

MINUTES OF MEETING

of the

BOARD OF DIRECTORS

Tuesday, June 17, 1975, at 8:30 A.M.

at

Innisbrook, Tarpon Springs, Florida

DIRECTORS PRESENT

J. W. Greenen	Maremont Corporation
F. E. Messier	Bendix Corporation
W. Simon, Vice-President	Brassbestos Manufacturing Corp.
R. H. Moalli	Raybestos-Lockhart, Inc.
E. R. Zacharias	Carlisle Corporation
S. S. Conway	Abex Corporation
J. E. Clegg	S. K. Wellman Corporation

OFFICERS PRESENT

F. I. Gathe, President	Gathe Corporation
A. A. Laus, Treasurer	Maremont Corporation
E. W. Brislane, Secretary	Friction Materials Standards Institute
D. P. Gorman, Counsel	Clapp & Eisenberg

COMMITTEE CHAIRMAN PRESENT

R. E. Nelson (Brake Performance)	Abex Corporation
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GUEST PRESENT

R. Join	Federation of European Manufacturers of Friction Materials (FEFM)
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Mr. F. I. Gathe, President, called the Meeting to order at 8:30 A.M.

MINUTES OF PREVIOUS MEETING

The Minutes of the Meeting held March 13, 1975 had been distributed. No corrections were suggested. Upon motion duly made, seconded, and unanimously passed, it was

RESOLVED: That the Minutes of the March 13, 1975 Meeting be accepted as written.

PLAINTIFF'S
EXHIBIT

WV-06076

PLAINTIFF'S
EXHIBIT

11857.02

Upon motion duly made, seconded and unanimously passed it was

RESOLVED: That the report of the Quality Control
Sub-Committee be accepted as written.

ASBESTOS STUDY COMMITTEE REPORT

Mr. Drislane read the report for the Chairman, Mr. I. H. Weaver. File to Exhibit 9.

Mr. Weaver's report expressed concern on the accusations that have been against the industry concerning the asbestos standards. He reviewed activities of the regulatory agencies over the past year. The last graphs in Mr. Weaver's report aroused some controversy. One director that the last four paragraphs be deleted.

There is a serious question as to whether the OSHA 2 fiber per cc 1 is to be effective July 1, 1976) can be met by friction material on Mr. Weaver indicated in his report that installers of friction material coming under the surveillance of Dr. Selikoff and other proponents regulation. Several members brought up the point that even with that there is a great difficulty in getting labor to help in compliance it is written into the law and instructions are placed in the work working people do not cooperate.

Counsel was questioned as to the contents of this report where Mr. indicated that he did not see any justification for a change in the regulatory agencies. It was stated that this was Mr. Weaver Legal Counsel stated that this is not a legal matter and does not institute. It was questioned whether sections of this report as in any way harm the Institute. Legal Counsel indicated that this case.

Upon motion duly made, seconded and passed, with five affirmations negative, it was

RESOLVED: To accept the report of the Asbestos
Study Committee as written.

At the March 13, 1975 Meeting of the Board of Directors, the Institute advised to contact the Asbestos Information Association (AIA) discussing possible financial assistance to the Association. Mr. Wrenness, Secretary of AIA after the meeting and he wrote Mr. Wrenness, Secretary of AIA after the meeting and he reply. In Mr. Wrenness' reply he indicated his appreciation Executive Committee for the offer by the Institute. However felt the best way to support the AIA was by individual members of the Asbestos Information Association. He indicated the need for membership in the AIA.

Mr. McCalli stated that the AIA was of great help to our industry that Raybestos was considering a survey on the health history of one of their plants. They, as an individual company were for a survey which could be a help to all industry. He indicated it would be better if industry participated in the activities of the Association to support similar types of work. He felt they need the support of our members.

Mr. Drislane displayed some posters that had been sent by Mr. F. Asbestos Information Association. These posters had been received. These posters had signs such as "If you don't smoke now, don't smoke quit." and "Vacuum dust spills—never dry sweep." There is a heavy deliver the warning to workers concerning the asbestos dust which has been raised several times is that the workers are of the seriousness of the problem. These posters are an assist message across. It was suggested that participation in the As Association as members would help friction materials manufacture asbestos problem.

The Secretary was advised to send a copy of Mr. Heroness letter to the membership, indicating the AIA's invitation to have the citation.

At this point it was stated that the Asbestos Study Committee resolution as follows: "That the Committee requests guidance Directors concerning the problem of the two fiber/cc limit a reliability of the membrane filter method for measurement of Asbestos Study Committee members were concerned that while the technique is the only method now available for measuring asbestos it is a most unreliable tool for enforcement of the two fiber searching for guidance for the Committee one Director stated to use of this method for enforcement would not be constructive stir matters up without providing an alternative. Some representatives are receptive where suggestions are made for improvement. Our dissatisfaction with the membrane filter method for enforcement considered as a negative attitude.

A Director stated that the hygienists will use common sense fallibility of the membrane filter technique. It is fair industry and government that this technique is fallible. expressed concern over the use of this as an enforcement tool that any tentative position should be expressed to OSHA or was felt that those enforcing the OSHA regulations are swayed results using this technique.

At this point Mr. Join of the OSHA indicated that work is concerning sampling and counting. He said that his asbestos Centre de Recherche (France), had an expert working in the sampling and counting area. Members exchange address cards etc. He is waiting for a report on this study. It is no other means of measuring the asbestos concentration OSHA will stay with this method regardless of any input others.

Mr. Howell presented a movie which had been shown in GE TV entitled "Millar: Dose—A Standard Mistake?" This movie discussed the fallibility of TBA, and Dr. Bellhoff of the American Cancer Society several years ago that resulted in a very recent review of data by Dr. Lewinson indicated that the data might not be satisfactory. The movie Bellhoff and Dr. Lewinson was shown in this film. In interpretation of the statistics. It was recommended to the membership.

June 17, 1975

The Secretary brought up for discussion the fact that a Congresswoman from New Jersey (Mrs. Millicent Fenwick) has proposed legislation for the sale of Chrysotile asbestos from the national stockpile. Some individual asbestos users and the Asbestos Information Association supported Mrs. Fenwick in this legislation. The purpose of the legislation is to help industry reduce unemployment brought on by the asbestos shortage. The number of tons that might be released is about 10,000. It is not felt that this is really significant but in any case its release cannot hurt.

The Secretary was directed to write a letter to Mrs. Fenwick in support of this legislation.

ANNUAL MEETING COMMITTEE

Mr. Drislane read the report for the Chairman of the Annual Meeting Committee, Mr. Barton. See Exhibit 14.

In summary, the report recommended a return to Innisbrook in June 1976, and if that was not satisfactory, the Phoenix-Scottsdale area.

Upon motion duly made, seconded and unanimously passed it was

RESOLVED: That the report of the Annual Meeting Committee be accepted as written.

HISTORICAL SALES REPORTING

The Secretary read a report on Historical Sales which is Exhibit 13. In essence, participation was good with 15 of 19 members reporting. The reporting has been moved to a quarterly basis as of March 31, 1975. (This was decided at the Board of Directors Meeting on March 13, 1975). Immediately prior to the meeting, the accountants advised that the March 31 report was ready and would be distributed to the membership.

At this point, the subject of listing those reporting in each category was brought up. At the present time, the names of the companies reporting in at least one category are listed at the bottom of the report, and the number of companies (but not the names) reporting in each particular category also is listed, e.g., X number of members reported brake linings, Y number of members reported brake blocks, etc. It had been suggested that the names of the members reporting in each of these categories also be listed, so that the composite sales figures in each category will be more meaningful. The objection to listing the members reporting in each category is that the Institute must be careful if sales data is passed out to members. It is apparent that if only two members were reporting in a category one member would know the quantities of the other reporting member. At a level of three reporting, one might get a pretty good handle. At four and above the data probably could not be broken down to individual members. Legal Counsel was queried concerning this problem. He indicated that there should be no problem if at least four were reporting in each category.

Upon motion duly made, seconded and unanimously passed it was

RESOLVED: That the Board of Directors recommends that the Historical Sales Report list the names of those reporting in each category when there are at least four reporting in that category.

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June 17, 1975

While Mr. Simon was suggesting that assignments should be made for the Aimco drilled versions, Mr. Moalli did not concur. Mr. Moalli stated that: (1) these are not original equipment releases. (2) Further we have not indicated shoe drilling whether it was drum or disc in the past. (3) Further, if the Institute were to set up numbers based on Aimco's drilling patterns we would be setting up Aimco as a standard. Mr. Moalli felt that if we were to take such action, it would put Aimco Industries in a position above others who might decide on drilling for replacement market shoes. The Directors supported the Data Book and Technical Committee position of not providing FMSI assignments to parts made by a replacement market supplier such as Aimco.

The Institute assignments will continue to be based on original equipment releases.

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There being no further business brought to the attention of the Board of Directors, upon motion duly made, seconded and unanimously passed it was

RESOLVED: To adjourn.

Adjourned: 4:00 P. M.

E. W. Drislane
Secretary

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R. A. Moalli
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S. S. Conway
J. E. Clegg

Marenmont Corporation
Bendix Corporation
Brassbestos Manufacturing Corp.
Raybestos-Manhattan, Inc.
Carlisle Corporation
Abex Corporation
S. K. Wellman Corporation

OFFICERS PRESENT

P. T. Gatke, President
A. A. Leus, Treasurer
E. W. Orislane, Secretary
R. P. Gorman, Counsel

Gatke Corporation
Marenmont Corporation
Friction Materials Standards Institute
Clapp & Eisenberg

COMMITTEE CHAIRMAN PRESENT

R. E. Nelson (Brake Performance)

Abex Corporation

GUEST PRESENT

R. Uola

Federation of European Manufacturers
of Friction Materials (FEFM)

Mr. P. T. Gatke, President, called the Meeting to order at 8:30 A.M.

MINUTES OF PREVIOUS MEETING

The Minutes of the Meeting held March 13, 1975 had been distributed. No corrections were suggested. Upon motion duly made, seconded, and unanimously passed, it was

RESOLVED: That the Minutes of the March 13, 1975 Meeting be accepted as written.

526
10-2
(5)

June 17, 1975

Upon motion duly made, seconded and unanimously passed it was

RESOLVED: That the report of the Quality Control
Sub-Committee be accepted as written.

ASBESTOS STUDY COMMITTEE REPORT

Mr. Drislane read the report for the Chairman, Mr. I. H. Weaver. Please refer to Exhibit 9.

Mr. Weaver's report expressed concern on the accusations that have been pressed against the industry concerning the asbestos standards. He reviewed some of the activities of the regulatory agencies over the past year. The last four paragraphs in Mr. Weaver's report aroused some controversy. One director suggested that the last four paragraphs be deleted.

There is a serious question as to whether the OSHA 2 fiber per cc limit (which is to be effective July 1, 1976) can be met by friction material manufacturers. Mr. Weaver indicated in his report that installers of friction material are now coming under the surveillance of Dr. Selikoff and other proponents of stronger regulation. Several members brought up the point that even with the regulations there is a great difficulty in getting labor to help in compliance. Even when it is written into the law and instructions are placed in the work place the working people do not cooperate.

Counsel was questioned as to the contents of this report where Mr. Weaver indicated that he did not see any justification for a change in the attitude of the regulatory agencies. It was stated that this was Mr. Weaver's viewpoint. Legal Counsel stated that this is not a legal matter and does not expose the Institute. It was questioned whether sections of this report as written could in any way harm the Institute. Legal Counsel indicated that this was not the case.

Upon motion duly made, seconded and passed, with five affirmative and two negative, it was

RESOLVED: To accept the report of the Asbestos
Study Committee as written.

At the March 13, 1975 Meeting of the Board of Directors, the Secretary was advised to contact the Asbestos Information Association (AIA) with the idea of discussing possible financial assistance to the Association. Mr. Drislane wrote Mr. Mereness, Secretary of AIA after the meeting and had just received a reply. In Mr. Mereness' reply he indicated his appreciation and that of his Executive Committee for the offer by the Institute. However, the Association felt the best way to support the AIA was by individual members becoming members of the Asbestos Information Association. He indicated the general fee structure for membership in the AIA.

Mr. Moalli stated that the AIA was of great help to our industry. He indicated that Raybestos was considering a survey on the health history of workers in one of their plants. They, as an individual company were sponsoring and paying for a survey which could be a help to all industry. He indicated that it would be better if industry participated in the activities of the Asbestos Information Association to support similar types of work. He felt that the Association did need the support of our members.

June 17, 1975

Mr. Drislane displayed some posters that had been sent by Mr. Mereness of the Asbestos Information Association. These posters had been received at Innisbrook. These posters had hints such as "If you don't smoke now, don't start. If you do smoke quit." and "Vacuum dust spills--never dry sweep." There were others to help deliver the warning to workers concerning the asbestos dust problem. A point that has been raised several times is that the workers should be advised of the seriousness of the problem. These posters are an assist in getting this message across. It was suggested that participation in the Asbestos Information Association as members would help friction materials manufacturers with the asbestos problem.

The Secretary was advised to send a copy of Mr. Mereness letter of June 12, 1975 to the membership, indicating the AIA's invitation to have them join their association.

At this point it was stated that the Asbestos Study Committee had passed a resolution as follows: "That the Committee requests guidance from the Board of Directors concerning the problem of the two fiber/cc limit and the lack of reliability of the membrane filter method for measurement of fiber counts." The Asbestos Study Committee members were concerned that while the membrane filter technique is the only method now available for measuring asbestos concentrations it is a most unreliable tool for enforcement of the two fibers/cc limit. In searching for guidance for the Committee one Director stated that our objection to use of this method for enforcement would not be constructive. It would just stir matters up without providing an alternative. Some regulatory authorities are receptive where suggestions are made for improvement. Simply indicating our dissatisfaction with the membrane filter method for enforcement might be considered as a negative attitude.

A Director stated that the hygienists will use common sense and realize the fallibility of the membrane filter technique. It is fairly well known in industry and government that this technique is fallible. While the directors expressed concern over the use of this as an enforcement tool, they do not feel that any Institute position should be expressed to OSHA concerning its use. It was felt that those enforcing the OSHA relations are aware of the disparity in results using this technique.

At this point Mr. Join of the IFAH indicated that work had been done in Europe concerning sampling and counting. He said that his asbestos association Chambre Syndicale de l'Amiante (France), had an expert working for the association in the sampling and counting area. Members exchange slides and see how the counts come out. He is waiting for a report on this study. It was suggested that there is no other means of measuring the asbestos concentration and it is most likely OSHA will stay with this method regardless of any input from the Institute or others.

Mr. Nozall presented a movie which had been shown in Great Britain by Granada TV entitled "Killer Dust--A Standard Mistake?" This movie had interviews with Dr. Lewinsohn of IBA, and Dr. Selikoff of Mount Sinai. They discussed asbestos workers some several years ago that resulted in the 2 fibers/cc limit. A more recent review of data by Dr. Lewinsohn indicated to Dr. Selikoff that the 2 fibers/cc limit might not be satisfactory. The controversy between Dr. Selikoff and Dr. Lewinsohn was shown in this film. The argument centered on interpretation of the statistics. It was recommended that the movie be shown to the membership.

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The Secretary brought up for discussion the fact that a Congresswoman from New Jersey (Mrs. Millicent Fenwick) has proposed legislation for the sale of Chrysotile asbestos from the national stockpile. Some individual asbestos users and the Asbestos Information Association supported Mrs. Fenwick in this legislation. The purpose of the legislation is to help industry reduce unemployment brought on by the asbestos shortage. The number of tons that might be released is about 10,000. It is not felt that this is really significant but in any case its release cannot hurt.

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The Institute assignments will continue to be based on original equipment releases.

* * * * *

There being no further business brought to the attention of the Board of Directors, upon motion duly made, seconded and unanimously passed it was

RESOLVED: To adjourn.

Adjourned: 4:00 P. M.

E. W. Drislane
Secretary

ANSWER: No.

E. Asbestos Cement Pipe Producers Association;

ANSWER: No.

F. Magnesia Insulation Manufacturers Association;

ANSWER: No.

G. American Industrial Hygiene Association;

ANSWER: No.

H. Brake Lining Manufacturers Association;

- ANSWER:
1. Brake Lining Manufacturer's Association.
 2. The Bendix Corporation was a member from 1939 to 1949.
 3. ALLIED-SIGNAL is unaware of any such documents.
- I. Friction Materials Standards Institute, Inc.;

- ANSWER:
1. 588 Monroe Turnpike
Monroe, Connecticut 06468
 2. 1949 to present.
 3. ALLIED-SIGNAL employees may have received copies of minutes of meetings of the FMST, if any were prepared.

J. Asbestos Brake Lining Manufacturers Institute;

ANSWER: No.

K. Quebec Asbestos Mining Association;

ANSWER: No.

L. Institute of Occupational and Environmental Health
of Quebec Asbestos Mining Association;

ANSWER: No.

1 brake drums of various type of brake linings?

2 A No, to my knowledge, yes.

3 Q You stated earlier that Bendix Corporation
4 has been a member of the Friction Materials Standards
5 Institute since its founding shortly after World War
6 II; is that correct?

7 A That's correct.

8 Q Do you know if there is any Bendix employee
9 who was involved in the preparation of the Friction
10 Materials Work Practices Guide that was published by the
11 FMSI?
12

13 A I personally do not know, sir.

14 Q Have you yourself ever attended any meetings
15 of the FMSI?

16 A No, sir.

17 Q Do you receive information from them on a
18 regular basis?

19 A Yes, sir.

20 Q What types of information do you personally
21 receive from the FMSI?

22 A Their annual catalog of what part number fits
23 what vehicle.

24 Q That's Plaintiff's Number One.

25 Is that the only thing that you receive

1 A. That's correct.

2 Q. Have you made any or all of the articles
3 in any of those three files available to the
4 members of HMSI or members of any subcommittee?

5 A. Could you state that question again,
6 please?

7 MS. BERNER: Why don't you read it
8 back, Mac.

9 (Pending question was read)

10 MR. GORMAN: What do you mean by
11 available; sent them to them or told them about
12 them or kept them in the office so as somebody
13 came by here they could see them or what?

14 MS. BERNER: Any of those things.

15 THE WITNESS: Yes.

16 Q. Which of those things?

17 A. I don't know.

18 Q. Have you sent some of these articles to
19 members of the Institute?

20 A. Yes.

21 Q. Have you told the members about any of the
22 articles without sending copies?

23 A. I don't recall.

24 I don't believe so.