



PLAINTIFF'S EXHIBIT

CEL-1478

January 20, 1987

TWS-02-87

Mr. Leo Carey
Director of the Directorate of Field Operations
OSHA
U.S. Department of Labor, Room N-3603
200 Constitution Avenue, N.W.
Washington, D. C. 20210

Reference: 29 CFR Part 1926.58
Asbestos

Dear Mr. Carey:

Regarding 1926.58, much of our manufacturing facilities' work with asbestos will entail maintenance operations qualifying as small-scale and short-duration jobs. A compliance point we have discussed for these small-scale, short-duration operations is the need for showering. Paragraph (j)(1)(i) states that HEPA vacuuming may be permitted before leaving the area where maintenance was performed, and paragraph (j)(2)(i) indicates that the employer need not establish a decontamination area for small-scale, short-duration operations. In my opinion, these exemptions exclude the need for showering. This position is further demonstrated in Part XI of the Preamble, entitled, Summary and Explanation for a Revised Standard for the Construction Industry, Paragraph (j) - Hygiene Facilities and Practices. On page 22723 (June 20, 1986 Fed. Reg.), top of the middle column, "For example, Mr. Darrell E. Anderson...", the showering exemption seems to be quite explicit.

Would very much appreciate your office's position on the showering requirement for small-scale, short-duration operations.

Sincerely,

CELANESE FIBERS

Thomas W. Scott, P.E., C.I.H.

ps

cc: Mr. W. W. Ament - (ORC)

377856

ST0071238



Reply to the Attention of:

MAY 26 1987

Mr. Thomas W. Scott
Cleanese Fibers
Post Office Box 32414
Charlotte, North Carolina 28232

MAY 29 1987

Dear Mr. Scott:

This is in response to your letter of January 20, 1987 requesting an interpretation of the Occupational Safety and Health's (OSHA) Asbestos standard for construction. Please accept my apology for the delay in response. The overwhelming number of letters and telephone calls regarding the asbestos standard has caused unavoidable delays in responding to the public's concern.

Your interpretation is correct, showers do not have to be provided for those employees engaged in small scale, short duration operations. Employees are allowed to clean their protective clothing with a portable HEPA-equipped vacuum before leaving the area where maintenance was performed.

If we can be of further assistance, please feel free to contact us.

Sincerely,

A handwritten signature in cursive script, appearing to read "Leo Carey", is written over the typed name.

Leo Carey, Director
Directorate of Field Operations

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