phelps dodge INTEROFFICE CORRESPONDENCE

PLAINTIFF'S EXHIBIT PD-12

TO:	All Automotive Repair Personnel	OFFICE:	El Paso, TX
FROM:	Donald R. Smay, Safety Coordinator	OFFICE:	El Paso, TX
SUBJECT:	Servicing Vehicle Brakes Linings	DATE:	10 Dec 1988

In this week's mail was a letter (copy attached) from Rockwell International regarding non-asbestos brake linings and friction material.

The substance of the letter is that materials used to produce non-asbestos brake linings/friction material may pose the same human cancer threat as do asbestos-bearing brake linings.

EFFECTIVE IMMEDIATELY, PERSONNEL SERVICING VEHICLE BRAKES WILL:

1. Wear a dust mask, 3M-8710 or equivalent, when servicing vehicle brakes.

2. Avoid using pressured air to clean drums and pads. If pressurized air use is absolutely necessary, do it only in fully ventilated work areas (i.e., outside).

Anyone desiring a personal copy of this correspondence should contact Safety.

All personnel performing brake services or using non-asbestos friction materials at the Phelps Dodge facilities in El Paso are requested to sign below acknowledging receipt of this information:

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Automotive Operations
Rockwell International Corporation
2135 West Maple Road
Troy, Michigan 48084

Rockwell International

November 29, 1988

PRODUCT INFORMATION LETTER

SUBJECT: WARNING PROGRAM FOR NON-ASBESTOS BRAKE/FRICTION MATERIAL PRODUCTS

Dear Rockwell Customer:

Rockwell's Automotive Operation is implementing a warning program for non-asbestos material used in brake linings/friction material. The program consists of the use of caution labels, recommended brake servicing procedures and the issuance of material safety data sheets.

Most brake linings no longer contain asbestos fibers. Medical experts do not agree about the possible risks of working with and breathing non-asbestos fibers. But, some experts think that long term exposure to some non-asbestos fibers could be a health hazard. Therefore, Rockwell is taking the initiative to caution individuals that could be in a high exposure environment. We are establishing January 1, 1989 as the implementation date for this program.

Caution labels will be applied on individual drum brake shoes, disc brake calipers, pallet loads of brakes and/or brake shoes, as well as labeling any skid, container or other storage or transportation medium that contains non-asbestos brake lining material. The caution label on the brake shoe reads:

CAUTION: LININGS CONTAIN NON-ASBESTOS
FIBERS POSSIBLE CANCER HAZARD
AVOID CREATING DUST WEAR
APPROVED DUST MASK OR
RESPIRATOR SEE FIELD MAINTENANCE
MANUAL FOR DETAILS

The Caution label on skids/pallets or other transportation media reads:

CAUTION: LINING CONTAIN NON-ASBESTOS
FIBERS POSSIBLE CANCER HAZARD
AVOID CREATING DUST
APPROVED DUCT MASK OR
RESPIRATOR MAY BE REQUIRED

See Material Safety Data sheet for details.

Recommended brake servicing procedures outline the basic recommendation that workers use caution to avoid dust when working on brakes that contain non-asbestos materials. Technical service aid TSA-88144 outlines these procedures.

Material Safety Data sheets/books lists the basic ingredients in each of the lining mixes. These sheets have been sent to each of the OEM's currently purchasing brakes or brake linings. Additional copies can be obtained by contacting Rockwell's Regional Safety Manager, Rockwell International, 2135 W. Maple Rd., Troy, MI 48084.

If you have any questions or need additional information, please contact your Account Manager.

Sincerely,

ROCKWELL INTERNATIONAL

Stanley M. Spencer
Sales Manager
Off-Highway Products and
Driveline Division

SMS/cmk

phelps dodge INTEROFFICE CORRESPONDENCE

TO:	ALL PLANT PERSONNEL	OFFICE:	El Paso, TX
FROM:	Donald R. Smay, Safety Coordinator	OFFICE:	El Paso, TX
SUBJECT:	CHEMICAL HAZARD COMMUNICATION PROGRAM	DATE:	June 13, 1988

The OSHA Chemical Hazard Communication Act of 1985 requires that you be informed of the following:

* The existance of OSHA's Chemical Hazard Standard
* Any chemical hazards in your workplace
* Your right to access Material Safety Data Sheets
* The company's chemical hazard communication program
* How to protect yourself from chemical health hazards

You have received formal classroom training via video tape pertaining to general characteristics of chemicals, associated health hazards and the fire/explosion danger of certain substances. This correspondence complements that training by transmitting to you a copy of the company's chemical hazard communication (HAZCOM) program . Attached for your information and retention is a copy of the Plant's chemical hazard communication program WITHOUT the listing of chemicals and material safety data sheets in inventory. The chemicals and MSDS listing is twenty-four pages long, and its volume makes its inclusion with this correspondence and the HAZCOM program logistically infeasible.

A copy of the HAZCOM program with the full MSDS and chemicals inventory is available for your review at the office of your department manager, the safety office or security. Material Safety Data Sheets (MSDS) may be reviewed at the safety office or security at your leisure. Copies of individual MSDS will be provided within twenty-four hours of your written request. Such written request must contain sufficient information to identify properly the MSDS you desire. You may file a written request at security, safety or with your supervisor.

Because chemical hazard communication is currently an item of much concern to the federal government and is a major inspection factor by regulatory agencies, you are asked to sign acknowledging receipt of a copy of this correspondence and the HAZCOM program. Your attendance at classroom training is documented elsewhere.

If you have any questions pertaining to HAZCOM, direct them to your supervisor or to safety office personnel.

WE CARE FOR YOUR HEALTH AND SAFETY.