PLAINTIFF'S EXHIBIT

UC-4867

UNION CARBIDE CORPORATION
METALS DIVISION
4625 ROYAL AVE., P.O. BOX 579, NIAGARA FALLS, NEW YORK 14302

February 15, 1980

Mrs. Joni T. Repasch
Record Clerk
Office of Toxic Substances (TS-793)
U.S. Environmental Protection Agency
401 M Street SW
Washington, DC 20460

Dear Mrs. Repasch:

This is in response to the Environmental Protection Agency's action designated as 40 CFR Part 763, Commercial and Industrial Use of Asbestos Fibers; Advance Notice of Proposed Rulemaking (OTS 61005; FRL 1332-4A).

Union Carbide Corporation has been engaged since 1963 in the mining and milling of asbestos ore at facilities in central California. This asbestos is marketed throughout the United States and in many foreign countries. Union Carbide is a substantial supplier of asbestos, similar to Canadian Grade 7, for the manufacture of floor tile and for oil-well drilling muds. It also supplies refined asbestos fiber to a substantial number of manufacturers of caulks, sealants, coatings, adhesives, mastics and similar materials that are widely used in the automotive and other industries. Union Carbide does not supply the type of asbestos fiber used for cement, fireproofing, or insulation products, nor does it manufacture any asbestos-containing products.

Union Carbide Corporation is a member of the Asbestos Information Association/ North America. We request that you give careful consideration to the Comments submitted by the AIA/NA which we believe merit your close attention. The AIA/NA has asked that you examine whether an "unreasonable risk" exists in order to merit the regulation of asbestos under the Toxic Substances Control Act. It further questions whether, in the event an unreasonable risk can be shown as arising out of the use of asbestos, the EPA's proposed regulatory options consider the full range of alternatives required under this statute. We hope that you will examine the issues presented by the AIA/NA and not take any action which precipitously bans or unnecessarily restricts the use of asbestos.

Very truly yours,

Harrison B. Rhodes

Harrison B. Rhodes
Technology Manager

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