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PLAINTIFF'S EXHIBIT
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MEMORANDUM

June 22, 1972

TO: R. E. Byrne
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From: B. L. Ingalls

The following is suggested as a basic format for handling inquiries from customers concerning the new OSHA regulations.

I. Set the mood.

Controlling the conversation is paramount. Assure the customer that the new law is reasonable and within the limits of practicality. Cite the efforts by our own plant and that we have experienced no health problems with our employees. The first paragraph of Bill Johnson's letter to the Office of Safety and Health Standards 6/9/72 summarize our position and attitude. It also seems to have a soothing effect on the emotionally irate. Point out the vast numbers of customers successfully using asbestos without problem.

If the customer is persistent and threatens to eliminate asbestos - a certain amount of aggressiveness may be effective. Words and catch phrases such as "premature", "irrational" or "avoiding the inevitable" will sometimes turn the table.

The main objective is to keep the customer on the defensive, make him justify his position. Most customers who call are on the offensive, often prepared with "loaded" questions and expecting an argument. Change the mood before discussing anything pertinent about the new regulations. Alternating between an aggressive and submissive attitude is confusing and allows you to bide your time. Refuse to argue, be humble and when they are sufficiently calm, sometimes even embarrassed, make your point forcefully. Don't cover too much ground in one confrontation. Even rabies shots are spaced at moderate intervals.

II. Pertinent points of issue.

(1) Refer to the new OSHA Regulations Section 1910 and suggest the customer

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himself with it. Quote - "It clarifies much of the issue and puts things in their proper perspective".

(2) Cite the need for an initial survey and recommend it be conducted for their edification and compliance of the law.

(3) It is obvious by the tone of new legislation and regulations that initial survey and periodic monitoring are the way of the future for most raw materials, probably all ultimately, especially silica, etc.

(4) Silica is due for review by the OSHA as a Target Hazard in September 1972. The TLV for respirable nuisance dust is 15 MPPCF and 50 MPPCF for total dust. Silica TLV is 20 MPPCF.

(5) Medical examination is required if any asbestos dust is generated. Medical examinations are the policy of conscientious companies. Again this will probably become a basic requirement in the not too distant future.

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