FILE NAME: Kelly Moore (KM)

DATE: 1976-1977

DOC#: KM035

DOCUMENT DESCRIPTION: Memos RE Asbestos Regulations & Monitoring of Asbestos Exposure



PACO TEXTURES MEMO

TO: John Winslow FROM: Doug Merrill December 15, 1976

SUBJECT: ASBESTOS REGULATIONS

Please find attached, copies of the latest regulations governing asbestos use. Attachment number 1 is the reason for the return of asbestos use in ceiling texture.

There still exists Federal Occupational Health and Safety Standards (Attachment #2) and State Industrial Safety Orders (attachment #3) that require both the manufacturer and the contractor to comply with various standards.

Effective January 1, 1977 the State of California will classify asbestos (and vinyl chloride) as a cancer-causing carcinogen. This will establish standards and restrictions that will also effect the sale and transportation of products containing asbestos. This information is attached as number 4.

The National Resources Defense Council, Inc., has action underway (attachment #5) to ban consumer patching compounds that contain asbestos. In addition, we could be judged liable in a suit where a person exposed to our asbestos containing product that developed cancer related injury or death.

I believe I can improve the pumping, wipe down and flow problems that are now reported, but this could increase the chance of fall out. Also, I feel that psychologically our salesmen and some customers will always feel that a non-asbestos product is insuperior to one with asbestos.

We have been making a limited amount of ceiling texture (6373L 32# and 6374H 40#) with asbestos for out of state customers. It might be best to sell those customers that now prefer Hamilton with the asbestos product and have them state on their purchase order that they acknowledge and require the asbestos type. Meanwhile, we can continue to improve the non-asbestos type putting us ahead by July 1, 1978.

DWM/jlb

Attach. (37)

cc: W.E. Moore

PLAINTIFF'S EXHIBIT KM-104

PACO TEXTURES MEMO

TO: Dean Pohlenz FROM: Doug Merrill January 27, 1977

SUBJECT: MONITORING OF ASBESTOS EXPOSURE

It is my understanding that Continental Insurance Company, Environmental Health Laboratory, will do outside testing for asbestos exposure. They are located at 1810 Commerce St., Dallas, Texas 75201. Their phone number is (214) 748-7351. The directors name is David McNamera.

Please call them to have the Paco plant checked after the modifications to the baggers have been completed. This may cost between $300.00 and $400.00. OSHA will run the tests, but I'm afraid they may spot something else.

Drop me a follow up note or if you have any problems.

DWM/jlb

cc: Wayne Harp
Marion Hicks

PLAINTIFF'S EXHIBIT 53 KM