

## ASBESTOS HAZARD WARNING LABELS

### TIMING

Effective Immediately

### ACTION ITEM

1. Hazard warning statements must appear on containers of all raw materials, mixtures, products and scrap/debris/waste containing asbestos. Hazard warning statements must use the following specific language:

|                                                                                          |                    |
|------------------------------------------------------------------------------------------|--------------------|
| THE FOLLOWING STATEMENT IS REQUIRED PER OSHA REG.                                        |                    |
| Danger                                                                                   | 29 CFR 1910.1001 : |
| Contains Asbestos Fibers                                                                 |                    |
| Avoid Creating Dust                                                                      |                    |
| Cancer and Lung Disease Hazard (Warning Statement per OSHA Requirement 29 CFR 1910.1001) | ? YES              |

Labels or indelible stamps with the hazard warning statement may be used.

Examples of containers which must carry the asbestos hazard warning statement include: exterior of product shipping boxes, exterior of brake kit boxes, asbestos and asbestos mixture bags, bins, hoppers, etc., pelletizers and dust collectors, and containers of asbestos-containing waste materials.

MAKE UP PRESSURE SENSITIVE LABEL

WHAT ABOUT BOOK TRUCKS NO  
WHAT ABOUT TRACTOR TRAILERS  
TO BUFFALO NO

On September 11, 1979, representatives from all major divisions producing asbestos products and corporate staff met in Southfield to discuss the subject of asbestos and its impact on the Company. Divisional attendees represented the employee relations, environmental protection and safety and health functions. The purpose was to discuss unresolved issues within each division relating to asbestos control, the negative publicity being received at Bendix Automotive of Canada, and future courses of action with respect to control of asbestos. The following summary highlights the significant results of that meeting.

Opening Remarks: W. M. Agee

The meeting was opened with a short presentation by Mr. Agee. In his presentation, he expressed the following concerns of the Corporation:

- Asbestos is the largest health issue or potential employee health problem to face Bendix today or at any time in the past.
- The Bendix Automotive of Canada-Windsor situation is not a passing fad, but a trend. If it has not yet happened at an asbestos-involved division, it will happen in the future.
- Bendix is involved in a program to eliminate asbestos from friction material products. That program is being accelerated.
- While a case can be made that the issue is emotional, the time has come to acknowledge that the other side, rightfully or wrongly, has a point of view which must be listened to.
- Mr. Agee concluded by stating:
  - \* If there is a situation where we are not meeting legal requirements, we must move heaven and earth to meet it.
  - \* There is a moral question involved. It means we want to do more than what is legally required. We are going to do what is morally right.
  - \* Our obligations override production requirements even though production is important. The Corporation will spend the money needed. The Corporation will fix problems and will not tolerate deviations.
  - \* We must mitigate asbestos related problems of the past.

Opening Remarks: J. M. O'Hare

The purpose of the meeting was to relay the importance of the asbestos issue. The meeting will result in agreement of an identified list of corrective actions which will be undertaken in response to the philosophy expressed by upper management. If there is a problem in implementing corrective actions, who or what is the cause of the problem must be identified.

Executive management involved in the asbestos issue will no longer accept divisional responses of being in compliance without checking those reports. The asbestos involved divisions will be audited by Safety and Protection Services staff every ninety (90) days regarding industrial hygiene and EPA matters.

Every division must take action not only to meet legal requirements but to meet moral responsibilities to our employees. The message is clear that preventative measures beyond those required by governmental standards will be instituted.

A set of requirements which exceed government regulations for asbestos control have been developed for implementation at each division utilizing asbestos or an asbestos containing product. These requirements will be reviewed and compliance schedules established for each division.

Each attendee was advised to forward a memorandum to their respective general manager describing what occurred at the meeting and detailing the comments made by Bill Agee on the subject matter.

Background - Bendix Automotive of Canada: J. W. Armstrong

A chronological review of the situation at Bendix Automotive of Canada was given by Jim Armstrong. The highlights include:

- International Nickel Company of Canada had a workers compensation case alleging cancer of the larynx due to on-the-job exposure to nickel and asbestos. The workers' compensation board ruled that asbestos had caused cancer of the larynx in spite of the fact that nickel is the suspected causative agent for this type of cancer.
- The UAW has picked up this information and is running a public relations campaign alleging that Bendix Friction Materials contains asbestos and thus is the cause of employee illnesses.
- Future Issues Affecting all Friction Material Producing Divisions
  - Unfavorable outcome will affect upcoming labor contract negotiations and future workers' compensation claims in U.S.

- Numerous issues have been raised by union:
  - lack of management response
  - excessive dust exposure
  - non-compliance with regulations
  - failure to inform employees of hazards
- Outstanding current issues must be resolved.
- We want to discuss future impact upon the Corporation by setting forth requirements today that everyone understands and will implement.

Public Relations Update: D. O. Taylor

The divisions were thanked for their prompt responses to the asbestos questionnaire. The purpose of the questionnaire was to provide Corporate Communications with correct information to respond to media inquiries.

Divisions were reminded to review revised General Policy #400, the Corporate Information Policy which directs that Corporate office is the respondent in issues involving sensitive matters.

An inquiry from the news media should not be answered with "no comment". A "no comment" is a negative statement that the media may take to be the representative attitude in all situations. Then, the media may not be receptive when there is positive news to be spread. A "no comment" is too final and not in keeping with a cooperative philosophy. The media should be referred to the Corporate Public Relations Department or a name and phone number of the media representative should be forwarded. It is important that a response is relayed positively and not negatively.

Legal Activities: J. B. Walker

The manufacture and sale of products containing asbestos (such as friction materials) exposes the Corporation to various potential liabilities, both to individuals and under government statutes and regulations.

With respect to potential liability to individuals, there may be liability to employees in the form of workers' compensation for diseases allegedly due to asbestos exposure. Although this liability is limited in dollar amount by statute, depending upon the applicable state, liability would appear to exist regardless of whether or not the employer has been in compliance with government asbestos standards.

Potential liability to individuals other than employees includes a number of possible third party plaintiffs such as relatives of employees, users or processors of products containing asbestos and neighbors of asbestos manufacturing facilities or asbestos disposal areas.

Potential exposure under governmental statutes and regulations includes civil and criminal penalties and involves principally OSHA and the EPA. Federal OSHA penalties can range up to \$10,000 for repeated or willful violations and several of the acts administered by the EPA establish civil and criminal penalties for willful violations of up to \$25,000 per day.

We are not optimistic about the future of asbestos liability. We believe that workplace exposure standards will be lowered, that higher civil penalties will be assessed for violation of standards, that there will be increasing enforcement by governmental agencies of criminal penalties, including charges personally against responsible company officials, that there will be higher awards to third party plaintiffs, and that the degree of regulation and control of products containing asbestos will generally increase.

#### Resolution of Divisional Issues

Issues which had not been resolved at each division were discussed along with two major issues affecting all divisions. The issues and status are as follows:

- Dry sweeping

It appears that dry sweeping has been a "condoned" practice as there are not enough portable vacuums at the divisions, lack of manpower and/or the size of debris to be picked up.

It was concluded that all dry sweeping within friction material production areas would be prohibited. Divisions in need of vacuum equipment should advise Corporate by September 26, 1979 for a consolidated corporate order to take advantage of cost savings.

- Disposal of asbestos containing scrap

Corporate Legal advised that a division can be liable up to and including actions taken at the disposal site.

Scrap materials and any other debris which may contain asbestos must be placed in impervious bags or containers bearing the OSHA warning label. This label reads:

CAUTION  
CONTAINS ASBESTOS FIBERS  
AVOID CREATING DUST  
BREATHING ASBESTOS DUST MAY CAUSE  
SERIOUS BODILY HARM

For scrap that is sold including boxes which contain residual material, the purchaser must be informed of asbestos content. This is most easily accomplished by including the information on the purchase agreement as well as labelling of the container of waste itself.

- Attachment #1 is a listing of divisional issues and current status related to your division as reflected by the discussion during the meeting.

#### Government Required Controls

Each division was given two matrices: one matrix outlined the government requirements, the second outlined Bendix requirements which must be implemented to meet our obligation beyond those required by law.

Attachment #2 defines the government requirements which all divisions must meet as a minimum. The status of each division is contained on the matrix. Compliance with any deficiency must be attained by October 1, 1979.

#### ● Bendix Requirements

- The matrix of Bendix requirements was presented. Due to time constraints, the matrix was not reviewed in its entirety. (Attachment #3). The current status of each division was requested to be updated by September 26, 1979 with a report directed by Mr. Ben Wong. Any area of deficiency must be addressed in the form of a correction of forward plans with completion dates.
- A detailed respiratory disease questionnaire which must be used in the asbestos medical examination program was given to the attendees (Attachment 4).

Each attendee will review their existing medical program to assure compliance.

- A copy of governmental respiratory protection requirements was issued to the divisions. In view of recent regulatory activities regarding respiratory protection, each division must develop a written program in accordance with the guidelines (Attachment 5). Copies of each divisions program will be available for review by the end of October or sooner if possible.
- An asbestos control questionnaire (Attachment 6) was presented which will enable divisions to conduct their own survey of operations and facilities.

It was recommended the division conduct their own surveys between the corporate three month visitation schedule.

### Environmental Protection

A review of EPA and State Regulations applicable to asbestos was provided. This included a discussion of requirements under the National Emission Standard for Hazardous Air Pollutants (NESHAPS) covering: approvals, visible emissions criteria, packaging for disposal, and considerations for both active and inactive disposal sites.

In addition, several "good management practices" were identified as a means of further strengthening divisional asbestos control programs. These included: preventative maintenance and inspection programs, labelling of all asbestos containing wastes, development of effective disposal agreements, inspection of all asbestos landfill sites.

Specific issues on environmental matters were addressed previously.

# **DANGER**

**CONTAINS ASBESTOS FIBERS**

**AVOID CREATING DUST**

**CANCER AND LUNG DISEASE HAZARD**

# **CAUTION**

**AVOID CREATING OR BREATHING DUST**

**CONTAINS HAZARDOUS SUBSTANCES**

**WHICH MAY CAUSE LUNG INJURY**

*NOTE : WE ARE CHANGING THE BACKGROUND COLOR OF THE  
CAUTION LABEL TO YELLOW.*