U.S. DEPARTMENT OF LABOR
Occupational Safety and Health Administration
WASHINGTON, D.C. 20210

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Mr. Wendell B. Alcorn, Jr.
Cadwalader, Wickersham & Taft
Law Offices
One Wall Street
New York, New York 10005

Dear Mr. Alcorn:

This is in response to your letter of December 22, 1976, in which you requested an interpretive ruling on paragraph 29 CFR 1910.1001(j) of the Occupational Safety and Health Administration (OSHA) standard for asbestos.

Although, by its express terms as well as the developing case law, 29 CFR 1910.1001(j) would require medical examinations where employees are exposed to any concentration of airborne asbestos fibers, it's current OSHA policy to require medical examinations only when employee exposures to airborne asbestos exceed 0.1 fibers greater than five microns in length per cubic centimeter of air (f/cc greater than five microns) on an 8-hour time weighted average (TWA) basis or exceed a peak level of 0.5 f/cc greater than five micron based on 15-minute sample periods. Our policy in this regard derives support from a recent recommendation from the National Institute for Occupational Safety and Health (NIOSH) that the permissible exposure limits for airborne asbestos fibers be fixed at these levels. The recommendation was made by NIOSH in its document entitled, Re-examination and Update of Information on the Health Effects of Occupational Exposure to Asbestos (December, 1976).

I hope you find the information provided helpful.

Sincerely,

for Richard P. Wilson, Deputy Director
Federal Compliance and State Programs

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