

APR 20 1978



INTERNAL CORRESPONDENCE

METALS DIVISION

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To (Name) Mr. T. R. Alexander
 Division Corporate Distr. - 6th Floor
 Location New York, NY

Date April 19, 1978
 Originating Dept. "Calidria" Asbestos

Answering letter date

Subject

DOT Docket HM-160

Copy to Messrs.
 C. R. Allenbach J. L. Myers
 T. W. Carmody A. C. Sada
 W. G. Kahler E. W. Shortridge
 W. E. Martin J. J. Sibley
 R. M. Mitchell ☒ H. C. Thurber
 File

New File
G-1-PK

Dear Mr. Alexander:

Mr. Myers has asked me to respond to your letter of March 14, 1978 on the above-noted subject. I am very much involved in the drafting of an asbestos industry response by the Asbestos Information Association/North America. A copy of a preliminary analysis of the proposed regulation and a draft AIA/NA response are enclosed.

In the response we wish to make the points of lack of proper documentation of "unreasonable risk" and the unsuitability of rigid containers for the record in case it is necessary to move into the courts. The real immediate problems are the definition of "occupational exposure to asbestos" and the ban on the use of open trucks. The requirement that only the consignee may unload also presents some problems.

The basic strategy is to try to trade off considerably more extensive labelling for relaxation in the requirements. This approach was selected on a tentative basis by the AIA/NA Executive Committee to see how it looked on paper. It is quite likely that considerable revision in the draft may occur, so your comments are requested.

I have discussed the question of a Union Carbide response with Mr. Thurber. Our feeling is that if the AIA/NA response is satisfactory to UCC interests, there is little to be gained by a separate response. If not, we will respond separately.

I will stay in contact with you as this matter is finalized.

Very truly yours,

Harrison B. Rhodes

HBR/rmm
 Encs.