UN-0097 # 38

UNION CARBIDE INTERNAL CORRESPONDENCE

UNION CARBIDE CORPORATION TECHNICAL CENTER
P.O. BOX 8361, SOUTH CHARLESTON, WV 25303

PLAINTIFF'S EXHIBIT
4323

To (Name) B. R. McMakin
Division 512/2009
Location
Area

Date March 17, 1987
Originating Dept. EM&TS - HS&EA
Area Industrial Hygiene
Subject Asbestos Medical Surveillance

Copy to B. H. Avashia, M.D. - 512/23
T. L. Collins - 740/2320
E. B. DelGrande - 791
C. P. Maxwell - 701/2
R. G. Rowe, M.D. - 791
H. E. Rucker - 512/2009

Following our telephone conversation yesterday regarding the medical surveillance requirements of the OSHA Standard for asbestos, I have discussed this issue with Dr. Avashia. I expressed to him our concern of meeting the preassignment medical surveillance requirements of the standard.

Dr. Avashia informed me that all employees get a medical examination which meets or exceeds the requirements of many OSHA standards, including the asbestos standard. His concern is that an employee may be covered by one or more OSHA standards requiring medical surveillance and this situation presents an administrative problem of providing such services more than once in a given year. To solve this problem he decided to provide a medical examination to employees in the month of the employee's birthday. In my opinion this approach would be acceptable for employees' periodic (annual) medical examination. However, it may not meet the preassignment medical examination requirements because some employees, not previously covered by any OSHA standard requiring medical surveillance, may not have received a medical examination during the 12 months preceeding the asbestos work assignment because they would be covered by a UCC medical examination plan based on age and type of work. Dr. Avashia assured me that he recognizes this problem and has discussed this situation with the OSHA area director, Mr. Perry Jones. Mr. Jones verbally agreed with Dr. Avashia that it would be acceptable to OSHA to have an employer provide the preassignment medical examination in the month of an employee's birthday immediately following the assignment to the asbestos job.

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ACL Doc 18901 · Page 1 of 3
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If you or persons copied this letter have any objection to this approach, we need to negotiate with Dr. Avashia to change the format of the preassignment medical examination.

If you have any questions or need further clarification, please feel free to get in touch with me at extension 3750.

Manhar A. Patel

MAP:rab
2178P

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ACL Doc 18901 · Page 2 of 3 **asbestosclaims.law/library/18901/2**

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