PLAINTIFF'S EXHIBIT

UC-5017

UNION CARBIDE CORPORATION

300 OCEANGATE, LONG BEACH, CALIFORNIA 90802

May 11, 1976

Mr. Doug Merrill
Technical Director
Pacs Textures Company
909 Old County Road
San Carlos, California 94070

Dear Mr. Merrill:

We have had numerous requests for information on the current status of the Federal OSHA asbestos regulations, particularly as they effect the continued use of asbestos in tape joint compounds. Since you are a manufacturer of tape joint compounds, it may be of interest to you.

The Asbestos Standard promulgated on June 7, 1972, states:

> (b) Permissible exposure to airborne concentrations of asbestos fibers - (1) Standard effective July 7, 1972. The 8-hour time-weighted average airborne concentrations of asbestos fibers to which any employee may be exposed shall not exceed five fibers, longer than 5 micrometers, per cubic centimeter of air, as determined by the method prescribed in paragraph (e) of this section. (Emphasis added.)
>
> (2) Standard effective July 1, 1976. The 8-hour time-weighted average airborne concentrations of asbestos fibers to which any employee may be exposed shall not exceed two fibers, longer than 5 micrometers, per cubic centimeter of air, as determined by the method perscribed in paragraph (e) of this section. (Emphasis added.)

The reduction in the allowable 8-hour time-weighted average exposure from 5 fibers/cc to 2 fibers/cc that takes place on July 1, 1976, is the only change in the asbestos regulations that has been promulgated. It is obviously not a prohibition on the use of asbestos in tape joint compounds.

On October 9, 1975, OSHA proposed a new asbestos rulemaking that has received considerable publicity. The construction industry where tape-joint compounds are used is specifically excluded from the new proposal and will be considered later. Until such time as an asbestos standard for the construction industry is promulgated the existing June 7, 1972, standard with the 5 fiber/cc and 2 fiber/cc (July 1976) allowable limits noted above will continue to apply.

KMX 01975

It is important to point out that even the considerably more restrictive proposed rulemaking has no suggestion whatsoever that the use of asbestos in tape joint compounds will be prohibited by OSHA.

If you have any further questions, please do not hesitate to call.

Very truly yours,

T. P. Norris

TPN:nw

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