

FILE NAME: Johns-Manville (JMA)

DATE: 1972

DOC#: JMA044

DOCUMENT DESCRIPTION: AIA Employee Health Guide and
Compensation Cases - Meeting Minutes & Membership List

ASBESTOS INFORMATION ASSOCIATION/
NORTH AMERICA

Minutes of Board of Directors Meeting

December 14, 1972

The Williams Club, New York City

A meeting of the Board of Directors was held pursuant to notice on December 14, 1972 at 10 A.M. at The Williams Club, New York, New York. The following directors were present:

George Barge	Atlas Asbestos Company Ltd.
A. E. Alpine (Proxy)	Certain-teed Products Company
Martin Senddecki (Proxy)	Congoleum Industries, Inc.
A. R. Hooker	The Flintkote Company
Paul I. Weiner, Esq.	GAF Corporation
F. J. Solon, Jr.	Johns-Manville Corporation
A. H. Fay	National Gypsum Company
J. K. Whittaker	Nicolet Industries, Inc.
E. C. Bratt	H. K. Porter Company, Inc.
J. H. Marsh	Raybestos-Manhattan
Kurt Schwarz	Supradur Corporation
W. N. Johnson (Proxy)	Union Carbide Corporation
Kes Sauerland	Jim Walter Corporation

Also present were E. M. Fenner and R. P. Carter, Esq., Johns-Manville; Frank Zimmerman, National Gypsum; C. N. Coddling, Jim Walter Corporation; M. M. Swetonic, Executive Secretary, AIA/NA; Katherine Buchman, AIA/NA; David Mallino, Government Research Company; Mike Isser, Cunningham & Walsh; and Bradley Walls, Burns, Van Kirk, Jube & Kafer.

Mr. Marsh, the President, presided, and Mr. Walls, the Secretary, kept the minutes. The minutes of the Board of Directors meeting held on September 14, 1972 were on motion duly made and seconded, unanimously approved as reproduced and distributed.

The Treasurer reported that the monthly bank statement had not been as yet received. A check with the books and with the bank indicates that we are within budget and that there are

PRODUCED
JM - 83

on hand \$32,825 in the checking account and a \$50,000 sixty-day note which comes due in mid-January, 1973. The Treasurer's report was approved as presented.

Environmental Control

Mr. Fenner summarized the preliminary report from LFE Environmental Analysis Laboratories Division entitled Statistical Evaluation for the Procedure of Counting Asbestos Fibers on Membrane Filters, a copy of which had been made available to each director. He interpreted the conclusions set forth in that study as indicating that the accuracy of the method is plus or minus 40% with a 95% confidence level.

Mr. Fenner reported that the final report is expected in approximately two weeks. It was the consensus of the Board that a study of microscope variation should be sponsored if the Environmental Control Sub-Committee believes it is important to do so.

It was also the consensus of the Board that gravimetric studies appear to be useless and there was no need to pursue work in that area.

Compliance Manual

Mr. Fenner reported that the Compliance Manual is about two-thirds completed and that the finished draft will be made available to all Directors as soon as possible.

Coal Mine Asbestos Standard

Copies of the proposed rulemaking by the Bureau of Mines which would establish a two fiber asbestos dust standard in surface coal mine operations were distributed to the Directors, together with Mr. Swetonic's letter of December 6, which analyzes the proposed standard. Mr. Swetonic noted that it is essential members should make a record with the Bureau of opposition to this proposal. The standard proposed by the Bureau of Mines of two fibers is more strict than the OSHA standard. Mr. Swetonic stated that comments on behalf of AIA/NA will be prepared and submitted to the Bureau of Mines on or before December 22nd. Copies of these comments will be sent to all members.

Mr. Swetonic noted that a new asbestos mine standard of five fibers per cc should be forthcoming in the near future. It is essential that material should be developed for presentation at possible hearings on this standard.

Mr. Swetonic also noted that there is a movement in Washington to transfer mining health standard development and enforcement from the Bureau of Mines to OSHA.

EPA Asbestos Standard

Mr. Swetonic reported that a demolition standard, which had been eliminated from the draft proposals for the EPA asbestos emission regulations, has now been reinstated. It is expected that the final draft of the EPA asbestos standards will be issued by the middle of February 1973.

PRODUCED
JM - 83

Washington Round-Up

David Mallino of Government Research Company reported that 1973 will be an important year for labor contract negotiations. Compromise will be necessary if the unions are to adhere to voluntary wage controls. Otherwise, if the unions either strike or ignore the guidelines, the entire structure of Phase III will be destroyed.

It was Mr. Mallino's opinion that labor Secretary designate Brennan will have a difficult job convincing labor to hold the wage control line. One way of placating unions would be to take more active steps regarding occupational safety and health. It is apparent that the new Assistant Secretary of Labor for OSHA will have to be a man acceptable to the unions. There is considerable speculation as to Mr. Guenther's successor.

Mr. Mallino noted that an under secretary of labor must be named first. Thereafter, the Assistant Secretary will be named. It was his opinion that an active unionist (an anti-Nixon man) would not be eligible as under secretary. It is likely that a non-controversial type union leader or a professional bureaucrat would be appointed to that post. With respect to contract negotiations in 1973, it is expected the unions will use increased productivity figures to justify wage claims.

Lyon Conference

Dr. George W. Wright was unable to attend because of illness. However, he submitted a copy of a report of the Advisory Committee on Asbestos Cancers, which summarizes the information

PRODUCED
JM - 83

presented at the International Meeting in Lyon in October. The underlining in the report was done by Dr. Wright.

Chest Auscultation Study

This proposal, submitted by Dr. Murphy at the request of Dr. Wright, was distributed to the members. It was requested that each member consult with his medical advisor and be prepared to make a recommendation at the next meeting.

Epidemiological Study of Chrysotile Asbestos Plant

Dr. Wright has, for a long time, been looking for a plant using nothing but Chrysotile Asbestos. Mr. Whittaker suggested that Nicolet's Norristown plant be used for this study. It has been in operation for nearly 100 years and medical records from 1934 on are complete. The number of employees involved, however, (150 to 200) may not be sufficient to provide the basis for a satisfactory study. The smallest cohort used by Dr. Selikoff was 650. Dr. McDonald's study of Chrysotile mines included 10,000. The subject will be discussed further with Dr. Wright.

Radio & TV Guidelines

Mr. Swetonic commented briefly on the radio and TV guidelines which had been distributed previously. It was agreed these guidelines should be followed in order to avoid the unfortunate experience suffered by Johns-Manville when taped interviews were edited greatly to the disadvantage of the company.

**PRODUCED
JM - 83**

Report Series on OSHA

A copy of the November 27 issue was distributed. This is one of the few favorable articles published recently and was accomplished with the cooperation of Mr. Swetonic. Additional copies are available.

Asbestos Magazine

AIA/NA will take a full page ad in an upcoming issue. This should be helpful in our campaign to attract new members. The magazine has also agreed to run quarterly reports written by Mr. Swetonic on developments in the asbestos-health area.

Cunningham & Walsh Activities

Mr. Mike Isser of Cunningham & Walsh described his activities to date. A full package of new position papers will be delivered to Mr. Swetonic before the end of the year.

Employee Safety & Health Guide

Mr. F. Zimmerman of National Gypsum objected to publication of the Employee Safety and Health Guide on the grounds that it would attract compensation cases. It was agreed that the outline would go back to Mr. Swetonic for revision.

AIA/NA Brief for IUD-OSHA Law Suit

It was agreed to submit the third draft of the AIA/NA brief prepared by AIA legal counsel to Mr. L. Field of Kansas City for review. Attorney Field is recognized as the leading authority in asbestos compensation cases.

**PRODUCED
JM - 83**

Industry Affairs

In September Mr. Swetonic asked all members to submit to him information concerning customer problems in order that we might identify the areas of greatest concern. There was very little response to this request. For this reason the President polled each member at the Directors' meeting to try to determine what the problems are. Replies were mixed. However, the area of greatest concern seemed to be the possibility of engineering asbestos out of many applications where suitable substitutes could be found. Part of the Cunningham & Walsh program will be addressed to this very question by emphasizing the essential uses of asbestos.

Mr. Solon reported on a joint AIA/NA-QAMA meeting. He reported that the QAMA people were quite astonished at the depth and scope of AIA's activities and he is hopeful that there will be further meetings to encourage cooperation between the two associations.

Mr. Whittaker agreed to be chairman of a revitalized Membership Committee. The opinion was also expressed that the mining companies ought to make more significant contributions.

Compiled from the notes of
Bradley M. Walls, John H. Marsh
and Matthew M. Swetonic

Submitted by Matthew M. Swetonic,
Executive Secretary

ATTENDEES
ASBESTOS INFORMATION ASSOCIATION/NORTH AMERICA
BOARD OF DIRECTORS MEETING
DECEMBER 14, 1972

RAYBESTOS-MANHATTAN

J. H. Marsh

H. K. PORTER

E. C. Bratt

ATLAS ASBESTOS COMPANY

George Barge

SUPRADUR MANUFACTURING CORP.

Kurt Schwartz

CERTAIN-TEED PRODUCTS CORP.

A. E. Alpine

UNION CARBIDE CORPORATION

W. N. Johnson

CONCOLEUM INDUSTRIES, INC.

Martin Sendeck

JIM WALTER CORPORATION

Wes Sauerland
C. N. Coddling

THE FLINTKOTE COMPANY

A. R. Hooker

ASBESTOS INFORMATION ASSOCIATION

M. M. Swetonic
Katherine Buchman

GAF CORPORATION

Paul Weiner

LEGAL COUNSEL

Bradley Walls
Gary Lachman

JOHNS-MANVILLE CORPORATION

F. J. Solon, Jr.
E. M. Fenner
R. P. Carter

ST. LUKE'S HOSPITAL

George W. Wright, M.D.

NATIONAL GYPSUM COMPANY

A. H. Fay
Frank Zimmerman

GOVERNMENT RESEARCH COMPANY

David Mallino

NICOLET INDUSTRIES, INC.

J. K. Whittaker

PUBLIC RELATIONS COUNSEL

Mike Isser

PRODUCED
JM - 83

ASBESTOS INFORMATION ASSOCIATION/NORTH AMERICA
MEMBER COMPANIES

American Asbestos Textile Corporation	- J. L. Rainey
Atlas Asbestos Company	- George Barge
Cassiar Asbestos Corporation, Ltd.	- J. D. Christian
Cement Asbestos Products Company	- S. D. Weaver
Certain-teed Products Corporation	- W. E. Gatewood
Congoleum Industries, Incorporated	- J. R. Stetson
The Flintkote Company	- A. R. Hooker
GAF Corporation	- Paul Weiner
Johns-Manville Corporation	- F. J. Solon, Jr.
Kentile Floors Incorporated	- C. A. Neumann
National Gypsum Company	- A. H. Fay
Nicolet Industries, Incorporated	- J. D. Whittaker
North American Asbestos Corporation	- C. G. Morgan
H. K. Porter Company, Incorporated	- E. C. Bratt
Raybestos-Manhattan	- J. H. Marsh
Supradur Manufacturing Corporation	- Kurt Schwarz
Union Carbide Corporation	- J. W. Rawlings
Uvalde Rock Asphalt Company	- H. Randolph Brown
Jim Walter Corporation	- Wes Sauerland

PRODUCED
JM - 83

SUMMARY OF ASBESTOS INFORMATION ASSOCIATION/NORTH AMERICA

ACTIVITIES FROM JUNE 17 to DECEMBER 7, 1972

- June 22: Special meeting of the Board of Directors held at the Harvard Club in New York to review OSHA standards and future AIA/NA activities.
- June 29: M. M. Swetonic; H. M. Jackson, Johns-Manville; Frank Zimmerman, National Gypsum; John Marsh, Raybestos-Manhattan; Paul Weiner, GAF Corporation; and Bradley Walls, legal counsel to AIA/NA, flew to Washington to meet with OSHA representatives to discuss a number of points with regard to the interpretation and enforcement of the asbestos standards. Reports on this meeting sent to all AIA members on July 5 and 12.
- July 10: Letter sent to John O'Neill of OSHA requesting that the U.S. asbestos industry be granted permission by OSHA to use up existing supplies of bags, cartons, boxes, etc. that require a warning label, due to the fact that the labels currently in use carry the same information as required by the regulations.
- July 17: AIA/NA instituted periodic report series on government, labor, medical, press and other activities affecting the asbestos industry.
- July 16: M. M. Swetonic attended meeting in Denver, Colorado with members of the Johns-Manville Corporation to discuss presentation to Bendix Corporation on future of asbestos industry.
- July 20: M. M. Swetonic met with one of the nation's largest producers of asbestos containing filter material, to discuss problems that industry is having with the Food and Drug Administration regarding asbestos fibrils found in injectable drugs.
- July 24: Sent out AIA/NA Report series number two.

- July 27: Letter sent to OSHA head George C. Guenther regarding industry use of existing warning labels (see July 10). Mr. Warren of OSHA replied by telephone on November 27.
- July 28: AIA/NA members informed that the Industrial Union Department (IUD) of the AFL-CIO had filed a petition in the United States Court of Appeals in Washington, D.C., challenging the validity of the OSHA Standards on asbestos.
- July 31: Sent out AIA/NA Report series number three.
- August 4: Distributed study by Kannerstein-Churg with regard to asbestos exposure and smoking.
- August 7: George Swallow of Johns-Manville met with Walter D. Holland of Trapelo/West to review industry comments on Trapelo's proposal for a statistical evaluation of the Membrane Filter Method.
- August 7: Sent out AIA/NA Report series number four.
- August 8: A meeting was held in Washington by OSHA to discuss the problems it is experiencing in its enforcement program because of the lack of reliability of the membrane filter method. OSHA decided that a 15 member advisory committee be put together to review the problem. On August 22, a letter was sent by the AIA to Gerard F. Scannell, Office of Standards, OSHA, recommending the names of four industry industrial hygiene experts to sit in on the proposed 15 member advisory committee. The names submitted were: E. M. Fenner, Edward Bulava, Johns-Manville; I. H. Weaver, Raybestos-Manhattan; William Fassuliotis, GAF Corporation.
- August 10: A special AIA meeting held with regard to IUD lawsuit against OSHA on asbestos standards. Attendees were: A. H. Fay, National Gypsum; J. H. Marsh, Raybestos-Manhattan; G. G. Gabrielson, Jr., Jack Whittaker, Nicolet; Richard Carter, Johns-Manville; Paul Weiner, GAF; B. Neville, B. M. Walls, legal counsel for AIA. Decision was made to recommend to Board of Directors that AIA participate in case as amicus curiae.

- August 22: AIA/NA made arrangements to have printed "Asbestos Dust Hazard" warning signs according to the specifications contained in the OSHA asbestos regulations.
- August 30: Distributed revised proposal by Trapelo/West for study of Membrane Filter Method to members of AIA/NA Environmental Control Sub-Committee for approval.
- September 14: AIA/NA annual meeting held in New York at the Harvard Club. New slate of officers elected. 1973 Budget approved. Executive Committee formed. Environmental Control and publicity consultants retained.
- Sent out AIA/NA Report series number five.
- September 19: A letter was sent to all AIA members requesting a listing of product lines and customer industries that are causing problems because of OSHA. Purpose of list was to aid Cunningham & Walsh in it positive publicity program on asbestos.
- September 21: A meeting was held in AIA offices in New York with asbestos filter manufacturers to discuss industry response to proposed restrictions on asbestos filters by the Food & Drug Administration.
- September 22: Sent out AIA/NA Report series number six.
- September 26: The Environmental Defense Fund filed a motion with the Court of Appeals in Washington to intervene as an active participant in the IUD suit on the OSHA asbestos standards.
- September 27: Special AUA Lawyers' Sub-Committee meeting held in AIA offices to determine possible areas of cooperation between counsel in cases where several members are joined as defendants.

- September 29: Meeting held in London between AIA and Asbestos Information Committee to discuss mutual problems and arrange for greater future cooperation. Attending on behalf of the AIA/NA were: J. H. Marsh, Raybestos-Manhattan; F. J. Solon, Jr., Ivan Sabourin, Johns-Manville; M. M. Swetonic, AIA/NA. Representing the AIC were: Michael F. Howe, Turner & Newell; Alex Cross, Cape Asbestos Company; Wilfred Howard, Asbestos Information Committee (England); Hugh Dawson-Walker, Hill & Knowlton
- October 1-6: The International Agency for Research on Cancer (IARC), a division of the World Health Organization, held a "Meeting of a Working Group to Review the Biological Effects of Asbestos" at IARC headquarters in Lyon, France. Representing the U.S. industry at the meeting were J. H. Marsh, Dr. J. L. Goodman of Raybestos-Manhattan; F. J. Solon, Jr., Dr. F. L. Pundsack and Dr. S. Speil of Johns-Manville; and M. M. Swetonic of AIA/NA. A report on the meeting was distributed on October 17.
- October 12: Sent out AIA/NA Report series number seven.
- October 25: A letter was sent to AIA Executive Committee recommending proposed guidelines for future AIA participation in radio and TV shows on asbestos-health. Approval to guidelines given by Committee at November 16 meeting.
- October 31: Second meeting held with asbestos filter manufacturers to discuss their problem with FDA.
- November 2: Letter sent to editor of "Arts and Activities" regarding published story about use of asbestos as modeling compounds in schools.
- November 7: The Bureau of Mines, Coal Mine Division, published a proposal in the Federal Register to establish a two fiber asbestos standard in coal mines. Report distributed on November 13.

- November 8: M. M. Swetonic traveled to Washington with a group of asbestos filter manufacturers to meet with members of the FDA's recently established task force on asbestos. Report on meeting distributed on November 27.
- November 10: M. M. Swetonic met with Bob Sterns, editor of "Report Series on OSHA," to discuss story for his publication on the asbestos industry. Story appeared in the November 27 issue.
- November 16: A meeting of the Executive Committee was held at AIA headquarters in New York. The Government Research Company was retained as AIA Washington consultant.
- November 17: Sent out AIA/NA Report series number eight.
- November 21: A meeting was held with representatives of QAMA to discuss future cooperation on asbestos-health matters. Attending on behalf of AIA were F. J. Solon, Jr., Johns-Manville; M. M. Swetonic, AIA/NA and on behalf of QAMA J. A. Gossip and I. C. Campbell.
- November 28: Third meeting held with asbestos filter manufacturers to review industry approach to FDA.
- December 1: Sent out AIA/NA Report series number nine.
- December 5: Meeting arranged by AIA with Bureau of Mines officials to discuss proposed new asbestos standard for asbestos mining and milling industries. Report on meeting distributed on December 6.
- December 7: Letter sent to Dr. Wright, St. Luke's Hospital, Cleveland, Ohio, asking him to submit data to the Department of Interior on proposed two fiber standard for coal mines.