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From the desk of

JUN 7 1983

6/3/83

R. C. ERICSON

TO: Bob Walsh:

PLAINTIFF'S
EXHIBIT
WRG-1690A

- 1) This memo was reviewed by Favorito. He accepted this as an adequate record of the meeting actions.
- 2) I assume that we can find time soo to pick up on the several other unresolved issues.
- 3) I will tickle this matter for follow-up in 90 days re: unloading point survey data.

① Jack Wolton JUN 8 1983
Any problems with ERICSON'S
Summary

Bob

15150967

GRACE

Construction Products Division

TO: R. C. Walsh
FROM: R. C. Ericson
CC: O. M. Favorito
R. Frohlich
S. Venuti
R. M. Vining
J. W. Wolter

DATE: June 6, 1983
SUBJECT: Asbestos Warning Labels
on Concentrate Shipments
FILE: Tremolite Fibers

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 4 FR§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 for 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:din
Attachment

GRACE

Construction Products Division

TO: R. C. Walsh
J. W. Wolter

DATE: May 12, 1983

FROM: R. C. Ericson

SUBJECT: Asbestos Warning Labels
on Concentrate Shipments

CC: R. Frohlich
O. M. Favorito

Our current instructions to the Libby Mill are:

- A placard with the standard asbestos warning label is placed on all concentrate cars consigned to US receiving points other than a CPD Expanding Plant.
- No placards are placed on any concentrate cars shipped to Canada.
- All bagged concentrate product is packaged in bags that have a printed standard asbestos warning label.

We should abandon the existing practice on the following basis:

1. The "Duty to Warn" applies to all users including Grace Expanding Plant employees. Air samples at unloading stations would confirm the possibility of exposure to levels of fiber above the current OSHA Standard.
2. Recent "Workers Right-To-Know" legislation would be properly met if we placarded all cars.

May I have your comments.

R. C. Ericson
R. C. Ericson

RCE:dm

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