

September 12, 1979

PLAINTIFF'S
EXHIBIT

WRG-739

MEMORANDUM TO: J. Hart

FROM: B. Henderson

SUBJECT: Magnapore Construction

Reference is made to our conversation of Monday, September 10, during which we discussed the asbestos problem associated with the cutting and handling of the "transite" panels for the new Magnapore construction.

As was mentioned, the airborne dust resulting from the cutting operation is allowing our employees to be exposed to asbestor. OSHA's regulatory manual CFR 1910.1001(b)(3) states "No employee shall be exposed at any time to airborne concentrations of asbestos fibers in excess of 10 fibers, longer than 5 micrometers, per cubic centimeter of air." I feel relatively certain that, at times, the exposure to our employees is greater than the ceiling limit. Not only is the exposure present during the cutting operation, but the dust will remain on beams, ledges, walkways, etc. for weeks to come and will again create an occupational exposure to asbestos every time there is a wind, breeze, etc. This exposure is totalling unnecessary and can be avoided with little difficulty.

The employees of the Specialty Plant are aware that the material being cut contains asbestos. Even if it only contains 10% asbestos, as they were told by the job supervisor, (this is not at all abnormal for this type of material) it still presents a hazard when airborne. One of these employees was at the Federal Building last week with a safety complain and I am sure that he would not hesitate to repeat this action. The last thing that we want is a federal OSHA inspector to investigate this complain, since the contractor is in violation on numerous regulations, (i.e. all power tools that produce or release asbestor shall be provided with local exhaust systems; engineering controls such as isolations, enclosure, etc. be provided, and asbestos shall be handled, where practicable, in a wet state). Remember, we are responsible for the contractor's employees as well as our own.

Monitoring, by the use of personal samples, would report exposures but by the time we had them analyzed, the siding will be complete.

The label on each sheet, which reads "CAUTION - CONTAINS ASBESTOS FIBERS. AVOID CREATING DUST. BREATHING ASBESTOS DUST MAY CAUSE SERIOUS BODILY HARM." is required by law only if a potential hazard is present. I assure you that if it were not necessary, the manufacturer would have refrained from its application. The label alone indicates that precautionary measures must be used.

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Relative to the above, I would recommend the following:

1. Have the contractor isolate that particular process as to eliminate exposure to Grace employees (as well as other contractor personnel). People may find it necessary to (1) go to OSHA or (2) refusing to work in that area.
2. Have the contractor minimize dust by a vacuum or a wetting process similar to that used in cutting concrete, stone, etc.
3. Have the exposed contractor employees use the proper respiratory protection to prevent inhalation of these fibers.
4. Have the dust and debris removed from the area to avoid it being carried by the wind.
5. Have the contractor familiarize himself with 29CFR 1910.1001 (Asbestos) relative to protection, clothing, record keeping, etc.

These recommendations may appear somewhat stringent, but I assure you that this would be preferred to work stoppages, or even worse, an occupational illness resulting from this process. Asbestosis, unlike most chemical exposures, is progressive, even in the absence of further exposure, as those inhaled fibers which have been trapped within the lung continue their biological actions.

If you have any questions pertaining to the above, contact me.


Bruce Henderson

BH/ap

cc: J. Merryman, Jr.
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