UC 149-2

PLAINTIFF'S EXHIBIT

UC-3507

UNION CARBIDE

INTERNAL CORRESPONDENCE

(202) 223-4085

MINING AND METALS DIVISION • P. O. BOX 579, NIAGARA FALLS, NEW YORK 14302

To (Name) Mr. W. C. Thurber
Division UCC Mining and Metals
Location 38th Floor
270 Park Avenue
New York, NY 10017

Copy to Messrs. P. J. Morgan
J. L. Myers
File

Date February 8, 1974

Originating Dept. "Calidria" Asbestos

Answering letter date

Subject New York State Asbestos Regulations

Dear Bill:

A copy of the proposed change in the above noted regulations is attached. As far as I can see, the only thing done is to change the allowable level for asbestos from 5 MPPCF to 5 fibers per cc. greater than 5 micrometers. No distinction is made between TWA and Ceiling concentrations. The public hearing was on January 29 but written comments will be accepted until February 15.

It seems to me that this is a very realistic approach and should receive strong support from the industry. I have no idea what kind of effort is being made by the Selikoff group, etc. but suspect they may be lobbying strongly to lower it.

My recommendation is that you contact Bob Mereness to see what the industry plans to do. We may also want to file a UCC note separately.

Regards,

H. B. Rhodes

HBR:cjb
Attachment

RECEIVED
FEB 11 1974

Union Carbide trial exhibit UC-3507: H. B. Rhodes to W. C. Thurber on Proposed New York State Asbestos Regulat... Published by AsbestosClaims.Law
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Note → FROM EXISTING CODE RULE 12

TABLE II—MINERAL DUSTS

Substance	*Million Particles Per Cubic Foot**
Asbestos	5
Dust (nuisance, no free silica)	50
Graphite (natural)	15
Mica (below 1% free silica)	20
Portland cement	50
Silica—	
Class I**	50
Class II**	20
Class III**	10
Class IV**	5
Slate (below 1% free silica)	50
Soapstone (below 1% free silica)	20
Talc (below 1% free silica)	20
Tremolite	5
Total dust (below 1% free silica)	50

* Using the light field low-power method of counting as described in the U.S. Public Health Report 47 No. 12, March 12, 1932, pp. 669-672 or its equivalent and a standard type impinger or other equivalent instrument for taking atmospheric dust samples.

** *Class I Rock.* Any rock formation uniformly containing up to and including 5%, by weight, of free silicon dioxide.

** *Class II Rock.* Any rock formation uniformly containing more than 5%, up to and including 10%, by weight, of free silicon dioxide.

** *Class III Rock.* Any rock formation uniformly containing more than 10%, up to and including 40%, by weight, of free silicon dioxide.

** *Class IV Rock.* Any rock formation containing more than 40%, by weight, of free silicon dioxide.

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UCC 009095

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