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PLAINTIFF'S
EXHIBIT

GP-265

July 6, 1977

Mr. S. John Byington
Chairman
Consumer Product Safety Commission
1750 "K" Street, N. W.
Washington, D.C. 20036

Subject: Asbestos - Spackling Compound

Dear Chairman Byington:

In the staff report presented to the Commission at your meeting on June 30, two issues were discussed on which I would like to comment. The issues were:

1. A definition of consumer packaging as differentiated from an industrial size package, and
2. The effective date of the ban.

First, I would like to point out that, on the date of your announced ban on spackling compound containing asbestos, we ceased using asbestos in our product and switched to a substitute.

We have also worked closely with your contractor developing the environment and economic report on asbestos. In the course of our discussion with your contractor, we focused on the issues mentioned above and would like to directly express our recommendations to you.

We support a total ban on spackling compound containing asbestos without regard to the packaging size. We package our spackling compound in both one-gallon and five-gallon containers. Although the smaller size is directed toward the "do-it-yourself" market, we have no way of policing the sale of our five-gallon containers and keeping those out of this market. A ban which differentiated the size of packaging would be difficult to enforce; and for that reason, we do not recommend you make the ban effective to different sizes of containers.

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Because we no longer manufacture a spackling compound containing asbestos, we support the 180-day effective date of the ban. Our pre-mix compound results in a minimum exposure which, based on your assessment analysis, presents an insignificant health hazard. Your risk assessment analysis was based on a four-day, eight-hour exposure which is not typical of the nonprofessional use patterns in using gypsum board and applying joint compound. The one-time user is at the lowest end of the exposure curve.

A ban of 180 days will provide sufficient time for any existing inventories to be depleted and replaced with asbestos-free spackling compound.

We will continue to work with your contractor, and if we can provide any direct information, please do not hesitate to contact me.

Yours very truly,

G. E. Wilson
Vice President

GEH/cw

cc: Messrs. O. E. Burch
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