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Caldria ASBESTOS

UNION CARBIDE

THE DISCOVERY COMPANY

UNION CARBIDE CORPORATION • MINING & METALS DIVISION • P.O. BOX 579 • NIAGARA FALLS, N. Y. 14302 • TEL: 716-278-3376

April 21, 1975



Mr. William H. Mortonson
Manager, Manufacturing & Technical Services
The Flintkote Company
480 Central Avenue
East Rutherford, NJ 07073

Dear Bill:

A copy of the information we discussed on Friday is attached. We are sending it to selected customers in California.

Best regards,

H. B. Rhodes
Technology Manager

HBR:cjb
Attachments

MARKS BILL

CALIFORNIA SB 2419

BACKGROUND INFORMATION

The above noted bill was signed into law on September 26, 1974. It prohibits the spraying of any substance containing more than 0.5% asbestos after July 1, 1975, in or upon any building or other structure during its construction, alteration, or repair. The allowable level drops to zero on July 1, 1976.

This bill was introduced at the urging of Local 16 of the Asbestos Workers Union. It was the result of the misuse of asbestos for insulation in the spraying of a high-rise building in San Francisco.

At the time the bill was passed, one exception was made for cold process cutback asphalt roof coatings. Based upon data which has been collected, we feel that there are a number of other types of material containing asbestos that can be sprayed with no greater dust levels than cutback asphalt. These materials have the common feature that the asbestos levels are relatively low and the fibers have been well wetted with a glue or resinous binder before spraying. The asbestos is added to give critical properties to the liquid.

CURRENT STATUS

Four proposed amendments (see attachment) with supporting data have been presented to Senator Marks by the California Manufacturers' Association. (Robert T. Monagan, President, 916-441-5420.) We believe Senator Marks may be willing to introduce these amendments if they are not opposed by the Union. The C.M.A. feels that the amendments could be moved through the legislature under emergency procedures in time to meet the July 1 deadline.

Mr. Eddie Story, business agent for Local 16 of the Asbestos Workers' Union, has been contacted and he is working on defining their position. He expects to discuss the matter further with Senator Marks about April 30.

SUGGESTED ACTION

You may wish to contact Senator Marks or other state senators who represent your district to express your concern. Because we have very little time, we urge you to act immediately. Also, if you have local union officials who would like to voice their views to Mr. Story, this may be helpful.

In making contacts, all or part of the following points may be relevant to your particular situation:

1. The use of your manufactured spray products containing asbestos or asbestos contaminated talc will be banned in California.

2. The use of California products, both asbestos and talc, may be seriously affected.

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3. In most cases, there is no obvious and immediate substitute.

4. Extensive, costly, and unnecessary reformulation will be required.

5. The materials covered in the proposed amendments are very similar to cold-cutback asphalt, i.e., low-asbestos level and the asbestos wetted with glue or resinous binder.

6. Spraying data show very low levels, if any, of airborne asbestos dust which means that these materials can be used in accordance with California OSHA and EPA regulations.

7. Passage of these amendments will protect jobs in the state of California.

PROPOSED MODIFICATIONS IN CALIFORNIA HEALTH & SAFETY CODE, CHAPTER 10.3, § 25910 (CALIFORNIA MARKS BILL, SB 2419)

Exempt the following, in addition to "cold process cutback asphalt roof coating":

1. Water-based interior texture sprays containing as sprayed a maximum of 3% by weight of asbestos and a minimum of 2% by weight of water-soluble starch, soya protein, polyvinyl alcohol, or equivalent binder.

2. Latex-based interior and exterior coatings containing as sprayed a maximum of 5% by weight of asbestos and a minimum of 8% by weight of vinyl, acrylic, vinyl-acrylic, or equivalent polymer binder.

3. Resin-based laminating and/or coating materials containing as sprayed a maximum of 12% by weight of asbestos and a minimum of 6% by weight of polyester resin, alkyd resin, epoxy resin alone or in combination with coal-tar, or an equivalent resin binder.

4. Asphaltic-based coatings containing as sprayed a maximum of 15% by weight of asbestos and a minimum of 40% by weight of cutback asphalt or emulsified asphalt binder.