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PLAINTIFF'S EXHIBIT

UC-2911

PRESENTATION TO OSHA ADVISORY COMMITTEE ON PROPOSED STANDARD FOR OCCUPATIONAL EXPOSURE TO ASBESTOS IN THE CONSTRUCTION INDUSTRY

September 17, 1975

I appreciate the opportunity to talk to you today concerning the Proposed Standard for Occupational Exposure to Asbestos in the Construction Industry. We want to offer comments on actions taken as a result of the public hearing in San Francisco on August 13 and 14, 1975. Union Carbide is actively engaged in the mining and milling of asbestos ore at its plant in King City, California, and we market asbestos fibers throughout the United States.

Our principle concern is with Paragraph f (2) Monitoring, which deals with sampling frequency and patterns.* The OSHA Health Group recommended a series of four patterns depending on the exposure level found. In essence, these included monitoring at least once every six months where exposures may exceed the limits, every twelve months where exposures are more than half of the limits, and a provision to discontinue monitoring if two consecutive tests are below one-half of the allowable limits. There is also an important provision which permits the use, without monitoring, of certain products where the asbestos is modified or bound. This is, of course, keyed to a demonstration that the products do not release fiber concentrations greater than one-half the allowable levels during any reasonably foreseeable use.

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* Page 13 of "Rough Minutes" of San Francisco meeting

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It has been our experience with the present OSHA regulations that monitoring presents one of the most difficult compliance requirements for the construction industry. Within the present framework of the regulations, there are literally thousands of locations which must be monitored. These locations are frequently replaced by new locations which must then also be monitored. The recommendations made by the OSHA Health Group permit the information gained in monitoring particular job practices and particular products to be used to determine where monitoring is not required. We feel that such an approval can lead to a substantial reduction in the monitoring burden imposed on the construction industry by the transient nature of its operations. Part (d) relative to modified products is particularly critical in this regard. We therefore urge that the Health Group recommendations be adopted.

We are also concerned with the changes made in Part (g), "Caution Signs and Labels".* The Asbestos Subgroup voted to replace the 1910/26 Committee recommendation:

> "...where concentrations of asbestos fibers may be in excess of the exposure limits ..."

with:

> "where asbestos materials are being used."

The purpose of signs is to warn employees against hazardous conditions. The mere presence of asbestos in a product is not a hazardous condition. For example, based upon current recommendations of the Asbestos

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Subgroup, it would be necessary to post signs where vinyl asbestos floor tile is being laid and where roofing compounds are being applied, even though no fibers would be released during such construction activity. We feel that the Subgroup recommendation places an undue burden on the contractor and serves no useful purpose in protecting the employees. We therefore recommend that the wording of 1910/26 Committee be adopted.

Thank you again for this opportunity to express our views on the proposed Asbestos Standard for the Construction Industry.

John L. Myers
Union Carbide Corporation
Metals Division

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