



Shell Oil Company • Shell Chemical Company

Interoffice Memorandum

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FROM: T.E. GILLESPIE, SUPERINTENDENT, HEALTH, SAFETY AND ENVIRONMENTAL
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TO: A.D. DITMAR, MANAGER, HEALTH AND SAFETY, MFG. AND TECHNICAL
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SUBJECT: OSHA ASBESTOS STANDARD

The new OSHA Asbestos Standards, 1926.58 and 1910.1001, contain some sections where feasibility determinations or interpretations are required. The standards do not, however, provide substantial guidance on making these determinations or interpretations. Additional guidance from your organization would support a more consistent compliance approach from the Manufacturing locations.

Previous litigation experience in asbestos related cases may support a consistent Shell Asbestos Compliance Program. Information describing asbestos programs and procedures for all Shell locations has been requested for at least one previous litigation case. The request for information from several locations may infer that a uniform compliance program would be important in the event of future litigation.

There are numerous sections of the asbestos standards which allow combinations of engineering and/or work practices to control asbestos exposures. This is consistent with the "performance language" approach OSHA has used in recent standards. However, the following sections require feasibility determinations or other interpretations, and the resulting determinations could result in significant cost and/or compliance variability for Shell Manufacturing locations:

1. 1926.58(e)(6)(i) - Wherever feasible, the employee shall establish negative-pressure enclosures before commencing removal, demolition, and renovation operations.
2. 1926.58(e)(6)(iv) - Exception: For small-scale, short-duration operations,..., the employer is not required to comply with the requirements of paragraph (e)(6) of this section.
3. 1926.58(k)(2)(i) - Where feasible, installed asbestos products shall contain a visible label. (1910.1001 contains a similar section.)

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4. 1926.58(m)(2)(i)(A) - The employer shall make available medical examinations and consultations to each employee covered under paragraph (m)(1)(i) of this section on the following schedules:
(A) Prior to assignment of an employee to an area where negative-pressure respirators are worn;

The following corresponding guidance is requested:

1. Additional definition regarding activities which are considered feasible to enclose and examples of nonfeasibility.
2. The definition of small-scale, short-duration operations is also critical in complying with the substantial requirements of this section (e)(6). DPMC is developing a proposal concerning this issue. Your input and review is requested.
3. What level of asbestos identification and labeling is considered feasible and appropriate? Should a thorough inspection and sampling program be instituted to identify existing installed asbestos?
4. Does the medical surveillance requirement pertain to employees who are provided negative-pressure respirators where not required by the standard? If so, should respirators only be provided where exposures are reasonably expected to exceed the PEL? Note, the later would actually reduce employee protection from current practices at DPMC. Placing all employees at DPMC, who may wear a negative-pressure respirator for asbestos protection, in an asbestos medical program could add about 1,000 employees to the existing program. The DPMC Medical Department has estimated an annual cost of about \$150 per employee, excluding salary, for an asbestos medical examination.

Your consideration of these issues will be appreciated. The Health and Safety Manager's Meeting in November may provide a forum for further discussion.


T.E. Gillespie

AFS/md

cc: R.M. Kemball-Cook
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