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Johns-Manville

Internal Correspondence

File

BD

To: R. A. Stapleton - 4S

Date: November 12, 1973

From: T. P. O'Hagan - 4S

Copies: R. M. Billings -4S, C. J. DeBiase -4S, F. P. Williams -4S, E. M. Fenner -4M, C. P. Weber -4S, L. E. Konrad -4S, Nicely - N.Y., Manning -Boston

Subject: ENVIRONMENTAL INQUIRY
COMMONWEALTH OF MASSACHUSETTS

Responding to the request of Dr. Harvy B. Elkins, Director of Occupational Hygiene Commonwealth of Massachusetts, to supply his office with a list of MARINITE customers in the State, Ed Fenner and I traveled to Boston to meet with officials and discuss the matter first-hand. Since originating the initial request, Dr. Elkins has retired. The meeting was held with Harold Bavely, Acting Director and one of his assistants, Robert F. Caskins.

During our discussions, we reaffirmed Johns-Manville policy of cooperation and expressed our desire to resolve the situation keeping in mind our responsibility to our customers. We presented J-M's continuing program of customer education as to proper handling of products that may be hazardous, while suggesting methods and equipment that can be employed to help them comply with present Occupational Hygiene Standards.

As the meeting progressed three points became clear:

1. Both men seemed to be knowledgeable, open-minded and understanding of the problems facing small occasional MARINITE users.

2. The Division of Occupational Hygiene does not have the authority to levy fines, but merely makes recommendations. If leverage were needed, they probably would call in O.S.H.A. Massachusetts has no Regulations or Standards more stringent than Federal Laws.

3. There was no way we could avoi -iving customers' names.

It was agreed that we could furnish onl e names of customers we sold directly and that the list be c ised of accounts that purchased in excess of $1,000 worth MARINITE during the first six months of 1973. There are four accounts in this category. We promised to submit these names to the State by December 1, 1973.

This provides us time to notify the customers of impending visits and, in turn, gives the customer some time to attempt to correct any out-of-line operations.

Prior to the meeting with State Officials, however, our plan was to meet with customers who would be involved if MARINITE users names were volunteered.

On November 5-6, al. with Jack Manning we discussed the State's request with the following accounts:

Johnson Asbestos Company
West Springfield, Mass.
Mr. Cliff Johnson
Mr. Dick Johnson
Mr. Stuart Cravens

F. C. Dawson Engineering Company
Canton, Mass.
Mr. Ken Allen

Wolverine Corporation
Woburn, Mass.
Mr. Dave Wallmouth

P. S. Thorsen Company
Boston, Mass.
Mr. George Greer
Mr. Tom Wiggins

We also visited with A. W. Svanson, Plant Manager, at Billerica.

Needless to say, our customers were not overly enthused at the possibility that J-M would give their names to the State Division of Occupational Hygiene. We presented the J-M Corporate Policy during each call and made an effort to keep the entire situation in the right perspective. As each meeting progressed, we were able to reach agreement that in the long run our cooperation was in the best interest for all concerned.

Two of the smaller accounts may have difficulty in complying in all areas with O.S.H.A. and E.P.A. Standards and may, as a result, attempt to find substitute products.

It's too soon to make a final determination as to the effort on future J-M MARINITE sales in the State. Much will depend on the attitude of the inspectors. If they are going to require our present customers to provide an expanded list of users, the impact on future sales of MARINITE and other Asbestos containing products may be substantial.