacent to the site. Employees must, however, either dispose of contaminated clothing, or thoroughly clean their outer clothing with a HEPA vacuum before proceeding to the central decontamination unit.

Q. Does the General Industry Standard require that an employee shower after leaving a regulated area, prior to entering a regulated positive pressure lunch room or break area?

A. No. It is not necessary to shower if the employee is going to a specific break area and will return to the site. It is sufficient that the employee vacuum off before entering the break area.

Q. Under the General Industry Standard, must employees working in regulated areas have lunch rooms separate from other employees?

A. No. As long as the lunch room or break area meets the regulatory requirements i.e., positive pressure, and the asbestos exposed employees either remove asbestos dust or remove the contaminated clothing by approved means prior to entering the break area.

A05146

The following list of questions were not addressed at the meeting. ORC will submit these questions to OSHA and will distribute the Agency's response to members of the task force.

- Is the Construction Standard requirement for negative pressure enclosures independent of other controls and work practices which historical data demonstrates are effective in maintaining exposure below the PEL?

- Where monitoring data clearly establishes exposure well below 20 f/cc (the upper limit permitted for HEPA filtered negative pressure respirators) why is daily monitoring still required for employees wearing negative pressure respirators in regulated areas?

- Is the requirement for blank air filter (10% or a minimum of 2) to be applied to each day's sampling, or to the sampling effort of an entire removal project?

- Must the content of labels required for installed asbestos be the same as that for asbestos products?

- Will a general contractor be held liable for asbestos infractions cited on a subcontractor working on the general contractors facility?

- Must a copy of the standard be in each employees' medical record if a copy is in the Medical Department? This does impose a problem, i.e., copying of the standard for each record and also makes the record itself very thick. What if someone stores medical records in a computer?

- Medical records are required to be maintained for 30 years after termination of employment. The standard states we must either transfer the records to NIOSH or give NIOSH three months notice of the disposal of the records. All of our medical records are stored by year. To pull out a particular medical record that comes under an OSHA regulation and transfer to NIOSH will be an administrative burden for our Corporate Records Department. We currently keep all of our medical records for 40 years. Does the standard apply to this routine? Must we continue to notify NIOSH? What about medical records for employees who are terminated before the standard became effective?

- Who is responsible for supplying a set of the ILO-U/C international classification of radiographs for pneumoconioses to B readers, a board eligible/certified radiologist, or an experienced physician with known expertise in pneumoconioses?

- Is a board eligible/certified radiologist qualified to rad chest x-rays according to the ILO-U/C International classification of radiographs without taking the course?

A05148

Please return to: Joyce K. Jenkins
Organization Resources Counselors, Inc.
National Place, North Lobby - Suite 911
1331 Pennsylvania Avenue, N.W.
Washington, D.C. 20004

( ) I will attend the Telecommunications and Utilities Task Force Meeting on February 18, 1987 at the ORC Washington Office, National Place, North Lobby - Suite 911, 1331 Pennsylvania Avenue, N.W., Washington, D.C. 20004.

Time: 9:30 A.M.

For ORC Records

Name_____

Title_____

Company_____

Address_____

Telephone_____

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Please return to: Joyce K. Jenkins
Organization Resources Counselors, Inc.
National Place, North Lobby - Suite 911
1331 Pennsylvania Avenue, N.W.
Washington, D.C. 20004

( ) I will attend the Data Collection and Survey Task Force Meeting on February 17, 1987 at the ORC Washington Office, National Place, North Lobby - Suite 911, 1331 Pennsylvania Avenue, N.W., Washington, D.C. 20004.

Time: 9:30 A.M.

For ORC Records

Name _____

Title _____

Company _____

Address _____

Telephone _____

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