PLAINTIFF'S
EXHIBIT
CAP-103a

# COMMENTS AND VIEWS

REGARDING

THE PROPOSED STANDARD

FOR

EXPOSURE TO ASBESTOS DUST

SUBMITTED BY

CEMENT ASBESTOS PRODUCTS COMPANY

MARCH 14, 1972

MARCH 11, 1972

U. S. DEPARTMENT OF LABOR (OSHA) HEARING ON PROPOSED STANDARD FOR EXPOSURE TO ASBESTOS DUST - WASHINGTON, D. C., MARCH 14, 1972 THROUGH MARCH 17, 1972 - STATEMENT OF W. H. BEASLEY, MANAGER, CEMENT ASBESTOS PRODUCTS COMPANY

My name is W. H. Beasley. I am manager of Cement Asbestos Products Company, Ragland, Alabama, which is jointly owned by Mead Corporation and American Smelting and Refining Company. We operate two plants, one at Ragland, Alabama that manufactures A-C pipe and one at Van Buren, Arkansas that manufactures A-C pipe and PVC pipe.

I am here today to express our concern and interest in the proposed standard for control of asbestos exposure to employees. We are interested in providing a clean and safe environment for our employees. Therefore, we are interested in a standard designed to accomplish this goal. At the same time, we are opposed to some of the methods used in the proposed standards to reach this goal.

Specifically, our comments will be directed to the Emergency Standard and NIOSH proposal as follows:

[illegible] ASBESTOS PRODUCTS COMPANY

[illegible] Birmingham, Alabama

The following [illegible] data, views, and arguments concerning the proposed standard for exposure to asbestos dust.

Reference 1910.93a Asbestos Dust

Paragraph A

We recognize the necessity of controlling asbestos dust in our plant and have endeavored in the past to do so by the use of dust collectors, exhaust, and ventilation. This is an expensive item in our plant cost, but we are desirous of having our employees' environment as clean as possible. We feel that the proposed 5 fiber level will be extremely difficult to maintain in our operation. However, if this is the concentration level required to protect our employees, then we accept the challenge to stay within the limits prescribed in paragraph (a).

Paragraph B Subparagraph 1

In order to attain compliance with paragraph (a), an additional investment for engineering and equipment will be required. Additional equipment and engineering to maintain this level concentration would cost $18,500. annually.

Paragraph C

Personal respiratory protective devices furnished for use when the concentration dictates will cost $1,200. per year.



HER 0008897

D-2

[illegible] provision for all hand or power-operated tools to be equipped with exhaust ventilation and dust collectors does not seem to be practical or feasible. We feel it would be more practical as follows:

Stationary hand-or power-operated tools which produce asbestos dust such as, but not limited to, saws, scorers, abrasive wheels, and drills, shall be provided with local exhaust ventilation and dust collectors. Portable hand-or power-operated tools which produce asbestos dust such as, but not limited to, saws, scorers, abrasive wheels, and drills, shall be provided respirators in accordance with paragraph (c) of this section.

Estimated investment for additional equipment $4,000.

D-4

Our present blending and mixing system is referred to as a Wet Mix System. The nature of it is that water is introduced as the other raw materials are brought together and remain in this slurry state until the product is formed. This can not be done in closed bags. The engineering and equipment necessary to change to a Dry Mix System in order to keep this completely enclosed would require an investment of $750,000. We would suggest adding to paragraph D-4 the following words; "unless water is used in mixing that would hold the asbestos captive and prevent it from becoming airborne."



HER 0008898

D-5

It is not feasible to collect and dispose of waste and scrap in sealed bags or closed containers in all cases. A large amount of the scrap from our operation is broken pieces of pipe in which the asbestos is locked in. The process involved in getting this material into a state that could be bagged or containerized would require additional equipment and manpower which would be detrimental economically. The extra handling and crushing would release even more asbestos fibers into the air to be controlled. The additional equipment and personnel would cost $96,000. annually. We would suggest the paragraph be written as follows: D-(5) Waste and scrap containing asbestos shall be collected and placed in a disposal area and covered with landfill soil so as to prevent the asbestos from becoming airborne or entering streams of runoff water. Respirators must be utilized while loading, unloading, and covering this material as dictated by the exposure levels in section (c).

D-6

We recognize the value of vacuuming as being an ideal method of removal of asbestos dust. To use this method would require another large investment in equipment. A vehicle type vacuum cleaner for floor cleaning would cost $9,000. and a centrally located high velocity vacuum system would cost $200,000.



HER 0008899

F-1

We object to the posting of warning signs in areas that the time-weighted average exposure level does not exceed the [illegible] as stated in section (a).

F.

Monitoring for personnel and environment will require additional equipment and personnel, but we are in favor of a monitoring program that will protect our employees against possible over exposure.

Estimated investment of $6,000. and $10,000. annually.

G.

Medical examinations can be very expensive. Unless they are limited to cases of over exposure that give indication of damage being done to the individual, it would cause a serious economic burden.

Estimated economic impact $23,000. per year.

H.

We are in agreement with the necessity of maintaining records of data accumulated for the purpose of continued progress in asbestos dust control.



HER 0008900

[illegible] ASBESTOS PRODUCTS COMPANY

Eagland, Alabama

The following are comments pertaining to the proposals by NIOSH.

Section 1 - Environmental

As we have indicated in the data concerning the emergency standard, it is very difficult to attain and maintain a fiber level of 5 fibers per cubic centimeter. The 2 fiber proposal is considered by our corporate industrial hygienist as an impossibility to achieve and maintain continuously. We strongly feel this proposal would place a burden on us that would be unsurmountable. We further suggest that serious consideration be given proposals of this nature in respect to being accomplishable in the various asbestos industries. With the data available at this time, we feel the standard should be set no lower than 5 fibers per cc.

Section 2 - Medical

We support the position of AIA/NA as to the medical standard.



HER 0008901

Section 3 - Labeling

We object to labeling all products that contain asbestos as being a health hazard. Each product should be carefully studied to determine whether or not it is detrimental to health and to what extent. In the case of asbestos-cement pipe, the asbestos is locked-in and is not released while in service. Those products that are determined to be harmful could be so labeled as to what extent they are harmful. It is our feeling that if we are required to label our pipe as proposed by NIOSH, we would not be able to market our product, even though it is not hazardous.

Section 4 - Personal Protective Equipment and Clothing

We recognize the importance of having a respiratory protection program for all personnel. Provisions should be made for whatever equipment that is necessary to keep the individual from excessive exposure to asbestos dust. However, we are opposed to furnishing clothing for everyone that is exposed to asbestos dust regardless of the level. We provide individual lockers and showers for all employees.



HER 0008902

Section 5 - Appraisal of Employees of Hazards from Asbestos

We agree that employees should be made aware of the potential hazards of asbestos dust exposure. At the same time, we feel the information should be based on proven scientific and medical facts.

Section 6 - Work Practices

Comments are same as those expressed in the emergency standard section (D).

Section 7 - Monitoring and Recordkeeping Requirements

We have no objection to this proposal if the exposure level dictates a necessity.

Recapitulation of Economic Impact:

| Item Reference | Initial Investment | Annual Cost |
|---|---|---|
| B-1 | $ - | $ 18,500. |
| C. | - | 1,200. |
| D-2 | 4,000. | - |
| D-4 | 750,000. | - |
| D-5 | - | 96,000. |
| D-6 | 209,000. | - |
| F. | 6,000. | 10,000. |
| G. | - | 23,000. |
| Total | $969,000. | $148,700. |

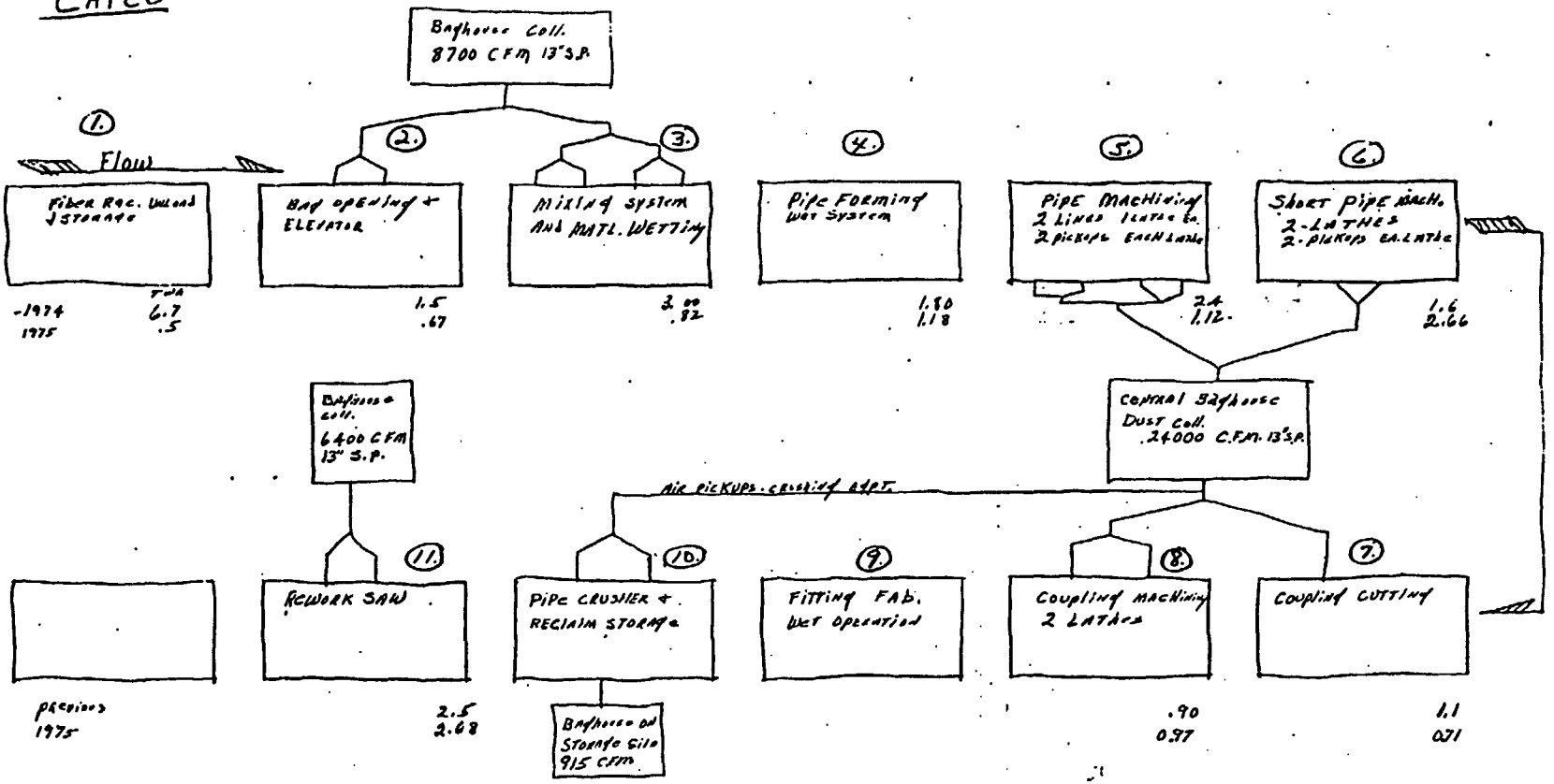
This amount of investment and added cost could impair our operations to the point of failure to operate.



HER 0008903

HER 0008904

# CAPCO




NOTE: BOTH OF OUR PLANTS ARE basically THE SAME AS TO FLOW. TWA WILL RUN ESSENTIALLY THE SAME.