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Internal Correspondence

To: F. J. Solon, Jr.

Date: August 22, 1974

From: E. M. Fenner

Copies: R. P. Carter
J. Reis

Subject: CALIFORNIA SENATE BILL 2419 -
BANNING SPRAYING OF ASBESTOS CONTAINING MATERIAL

Dick Carter has talked with Perc Gartly and I have talked with Bill Thurber of Union Carbide concerning the present status of this Bill. Dick and I both received the same information as to the present situation:

(1) The Bill has been passed by the Senate.

(2) The Bill has been approved by the Health Committee of the Assembly and sent to the floor for vote.

(3) The Assembly vote on the Bill will come probably Friday, August 23 or Monday, August 26. The Assembly will undoubtedly vote approval of the Bill. There is no conceivable way with the short period of time remaining that the vote can be significantly influenced.

(4) Senator Marks has announced his willingness to consider amendments to the Bill in the next session of the legislature which will begin shortly after January 1, 1975. The ammendments would exempt from the provisions of the Bill those uses where monitoring has demonstrated no significant amount of fiber release to atmosphere.

Bill Thurber plans to propose to the AIA Board of Directors that the AIA Standards and Technical Committee arrange to obtain the necessary monitoring data and based on this information write a proposed amendment to the Bill. Thurber informs me that he is arranging to monitor spray operations that use Union Carbide's asbestos.

I suggested to Bill Thurber that if the data was favorable and an amendment could be written, that Harry Rhodes of Union Carbide personally take the amendment to Senator Marks' office and discuss it with his people. Thurber was agreeable to this arrangement.

Jim Reis has contacted the President of Riverside Cement. Jim was informed that Riverside has hired an outside industrial hygiene firm to take dust counts at application sites. Riverside expects results from this sampling tomorrow. If the fiber counts are enough below 1 F/cc to convince CAL-OSHA that medical exams are not required (CAL-OSHA has accepted the NIOSH recommendation of medical examinations only required when exposure is above 1 F/cc), Riverside will join in the fight for an amendment to the spraying regulation. If the counts are above 1 F/cc, they will abandon the use of asbestos because CAL-OSHA will require the applicators to have medical examinations.

Ed

E. M. Fenner