PLAINTIFF'S EXHIBIT BASF-9

Mr. C.W. Axce

January 21, 1972

J. J. Ronayne, M.D.

Asbestos Analyses

WTSergeant, PEArmstrong, EHarrown, RWMcNab, RERoth

CWA Memo to RWM 1/15/72

With all due respect for your feelings on the subject, Bill, I have decided that temporarily we will be unable to comply with your request for the purchase of the equipment mentioned in the referenced memorandum for the following reasons:

1. The Industrial Hygiene Section, at this time, has no one trained to perform asbestos dust counting.

2. The Environmental Protection Agency has stated that "there is no suitable technique for sampling and analyzing asbestos in the ambient air...", even though the OSHA regulations specify the phase contrast microscope at 400 - 450 magnification for this technique. Both statements are contained in the Federal Register for December 7, 1971--some 30 pages apart. With these two government agencies issuing statements disagreeing with each other, it is to be hoped that some adjustment will soon be forthcoming.

The Environmental Health Laboratories of Farmington, Michigan is qualified to provide determination of asbestos content in ambient air at a cost of $15 per sample, and we will avail ourselves of their facilities until the aforementioned considerations indicate otherwise.

JJR/e