

Plaintiffs' Exhibit
BX 37

Plaintiffs' Exhibit
ABEX 5014

MINUTES OF THE MEETING

of the

ASBESTOS STUDY COMMITTEE

Monday, March 28, 1977, at 11:30 A.M.

Institute Office, E-210 Route 4, Paramus, N.J.

1509
PLAINTIFF'S
EXHIBIT
BX 37

MEMBERS PRESENT

H. Wagner, Chairman	Carlisle Corporation
B. J. Ivarsson	Abex Corporation
D. E. Stone	Bendix Corporation
I. H. Weaver	Raybestos-Manhattan, Inc.
J. Dunderdale	Royal Industries Brake Products

OTHERS PRESENT

M. R. Cola, Attorney	Clapp & Eisenberg
E. W. Drislane, Secretary	Friction Materials Standards Institute
R. J. Lavery	Royal Industries Brake Products

The meeting was called to order by Mr. Wagner, Chairman, at 11:30 A.M.

MINUTES OF PREVIOUS MEETING

The Minutes of the Meeting held October 24, 1975 had been distributed. These minutes were reviewed and a motion for their acceptance was made.

Upon motion duly made, seconded and unanimously passed, it was

RESOLVED: To accept the minutes of the October 24, 1975 meeting as written.

COMMITTEE MEMBERSHIP

The Secretary indicated that during the Chairman's recent illness Mr. I. H. Weaver had sat in as acting Chairman. Mr. Wagner, Chairman thanked Mr. Weaver for his work over the last several months. Mr. Wagner stated that there had been some changes of membership on the Committee. Mr. E. E. Feireabend of Abex was no longer with their Friction Products Group. He understood that Mr. Mike Jacko was now on assignment in Europe and had asked to be taken off the Committee, and Mr. E. P. Stefl who had been a member from R. K. Porter Company, had not participated in Committee activity. Mr. Wagner felt that perhaps seven members on a committee would be a good number.

The Secretary indicated that several corporate members very seldom participate in any Committee activities. While some members may contribute in other areas they specifically limit their Committee participation.

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Mr. B. J. Ivarsson from the Abex Corporation was attending the Asbestos Study Committee meeting for the first time. Mr. E. H. Feiresbend of Abex Corporation had been a member of the Committee but is no longer at Winchester. Mr. Ivarsson was invited to serve as a member of the Committee, and after a discussion as regards Committee activities, he accepted. The Secretary was asked to extend invitations to delegates of other members to serve on this Committee. It was pointed out that there is no specific rule as to more than one person from the same Company serving on a Committee. On certain committees there have been two from the same company.

EMPLOYEE INDOCTRINATION AND COMMUNICATION

One of the purposes of this Committee meeting was to try to assemble, and perhaps disseminate to the membership, information on booklets, slide programs and other indoctrination that members have given to their employees (and to new employees) as regards controlling asbestos dust in the workplace. A further part of this study is to determine what is worthwhile in employee indoctrination, and what may be required to comply with OSHA regulations.

One member indicated that his company had a formal slide program based on a Johns-Manville slide program, to which they had added additional slides of their friction materials factory. They have shown this slide program with narrative to their employees. They do not show this automatically to all new employees on hire. The J-M slide program concerns working with asbestos in a manufacturing environment. This member merges the J-M presentation with their own slides which show actual operations in their factory and some of the precautions used in controlling asbestos in the workplace. In response to a question, the Secretary was advised that he could perhaps purchase a copy of this slide program from the Johns-Manville Corporation in Denver, Colorado. It was suggested that he contact Mr. Ed Fenner at Johns-Manville. There is a record (or tape) for audio to go with the visual program. The Secretary will contact members who now have a slide program to see whether their slides could be adapted for use by other members. With such information it might be possible for the Institute to assemble a slide presentation, with audio. It was not felt that a resolution was in order at this point. The Secretary should proceed to gather information of this type and report back to the Committee Membership.

As regards communications with workers it was noted that manufacturers have a responsibility to notify employees who have at any time been exposed to airborne concentrations of asbestos fibers in excess of the limits. One member pointed out that they have done this by publishing notices on bulletin boards. It was stated in some cases that this may not be sufficient unless the employer gets assurance that employees are reading the bulletin boards and are receiving the information.

A member stated that it would be worthwhile if an employer could have some evidence to the effect that employees have received indoctrination on good working procedures for controlling asbestos. In some cases there could be forms for an employee to sign to state that he received and read the material that was presented. Where there is a lack of concern on the part of employees, there may not be much that can be done in this area. But at least an employer should seek the employee's cooperation and have some assurance that he gave that employee information and background to assure compliance with the OSHA regulations.

Some employers have been distributing booklets to both regular employees and new employees. Among indoctrination items that have been found helpful are the following:

- (1) "What Every Employee Should Know about Asbestos," an eleven page booklet published by the Asbestos Information Association.
- (2) "Recommended Safety Practices for Handling Asbestos Fiber," published by the Johns-Manville Corporation, Denver, Colorado.
- (3) A movie, "Working with Asbestos," provided by Johns-Manville Corporation, Denver, Colorado.

A pamphlet published by the Quebec Asbestos Information Service entitled, "Asbestos and your Health" was distributed. This is essentially a general pamphlet for the public, and does not appear suitable for education of new employees. Similarly a booklet entitled "Asbestos and Brake Linings," published by the Asbestos Information Association, is for background information for the general public and is not the type of booklet which would be considered helpful for indoctrination of new employees.

In response to a question, it was indicated that there is no movie available from the Asbestos Information Association that would be suitable for indoctrination purposes. There was a movie from Great Britain television highlighting an interview with Dr. Selikoff against the asbestos industry in Great Britain. These are more of a feature news or expose type program. They are not the type material which would be helpful in employee indoctrination programs.

COMMUNICATIONS WITH USERS OF FRICTION MATERIALS

In order to provide background for this section on communication with users, the Secretary pointed out that he had received inquiries from magazine writers, insurance companies and consultants concerning asbestos in friction materials, and the precautions and recommended work procedures to control it. In the late fall of 1976, the Committee reviewed a procedure entitled, "Recommended Procedures for Reducing Asbestos Dust during Brake Servicing." This write-up had been prepared by Raybestos-Manhattan Inc., and after reviewing earlier write-ups it was recommended that the Institute use this as a basic response to those asking for recommendations. Based on ballots from the Committee and the Board of Directors, it was decided to incorporate this write-up in the Institute catalogs, and to distribute such a write-up to automotive trade magazines. In addition, this was sent to the Automotive Service Industry Association (ASIA) for distribution to their membership. The Secretary pointed out after this major distribution had taken place, that he discovered an error in the label sign where it says "Avoid Breathing Dust." Actually the OSHA regulations say that the label should read "Avoid Creating Dust." After this error was discovered, Mr. Drislane wrote to all magazines and groups to whom the earlier write-up had been sent correcting the label.

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Subsequent to the review and approval of "Recommended Procedures for Reducing Asbestos Dust During Brake Servicing," Mr. Weaver had a call from Mr. Robert Ericson of ABT Associates, Cambridge, Massachusetts. Mr. Ericson's group was working on a research contract for OSHA as regards communications to those working with asbestos bearing products, either in the factory or in the automotive service shops. When the original OSHA regulations were proposed, there was a section concerning indoctrination instructions which was not in the final OSHA standards. It would appear that OSHA plans on adding a section to the OSHA regulations concerning communications with users and fabricators of asbestos products. Mr. Ericson was attempting to gather information as to what industry and others are now doing as regards communications with asbestos products users. Mr. Weaver, Mr. Ericson and Mr. Drislane met at the Institute Office in February 1977 to go over booklets and other suggestions for communication. In addition to items such as warning labels and instruction booklets, teaching of proper procedures in vocational schools, advertising in trade magazines and such type of communications were discussed. This work was preliminary in nature. Mr. Drislane and Mr. Weaver showed Mr. Ericson some of the types of communication that had been used by industry and associations as regards this problem.

Mr. Weaver pointed out that Raybestos-Manhattan has prepared a film for brake service clinics which includes a section on good working practices when handling asbestos containing friction materials. This section of the film takes about 8 minutes and it might be excerpted to show cautions, and good and bad working habits, as regards the proper handling of asbestos containing friction materials. The film itself is not geared primarily to the asbestos problem, but it was developed for brake service clinic purposes. It might be that slides could be prepared from sections of this which could serve as a slide program for indoctrination or cautioning of workers installing friction materials.

In a review of warnings that members are using, most members indicated that their companies were putting the warning label on their packages where there was a likelihood that additional machining might be done on the materials. Where brake linings, blocks or clutch facings would likely get additional drilling or grinding, the OSHA asbestos warning label had been put on the cartons or on the boxes themselves. The correct warning is:

CAUTION

Contains Asbestos Fibers

Avoid Creating Dust

**Breathing Asbestos Dust May Cause
Serious Bodily Harm**

This label was shown in a random inspection of various cartons and packages, for brake linings. In addition, box manufacturers are printing this label on cartons as purchased by brake lining manufacturers. Also this warning label is put on trays when they are palletized. In answer to a question, it was stated that the warning label goes on the outside flap of cartons where it is visible to those receiving and opening the packages.

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Mr. Weaver showed a bulletin that Raybestos distributed on recommended work practices. This bulletin described a card which would be inserted in boxes containing brake lining and clutch facings. The card read as follows:

Asbestos Dust Hazard

- Do Not Breathe Dust
- Do Not Use Air Hose for Cleaning
- Do Not Machine Without Dust Collection Equipment
- Do Use Vacuum or Wet Cleaning Methods
- Do Dispose of Dust in Sealed Container
- Do Wear Mask if Unable to Avoid Dust

As regards the Raybestos movie it was pointed out that 8 minutes of this brake service clinic movie were devoted to safe handling of asbestos containing friction materials. In reviewing instructional booklets, the Secretary pointed out that the Asbestos Information Association had asked the help of our Asbestos Study Committee to re-write the booklet entitled "Asbestos Brake Linings." The Committee had not provided AIA with input on this request. Mr. Weaver pointed out that he had replied to Mr. Wereness at AIA with recommendations on this particular pamphlet. Mr. Drislane checked his files and came up with a marked up pamphlet entitled "Asbestos Brake Linings and Air Pollution." This pamphlet was still geared for the general public as sort of a reference document. It was not aimed at the users of asbestos friction products in the work place. Mr. Weaver indicated that he also prepared another write-up for the AIA, and he would send along a copy of it to Mr. Drislane. Mr. Weaver indicated that his write-up on the occupational question was prepared in the Fall of 1976.

Mr. Weaver reviewed the reason for the error in "Recommended Procedures for Reducing Asbestos Dust During Brake Servicing." The OSHA warning label was incorrectly written to say "Avoid Breathing Dust." The correct wording is to Avoid Creating Dust. Mr. Weaver pointed out that in the NIOSH release on this subject they had also used the wrong wording "Avoid Breathing Dust." This is probably the source of the error in the original write-up. Several members commented that if an employee was successful in not breathing dust he probably did not create dust, and that the wordings were not very different in meaning.

Another suggestion for indoctrination of users of friction materials was that trade associations and others might send leaflets or suggestions through the mail to users. A mailing list would have to be developed from members providing customer names. These leaflets could also be distributed by member companies.

In a subsequent discussion on keeping members current, a suggestion was made that perhaps a seminar or exhibit might be sponsored for sales or marketing groups to suggest and demonstrate good practices for friction materials users. The Secretary pointed out that he felt he would receive the cooperation of manufacturers who provide collection and cleaning equipment such as Milfisk, Per Lux, Tempo, Amco, and others. It was stated that there was no need for planning and organization of such a seminar at

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this time. It would be better to gather the information that is now available before taking another approach on this communications question. The Secretary stated that sponsorship of such a seminar or exhibit is fraught with scheduling problems as was the case with the December, 1975 Seminar. No one is sure the main speakers are going to show up until they are actually at the speakers' table.

DISTRIBUTION OF INFORMATION TO MEMBERSHIP

The Secretary advised that he receives correspondence from equipment suppliers who have products that may be of interest to members. In several instances these suppliers have asked for lists of the membership so that they might directly contact the members. The problem with giving out a mailing list of Institute members is an old one. Some members have strongly urged that the Institute not give its list to outsiders because they might be overwhelmed by sales pitches. In general, policy has been that if some equipment manufacturer has a product which may be of interest, the Secretary will ask them to send in sales literature and will check with a knowledgeable person in the industry to see if it may be worthwhile. Mr. Brislane has done this on many occasions with equipment relative to the asbestos problem by contacting Mr. Weaver. The problem is: What is significant information which might be of value to the membership and what is material that should end up in the waste basket?

In particular, the Secretary received an advertising leaflet for plastic bags that were soluble in water and could be used for gathering workers' clothes before being put into the wash. It was not felt that this product literature was worth distributing to the membership.

A member mentioned a technique for foam control to suppress dust in the workplace. One member had worked with foam suppressants by adding them into a Littleford Mixer. The purpose was to keep down dust concentrations during the mixing cycle. This procedure had not worked out. Another member said that perhaps a better way of using this foam suppressor might be to aim the suppressant at a saw blade or a grinding wheel to keep the dust at this point from rising. He stated that the real background for use of foam suppressants was on a coal conveyor belt where this type of dust had been reduced substantially. It was felt that foam suppressants were a worthwhile technique of which the membership should be advised. This was distributed to the membership several years ago.

A more recent article was that in Business Week Magazine concerning the use of water jet technology for cutting friction material, as used by the Inland Division of General Motors. It was pointed out that one had to do an awful lot of cutting to make this worthwhile. The cutting by waterspray did not give a smooth edge. Also, the effectiveness of the water jet for cutting depended on the thickness of the materials being cut. However, it was felt that this was the type of information that should be circulated to the membership.

The Secretary asked how he would go about determining which leaflets were worth circulating and which were not. It was decided that if a suggestion came from a committee member it should be circulated. If the recommendation was received from the outside the Secretary should contact the Chairman of the Committee to determine if it should be circulated to the Membership.

The Secretary raised a question concerning the seminar that was held for the Membership in December 1975. This was an effective way of getting information on the asbestos problem to many in the membership. Should the Institute sponsor another seminar of this nature with an up-date on OSHA regulations and the like. It might be possible also that equipment manufacturers with products for controlling asbestos might be interested. It was stated that no decision should be made in this area because OSHA has not promulgated final regulations as regards the 0.5 per fiber cc limit. Also the NIOSH document recommending a 0.1 fiber per cc limit has not been acted on. Also, OSHA has not decided whether the regulations for the construction industry will be published prior to a decision on regulations for asbestos products manufacturers. A seminar meeting on asbestos will not be scheduled or planned until OSHA intentions are determined.

ASBESTOS STANDARD FOR CONSTRUCTION INDUSTRY

When OSHA published a notice of proposed rule-making to revise the asbestos limit to 0.5 fibers per cc, various industry groups did a considerable amount of research on the proposal. Among the most pertinent was the Asbestos Information Association recommendation that OSHA defer action on this asbestos regulation until the proposed construction regulation had been published and its impact measured. This was a primary recommendation of the AIA response, because the full impact on industry could not be gauged unless the construction industry standard was known. In many cases the manufacturing section supplies the construction industry and the full impact cannot be measured until standards are promulgated in both areas. It was felt that Dr. Corn, former head of OSHA, was sympathetic to this suggestion. However, there is no way of knowing (with the change in Administrations) what action will be taken on the construction standard. This is particularly significant not only from the idea that an exposure level may be proposed, but the difficulties in monitoring the worker. In other words, construction workers do not necessarily work at the same plant site for long periods of time. There is a greater difficulty in measuring asbestos concentrations at construction sites. The worker may belong to one union hired for a few weeks or months at a construction site. A main difficulty is the tracking of workers in the construction industry..

It is felt that any proposed standard for the manufacturing industry would be better analyzed when a standard is proposed for the construction industry. In a construction industry standard, work practices and procedures may be emphasized more than asbestos concentration monitoring. These are all significant to the establishment of a final OSHA standard.

COMMUNICATIONS WITH MEDIA, OUTSIDERS

The Secretary asked for guidance on replies to media and others who request information on asbestos in the brake industry. Most questions seemed aimed at problems in the brake service shop. If the Institute makes no reply or gives no input to the media or others, we can expect continued bad press. It is important to be able to give some kind of answer. As regards questions on the medical aspects of asbestos, the Secretary has answered that he is not a medical expert and does not qualify to comment thereon. However, it

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is not felt that he can suggest the inquiry be directed to Dr. Hans Weil of Tulane who did the medical background work for AIA, as he is already spread thin. Some may similarly suggest calling Dr. Kotin of Johns-Manville, but here again we have no right to his time. The Secretary has contacted Mr. Bob Mereness of the Asbestos Information Association. In several cases the questions directed to the Institute were referred to us by Mr. Mereness. The Institute was fortunate in being able to get together "Recommended Procedures for Reducing Asbestos Dust During Brake Servicing" from Raybestos-Manhattan. It was well that something was on hand when the Institute was asked for recommendations and comments by some media and insurers. A member stated that what was discussed earlier in the meeting as regards communications with users should suffice to take care of requests for information from the media. In other words, the Institute can gather some recommendations for indoctrination of employees and procedures to maintain minimum dust levels in brake service shops, and that information could then be made available to media and others. Anything developed for these other purposes will be used in this area.

NEW JERSEY "CANCER CONTROL ACT"

On March 24, 1977 the Institute distributed to the Membership a notice on an act which was introduced in the New Jersey State Senate entitled "Cancer Control Act." This act was sponsored by several Senators including the original promoter, Senator John Skevin. In essence the Act proposed that no person should "produce, manufacture or use or release onto or into the atmosphere waters or lands of this State any of the following carcinogens: ..." Among the carcinogens listed was asbestos. The wording of this Act would obviously void the manufacturer of asbestos bearing friction materials in the State of New Jersey. This was the all-or-nothing approach proposed by Senator Skevin and his co-sponsors. There had been a few hearings on this act and some opposition arose from industry and labor sources. In a recent hearing Senator Skevin defended this proposed act with the statement that he was not to be bullied by threats of moving jobs elsewhere, as "They can take their cancer out of this State." This Act had been discussed with Mr. William Simon, President of the Institute and with Mr. Bob Mereness of the Asbestos Information Association. The question was whether the Institute would prepare comments or give input to the New Jersey State Senate.

However, on March 25, 1977 an article appeared in the New York Times indicating that Senator Skevin was abandoning his proposed ban on carcinogens in the "Cancer Control Act." It was the intention to have this Committee look over this proposed act and make recommendations as regards an Institute position. It was decided that based on Senator Skevin's abandonment of the Act, as it appeared in the newspaper on March 25, 1977, that the Institute would take no position. It was not felt that additional comment would enhance any industry position.

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

RESOLVED: To adjourn

E. W. Delisano