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R.J. Merrill
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Shannon Kernaghan
Certified Reporter

J.B. Jose

MINUTES OF THE 120th MEETING OF THE DIRECTORS OF THE

QUEBEC ASBESTOS MINING ASSOCIATION

HELD ON MARCH 17th and 18th, 1972,

AT THE CASA MONTEGO, MONTEGO BAY, JAMAICA

FRIDAY, MARCH 17th, 1972

There were present:

| | | |
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| Messrs.: | J.R.M. Hutcheson | President |
| | R.J. Merrill | Vice President |
| | M.J. Messel | Director |
| | R.S. Coleman | Director |
| | W.W. Oughtred | Director |
| | F.P. Smith | Director |
| | Ph. Casgrain | General Counsel for the Association |
| | P.A. Filteau | General Manager and Secretary |

There were also present:

| | | |
|---|---|---|
| Messrs.: | I.C. Campbell | Chairman of the Legislation and Taxation Committee and of Public Relations Committee |
| | J.O. Eby | Chairman of Industrial Relations Comm. |
| | R.P. Gagnon | Chairman of Traffic Committee |
| | L.C. Piuze | Chairman of Environmental Control Comm. |
| | K.V. Lindell | Chairman of Occupational and Environmental Health Committee |
| | A.H. Bagenstose | Carey-Canadian Mines Limited |
| | R.M. Bateman | Turner & Newall Company |
| | M.P. Carson | Asbestos Corporation Ltd. |
| | J.D. Christian | Cassiar Asbestos Corporation |
| | D.T. Colton | Johns-Manville Corporation |

PLAINTIFF'S EXHIBIT 4271

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|---|---|---|
| Messrs.: | M. Dorais | Bell Asbestos Mines Limited |
| | E.J. Killian | National Asbestos Mines Limited |
| | N.W. Hendry | Canadian Johns-Manville Co., Ltd. |
| | R.L. Hennebach | American Smelting & Refining Co. |
| | J.B. Jobe | Johns-Manville Corporation |
| | A.S. Johnson | Asbestos Corporation Limited |
| | D. Poutiatine | Johns-Manville Corporation |
| | G.W. Smith | Bell Asbestos Mines Limited |
| | W.J.W. Smith | Bell Asbestos Mines Limited |
| | W.L. VanDerbeek | Johns-Manville Corporation |
| | M. Prus | Carey-Canadian Mines Limited |
| | D.L. Shank | National Gypsum Corporation |

The President of the Association, J.R.M. Hutcheson, acted as Chairman and P.A. Filteau as Secretary of the meeting.

The Chairman declared that a regular notice of meeting had been duly mailed to all the Directors of the Association and said notice was ordered to entered at length in the minute book of the Association.

There being a quorum, the Chairman declared the meeting duly constituted.

The Chairman expressed words of welcome to Messrs. A.S. Johnson and D.L. Shank and his pleasure in having Messrs. R.M. Bateman, J.D. Christian and G.W. Smith attend this the 120th meeting of the Directors of the Association.

The minutes of the 119th Meeting of the Directors of the Association held on January 24th, 1972, were duly approved.

The Committee Chairmen were then requested to report.

UNIFORM CLASSIFICATION & GRADING, AND TECHNICAL COMMITTEE

Uniform Classification & Grading: - In the absence of the chairman of the committee, the Secretary read his report. The main points stressed were:

1. Quebec Standard Asbestos Testing Machine:- On January 25, 1972 Mr. W.K. MacLeod returned the signed agreement between Lynn-MacLeod and QAMA to produce the approved version of this testing machine.

2. Research on Use of Asbestos Tailings:- On February 16th, 1972, D. Filteau, M. Cossette and W.H. Foster attended a meeting at the "Centre de Recherche Industrielle du Québec". The idea was to integrate the research effort of all groups with the objective of total exploitation of asbestos mine tailings and arouse the interest of asbestos producing companies. Such a project, it was felt, would improve the environment and air pollution, and diversify the economy of the asbestos region.

A committee of four was formed at said meeting to look into what information is available. The committee to report in 3-4 months. Members are:

| | |
|---|---|
| Mr. Castonguay | Department of Mines |
| Mr. J.C. Roy | Laval University (Chemistry) |
| Mr. P.O. Perron | C.R.I.Q. |
| Q.A.M.A. Representative | |

On a motion duly seconded, W.H. Foster was appointed Q.A.M.A. representative on above committee.

CARRIED.

Technical: - A meeting was held on February 29th, 1972.

Chrysotile Asbestos Test Manual:- Work on the manual is proceeding well. The new A.T.I. Fibre Testing Chairman is Mr. C.E. Stiefken. They have hired Mr. J.L. Tucker to assist in preparing the new manual. Mr. Tucker did the same job, for the 1966 manual. Anticipated cost is $2.50 to $3.00 each for the new manuals, compared to $1.28 for the 1966 manual.

On a motion duly seconded, Mr. Tucker's paid assistance was approved "pro forma" by the Directors of QAMA.

INDUSTRIAL RELATIONS COMMITTEE

As of February 1st, 1972, the Association has a consultant on Safety, N.H. George. He will spend a minimum of one week per month in the Q.A.M.A. operations. This is a yearly contract.

Our ventilation engineer has requested approximately $2,500 to purchase a membrane filter sampling equipment. It is suggested to wait for the results and findings of a study by the Environmental Control Committee before making any change in dust counting practices.

No further information has been learned as to take-over of W.C.C. by Social Welfare Department at this time. The matter is under study by an inter-departmental committee, as per Order-in-Council 3160.

Bill C-253: - The recently appointed Federal Labour Minister O'Connell has indicated that the Bill will be revised and will seek to encourage unions and management to include in new contracts some provision dealing with the effects of technological changes. Such provisions would not be subject to review by the Canada Labour Relations Board and unions would not have the right to strike during the life of the contract. Although this concerns the Federal jurisdiction, the enactment of such legislation would soon permeate into the Provincial field.

TRAFFIC COMMITTEE

Quebec Port: - The Q.A.M.A. has been asked by the Provincial Government to assist them in trying to get the new Japanese container service to call at the Port of Quebec. This service should start in March 1973.

Heretofore, only the ports of Halifax and Saint John, N.B. had been mentioned and no consideration given to the ports of Quebec or Montreal.

The cost of transportation to and from Halifax and Montreal is $87. per container in each direction. It is possible that the savings in transportation of these containers may induce the Lines to call at Quebec despite the additional mileage.

The Province of Quebec has asked the Deputy Minister of Industry and Commerce to prepare an economic study and have a delegation go to Japan to sell the advantages of the Port of Quebec. At a meeting attended by both the chairman of the Committee and the General Manager, the question was asked if each asbestos producer would send a delegate to Japan to support the project.

We explained the project to each director of the Q.A.M.A. and it was agreed that each company would send a delegate. The group will be leaving Montreal March 23, 1973 for ten (10) days.

The Canadian Embassy in Japan will arrange for meetings, etc.

We have no guarantee that the Lines will accept to call at Quebec, however, we believe it is a worthwhile effort.

CP Rail - CP Steamships Service: - At the request of the President of the Q.A.M.A. we have met with both CP Rail and CP Steamships outlining the difficulties experienced by the Q.A.M.A. and Canadian Pacific. We believe we will see some improvement as result of these meetings.

Rate Negotiations: -

1. Trucking rates to ports of Montreal/Quebec have been increased 20¢ per ton.

2. United Kingdom Conference will maintain same rates for 1972 - no increase.

3. Australian Conference increased its rates $1. per ton.

4. Japanese ocean rates are being increased 10 percent.

5. Mediterranean/Spanish Atlantic rates increased approximately $2.50.

Many of the services used now assess a $2. bunker surcharge together with a currency surcharge.

General: - Rate quotations are increasingly being quoted on a "House to House" basis. This change increases the importance as well as the work of the Traffic Committee.

The new rate structures are devised to eliminate break bulk. Both inland and ocean carriers have published rates where it is prohibitive to ship conventional.

LEGISLATION AND TAXATION COMMITTEE

Income Tax Act - Canada: - The new Federal Income Tax Act has become law but it will be some time before its full implications can be digested and the problems associated with its application identified. The Quebec Government must amend its Income Tax Act to concord with the new Federal Act.

Competition Act - Canada: - The Competition Act (Bill C-256) originally tabled during the previous session of Parliament, was withdrawn after

attracting heavy criticism.

It seems likely that under the new Minister, the substitute Bill which is promised for the present session of Parliament will be modified to remove or at least ameliorate the most objectionable provisions of the original bill dealing with the aspects of criminal law and the powers of the Tribunal.

Anti-Pollution Act - Quebec: - The Quebec Government has yet to table its legislation with respect to air and water pollution although the Minister responsible continues to promise in his public pronouncements that he is going to be tough. It seems unlikely that this act will come down until mid-summer and at that time there will still be an opportunity to make representations.

Real Estate Assessment Act - Quebec: - This has now become law but its impact has yet to be fully assessed pending the promulgation of the regulations issued thereunder. At this time it would not appear that there will be any major problem.

PUBLIC RELATIONS COMMITTEE

In his review of recent public relations activities the chairman of the committee dealt with the following items:

Geological Guidebook: - Authority was asked to go ahead with the publication of said guidebook at an estimated cost of $4,800. to $5,400. Part of cost to be recovered by sale of books to companies. The motion was duly seconded and carried.

English-French Lexicon: - Appreciation is extended to Col. G.W. Smith for his expert services in revising its content. Mr. G.W. Smith explained that 80% of the terms had been corrected and that the next step was the translation into appropriate French.

Asbestos and Health Leaflet: - This folder as well as the report on the State of the Industry were tabled for final review by the Directors; adoption of same to be proposed at the meeting of the following day, March 18th.

ENVIRONMENTAL CONTROL COMMITTEE

The chairman briefly commented as follows.

Number 8710 3M's dust mask is not available as yet; the expected price to be between .50 and .60¢ per unit.

The Committee will try to obtain copies of all briefs presented at the EPA Hearings in Los Angeles and forward a complete set to each member company. It was pointed out that the question of bag cloth and the building of an asbestos cake on the inner wall of the air filtration bags was fully explained at the above EPA Hearings.

The matter of warning labels on fibre bags was left for discussion at the meeting of March 18th also.

NEW BUSINESS

Peking Solo Fair: - The Fair will be held between August 21st, and September 2nd, 1972. The industry will have one collective booth for the five participating companies. With a map of the world on the background, asbestos products and samples as well as photos of mines and mills will be displayed under the general title "Asbestos throughout the World". Mr. M. Pharo is chairman of the committee and it appears that the project is pretty well on schedule.

COMMENTS ON GENERAL BUSINESS CONDITIONS

The asbestos fibre business seemed to be in a state of confusion. With the building of inventories and some cutting back of production, one wonders if deliveries will actually materialize. In the midst of uncertain world conditions it is hoped that the optimists will win.

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SATURDAY, MARCH 18th, 1972

There were present, in addition to the Directors and their associates who attended the meeting of Friday, March 17th, Dr. C.W. Wright, Chairman of the Scientific Committee of the I.O.E.H.

After calling the meeting to order, the President, J.R.M. Hutcheson, invited K.V. Lindell, Chairman of the Occupational and Environmental Health Committee, to report on recent activities.

In reviewing briefly the report tabled by Dr. Pelnar, Mr. Lindell emphasized two important International Conferences coming up in 1972, namely the 17th International Congress on Occupational Health in Buenos Aires in September 1972 and the meeting of the International Agency for Research on Cancer in Lyon, France, in October 1972.

The documentation in the Library of the Institute has been increasing sharply over the last few years; in this respect the mailing lists of the Institute are presently being revised and brought up-to-date.

Commenting the E.P.A. Hearings in Los Angeles, the Chairman of the Committee indicated that the Board seemed more concerned with the cleaning of the environment than with mesothelioma. In his presentation Mr. Lindell mentioned briefly that commercial talcum powder contained asbestos and that it was worth investigating fully. He also pointed out that the coating of asbestos fines which forms on the walls of the filter bags in the Canadian mines dust control

systems reduces the air-flow to within the specifications limits for the fabrics; more testing is required to verify this contention. He also pointed out that much of the technical and other data that form the background of the proposed National Emission Standards under review at the Hearings had been obtained with the complete co-operation and assistance of the asbestos industry.

As to the question of priorities for asbestos and health research it was felt that there were nine or ten questions that needed to be answered, as per Dr. Wright's report at the meeting in Colorado Springs.

Two publications would be very useful, one for general distribution which could be entitled "Why Asbestos Is Essential", and a second one, for limited distribution to scientific bodies, on research work in the field of asbestos and health conducted up-to-date.

Dr. I. Higgins of the University of Michigan at Ann Arbor, has been invited and has accepted to join the Scientific Committee of the Institute. Dr. Higgins is a man of considerable experience, having conducted extensive work on asbestosis as an epidemiologist; it is believed he will be a real asset to the Committee. The Committee is also looking for Canadian Doctors as likely candidates.

Mr. Lindell invited at this time Dr. Wright to report on behalf of the Scientific Committee.

Dr. GEORGE W. WRIGHT

Dr. Wright's first comments were to the fact that the Scientific Committee had so far served the industry very well. The fact that the Institute is a Canadian body, it is important to have members of Canadian nationality.

He had hoped to submit by this time a strong program to be implemented by the Institute, but because of pressure from E.P.A. and the Hearings on proposed Emergency Standards, he had been unable to do so.

Mr. G. Gibbs of McGill University has submitted a project for a preliminary study of the spectrum of fibre sizes to be found in the air of working places under the influence of actual operational conditions. This exploratory study is considered to be a most important one and it is hoped that it can be funded as soon as possible. The amount of the grant requested is $18,830.

In the matter of setting safe standards for asbestos what we need to learn is the dose-risk relationship. Variations of type of fibre and the circumstances surrounding their use must be taken into account in answering the question and would suggest the possibility that different standards might be rational in order to meet different conditions of use of asbestos. The four diseases thought to be related in some way to the inhalation of asbestos fibre are: pulmonary fibrosis, bronchogenic cancer, thickening of the pleura and mesothelioma. Not a single one of these diseases is peculiarly related to or caused solely by the inhalation of asbestos fibre.

Dr. MacDonald in his study of workers in the mining and milling of chrysotile asbestos in the province of Quebec showed that individuals must be exposed to higher than 6 fpcc in order to reveal any evidence of asbestosis. For bronchogenic cancer the exposure required is even higher, 10 to 12 fpcc. Dr. Hans Weill of Tulane University in his preliminary results of his investigation of workers in the asbestos-cement industry in New Orleans demonstrates that reduced asbestos exposure in the plants produces a lower risk of developing pulmonary fibrosis and cancer of the lung. Dr. MacDonald showed also that past exposures in the mining and milling of chrysotile asbestos were

far less hazardous than exposures in asbestos textile manufacture or the insulation worker's trade. For this reason, it may be rational to have different standards covering different occupations depending upon the variety of asbestos used.

In the case of mesothelioma, the Selikoff group is pushing for a number. There is a lack of expertise and a survey is needed in the U.S.

The current standard in the U.S.A. set by OSHA is 5 fpcc and was set only a few months ago. A letter from the unions stated that the standards were inadequate and asked for an emergency standard (NIOSH). In the case of tailings dumps, the E.P.A. is ready to allow visible emissions up to 50 yards from the source.

Dr. Wright then summarized his presentation to the US Department of Labor, OSHA Hearing in Washington on March 17th, 1972.

In this statement Dr. Wright described the kind of data required for characterizing the dose-risk relationship in such a manner, that it can be used for setting an occupational standard for airborne asbestos on a scientific rather than an arbitrary basis. Because of the difficulties described, much of the data now extant, concerning asbestos associated disease, is of no use for setting a standard. Isolated case reports and data giving exposures or biological effects without relating the two in the same population are examples of this kind of unusable information. Unfortunately, much of the data now available is competent only to say that asbestos is more or is less hazardous in different groups and that the exposure is varied. Nevertheless, although not numerous, there are specific data competent to speak to dose-risk relationship and these can be used for such purpose.

Dr. Wright indicated the reasons for his opinion that the Criteria Document had failed to do that which is incumbent upon it, namely, to provide sound scientific evidence to support their request for a change from the OSHA emergency standard and for a new standard of 2 fibers/cc TWA and peaks not to exceed 10 fibers/cc.

He disagreed with the view of the Criteria Document that there are no scientifically obtained data adequate for the purpose of setting a standard. He cited the studies which he believes are scientifically valid and adequate for setting a first approximation to a standard or safe level of airborne asbestos in occupational environments. In his opinion, these studies fully support the current OSHA temporary standard of 5 fibers/cc TWA with peaks not to exceed 10 fibers/cc and the recent decision of the ACGIH that there is no need to change from this standard. It should be emphasized that prior to 1940 and for some years thereafter, when many of those persons now developing disease were actually being exposed, the dust counts in mining, milling and manufacturing commonly were in the range of 10 to 100 mp/ft$^3$. This was most likely equivalent to 30 to 600 fibers/cc. There is no evidence that exposures during that period for insulation workers was substantially lower and, on the basis of British and Finnish data, it was in that range. It is clear then, that the current OSHA temporary standard represents a tremendous reduction from the dust levels of previous years and, in his opinion, includes a substantial safety factor. Dr. Wright believes this level will protect workers, using asbestos over a forty year or more span of employment, from developing asbestosis or experiencing an excess of bronchogenic cancer. If crocidolite and perhaps amosite are more stringently controlled, the liability of experiencing mesothelioma will be markedly reduced and probably abolished.

Dr. Wright then asked for comments by Messrs. Killian and Jobe, on their presentations at the Washington Hearings.

E.J. KILLIAN

Mr. Killian identified the participation of National Gypsum in the Industry. He made it clear that some 10,000 hours of expertise showed that the 2 fpcc level was not attainable. It would take some 1.3 million dollars to purchase preliminary equipment in an effort to reach said level, plus some $700,000 to $800,000 in annual continuance cost. The simple placement of a label on products could cause a degradation of 60% of the business. He took the approach of recommending a higher figure as an attainable standard.

J.B. JOBE

In his presentation Mr. Jobe tried to emphasize the economic impact, pointing out that the unions would hurt themselves in demanding unattainable standards. Industry would not stand in certain instances the increased operating cost, leaving themselves open to foreign competition (which operates without standards). There is danger in labelling products when the asbestos content is over 5%, and stating that it may provoke asbestosis and cancer. Dr. Pundsack in his statement stressed that point quite strongly.

ADJOURNMENT

Since there were no further question asked at this time, the meeting was declared terminated.

CERTIFIED CORRECT

Secretary

Chairman

In the case of the Asbestos Hill project, a union dispute has delayed the schedule approximately two weeks. It is expected that a first concentrate will be produced next month and that shipment will reach Europe in August or September, depending on the dock construction. The plant in Germany is in good shape.

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In England, the textile business is in a much depressed situation. Asbestos fibre imports are down, but somewhat better in Continental Europe. The situation in South Africa is good and India would import more fibre, but is short of foreign currency. In the newer countries, the economic situation is often disordered; it is rather difficult to be optimistic. The demand for products is good, the problem is to finance it.

Regarding health conditions in plants, efforts should be made to provide clean working conditions using all the information available. After putting plants in order, an attempt should be made in the best possible way to persuade customers to do the same in their own plants. Turner & Newall is ready to make available all technical information free of charge to producing companies and customers. This problem of cleaning plants is of absolute critical importance within the next two or three years.

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In U.S., thus far in 1972, business has been fairly good. Housing is quite lively; many plants running full blast on home insulation, which is encouraged by the Government as a means to save on fuel consumption. It would seem that industrial capital expenditures are showing up quite strongly - 10% higher in first months of 1972 as compared to same period in 1971.

This is a political year and the Government will try to stimulate the economy; 1972 should be a favorable year for the construction industry.

What will happen under the cost and labour regulations, everybody is anxious and noncommittal.

In U.S. as in U.K., management must make sure that plants abide by health regulations to be established. Management must also initiate an intensive program to change working attitude within the plant, otherwise the equipment will not do much good. Standards for safe level of dust exposure which will be established today (5 fpcc), may be changed tomorrow (possibly to 2 fpcc). Medical research should be continued to determine safe levels to prevent biological effects such as lung cancer, mesothelioma, etc.

A world-wide survey of the asbestos market for the next four or five years does not suggest a very good picture for the few years hence. There is a threat to the asbestos-cement-pipe business looking down the road four or five years from now. The industry must activate its research to create new uses for asbestos fibre. It must also teach customers how to handle fibre.

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1971 has been an excellent year for the short fibre business. In the case of one member company the demand has grown so much that it has been quite a struggle to fulfill all the orders. Some anxiety was expressed as to the EPA Hearings in Washington, in behalf of small asbestos fibre customers. Their future depends on the results of these hearings and they may have to discontinue manufacturing certain products.

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The Price and Control Board has brought about many problems to certain U.S. companies. The latter have been locked by ceilings under which it has been impossible to manouver. In the case of copper, lead and silver there has been no trouble with the ceilings, but on zinc the price ceiling is sometimes less than the production cost. Labour negotiations are in many instances long and tedious, pending the decision of the Price-Wage Control Board. It is feared that the EPA regulations are going to be almost impossible to meet with a tough enforcement attitude on the part of the inspectors.

In general, the forecast for 1972 is somewhat better than in 1971. Although the months ahead are considered with some trepidation the outlook for the whole year is a little more optimistic.

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One company views 1972 as a good year. Building products are moving better than the total corporate business. Considerable work is being done in plants and with employees in trying to implement the 5 fpcc level in the working environment; unions are expected to support management.

COMMENTS BY GENERAL COUNSEL

In Quebec, one worries about the vacuum in the Government Opposition. The Unité Québec and Social Credit are losing support. The P.Q. is the only party left and would very likely form the official opposition, if there were an election now. The Government is about to come to a show-down with the civil servants; it seems that the Government is prepared to take the necessary steps.

On the Federal scene, there might be an election possibly in June; the Liberal Party is likely to come in again, but on a tough election.

There seems to be a general swing to the right in many sectors and areas; you cannot go much further with the welfare state.

ADJOURNMENT

Meeting was adjourned to 9:30 a.m., Saturday, March 18th.

SATURDAY, MARCH 18th, 1972

(MEETING CONTINUED)

Following a review of the Occupational and Environmental Health Committee activities (see minutes of March 18th), the Directors were asked for their decision on the items left pending the previous day.

PUBLIC RELATIONS: - It was moved and duly seconded that the "Asbestos/Health" leaflet and the article "Asbestos in Canada - 1971" be approved.

CARRIED.

ENVIRONMENTAL CONTROL - WARNING LABELS ON FIBRE BAGS: - One Company is having legal problems in view of what is presently happening. The Company has enforced the placing of labels on its bags in U.S. and Canada and would like to know what is being done elsewhere.

It would seem that in U.K. labelling the bags does not give one any legal protection. It is even suggested not to label the bags, since the customers already know about it. If something happens, the supplier is still responsible.

In the U.S. according to legal advice, warning labels would give protection to suppliers over the long run. If overseas customers say they do not wish the label, this should give the U.S. suppliers sufficient protection.

The subject was merely brought up for the consideration of the directors and their views on any action they feel warranted.

MEETING IN ENGLAND: - At the suggestion of several members, the Chairman of the meeting expressed the wish to hold a meeting in England next October. Mr. R.M. Bateman replied that he would be very happy to look into it and requested that the General Manager forward the necessary specifications.

ADJOURNMENT

There being no further business, the meeting then adjourned.

CERTIFIED CORRECT

Secretary

Chairman