

INTEROFFICE MEMORANDUM

90524
PLAINTIFF'S EXHIBIT

CEL-1110

TO: *See Below

DATE: March 31, 1987

FROM: Tom Scott

REF: TWS-87-20

*Ed Bazen - Palmetto
Ray Bradley - Leeds
Ron Caldwell - Shelby
Pem Carter - Charlotte
Lester Drye - Charlotte
Karen Hart - Celco
Jack Kelley - Shelby
A. Richardson - Celriver
Dave Smith - Salisbury
Ricky Smith - Charlotte
Carroll Whaley - Charlotte

Subject: Asbestos Seminar 3/26/87

Concerning some of the issues raised during our meeting on asbestos, the following questions and answers are presented:

- 1.) Based on my experience in complying with the SC DOL regulation on asbestos, I was curious as to whether SC OSHA would accept previous monitoring results as "historical monitoring data" for small-scale, short duration operations.

Historically, South Carolina took the position that no two removal projects were alike, and subsequently, every removal job required monitoring. In view of the revised federal OSHA standard that acknowledges historical data for comparable jobs and the exemption from the monitoring requirements for such jobs, South Carolina OSHA was asked if historical monitoring data would be acceptable to an inspector in lieu of monitoring the job? According to Dan Gissendanner, SC DOL, SC OSHA will be looking very closely at the comparisons made between jobs in determining if the historical data is applicable. Also, their office is as yet undecided as to whether or not they will accept IH sampling data taken with 37-mm cassettes. SC DOL will be coming out with their own compliance directive for asbestos as soon as the federal directive is finalized. Hopefully, the directive will be very explicit in what they will be requiring for compliance.

- 2.) I also asked Darrell Mattheis of ORC if federal OSHA would accept as historical data monitoring results which used the 37-mm cassette, as well as monitoring data taken with the 25-mm cassette and extension cowl now required by OSHA under the revised standard.

His opinion was that OSHA would accept monitoring results which used the 37-mm cassette, as long as these results were from monitoring taken before the standard became effective.

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- 2.) Asbestos monitoring results - what can be done to differentiate between asbestos and non-asbestos fibers?

According to NATLSCO, the only criteria they normally use for asbestos fiber counts are dimensional. The results we receive are counts of all fibers that are 5 microns or greater in length, with a length-to-width ratio of at least 3 to 1. They will occasionally not count fiberglass fibers when the contrast is such that they know the fiber is not asbestos, but this is infrequent and is noted on the result form. If further differentiation is required, they will send the sample off at your request for electron microscopy analysis, the cost of which is ~\$850.00 for one sample and one blank.

- 3.) Should all tools used in a glove bag removal operation be disposed of, or can they be decontaminated and used again?

According to Darrell Mattheis, tools can be decontaminated and reused. He seemed very matter-of-fact about this, almost surprised that I should ask the question.

- 4.) I also asked Darrell if a mini-enclosure can hold two men when the operation requires two men for safety reasons, and not because the job was big enough to require two men.

His response was that he thought OSHA would definitely question this. I recommend that if mini-enclosures are used as a method of removal for small-scale, short duration operations, and your policy states that two men are required for safety reasons and not because of the size of the operation, you document this, specifically stating your reasons for requiring two men.

- 5.) Does initial monitoring mean monitoring before the job actually commences in order to establish, by comparison, when a job is clean enough to release the contractor or clean up crew, or when the job actually starts?

Darrell's response was when the removal process actually starts.

- 6.) When can we expect OSHA's revision to the respiratory protection standard?

Darrell said he expects OSHA to come out with the proposed standard for comment sometime this summer or fall. The final standard would follow some 6 months after the proposed standard.

- 7.) When can medical surveillance stop for a particular employee if that employee no longer works with asbestos?

Attached is a letter received from ORC on OSHA's present posture.

I'll be contacting the nurse practitioners at the facilities later on this week to talk about their responsibilities regarding the medical surveillance portion of the standard. I'll keep you posted on any developments in that area.

If you have any more questions, or my answers to these are unclear or incomplete, please give me a call. Good luck.

cc: Bruce Bowyer

Tom Scott

