PLAINTIFF'S EXHIBIT

UC-2374

From the desk of:
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Discussion: Asbestos Steering Group
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As we went through the draft standard with the group, a large number of points were covered. It is impossible to repeat here all that was examined, however the following are some of the main topics discussed:

1. The study done by John Dement (for his Ph.D. Thesis) is a main point of contention in the study of the risk associated with asbestos exposure. Dement found a very high risk factor under the present 2 fiber standard.

2. We need to do a critical analysis of all published risk estimates.

3. The Ontario Commission Report on asbestos seems to support a one fiber standard.

4. Can we distinguish, on a practical basis, between the three major kinds of asbestos fibers we are likely to find in the workplace? Chrysotile, Amosite and Crocidolite.

5. If the standard made a distinction between the three kinds of fibers, one would have to sample and analyze all old insulation prior to removal. This would be very expensive and time consuming!

6. Any new standard must deal with the problem of the construction industry. a standard developed for general industry, would be poorly suited for enforcement in the construction industy. Presently the agency (OSHA) has not been able to enforce the existing asbestos standard in the construction industry. One approach would be to recommend that construction have a separate vertical standard. One has in fact been presented to the Construction Advisory Committee by the Asbestos Information Association.

7. Another problem is how to deal with talc. Some contains asbestos and some does not and this has been a hotly contested battle for many years between OSHA and the talc producers.

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Organization Resources

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8. If OSHA broke down asbestos by type during rulemaking, it might well require three separate rulemaking proceedings.

9. Almost everybody agrees that the present OSHA standard of two fibers is too high. However, there is a great range of alternative levels suggested from NIOSH's 0.1 fibers/cc to 1 fiber/cc. Many in the group felt that one fiber standard would be reasonable, but the point was made that whatever level we choose, must be scientifically defensible to a high degree!!! For instance what is the risk at one fiber? In the Dement study? In the Simpson study?

10. We must have language about the 3:1 length to width ratio for fibers greater than 5 microns long.

11. It has been suggested that OSHA allow the averaging of periodic exposures to asbestos over as long as a week. The problem is that so far no one has developed a reasonable rationale for this procedure. Additionally, it would mean great difficulty in sampling operations for OSHA compliance officers. It has been suggested that a Time Weighted Average would be a better approach.

12. A problem area that must be examined is the question of the best way to sample for a ceiling. Most of those present favored the 15 minute sampling period.

13. NIOSH's suggested PEL of 0.1 fibers is at the present limits of detection, but it has been suggested that levels as low as 0.2 fibers/cc could be accurately and routinely counted.

14. There is some question about the definition of a regulated area in the old standard. The 1975 OSHA standard defines a regulated area as one where the asbestos count is above the PEL.

15. For any standard on asbestos, the concept of action level cannot be ignored. The present level is 0.1 fibers/cc and for political reasons it would be very hard to come out with anything higher.

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16. The frequency of monitoring came in for a good bit of discussion, with most feeling that once a series of samples have been taken and levels that exceed 0.1 fiber/cc have been found, the monitoring should be repeated every six months. If the initial monitoring did not define levels above 0.1 fibers/cc and nothing in the workplace or process has changed, then there should be no need to remonitor.

17. When we are talking about demolition and removal of asbestos containing insulation, we need to clarify exactly what kind(s) of respirators are suitable for what kinds of operations. For instance, when removing insulation using a standardized procedure, for which there is accurate historical data on the ambient levels generated, there should be no requirement to monitor each and every time some insulation is removed. Respirators should be provided that will supply protection adequate to ensure that the PEL is not exceeded in the employees breathing zone.

18. We need to look at the language used in the 1975 standard concerning change rooms and showers. It should be sufficient to refer to change areas and wash facilities to allow the maximum flexibility in meeting the requirements of the standard.

19. On the proper interval for x-rays, all were agreed that the old requirement of one every year is no longer considered valid. NIOSH recommends every two years, others have suggested intervals based on age and exposure. The rest of the annual medical requirements seem reasonable to the Group.

20. Training is very important. The present standard has no required training, and this must be remedied in any standard we write.

21. Signs and labels required by the standard need to be clarified, but we should stick to requirements for warning signs without specifying exact size, color etc. They must be visible and appropriate to the hazard.

22. There is some question about whether there is any justification for a section on housekeeping except to say that the workplace shall not be allowed to have accumulated asbestos in it.

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23. When discussing the need to have exhaust systems on special tools, the qualifier needs to be added, saying, "to the extent feasible".

24. For employee notification, we need to say that we are going to inform all applicable employees when representative monitoring is used. Those monitored will be informed of the results as soon as received. It is important that this information get to the employee and into the records. Some put it on the back of the employee's pay check and when he/she signs the check they have also tacitly acknowledged that they have been informed of their exposure.

25. Good records are quite important both for OSHA and for protection of the employer who is doing a good job. They should however, be appropriate to the nature of the job for which they are being kept.

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