OCT 11 1983

J-M Manufacturing Company, Inc. Internal Correspondence

To Rocky Mountain Sales Representatives Date October 6, 1983

From Hank J. Jones

Copies A. Verploegh, Stockton W. G. Burnett, Stockton File Chrono

PLAINTIFF'S EXHIBIT JMMC-15

PENGAD-Bayonne, N.J.

Subject A/C PIPE

The attached article appeared in the Wall Street Journal 10/4/83. As the article states, the EPA plans to propose a ban or phase out of asbestos containing products over the next few years. The position of J-M Manufacturing and ACPPA has not changed. That is; we feel there is no problem with the use of A/C pipe for the transmission of potable water. We feel the recommended work practices for the handling of A/C pipe are sufficient to create a safe work environment.

HJJ:jd

Attachments

Root Still

good attached B/W material

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EPA to Propose, in Next Few Months, Ban Or Phase-Out of Remaining Asbestos Uses

10-4-83

By Andy Pasztor and Raymond A. Joseph
Staff Reporters of The Wall Street Journal

WASHINGTON—The Environmental Protection Agency intends to propose in the next few months a ban or phase-out of asbestos in the few products that still use it.

EPA Administrator William Ruckelshaus agreed in principle with a package of proposed regulations against the carcinogen that goes beyond any action the Reagan administration was considering only a few months ago, agency officials said.

Nevertheless, any such ban would come long after the asbestos industry—battered by thousands of suits from asbestos workers and users—has shrunk severely. About 300 companies once used asbestos in their products, but use has decreased as the dangerous effects of asbestos have become known. The U.S. Bureau of Mines said U.S. consumption reached a high of 795,000 metric tons in 1973; according to the EPA, current annual consumption is about 181,000 metric tons.

The EPA intends to ban all uses of certain construction products such as cement pipes, roofing materials and floor coverings that contain asbestos, a fibrous mineral used in fireproof materials. In addition, the agency is writing proposed regulations that place a cap on the amount of asbestos used for all other products and set up a timetable for phasing out all but a few minor uses over the next few years.

In the past, senior Reagan administration appointees at the EPA have argued that there wasn't adequate scientific evidence to warrant tough action against asbestos. They also asserted that banning or phasing out the material would be too costly in most instances, and they wanted voluntary action by industry to reduce public exposure to asbestos.

But Edward Klein, director of the office that is drafting the proposals, said the EPA now considers asbestos to be a "proven carcinogen" that should be phased out quickly. He noted that industry has developed a variety of substitutes.

Denver-based Manville Corp., the major asbestos-products maker, said the EPA action probably would have "very little impact on us" because the company has been replacing asbestos with such materials as fiberglass.

Manville filed for protection under Chapter 11 of the federal Bankruptcy Code last year to ward off thousands of lawsuits from plaintiffs who claimed injury or death of relatives from asbestos. The material can cause cancer and asbestosis, an emphysema-like disease that gradually impairs breathing through scarring of the lungs.

Manville, once known as the largest asbestos company in the Western world, recently sold its large Canadian asbestos-mining operations.

In Danbury, Conn., Union Carbide Corp. said it didn't know how any EPA action would affect its mining operations in Colorado, where it operates a small asbestos mine. Moreover, Union Carbide said, it "probably won't have much of an effect on us because our kind of asbestos is of high purity." But the company said its asbestos is used in floor tiles and corking materials, usages that EPA apparently will ban.

Raymark Corp., Trumbill, Conn., asserts that its use of asbestos probably wouldn't be affected immediately. The company said its asbestos is used mainly in friction materials, like car brakes and clutches.

In a related development, the Labor Department said its Occupational Safety and Health Administration will expand workplace inspections seeking possible violations of its asbestos-exposure rules. The job-safety agency estimated it will triple such inspections to about 700 over the next year in the construction and manufacturing industries, focusing on demolition sites and manufacturers with records of asbestos violations.

OSHA said it will inspect demolition sites that have notified the EPA that asbestos demolition or removal will occur. Previously, OSHA inspectors often didn't know about possible asbestos-rule violations at such sites because the work was completed quickly. The cooperative effort with the EPA is to last six months.

In the 1970s, the government banned certain sprays containing asbestos used for insulation and decoration of new buildings. And the EPA ordered schools to perform safety checks to determine if fibers from asbestos insulation posed a health threat to students. Recently, the EPA has been under increasing pressure from lawmakers, environmental groups and cancer experts at other federal agencies to crack down on future use of the material.

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