

PLAINTIFF'S EXHIBIT

AB-290

MINUTES OF MEETING

of the

BOARD OF DIRECTORS

Tuesday, June 17, 1975, at 3:30 A.M.

at

Innisbrook, Tarpon Springs, Florida

DIRECTORS PRESENT

J. W. Greenen	Marenont Corporation
F. E. Messier	Bendix Corporation
W. Simon, Vice-President	Brassbestos Manufacturing Corp.
R. K. Moalli	Raybestos-Manhattan, Inc.
E. R. Zacharias	Carlisle Corporation
S. S. Conway	Abex Corporation
J. E. Clegg	S. K. Wellman Corporation

OFFICERS PRESENT

F. T. Gatke, President	Gatke Corporation
A. A. Laus, Treasurer	Marenont Corporation
D. W. Drislane, Secretary	Friction Materials Standards Institute
R. P. Gorman, Counsel	Clapp & Eisenberg

COMMITTEE CHAIRMAN PRESENT

R. E. Nelson (Brake Performance)	Abex Corporation
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GUEST PRESENT

R. Join	Federation of European Manufacturers of Friction Materials (FEFM)
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Mr. F. T. Gatke, President, called the Meeting to order at 2:30 A.M.

MINUTES OF PREVIOUS MEETING

The Minutes of the Meeting held March 13, 1975 had been distributed. No corrections were suggested. Upon motion duly made, seconded, and unanimously passed, it was

RESOLVED: That the Minutes of the March 13, 1975 Meeting be accepted as written.

Upon motion duly made, seconded and unanimously passed it was

RESOLVED: That the report of the Quality Control
Sub-Committee be accepted as written.

ASBESTOS STUDY COMMITTEE REPORT

Mr. Drislane read the report for the Chairman, Mr. I. H. Weaver. Please refer to Exhibit 9.

Mr. Weaver's report expressed concern on the accusations that have been pressed against the industry concerning the asbestos standards. He reviewed some of the activities of the regulatory agencies over the past year. The last four paragraphs in Mr. Weaver's report aroused some controversy. One director suggested that the last four paragraphs be deleted.

There is a serious question as to whether the OSHA 2 fiber per cc limit (which is to be effective July 1, 1976) can be met by friction material manufacturers. Mr. Weaver indicated in his report that installers of friction material are coming under the surveillance of Dr. Selikoff and other proponents of stronger regulation. Several members brought up the point that even with the regulations there is a great difficulty in getting labor to help in compliance. Even when it is written into the law and instructions are placed in the work place the working people do not cooperate.

Counsel was questioned as to the contents of this report where Mr. Weaver indicated that he did not see any justification for a change in the attitude of the regulatory agencies. It was stated that this was Mr. Weaver's viewpoint. Legal Counsel stated that this is not a legal matter and does not expose the Institute. It was questioned whether sections of this report as written could in any way harm the Institute. Legal Counsel indicated that this was not the case.

Upon motion duly made, seconded and passed, with five affirmative and two negative, it was

RESOLVED: To accept the report of the Asbestos
Study Committee as written.

At the March 13, 1975 Meeting of the Board of Directors, the Secretary was advised to contact the Asbestos Information Association (AIA) with the idea of discussing possible financial assistance to the Association. Mr. Drislane wrote Mr. Mereness, Secretary of AIA after the meeting and had just received a reply. In Mr. Mereness' reply he indicated his appreciation and that of his Executive Committee for the offer by the Institute. However, the Association felt the best way to support the AIA was by individual members becoming members of the Asbestos Information Association. He indicated the general fee structure for membership in the AIA.

Mr. Moalli stated that the AIA was of great help to our industry. He indicated that Raybestos was considering a survey on the health history of workers in one of their plants. They, as an individual company were sponsoring and paying for a survey which could be a help to all industry. He indicated that it would be better if industry participated in the activities of the Asbestos Information Association to support similar types of work. He felt that the Association needed the support of our members.

ASBESTOS STUDY COMMITTEE REPORT

Most industrial managers are well aware of the increasing amount of time they must devote to problems relating to occupational and environmental hazards. In recent years new government agencies have been created which have broad powers to investigate, regulate and control industrial operations. During the same period the mandates of traditional agencies also have been broadened in respect to environmental concerns, and frequently there are duplicate and sometimes conflicting functions. Coincidentally, the scientific community has been producing an increasing volume of evidence regarding hitherto unsuspected health hazards associated with various raw materials, chemicals and manufacturing methods.

Adding further to the burdens these developments place on industrial managers is a far more militant union attitude on occupational health matters. Union spokesmen, such as I. W. Abel, Tony Mazzochi and Sheldon Samuels, freely admit they have been negligent in facing these issues in the past. However, recently a new attitude has been in evidence and it is exemplified by Mazzochi's statement that, "We live in a nation of corporate law breakers." Samuels has not been as charitable; he prefers to use the term "Corporate Murderers."

The present union objective, as stated by Mazzochi, is to "use professionals to educate laborers to understand health hazards" and to "use collective bargaining to get legislation necessary to obtain good occupational health care." The AFL-CIO has an active campaign to use the news media to get the message across to the general public as well as to their members.

The friction materials industry position with respect to the asbestos health issue is almost unique. Few other industries are as heavily dependent upon asbestos for the successful performance of their products, and proper handling of occupational and environmental problems associated with the use of asbestos is essential to the survival of manufacturers of asbestos-based friction materials.

During the past year your Asbestos Study Committee has worked closely with CSHA, EPA, NIOSH and their subcontractors as well as with AIA/NA regarding new standards and regarding changes to existing standards and guidelines for regulation of asbestos as well as other materials. We have sought to keep abreast of new information regarding asbestos health effects, control methods and regulations emanating from the medical/scientific communities, various government offices and other sources. The following highlights should be of interest.

CSHA

Proposed new standards for arsenic and for ketones present new formats with emphasis on the action level concept, on work practices and on improved medical surveillance. Expected revisions to the asbestos standard probably will follow one of these formats. Little or no change is expected in permissible airborne concentrations or in monitoring methods.

The erroneous assumption by CSHA that the friction materials industry could immediately comply with the 2 fpc standard hopefully has been corrected.

Hazardous material labeling is under study by an OSHA advisory committee, and labor members have called for changes in asbestos product labeling.

NIOSH

A new electron microscope laboratory has been provided at Cincinnati and is being used to investigate the quantity and size distribution of asbestos fibers and other aerosols in occupational environments. Emphasis is on submicron particles and fibers less than 5 microns long.

EPA

EPA is undertaking a thorough investigation of the presence of asbestos in all areas of the environment. The work involves contract studies, in-house research and joint activities with other government agencies.

There is considerable concern regarding the effectiveness of the "no visible emissions" standard in protecting the public from airborne asbestos. Pressure is on EPA from labor representatives and medical and environmental groups for a "no detectable level" regulation.

EPA proposed waste disposal restrictions would create problems for some friction materials manufacturers.

FDA

A delay has been imposed on FDA's proposal to ban use of asbestos in filters for beverages and food products until they can conduct experiments to determine if long term exposure to ingested asbestos fibers represent a definitive hazard to human health.

A four million dollar animal feeding study has been approved for determination of health effects from ingesting various doses of various kinds of asbestos.

FTC

Study is in progress in response to a petition from CSPI (Nader group) in regard to labeling of asbestos-containing products.

CPSC

There is no known action by this agency in regard to asbestos at this time.

CDC

This agency of HEW has issued a report indicating adverse effects on pulmonary function due to exposure to asbestos at two locations one of which was a textile based friction material plant in New England.

MEDICAL

Selikoff continues predictions of epidemic of asbestos related death and disease in years to come. He emphasizes the mesothelioma hazard and the fact no known dose level is "safe" and is pointing to the possible health significance of shorter, smaller fibers or particles not now covered by standards.

Selikoff people have been actively promoting hazards associated with asbestos emissions from brake lining wear and from brake service operations.

Acknowledgment of association between asbestos exposure and increased GI cancer has become accepted practice during the past year.

The above and other activities and publicity during recent months offers ample evidence that controversy and concern over asbestos has in no way slackened. Many seem to think the fact that OSHA, EPA, NIOSH and others recently have been devoting considerable attention to other toxic materials has taken some of the heat off asbestos. While this may be true as far as the over-all environmental and occupational health picture is concerned, I see no significant change in the attitude of regulatory agencies, medical researchers, labor, or environmental groups in regard to the hazards of asbestos. Nor do I see any justification for such change.

The friction materials industry should pursue all available means for achieving compliance with the 2 fiber per cubic millimeter standard and all other requirements of the OSHA asbestos regulations as promptly as possible. It should be kept in mind the promulgated regulations are a "minimum standard." Wherever possible more protection than that afforded by the standard should be provided for friction materials workers exposed to asbestos dust.

Emphasis should be given to worker instruction and training in methods for reducing airborne dust generation and for minimizing exposure to dust that is generated. Product labeling and other means should be employed to thoroughly inform customers and the public of the dangers associated with improper use, fabrication, handling or disposal of asbestos-containing friction materials. In-plant anti-smoking campaigns would be laudable.

Your committee solicits comments and questions concerning its past and future activities, and will endeavor to follow events in the above mentioned areas and all other aspects of the asbestos/health controversy during the following year.

Respectfully submitted,


I. H. Weaver
Committee Chairman

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Mr. Drislane displayed some posters that had been sent by Mr. Mereness of the Asbestos Information Association. These posters had been received at Innisbrook. These posters had hints such as "If you don't smoke now, don't start. If you do smoke quit." and "Vacuum dust spills--never dry sweep." There were others to help deliver the warning to workers concerning the asbestos dust problem. A point that has been raised several times is that the workers should be advised of the seriousness of the problem. These posters are an assist in getting this message across. It was suggested that participation in the Asbestos Information Association as members would help friction materials manufacturers with the asbestos problem.

The Secretary was advised to send a copy of Mr. Mereness letter of June 12, 1975 to the membership, indicating the AIA's invitation to have them join their association.

At this point it was stated that the Asbestos Study Committee had passed a resolution as follows: "That the Committee requests guidance from the Board of Directors concerning the problem of the two fiber/cc limit and the lack of reliability of the membrane filter method for measurement of fiber counts." The Asbestos Study Committee members were concerned that while the membrane filter technique is the only method now available for measuring asbestos concentrations it is a most unreliable tool for enforcement of the two fibers/cc limit. In searching for guidance for the Committee one Director stated that our objection to use of this method for enforcement would not be constructive. It would just stir matters up without providing an alternative. Some regulatory authorities are receptive where suggestions are made for improvement. Simply indicating our dissatisfaction with the membrane filter method for enforcement might be considered as a negative attitude.

A Director stated that the hygienists will use common sense and realize the fallibility of the membrane filter technique. It is fairly well known in industry and government that this technique is fallible. While the directors expressed concern over the use of this as an enforcement tool, they do not feel that any Institute position should be expressed to OSHA concerning its use. It was felt that those enforcing the OSHA relations are aware of the disparity in results using this technique.

At this point Mr. Join of the FIMM indicated that work had been done in Europe concerning sampling and counting. He said that his asbestos association Chambre Syndicale de l'Asbeste (France), had an expert working for the association in the sampling and counting area. Members exchange slides and see how the counts come out. He is waiting for a report on this study. It was suggested that there is no other means of measuring the asbestos concentration and it is most likely OSHA will stay with this method regardless of any input from the Institute or others.

Dr. Hoalli presented a movie which had been shown in Great Britain by Granada TV entitled "Killer Dust--A Standard Mistake?" This movie had interviews with Dr. Holmes and Lewinsohn of TBA, and Dr. Selikoff of Mount Sinai. They discussed data on workers from several years ago that resulted in the 2 fibers/cc limit. A more recent review of data by Dr. Lewinsohn indicated to Dr. Selikoff that the 2 fibers/cc limit might not be satisfactory. The controversy between Dr. Selikoff and Dr. Lewinsohn was shown in this film. The argument centered on interpretation of the statistics. It was recommended that the movie be shown to the membership.

The Secretary brought up for discussion the fact that a Congresswoman from New Jersey (Mrs. Millicent Fenwick) has proposed legislation for the sale of Chrysotile asbestos from the national stockpile. Some individual asbestos users and the Asbestos Information Association supported Mrs. Fenwick in this legislation. The purpose of the legislation is to help industry reduce unemployment brought on by the asbestos shortage. The number of tons that might be released is about 10,000. It is not felt that this is really significant but in any case its release cannot hurt.

The Secretary was directed to write a letter to Mrs. Fenwick in support of this legislation.

ANNUAL MEETING COMMITTEE

Mr. Drislane read the report for the Chairman of the Annual Meeting Committee, Mr. Barton. See Exhibit 14.

In summary, the report recommended a return to Innisbrook in June 1976, and if that was not satisfactory, the Phoenix-Scottsdale area.

Upon motion duly made, seconded and unanimously passed it was

RESOLVED: That the report of the Annual Meeting Committee be accepted as written.

HISTORICAL SALES REPORTING

The Secretary read a report on Historical Sales which is Exhibit 13. In essence, participation was good with 15 of 19 members reporting. The reporting has been moved to a quarterly basis as of March 31, 1975. (This was decided at the Board of Directors Meeting on March 13, 1975). Immediately prior to the meeting, the accountants advised that the March 31 report was ready and would be distributed to the membership.

At this point, the subject of listing those reporting in each category was brought up. At the present time, the names of the companies reporting in at least one category are listed at the bottom of the report, and the number of companies (but not the names) reporting in each particular category also is listed, e.g., X number of members reported brake linings, Y number of members reported brake blocks, etc. It had been suggested that the names of the members reporting in each of these categories also be listed, so that the composite sales figures in each category will be more meaningful. The objection to listing the members reporting in each category is that the Institute must be careful if sales data is passed out to members. It is apparent that if only two members were reporting in a category one member would know the quantities of the other reporting member. At a level of three reporting, one might get a pretty good handle. At four and above the data probably could not be broken down to individual members. Legal Counsel was queried concerning this problem. He indicated that there should be no problem if at least four were reporting in each category.

Upon motion duly made, seconded and unanimously passed it was

RESOLVED: That the Board of Directors recommends that the Historical Sales Report list the names of those reporting in each category when there are at least four reporting in that category.

June 17, 1975

While Mr. Simon was suggesting that assignments should be made for the Aimco drilled versions, Mr. Moalli did not concur. Mr. Moalli stated that: (1) these are not original equipment releases. (2) Further we have not indicated shoe drilling whether it was drum or disc in the past. (3) Further, if the Institute were to set up numbers based on Aimco's drilling patterns we would be setting up Aimco as a standard. Mr. Moalli felt that if we were to take such action, it would put Aimco Industries in a position above others who might decide on drilling for replacement market shoes. The Directors supported the Data Book and Technical Committee position of not providing FMSI assignments to parts made by a replacement market supplier such as Aimco.

The Institute assignments will continue to be based on original equipment releases.

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

RESOLVED: To adjourn.

Adjourned: 4:00 P. M.

E. W. Brislane
Secretary