February 24, 1975

The Honorable Milton Marks
Member, California State Senate
State Capitol, Room 2070
Sacramento, CA 95814

Dear Senator Marks:

In 1974 you carried SB 2419, which was signed into law on September 26 of 1974. This act, which added Chapter 10.3 to the Health and Safety Code, prohibited the spraying of any substance containing any amount of asbestos after July 1, 1976, in or upon any building or other structure during its construction, alteration, or repair, with the exception of cold process cutback asphalt roof coatings. In addition to the present statutory exemption of coal cutback asphalt roof coating, we believe that there are other applications which should also be exempted from the statute. These proposed additional exemptions will in no way jeopardize the health of the citizens of California and will, at the same time, protect the employment of workers in the California asbestos and related industries.

It is our firm belief that various materials containing small quantities of asbestos can be applied safely by spraying with no significant hazard, either to the occupational worker, or the general public. And further, that such spraying can be done in total compliance with Section 5208 of the General Industry Safety Orders for the State of California dealing with asbestos, and the EPA National Emission Standards for Hazardous Air Pollutants. Those applications which we propose for exemption generally involve the spraying of paints and coatings where asbestos is a minor but important constituent added to give critical properties to the material. These coatings are applied wet as a slurry or liquid, thus precluding the generation of airborne asbestos fibers in excess of established California and Federal regulations. Specifically, I have attached a proposed draft of a bill which would provide additional exemptions be added to the existing statute.

Supporting data from a variety of representative industrial operations in each class are provided in Tables I-IV. These data indicate that in no instance does the airborne concentration of asbestos fiber exceed either the time-weighted average or peak concentrations specified in Section 5208 of the General Safety Orders even for the lower level standard to be invoked on July 1, 1976.

PLAINTIFF'S EXHIBIT
UC-4199

UCC 010014

Published by AsbestosClaims.Law
asbestosclaims.law/library/18793/2