PLAINTIFF'S EXHIBIT
UC-2962

UC 149-2

UNION CARBIDE

INTERNAL CORRESPONDENCE

METALS DIVISION

P.O. BOX 579 - 4625 ROYAL AVE., NIAGARA FALLS, NEW YORK 14302

To (Name) (See Attached List)
Division
Location

Date July 14, 1977

Originating Dept. "Calidria" Asbestos Marketing

Answering letter date

Copy to Messrs. R. E. Byrne, Jr.
T. P. Norris
H. B. Rhodes

Subject Union Carbide and the State of California

It has been suggested that we summarize our activities in the State of California, especially with regard to regulatory activities which concern asbestos.

For the past several years, we have spent an increasing amount of time and money to keep abreast of and, as necessary, influence legislation involving asbestos. Dr. Rhodes has handled and coordinated most of these efforts with customers, other asbestos companies, State legislators, various State departments, etc. Some of the work has been for the Asbestos Information Association, for which Harry is chairman of the technical subcommittee, but most of it has been as representatives of Union Carbide Corporation.

In recent months our activity has been in response to enactment of California's Occupational Carcinogens Control Act. One part of this Act provides for a massive education program. Union Carbide's "stature" and rapport with State personnel have been developed so effectively by prior activities that we were asked to participate heavily in the education program, even though our expertise is limited to asbestos. We have cooperated fully to perpetuate the status of Union Carbide and to maintain the opportunity to participate in any future legislation which may involve asbestos.

At the State's request, we "opened" our plant doors to their public relations personnel to develop a visual presentation of how we provide a safe working environment. They took about 200 pictures, which we converted into a 15-minute slide presentation. This has been presented at three State educational programs and will be presented at a fourth and final session in San Diego on July 19th (see Attachment I).

We originally declined an invitation to participate in a panel discussion on job-related cancer since we could not contribute information on any of the carcinogens except asbestos. However, it became apparent after the Los Angeles and San Jose sessions that most of the interest was about asbestos and asbestos industry representation was desirable. I accepted the State's invitation to be on the panel in Sacramento (see Attachment II) and prepared an opening statement (see Attachment III). I actively participated in the panel/audience discussion and also answered questions at a wrap-up session after the formal program was completed. I will be on both panels again in San Diego but Ed Fenner of Johns-Manville will probably take our place in the afternoon construction workshop.

A20037

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We have agreed to participate in additional asbestos education programs which the State may schedule in August or September. The State will send a letter to about 100,000 potential asbestos users in August. We assisted in drafting the letter and will review the final draft next week.

Attachment IV contains excerpts from program-opening speeches by the Director of the State Department of Health. This will give you an idea of how the State appreciates our efforts and the status of Union Carbide's name in California.

One purpose of this letter is to let you know who we know and the contacts which have been established in California. If we can be of any assistance to other Division or Corporate personnel, be it "introductions" or whatever, do not hesitate to contact Harry Rhodes or me.

John L. Myers

John L. Myers

/cjb
Attachments

A20036

UCC 016372

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UCC 016378

ATTACHMENT I

PREVENTING ON-THE-JOB CANCER

A ONE DAY PROGRAM FOR EMPLOYERS, EMPLOYEES AND THE PUBLIC

Tues. 7/19
San Diego

Monday, June 13, 1977

Los Angeles Convention Center
1201 South Figueroa Street
Los Angeles, California

Speakers

Mario Obledo, Secretary
Health and Welfare Agency

Don Vial, Director
State Department of Industrial Relations

Fred L. Ottoboni, PhD, Head
Occupational Cancer Control Unit
State Department of Health

Saturday, June 18, 1977

Student Union Building
San Jose State University
San Jose, California

Speakers

State Senator Arlen Gregorio
Chairperson, Senate Health and Welfare Committee

Fred L. Ottoboni, PhD, Head
Occupational Cancer Control Unit
State Department of Health

Monday, June 27, 1977

Room 4203
State Capitol Building
Sacramento, California

Speakers

Jerome A. Lackner, MD, Director
State Department of Health

Fred L. Ottoboni, PhD, Head
Occupational Cancer Control Unit
State Department of Health

OBJECTIVE: To inform employers, and the public about the cancer-causing substances regulated by Cal/OSHA, the reporting requirements mandated by the Occupational Carcinogens Control Act, compliance with safety orders relating to cancer-causing substances and how to obtain free consultation.

SPONSORED BY: Occupational Cancer Control Unit, State Department of Health

IN COOPERATION WITH: Division of Industrial Safety, State Department of Industrial Relations

TOPICS:

Morning Session

* The Occupational Carcinogens Control Act: California's Approach to Job Related Cancer
* The Cost of Prevention Versus Non-Prevention
* Labor, Management and Medicine Look at Job Related Cancer
* Employer Reporting: How to Do It

Afternoon Session

* What You Can Do - Workshops Asbestos in Construction and Demolition Work
  Asbestos in Brake Work
  14 Cancer-Causing Chemicals
  Laboratory Problems and Controls
* What Others Are Doing: Industry, Labor and Health

Individual consultation for employers and employees will be available during the entire program.

Additional speakers include representatives from government, business, unions and health agencies.

IMPORTANT NOTE: There is no registration fee for these programs; however, registration is limited to 500. All attendees will be asked to sign in, if they wish to be placed on our mailing list. A separate table will be maintained for employers who wish to report under the provisions of the Occupational Carcinogens Control Act.

Registration will be from 8:30 to 9:30 a.m. The program starts at 9:30 a.m.

FOR FURTHER INFORMATION: Occupational Cancer Control Unit
State Department of Health

2151 Berkeley Way
Berkeley, CA 94704
(415) 843-7900, Ext. 306

OR

1449 West Temple Street
Los Angeles, CA 90026
(213) 620-4290

Toll Free Information after June 1: 800-772-3303

Or contact the nearest district office of the State Division of Industrial Safety

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Monday, June 27, 1977 State Capitol Building, Sacramento

Agenda

8:30 - 9:30 A.M. Program Registration

9:30 A.M. Welcome and Statement of Program Objectives

Larry Martz, State Department of Health

9:35 A.M. The Medical Advantages of Preventing On-The-Job Cancer

Jerome A. Lackner, M.D., Director
State Department of Health

9:50 A.M. The Occupational Carcinogens Control Act: "California's Approach to Job-Related Cancer"

Fred Ottoboni, Ph.D., Head
Occupational Cancer Control Unit, State Department of Health

10:15 A.M. Labor, Management and Medicine Look at Job-Related Cancer

Pauline Bondonno, Moderator, State Department of Health

Rex Cook, Secretary-Treasurer
Oil, Chemical and Atomic Workers Local 1-5

Jerome A. Lackner, M.D., State Department of Health

John Myers, Marketing Manager, Metals Division
Union Carbide Corporation

Eddie Story, Business Agent and Secretary-Treasurer
Asbestos Workers Local No. 16

11:00 A.M. Enforcement, Penalties and Compliance

Art Carter, Chief, Division of Industrial Safety
State Department of Industrial Relations

11:20 A.M. Employer Reporting: "How To Do It"

Larry Andrus, Senior Engineer, Consulting Staff
State Division of Industrial Safety

11:45 A.M. Lunch

1:15 P.M. What You Can Do - Workshops

1) Asbestos in Construction, Demolition and Industry

Alan Tarbell, Engineer
Doug Krause, Industrial Hygienist
State Department of Health

John Myers, Union Carbide Corporation ← Plant Slide Presentation

2) Asbestos in Brake Work

Ed Grellert and Russ Umbraco,
Industrial Hygienists

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ATTACHMENT III

STATEMENT FOR A PANEL
AT CALIFORNIA'S PROGRAM FOR
"PREVENTING ON-THE-JOB CANCER"

(JLM, 6/23/77)

Thank you (Moderator) - We are very pleased to have the opportunity to participate in this education program to prevent on-the-job cancer. Cancer, or any other sickness or injury, cannot be prevented by talking about it; but communicating the facts and required safety precautions to employers and employees is a necessary first step.

Union Carbide has operated an asbestos ore processing plant in California since 1963. The plant is located near King City in the Salinas Valley, about 150 miles south of San Francisco. We beneficate the ore from a chrysotile asbestos deposit located about 30 miles east of King City in the Diablo Mountains. We market asbestos fiber for industrial applications- we do not make any products from asbestos.

Safety is no accident and a safe working environment is the result of many factors. Two of the most important are knowing the hazard and knowing how to protect from it. At our asbestos plant we have provided medical surveillance for employees and conducted air monitoring since the plant doors opened in 1963. We have noted no changes in lung function or any other abnormalities which could be found by chest X-rays or pulmonary function analysis. Next month our King City medical surveillance program will be expanded to include sputum cytology. This examination is intended to detect cell structure changes which may lead to cancer development. Early detection would trigger appropriate action to prevent or minimize the chances for a cancer to become malignant. Although we have used sputum cytology for many years at our uranium mining operations, it has not been started here because of the limited availability of competent laboratory facilities. We have contracted with Dr. Saccamono,

A20041

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the developer of the method, to examine our employees and he is in our plant this week to explain the program to all employees. He will make four presentations to cover all shifts and the program will be videotaped for future reference. We are proud of our asbestos plant in King City and have prepared a slide presentation which is intended to depict how you can work safely with asbestos. This presentation will be shown at 1:30 this afternoon in Workshop No. 1.

As a precautionary measure for customers, we have labelled our asbestos product bags as a potential dust hazard since June 1968, four years before the first Federal OSHA standards were promulgated to require this, air monitoring, medical surveillance and other safety precautions. We have provided free air monitoring for customers for several years and counsel them on the asbestos hazard, compliance requirements and related information.

Asbestos is an important raw material in many products and applications which give us a safer and healthier living and working environment. It cannot and should not be regulated out of existence based on unfounded or misconstrued medical and scientific evidence. A hazard does exist, but it has been blown out of proportion by a few individuals and groups. This has resulted in some regulatory action across the country that is unnecessary and an unfair burden to industry.

We support the California Asbestos Standard, Section 5208 of the General Industry Safety Orders; however, we have found that our customers do have some compliance problems, especially with waste disposal and the new registration requirement. We will work with the Standards Board to alleviate these problems without jeopardizing the intent of the regulations. Enforcement of Section 5208 should prevent asbestos-related disease and we hope that the Federal government and other states will follow California's lead in adopting effective legislation which is also practical and enforceable.

JLM:dal

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ACL Doc 17816 · Page 7 of 8 asbestosclaims.law/library/17816/7

...TE OF CALIFORNIA HEALTH AND WELFARE AGENCY
EPARTMENT OF HEALTH
...744 P STREET
...CRAMENTO, CALIFORNIA 95814

EDMUND G. BROWN JR., Governor

Speech of Dr. Jerome A. Lackner
Director
State Health Department
Sacramento Monday, June 27, 1977

CERPTS FROM "THE MEDICAL ADVANTAGES OF PREVENTING JOB-RELATED CANCER"

I wish to take this opportunity to thank those union representatives and business leaders who helped in this process. In the business community I particularly wish to thank Johns-Manville, B. F. Goodrich and Union Carbide because these firms have helped us in various facets of the program development, as have representatives of the California Manufacturers Association and the California Chamber of Commerce.

I am gratified by a recent comment by Mr. John Myers of the metals division of Union Carbide, who is here today to participate in today's program. Mr. Myers said of the California program, with particular regard to asbestos:

> "We are very pleased to have the opportunity to participate in California's educational program to prevent on-the-job cancer. Although we feel that the asbestos hazard has been blown out of proportion by many individuals and groups, we recognize that a potential hazard does exist in some applications and that appropriate controls must be effected. The State of California has done a very commendable job in this regard and we hope that the federal government and other states will follow their lead in adopting regulatory controls that are effective, yet also reasonable, practical and enforceable."

I must say that John and I disagree on the magnitude of the asbestos hazard and that I do not feel that it has been blown out of proportion. A20043

But I believe the fact that his industry and our government are working together to protect workers against asbestos dust hazards is far more significant than our differing perceptions of just how small or great the hazard is.

Let me add one further note in regard to Union Carbide. As a former smoker and tobacco addict, now reformed, I admire the company's action in banning smoking at the King City asbestos plant, south of Salinas in Monterey County. We know that smoking increases the risks of lung maladies among those people who work with asbestos and while I am always glad to

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