



ASBESTOS INFORMATION ASSOCIATION

NORTH AMERICA

1745 Jefferson Davis Highway, Crystal Square 4, Suite 509
Arlington, Virginia 22202 • (703) 979-1150

Board of Directors Meeting

Stouffer's Concourse Hotel

Arlington, VA

March 14, 1984

Pursuant to notice, a meeting of the Board of Directors was held March 14, 1984 at Stouffer's Concourse Hotel, Arlington, VA. The meeting was called to order at 8:05 AM. The following directors were present:

William Aldridge	Turners Building Products, Ltd. (SNA)
William H. Beasley	CAPCO Pipe Company, Inc.
John K. Bogart	J-M A/C Pipe Company, Inc.
Solange Casiez	Atlas Building Materials (SNA)
(for Raymond Chaine, Filag-SNA, Inc.,	
Marcel De Rouin, Bell Asbestos Mines, Ltd (SNA),	
Shlomo Mevorach, Distex-SNA, Inc.,	
Gilles Roberge, Lupel-SNA, Inc.)	
Thomas A. Dougherty	CertainTeed Corporation
Gerard Hughes	J-M Asbestos Sales, Inc.
(for Dimitry Poutiatine)	
Joseph T. Mooney, Jr.	Monsey Products Company
John L. Myers	Union Carbide Corporation
Adam Novak	Huxley Development Corporation
Daniel Perlstein	Asbestos Corporation Ltd. (SNA)
John Riopelle	The Bendix Corporation
Kurt Schwarz	Supradur Manufacturing Corporation
James S. Van Pelt, Jr.	Grundy Industries, Inc.
Gerald vonDohlen	International Building Products, Inc.
Paul Walker	Hollingsworth & Vose Company
Frank L. Wardley	Quin-T Corporation

Also present: Joseph A. Artabane, Esq., Cadwalader, Wickersham & Taft; Joel Bodder, J-M Asbestos Sales, Inc.; Nicholas J. Hluchyj, Esq., and B. J. Pigg, AIA/NA Staff; Gene Prescott, International Building Products, Inc.; Arthur F. Sampson, III, Esq., and Edward W. Warren, Esq., Kirkland & Ellis; John Ward, Consultant.

Minutes

On motion, the minutes of the previous meeting, December 14, 1983, were approved on motion.

Financial Report

The financial statement for the period ending February 29, 1984 was reviewed by the Executive Director and approved on motion.

Congressional Activity - Introduced in the Senate on Jan. 31 was S.2237, the Asbestos School Hazard Protection and Control Act Amendments of 1984, the bill is sponsored by Senator James Lasser (D-TN) and Senator Walter D. Huddleston (D-KY). S.2237 attempts to enforce the inspection procedures for asbestos in schools as established by EPA regulations. First, states receiving federal funding are required to submit semiannual reports describing their asbestos control programs. Second, in order to qualify for a federal asbestos control grant, a local education agency (LEA) must submit an application outlining its previous efforts to comply with the 1982 EPA regulations. S.2237 also authorizes \$100 million to be appropriated for the emergency grant program for fiscal year 1985 and each of the three successive years.

On the House of Representatives side, hearings regarding the presence of friable asbestos-containing materials in buildings are scheduled to be held before the Public Buildings and Grounds Subcommittee of the Public Works and Transportation Committee on March 15. Chairman of the Subcommittee is Representative Robert A. Young (D-MO).

EPA - In the Federal Register of March 6, the Environmental Protection Agency published its response to a petition filed by the Service Employees International Union (SEIU), AFL-CIO, under section 21 of the Toxic Substances Control Act (TSCA). The petition called upon the EPA to initiate rulemaking proceedings under section 6 of TSCA concerning abatement of friable asbestos-containing materials in public and private elementary and secondary schools, and inspection and abatement of these materials in other public and commercial buildings. The EPA states that, for the most part, it is granting the SEIU petition. Alternatives which the EPA is developing to address the problem include additional training programs for schools, contractors, states, and parents and teachers; requiring asbestos abatement contractor certification; and requiring abatement of friable asbestos-containing materials in buildings through the use of administrative mechanisms and independent inspections or certification of appropriate abatement actions taken.

On March 12 and 13, the EPA, in conjunction with the National Bureau of Standards, is sponsoring a program entitled, "Workshop on the Monitoring and Evaluation of Airborne Asbestos Levels Following an Abatement Program." AIA/NA staff attended the first session of the workshop on March 12. Most of the session focused on the problems of accurately measuring airborne levels of asbestos regardless of what technique, optical or electron microscopy, is used.

OSHA - On March 7, the Fifth Circuit U.S. Court of Appeals in New Orleans issued its opinion in the case of AIA/NA v. OSHA, in which the Association asked the Court to determine whether OSHA properly by-passed normal notice-and-comment rulemaking procedures in favor of creating an emergency temporary standard (ETS) lowering the permissible exposure level (PEL) for asbestos from 2 to 0.5 f/cc. The court concluded, in its own words, "We determine the Emergency

Temporary Standard to be invalid because the record, considered as a whole, does not indicate that the risk the ETS seeks to eliminate is 'grave', as OSHA itself has defined it, or that the ETS is 'necessary' as those terms are used in the ETS statute." It is expected that the Court's decision may delay the issuance by OSHA of a formal proposal for a revision of the asbestos standard.

State Activity - The issue of friable asbestos-containing materials appears to be prominent on the state as well as the federal level. Of the nine state bills dealing with asbestos that are being tracked so far, five deal with the asbestos in schools situation.

Resolutions Adopted

A recommendation by John L. Myers, AIA/NA President, to appoint John Riopelle, The Bendix Corporation, to the Association's Executive Committee was unanimously approved by the Board of Directors.

Miscellaneous

Other reports and discussions in accordance with agenda. Fred Hoerger, Ph.D., The Dow Chemical Company, was the dinner speaker on March 13, 1984.

Other Business

The next regular meeting of the Board of Directors will be held on June 13, 1984 at the Old Town Holiday Inn, Alexandria, VA.

Adjournment

There being no further business, the meeting was adjourned at 11:45 AM.


B. J. Pigg
Executive Director

March 28, 1984