WRG 000434

PLAINTIFF'S EXHIBIT WRG-695

ZONOLITE DIVISION

TO Tom Egan

DATE December 6, 1972

FROM Kurt Rose

SUBJECT

CC:

Dear Tom:

This is basically what I said in testimony at the hearing regarding APC 17 - Emission Standards for Asbestos.

I said the Construction Products Division of W. R. Grace & Co. has prepared a written statement--this statement did not arrive prior to today's meeting, however, two copies of the statement were mailed to Dr. Lyle Smith to be entered in the official record of the meeting. I told them I would try to briefly summarize our position on the proposed legislation.

(1) W. R. Grace feels the proposed legislation does not distinctly or clearly establish the differences between non-asbestos plaster fireproofing and "sprayed fibers", either no-asbestos or containing asbestos. (In the questioning that followed, I was asked how these two types of fireproofing differed).

(2) The provisions in Section 3, pages 4, 5, and 6 are entirely too restrictive, again based on the premise that all fireproofing is the same.

MK-3 and MK-4 are the two products W. R Grace is manufacturing in Minneapolis. MK-3 contains by weight approximately 12% asbestos. MK-4 contains no asbestos, approximately 5% by weight cellulose fibers. Both products have met all the existing air quality standards to date. I said how Mono-Kote is mixed, that it is pumped wet and sprayed wet. That its wet density is approximately 60 lbs/cu. ft., the overspray does not become air-borne, does fall to the floor and can be easily gathered and disposed. I mentioned this is not the case with sprayed fibers.

In conclusion, we feel the concern to control asbestos is fine. W. R. Grace even though meeting all existing air quality regulations with MK-3 (containing 12% asbestos) formulated a product MK-4 (with approximately 5% cellulose and no asbestos). Minnesota, in view of this, would still propose excessive restrictions as outlined in Section 3, pages 4, 5, and 6 on the spraying of a material containing a lesser amount (5%) of a material which this law does not define as hazardous (cellulose).

Tom, I thought I would highlight some of the important points brought out in testimony.

Dr. Nicholson, Mt. Sinai Hospital, New York, testified in behalf of the MPRG group. It was his consensus and others that followed, including representatives of asbestos workers union, MPRG, and president of the Sprayed Mineral Fiber Manufacturing Association, Mr. Bert Levine, that the 1% asbestos clause be eliminated from Section 3. They want asbestos totally banned. Mr. Levine made in his testimony a reference to a "company which couldn't get all the asbestos out of its product", he did not refer to us by name but by implication. Dr. Olin said the national EP has indicated to him that Grace does not have an asbestos-free product in MK-4. I qualified my statement by saying to the best of my knowledge we do not have any asbestos in MK-4. Asked if I objected to deleting 1% or less and making it no asbestos, I said I did not think our company would object to that. After the meeting, Dr. Olin said this clause could still be modified if "trace" amounts of asbestos were found to be in vermiculite ore used in the manufacture of MK-4.

Dr. Nicholson made the point that not only is asbestos harmful, but that other similarly shaped and sized inorganic fibers are potentially as dangerous. The fiber size he is talking about is 3 microns in length and smaller. This is the reason the rigid clean up and job site requirements have been written in for non-asbestos products. Mr. Levine objected to these clean up procedures, most notably vacuuming, as did Clint Fladland, and myself. Again, the basis for their complaint is that conclusive evidence has not been established to warrant these excessive measures for any fiber other than asbestos.

Dr. Nicholson also made the point that 9/10 of all the asbestos in the linings of brake drums is generally rendered unharmful because the heat of friction fuses asbestos fibers or transforms them to a mass larger than the range (less than 3 microns) considered harmful or cancer producing. I do not know what temperature a brake lining reaches when pressure is applied. I did say that vermiculite is expanded at temperature far in excess of 1000° F. Dr. Nicholson did say, however, they were still concerned with the other 10% which does get into the atmosphere because it is a considerable amount.

Dr. Olin asked how the two types of fireproofing products differed and I went into the procedures. I established that fibers are not mixed until at the nozzle and density of the sprayed material is very light. Of the two methods of application, Dr. Olin sees the difference and admittedly says Mono-Kote is a better way of fireproofing from a potential health hazard standpoint.

Based on the questions raised by Dr. Olin regarding possible asbestos in MK-4 and alluded to by Mr. Bert Levine, Jim Carmody of MPRG said Grace should provide an affidavit to the committee stating there is no asbestos in MK-4.

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The committee would also like the size distribution of the cellulose fibers in MK-4 (less than 3 microns). Also size and shape of gypsum and vermiculite. This information is requested prior to the closing of the records for this meeting, which is 4:30 pm on January 5, 1973.

Similar requests for this type information was made to Mr. Levine. Again this goes back to the contention that size and shape determines carcinogenic hazards.

Kurt Rose

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