FILE NAME: Montello (MNT)

DATE: 1981 Dec 9

DOC#: MNT006

DOCUMENT DESCRIPTION: Letter from Montello to Dept of Labor RE Use of Asbestos in Oil and Gas Well Drilling

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December 9, 1981

Mr. Thorne Auchter
Assistant Secretary for Occupational Safety
Department of Labor
200 Constitution Avenue, N.W.
Room S2315
Washington, D.C. 20210

PLAINTIFF'S EXHIBIT
DAIA-882

Dear Mr. Auchter:

On September 10, 1981, Dr. Frank Shell of Drilling Specialties Company wrote you regarding the use of asbestos in oil and gas well drilling fluids. We hope it is not too late for us to add our comments for your consideration. By way of introduction, Montello and Drilling Specialties are competitors, each distributing a wide range of products to the international drilling industry. Both companies are acutely aware of the toxicological and regulatory factors associated with asbestos usage. We are also intimately familiar with the unique working conditions at the drilling location. With the close cooperation of our respective manufacturers (Montello distributes for Union Carbide), substantial efforts have been made during the past ten years in product formulation to control air entrainable dust; in package design to improve integrity and durability; in field monitoring to ascertain the true magnitude of exposure in actual drillsite usage; and in developing and improving work practices.

Dr. Shell makes a strong point of the need by employers using asbestos in our industry, for a clarification of how the medical and monitoring requirements are to be applied. This is very true, and is based on the fact that asbestos usage in drilling remains remarkably high, despite a profound amount of extremely adverse media attention.* We are convinced that any functionally effective alternative material would have replaced asbestos in this application long ago. Employers are thus caught in a dilemma. Viewed conservatively, compliance with the present Standard is considered impossible. At the same time, replacement of the material has met with little success.

*Lest we give the wrong impression, please note that our industry only consumes about 1% or so of the total asbestos used annually in the U.S. A typical well will only require $1,000. or so worth of asbestos at retail prices.

882

The drillsite is unique among non-fixed workplaces. There are over 4,000 rigs now operating in the U.S. They drill an average of about one well every 17 days. This will result in the establishment of some 85,000 new "workplaces" during the year. To further complicate the situation, the vast majority are in extremely remote, hard to reach locations. Adding to the difficulty is the fact that asbestos is not typically used according to any set schedule. It may be added to the mud system for a half hour or so, and not used again for up to several days. This combination of frequent moves, remoteness of location and unpredictable product usage make the scheduling of regular monitoring a nightmare in logistics.

The mixture of employees at the drillsite is extremely complex. Operations are on a 24 hour, seven day per week basis. There is a continual flow of personnel onto, within and away from the location. They are employed by many different contractors, suppliers and service organizations. Any of them may have duties near the place where asbestos is added. Further complicating the employee mix is the very unpredictable nature of drilling. It is impossible to plan ahead for every contingency. As a result, personnel must frequently be sent to the location on extremely short notice. Added to this is the fact that less skilled employees are frequently transient in nature, leading to considerable turnover during drilling. There can also be a major change of personnel when the rig is moved and, as mentioned earlier, this happens on the average of every 17 days. The frequent change and unpredictable composition of the work force combine to make the establishment of uniformly applied medical examinations unmanageable.

We add our support for the ultimate establishment of a "Work Practices" oriented Standard, for use in the drilling industry and other non-fixed workplaces. Such a Standard would be effective in minimizing workplace exposure, and would be far more susceptible to compliance than the current one. As a practical matter, such a substantial change in the Standard will probably take considerable time. Meanwhile, employers in our industry continue to face the dilemma mentioned earlier.

Fortunately, asbestos usage in drilling operations is only sporadic, and for very short periods of time. In combination with sensible work practices, this results in 8 hour TWA readings that are typically below the .1 fiber per cc level. This is the action level for medical exams established by OSHA Instruction CPL 2-2.21A. With Union Carbide, we will continue to monitor representative workplaces throughout the U.S. (Drilling Specialties will no doubt be doing the same.) We propose that, so long as the 7 or 8 hour TWA results of such representative monitoring typically fall at or below .1 fiber per cc, the employer in drilling operations be relieved of responsibility for monitoring and medical exams. We would make all data from our monitoring freely available to all

users of our product, and to OSHA if desired.

With the low TWA values demonstrated in our past monitoring, we do not believe issuing an additional OSHA Compliance Instruction to this effect will in any way promote a more hazardous workplace. Instead, such issuance would serve to remove an unnecessarily burdensome concern now shared by all employers in our industry, allowing them to make drilling program decisions on the basis of economics and performance. We earnestly request your thoughtful consideration of our proposal.

Please feel free to call our Tulsa office if there are any questions, or if further information is needed.

Sincerely yours,

MONTELLO, INC.

Kenneth N. Campbell
President

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