Asbestos paper production facilities;
Cement-asbestos production facilities;
Vinyl-asbestos floor tile production facilities;
Asbestos textile products manufacture;
Buildings, structures, facilities or areas within which asbestos fireproofing, asbestos insulating materials or asbestos friction materials are manufactured or applied;
Buildings or structures which have been or will be constructed or modified using asbestos fireproofing or insulating products;
Roadway facilities which are or would be surfaced or resurfaced using asbestos tailings."

PLAINTIFF'S EXHIBIT
UC-4491

We feel that this change:

1. Fulfills the recommendation by the National Academy of Sciences that "... the major sources of manmade asbestos emission into the atmosphere be defined and controlled." [NAS Airborne Asbestos, page 33]

2. Accomplishes your assignment under the Clean Air Act to "provide an ample margin of safety to protect the public health".

Proposed rule making for mercury and beryllium is applicable to specific operations or plants, and rule making for asbestos should follow the same pattern. Trying to include every potential source, no matter how small, is not fair to the asbestos industry and to the thousands of users of asbestos and asbestos-containing products. It is also not fair to ask you to attempt to write reasonable rules to eliminate every fiber emission.

In addition, if we adopt what seemed to be our common view that the line of demarcation between manufacturing and fabrication is the incorporation of the free fiber form of asbestos into a mix or combined form, then the rules could include the following definitions and provisions:

(1) 61.21(j) "Visible emission means, for the purpose of this subpart, any emission which is visually detectable and which contains free asbestos fiber."

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(2) 61.21(l) "Manufacturing operation means the processing of commercial asbestos prior to combination with sufficient binding agent to firmly hold the fibers."

(3) 61.21(m) "Fabricating means the cutting, shaping, assembly, mixing or other altering of material containing asbestos not firmly bound with an organic binder. Repair operations and spray application of plastics containing low percent content of asbestos are specifically not considered fabricating."

(4) To provide for more widely applicable determinations, Paragraph 61.06 could read:

"Upon written application therefor by an owner or operator, or interested party such as a supplier, the Administrator will ... within the meaning of this part."

(5) To avoid undue delay and hardship while still providing compliance with standards, Paragraph 61.07(a) could have an added sentence:

"If the modification consists of the introduction into an existing process of a material which has been designated as a hazardous air pollutant and if the process will be in compliance with the applicable standards, prior approval will not be required, but a report must be made which provides the information as in following subparagraph (c)."

(6) If the above proposed definitions of manufacturing operations, fabricating and visible emissions are adopted, the exclusion of paragraph 61.24 would not appear to be needed. If the provision for exclusion is felt to be needed, much administrative effort can be saved by provision for applications by interested parties such as material suppliers to qualify widely used operations for exclusion in addition to specific applications by owners or

Union Carbide trial exhibit UC-4491: William N. Johnson to Dr. J. U. Crowder, Don Goodwin and Dale Slaughter on...
ACL Doc 19058 · Page 2 of 4
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operators of specific sources. It would probably be well also to make the requirement for demonstration more general as well; e.g., "The owner or operator of the emission source or other interested party shall make available to the Administrator sufficient information to demonstrate that the manufacturing or fabricating operation does not generate hazardous emissions. Significant factors include the degree to which asbestos fibers contained in the materials handled are kept from becoming airborne and the amount of dust generated." Some particles classified as fibrous by geometry (length $\geq$ 3x width) can almost always be found in an air sample though they may not resemble or be asbestos.

We will be very interested in your further thoughts on these matters and your reactions to the definitions, etc. proposed in this letter. Thank you, once again, for your interest, time and courtesy.

Very truly yours,

William N. Johnson.

WNJ:mc

cc.: Mr. G. E. Grayson
Mr. P. P. Huffard, Jr.
Mr. J. L. Myers/Dr. H. B. Rhodes

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