



INTERNAL CORRESPONDENCE

MINING AND METALS DIVISION

270 PARK AVENUE, NEW YORK, NEW YORK 10017

To (Name)
Division
Location

Mr. J. W. Rawlings

Date

December 15, 1972

38th Floor

Originating Dept.

Answering letter date

Copy to

Mr. F. H. Larrison ✓

Subject

Mr. J. L. Myers

Mr. L. P. Twichell

RECEIVED

DEC 21 1972

UCC - CALIFORNIA
K. CITY

At the December 14 meeting of AIA, progress and news were reported, some concern expressed and specific action on the part of member companies was requested. The meeting is summarized by these captions for ease of reference:

Progress

1. While not yet in print, some moves have been made toward positive publicity. Cunningham and Walsh (PR firm) are preparing an information file to be ready early January 1973. This file will be sent to appropriate editors and others. Articles primarily concerned with "Asbestos Can Be Used Safely" will be written for publication. They also hope to place and help speakers at meetings and other forums, e.g., John Myers at Plastics Meeting, Ed Fenner, Ike Weaver at a Technical Symposium of the American Industrial Hygiene Association. The suggestion was made and accepted that slide presentations be set up and speeches prepared for possible use by local managers at Rotary, etc.
2. An article reviewing the happenings on Asbestos standards in 1972 including industry and AIA response will be in Asbestos Magazine, February, 1973. Major aid - recruiting support and members for AIA.
3. A Compliance Manual (Ed Fenner subcommittee) is about 2/3 done - probably draft available end of January. The goal is a detailed guide for Asbestos users as to what needs doing, sources of information

A10091

Mr. J. W. Rawlings

December 15, 1972

- and equipment testing methods, etc. The current main orientation parallels the OSHA standards but separate supplements by industry (textile, tile, etc.) may be added.
4. George Wright will publish a report regarding Non Hazard of ingested Asbestos. The FDA approach is to completely ban anything not proved safe, i.e., Asbestos in anything touching food, e.g., freezer wrap and filter.
 5. A preliminary report from LFE Environmental Laboratories on the precision of fiber count analysis vs. various observers (analysts) was presented. Apparent conclusion is that a given count will be within 15-20% of true value with 68%-confidence and 30-40% of true value with 95% confidence. A copy is available for anyone wishing to pursue the subject. A final report will be ready about January 1st.
 6. The AIA will file a position paper on Coal Mine asbestos standard which will protest (a) a uniform standard throughout industry is more proper; (b) the two fiber limit is unnecessary.
 7. JM announced that they will be setting up their own customer advisory seminars. (Swetonic advised after the meeting that he is still planning for AIA regional seminars — perhaps starting March or April next year.
 8. JM and AIA representatives will be meeting (probably January) with GE management with the hope of easing GE views expressed in recent publications.
 9. Nicolet has a paper mill (approximately 150 employees with average service of 30 years) which has processed only chrysotile. They have good and complete medical records 1934-72. Plant has operated for 90 years. They can make all data available for epidemiological study. AIA will pursue to find good man to conduct the study. Also, Raybestos has larger plant which has processed only chrysotile and anthophyllite. They will check out what data is available.

A 10092

Mr. J. W. Rawlings

December 15, 1972

News

1. OSHA action has been non-consistent. At one plant "non-serious violation" citations without fine were issued for fiber counts 15-30 fibers/ml. At another, same inspector — different company, citations with fines were issued including one for protective clothing considered inadequate by the inspector.
2. Publication of EPA standards is now expected end of January at the earliest.
3. Talc can be the source of "asbestos" fiber. There is some talc without tremolite but most talc contains 5 - 50% tremolite. Although the talc industry would wish it otherwise, the definition of "asbestos" in the OSHA standards includes tremolite. The Chillicothe plant of Flintkote was well under 5 fibers without talc but when talc was being handled, the count was 2-1/2 times higher.
4. IUD - OSHA Suit — IUD and other protesting briefs have been filed. The AIA brief will be filed December 26th. There is some worry over an apparent move by the Justice Department to preempt the Labor Department attorneys on the OSHA defense.
5. GM — some playback from GM top people is that they have not banned asbestos but have suggested substitution and required precautions. (It sounds similar to North American Rockwell with responsibility for justification passed to lower managers.)

UCC Action Desired

1. A letter to Bureau of Mines regarding the inconsistency and lack of necessity of the two fiber/ml standard set for coal mines is suggested.
2. Industry response by comment and most probably at public hearings will be needed when the safety and health standards for Metal and Non Metal Mines are published (anticipated January, 1973). Representations

A10093

Mr. J. W. Rawlings

December 15, 1972

as to medical affect can be as at OSHA but feasibility data will also be needed.

3. A proposal has been received and recommended by Dr. Wright for AIA financial support of a study of chest auscultation (basal rales) by Dr. R.L.H. Murphy. Member companies are asked to review and respond to Matt Swetonic by January 1st. (Copy sent to Dr. Dernehl for comment.)
4. Mike Isser of Cunningham & Walsh indicated they had received only two written responses to a request for comment on customer problems (H.K. Porter and Flintkote). Separately, Mike said he had talked with John Myers. (John — you might want to send him a written review at least for the record.)
5. Each company is asked to review a proposed "Employee Safety and Health Guide" for possible publication by AIA to member companies. GAF Industrial Relations counsel suggests very careful review, especially by those concerned with compensation insurance. Response requested to Matt Swetonic by mid-January. (Copy sent to Bill Kovack for comment.)

Expressed Concern

1. The steelworkers and other unions would like to place all Health and Safety matters under Department of Labor control rather than, for example, the Bureau of Mines. Since maintenance of wage and price controls is expected to be a major White House goal and since the new Secretary of Labor — Mr. Brennan — may need something to give the unions, there is some fear that that "something" may be Labor Department control of Health and Safety.
2. The resignation of George Guenther has been accepted as has that of Under Secretary Silberman. No word has even been rumored as to the successors.


W.N. Johnson

0094



INTERNAL CORRESPONDENCE

cc: NF file
TPN
FHL
 RECEIVED
 JUN 27 1972
 UCC-CALIDRIA
 NIAGARA FALLS, N.Y.

MINING AND METALS DIVISION

270 PARK AVENUE, NEW YORK, NEW YORK 10017, N.Y.

To (Name) Mr. J. W. Rawlings
 Division Mining and Metals Division
 Location 38th Floor

Date June 23, 1972

Originating Dept.

Answering letter date

Copy to Mr. J. L. Myers

Subject AIA Meeting June 22, 1972

A copy of the agenda and handouts at the AIA meeting are attached for your reference. To deal first, however, with the subjects of major interest to ourselves, the provisions of the OSHA regulations of June 7th concerning monitoring and medical examinations were interpreted the same way by all present, that is, these provisions apply wherever asbestos fibers are released in any quantity, in essence, every place where asbestos containing materials are used. No solutions were given for the problem and no suggested approach to customers. It is my understanding, apart from the AIA meeting, that we will probably apply to the Solicitor's Office of OSHA for relief at least from the spraying provision and hopefully for both monitoring and medical provisions.

With regard to publicity, the AIA will respond to adverse publicity in magazines and newspapers but does not currently see any way to obtain favorable, or even balanced, articles in the public press.

I mentioned that we had received word that some OSHA inspectors have told people that they would ultimately have to get rid of asbestos without regard to the regulations. This surprised most of those present and Matt Swetonic indicated that if we would give him specifics, that is, names and places, that action can be taken via the Washington office of OSHA. I would appreciate it if any salesmen receiving this kind of information from customers will attempt to get the name of the inspector and the place and time of the remarks.

The meeting itself was generally informative but nothing really new was forthcoming. It was noted at the beginning that the OSHA rules provide for on-going studies and re-evaluation with a caution that under pressure from the unions as well as from industry the rules could go either way. EPA regulations have been delayed, as

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June 23, 1972

we knew, more for questions on mercury and beryllium than on asbestos but also by a jurisdictional dispute between EPA and the Bureau of Mines.

Mention was made that the Dick Cavett show, facing a possible contract termination at the end of July, was looking for controversial subjects and asked for industry participation along with Selikoff, et.al. At the moment, industry won't play and Secretary Guenther has advised that he would not participate without equal participation by industry and opposition. It is hoped that the subject will be dropped.

A copy of the Arthur D. Little study on economic impact of the regulations will be sent to members soon. The conclusions were basically that textiles are in trouble and that attainment of 2 fibers is excessively expensive.

Along with the enclosed letter from AIA to the Wall Street Journal concerning the article of June 8th, Johns Manville has wired the Journal and asked for a review. The response from the Wall Street Journal management is that they are waiting for a letter from Johns Manville and will probably meet with JM and AIA.

Newsweek proposed an article on asbestos and particularly JM plants. However, after top level contact with Newsweek, JM was assured that there will either be balanced coverage or no article will be forthcoming.

With regard to OSHA standards, AFL/CIO has been exceedingly vocal in their objections. Their criticisms are:

1. Alleged collusion of OSHA and industry.
2. Not enough inspectors.
3. The 4 year delay in the 2 fiber standard.

While the second criticism is valid, as we know, more stringent regulations will obviously not remedy it. Note was made that Al Hutchinson, President of the union most vocal, died recently of cancer with asbestosis. Needless to say, this will be made the subject of as much publicity as possible by the union.

With regard to federal action, there is a possibility that employers with 25 or fewer employees may be exempt from OSHA

A10096

regulations for one year. A bill to this effect has been passed by the House but has not yet been passed by the Senate. Dr. Wright made note of the fact that the workmen's compensation rules in black lung do not require X-Ray confirmation but only 12 years employment. It is quite possible that asbestosis rules may be written the same way. It was noted that Canada can be expected to follow U.S. regulation guidelines sooner or later.

A technical subcommittee for AIA will be set up to aid communication on such things as dust collection. Ed Fenner of JM will chair this subcommittee. For example, he noted that in their experience, cotton sateen-silicon treated bags have given the best performance.

The possibility of an industry request for a court review of the regulations has been discarded. The attorneys feel there is little likelihood of any relief since there are 4 years before the 2 fiber level is applicable. While there is a possibility that the unions might ask for a court review, it is not regarded as likely.

Citations by OSHA for excess airborne concentrations have been confusing. At Bendix, OSHA has backed off from citations of serious violations to citations of minor violations on concentrations of between 5 and 6 fibers and at JM, 5 separate violations of not wearing respirators when needed were lumped into one single serious violation.

Dr. Wright discussed the needs for research with particular regard to:

- (a) mesothelioma occurrence in the public and in the industry and whether or not it is related to asbestos dosage or to the individual metabolism;
- (b) occurrence of cancer, asbestosis and mesothelioma in manufacturing vs. mining and vs. insulation workers, particularly with respect to:
 - 1. materials concerned, type of fiber, size of fibers, other substances present; and
 - 2. dosage — average concentration, intermittent peaks, and electron microscope size fibers.

A 10097

- (c) some consideration is given to examination of lung texture to reflect the history of exposure but too little is known;
- (d) treatment as an alternative to abandonment.

Dr. Wright will be asked to advise the AIA members more specifically on research program needs. For example, they would like to find a manufacturing plant which has handled crysotile fibers only for a long period of time.

A legal subcommittee to be chairmaned by Paul Weiner of GAF will be formed to aid communication on law suits, insurance settlements, etc. Specific recommendations were made by legal counsel that:

1. OSHA regulations should not be mentioned in industrial labor contracts.
2. Inspection records are subject to subpoena.
3. If statements are taken by a compliance officer of OSHA with regard to a fatality, it is felt that an attorney should be present to assist the employee making the statements.
4. A problem is foreseen in that credentials of a compliance officer appearing at the plant can be checked. However, the officer is entitled to bring with him a third party and there is no way to verify the reliability or background of that third party.

AIA will assist in obtaining answers to any questions of interpretation on the regulations. They will have contact with both Gerard Scannell, Department of Standards and Fred Bischoff, Department of Compliance.

A study has been commissioned for about \$6,000 to \$8,000 to study the accuracy of the membrane filter method with particular reference to the experience of the microscopist making the count and the level of fiber concentrations.

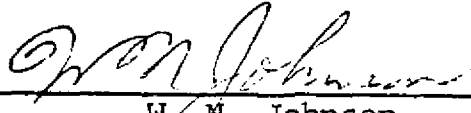
The AIA would like to receive any data available on the cost of installations and the effect on airborne concentrations in order to convince OSHA of the validity of the economics presented.

Mr. J. W. Rawlings

- 5 -

June 23, 1972

With regard to publicity, the AID will proceed to prepare booklets similar to those published in England and suggests regional seminars for customers. As mentioned earlier, there is no optimism and, in fact, no effort will be made to obtain articles in the public press.


W. N. Johnson

WNJ:mc
Attachments

A10099

UCC 024922

ATTENDEES
ASBESTOS INFORMATION ASSOCIATION/NORTH AMERICA
MEETING
JUNE 22, 1972

NATIONAL GYPSUM COMPANY

A. H. Fay
Frank Zimmerman
Paul Dumas

AMERICAN ASBESTOS TEXTILE CORP.

Michael Scanlan

ATLAS ASBESTOS COMPANY

George Barge

CEMENT ASBESTOS PRODUCTS COMPANY

S. D. Weaver

CERTAIN-TEED PRODUCTS CORP.

Al Leff

GAF CORPORATION

Tom Dent
Bill Fassuliotis
Paul Weiner

JOHNS-MANVILLE CORP.

F. J. Solon, Jr.
W. F. Goodwin
E. M. Fenner

NORTH AMERICAN ASBESTOS CORP.

C. G. Morgan

JIM WALTER CORP. (PANACON)

Dayton Todd

RAYBESTOS-MANHATTAN

J. H. Marsh
I. H. Weaver

SUPRADUR MANUFACTURING CORP.

Kurt Schwarz

AIA/NA EXECUTIVE SECRETARY

M. M. Swetonic

AIA/NA LEGAL COUNSEL

Bradley Walls

ST. LUKE'S HOSPITAL

G. W. Wright, M.D.

CONGOLEUM INDUSTRIES

John R. Stetson

FLINTKOTE COMPANY

A. R. Hooker

KENTILE FLOORS INC.

C. A. Neumann

NICOLET INDUSTRIES INC.

J. K. Whittaker

H. K. PORTER COMPANY

E. C. Bratt

UNION CARBIDE CORP.
William Johnson

A10100

AGENDA

ASBESTOS INFORMATION ASSOCIATION/NORTH AMERICA

SPECIAL MEETING

THE BIDDLE ROOM -- THE HARVARD CLUB

NEW YORK CITY

JUNE 22, 1972

- I. INTRODUCTORY REMARKS A. H. FAY
- II. AIA/NA ACTIVITIES REPORT A. H. FAY
- III. STATUS REPORTS
 - 1. EPA Standards M. M. SWETONIC
 - 2. Dick Cavett Show M. M. SWETONIC
 - 3. Arthur D. Little Study M. M. SWETONIC
 - 4. THE WALL STREET JOURNAL F. J. SOLON,
M. M. SWETONIC
 - 5. NEWSWEEK F. J. SOLON, JR.
 - 6. New AIA/NA Office M. M. SWETONIC
- IV. AIA/NA LEGAL SUB-COMMITTEE BRADLEY WALLS
PAUL WEINER
- V. REACTION TO OSHA STANDARDS A. H. FAY
 - 1. AFL-CIO Reaction
 - a. Publicity M. M. SWETONIC
 - b. Research J. H. MARSH
 - c. Political Action M. M. SWETONIC
 - d. Workmen's Compensation M. M. SWETONIC
 - 2. Canadian Government Reaction GEORGE BARGE

A10101

JUNE 22, 1972

3. Industry Reaction & Remaining
Major Problem Areas

A. H. FAY

- a. Two Fiber Standard
- b. Membrane Filter Method
- c. Other

VI. FUTURE INDUSTRY ACTION

A. H. FAY

- 1. Legal Action
- 2. Clarification, Interpretation
& Implementation of Standards
- 3. Research
 - a. Medical
 - b. Technical
 - c. Economic
- 4. Compliance Assistance Programs
- 5. Public Relations & Publicity

BRADLEY WALLS

M. M. SWETONIC

M. M. SWETONIC

A. H. FAY &
M. M. SWETONIC
M. M. SWETONIC

A10102

30 R. E. Byrne, Jr. R. L. Schult
H. B. Rhodes W. C. Thurber
File

VI.E.12



Calidria ASBESTOS

UNION CARBIDE CORPORATION • METALS DIVISION • P. O. BOX 579 • NIAGARA FALLS, N.Y. 14302 • TEL: 716-278-3376

March 31, 1977

Mr. John Swan
Columbia Journalism Review
116th and Broadway
New York, NY 10026

212-280-3872

Dear Mr. Swan:

Thank you for calling regarding my quotes for your forthcoming article. After hundreds of press and journal articles written to damn asbestos without adequate source checking, it is a pleasure to contribute something that apparently will be used in a constructive manner. I look forward to receiving the CJR issue containing your article.

I have enclosed a fairly recent article concerning Dr. Selikoff's position on asbestos and two booklets published by the Asbestos Information Association of North America ("The AIA/NA" and "What You Should Know About Asbestos").

I realize that your current work is not on asbestos; but, if you ever choose to cover the asbestos/health situation, we or the AIA welcome the opportunity to contribute.

Very truly yours,

John L. Myers
John L. Myers
Marketing Manager

JLM:da1
Enclosures

CC: Mr. R. H. Mereness, AIA/NA

A10103

BC: R. E. Byrne, Jr. R. L. Schult
H. B. Rhodes W. C. Thurber
File



Calidria ASBESTOS

UNION CARBIDE CORPORATION • METALS DIVISION • P. O. BOX 579 • NIAGARA FALLS, N.Y. 14302 • TEL: 716-278-3376

March 31, 1977

Mr. R. H. Mereness
Executive Director
Asbestos Information Association/NA
Suite 402
1835 K Street, N.W.
Washington, D.C. 20006

Dear Bob:

Please reference the attached copy of my letter to Mr. Swan. He called me on March 22 regarding an article he was preparing on the "flap" between the American Newspaper Publishers Association (ANPA) and Mt. Sinai/NIOSH. He requested information about the use of asbestos in paper and newsprint. I responded on March 30.

Mr. Swan has talked to Bill Rinehart of ANPA R & D in Easton, PA, and I advised Rinehart of Swan's contact with me. Rinehart thinks Swan's article will be an assault on the NYC newspapers, especially the NY Times. He has kept Mt. Sinai out of the press rooms on the grounds that they would not get an impartial investigation. ANPA has advised NIOSH that they would welcome and finance a parallel inspection by someone of their choosing, to "counteract" Mt. Sinai's efforts.

If Swan quotes me it will relate to the period when we supplied asbestos to the paper industry, 1969-1974, and that asbestos has been replaced by talc and other materials. He may also note that our asbestos was pelletized to reduce employee exposure at the paper mills. I attempted to provide a quote that, to my knowledge, asbestos has never been used in newsprint. He said he didn't need this because the ANPA had already proven that.

The CJR is published quarterly and I am supposed to receive the issue which contains Swan's article.

Best personal regards and give me a call if you want to discuss this any further.

Very truly yours,

A handwritten signature in cursive script, appearing to read "John L. Myers".

John L. Myers
Marketing Manager

JLM:dal
Attachment

A10104

Asbestos fiber ban not needed—Selikoff

If asbestos fibers and other environmental sources of cancer are properly controlled, they do not have to be banned to protect society.

So says Dr. Irving Selikoff, director of cancer research at New York's Mount Sinai Hospital and part of a team studying the cancerous effects of dust from taconite tailings produced by Reserve Mining Co., Silver Bay.

Speaking on the NBC Today Show this morning, Selikoff said, "It was our ignorance of the past that could have done us in."

If cancer-causing agents are discovered and controlled immediately, cancer should not be the threat in the year 2000 that it now is, he said.

Selikoff said the high rate of cancer found in mine workers exposed to asbestos fibers are "due to exposures that were very, very heavy and to which we didn't pay much attention. The people becoming sick now were implanted with the disease 20 years ago."

Families of mine workers and residents living close to the plants also were in danger from exposure to the dust particles and some developed terminal cancer, he said.



DR. IRVING SELIKOFF

"But that won't happen any more," he added.

Recent awareness of hazardous conditions have prompted strict controls, such as confining all contaminated clothing and objects to the plant and pro-

hibiting the emission of asbestos-filled smoke.

Selikoff did not comment on the risks of cancer caused by ingesting water and food that may be contaminated by asbestos fibers.

A team of cancer specialists currently is studying the danger level of asbestos in Duluth tap water.

Selikoff said he was "very optimistic for the future" of cancer prevention and treatment. He called seemingly gloomy discoveries of new cancer-causing agents "a reason for optimism."

"How can it be bad to find the reasons for cancer? If we had not discovered the cause of leukemia, people would go on quietly dying of leukemia. But once we know, we can do something about it," he said.

As researchers discover the causes of cancer, they also can pinpoint high risk groups exposed to those causes, making early detection and treatment possible, he said.

"There are many valuable things in our society that we can't really do without," Selikoff said. "Once we know what can cause cancer, we can do a great deal to control them without banning them outright."

A10105

3/22/77

Jim Reis

ANPA flap

SPE-Nov.

3/24/77

Mr. Romano

ANPA - Easton, Pa

Charge several years ago that there was asbestos in newsprint. They published that there is no asbestos in newsprint. Dr. Selikoff made address to newspaper union.

Bill Rhinehart is best man to talk to.

Several yrs ago.

Friday Columbia Journalism Review could be developing "sensational-type" story on Thursday but maybe not. Would give

SEARS

A10106

ANPA

11600 Sunrise Valley Dr

Reston, Va. 22091

Jerry W. Friedman Exec VP & Gen
Mng

703-620-9500

Mr. Rinehart VP Research

Easter Pa

215-253-6155

191-118-9-1

Mr Taffey
Romano

would ANPA discuss the press
indictment of asbestos now that
they're in similar situation.

A10107