Chevron Research Company

Richmond, California
May 16, 1979

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PLAINTIFF'S EXHIBIT
CHV-621

ASBESTOS REGULATIONS

MR. M. A. WIGGS:

We have followed the various proposed regulations and legislations concerning the use of asbestos in roof coatings in the last few years. Last year EPA decided to exempt the asbestos encapsulated in asphalt or resin from the ban on spraying any material containing asbestos. However, in 1978 a bill was introduced in California Legislature to forbid spraying any product with more than 1% asbestos. After much work and testimony from industry the law was modified to allow Cal-OSHA Standards Board to make the final decision on asbestos standards. The Standards Board held two hearings on asbestos, one last November, the other in April 1979. Union Carbide did all the presentations for the industry. We also provided technical information for them.

One of the decisions on April 26 exempts the cold process roof coatings because the asbestos is encapsulated in the asphalt and the coating is not friable. We were also concerned with the other decision on the action level for monitoring. The proposed 0.1 fiber/cc--8-hr exposure action level would have practically banned the spraying of any asbestos-containing coating because of the monitoring problems. The 0.5 fiber/cc--8-hr exposure action level the Board finally adopted does not require the monitoring of spraying roof coatings according to industry data.

As of now,we can continue using asbestos in our roof coatings. However, as time permits, we will also continue to evaluate various asbestos replacements. We understand one of the U.S. Senate Subcommittees is still holding hearings on asbestos. Also,some future regulations may make the asbestos too expensive to mine and refine.

J. H. MACPHERSON

RCM

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Encl. - Report, "Hearing of Cal-OSHA Standards Board on April 26, 1979," above date

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CHEVRON RESEARCH COMPANY
RICHMOND, CALIFORNIA

HEARING OF CAL-OSHA STANDARDS BOARD ON APRIL 26, 1979

MAY 16, 1979

Author - Z. Saāry

I attended the hearing of Cal-OSHA Standards Board in Fresno primarily to follow the action taken on the asbestos use in coatings. We met with other industry representatives before the hearing. Dr. Harrison Rhodes briefed us on the status of the revisions and the strategy for the hearing. As before, he and John Myers, also from Union Carbide, were to speak for the industry.

The hearing on the proposed changes to Title 8, Sections 1528(c) and 5208 and Title 24, Section B 1750 of the California Administrative Code was held at the Fresno State Building by the Occupational Safety and Health Standards Board. The agenda and the proposed standards are attached.

Agenda Item No. 2 -
Title 8, Section 1528(c)

Section 1528(c) forbids the spraying of any substance with any amount of asbestos in it. The staff and John Myers, speaking for the industry, agreed that the revision of Title 8, Section 1528(c) is acceptable with some minor editorial changes. The revision provides an exemption for cold process roof coatings from the spraying ban. It does not limit the asbestos content of the coating either.

The Board decided that the formal acceptance of the revisions was to be given during the business session later that day.

Agenda Item No. 3 -
Title 8, Section 5208

Title 8, Section 5208 deals with the work practices.

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Most of the discussions centered on Subsection (g)(1)(A) on page 4 of 12. The proposed section would have required initial monitoring if "any" asbestos is present. According to Federal guidelines, it means 0.1 fiber/cc on 8-hr average exposure as action level. However, Dr. Rhodes pointed out some of the problems:

a. There is no practical way to measure 0.1 fiber/cc--8-hr exposure accurately.

Encl. - Agenda
Title 8, Section 1528, 2 Pages
Title 8, Section 5208, 12 Pages

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b. Many small businesses, such as brake shops, etc., would have to be monitored if regulation passes.

c. The regulation as is cannot be enforced.

There were proposals to keep the action level at 1 fiber/cc 8-hr exposure as it is now. The representatives of the Asbestos Workers' and the Steel Workers' Union suggested 0.5 fiber/cc 8-hr exposure level that could probably be acceptable. After other comments from the staff and the industry, the chairman proposed that the action level be set at 0.5 fiber/cc 8-hr exposure TWA (time-weighted average). Since this seemed to be acceptable for everybody, the Board approved the motion.

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DOSHA representative, on the request of the Maritime Unions, asked the Board to amend Subsection (j)(3). The Union was asking for continuing yearly medical examinations even for those workers who are no longer handling asbestos. After considering the request, the Board decided to have another public hearing on that section.

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The Asbestos Workers' Union representative requested an explanation of the access provision in Subsection (6)(B). He was mainly concerned with the parts of the medical records not related to asbestos exposure. The Board saw no problem there and agreed to clear up the language of the regulation on that point.

The final version of the asbestos regulation will be available from the staff of OSHA Standards Board.

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