FILE NAME: Friction Materials Standards Institute (FMS)

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ASBESTOS STUDY COMMITTEE

Mr. Harry Wagner of Carlisle Corporation is Chairman of the Asbestos Study Committee. Mr. Wagner submitted the report on the activities of the Committee over the past year. The report was read by the Secretary. Please refer to Exhibit 11.

In particular, the Chairman's report covered work that its Task Force had completed on the preparation of a work practices booklet for the Institute. Preparation of such a booklet had been authorized by the Board of Directors and the Chairman advised that the Committee appointed a Task Force to make recommendations concerning such a booklet. A draft copy of the text for the work practices booklet was distributed to the Directors. In a preliminary review of the booklet several questions were raised concerning the disclaimer that appeared at the beginning of the report. Directors were concerned as to whether this disclaimer was strong enough and questioned possible liability to the Institute should users rely on the booklet and subsequently be cited by OSHA or others. A Director expressed concern about the appendix where the Institute was listed as a source for information such as EPA requirements, laboratories for fiber counts, vacuum cleaners and respiratory protection. Was the Institute opening itself to providing additional services that it had not provided in the past? A Director indicated that there were certain statements in the book that he did not agree with, and asked if the Asbestos Study Committee agreed with the text? The Secretary advised that the Task Force had done this work and did not send it back to the Committee as it had taken so long to get it into its present form. The Secretary indicated that the Task Force had done considerable work on this booklet and that many objections had been raised and compromises made before it was delivered in the form shown. The Task Force by-passed the Committee to expedite the work and had sent copy to Johns-Manville to set up type. Type-set copies had not been returned from J-M prior to this Meeting.

The Directors indicated that the booklet should be referred back to the Asbestos Study Committee. The Committee should review this booklet and resubmit it to the Board of Directors if the Committee approves. The Board will take no action as regards this work practices booklet until it has received recommendations from the Asbestos Study Committee.

A question was asked concerning possible liability of the Institute for publishing such a work practices booklet. It was suggested that a user might refer to a certain page and use that as a guide for compliance with regulations after new regulations had superseded the instructions in the booklet. Perhaps a note is needed on every page to indicate that this booklet was prepared based on information available in 1978 and that it could be superseded in the future. The intent of the disclaimer on the first page was to preclude such assumptions by users of the booklet. Perhaps it would be necessary to put a brief disclaimer "As of 1978" on each page of the booklet.

A question was asked concerning possible liability for withholding such a publication. Counsel indicated that an association might be judged more harshly for withholding such a publication than in presenting information which later be outdated by subsequent developments.

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There being no other business brought to the attention of the Board of Directors, upon motion duly made, seconded and unanimously passed, it was;

RESOLVED: To adjourn

Adjourned at 12:45 P.M.

D. W. Brislane
Secretary