UNION CARBIDE **INTERNAL CORRESPONDENCE**

UNION CARBIDE CORPORATION 137-47th STREET P. O. BOX 97 NIAGARA FALLS, NY 14302
METALS DIVISION

To (Name) Messrs.
Division T. P. Norris
Location J. E. Walsh
Area

Date March 22, 1983

Originating Dept "Calidria" Asbestos

Area

Copy to Mr. G. M. Lincoln
File

Subject Metals Division Policy Concerning the Observation of Questionable Practice in Non-UCC Facilities

A copy of Metals Division policy concerning the observation of questionable practice in non-UCC facilities is attached for your perusal. It should be studied and understood thoroughly in order for us to be sure that we are complying in all instances with Corporate policy. This will be reviewed at our next group meeting, but contact me if any questions on the subject arise before that time.

Gordon L. Dickson

GLD:dac
Attachment

PLAINTIFF'S EXHIBIT
UC-4864

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UNION CARBIDE CORPORATION OLD RIDGEBURY ROAD, DANBURY, CT 06817

F. V. McMILLEN
PRESIDENT - METALS DIVISION

review w/ THM
copies to:
GL Dickson
DF Kapral
RM Bunting
WR Curran
for review and u/a
with field salesman
plus ca Product File-Safety (Product
plus ca Safety Manual

February 17, 1983

TO: Messrs.
W. G. Alesio
W. G. Beattie
F. L. Dedrickson
W. R. Forrester
J. F. Frost
R. F. X. Fusaro
J. T. Kelly
R. J. Klotzbach
G. M. Lincoln
T. H. McKenzie
D. M. Pembridge
E. A. Piersall
R. W. Rebholz
H. B. Rhodes
R. L. Schult
E. W. Shortridge
F. T. Temple
W. C. Thurber
J. C. Vogelberger
J. R. Vogt
R. N. Wheeler
P. K. Willmott
R. F. Wolff

CC: Messrs.
R. A. Butler
T. W. Carmody
D. L. Mathias
J. L. Myers

Metals Division Policy
Concerning the Observation
of Questionable Practice in
Non-UCC Facilities

Gentlemen:

A part of Union Carbide's responsibility to furnish product safety information to users of its products is to be reasonably certain that users understand any hazards associated with the products and are technically competent to handle them safely. The subject Metals Division Policy outlines procedures to be followed when Metals Division personnel observe questionable practices in the use of Division products in non-UCC facilities.

F. V. McMillen

FVM/
kbk

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METALS DIVISION POLICY REGARDING OBSERVATIONS OF QUESTIONABLE PRACTICE IN NON-UCC FACILITIES

The Metals Division adopts the Corporate Category II Policy, Observation of Questionable Practice in Non-UCC Facilities (attached) as Division Policy.

Implementation of the subject policy will be as follows:

A. The Manager-Product Safety will communicate the subject policy to all Vice Presidents-General Managers, Department Directors, and the general Sales Manager.

B. Division personnel who observe questionable practices in the use of division products shall prepare a report, in which the incident is described in accordance with the attached policy, and submit it to the Metals Division Manager-Product Safety.

C. Upon receipt of a report concerning questionable practice the Manager-Product Safety will assemble a review committee comprised of the Manager-Product Safety, General Sales Manager, Director-Technology Dept., Division Counsel and the Vice-President-General Manager of the involved product area -- or their designated representatives.

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The Committee will determine the need for and if necessary the content of a response.

D. When a response is recommended, the Manager-Product Safety will prepare a response plan for the approval of the Review Committee.

E. The approved response plan shall be executed by the Manager-Product Safety.

F. The Manager-Product Safety will report the recommendations, the response plan and the response execution to interested parties, including the original reporter, the appropriate sales representative and all business groups.

G. Records of the incident will be maintained in accordance with the corporate records retention policy.

H. The policy shall be reviewed and re-issued at least every four years.

UNION CARBIDE **CORPORATE PRODUCT SAFETY MANUAL**

SUBJECT	SECTION	CATEGORY II PRODUCT SAFETY POLICIES
OBSERVATION OF QUESTIONABLE PRACTICE IN NON-UCC FACILITIES POLICY	DATE 8/14/81	PAGE 1 of 5
Purpose/Background	APPLIES TO ■ UNITED STATES	□ INTERNATIONAL

PURPOSE/BACKGROUND

In the conduct of its business, employees of Union Carbide Corporation visit non-UCC facilities and have the opportunity to observe the safety practices of customers involving the use of UCC products. These UCC employees have varying levels of knowledge of safe practices and handling of UCC products and on occasion some questions are raised as to the safety practices observed.

Union Carbide Corporation recognizes that it has a reponsibility to furnish customers and users who store, transport, package, dispose of or otherwise handle its products, appropriate product safety information communications and to be reasonably certain they are knowledgeable in the properties of the product and its hazards and are technically competent to handle it safely. A part of this activity is the policy for reporting, evaluation and providing additional product safety communications when questionable product safety practices are observed in non-UCC facilities. Such a policy is a further extension of the concern UCC has for safety of its customers and their employees.

The Corporate Product Safety Policy states Union Carbide will:

"Furnish customers...with appropriate product safety communications....".

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SUBJECT	SECTION	
OBSERVATION OF QUESTIONABLE PRACTICE IN NON-UCC FACILITIES POLICY Policy	CATEGORY II PRODUCT SAFETY POLICIES	
	DATE 8/14/81	PAGE 2 of 5
	APPLIES TO ☒ UNITED STATES ☐ INTERNATIONAL	

POLICY

1. Questionable safety practices and/or use involving a UCC product observed by a UCC employee in a non-UCC facility shall be reported to the appropriate component designee.

   The timeliness of reporting and responding to such practices shall be reflective of the immediacy of the hazard perceived and its potential severity.

2. Each operating component shall establish and affirmatively implement a divisional HS&EA program for collection, evaluation, preparation and implementation of a response plan if required for such questionable practice and/or use observations.

3. Variances from this Policy may be granted by the Corporate Product Safety Director.

SUBJECT	SECTION	CATEGORY II PRODUCT SAFETY POLICIES
OBSERVATION OF QUESTIONABLE PRACTICE IN NON-UCC FACILITIES POLICY	DATE 8/14/81	PAGE 3 of 5
Critical Considerations	APPLIES TO ☒ UNITED STATES	☐ INTERNATIONAL

CRITICAL CONSIDERATIONS

A component program for collection and acting on observed questionable potentially unsafe practice or use involving a UCC product in a non-UCC facility should contain the following provisions for:

A. Content

The report of the questionable safety practice and/or product use involving a UCC product should consist of the following:

(a) The name of the UCC product;
(b) The name of the customer and address of the non-UCC facility;
(c) The date and time of the observation;
(d) A brief description of the observation including the names of non-UCC personnel present and a statement as to why this incident appears to be a questionable safety practice and/or product use.
(e) Name, address, telephone number and title of the UCC observer.
(f) Name, address, telephone number and title of the UCC representative for this non-UCC facility if different from (e) above.

B. Report Evaluation

Reported observations should be evaluated by technically qualified individuals. These individuals should advise of the need for and recommend the content of a response plan.

C. Response Plan

The response plan should be based on one or more of the following premises:

(1) Recognize the non-UCC plants' right to manage and direct its own operations.
(2) The non-UCC plant needs additional or updated UCC product safety information communications.
(3) The operators of the non-UCC plant need instruction or training in the use of UCC product safety information communications.
(4) The operator or the non-UCC plant may have had access to and understands routine UCC product safety information communications but he needs the supplementary instruction and/or training in UCC product safety information provided by instructional films, literature and seminars.

CRITICAL CONSIDERATIONS - Cont'd

D. Communications

The recommendations and response plan if needed will be communicated to interested UCC personnel including the original reporter of the questionable use or practice, the appropriate sales representative and other business groups.

E. Records

Records of the initial report, its evaluation and the corrective response plan are to be maintained in accordance with the Records Generation and Disposition Policy.

UNION CARBIDE **CORPORATE PRODUCT SAFETY MANUAL**

SUBJECT	SECTION	CATEGORY II PRODUCT SAFETY POLICIES
OBSERVATION OF QUESTIONABLE PRACTICE IN NON-UCC FACILITIES POLICY	DATE 7/16/81	PAGE 5 of 5
Scope/References	APPLIES TO ☒ UNITED STATES	☐ INTERNATIONAL

SCOPE

This policy applies to all parts of UCC and its affiliates in the United States and Puerto Rico, and its affiliates in which UCC has a greater than fifty percent equity interest and is recommended for application in affiliates of fifty percent or less equity interest.

APPENDIX

References

1. Corporate Policy Manual
   Product Safety Policy
   Health, Safety, and Environmental Laws and Regulations-
   Compliance and Enforcement

2. Definition Section

3. Record Retention Policy
   a. Corporate
   b. HS&EA Regendis

4. Advice and Service:
   Corporate Director Of Product Safety
   270 Park Avenue, New York, New York 10017

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