PLAINTIFF'S EXHIBIT
CAP-460

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J ALLEN OVERTON JR
PRESIDENT

MEMORANDUM

February 23, 1979

TO: Chief Executive Officers, AMC Member Companies
Environmental Matters Committee & Consultants
Air Quality Control Subcommittee & Consutlants
Occupational Health Subcommittee & Consultants

FROM: David C. Branand, Senior Counsel

RE: Asbestos -- Proposed Legislation to Assess Companies which Mined, Manufactured or Imported Asbestos Between 1946 and 1972

Concern over the presence of asbestos in school buildings, has prompted the introduction of the "Asbestos School Hazard Detection and Control Act of 1979", H.R. 1524 (copy of which is attached). An Asbestos Hazards Detection Fund is established to provide for inspection sampling and testing programs to ascertain the extent of danger to the health of schoolchildren and employees from asbestos materials in the schools.

ASSESSMENT OF COMPANIES WHICH MINED, MANUFACTURED OR IMPORTED ASBESTOS

Any company which was engaged in the mining, manufacturing or importation of asbestos between the years 1946 and 1972 is required to contribute to the Asbestos Hazards Detection Fund. The fund is not to exceed $30,000,000 and each company's contribution is to be "a percentage equivalent to its proportion of asbestos mining, manufacturing or importation during the period of 1946-1972" (Section 5).

PROPOSED CONGRESSIONAL FUNDING

Section 2 contains the findings with respect to asbestos. Among the most significant are the following:

- Exposure to asbestos has been identified by reputable medical and scientific evidence as significantly increasing the incidence of cancer and other severe or fatal diseases, such as asbestosis;
- Medical science has not established any safe level of exposure to asbestos as a threshold above which the likelihood of developing illness occurs.

DEFINITION OF ASBESTOS

Asbestos and asbestos material are defined in Section 10 to include materials "composed entirely or in part of chrysotile, amosite, or crocidolite, and when they occur in fibrous habit, tremolite, anthophyllite, and actinolite."

continued...

CONGRESSIONAL ACTION

The Subcommittee on Elementary, Secondary and Vocational Education of the House Committee on Education and Labor held hearings on H.R. 1524 during this week. Congressman Carl D. Perkins (D-KY) (Chairman of the Committee and Subcommittee) announced at the conclusion of the hearings that the Subcommittee will proceed to markup H.R. 1524 in the near future.

Attachment

