PLAINTIFF'S EXHIBIT
TIC-59

MINUTES

of the

ANNUAL MEETING

NATIONAL INSULATION MANUFACTURER'S ASSOCIATION
Scottsdale, Arizona November 2, 1969

The Meeting was called to order by President R. L. Strickland, with the following in attendance:

Certain-Teed/St. Gobain Bala-Cynwyd, Pa.	R. L. Strickland
GAF Corporation New York, N. Y.	R. W. Henry
Johns-Manville Sales Corp. New York, N. Y.	R. E. Naylor
Keene Corporation Trenton, N. J.	M. M. Wilson G. G. Barth
Owens-Corning Fiberglas Corp. Toledo, Ohio	J. F. Vyverberg D. Glosser
Pittsburgh Corning Corp. Pittsburgh, Pa.	J. H. Price, Jr.
PPG Industries Pittsburgh, Pa.	P. D. Kaley H. C. Mulkey
Cadwalader, Wickersham & Taft	G. D. Roycraft
NIMA	J. M. Barnhart

APPROVAL OF MINUTES

A motion was made, seconded and passed

That the Minutes of the Spring Meeting of April 28, 1969, as bulletined by the Association, be approved.

TRAFFIC COMMITTEE REPORT

In the Chairman's absence, J. M. Barnhart reported as follows:

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There were two rail proposals published in May of 1969 by the railroads which called for the attention of your Traffic Committee. The first was a 21-point proposal, published jointly by the railroad bureaus, which sought to increase accessorial charges in practically all areas of railroad service. At approximately the same time, the official lines published a proposal seeking to establish the application of Rule 34 on rates covering Mineral Wool shipped at a 24,000-pound minimum weight.

A meeting was held June 4 at the Drake Hotel in New York to determine a course of action in both instances. It was decided to protest four of the 21 points in the joint proposal which would most greatly affect our industry and to seek to delay the official lines proposal until we could determine the reasoning behind it. We were successful in defeating all four points in the 21-point proposal which we protested.

Four of the committee members attended a public hearing in Montreal on July 21 by the official lines protesting the proposal to apply Rule 34. Up to the present time, the railroads are still carrying the proposal on the docket, but have taken no action. While we cannot advise the rail carriers' future course of action, we have avoided an increase in charges by approximately six months to date.

The Traffic Committee was given the assignment of again reviewing standardization of packaging in relation to carload shipping.

STATISTICAL COMMITTEE REPORT

In the Chairman's absence, J. M. Barnhart reported as follows:

1. On June 16, 1969, Mr. Barnhart published revised rules for statistical reporting, as recommended by this committee and accepted by the Board of Directors. The committee reminds all members of a significant change concerning intra-Association purchases for resale.

   "The ultimate shipper will report the sales of products, except where the ultimate shipper is not a member of N.I.M.A.; then the manufacturer shall report the sales."

2. Also published on June 16th at the committee's request was a list of members' trade names of products reported in each product group. The list reveals six product categories in which fewer than three members report and for which, to avoid disclosure, no statistics are provided by Price, Waterhouse. A seventh item, Metal-Reinforced Blankets, shows only two names, but statistics have appeared through April 1969, so at least three members must be reporting.

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NIMA INDUSTRY SHIPMENTS
BY PRODUCT GROUP
NET DOLLAR VALUE
1960 - 1968

		1960	1961	1962	1963	1964	1965	1966	1967	1968
PRODUCT GROUP "A"										
PIPE:	85% Magnesia	2,520,920	1,933,894	1,506,090	1,219,180	(NA)	(NA)	(NA)	(NA)	(NA)
	Calcium Silicate, Etc.	12,570,553	13,005,875	12,561,719	13,626,460	(NA)	(NA)	(NA)	(NA)	(NA)
	TOTAL	15,091,473	14,939,769	14,067,809	14,845,640	14,283,462	16,451,856	16,338,880	17,697,846	15,074,232
BLOCK:	85% Magnesia	1,099,884	847,932	711,521	575,900	(NA)	(NA)	(NA)	(NA)	(NA)
	Calcium Silicate, Etc.	5,643,241	4,852,282	4,059,264	4,321,332	(NA)	(NA)	(NA)	(NA)	(NA)
	TOTAL	6,743,125	5,700,214	4,770,785	4,897,232	4,470,016	4,785,827	5,224,520	5,511,819	5,102,419
CEMENT:	85% Magnesia	78,883	70,572	63,630	69,855	(NA)	(NA)	--	--	--
	Calcium Silicate, Etc.	22,305	18,873	(NA)	(NA)	(NA)	(NA)	--	--	--
	TOTAL	101,188	89,445	63,630	69,855	73,517	6,393	--	--	--
	SUB TOTAL	21,935,786	20,729,428	18,902,224	19,812,727	18,826,975	21,244,076	21,561,320	24,209,665	20,176,651
PRODUCT GROUP "B"										
LOOSE & GRANULATED		271,493	197,174	339,035	338,775	337,826	165,384	130,796	110,268	92,817
BLOCK:	Wet Process	1,899,525	1,829,135	2,020,850	1,920,173	1,784,743	1,765,646	1,125,310	853,278	950,665
CEMENTS:	Insulating	1,083,476	983,278	823,495	841,704	830,899	732,504	440,595	418,311	413,685
	Finishing	1,830,129	1,101,015	1,135,296	1,171,537	1,028,581	1,090,739	762,214	791,631	800,549
BLANKETS:	Plain	10,179,409	11,433,617	11,192,424	11,846,762	13,932,095	12,533,309	13,087,309	13,619,279	12,695,005
	Faced & Coated	10,330,878	10,718,782	10,299,950	11,500,974	12,099,360	11,267,629	12,788,559	14,341,398	17,436,999
	Metal-Reinforced	952,567	1,035,983	923,051	772,048	808,761	895,498	744,366	649,934	559,910
PIPE (FIBROUS & CELLULAR)		20,607,210	22,841,865	23,463,723	24,924,348	27,453,503	28,147,753	30,088,751	31,414,525	31,892,975
BOARD & FELT:	Plain	7,503,018	7,790,087	7,232,997	7,933,129	7,927,993	8,313,490	3,659,342	3,264,658	2,151,807
	Faced & Coated	2,421,295	2,616,303	2,965,598	3,029,065	3,495,650	4,085,261	2,604,499	3,307,879	3,790,757
ALL OTHER		155,005	110,046	169,172	170,175	80,186	95,126	--	--	--
	SUB TOTAL	56,434,005	60,657,285	60,565,591	63,648,698	69,779,597	69,092,339	65,431,732	68,771,661	70,785,169
	GRAND TOTAL	78,369,791	81,386,713	79,467,815	83,461,417	88,606,572	90,336,415	86,993,052	92,981,326	90,961,820

DETAIL OF CATEGORIES NOW CONSOLIDATED AS BOARD & FELT: PLAIN

BLOCKS & BOARDS:	Cold Use	5,628,980	6,025,621	5,623,938	6,227,697	5,605,444	(NA)	(NA)	(NA)	(NA)
FELT:	Up to 4-1/4 Lb/Cu.Ft.	451,862	339,949	342,942	362,272	789,586	(NA)	(NA)	(NA)	(NA)
	Over 4-1/4 Lb/Cu.Ft.Plain	1,422,176	1,424,517	1,266,117	1,343,160	1,532,963	(NA)	(NA)	(NA)	(NA)
BOARD & FELT	Plain	7,503,018	7,790,087	7,232,997	7,933,129	7,927,993	8,313,490	3,659,342	3,264,658	2,151,807

Statistical Committee Report
11/2/69

To reduce the bulk of the reports, and perhaps the tasks of reporting and compiling, should the "unreportable" items be eliminated from the forms?

3. The chairman was unable to provide on the date requested information on other insulation manufacturers. However, the chairmen of the Membership Committee has indicated that sufficient information was available for the group to continue its deliberations and recommendations.

4. As a part of this report, attached is a table of industry shipments by product group for the years 1960 through 1968.

PUBLICITY COMMITTEE REPORT

In the Chairman's absence, J. M. Barnhart reported that one issue of the IDCNA News insert had been completed, and that two more were planned for this year.

TECHNICAL & RESEARCH COMMITTEE REPORT

J. M. Barnhart reported as follows:

Since the April 28, 1969 NIMA Spring Meeting, the technical activities have included the following:

June 3, 1969	V. A., Washington, D. C.
June 30, July 1, 2, 1969	ASHRAE Meeting Denver, Colo.
August 11, 1969	Glass Section T&R Committee Meeting New York, N. Y.
August 14, September 12, 1969	Coast Guard Washington, D. C.
October 9, 10, 1969	T&R Committee Meeting, New York, N. Y.
October 12, 13, 14, 15, 1969	ASTM C-16 Committee Meeting Dearborn, Michigan
October 29, 1969	ASTM E-5 Committee Meeting Philadelphia, Pa.

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VETERANS ADMINISTRATION, WASHINGTON, D. C.

June 3, 1969

This agency was visited for the purpose of attempting to gain acceptance of the use of duct liner and duct systems in non-sensitive areas of the VA's facilities.

ASHRAE MEETING, DENVER, COLORADO

June 30, July 1, 2, 1969

Technical Committee Meeting 2.4 of ASHRAE was attended. Items pertaining to thermal insulations and vapor barriers were discussed.

GLASS SECTION, T&R COMMITTEE MEETING, NEW YORK, N. Y.

August 11, 1969

The Committee met for the purpose of discussing the proposal of the Coast Guard regarding fire testing of products.

COAST GUARD, WASHINGTON, D. C.

August 14 and September 12, 1969

This agency was visited with various members of the Glass Section T&R Committee members to discuss the proposed ISO test procedure for incombustibility.

T&R COMMITTEE MEETING, NEW YORK, N. Y.

October 9, 10, 1969

The Molded Section and Mineral Fiber Sections of the T&R Committee met and the following items were included on the Agenda:

1. ISO Test for Noncombustibility
2. Thermal Conductivity Testing
3. ASTM Specifications
   (a) Stress Corrosion
   (b) ASTM C533
4. Temperature Limits
5. Conductivity Curves

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ASTM C-16 COMMITTEE MEETING, DEARBORN, MICH.

October 12, 13, 14, 15, 1969

This meeting was attended and the following subjects were discussed:

1. Stress Corrosion Test
2. Proposed Revisions to
   (a) ASTM C533
   (b) ASTM C553

ASTM E-5 COMMITTEE MEETING, PHILADELPHIA, PA.

October 29, 1969

This Committee meeting was attended for the purpose of discussing a proposed method of test for fire endurance of duct systems.

MOLDED SECTION COMMITTEE REPORT

In the Chairman's absence, J. M. Barnhart reported on the activities of the Committee in accordance with the Minutes of their Meeting, which is attached hereto and made part of these Minutes.

MINERAL FIBER SECTION COMMITTEE REPORT

In the Chairman's absence, J. M. Barnhart reported on the activities of the Committee in accordance with the Minutes of their Meeting, which is attached hereto and made part of these Minutes.

The Mineral Fiber Section is asked to study the feasibility of identification of blanket products.

DUCT SYSTEMS COMMITTEE REPORT

J. M. Barnhart reported on the activities of the Committee in accordance with the Minutes of their Meetings which are attached hereto and made part of these Minutes.

EDUCATION & LEGISLATION COMMITTEE REPORT

In the Chairman's absence, J. M. Barnhart reported as follows:

1. The Massachusetts Bill #707 was brought to a successful conclusion.

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2. Dr. J. Konzen, Dr. L. S. Grant, F. H. Edwards and C. L. Sheckler attended an AIHA Meeting in Denver, Colorado, in May, 1969. The ACGIH placed the threshold limit of fibrous glass at 15 mg/m^3 of air, the same category as nuisance dust. Discussions with senior industrial hygienists of the Federal Inspection Committee, who are responsible for enforcing the Walsh-Healy Act pertaining to the adoption by the Federal Government as law the proposed TLV for Asbestos dust of 12 fibers/m^3 of air. Based on British Standards of 2 fibers/m^3 of air, there was considerable tendency to establish a federal regulation of 6 fibers/m^3 of air. This level is still being considered as of this date.

3. On June 9, 1969, the NIMA education task force team made a presentation to the Southeastern States Associated Asbestos Contractors at Pine Mt., Ga. There were approximately 50 contractors present and the response to the presentation was extremely favorable.

4. On June 24, 1969, the Committee met and reviewed a draft of the fibrous glass position paper.

5. On June 17, 1969, Dr. L. Cralley, C. L. Sheckler, and J. M. Barnhart attended a meeting at Cooper Union, New York, N. Y., that was sponsored by Dr. I. Selikoff in conjunction with air pollution derived from fibrous materials used at construction sites. Dr. Selikoff reviewed the same old material pertaining to the Asbestos Workers. Mr. A. Hutchinson was also on the program, and again took the opportunity to vigorously attack the use of fibrous glass.

6. On July 23, C. L. Sheckler met with Captain Rosenwinkle, USN, in connection with the Navy recommendation to discontinue the use of asbestos. The Captain clarified the recommendation in that the objective was not to discontinue the use of the material but to find new products and methods of use that would reduce the asbestos dust concentration.

7. On August 21, 1969, C. L. Sheckler met with Drs. de Treville and Grosse in Pittsburgh, Pa. in conjunction with progress made to date on the fibrous dust study and evaluation of work to be done in the future.

8. On September 18, 1969, C. L. Sheckler met with officers and attorneys of Thorpe Insulation Co., Los Angeles, Calif., for the purpose of assisting them with problems of litigation resulting from alleged exposure to thermal insulation products. The case in question involved a sheet metal worker with potential exposure to all types of insulating materials plus non-occupational pulmonary health problems.

On September 23, 1969, the Task Force team was forced to handle dual problems, therefore J. F. Vyverberg went to Chicago, Ill., to meet with engineers in conjunction with adverse propaganda relating to fibrous glass being distributed by the Illinois Contractors Association.

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Simultaneously, C. L. Sheckler and J. M. Barnhart addressed the Thermal Insulation Society of South Charleston, West Virginia, on the subject of health aspects of thermal insulation.

* * * * *

A Meeting of the Committee will be held prior to the year end to discuss specific plans for 1970.

* * * * *

J. F. Vyverberg reported that three documents were available pertaining to fibrous glass, as follows:

1. Health Aspects of Fibrous Glass in Heating or Air Conditioning Ducts.

   It was agreed that this document should not be circulated, but should be used as a reference for answering health inquiries by customers, engineers, school boards, etc.

2. Summary of Documented Medical Evidence on the Health Aspects of Fibrous Glass.

3. Questions and Answers About Fibrous Glass in Heating and Air-Conditioning Ducts.

   It was agreed that the latter documents could be duplicated and circulated on a limited basis.

Each fibrous glass manufacturer is to be billed $1,135.00 to cover the cost of the above documents.

It was reported that a monitoring service had been engaged to keep abreast of any pending legislation as it relates to the use of mineral fiber, asbestos, etc., in ducts.

OCCUPATIONAL HEALTH & SAFETY COMMITTEE REPORT

In the Chairman's absence, J. M. Barnhart reported as follows:

The Kettering Duct Study is, at the present time, in its final phases. The field work has been completed and Dr. Cholak should at this time be compiling his report.

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The Workers' Environmental and Duct Study evaluation being carried out at the University of California, at Berkeley, by Dr. Clark Cooper and his group is progressing at a reasonable rate. They have found low airborne concentrations of fibrous glass in both the working environment of the installers, as well as in the airstream inside fibrous glass containing duct systems. At the present time they are attempting to further characterize these exposures. Attached are the Memos for Record of the meetings held with Dr. Cooper's group September and October covering more fully the findings and progress of this meeting. Also attached is the letter to Dr. Cooper which sums up our understanding of the progress, as well as the work that is to be done during the next three months.

REPORT OF NOMINATING COMMITTEE

M. M. Wilson reported that the Nominating Committee proposed the following Slate of Officers and Directors be placed in nomination for the year 1970:

President	P. D. Kaley
Vice President	R. E. Naylor
Treasurer	J. F. Vyverberg

Board of Directors:

P. D. Kaley, Chairman	PPG Industries
G. T. Overholt, Jr.	Burlington Industries
R. L. Strickland	Certain-Teed/St. Gobain
R. E. Naylor	Johns-Manville
M. M. Wilson	Keene Corp.
J. F. Vyverberg	Owens-Corning
J. H. Price, Jr.	Pittsburgh Corning

A motion was made, seconded and passed

That the slate of Officers and Directors as proposed by the Nominating Committee be elected.

ELECTION OF EXECUTIVE COMMITTEE

P. D. Kaley nominated the following to serve on the Executive Committee for 1969-1970:

P. D. Kaley
R. E. Naylor
J. H. Price, Jr.
R. L. Strickland
M. M. Wilson

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REPORT OF LEGAL COUNSEL

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APPROVAL OF MINUTES OF BOARD OF DIRECTORS MEETING

A motion was made, seconded, and passed

> That the Minutes of the Board of Directors Meeting of April 29, 1969, as bulletined by the Association, be approved.

TREASURER'S REPORT

J. F. Vyverberg outlined the Association's Balance Sheet, Statement of Income and Expenditures, and the Duct System Program as of September 30, 1969.

The Treasurer's Report is attached hereto and made part of these Minutes.

A motion was made, seconded and passed, to accept the Treasurer's Report.

MEMBERSHIP

R. E. Naylor reported that the Committee, R. E. Naylor, John H. Price, Jr., Hugh Mulkey, and George Barth had met on September 18, 1969, in Pittsburgh, Pa., as follows:

> GENERAL
>
> A critique was made of the proposed new constitution dated June 19, 1969 and observed that based on its contents it has been precluded that NIMA was going to change its scope to include all thermal insulations rather than the Industrial and Commercial as now established. The Committee, therefore, felt that our charge to recommend to the Board of Directors of NIMA whether a change in membership and concept was desirable seemed academic in light of the Constitution Committee's recommendations. No one had any revised By-Laws to go with the proposed Constitution changes. The Committee proceeded, therefore, to use the old Constitution and By-Laws as the basis for our meeting.

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QUESTION

Should NIMA expand their membership and operational policies to include other types of insulation materials than presently included, as well as include uses other than Commercial & Industrial applications into its scope?

ANSWER

1. The insulations market today encompasses many areas other than as first defined, and like products have a multitude of applications in the acoustical, decorative, and structural fields. It is, therefore, recommended that the association encompass materials and markets involved in thermal applications only.

2. The advent of new uses and new products brought about by the ever-quickening pace of technological advancement in our field requires that the association, on a planned basis, expand its scope to include other insulation materials, and like materials sold in other markets.

QUESTION

How will this benefit the present NIMA organization, member companies and our total thermal insulations industry?

ANSWER

1. The ever-growing multiplicity of use for the same product in different markets requires that performance standards be established for markets regardless of the materials involved. This is particularly true where government agencies are involved. Expanding the association will insure greater coordination between market segments.

2. The voice of the association will be much greater in the areas of mutual problems than will the combined voices of segmented or fractionalized associations as is now the case.

3. The collective financial strength of a unified association will allow us to approach industry problems concerning labor, legislation, health and safety, traffic, etc., on a consolidated and solidified basis to protect the interests of our industry.

4. Involvement of higher management of the major corporations in association work will be necessary due to the crossing of market and product lines of the expanded organization.

5. Greater stature and recognition will be given to the association because of its expanded representation.

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QUESTION

Based on this thinking should the organization be called the National Insulation Manufacturer's Association?

ANSWER

No. It is our recommendation that the expanded association be called the Thermal Insulation Manufacturer's Association (TIMA).

QUESTION

What markets and products should we consider in TIMA?

ANSWER

Markets - Residential, Commercial Industrial, Transportation, OEM, Mobile Home

Products- Home Insulations, Roof Insulation, Perimeter Insulation, Mobile Home Insulation, Metal Building Insulation, Refractory Insulation, Duct Systems & Liners, Piping & Equipment Insulation, Marine Hullboard Insulation.

QUESTION

How should TIMA be organized?

ANSWER

See attached Organization Chart.

QUESTION

What staff support Committees should be established to assist the various Committees?

ANSWER

1. Legislative
2. Legal
3. Health & Safety
4. Traffic
5. Market Analysis
6. Credit

Technical Committees will be established for each Industry Committee.

QUESTION

What should be our order for expanding to new insulation materials.

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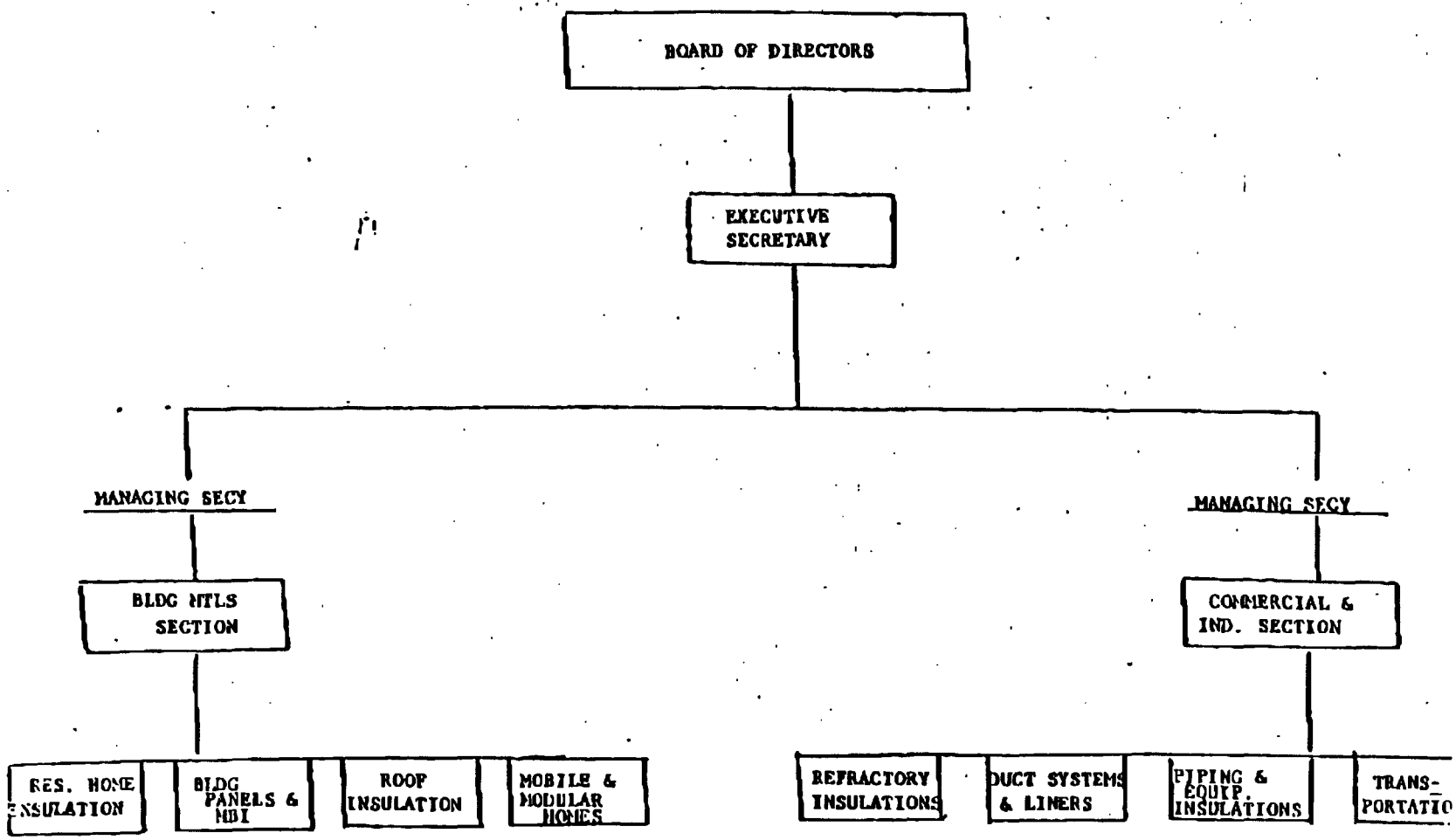

ANSWER

1. Other Mineral Fibers
2. Non-Mineral Fibers
3. Foams

QUESTION

What should our next move be?

ANSWER

1. Establish a NIMA Committee to refine the approach.
2. Formally discuss with National Mineral Wool Insulation to see if they are interested.
3. Jointly develop the ground rules of TIMA.

A Committee consisting of R. E. Naylor, Chairman, John H. Price, Jr., and J. F. Vyverberg were appointed to establish the groundwork to set up a thermal insulation association to include segments of the industry, other than industrial. An initial report is to be made to the membership by January 15, 1970.

It was suggested that the NMWIA be contacted to secure their reaction.

1970 BUDGET

A motion was made, seconded, and passed

That the Budget for 1970 shall be in the amount of $47,190.00.

OTHER BUSINESS

(a) It was agreed to allocate $1,000.00 in 1970 for ASAE education course.

(b) A motion was made, seconded, and passed

That the By Laws be amended to include that Officers shall be elected for a two-year term.

(c) It was suggested that the Education & Legislation Committee discuss the subject of common wording of precaution on labels for asbestos products.

(d) It was agreed that the NIMA Spring Meeting be held on April 27, 28, 1970, at the Seaview Country Club, if possible.

ADJOURNMENT

There being no further business, the meeting was adjourned.

Respectfully submitted,

J.M. Barnhart

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