

GRACE

Construction Products Division

TO: ~~REDACTED~~

DATE: June 8, 1983

FROM: R. C. Ericson

SUBJECT: Asbestos Warning Labels
on Concentrate ShipmentsCC: O. M. Favorito
R. Frohlich
S. Venuti
R. M. Vining
J. W. Wolter

FILE: Tremolite Fibers

PLAINTIFF'S
EXHIBIT

WRG-1690

This will make record of the decisions reached in our meeting of 5/26th, in which the attached memo of 5/12/83 was used as the Agenda. In reaching our decision, we took note of the following applicable documents:

- DOT 49 CFR§173.1090.
- California Labor Code Division 5, Chapter 2.5
"Hazardous Substances Information & Training"
and other existing State "Right To Know" Legislation.
- OSHA 29 CFR§1910.1001.
- CPD Quality Control Instruction A-19 -
"Disclosure of Hazardous Substances Information".

~~There will be no change in present practice regarding placarding concentrate cars to CPD Expanding Plants.~~ This is based on the expectation that plant level implementation of Instruction A-19 will satisfy both the Right To Know and the Duty to Warn employees handling concentrate.

With reference to the applicability of DOT Section 173.1090, this specifically addresses commercial asbestos (material having commercial value because of its asbestos content). Our concentrate is not classified as commercial asbestos under this definition.

With reference to the applicability of OSHA Section 1910.1001, we will review our in-plant airborne fiber survey data at concentrate unloading points.

With reference to exposures in connection with clean-up of spills resulting from rail accidents, our emergency response procedures provide the means to fully inform authorities in charge of on-site clean-up activities.

R C Ericson
R. C. Ericson

RCE:dm
Attachment