bcc: R. E. Byrne, Jr.
J. L. Myers
R. F. X. Fusaro
R. L. Schult
W. C. Thurber
J. E. Walsh
File

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PLAINTIFF'S EXHIBIT
UC-3909

April 26, 1976

Mr. Gil Carpenter
Florida Rolling Mills
S.W. 21st Street
Ft. Lauderdale, FL 33312

Dear Mr. Carpenter:

This is in response to your request for information on the current status of the Federal OSHA asbestos regulations, particularly as they effect the continued use of asbestos in tape joint compounds.

The Asbestos Standard promulgated on June 7, 1972, states:

> (b) Permissible exposure to airborne concentrations of asbestos fibers--(1) Standard effective July 7, 1972. The 8-hour time-weighted average airborne concentrations of asbestos fibers to which any employee may be exposed shall not exceed five fibers, longer than 5 micrometers, per cubic centimeter of air, as determined by the method prescribed in paragraph (e) of this section. (Emphasis added.)
>
> (2) Standard effective July 1, 1976. The 8-hour time-weighted average airborne concentrations of asbestos fibers to which any employee may be exposed shall not exceed two fibers, longer than 5 micrometers, per cubic centimeter of air, as determined by the method prescribed in paragraph (e) of this section. (Emphasis added.)

The reduction in the allowable 8-hour time-weighted average exposure from 5 fibers/cc to 2 fibers/cc that takes place on July 1, 1976, is the only change in the asbestos regulations that has been promulgated. It is obviously not a prohibition on the use of asbestos in tape joint compounds.

On October 9, 1975, OSHA proposed a new asbestos rulemaking that has received considerable publicity. The construction industry where tape-joint compounds are used is specifically excluded from the new proposal and will be considered later. Until such time as an asbestos standard for the construction industry is promulgated the existing June 7, 1972, standard with the 5 fiber/cc and 2 fiber/cc (July 1976) allowable limits noted above will continue to apply.

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