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GEORGE A. WELLER
(1911-1986)

**LICENSED IN TEXAS & LOUISIANA

May 21, 1993

*BOARD CERTIFIED
PERSONAL INJURY TRIAL LAW AND CIVIL TRIAL LAW
TEXAS BOARD OF LEGAL SPECIALIZATION

Ms. Amalia Rodriguez-Mendoza
District Clerk
Travis County Courthouse
1000 Guadalupe Street
Austin, Texas 78701

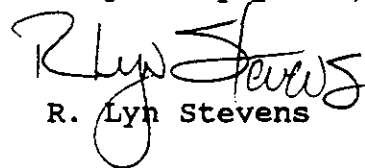
Re: No. 92-10123; John A. Loper, et al v. Fibreboard Corporation, et al; In the 53rd Judicial District Court of Travis County, Texas

Dear Ms. Rodriguez-Mendoza:

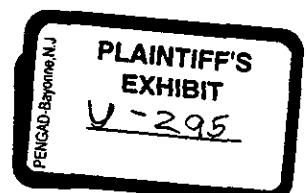
Enclosed for filing please find Response of Pittsburgh Corning to Plaintiffs' Interrogatories in regard to the above-referenced cause. Please acknowledge receipt of this document by placing your file mark on the enclosed copy of this letter and return same to the undersigned in the envelope provided.

By copy of this letter, I am forwarding a copy of said Response to Plaintiff's counsel of record by Federal Express. Thank you for your assistance in this matter.

Very truly yours,


R. Lyn Stevens

RLS/mjb
Enclosures
cc: Mr. Russell W. Budd
Federal Express



05/20/93

NO. 92-10123

JOHN A. LOPER, SR. and PATSY	:	IN THE DISTRICT COURT OF
LOPER; WILLIAM GEORGE WALLACE	:	
and SHELBY WALLACE; THOMAS	:	
COLTON BULLOCH, JR. and MARILYN	:	
BULLOCH; ROBERT EARL BUMPERS	:	
and FAYE BUMPERS; WILLIE F.	:	
MARTIN and IDA FAYE MARTIN;	:	
JAMES CLOIS HODGINS and	:	
DOROTHY HODGINS; and WOODROW	:	
WILSON SMITH and MELBA SMITH,	:	
	:	
Plaintiffs,	:	
	:	TRAVIS COUNTY, TEXAS
vs.	:	
	:	
FIBREBOARD CORPORATION, et al.,	:	
	:	
Defendants.	:	53RD JUDICIAL DISTRICT

**RESPONSE OF PITTSBURGH CORNING CORPORATION TO
PLAINTIFFS' INTERROGATORIES TO DEFENDANT**

GENERAL OBJECTION

This Defendant manufactured an asbestos thermal insulation product, UNIBESTOS, from July 1, 1962 to on or about February 1, 1972. Unless otherwise stated in response to specific interrogatories, the responses herein shall be limited to such product and time period. This Defendant objects to providing responses for any other period of time on the grounds that such additional information sought is irrelevant, immaterial, not

calculated to lead to the discovery of admissible evidence and, furthermore, could be burdensome, expensive and harassing to comply with.

At various times, this Defendant also relabeled and sold certain types of mastic products as accessory products. Although all the formulations of these relabeled mastic accessory products are not now known, a few did include small amounts of asbestos fibers used as a binder, which fibers were encapsulated in a bituminous and/or resinous binder. These accessory products were not manufactured by this Defendant, were not used on high temperature insulation products such as UNIBESTOS and were not insulating materials. Those few mastic products which contained asbestos fibers as a binder have not been considered to be a source of asbestos fiber emissions. Consequently, such material was specifically exempted from certain regulations in the federal Environmental Protection Agency's National Emissions Standard for Asbestos, see 40 C.F.R. § 61.22 et seq., (now 40 C.F.R. § 61.148) and were exempt from the asbestos controls of the Consumer Products Safety Commission 16 C.F.R. § 1304.3(c). Similarly, the asbestos regulations of the Occupational Safety and Health Act, which require caution labels on asbestos products, did not apply

to any material where asbestos fibers were modified by a binding agent, coating or binder. See 29 C.F.R. § 1910.1001(g)(2)(i) (now 29 C.F.R. § 1910.1001(j)(4)(i)).

The term asbestos is generically applied to several different minerals, may be found in various fiber types and may be found in a wide variety of product forms, including ceiling tiles, floor tiles, gaskets, gloves, mastics, protective aprons, protective matting, etc. This Defendant objects generally to these interrogatories as vague, overly broad, irrelevant, immaterial and not reasonably calculated to lead to the discovery of admissible evidence so far as they relate or refer to unidentified asbestos-containing products or materials and will limit its responses as stated above.

This Defendant states that there never existed a predecessor corporation with respect to this Defendant. While this Defendant purchased on June 30, 1962 selected assets from Union Asbestos & Rubber Co., it did not purchase that company; that company continued to operate as a separate company for years and to sell other products including asbestos-containing products, it was not a predecessor corporation of this Defendant and on information and belief it or its successor continues to operate as an

independent company to this date. Further, Defendant states that its responses to any interrogatory or request herein relate only to this Defendant and are not to be construed to imply the existence of a predecessor corporation.

INTERROGATORIES

1. For each document listed below, please answer whether such document is a true and correct duplicate of a genuine and authentic document:

RESPONSE: This Defendant objects to Interrogatory No. 1 on the ground that the discovery request, although characterized as an "interrogatory", is in reality a request for admission pursuant to Rule 169. As such, this request is outside the scope of discovery as permitted by Rule 169 in that it is compound and exceeds the specific mandate of Rule 169 which allows a request to include "the genuineness of any documents described in the request". This Defendant may affirm or deny that the copy is genuine or identical to the document it possesses, but this Defendant should not be required to authenticate or vouch for the accuracy or the contents of the document. Without waiving this

objection, this Defendant will endeavor to respond as to whether or not the identified documents on Exhibit A are "genuine".

EXHIBIT NO.

a) U-3

RESPONSE: Admit that the document is a genuine copy as it appears in the files of this Defendant.

b) U-6

RESPONSE: Admit that the document is a genuine copy as it appears in the files of this Defendant.

c) U-10

RESPONSE: This Defendant lacks sufficient information upon which to determine the genuineness of the identified document as this Defendant has made reasonable inquiry and has ascertained that it is not in this Defendant's files; however, if further response is deemed necessary, deny.

d) U-15

RESPONSE: Admit that the document is a genuine copy as it appears in the files of this Defendant.

e) U-18

RESPONSE: Admit that the document is a genuine copy as it appears in the files of this Defendant.

f) U-20

RESPONSE: Admit that the document is a genuine copy as it appears in the files of this Defendant.

g) U-23

RESPONSE: Admit that the document is a genuine copy as it appears in the files of this Defendant.

h) U-28

RESPONSE: Deny in the form presented; however admit that the document attached as Exhibit U-28a is a genuine copy as it appears in the files of this Defendant.

i) U-32

RESPONSE: Admit that the document is a genuine copy as it appears in the files of this Defendant.

j) U-33

RESPONSE: Admit that the document is a genuine copy as it appears in the files of this Defendant.

k) U-34

RESPONSE: Admit that the document is a genuine copy as it appears in the files of this Defendant.

l) U-37

RESPONSE: Admit that the document is a genuine copy as it appears in the files of this Defendant.

m) U-38

RESPONSE: Admit that the document is a genuine copy as it appears in the files of this Defendant.

n) U-40

RESPONSE: Admit that the document is a genuine copy as it appears in the files of this Defendant.

o) U-44

RESPONSE: Admit that the document is a genuine copy as it appears in the files of this Defendant.

p) U-49

RESPONSE: Admit that the document is a genuine copy as it appears in the files of this Defendant.

q) U-62

RESPONSE: Admit that the document is a genuine copy as it appears in the files of this Defendant.

r) U-65

RESPONSE: Admit that the document is a genuine copy as it appears in the files of this Defendant.

s) U-68

RESPONSE: Admit that the document is a genuine copy as it appears in the files of this Defendant.

t) U-69

RESPONSE: Admit that the document is a genuine copy as it appears in the files of this Defendant.

u) U-70

RESPONSE: Admit that the document is a genuine copy as it appears in the files of this Defendant.

v) U-71

RESPONSE: Admit that the document is a genuine copy as it appears in the files of this Defendant.

w) U-78

RESPONSE: Admit that the document is a genuine copy as it appears in the files of this Defendant.

x) U-80

RESPONSE: Admit that the document is a genuine copy as it appears in the files of this Defendant.

y) U-81

RESPONSE: Admit that the document is a genuine copy as it appears in the files of this Defendant.

z) U-83

RESPONSE: This Defendant lacks sufficient information upon which to determine the genuineness of the identified document as this Defendant has made reasonable inquiry and has ascertained that it is not in this Defendant's files; however, if further response is deemed necessary, deny.

aa) U-84

RESPONSE: Deny in the form presented; however admit that the document attached as Exhibit U-84a is a genuine copy as it appears in the files of this Defendant.

bb) U-86

RESPONSE: This Defendant lacks sufficient information upon which to determine the genuineness of the identified document as this Defendant has made reasonable inquiry and has ascertained that it is not in this Defendant's files; however, if further response is deemed necessary, deny.

cc) U-88

RESPONSE: Admit that the document is a genuine copy as it appears in the files of this Defendant.

dd) U-89

RESPONSE: Admit that the document is a genuine copy as it appears in the files of this Defendant.

ee) U-90

RESPONSE: This Defendant lacks sufficient information upon which to determine the genuineness of the identified document as this Defendant has made reasonable inquiry and has ascertained that it is not in this Defendant's

files; however, if further response is deemed necessary, deny.

ff) U-94

RESPONSE: This Defendant lacks sufficient information upon which to determine the genuineness of the identified document as this Defendant has made reasonable inquiry and has ascertained that it is not in this Defendant's files; however, if further response is deemed necessary, deny.

gg) U-97

RESPONSE: This Defendant lacks sufficient information upon which to determine the genuineness of the identified document as this Defendant has made reasonable inquiry and has ascertained that it is not in this Defendant's files; however, if further response is deemed necessary, deny.

hh) U-98

RESPONSE: This Defendant lacks sufficient information upon which to determine the genuineness of the identified document as this Defendant has made reasonable inquiry and has ascertained that it is not in this Defendant's files; however, if further response is deemed necessary, deny.

ii) U-99

RESPONSE: Admit that the document is a genuine copy as it appears in the files of this Defendant.

jj) U-100

RESPONSE: This Defendant objects to this request on the basis of attorney-client privilege and/or attorney work product. If further response is deemed necessary, deny.

kk) U-174

RESPONSE: Objection. This document is a letter from an attorney at the time representing this Defendant providing

legal advice and/or opinion and suggesting previous attorney-client communications and is thus protected by the attorney-client privilege and/or attorney work product.

2. For each document listed below, please answer whether such document was kept and/or generated in the regular course of a regularly conducted business activity of any PCC Entity by an employee or representative of any PCC Entity with knowledge of the act, event, condition or opinion recorded.

RESPONSE: This Defendant objects to Interrogatory No. 2 on the ground that this interrogatory is outside the scope of discovery as permitted by Rule 168, in that the interrogatory as phrased seeks to have this Defendant substitute itself for the judicial authority in making a determination relevant to the admissibility of a document into evidence. In addition, this interrogatory is compound and improperly phrased in the alternative. Without waiving this objection, this Defendant will advise plaintiffs as to whether not

such documents identified on Exhibit A are located in Defendant's files.

EXHIBIT NO.

a) U-3

RESPONSE: See this Defendant's response to Interrogatory No. 1, regarding this exhibit, which is incorporated herein by reference.

b) U-6

RESPONSE: See this Defendant's response to Interrogatory No. 1, regarding this exhibit, which is incorporated herein by reference.

c) U-10

RESPONSE: See this Defendant's response to Interrogatory No. 1, regarding this exhibit, which is incorporated herein by reference.

d) U-15

RESPONSE: See this Defendant's response to Interrogatory No. 1, regarding this exhibit, which is incorporated herein by reference.

e) U-18

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f) U-20

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g) U-23

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h) U-28

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i) U-32

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l) U-37

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m) U-38

RESPONSE: See this Defendant's response to Interrogatory No. 1, regarding this exhibit, which is incorporated herein by reference.

n) U-40

RESPONSE: See this Defendant's response to Interrogatory No. 1, regarding this exhibit, which is incorporated herein by reference.

o) U-44

RESPONSE: See this Defendant's response to Interrogatory No. 1, regarding this exhibit, which is incorporated herein by reference.

p) U-49

RESPONSE: See this Defendant's response to Interrogatory No. 1, regarding this exhibit, which is incorporated herein by reference.

q) U-62

RESPONSE: See this Defendant's response to Interrogatory No. 1, regarding this exhibit, which is incorporated herein by reference.

r) U-65

RESPONSE: See this Defendant's response to Interrogatory No. 1, regarding this exhibit, which is incorporated herein by reference.

s) U-68

RESPONSE: See this Defendant's response to Interrogatory No. 1, regarding this exhibit, which is incorporated herein by reference.

t) U-69

RESPONSE: See this Defendant's response to Interrogatory No. 1, regarding this exhibit, which is incorporated herein by reference.

u) U-70

RESPONSE: See this Defendant's response to Interrogatory No. 1, regarding this exhibit, which is incorporated herein by reference.

v) U-71

RESPONSE: See this Defendant's response to Interrogatory No. 1, regarding this exhibit, which is incorporated herein by reference.

w) U-78

RESPONSE: See this Defendant's response to Interrogatory No. 1, regarding this exhibit, which is incorporated herein by reference.

x) U-80

RESPONSE: See this Defendant's response to Interrogatory No. 1, regarding this exhibit, which is incorporated herein by reference.

y) U-81

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z) U-83

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aa) U-84

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bb) U-86

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cc) U-88

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dd) U-89

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ee) U-90

RESPONSE: See this Defendant's response to Interrogatory No. 1, regarding this exhibit, which is incorporated herein by reference.

ff) U-94

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gg) U-97

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hh) U-98

RESPONSE: See this Defendant's response to Interrogatory No. 1, regarding this exhibit, which is incorporated herein by reference.

ii) U-99

RESPONSE: See this Defendant's response to Interrogatory No. 1, regarding this exhibit, which is incorporated herein by reference.

jj) U-100

RESPONSE: See this Defendant's response to Interrogatory No. 1, regarding this exhibit, which is incorporated herein by reference.

kk) U-174

RESPONSE: See this Defendant's response to Interrogatory No. 1, regarding this exhibit, which is incorporated herein by reference.

3. For each document listed below, please answer whether such document was found in your files in such a condition as to create no suspicion concerning its authenticity.

RESPONSE: This Defendant objects to Interrogatory No. 3 on the ground that the discovery request, although characterized as an "interrogatory", is in reality a request for admission pursuant to Rule 169. As such, this request is outside the scope of discovery as permitted by Rule 169 in that it is compound and exceeds the specific mandate of Rule 169 which allows a request to include "the genuineness of any documents

described in the request". This Defendant may affirm or deny that the copy is genuine or identical to the document it possesses, but this Defendant should not be required to authenticate or vouch for the accuracy or the contents of the document. Without waiving this objection, this Defendant will endeavor to respond as to whether or not the identified documents on Exhibit A are "genuine".

EXHIBIT NO.

a) U-3

RESPONSE: See this Defendant's response to Interrogatory No. 1, regarding this exhibit, which is incorporated herein by reference.

b) U-6

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c) U-10

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o) U-44

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p) U-49

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q) U-62

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r) U-65

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s) U-68

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t) U-69

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u) U-70

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v) U-71

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w) U-78

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x) U-80

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y) U-81

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z) U-83

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aa) U-84

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bb) U-86

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cc) U-88

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dd) U-89

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ee) U-90

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ff) U-94

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gg) U-97

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hh) U-98

RESPONSE: See this Defendant's response to Interrogatory No. 1, regarding this exhibit, which is incorporated herein by reference.

ii) U-99

RESPONSE: See this Defendant's response to Interrogatory No. 1, regarding this exhibit, which is incorporated herein by reference.

jj) U-100

RESPONSE: See this Defendant's response to Interrogatory No. 1, regarding this exhibit, which is incorporated herein by reference.

kk) U-174

RESPONSE: See this Defendant's response to Interrogatory No. 1, regarding this exhibit, which is incorporated herein by reference.

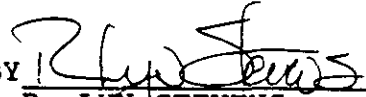
4. Has PCC stipulated or agreed to the authenticity of any of the documents referenced in Interrogatory No. 1 with any person prior to the date of these Interrogatories?

RESPONSE: This Defendant objects to Interrogatory No. 4 on the grounds that it in effect asks whether there has been

a previous response to a request for admission and i. so doing seeks to circumvent the specific mandate of Rule 169(2), which forbids a response for a request for admission in one proceed to be used for any purpose in any other proceeding. As such, the interrogatory is improper and outside the scope of discovery as permitted by Rule 169.

Respectfully submitted,

WELLER & GREEN, L.L.P.
P. O. BOX 350
BEAUMONT, TEXAS 77704-0350
(409) 838-0101

BY 
R. LYN STEVENS
STATE BAR NO. 19189020

ATTORNEYS FOR DEFENDANT,
PITTSBURGH CORNING CORPORATION

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing instrument has been forwarded to all known counsel of record by regular mail on this the 21st day of May, 1993.


R. LYN STEVENS

AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA

} SS:

COUNTY OF ALLEGHENY

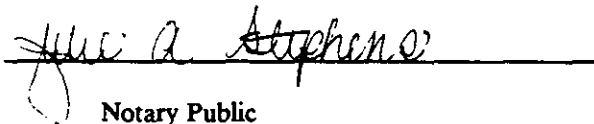
BEFORE ME, the undersigned authority in and for said Commonwealth and County, personally appeared Richard C. McPherson, who being duly sworn deposes and says that he is Vice President of Human Resources with Pittsburgh Corning Corporation, that he is authorized to make this affidavit on its behalf and that the facts contained in the foregoing Interrogatories are based on previous responses to similar Interrogatories compiled by Robert E. Buckley who was a former Vice President and Assistant to the President of Pittsburgh Corning Corporation and who has sworn that said responses were true and correct to the best of this knowledge or information and belief.



R. C. McPherson

SWORN TO AND SUBSCRIBED BEFORE ME

this 20th day of May 1993



Notary Public

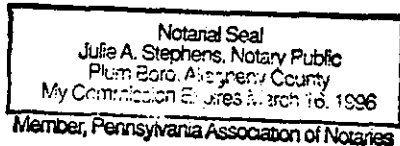


EXHIBIT A

<u>EXHIBIT NO.</u>	<u>DESCRIPTION</u>
a) U-3	Asbestos Survey, Pittsburgh Corning Corporation, Tyler, Texas, Project No. 71-45, dated 12/7/71.
b) U-6	Letter of Clyde C. Ruddick to Karl Baumler dated 5-16-62 with attachments.
c) U-10	Letter dated 6-21-67 from Dr. Hurst to Dr. Grant.
d) U-15	Letter dated 4-8-69 from Wendell Blair, U. S. Department of Labor, to Bierer with attachments.
e) U-18	Letter dated 1-27-70 from Clinton V. Oster to Mr. C. E. Van Horne.
f) U-20	Letter dated 3-13-70 from Dr. Grant to Van Horne.
g) U-23	Letter by Wilson to Fuhs dated 9-10-70. (Exhibit 2 to Deposition of Roy Fuhs).
h) U-28	Letter dated 11-16-71 from Dr. William Johnson and Bobby Craft to Dr. James K. Peavy with attached air sample results.
i) U-32	Notification of Proposed Penalty dated 12-16-71 from U.S. Department of Labor.
j) U-33	Citation (5 pages) from U.S. Department of Labor dated 12-16-71.
k) U-34	Notification of Failure to Correct Violation and of Proposed Additional Penalty dated 1-17-72 from U. S. Department of Labor.
l) U-37	Letter dated 12-20-71 from Dr. Grant to Mr. Van Horne with Attachment #1, Grant's Memorandum to the Record and Attachment #2, Asbestos Standard.
m) U-38	Letter dated 12-21-71 from Craft and Dr. Johnson to Dr. James E. Peavy.

- n) U-40 Letter dated 1-4-72 from Dr. Grant to Personal Environment Systems.
- o) U-44 Letter dated 1-31-72 from Dr. Grant to Mr. Carl Olm and Mr. Van Horne.
- p) U-49 Letter dated 5-25-62 from Mr. Clyde C. Ruddick to Mr. Karl Baumler with enclosures.
- q) U-62 Pittsburgh Corning Corporation Appropriation Request, 2-17-65 (7 pages).
- r) U-65 Letter dated 08-15-66 from Lee B. Grant, M.D., to Mr. Arthur Haskins.
- s) U-68 Letter dated 8-23-67 from Lee B. Grant, M.D., to J. M. Barnhart with blind carbon copy to Mr. Russell Brittingham, including enclosures.
- t) U-69 Letter dated 2-5-68 from Roy E. Fuhs to Robert E. Buckley.
- u) U-70 Letter dated 5-29-68 from Roy E. Fuhs to Robert E. Buckley.
- v) U-71 Letter dated 7-9-68 from Lee B. Grant, M.D., to Mr. Byrl M. Stout.
- w) U-78 Letter dated 6-23-69 from Mr. John L. Hyde to Mr. A. R. Gebrin.
- x) U-80 Letter dated 9-16-69 from Lee B. Grant, M.D., to Mr. Byrl Stout, Mr. E. W. Holman.
- y) U-81 Pittsburgh Corning Corporation Inter-Office correspondence dated 1-20-71 from Mr. G. S. Gregory to Mr. E. W. Holman.
- z) U-83 Memorandum dated 10-19-64; Subject: Asbestos Exposure at Pittsburgh Corning Corporation with attached newspaper article.
- aa) U-84 Pittsburgh Corning Corporation Inter-Office correspondence dated 4-25-63 from Mr. K. Baumler to Mr. J. W. McMillan, with attachments.
- bb) U-86 Letter dated 4-3-68 from Lee B. Grant, M.D. to Mr. J. W. McMillan..
- cc) U-88 Pittsburgh Corning Corporation Inter-Office handwritten correspondence dated 5-1-70 from Mr. Jim Nesser to Mr. Roy Fuhs.

dd) U-89 Pittsburgh Corning Corporation Inter-Office
correspondence dated 5-12-70 from Mr. John H.
Price, Jr.

ee) U-90 Letter dated 3-2-70 from R. E. Faucett to
Commander, Naval Engineering Center.

ff) U-94 An organization chart of Pittsburgh Corning
Corporation.

gg) U-97 Letter dated January 12, 1966, from Mr. Philip
Zullo to Mr. R. K. Francis.

hh) U-98 Pittsburgh Corning Corporation reported dated
January 5, 1966.

ii) U-99 Letter dated April 22, 1966 to Mr. Russell
Brittingham from Lee B. Grant enclosing
Memorandum for record April 21, 1966 by Lee B.
Grant.

jj) U-100 Notes made by W. Farkos dated January 4, 1972,
with copy of letter from Lee B. Grant to J. W.
McMillan, dated April 3, 1968, attached.

kk) U-174 Letter dated June 24, 1968 from Richard C.
Packard to George E. Duncan, Esquire.

EXHIBIT U-28a

**National Institute for Occupational Safety and Health
550 Main Street, Room 7033
Cincinnati, Ohio 45202**

November 16, 1971

**James E. Peavy, M.D.
Commissioner of Health
Texas State Department of Health
1100 West 49th Street
Austin, Texas 78756**

Dear Dr. Peavy:

A recent N.I.O.S.H. survey demonstrated an extremely serious and critical occupational health situation at the Pittsburgh Corning Corporation Amosite Asbestos Thermal Pipe Insulation Plant in Tyler, Texas.

N.I.O.S.H. industrial hygiene surveys in 1967 and 1970 yielded grossly excessive fiber concentrations compared to current and proposed asbestos standards, and these results were forwarded to the company for appropriate action. Following requests for evaluation and assistance from the Texas State Health Department and the local membership of the Oil Chemical and Atomic Workers International Union, N.I.O.S.H. conducted a comprehensive industrial hygiene and medical survey during the week of October 26 to 29, 1971.

The survey pointed out major industrial hygiene deficiencies which included a grossly inadequate ventilation system and poor housekeeping practices. In August 1971, respirators were made mandatory in all areas concomitant with application for variance from the current asbestos standard; however, our survey personnel observed many employees with loose or unconnected straps. Also, there was no program for the fitting and maintenance of respirators. Again personal air samples yielded grossly excessive fiber concentrations in all production, finishing, and shipping areas.

N.I.O.S.H. medical questionnaires and examinations for rales and finger clubbing were conducted by our survey team on 63 employees in order to complement the X-rays and pulmonary function tests performed by Dr. George Hurst of the East Texas Chest Hospital in August 1971 at the request of the Pittsburgh Corning Corporation. One film was read as a pulmonary neoplasm by Dr. Hurst, and this diagnosis was confirmed following hospitalization. In addition, several films were read as possible

pulmonary fibrosis. However, Dr. Lee Grant, Medical Consultant to the Pittsburgh Corning Corporation, has delayed release of these films to N.I.O.S.H. and its expert panel of radiologists pending his personal review of the films. Even without benefit of the X-rays, 7 of 18 workers with greater than ten years employment at the Tyler Plant meet at least three of four criteria for asbestosis. These criteria include: (1) forced vital capacity below 80% of predicted, (2) dyspnea, (3) finger clubbing, and (4) rales. Positive X-ray results could increase further the number of cases of asbestosis. Reduced pulmonary function was also observed in a few workers with less than five years employment.

Therefore, medical follow-up of current and past employees is indicated. Immediate corrective action is necessary to reduce asbestos exposure levels to conform to existing standards.

Sincerely yours,

William M. Johnson, M.D.
Acting Deputy Director,
Division of Field Studies and
Clinical Investigations

Bobby F. Craft, Ph.D.
Acting Director,
Division of Technical Services

Encl. (Air Sampling Results; October, 1971)

cc: Marcus M. Key, M.D.
Mr. Charles Van Horne
Mr. J. B. Stokes
Mr. George Pettigrew, Region VI, N.I.O.S.H.
Mr. John K. Barto, Region VI, O.S.H.A.
Joseph K. Wagoner, S.D. Hyg.

WJJOHNSON:jo

ANALYSIS OF PERSONAL SAMPLES
PITTSBURGH-CORNING ASBESTOS PLANT, TYLER, TEXAS

ASBESTOS PIPE-INSULATORS

<u>OPERATION</u>	<u>SAMPLE</u>	<u>CONC. (FIBERS >5μ/cc)</u>
Mixing		
Feeder	45	54.04
Feeder	139	105.83
Feeder	117*	101.71
Feeder	99*	169.7
Scrap Feeder	106	9.58
Feeder	60*	188.91
Feeder	12*	92.77
Feeder	57	26.4
Feeder	82	9.14
Feeder	132	22.5
Feeder	29	37.6
Forming		
Builder	18	40.93
Builder	91	26.11
Builder	103	14.61
Builder	88	7.45
Builder	119	9.42
Builder	83	25.79
Builder	85	42.77
Relief Builder	105	22.33
Builder	89	6.67
Builder	121	25.53
Builder	54	12.28
Builder	25	57.72
Relief Builder	71	35.24
Builder	90	17.
Builder	92	37.54
Builder	120*	90.9
Builder	110	70.36
Builder	107*	103.97
Relief Builder	111	30.43
Builder	16*	134.41
Builder	20	53.23
Builder	14	44.31
Builder	17	59.58
Builder	53	42.99

Page 2 - Pittsburgh-Corning Asbestos Plant

	Relief Builder	27	72.12
	Builder	74	9.74
	Builder	15	64.35
	Builder	24*	111.15
	Builder	131	13.8
	Builder	136	9.9
	Builder	122	14.8
	Builder	101	26.9
	Builder	124	8.44
	Builder	65	56.45
	Builder	95	36.41
	Builder	58	14.75
	Relief Builder	56	24.27
	Builder	102	31.2
	Labor	52	11.26
Curing			
	Oven Tender	47	23.5
	Oven Tender	140	5.08
	Oven Tender	112	6.89
	Oven Tender	93	19.87
	Oven Tender	84	16.40
Finishing			
	Supervisor	68	20.38
	Wrapper	130	11.43
	Wrapper	98	37.45
	Finishing Laborer	1	30.43
	Utility-Finishing	3	48.53
	Utility-Finishing	66	12.03
	Wrapper	8	94.81
	Utility-Finishing	4	55.11
	Finishing Laborer	22	22.83
	Saw Operator	30	27.36
	Saw Operator	126	19.38
	Saw Helper	78	14.18
	Saw Operator	76	31.23
	Saw Operator	94	21.9
	SRL Saw	118	1.73
	Cutting Saw	51	91.76
	SRL Cutting Saw	55	40.28
	Saw Feeder	35	2.30
	Pine Machine Oper.	006*	208.42
	Saw Labor	007	97.26
	Saw Labor	116	6.59

Page 3 - Pittsburgh-Corning Asbestos Plant

SRL Saw	134	25.97
SRL Saw	141	1.96
Saw Labor	109	11.62
SRL Labor	26	91.52
Inspection		
Box Marker	86	20.71
Weigher	59	34.49
Fork Lift Operator	2	11.71
Packer	21	9.5
Packer	42	1.84
Shipping Supervisor	43	2.18
Packer	10	13.08
Fork Lift Operator	62	20.42
Labeler	63	20.72
Inspector	69	92.26
Weigher	5	29.45
Inspector	23	73.62
Packer	9	3.83
Packer	44	.71
Weigher	125	6.8
Miscellaneous		
Maintenance	75	32.08
Utility	135	2.09
Utility	133	8.36
Maintenance	108	18.12
Utility	39	30.38
Maintenance	11	42.28
Maintenance	13	26.81
Maintenance	50	28.43
Maintenance	64	37.54
Sweeper	97	3.61
Maintenance	123	2.10
Maintenance	127	0.94
Janitor	129	2.29
Shipping	40	1.36
Guard	73	1.94
Guard	113	4.58
Guard	72	0.64
Supervisor	128	1.57
Supervisor	080	14.92
Supervisor	19	29.91
Supervisor	79	6.28

Page 4 - Pittsburgh-Corning Asbestos Plant

Supervisor	77	24.25
Supervisor	104	25.2
Supervisor	115	2.28
Office Workers		
	154	0.04
	152	0.04
	158	0.03
	155	0.66

*=Approximate (too many to count)

Samples taken on October 26, 27, 28, 29, 1971

DEPARTMENT OF
HEALTH, EDUCATION, AND WELFARE
PUBLIC HEALTH SERVICE

550 Main St., Rm 7033
Cincinnati, Ohio 45202

NOTIFIED
NOV 18 1971

AIR MAIL
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POSTAGE AND FEES PAID
U. S. DEPARTMENT OF H. E. W.

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE \$300

Mr. Charles E. Van Horne
Plant Manager
Pittsburgh Corning Company
Tyler, Texas 75701

H A Bx

REGISTER
463018

Box 3057

N 1111

463018



EXHIBIT U-84a

INTER-OFFICE CORRESPONDENCE

To J. W. McMillan

From K. Baumler

Subject: Plant Safety and Protection

Date April 25, 1963

Dear Mac:

Attached is a copy of a memo dated April 23, 1963, from Mr. J. E. Morrison, covering his recent inspection trip to Tyler.

We have discussed the survey and I agree with all the recommendations made.

Now, it will only be a matter of timing for execution of these recommendations.

- A #1 Mr. Morrison will contact the Industrial Hygiene Foundation and will arrange for the necessary dust survey. You will be advised in advance when these people come to Tyler.
- O, F #2 X-Rays — All new employees should be given the complete x-rays as outlined. When old employees are re-x-rayed, the front and side X-ray of the lumbar region of the back should be made in addition to the chest x-ray. Thus, we will build up a complete history of all our employees.
- #3 Can and should be done as soon as possible.
- C #4 Employees will need a soft sell on respirators, to be followed up with rigid enforcement in troublesome areas, when Hygiene Foundation submits their findings.
- #5 Can and should be done as soon as possible.
- #6 Same as #5.
- #7 Suggest at this time you request your supplier of fire extinguishers to give a demonstration to your employees at the plant site, with necessary instruction.
- #8 To organize an effective fire brigade will take some planning, but the groundwork should be laid now to have it in operation within reasonable time.
- #9 Pick a central and convenient area for an oil storage house and build one.
- #10 This ties in with #8. An Executive Safety Committee with the Works Manager as permanent chairman should have as members, the General Foreman, and the Works Accountant as Secretary. As the need arises, additional salaried supervisors can be included

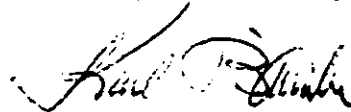
We suggest that you arrange to send your Fire Marshall, I assume that would be your General Foreman, to the Ansul Fire School for training. Schedule of school dates is enclosed. Pick the date most desirable and make reservation.

I believe we also should take advantage of the Industrial Hygiene Foundation's service to survey the medical doctors in your area and make recommendation to us on the best qualified doctor for our particular need.

As you know, we in Pittsburgh Corning are safety conscious at all times and attempt to give the best possible protection to our employees and manufacturing facilities.

We are sure you will incorporate the above improvements in your overall schedule at an early date.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Karl Baumlér".

Karl Baumlér

KB:km

Enc.

cc: J. E. Morrison

PITTSBURGH PLATE GLASS COMPANY



GENERAL OFFICES
ONE GATEWAY CENTER PITTSBURGH 22, PA

April 23, 1963

Mr. Karl Bauler
Vice President of Manufacturing
Pittsburgh-Corning Corporation
One Gateway Center
Pittsburgh 22, Pennsylvania

Dear Mr. Bauler:

This is to confirm my visit to your Tyler, Texas operation on April 8 & 9, 1963.

This visit was made in the interest of plant safety and with the objective of working toward the high standards which are in vogue in Pittsburgh-Corning plants. Mr. J. W. McMillan, the Plant Manager, escorted me through the plant and showed me all the courtesy possible. He did a fine job of explaining plant operation and historical background. All plant people were courteous and helpful. Mr. McMurray, a plant supervisor, was most helpful and courteous.

A thorough audit of the plant safety effort was made and recommendations are attached which cover the important items which take priority. These items can cut costs on a long-range basis and are the basic or first steps that should be taken toward your high standards.

Attached is an Ansul Fire School schedule and a reproduction from Industrial Hygiene Journal on Asbestosis. The hygienic standards mentions "periodic" clinical examinations. The Foundation feels this allows latitude for judgment in the individual plant situation, depending upon exposure, dust concentration and other factors. A recommendation can be included in the dust survey report to cover this. A dust survey can be made in the coming early summer. We will be advised of the date in due time.

The Foundation also offers a service which may be of interest. They have means for surveying the medical doctors in the plant vicinity, to determine who could be recommended as a company physician based on background in our particular need. They will assist him in setting up a program tailored to fit the need of the plant. This is recommended for serious consideration.

It was a pleasure to be of help in this matter.

Very truly yours,

J. E. Morrison, Asst. Manager
Safety and Plant Protection

JEM:rm
cc: F. W. Collins

RECOMMENDATIONS

1. A dust survey by Industrial Hygiene Foundation should be made at an early date.
2. A front and side X-ray of the lumbar region of the back should be made as a part of the pre-employment physical examination along with the chest X-ray.
3. Several additional fire extinguishers should be placed in the shipping area and in the north end of the manufacturing building.
4. Employees should wear respirators in dusty atmosphere.
5. A 5-pound Insul dry chemical fire extinguisher should be provided for each fork truck.
6. Horns should be installed on fork trucks.
7. Employees should have training in use of dry powder and other extinguishers.
8. Fire brigades should be activated.
9. Special oil storage house is needed.
10. Executive Safety Committee should be reactivated with the Works Manager as the Permanent Chairman.

R E C O M M E N D A T I O N S

- Pending -* 1. A dust survey by Industrial Hygiene Foundation should be made at an early date. *A*
- OK.* 2. A front and side X-ray of the lumbar region of the back should be made as a part of the pre-employment physical examination along with the chest X-ray. *F10*
- OK.* 3. Several additional fire extinguishers should be placed in the shipping area and in the north end of the manufacturing building.
- OK.* 4. Employees should wear respirators in dusty atmosphere. *C*
- OK. but not possible.* 5. A 5-pound Ansul dry chemical fire extinguisher should be provided for each fork truck.
- OK.* 6. Horns should be installed on fork trucks.
- OK.* 7. Employees should have training in use of dry powder and other extinguishers.
- OK.* 8. Fire brigades should be activated.
- OK.* 9. Special oil storage house is needed.
- OK.* 10. Executive Safety Committee should be reactivated with the Works Manager as the Permanent Chairman.

C. RECOMMENDED CONTROL PROCEDURES: To prevent exposure to high concentrations of amorphous silica dust, process ventilation and/or enclosure are the best means of control. For some operations a dust respirator approved by the U. S. Bureau of Mines may be satisfactory.

IV. Specific Procedures

A. FIRST AID: None.

B. SPECIAL MEDICAL PROCEDURES:

- (1) **Preplacement:** Clinical and chest radiographic examinations should be made on all persons prior to job assignment.
- (2) **Periodic:** Since there is only limited information about the harmful effects of amorphous silica in industry, exposed personnel should have careful periodic medical examinations, including chest x-ray. Pulmonary function testing may be useful.
- (3) **Treatment:** No satisfactory treatment other than removal from exposure, and therapy for any complicating infection.

V. Literature References

1. COOPER, W. C., et al: Industrial Hygiene Foundation Transaction Bulletin No. 30, 182-194.
2. DICKER, P. AND HATCH, T.: Industrial Dust. McGraw-Hill Co., Inc. New York, 1954.
3. FRASER, D. A.: *AMA Arch. of Ind. Hyg. and Occ. Med.*, 8: 412, 1953.
4. LAMITE, J. S.: *Ind. Med.*, 7: 470, 1938.
5. PALICARD, A. AND COLLET, A.: *AMA Arch. of Ind. Hyg. and Occ. Med.*, 8: 389, 1954.
6. SCHEPERS, G. W. H., et al: *AMA Arch. of Ind. Health*, 18: 123, 1957; *ibid*, 18: 203, 1957; *ibid*, 18: 290, 1957; *ibid*, 18: 363, 1957; *ibid*, 18: 499, 1957.
7. SMART, R. H. AND ANDERSON, W. M.: *Ind. Med. and Surg.*, 21: 509, 1952.
8. THASLER, B. D. AND BEARD, R. R.: *AMA Arch. Ind. Health*, 18: 35, 1957.
9. U. S. Public Health Service; California Department of Public Health; Nevada State Health Department; Oregon State Board of Health: Program Report of Study of Pneumoconiosis Hazards in the Diatomite Processing Industry. 1955.

Asbestos

I. Hygienic Standards

A. RECOMMENDED MAXIMUM ATMOSPHERIC CONCENTRATION (8 hours): 5 million particles per cubic foot of air (MPPCF).¹

- (1) Basis for Recommendation: Experience in industry,^{2,3,4,5} and animal experiments.^{6,7}

B. SEVERITY OF HAZARDS:

- (1) **Health:** Long continued inhalation of asbestos dust results in a form of pneumoconiosis known as asbestosis. The primary effect of inhalation is an interstitial pulmonary fibrosis. The disease is characterized by asbestos bodies in the lungs and sputum. Based on roentgenological examinations, asbestosis can be classified as minimal, moderate, and advanced. It is a serious disease in some instances, but more frequently it remains nondisabling for many years, even without appreciable symptoms, as long as some other serious disease does not supervene

to cause death.⁸ Chief symptoms of advanced asbestosis are variable cough, dyspnea, substernal chest pains, decreased chest expansion, weakness, emaciation, clubbed finger tips, and curved fingernails. Any appreciable decrease in the amount of asbestos dust in the breathing atmosphere will cause a decrease in the incidence and severity of asbestosis. Individual susceptibility varies.⁹ There have been reports of an increased incidence of lung cancer in persons with asbestosis.⁹

- (2) **Fire:** None.

C. SHORT EXPOSURE TOLERANCE:

Not applicable:

II. Significant Properties

A fibrous magnesium calcium silicate which occurs in various combinations as white, grayish or greenish masses, either compact or of long silky fibers, flax-like and readily separated. About 96% of commercial asbestos is chrysotile, which is derived from serpentine, and is a hydrous magnesium

silicate containing from 12 to 14 per cent water of crystallization.

III. Industrial Hygiene Practice

A. **RECOGNITION:** The spinning and weaving of asbestos, in combination with other textiles for fire proof and heat resistant cloth, results in dust exposure. It may be used by itself or combined with other materials for valve packings, gaskets, boiler lagging and pipe covering, protective clothing, shielding materials, and as automotive brake linings. In the building industry it is used in the manufacture of asbestos cement products, heat insulating, and fire-proofing materials.

B. **EVALUATION OF EXPOSURES:** Asbestos dust may be sampled with the electrostatic precipitator or by the impinger method using alcohol or alcohol and water, as the collecting medium,* and dust counts made by the standard light field technique.* The recommended maximum atmospheric concentration of 5 MPPCF is based upon the impinger sampling procedure.

C. **RECOMMENDED CONTROL PROCEDURES:** Prevention of asbestosis depends entirely upon preventing exposure to concentrations of dust sufficiently high to produce the characteristic reaction. Enclosure or local exhaust ventilation are the principal means of dust control. U. S. Bureau of Mines approved dust respirators may be worn as protection for some operations.

IV. Specific Procedures

A. **FIRST AID:** None.

B. **SPECIAL MEDICAL PROCEDURES:**

(1) **Preplacement:** Clinical and radiographic chest examinations prior to job assignment.

(2) **Periodic:** Exposed personnel should

have periodic clinical examinations for signs and symptoms of asbestosis. These should include examination of the sputum for asbestous bodies, and chest x-rays of good quality.

(3) **Treatment:** No satisfactory treatment other than removal from exposure and therapy for any complicating infection.

V. Literature References

1. American Conference of Governmental Industrial Hygienists: *AMA Arch. of Ind. Health*, 16: 261, 1957.
2. CARTER, PAUL: *AMA Arch. of Ind. Health*, 11: 204, 1956.
3. DOLL, R.: *Brit. J. Ind. Med.*, 12: 2, 1955.
4. DARRMAN, W. C., et al: *Public Health Bulletin No. 241, Supp. of Doc., Washington, D. C.*, 1938.
5. DEDRICK, P. AND HATCH, T.: *Industrial Dust*. McGraw-Hill Book Co., Inc., New York, 1954.
6. FAIRHALL, LAWRENCE T.: *Industrial Toxicology*. The Williams & Wilkins Co., Baltimore, Md., 1967.
7. KNOX, E. J., et al: *Thorax* 1, p. 188, 1946.
8. LYNCH, K. M.: *AMA Arch. of Ind. Health*, 11: 185, 1956.
9. MCPHERSON, S. B.: *J. Ind. Hyg. & Tox.*, 18: 229, 1936.
10. PAGE, R. T. AND BLOOMFIELD, J. J.: *Pub. Health Repts.* 58: 1713, 1937.
11. PATTY, FRANK A.: *Industrial Hygiene and Toxicology*, Vol. 1. Interscience Publishers, Inc., New York, 1948.
12. SMITH, K. W.: *AMA Arch. of Ind. Health*, 12: 193, 1958.
13. VOORWALD, A. J., et al: *AMA Arch. Ind. Hyg. and Occup. Med.* 3: 1, 1951.

Because of space limitations, it is impossible to list all methods of exposure evaluation. The selections have been made on the basis of current usage, reliability, and applicability to the usual industrial type of exposure. Any specific evaluation and/or control problem will involve professional judgment. This can best be done by professional industrial hygienists.

Respiratory protective devices are commercially available. Their use, however, should be confined to emergency or intermittent exposures and not relied upon as primary means of hazard control.

A relative scale is used for rating the severity of hazards: nil, low, moderate, high, and extra hazardous.

It is the policy since 1951

PITTSBURGH CORNING CORPORATION

J. W. McKillen

K. Bessler

Plant Safety and Protection

April 25, 1963

Dear Mrs:

Attached is a copy of a memo dated April 23, 1963, from Mr. J. E. Morrison, covering his recent inspection trip to Tyler.

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Now, it will only be a matter of timing for execution of these recommendations.

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- #10 This ties in with #6. An Executive Safety Committee with the Works Manager as permanent chairman should have as members, the General Foreman, and the Works Accountant as Secretary. As the need arises, additional salaried supervisors can be included

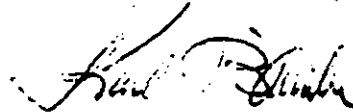
We suggest that you arrange to send your Fire Marshall, I assume that would be your General Foreman, to the Ansul Fire School for training. Schedule of school dates is enclosed. Pick the date most desirable and make reservation.

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As you know, we in Pittsburgh Corning are safety conscious at all times and attempt to give the best possible protection to our employees and manufacturing facilities.

We are sure you will incorporate the above improvements in your overall schedule at an early date.

Very truly yours,

A handwritten signature in cursive script, appearing to read 'Karl Baumlér', written in dark ink.

Karl Baumlér

KB:km

Enc.

cc: J. E. Morrison