



ASBESTOS INFORMATION ASSOCIATION

1745 Jefferson Davis Highway, Crystal Square 4, Suite 509
Arlington, Virginia 22202 • (703) 979-1150

PLAINTIFF'S
EXHIBIT

G-370

731

FEB 17 1978

Memorandum For:

TECHNICAL COMMITTEE

Subject:

Meeting, Wednesday, March 1, 1978

Please be reminded that, as announced last meeting, January 25, the AIA/NA Technical Committee will next meet in the Association's office, Wednesday, March 1, 1978, commencing at 9:00 AM. It is expected that the meeting will adjourn by 3:00 PM.

A tentative agenda for the meeting is attached. Suggestions for additional items are invited. Minutes of the January 25th meeting are also attached.

Chairman Fenner emphasizes the importance of this meeting as the Association seeks to provide all assistance necessary to finalizing AIA/NA's alternative for an OSHA construction standard.

Please use the enclosed form to notify us of your attendance and hotel arrangements as might be required.

R.E. Mereness
Executive Director

cc: Executive Committee
Standards Advisory Committee

Enclosures

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12925



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AIA/NA TECHNICAL COMMITTEE

Association Office

1 March 1978

Tentative Agenda

- I Welcome
- II Minutes of Previous Meeting, January 25, 1978
- III Review of Federal and State Regulatory Actions and Initiatives
- IV Generic Cancer Policy Proposals by Regulatory Agencies
- V EEH Study - AIA/NA Alternative for OSHA Construction Industry Standard
 - A. Work Practice documents
- VI Committee Projects and Assignments
 - A. Engineering controls for asbestos dust
 - B. Sources for dust control equipment
 - C. Labeling, material data sheets
 - D. Employee training program
- VII Meetings of Interest
- VIII Other Business
 - A. Next meeting
- IX Adjournment

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12926



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MINUTES

AIA/NA TECHNICAL COMMITTEE

JANUARY 23, 1978

The meeting was called to order by the Chairman in the Association office at 9:05 A.M.

Present were:

E. M. Fenner	J-M Corporation
James G. Heil	CertainTeed Corporation
Martin G. Kemplin	Nicolet, Inc.
William H. Mortonson	The Flintkote Co.
H. B. Rhodes, Ph.D.	Union Carbide Corporation
Raymond F. Trembl	Molded Materials Inc.
I. H. Weaver	R/M Inc.
James Weber	The Bendix Corporation
Frank Zimmerman	National Gypsum Co.
R. H. Mereness	AIA/NA Staff
B. J. Pigg	AIA/NA Staff

A copy of the meeting agenda is attached.

Review of Minutes of Last Meeting

Dr. Rhodes discussed the present status of the California situation. Included were the personnel changes in the State Department of Health and Union Carbide's activities in lobbying for a modification of the Presley bill.

It was reported that the hearing and comment dates relative to the generic standard for occupational exposure to carcinogenic substances had been changed. The hearing is now scheduled for May 16 and written testimony will be received until February 28.

Dr. Rhodes commented on the present status of the construction industry study being performed by Equitable Environmental Health, Inc. Further actions, that may be required of the Technical Committee will be advised following meetings of the Ad Hoc Committee on Construction, AIA/NA's Standards Advisory Committee and status review of the Executive Committee.

JHM 12927

Federal & State Regulatory Action

Mr. Mereness reviewed Federal and State regulatory actions and initiatives.

He discussed the contract from OSHA to RTI Inc. to consolidate the findings of CONSAD and RTI into one report. The committee was provided with a contract statement of work.

Mr. Fanner reviewed the OSHA draft proposal for labeling materials used in the workplace and requested any comments by Committee members suggested for forwarding to OSHA by AIA be advised to him within one week.

For additional information on this subject, see attached outline of Executive Director's remarks.

Role of Technical Committee

The following subjects were discussed:

Area of Responsibility - The Technical Committee will work with and assist the Executive Committee, Board of Directors, and association committees in all technical matters relating to the work of the Association.

Membership - Mr. Mereness agreed that continued representation is necessary from Congoleum Industries, Inc., The Flintkote Co. and Garlock. He will arrange with the company directors for representatives to the Technical Committee.

EEH Study - Dr. Rhodes reported that a meeting is scheduled at the Association's office tomorrow (Thursday, January 26) with representatives of EEH, Inc. to discuss improving their report.

Monitoring - Dr. Rhodes reported highly satisfactory response to the monitoring program. There are 28 laboratories who have agreed to collect samples and perform analyses and 18 additional laboratories who will do analysis work. Mr. Mereness reported that the status of OSHA's participation had not been resolved.

Work Practices - It was agreed that the Technical Committee would do no further work until the Executive Committee approved the concept of the Association's preparation for submission to OSHA of a proposed construction industry standard based on work practices. This program will be presented to the Executive Committee for approval at their next meeting. The existing recommended work practices will not be modified pending

JHM 12928

issuance of new standards.

Meetings of Interest

Refer to attached outline of Executive Director's remarks.

Next Meeting

The next meeting was scheduled for Wednesday, March 1 at 9:00 AM in the Association's office.

Adjournment

The meeting was adjourned at 2:30 PM.

Please inform the Chairman of any errors or omissions in these minutes.



Edmund M. Fenner
Chairman, AIA/NA Technical Committee

JHM 12929



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AIA/NA TECHNICAL COMMITTEE

Association Office

25 January 1978

Agenda

- I Welcome
- II Minutes of last meeting
- III Review of Federal & State Regulatory Actions and Initiatives
- IV Role of the Technical Committee
 - A) Areas of responsibility
 - B) Membership
 - C) Status of EEH Study and determination of adequacy
 - D) Review of materials available to industry for control of asbestos dust, monitoring, record-keeping, personal hygiene, waste disposal, labeling, material data sheets, employee training program, etc.
 - E) New projects and assignments
- V Meetings of interest
- VI Adjournment

Hand-out Materials:

1. AIA/NA Report of State Initiatives for Asbestos Regulation
2. ACGIH TLV pamphlet, 1977 edition
3. Statement of Work for consolidation RTI-CONSAD studies for OSHA
4. Report of current EPA activities related to asbestos
5. Draft OSHA Labeling Standard
6. Becklake paper, "State of the Art, Asbestos Related Diseases, Amer. Review of Respiratory Disease, Vol. 114, 1976."
7. G. S. Rajhans article, "Here's an Update on Asbestos...", Occupational Health and Safety, Nov-Dec 1977
8. P. L. Lowry, P. R. Mesch et.al. paper, "Performance of Single-use Respirators," Am. Ind. Hyg. Assoc. J. Sept. '77
9. Misc. articles, Proceedings of 32nd Annual EMSA Meeting

JHM 12930

25 January 1978

TECHNICAL COMMITTEE
MEETING

EXECUTIVE DIRECTORS REMARKS

I - Review of Federal & State Regulatory Actions & Initiatives:

A. OSHA's Proposed Revision to Asbestos Standard(s)
Consolidation of CONSAD-RTI studies - due end
April (copy of work statement in folders)

B. OSHA's Generic Cancer Policy Proposal

(1) Dr. Bingham announced on January 24 extension
of time period for response - new dates are:

Comments: public: 2/23/78 (was 1/30/78)
OSHA's witnesses: 4/4/78 (was 3/15/78)
public supplemental: 4/25/78
(new provision)

Public hearing: 5/16/78 (was 4/4/78)

(2) Work of American Industrial Health Council

(3) Consideration of AIA/NA Response

C. Report on State Initiatives for Asbestos Regulation
(copy of report in folders) - refer Rhodes' work
ongoing in California.

D. CPSC

(1) Ban of consumer patching compounds containing
intentionally added respirable free-form asbestos
issued 12/15/77.

(2) Proposed carcinogen policy drafted by CPSC staff -
was presented to Commission 1/18/78.

(3) Report on status of A. T. Kearney study, originally
expected to be completed 1/15/78.

E. EPA

(1) Paper on asbestos related programs in folders
(Presented by Dr. Breen, SOEH Conference, 12/7/77)

(2) Regulation for Inventory Reporting Under TSCA Issued
12/23/77 - asbestos, as previously reported, will be
automatically included in inventory as a naturally
occurring chemical substance.

JHM 12931

II - Meetings of Interest:

- (1) Report on SOEH Meeting, Mayflower Hotel, Washington, D.C.
(12/4 - 12/7/77)
- (2) Symposium on Risk/Benefit Decisions and the Public
Health (FDA sponsored) - U.S. Air Force Academy,
Colorado Springs, Colo., 2/15 - 2/17/78.
- (3) N.Y. Academy of Sciences International Conference on
Asbestos (6/24 - 6/27/78)

Draft of letter prepared by Wendell Alcorn to be used in response to inquiries concerning Enterline study and "state of the art" memorandum.

You previously indicated interest in obtaining certain materials relating to the "state of the art" defense in asbestos-related disease litigation. The materials we have were prepared at the expense of the Asbestos Information Association for the benefit of its members and the industry at large.

Since your company is a member of the asbestos industry but not a member of AIA/NA the materials on bronchogenic cancer prepared by Phil Enterline, Ph.D., E.N. Higgins, M.D., and their staffs will be made available to you at a cost of \$2,000.00 That amount was determined by AIA's Board of Directors to be a fair contribution to the overall costs incurred. If you wish to obtain a set of the materials, we would also ask that you request it with respect to a particular, pending lawsuit for which you expect the information to be of valuable assistance. We view the materials as work product, to be distributed only in the context of an existing attorney-client privilege. All rights are reserved and reproduction can be made only with the express permission and consent of AIA/NA.

If you wish to acquire a copy of the aforesaid materials, please remit a draft payable to Asbestos Information Association/ North America in the amount of \$2,000.00. The draft should be sent to me. I shall then see that you receive a duplicate copy of the information, consisting of three volumes of papers

JHM 12933

Pg. 2

and representing over a year's work by Dr. Enterline and his colleagues, who acted under our general direction and supervision.

In addition to the above, you may wish to receive a copy of our "State of the Art" draft memorandum, dated June, 1977. It has been distributed to AIA and represents our latest effort at restating legal principles involved in the defense. The memorandum will not be finalized until another, separate study is submitted by Dr. Enterline on the disease asbestosis, and that submission is not expected before March, 1978. The charge for the draft memorandum, as well as the final version, would be duplication costs plus a charge for legal time actually incurred in supplying the memorandum to you. The draft memorandum should also be requested by you for anticipated use in connection with a specific, pending lawsuit. The memorandum would be supplied in the context of the attorney-client privilege that has been established between you and our firm.

Please let us know if you have any further questions. We shall be pleased to meet with you or otherwise discuss the subject of this letter and any specific problems of concern to you.

Very truly yours,

W.B.A., jr.

JHM 12934