

FIELD OFFICE OF R. J. DarghineCITY Bronxville, NY**PLAINTIFF'S
EXHIBIT**DATE 9/26-28/71to Mr. R. Courtney

J. L. Barnard
 J. L. Cain
 R. L. Clayton
 J. L. Corbin
 J. L. Dyrud
 G. A. Thorpe

The purpose of the trip was to attend a meeting of the respirator groups of the Industrial Safety Equipment Association (ISEA) to discuss revisions in the new proposed Part II. All companies were represented. Mr. James McGarry, Counsel for the ISEA, received an unpublished draft of Title 30, Code of Federal Regulations Part II (30 CFR II) from the Washington Counsel of the Department of Interior (Bureau of Mines). It was established by Mr. McGarry, the ISEA was officially in possession of 30 CFR and therefore can refer to it during future contact with either the Department of the Interior or IIEW.

Prior to discussion on 30 CFR II several other subjects were discussed at great length.

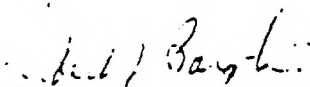
Z88.3 proposed American National Standards Institute (ANSI) standard for respiratory protection against asbestos dust, should be delayed until 30 CFR II is published. A letter recommending the ISEA position will be sent to Bob Schutz, Chairman of Z88 Committee. The attached "Warning Label" agreed upon at the June meeting in Bermuda was to be used on October 1, 1971 was delayed until January 1, 1972. The use of the label is voluntary and is to appear both on the container and the product. The wording is such to protect the consumer, and all manufacturers should begin using label at the same time to gain maximum impact. This was our first exposure to the label and its recommended use.

McGarry reported his game plan was to delay 30 CFR II from being published so that ISEA would have more time to apply pressure to have protection factors deleted and has been successful. He further stated this pressure could only bear fruit if the ISEA presented a solid front with this singular purpose. A meeting with the Government lawyers was set for October 5, 1971. The ISEA will be represented by six from the top management of the respirator manufacturers and two technical representatives, (Revior and Merkle), and Sunwall and McGarry (3M is not represented). I went on record that 3M apposed any action that would cause further delay to 30 CFR II, but was out voted. The October 5th meeting will be held.

Action was started to stop E. W. Hyatt from publishing the names of the individual brand names of respirators used in his tests. He should refer to units as Brand A, B, c, etc. McGarry will contact AEC lawyers to do just that. Hyatt will not fight this action, therefore, it was agreed the manufacturers should accept Hyatt's invitation to come to Los Alamos to learn what he is doing to test respirator fit.

At this point a page-by-page discussion of the 30 CFR II began, continued into the night and through the next day. These were the most significant points to SM. The suggestion that single use respirators not be limited to protecting only against pneumoconiosis or fibrosis producing dusts. Since the coal dust fit test is the only fit test mentioned in 30 CFR II, the manufacturers also recommend the following:

1. Respirators for use against dusts not significantly more toxic than lead dust (includes single use). A 10% leakage be allowed and the use be limited to 20 times the TLV.
2.  Respirators for use against fumes of certain metals, air contaminated by asbestos containing dusts, and radon daughter (includes single use), a 5% leakage be allowed and the use be limited to 10 times the TLV.


Robert J. Barghini
Supv. Respirator Development

jmw

RESPIRATORS

"WARNING"

1. This device does NOT supply oxygen.
2. Use only in adequately ventilated areas containing sufficient oxygen to support life.
3. Do not use where concentrations of contaminants are immediately dangerous to life.
4. Leave area immediately if:
 - (a) Breathing becomes difficult.
 - (b) Dizziness or other distress occurs.
 - (c) You taste or smell contaminant.
5. Use strictly in accordance with instructions, labels, and limitations pertaining to this device.
6. Never alter or modify this device.

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