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APR 22 1987

E. K. JENSEN

UNION CARBIDE CORPORATION
OLD RIDGEBURY ROAD, DANBURY CONN 06817
LAW DEPARTMENT

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APR 23 1987

E. K. JENSEN

April 21, 1987

TO: J. J. Nietz

FROM: D. R. Crowell II

RE: Vermiculite

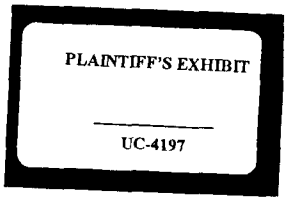
I have reviewed your letter of April 7, 1987 and Nick DiFranco's letter to you of April 17, 1987 and concur with Nick's concern about terminating the vermiculite testing for the remaining cold boxes. Without actual sampling data from each cold box, the probability of successfully defending any legal challenges, including OSHA citations, workers compensation claims, and third party claims, will be substantially reduced because we will not be in a position to conclusively demonstrate that the vermiculite in the untested cold boxes did not contain impermissibly high levels of asbestos.

While I concur in sections a, b and c of your recommendations, I believe that the more prudent course of action would be to do the testing in the remaining 54 cold boxes. Additionally, should any of the 54 remaining cold boxes exceed permissible levels of asbestos, any future removal operations would be subject to the requirements of the OSHA asbestos standard, 29 C.F.R. §1910.1001, including monitoring and use of engineering controls and personal protective equipment during removal operations.

DRC/nc

cc: M.D. Brower
N.A. DiFranco
E.K. Jensen
R.S. Kramer
M.G. Manetti
W.M. Therrien
D.E. White

A10572



Union Carbide trial exhibit UC-4197: D. R. Crowell II to J. J. Nietz on Vermiculite Testing of Remaining Cold Boxes (... Published by AsbestosClaims.Law
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