

recommended by the American Conference of Governmental Industrial Hygienist? If so, state the date or dates that you so advised each such owner or employees, the manner in which you advised such owner or employee and the name of each such owner or employee.

ANSWER:

Defendant currently is unaware of any such direct communications. As of the adoption and promulgation of OSHA regulations in 1971, however, all employers were required to identify areas where asbestos was used to take appropriate measures to control exposure above the PEL. OSHA-required warnings in 1972 included the following language: "CAUTION Contains Asbestos Fibers Avoid Creating Dust Breathing Asbestos May Cause Serious Bodily Harm." Such warnings were NOT required for electric clutches and brakes. In the Federal Register, Standard for Exposure to Asbestos Dust (Federal Register, June 7, 1972), the U.S. Government stated that: "No one has disputed that exposure to asbestos of high enough intensity and long enough duration is causally related to asbestosis and cancers. The dispute is as to the determination of a specific level below which exposure is safe . . . It is fair to say that the controversy has centered in the area between a two-fiber TWA concentration and five-fiber TWA concentration . . . it appears that levels of exposure which may be safe with regard to asbestosis are not safe with regard to mesothelioma; because the statute requires the protection of every employee, even the ones who may have regular exposure to asbestos during a working life which may reach, or even exceed, 40 years . . . the conflict in the medical evidence is resolved in favor of the health of employees. As of July 1, 1976, TWA concentrations of asbestos fibers longer than five micrometers will not be allowed to exceed two fibers/cc, with a ceiling value of ten fibers/cc."