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Caldrill ASBESTOS

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May 20, 1977

Mr. Wharton Jackson
Harrisons & Crosfield (Pacific) Inc.
4000 Birch Street, #201
Newport Beach, CA 92660

Dear Mr. Jackson:

This letter provides the update you requested on the actions that the Occupational Cancer Control Unit is taking under the Occupational Carcinogens Control Act of 1976. It is suggested it may be useful to pass this information on to your customers to help them understand and comply with this new regulation. We will keep you current on developments as they happen. If we can be of any further assistance, please let us know.

In their last session, the California State Legislature passed the Occupational Carcinogens Control Act of 1976. This Act applies at present to 14 chemical carcinogens, vinyl chloride, and all varieties of asbestos. More substances will be added as regulations are developed. The stated purpose of this legislation is the prevention of job-induced cancer. This letter is intended to bring you up-to-date on the activities of the State relative to the asbestos provisions and to indicate how the Act will effect you and your customers.

Basically, the Occupational Carcinogen Control Act of 1976 makes two changes in the present Cal/OSHA asbestos regulations, Title 8, Section 5208:

1. Sets up a requirement for one-time registration for certain users of asbestos and the reporting of certain instances of excessive exposure.

2. Substantially increases the fines which may be assessed for violations, i.e., $500 for failure to register or report incidents; $1,000 for violation of the Standard; and $5,000 for repeated violations.

In addition, the Act requires the State to make every effort to learn the identity of existing users of asbestos and to inform and educate them about the requirements of the Act. It also requires that the employer pay inspection fees ranging from $25 to $500, but legislative action is in progress to rescind this. It has strong, bipartisan support and it seems highly probable that it will pass before any such inspections are made.

PLAINTIFF'S EXHIBIT
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At the present time, the registration requirements for asbestos have not been finalized by the Standards Board. This should be done by the end of May at the latest. It is expected that users of raw fiber and of other products which are imprinted with the Cal/OSHA asbestos warning label will be among those who must register. The registration form will be quite simple and basically require a statement of the name and address of the location using asbestos, the number of employees working with it and how it is used. We will keep you informed and provide a registration form and the necessary background information as soon as the Standards Board makes their decision.

In view of the increasing emphasis on the enforcement of the Asbestos Standard that will result from this Act, it is prudent to review your operation to assure that you are in compliance. A copy of the present California asbestos regulations is attached to assist you in this. Particular attention is directed towards the following important requirements:

1. An initial monitoring is required where an employee's exposure may exceed an 8-hour time weighted average of 1 fiber/cc or a ceiling concentration of 10 fibers/cc due to work assignments at or near operations which release asbestos fibers. Monitoring must be repeated at intervals not to exceed 6 months if the exposures exceed the limits stated above.

2. Where exposures exceed the allowable limits (2 fibers/cc TWA and 10 fibers/cc ceiling) controls must be instituted to bring them below the limits.

3. Pre-employment and annual medical examinations must be offered, at no cost to the employee, to all employees whose exposure has been determined or may reasonably be expected to exceed an 8-hr. time weighted average of 1 fiber/cc or a ceiling concentration of 10 fibers/cc.

If you need any further information on these or any other points in the regulations, please let us know. The State of California, Department of Health also provides a penalty-free, no-charge consultative service and educational program. They can be reached at:

In Northern California	In Southern California
State Department of Health Occupational Cancer Control Unit 2151 Berkeley Way Berkeley, CA 94704 (415) 843-7900 Ext. 306	State Department of Health Occupational Cancer Control Unit 1449 West Temple Street Los Angeles, CA 90026 (213) 620-4290

It was noted earlier that the State under the Act is required to seek out users of carcinogens and carry out an information and educational program. The State has recently started this program with a mailing to 7,000 employers supported by a T.V. and newsmedia information campaign. We have been assured by the State that this will be an objective, educational campaign not a sensational scare tactic. A copy of the letter to employers is attached. Since the details have not yet been finalized for asbestos, it has not been emphasized in these State efforts. A second mailing to users of asbestos is planned for about June 1st.

In conclusion, it is important to understand that this legislation does not really make any changes in the actual compliance requirements for the use of asbestos. It increases the likelihood of inspection and the potential penalties for non-compliance. If you are in compliance it is not likely that you will have any serious problems. If you are not in compliance, it is obviously necessary to correct this situation. As noted earlier, if you need any information in this area, please do not hesitate to contact us.

Very truly yours,

Harrison B. Rhodes

Harrison B. Rhodes
Technology Manager

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Enclosures