



E. L. Rogers

Memorandum

Bendix Friction Materials Division
Troy, New York

Larson

Keim

P. L. Carter

Chen

Teas

Schmitt

S. Scott

Date: October 2, 1986

To: J. S. Fountain

From: E. L. Rogers

Subject: Revised OSHA Asbestos Label

On 7/31/86, I advised both plant managers of the new OSHA DANGER label required to be used on cartons and pallets we purchase for our products. My letter appeared to be in conflict with wording requested by Mr. King's instruction (which I did not know about!) which was relayed to the plants in Tom Rancour's 8/8/86 "Compliance Program Action Items."

On 9/26/86, I attended a meeting chaired by Robert Sand, of Allied's Morristown Law Department. We reviewed the wording of the 6/20/86 OSHA requirements and the effective dates of same in order to prepare a request for variance due to our inability to meet the published dates.

Mr. Sand was very emphatic in stating that we should comply with the law and not add any comments to the labels. They should read as follows:

DANGER
CONTAINS ASBESTOS FIBERS
AVOID CREATING DUST
CANCER AND LUNG DISEASE
HAZARD

Mr. Macon "volunteered" to advise Mr. King of this action.

As far as the inventory of cartons bearing the old WARNING label is concerned, I talked with John Martonik, Deputy Director of OSHA's Health Standards Programs, after his AIA/NA presentation. He agreed that the "regulation is silent", but commented that if we had a letter in file directing our carton suppliers to print the new label on all cartons made after "x" date, we would have good evidence of "intent to comply" and that relabeling the old inventory would not be necessary. This assumes our inventory is of "reasonable size." We might have to look at relabeling if the plants still have some old stock in January or February, 1987.

E. L. Rogers
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ELR:cr1

J. N. Bateman
October 2, 1986
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