PLAINTIFF'S EXHIBIT

UC-2510

INTERNAL CORRESPONDENCE

MINING AND METALS DIVISION

270 PARK AVENUE, NEW YORK, NEW YORK 10017

To (Name) Mr. J. W. Rawlings
Division
Location 38th Floor

Date December 15, 1972

Originating Dept.

Answering letter date

Subject

Copy to Mr. F. H. Larrison
Mr. J. L. Myers
Mr. L. P. Twichell

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UCC - CALIFORNIA

At the December 14 meeting of AIA, progress and news were reported, some concern expressed and specific action on the part of member companies was requested. The meeting is summarized by these captions for ease of reference:

Progress

1. While not yet in print, some moves have been made toward positive publicity. Cunningham and Walsh (PR firm) are preparing an information file to be ready early January 1973. This file will be sent to appropriate editors and others. Articles primarily concerned with "Asbestos Can Be Used Safely" will be written for publication. They also hope to place and help speakers at meetings and other forums, e.g., John Myers at Plastics Meeting, Ed Fenner, Ike Weaver at a Technical Symposium of the American Industrial Hygiene Association. The suggestion was made and accepted that slide presentations be set up and speeches prepared for possible use by local managers at Rotary, etc.

2. An article reviewing the happenings on Asbestos standards in 1972 including industry and AIA responses will be in Asbestos Magazine, February, 1973. Major aid - recruiting support and members for AIA.

3. A Compliance Manual (Ed Fenner subcommittee) is about 2/3 done - probably draft available end of January. The goal is a detailed guide for Asbestos users as to what needs doing, sources of information

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and equipment testing methods, etc. The current main orientation parallels the OSHA standards but separate supplements by industry (textile, tile, etc.) may be added.

4. George Wright will publish a report regarding Non Hazard of Ingested Asbestos. The FDA approach is to completely ban anything not proved safe, i.e., Asbestos in anything touching food, e.g., freezer wrap and filter.

5. A preliminary report from LFE Environmental Laboratories on the precision of fiber count analysis vs. various observers (analysts) was presented. Apparent conclusion is that a given count will be within 15-20% of true value with 68%-confidence and 30-40% of true value with 95% confidence. A copy is available for anyone wishing to pursue the subject. A final report will be ready about January 1st.

6. The AIA will file a position paper on Coal Mine asbestos standard which will protest (a) a uniform standard throughout industry is more proper; (b) the two fiber limit is unnecessary.

7. JM announced that they will be setting up their own customer advisory seminars. (Swetonic advised after the meeting that he is still planning for AIA regional seminars — perhaps starting March or April next year.

8. JM and AIA representatives will be meeting (probably January) with GE management with the hope of easing GE views expressed in recent publications.

9. Nicolet has a paper mill (approximately 150 employees with average service of 30 years) which has processed only chrysotile. They have good and complete medical records 1934-72. Plant has operated for 90 years. They can make all data available for epidemiological study. AIA will pursue to find good man to conduct the study. Also, Raybestos has larger plant which has processed only chrysotile and anthophyllite. They will check out what data is available.

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News

1. OSHA action has been non-consistent. At one plant "non-serious violation" citations without fine were issued for fiber counts 15-30 fibers/ml. At another, same inspector — different company, citations with fines were issued including one for protective clothing considered inadequate by the inspector.

2. Publication of EPA standards is now expected end of January at the earliest.

3. Talc can be the source of "asbestos" fiber. There is some talc without tremolite but most talc contains 5 - 50% tremolite. Although the talc industry would wish it otherwise, the definition of "asbestos" in the OSHA standards includes tremolite. The Chillicothe plant of Flintkote was well under 5 fibers without talc but when talc was being handled, the count was 2-1/2 times higher.

4. IUD - OSHA Suit — IUD and other protesting briefs have been filed. The AIA brief will be filed December 26th. There is some worry over an apparent move by the Justice Department to preempt the Labor Department attorneys on the OSHA defense.

5. GM — some playback from GM top people is that they have not banned asbestos but have suggested substitution and required precautions. (It sounds similar to North American Rockwell with responsibility for justification passed to lower managers.)

UCC Action Desired

1. A letter to Bureau of Mines regarding the inconsistency and lack of necessity of the two fiber/ml standard set for coal mines is suggested.

2. Industry response by comment and most probably at public hearings will be needed when the safety and health standards for Metal and Non Metal Mines are published (anticipated January, 1973). Representations

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as to medical effect can be as at OSHA but feasibility data will also be needed.

3. A proposal has been received and recommended by Dr. Wright for AIA financial support of a study of chest auscultation (basal rales) by Dr. R.L.H. Murphy Member companies are asked to review and respond to Matt Swetonic by January 1st. (Copy sent to Dr. Dermehl for comment.)

4. Mike Isser of Cunningham & Walsh indicated they had received only two written responses to a request for comment on customer problems (H.K. Porter and Flintkote). Separately, Mike said he had talked with John Myers. (John — you might want to send him a written review at least for the record.)

5. Each company is asked to review a proposed "Employee Safety and Health Guide" for possible publication by AIA to member companies. GAF Industrial Relations counsel suggests very careful review, especially by those concerned with compensation insurance. Responses requested to Matt Swetonic by mid-January. (Copy sent to Bill Kovack for comment.)

Expressed Concern

1. The steelworkers and other unions would like to place all Health and Safety matters under Department of Labor control rather than, for example, the Bureau of Mines. Since maintenance of wage and price controls is expected to be a major White House goal and since the new Secretary of Labor — Mr. Brennan — may need something to give the unions, there is some fear that that "something" may be Labor Department control of Health and Safety.

2. The resignation of George Guenther has been accepted as has that of Under Secretary Silberman. No word has even been rumored as to the successors.

W.N. Johnston

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