FILE NAME: Drywall Spackling Compounds (DWSC)

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September 6, 1977

Secretary
Consumer Product Safety Commission
1111 18th Street N.W.
Washington, D. C. 20207

Dear Sir:

We have become aware of the comment submitted August 20, 1977, by Peter Greene of Public Citizen group in response to the CPSC proposed ban of consumer patching compounds containing respirable free-form asbestos (part 1304).

In view of the many inaccuracies in this comment and because it seems directed specifically at the R. T. Vanderbilt Company, we feel compelled to respond and we request that our correspondence be made part of the official record.

Our comments on Mr. Greenes letter are as follows:

Page 1, Paragraph 4 (1) Definition of asbestos is out-of-date and scientifically imprecise. The qualifying word "asbestos" must be used with the names anthophyllite, tremolite and actinollite. (see Mining Enforcement and Safety Administration publications 41 F.R. 10223, March 10, 1976 and 42 F.R. 35000, July 7, 1977; and U. S. Bureau of Mines publication 39 F.R. 24316, July 1, 1974).

(2) Mr. Greenes definition on Asbestos fiber is also out-of-date in view of National Bureau of Standards report of analysis of 80 industrial talcs (Reported May, 1977) and proceedings of joint NBS-OSHA Workshop on Asbestos: Definitions and Measurement Methods, and all responsible authorities on this subject.

Page 1, Paragraph 7 Peter Greene has never presented data to substantiate his inference that Vanderbilt talcs contain asbestos. His reference to Vanderbilt's "fighting a losing battle" is mere rhetoric and without validity in fact.

The recommendations for use of our materials are based upon tests believed to be reliable However we do not guarantee the results to be obtained

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Page 2, Paragraph 1 — All or almost all of the Vanderbilt talcs which have been used for spackling compounds have consisted of one of our FIBERTAL products. These products contain fibrous talc and anthophyllite asbestos. Accordingly we have been labelling them with the official OSHA Asbestos Warning label since the fall of 1974 when we acquired this business from the International Talc Company. Mr. Greene is in obvious error when he states that Vanderbilt "concedes, for now" that the tremolitic talc it sells for spackling compounds does contain asbestos. The company indeed always made that concession and sees no reason to change.

Page 2, Paragraph 2 — The NBS report of analysis of talcs states in its conclusions on page 17 "It is the opinion at NBS that, even under favorable circumstances, the existing OSHA procedure is useful only for determining "fiber" content and not "asbestos" content." Obviously Mr. Greene does not understand the NBS report. He is confused over the terms fiber and asbestos. He obviously believes those fibers are asbestos whether they are asbestos minerals or not.

Page 2, Paragraph 3 — Mr. Greene is correct in postulating that the nation's largest producer of tremolitic talc will dispute the presence of asbestos in many of its brands.

Sincerely,

Allan M. Harvey

Allan M. Harvey, Manager
Technical Development Department

AMH:lsm