PLAINTIFF'S EXHIBIT

UC-3510

UNION CARBIDE CORPORATION
270 PARK AVENUE, NEW YORK, N.Y. 10017
LAW DEPARTMENT

February 15, 1974

Mr. W. C. Thurber
Mining & Metals
38th Floor

Re: New York State Asbestos Regulations

Dear Mr. Thurber:

As I advised you by telephone yesterday, John Whittlesey, our labor counsel in the Law Department spoke to Irving Kingsley by telephone yesterday regarding this subject.

Mr. Kingsley is soon to become the Chief Industrial Hygiene Engineer. He said that unless the letter "c" appears next to the standard, the standard is a time-waited average. In the case of asbestos, the standard is on a time-waited average.

Very truly yours,

Patrick J. Morgan

PJM:rs

cc: Mr. R. F. X. Fusaro/File
Mr. J. W. Whittlesey

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UNION CARBIDE CORPORATION
270 PARK AVENUE, NEW YORK, N.Y. 10017
LAW DEPARTMENT

RECEIVED
JUN 29 1973
WM. C. THURBER

June 26, 1973

Mr. W. C. Thurber
Mining and Metals Division
38th Floor

Re: Mining and Metals -
Administration Code of
New York City - Asbestos

Dear Mr. Thurber:

Set forth below is the current New York City law concerning the emission of asbestos into the air.

"§ 1403.2-9.01 Emission of air contaminant (including odorous air contaminant) or water vapor; detriment to person, property or plant and animal life. - No person shall cause or permit the emission of air contaminant, including odorous air contaminant, or water vapor if the air contaminant or water vapor causes or may cause detriment to the health, safety, welfare or comfort of any person, or injury to plant and animal life, or causes or may cause damage to property or business, or if it reacts or is likely to react with any other air contaminant or natural air, or is induced to react by solar energy to produce a solid, liquid or gas or any combination thereof which causes or may cause detriment to the health, safety, welfare or comfort of any person, or injury to plant and animal life, or which causes or may cause damage to property or business.

(a) The prohibition of this section includes, but is not limited to, emission of the following air contaminant:

. . .

(2) Air contaminant containing asbestos, except where such an air contaminant is emitted from the brake lining of a motor vehicle during normal use."

Very truly yours,

Robert F. X. Fusaro

RFXF/db

cc: J. L. Myers; H. B. Rhodes; P. J. Morgan/File

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