

S ELL CHEMICAL COMPANY

REFERENCE

CAB

DATE JANUARY 18, 1972

TO PLANT MANAGERS/SUPERINTENDENTS

FROM MANAGER - ENVIRONMENTAL ENGINEERING
ENGINEERING DEPARTMENT -
HEAD OFFICESUBJECT PROPOSED STANDARD FOR
EXPOSURE TO ASBESTOS DUST

The subject standard is attached for your information and comment.
Please send any comments you may have to this office by February 1, 1972.

R. L. Maycock
R. L. Maycock

Attachment

cc - Divisions - Manufacturing - Managers
Agricultural Division - Western Marketing Region - Mr. R. W. Swain
Head Office - Engineering Department - Mr. T. J. Hayes
- Mr. W. L. Tanner

PLAINTIFF'S EXHIBIT

SH-2429

DPMC-00699

LAM 007187

regulated by this order than from other sources during the month.

Proposal No. 9. Amend § 1036.42(b) (2) to read: "Other source milk in bulk fluid form, exclusive of that specified in § 1036.41(c) (6)".

Proposal No. 10. Amend § 1036.43 *Interplant Movements*.

Add in § 1036.43(c) (3) (i), (ii), and (iii), the words "of bottling grade milk" after the phrase "constitute regular sources of supply".

Proposed by: Borden, Inc.:

Proposal No. 11. Add to § 1036.45 a provision to read as follows:

Subtract from the remaining pounds of skim milk in Class II, the pounds of skim milk in other source milk (except that received in the form of a fluid milk product) that is added to, or used to produce, any product specified in § 1036.41 (b).

Proposed by Town and Country Dairy, Garvins Dairy, Sweet Home Dairy, and Halms Modern Dairy:

Proposal No. 12. Amend order No. 36 to provide that the following counties in the State of Ohio: Belmont, Jefferson, Harrison, Monroe, and part of Chermsey now in the marketing area; plus the West Virginia counties of Hancock, Brooke, Ohio, and Marshall be included in Zone I as defined by the proposal of Milk, Inc. (Proposal No. 1); or alternatively that the above dairies are to be put in the present Cleveland-Erie District rather than the Pittsburgh District.

Proposed by the Dairy Division, Consumer and Marketing Service:

Proposal No. 13. Revise § 1036.11(a) (1) to read as follows:

§ 1036.11 Pool plant.

(a) A distributing plant that has:

(1) Route disposition except filled milk, during the month of not less than 50 percent (40 percent for each month of April through August) of the total receipts of fluid milk products, except filled milk, that are approved by a duly constituted health authority for fluid consumption and that are physically received at such plant or diverted as producer milk pursuant to § 1036.16 to a supply plant qualified under paragraph (b) or (c) of this section or a nonpool plant; and

Proposal No. 14. Review the provisions of § 1036.11 (c) to determine whether they should apply only to plants primarily engaged in the transfer of milk to distributing plants qualified under paragraph (a) of this section.

Proposal No. 15. Revise § 1036.30(a) (2) to read as follows:

§ 1036.30 Report of receipts and utilization.

(a)

(2) Inventories at the beginning and end of the month of the following products:

(i) Fluid milk products; and
(ii) Products listed in § 1036.41(b) (1), except those received in packaged form from another plant, showing separately such inventories in bulk form and in packaged form;

Proposal No. 16. Revise § 1036.41(c) (6) (vii) to read as follows:

§ 1036.41 Classes of utilization.

(c)
(6)

(vii) Less 1.5 percent of the quantity of bulk fluid milk products and bulk cream transferred to other plants which does not exceed such quantity to which percentages are applied in subdivisions (i), (ii), (iv), (v) and (vi) of this subparagraph;

Proposal No. 17. Make whatever changes are necessary in the order to eliminate the possibility of a handler being charged under the order at the Class I price for milk that already has been classified and priced as Class I milk under a Federal order.

Proposal No. 18. Reposition, for clarification of the order, the provisions which establish that the Class I price for other source milk when adjusted for location of the shipping plant, shall not be less than the Class III price.

Proposal No. 19. Make whatever changes are necessary in the order to provide for a uniform "equivalent price" section to read as follows:

§ 1036.54 Equivalent price.

If for any reason a price or pricing component required for this part for computing class prices or for other purposes is not available in the manner described in this part, the market administrator shall use a price or pricing component determined by the Secretary to be equivalent to the price or pricing component that is required.

Proposal No. 20. Make such changes as may be necessary to make the entire marketing agreement and the order conform with any amendments thereto that may result from this hearing.

Copies of this notice of hearing and the order may be procured from the Market Administrator, 7500 Brookpark Road, Cleveland, OH 44122 or from the Hearing Clerk, Room 112-A, Administration Building, U.S. Department of Agriculture, Washington, D.C. 20250 or may be there inspected.

Signed at Washington, D.C., on January 7, 1972.

JOHN C. BLUM,
Deputy Administrator,
Regulatory Programs.

[FR Doc. 72-468 Filed 1-11-72; 8:40 am]

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[29 CFR Part 1910]

STANDARD FOR EXPOSURE TO ASBESTOS DUST

Notice of Proposed Rule Making

Section 6(c) of the Williams-Steiger Occupational Safety and Health Act of 1970 (84 Stat. 1599; 29 U.S.C. 655) provides that upon the publication of an emergency temporary standard in the Federal Register the Secretary of Labor shall commence a rule making proceeding in accordance with section 6(b) of the Act, and that the emergency standard as published shall also serve as a proposed rule for the proceeding. An emergency temporary standard concerning exposure to asbestos dust was published in the Federal Register on December 7, 1971 (36 FR 23207). Accordingly, pursuant to section 6(b) and (c) of the Williams-Steiger Occupational Safety and Health Act of 1970 (84 Stat. 1593, 1596; 29 U.S.C. 655), 29 CFR 1910.4, and Secretary of Labor's Order No. 12-71 (36 FR 8754), it is hereby proposed to amend 29 CFR Part 1910 as set forth below. The proposals include the emergency temporary standard and additional proposed rules on subsidiary issues.

Interested persons are invited to submit, both orally and in writing, data, views, and arguments concerning these proposals.

Written data, views, and arguments may be mailed to the Office of Safety and Health Standards, Room 305, 400 First Street NW, Washington, DC 20210, within 30 days after the publication of this notice in the Federal Register. The data, views, and arguments will be available for public inspection and copying at the Office of Safety and Health Standards, except as to matters the disclosure of which is prohibited by law.

Oral data, views, and arguments will be received by Hearing Examiner Arthur Goldberg, at a hearing beginning at 10 a.m. on March 14, 1972, in Conference Room B, Departmental Auditorium, 14th Street and Constitution Avenue NW, Washington, DC. Persons desiring to appear at the hearing must file with the Office of Safety and Health Standards a notice of intention to appear, no later than March 3, 1972. The notice must state the name and address of the person to appear, the capacity in which he will appear, and the approximate amount of time required for his presentation. The notice must also include, or be accompanied by, a statement of the position to be taken with regard to the proposed rules.

The oral proceedings shall be reported verbatim, and transcripts shall be available for inspection to any interested person on such conditions as the presiding

hearing examiner may be held. The hearing examiner shall regulate the course of the oral proceedings, dispose of procedural requests, objections, and similar matters, regulate the conduct of those present at the hearing by appropriate means, and shall exclude to the extent practicable irrelevant, immaterial, and unduly repetitious data or arguments. The hearing examiner shall have discretion to keep the record of the hearing open for a reasonable, stated time to receive written recommendations, and additional data, views, and arguments from any person who has participated in the oral proceeding. Upon completion of the oral proceedings, the transcript thereof, together with written submissions on the proposed rules, exhibits filed during the hearing, and any posthearing data, views, arguments, and recommendations shall be certified by the hearing examiner to the Assistant Secretary of Labor for Occupational Safety and Health for his decision. The Assistant Secretary may adopt the proposals with or without changes, or determine not to issue a rule.

Under the authority of section 6(b) (1) and section 7(b) of the Act, the Assistant Secretary of Labor for Occupational Safety and Health will request the recommendations of an advisory committee with regard to the proposed rules. The committee will be provided with copies of these proposals, together with all pertinent factual information which is, or may become, available to the Assistant Secretary, including any information submitted by the National Institute for Occupational Safety and Health. The advisory committee will be asked to submit to the Assistant Secretary written recommendations regarding these proposed rules within 45 days after the publication of this notice. The recommendations will be available for public inspection and copying. No other advisory committee will be consulted with regard to these proposed rules.

Part 1910 of Title 29 of the Code of Federal Regulations is proposed to be amended as follows:

§ 1910.93 [Amended]

1. Table G-3 in § 1910.93 (35 F.R. 15104, August 13, 1971) is proposed to be amended by deleting the following:

Asbestos—12 fibers per milliliter greater than 5 microns in length or . . . 2 Mppcf.

Tremolite . . . 5 Mppcf. 29 mg/M³ %SiO₂

If so amended, Table G-3 would read as follows:

TABLE G-3—MINERAL DUSTS			
Substance	Mppcf	Mg/M ³	
Silica:			
Crystalline: Quartz (crystalline)	250 ¹	12mg/M ³	=
	%SiO ₂ +5	%SiO ₂ +2	
Quartz (total dust)		30mg/M ³	
		%SiO ₂ +2	
Cristobalite: Use 1/10 the value calculated from the count as for crystalline quartz.			
Talc: Use 1/10 the value calculated from the count as for crystalline quartz.			

Substance	Mppcf	Mg/M ³
Amorphous, including natural diatomaceous earth	20	50mg/M ³
		%SiO ₂
Silica (less than 1% crystalline silica):		
Alumina	50	
Soapstone	20	
Talc	20	
Portland cement	50	
Graphite (natural)	15	
Coal dust (total dust fraction less than 5% SiO ₂)		2.4mg/M ³ or 10mg/M ³
For more than 5% SiO ₂		%SiO ₂ +2
Inert or Nuisance Dust:		
Respirable fraction	15	5mg/M ³
Total dust	50	15mg/M ³

Note: Conversion factors—
MppcfX35.3=million particles per cubic meter
=particles per c.c.

¹ Millions of particles per cubic foot of air, based on impinger samples counted by light-field techniques.

² The percentage of crystalline silica in the formula is the amount determined from air-borne samples, except in those instances in which other methods have been shown to be applicable.

³ As determined by the membrane filter method at 400 X phase contrast magnification.

⁴ Both concentration and percent quartz for the application of this limit are to be determined from the fraction passing a size-selector with the following characteristics:

Aero-dynamic diameter (unit density sphere)	Percent passing selector
2	90
2.5	75
3.5	50
5.0	25
10	0

The measurements under this note refer to the use of an AEC instrument. If the respirable fraction of coal dust is determined with a MIE the figure corresponding to that of 2.4 Mg/M³ in the table for coal dust is 4.8 Mg/M³.

2. A new § 1910.93a is proposed to be added to Part 1910, reading as follows:
§ 1910.93a Asbestos dust.

(a) *8-hour time-weighted average.* The 8-hour time-weighted average airborne concentration of asbestos dust to which employees are exposed shall not exceed 5 fibers longer than 5 microns per milliliter, as determined by the membrane filter method at 400-450 X (magnification) (4 millimeter objective) phase contrast illumination. Concentrations above 5 fibers per milliliter, but not to exceed 10 fibers per milliliter, may be permitted up to a total of 15 minutes in an hour, but for not more than 5 hours in an 8-hour day.

(b) *Methods of compliance.* (1) *Engineering methods.* Engineering methods, such as, but not limited to, enclosure, vacuum sweeping, and local exhaust ventilation, shall be used to meet the exposure limits prescribed in paragraph (a) of this section. Where such engineering methods are not feasible, or do not reduce the concentrations below the limits prescribed in paragraph (a) of this section, respiratory protective devices shall be provided and used in accordance with subparagraph (2) of this paragraph.

(2) *Other methods.* (i) When the limits of exposure to asbestos dust prescribed in paragraph (a) of this section are exceeded, and engineering controls required by subparagraph (1) of this

paragraph are not feasible or do not reduce the concentration of asbestos dust below the limits prescribed in paragraph (a) of this section, the employer shall require the use of respiratory protective devices. The selection of respiratory protective devices shall be limited to those specified in paragraph (c) of this section.

(ii) The employer shall require that each employee test his respiratory protective device before each use in order to insure a proper fit according to the manufacturer's instructions. The employer shall further provide for effective training or supervision of employees in the testing of respiratory protective devices for fit before their use.

(c) *Allowable respirators.* (1) When the 8-hour time-weighted average concentration of asbestos dust is projected to exceed 5 fibers longer than 5 microns per milliliter, but not to exceed 25 such fibers, and when a concentration over a period of 15 minutes exceeds 10 fibers longer than 5 microns per milliliter, but does not exceed 50 such fibers, a reusable or single use filter type respirator, operating with negative pressure during the inhalation phase of breathing, approved by the U.S. Bureau of Mines under the provisions of 30 CFR Part 14 (Bureau of Mines Schedule 21B), shall be used.

(2) When the 8-hour time-weighted average concentration of asbestos dust is projected to exceed 25 fibers longer than 5 microns per milliliter but not to exceed 250 such fibers, and when a concentration over a period of 15 minutes exceeds 50 fibers longer than 5 microns per milliliter but does not exceed 500 such fibers, a powered filter positive pressure respirator approved by the U.S. Bureau of Mines under the provisions of 30 CFR Part 14 (Bureau of Mines Schedule 21B) shall be used.

(3) When the 8-hour time-weighted average concentration of asbestos dust is projected to exceed 250 fibers longer than 5 microns per milliliter a type "C" positive pressure supplied-air respirator approved by the U.S. Bureau of Mines under the provisions of 30 CFR Part 12 (Bureau of Mines Schedule 19B) shall be used.

(4) The employer shall establish a respirator program in accordance with the requirements of American National Standard Practice for Respiratory Protection Z89.5-1969.

(5) The respirators provided each employee shall be properly inspected, cleaned, repaired, and stored.

(d) *Particular operations and products.* (1) When an employer has employees who are exposed to asbestos dust resulting from the operations or the use of tools described in the remaining subparagraphs of this paragraph (d), the employer shall comply with the requirements of this paragraph. The requirements of this paragraph shall apply at all times, and, in addition, the requirements of paragraph (b) of this section may also apply, according to the terms thereof.

(2) All hand- or power-operated tools which produce asbestos dust shall be not limited to, saws, grinders, and the

wheels, and drills, shall be provided with local exhaust ventilation and dust collectors in accordance with the American National Standards Institute's "Code of Practice for the Design and Operation of Local Exhaust Systems," ANSI Z9.2-1971.

(3) Employees exposed to the spraying of asbestos, to the demolition of pipes, structures, or equipment covered or insulated with asbestos, or to the demolition of insulating shippings, shall be provided with respiratory protective devices in accordance with paragraph (c) (3) of this section.

(4) Asbestos cement, mortar, coatings, grout, and plaster shall be mixed in closed bags or other closed containers.

(5) Asbestos waste and scrap shall be collected and disposed of in sealed bags or other closed containers.

(6) Accumulation of asbestos dust shall be removed, as soon as practicable, and only by vacuum cleaners.

(c) **Warning signs.**—(1) **Posting.** Warning signs shall be provided and displayed at each location where asbestos dust hazards are present. Signs shall be posted at least 50 feet in each direction from the location where the hazard is present, and at intervals of not more than 100 feet along each edge of the area where the hazard is present.

(2) **Sign specifications.** The warning signs shall conform to the requirements for 20" x 14" vertical format signs specified in § 1910.145(d) (2), and to this paragraph. The signs shall display the following legend in the white panel, with letter sizes and styles of a visibility at least equal to that specified in the notation in the following column to the right:

Legend:	Notation
Asbestos	1" Sans Serif Gothic or Block.
Dust Hazard	¾" Sans Serif Gothic or Block.
Follow these	¾" Gothic.
Safety and Health Rules	¾" Sans Serif Gothic or Block.
1. Avoid breathing dust	¾" Gothic.
2. Wear your respirator	¾" Gothic.
3. Do not remain in area unless your work requires it	¾" Gothic.
Asbestos dust may cause asbestosis, a severe lung disease, and is implicated in the development of certain cancers. Control of exposure to asbestos dust helps protect against these hazards	14 point Gothic.

(3) **Spacing.** Spacing between lines shall be at least equal to the height of the upper of any two lines, except that the spacing between "Following these" and "Safety and Health Rules" shall be at least ¾".

(f) **Monitoring.**—(1) **Personal.** Employees engaged in the particular operations or using the particular tools specified in paragraph (d) of this section, or exposed to concentrations of asbestos

dust in excess of the limits specified in paragraph (c) (3) of this section shall be monitored in accordance with this paragraph.

(i) **Method.** Dust samples shall be collected from within the normal breathing zone of the employees in their normal working posture. Employees wearing respiratory protective devices shall have the sample taken from a point located on the exterior of the respirator facepiece.

(ii) **Procedure.** The sampling procedure shall be such as to permit the determinations required by paragraph (a) of this section.

(iii) **Sampling duration.** The sampling duration shall be for a period of not less than 15 consecutive minutes.

(iv) **Sampling frequency.** Sampling periods shall be of such number and pattern as to represent accurately the exposure of the employees over their working period.

(2) **Environmental.** Environmental monitoring shall be conducted in all areas in which employees are exposed to concentrations of asbestos dust in excess of the limits specified in paragraph (a) of this section.

(i) **Method.** Asbestos dust samples shall be collected from areas which are representative of the concentration of airborne asbestos dust which may reach the breathing zone of exposed employees.

(ii) **Procedure.** Sampling procedure shall be such as to permit the determinations required by paragraph (a) of this section.

(iii) **Sampling duration.** Sampling duration shall be for a period of not less than 15 consecutive minutes.

(iv) **Sampling frequency.** Sampling periods shall be of such number and pattern as to represent accurately the exposure of the employees over their working period.

(g) **Medical examinations.** The employer shall provide, or make available at his cost, appropriate medical examinations on a periodic basis to any employee who is exposed to asbestos dust in excess of the limits specified in paragraph (a) of this section.

(h) **Records.** (1) Every employer shall maintain records of the personal and environmental monitoring, and of the medical examinations, required by paragraphs (f) and (g) of this section. Such records shall be maintained for at least 20 years.

(2) The records of monitoring shall be made available for inspection and copying to the Secretary of Labor and to his designated representatives.

(3) The records of medical examinations shall be made available only to the Secretary of Labor, to the Secretary of Health, Education and Welfare, to designated representatives of either of them, and, at the request of the employee or former employee examined, to his physician.

3. A new § 1910.19 is proposed to be added to Subpart B, reading as follows: § 1910.19 Asbestos dust.

Section 1910.19a shall apply to the exposure of every employee to asbestos dust

in every employment and place of employment covered by § 1910.12, 1910.13, 1910.14, 1910.15, or 1910.16 of this Subpart B, in lieu of any different standard on exposure to asbestos dust which would otherwise be applicable by virtue of any of those sections.

(Sec. 6, 84 Stat. 1593; 29 U.S.C. 655, 29 CFR 1910.4; Secretary of Labor's Order No. 12-71, 35 FR 8754)

Signed at Washington, D.C., this 5th day of January 1972.

G. C. GUENTHER,
Assistant Secretary of Labor.

[FR Doc. 72-462 Filed 1-11-72; 8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 19]

CERTAIN CHEESES

Proposed Identity Standards Regarding Labeling Requirements

Notice is given that a petition has been filed by the National Cheese Institute, Inc., 110 North Franklin Street, Chicago, Ill. 60606, proposing that identity standards for certain specified cheeses be amended to require that (1) the full name of the food appear on the principal display panel of the label in type of uniform size, style, and color; (2) wherever any word or statement emphasizing the name of any ingredient appears on the label (other than in circumstances described below) so conspicuously as to be easily seen under customary conditions of purchase, the full name of the food immediately and conspicuously precedes or follows such word or statement in type of at least the same size as the type of such word or statement; and (3) optional ingredients be listed conspicuously, either on the principal display panel of the label or on a separate appropriate information panel, in accordance with specifications that are consistent with similar specifications for many other food products.

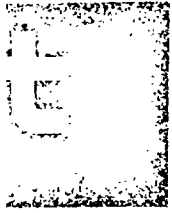
Accordingly, it is proposed that Part 19 be amended:

1. In § 19.750(f) by revising subparagraph (6) and adding subparagraphs (7) and (8), as follows:

§ 19.750. **Permitted products:** cheese: identity label statement of optional ingredients.

(6) The full name of the food shall appear on the principal display panel of the label in type of uniform size, style, and color.

(7) Wherever any word or statement emphasizing the name of any ingredient appears on the label (other than as specified in subparagraph (6) of this section) so conspicuously as to be easily seen under customary conditions of purchase, the full name of the food shall



C.H.B.
Sent sep. of attach. to
KWH - W.H.B. - Registry - ENE
THORPE PRODUCTS COMPANY
DIVISION OF J T THORPE COMPANY

DISTRIBUTORS OF INDUSTRIAL INSULATION
P. C. BOX 33399 644-2391 HOUSTON, TEXAS 77033

July 19, 1972

EMS
Mr. D. S. Meaden
SHELL CHEMICAL COMPANY
P. O. Box 2633
Deer Park, Texas 77536

Subject: OSHA Asbestos Dust Standard
Effective July 7th, 1972

Thorpe has had many requests for information regarding compliance with these new standards and in regard to asbestos containing insulating materials which we are furnishing to industry.

This letter is to make available to you our latest information and to offer any assistance possible where and when needed to assist you in compliance.

Attached is a copy of a news release from the U. S. Department of Labor which summarizes this new standard.

Also attached is a listing by type of material stocked or fabricated by Thorpe. Those having dry asbestos as a component are marked with an asterisk. Those most commonly used by industry are those included under Class I - Calcium Silicate and High Temperature Insulation.

We have taken steps to eliminate asbestos from all products which we stock and fabricate. By January 1st, 1973, we expect to have a new pipe covering produced by Johns-Manville which will have the same or better properties as Thermobestos but will contain no Asbestos or free Silica.

Until we have this new product we offer the following suggestions for compliance:

- I. Eliminate all field fabrication of Asbestos products. When frequent removal of insulation is required, Thorpe can furnish prefabricated Thermobestos covers or completely encapsulated removable metal covers.

continued

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Elbows can be insulated by the use of:

- A. Prefabricated or factory molded covers
- B. Aluminum covers filled with asbestos free insulating cement
- C. Zeston PVC covers with 1000° Fiberglas filler
- D. Zeston PVC covers with asbestos free insulating cement

II. Where cutting is required, the use of a respirator such as Safe-line Products No. 5441 Mask with No. 5905 Filter or any respirator carrying the U. S. Bureau of Mines Approval No. 21B-81.

III. Use substitute materials containing no asbestos as follows:

- A. Microlok Fiberglass Pipe Covering to 500° F
- B. Mineral Fiber Pipe Covering to 1200° F
- C. Ceramic Fiber to 2300° F

Thorpe is currently monitoring its operation with the use of Micronair Personnel Air Samplers Catalog No. 3900-10 as produced by the Bendix Corporation and carrying OSHA Approval No. 1A-102. Dust analysis can be made by Shilstone Testing Laboratories, Houston, Texas.

We have made extensive provisions for dust collection in our warehouses and fabrication facilities. Our cutting equipment have the most effective collection attachments that we can obtain. You are welcome to visit our Houston facility at any time. Arrangements can be made through the writer.

CAUTION: When considering Asbestos Free products, be sure also that they contain no Free Silica. Manufacturers will generally offer this information in writing.

The enclosed information is fragmentary. Please call us for additional information or assistance. Copies are available for your Safety Department or person responsible for OSHA compliance.

We appreciate your business and hope that the enclosed information will be beneficial to you and will help us earn your continued trust and confidence in our services.

THORPE PRODUCTS COMPANY

M. P. Proctor
M. P. Proctor

MPP:pb

Enclosure

*Mr. Meade -
Please forward to
person responsible
for OSHA.
M Proctor*

DPMC-00704

LAM 007192

COPY OF NEWS RELEASE
U. S. DEPARTMENT OF LABOR
OFFICE OF INFORMATION, WASHINGTON, D.C.

FOR RELEASE: IMMEDIATE, WEDNESDAY, JUNE 7, 1972

OSHA ESTABLISHES NEW STANDARD FOR EMPLOYEE EXPOSURE TO ASBESTOS
DUST

A new standard for employee exposure to asbestos dust, limiting concentrations to 2 fibers, which are longer than 5 micrometers, per cubic centimeter of air on a time-weighted average, effective July 1, 1976, was announced today by the Occupational Safety and Health Administration (OSHA).

The current permissible time-weighted average concentration of 5 fibers of asbestos longer 5 micrometers, established originally in an emergency temporary standard last December 7, will be continued until July 1, 1976.

The standard also establishes a ceiling concentration of 10 fibers, not to be exceeded at any time.

George C. Guenther, Assistant Secretary of Labor for OSHA, said the new standard was adopted after consideration of recommendations from the National Institute for Occupational Safety and Health (NIOSH) of the Department of Health, Education, and Welfare; of the OSHA Advisory Committee on Asbestos Dust, and of comments from interested persons, including presentations in a four-day public hearing.

The new standard provides the following:

*AEE No
ventilation
provided
in wet drilling
from 9/1/76*
Acceptable Concentrations -- As of July 1, 1976, time-weighted average concentrations of asbestos fibers longer than 5 micrometers will not be allowed to exceed 2 fibers per cubic centimeter of air. The current time-weighted average concentrations of 5 fibers will be permitted until July 1, 1976.

METHODS OF COMPLIANCE -- Feasible technological controls and appropriate work practices are required as the primary means of compliance. Rotation of employees to reduce their exposures is allowed only in "exceptional circumstances". Personal protective equipment, such as respirators, cannot be relied upon, in large part because such devices are so uncomfortable as to be burdensome except for short periods.

The standard includes these other compliance requirements:

-- Hand tools that may produce or release asbestos fibers in excess of the limits must be provided with local exhaust ventilation systems.

-- Insofar as practicable, asbestos must be handled, mixed, applied, removed, cut, scored or otherwise worked in a wet state to reduce fiber emissions unless this would diminish the usefulness of the product.

-- No asbestos cement, mortar, coating, grout, plaster or similar material containing asbestos can be removed from shipping bags or other containers without being either wetted, enclosed or ventilated.

-- Where respirators are permitted, they must be selected from among the

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types approved by the Bureau of Mines or NIOSH. Extensive details are given on types of respirators and conditions for their use. No employee may be assigned to a task requiring a respirator if a physician determines it would affect his job functioning or his health.

-- The employer must provide and require the use of special protective clothing, change rooms, and two separate lockers for the employees street and work clothes. The employer also must exercise care in laundering and other handling of contaminated clothing.

-- External work area surfaces must be kept free of excessive accumulations of asbestos fibers. Waste must be collected in sealed, impermeable bags or other such containers.

MONITORING -- Employers must establish monitoring systems to make certain every employee's exposure to asbestos fiber is below the prescribed limits. If the limits are exceeded, the employer must undertake a compliance program. Therefore, the standard also requires monitoring at intervals no longer than 6 months and gives employees or their representatives the opportunity to observe the monitoring and to have access to such records.

WARNING SIGNS -- Caution signs are to be displayed in areas where asbestos concentrations may exceed the exposure limits. Caution labels must be affixed to all raw materials, mixtures, scrap, waste, debris and other products containing asbestos fibers, or to their containers. However, no label is required where asbestos has been modified by a bonding agent, coating, binder or other material that would prevent release of above-limit concentrations.

RECORDKEEPING -- Employers must maintain records of personal or environmental monitoring, keep them for at least 3 years, and make them available upon request to OSHA or NIOSH. Every current and former employee is given opportunity for reasonable access to any records indicating their exposure to asbestos dust. Any employee found to have been exposed at any time to airborne concentrations in excess of the limits must be notified in writing no later than 5 days after the finding, and informed as to corrective action being taken.

MEDICAL EXAMINATIONS -- The employer must provide, or make available at his cost, medical examinations. Within 30 days of an employee's first employment in a job involving asbestos exposure, the employer must provide a comprehensive medical examination, including a chest X-ray and pulmonary tests. By January 31, 1973, and at least annually thereafter, every employer shall provide or make available comprehensive medical examinations to employees in asbestos exposure areas. A similar examination is to be provided within 30 days before or after termination of employment.

MEDICAL RECORDS -- Employers whose employees have been examined under the standard must maintain complete records of these examinations and retain them for at least 20 years. The contents of the records are to be made available for inspection and copying to the Assistant Secretary of Labor for OSHA, the Director of NIOSH, authorized physicians and medical consultants of either agency, and, upon request of an employee or former

employee, to his physician. Any physician who conducts an examination under the standard must furnish the employer all information required by the standard, and any other medical information related to occupational exposure to asbestos fibers.

AFFECTED EMPLOYMENT -- This general standard covers also employees in construction, ship repairing, shipbuilding, shipbreaking and longshoring who normally are subject to construction and maritime standards.

All parts of the new standard go into effect July 7 of this year except for the reduction from 5 fibers to 2, which takes effect July 1, 1976. The standards is scheduled for publication in the Federal Register June 7.