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February 22, 1972

Mr. R. P. Fraser  
NY

Messrs. Bettoli - Dent - Hall - Weiner

Mr. W. Darrell  
NY

EPA HEARING IN LOS ANGELES

*ASBESTOS - EPA*

On February 15th and 16th, Mr. Bettoli and I attended the EPA meetings in Los Angeles. The major part of the first day was spent on mercury testimony with Karl Lindell, former head of Johns-Manville in Canada, testifying in behalf of the Quebec Asbestos Manufacturers Association.

I believe all of the points in which GAF has an interest were covered by the testimony of the A.L.A., Mr. Bettoli, Mr. Fraser, which was entered into the record, and my testimony. There is still time to submit some additional testimony to EPA for inclusion in the record. I basically confined my testimony and Phil Bettoli also confined his to the material which was prepared and given to us by Mr. Weiner. I prepared some additional remarks concerning the wet rock storage and the roads but, due to the tenor of the meeting, decided not to give this as it was to some degree an amplification of the former remarks and also because I felt we might wish to send this in as separate testimony.

The Hearing Officer, Mr. William Magonell, handled the testimony very well in my judgment. He really did not badger anyone, although he was a little rough on the gentleman from Pacific Asbestos who started his presentation by comparing the actions of EPA to those of Pontius Pilate when he washed his hands. It was obvious though that EPA felt they have been charged with the responsibility of eliminating the addition of the 3 materials, asbestos, mercury and beryllium from the atmosphere. It is also obvious that they did not and do not have enough time to really get all of the facts and make a sound scientific judgment, and I would say all of the facts that are required are not available. They not only have to concern themselves with what is happening today but in the case of those substitutions which do not break down into some harmless materials, have to consider what the addition year by year will do in the future, 10, 20 and 30 years from now. Therefore, I feel if they are going to have to make judgments, they are going to make them on the side of preventing any of these materials going into the atmosphere.

They appear and I think, as a result of the trip Mr. Bettoli and I took, to be very sympathetic with the tailings pile problem and admitted that many of the items brought up by Mr. Bettoli had not been intended to be restrictive by EPA and that they would search for wording which would permit the use of asbestos roofing felt. However, Mr. Magonell did ask questions as to what would

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happen to this roofing when it was torn off a building which is to be demolished, reroofed, etc.

There were many other non-industry people there and I have suggested to Mr. Weiner that he get a copy of their testimony. It is obvious there are a number of citizen groups and many responsible professional people who feel sincerely that asbestos fibre in the atmosphere is a very definite hazard and any laws which permit more of the asbestos fibre to go into the atmosphere would be wrong. I think we can expect these people and groups to keep up the pressure on the government. My own feeling is that whatever regulations are finally adopted, and I believe they will give us some breathing room on the tailing pile, will be tightened from time to time.

While I do not have the full details on this, Max Swetonic, Secretary of AIA, stated that late Monday afternoon the Department of Labor decided they would adopt the 2 fibre standard. This has very serious implications for the Vermont operation. While I do not have the technical expertise, it is my judgment and I believe the J-M people feel the same way, that the attainment of the 2 fibre standard is not possible in asbestos mining and milling. Presently, the Vermont mine is under the jurisdiction of the Bureau of Mines, not OSHA, and unless the Bureau of Mines adopts the OSHA standards, we feel we can with expenditure adhere to the present Bureau of Mines standards and probably with expenditure, if we get a favorable legislation on the tailings pile, comply with EPA regulations. However, if we feel that the OSHA standards are going to be adopted for the mining operation, we will have to make some judgments as to what our future is going to be and what, if any, expenditures we will make at the mine to comply with EPA, the Bureau of Mines and the State of Vermont regulations. My feeling is that the OSHA standards will be adopted at some point in time and that we may have to decide to phase out the Vermont operation.

I feel we need to have within our own management a thorough discussion of the situation so we can decide what actions ought or ought not be taken at Vermont having to do with expenditures for pollution control, internal and external, and any other capital expenditures at the plant.

W. Darrell

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