INTERNAL CORRESPONDENCE

MINING AND METALS DIVISION

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To (Name) Mr. W. N. Johnson
Division Mining & Metals
Location New York, New York

Date April 6, 1972

Originating Dept. "Calidria" Asbestos - Marketing
Research and Development Department

Answering letter date

Subject EPA

Copy to Mr. J. W. Rawlings
NF-File

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This is a summary of my telecon on 4/5/72 with Jim Crowder of the EPA in Durham. He did not mind my calling and is amenable to bringing me up to date every week or two.

They forwarded a draft of proposed regulations to D.C. on 4/3/72 in what they thought was a "final" form. They have already heard that "things were up in the air" and they expect to be making some major revisions. Jim does not know which way they are leaning but they expect to know something by 4/7. He asked me not to disclose what he was telling me because changes could be made "in the next 15 minutes".

Jim and Dale Slaughter have a note from Don Goodwin that they are to rebut the comments in our letter of 3/27 by 4/10. Following is the "status" of our specific recommendations:

Applicability (61.20) - Ignored our suggestion.

Visible Emissions (61.21j) - Ignored our suggestion.

Manufacturing (61.211) - Changed only to remove "spraying" from definition of manufacturing. Jim thinks enforcement people may have to decide whether, e.g., the building of a boat is "the production of any product containing commercial asbestos".

Fabricating (61.21m) - Changed to limit applicability to asbestos-containing friction materials, cement products, thermal and acoustical insulation, and fireproofing materials; and to exclude spraying. The word "assembly" is still included which may not hurt us but is still far too restrictive on our competitors and their customers - could mean anyone who joins a piece of cement pipe or puts cement siding on a house is "fabricating".

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Modification (61.07) - Ignored our suggestion.

Spraying (61.22e) - Changed to prohibit only the spraying of thermal insulation and fireproofing materials. We have really succeeded here and I think this indicates we finally got our point across to concentrate on major sources.

"Interested Party Applications" - This phrase has been included only in 61.24b.

If we can have an informal discussion with an EPA staff member, I suggest that this be arranged ASAP. I think it behooves us to find out why they are "up in the air" in the event they are asking for tighter restrictions. I would like to be directly involved in such a meeting if at all possible. I think we should probably wait 1-2 weeks before bringing AIA up to date.

John L. Myers

/cvb

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