GP 09

AJF CC: JDK

GEORGIA-PACIFIC

INTERDEPARTMENTAL COMMUNICATION

DATE: April 4, 1974

TO: Mr. R. C. Hartman LOCATION: Wilmington Sales

FROM: M. F. Fink LOCATION: Tigard

PLAINTIFF'S EXHIBIT
GP-1562

SUBJECT: ROCHESTER ACCOUSTICAL ASBESTOS PROBLEM

cc: Mr. O. E. Burch - Portland
Mr. G. G. Donaghy - Rochester D/C/

On Tuesday, April 2, 1974, Gene Burch informed me of the situation in Rochester regarding the sanding of joint topping compound. He explained the controversy stirred up by the New York Construction Safety and Health Department Compliance Officer and the regulations they were enforcing.

To obtain more detail he asked me to contact G. G. Donaghy as he was closer to the problem. Jerry gave me a complete story of what had occurred and the requirements that they were insisting Rochester Accoustical abide by before permitting them to use a product containing asbestos. Actually the requirements were those that must be complied with when spraying asbestos. These requirements are:

a. Operator to be equipped with a lifeline air mask. Operator would be the sander.

b. Area completely closed off to prevent drafts or breezes to keep asbestos fibers suspended in breathing zones.

c. Complete change of clothing when operator leaves job site, also he should be isolated when clad in his working clothes.

d. Dust collectors to be installed in work area to contain fugitive particles.

e. Vacuum clean areas daily - sweeping not accepted.

f. Periodic medical with 14" x 17" x-ray.

b, c, d, e and f are mandatory in our Joint System plants when the Threshold Value Limit exceeds 5 fibers longer than 5 microns per cubic centimeter of air. At the present time all of our plants have been accredited to conform with OSHA standards.

I informed Jerry that in my opinion the inspector erred, however, it would require a diplomatic approach as we did not want to rile Compliance personnel.

Jerry explained the program that we follow in our plants and which has been approved by OSHA; i.e., Federal Occupational Safety and Health Act. The hazard could be controlled by requiring dust masks that have been approved for non-toxic dusts. The 3M 8710 is certified and used in our plants not only for asbestos but also for other dusts. The field officer suggested that his superior D. Barone, Western New York Supervisor be contacted, that he would not make a decision.

On Friday, April 5, 1974, I contacted D. Barone and we had a rather lengthy discussion of codes, both Federal and State. It must be noted that there is considerable conflict existing between the two agencies and neither will agree with the other, which develops considerable static in New York.

I informed Barone that I was not speaking as a representative of Georgia-Pacific but from my professional background which goes back to 1939. I will say that he was very receptive and cooperative and remarked that there has been a lot of pressure applied by asbestos workers and other concerned parties.

Incidentally I had been involved in a similar incident about four years ago when one of our competitors had been cited for permitting unprotected workmen to work with an asbestos product. This was joint system retailed by Johns-Manville and the operation was sanding. Dr. Irving Selikoff respiratory staff physician at Mount Sinai Clinic was the party making the charge. I met with Mr. Selikoff and explained that the product contained about 5% asbestos, not all of 5 micron in length, also that when the product was mixed and set, the hazard depreciated. In addition I added that no one should do any sanding unless he wore an approved dust mask. He did agree that the asbestos hazard was minimized and that other dusts classified as nuisance dusts exceeded the TLV and dust masks should be worn. This was the last I've heard of this subject. Dr. Selikoff is associated with Ralph Nader and we can expect more criticism of asbestos products. I explained part of the above to D. Barone.

Fianlly, Barone did agree that if Rochester Accoustical talked to him he would permit the present job to continue provided the employees wore the approved 3M 8710 dust mask. As soon as possible he would have a state hygienist conduct a study of the sanding operation to determine what controls would be required if a determination was made that a hazard exists. This study would take approximately 6-8 hours and includes

gathering dust samples on the job and laboratory analysis. It is our opinion that this is a very reasonable approach to solving the problem. If the hazard does exist all parties should be informed and controls adopted.

The question has been asked why are the bags and containers labeled "Asbestos" etc. This is defined in the Federal Register Volume 37-110 and we are abiding with the regulations. Inserting "when sanding" was added when legal counsel advised us that this would be necessary.

I informed Jerry Donaghy of Barone's decision, he in turn will advise Rochester Accoustical to contact Barone for further instructions.

In conclusion we wish to compliment Jerry Donaghy for the manner in which he handled a very "sticky" situation.

M. F. F.

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