

Mr. G. E. Wilson, Gypsum Division
Georgia-Pacific - Portland, Oregon

JUN 14

Gypsum Association

201 North Wells Street, Chicago, Illinois 60606 (312) 726-5675

June 11, 1973

PLAINTIFF'S EXHIBIT

GP-2022

TO THE BOARD OF DIRECTORS

Gentlemen:

Re: Asbestos in Joint Treatment Compound

On Wednesday, May 30, 1973, representatives of the Gypsum Association met with OSHA representatives at the Department of Labor, Washington, D. C. Present were:

Frank H. Zimmerman	National Gypsum Company
Joseph Volk	National Gypsum Company
H. B. Carlsen	Gypsum Association

Representing OSHA were:

Fred Bishoff	-Deputy Administrator
C. R. McClure	-Chief Enforcement Administrator
M. S. Gabis	-Industrial Hygienist

The topic under discussion was Section 1910.93 of OSHA regulations (copy attached) pertaining to asbestos. Our concern was with the effect of the regulation on dry-mixing and sanding of joint treatment compound containing asbestos. We raised various questions in regard to responsibilities of the manufacturers of joint treatment compound where labeling, monitoring, contractor responsibilities, compliance, etc., are affected.

In strict interpretation of the text of the regulations, a number of questions arise. Although hazard levels for asbestos are stated, some preliminary investigations indicate that asbestos released in sanding joint treatment may be below OSHA hazard levels. On the other hand, preliminary tests indicate mixing of dry joint compound may be above the hazard level.

It was proposed to OSHA that the Gypsum Association would consider sponsoring a monitoring program, conducted by an independent laboratory, to determine and report the dust conditions on job sites under actual field conditions. The Association program needs to be developed in detail. It should include monitoring of all dust generated in a sanding operation including mica, silica, quartz, talc and total dust.

Following the development of the program and approval by the Board of Directors another meeting should be arranged with OSHA officials for their review and comments on its acceptability.

SGP 0006671

The results of the program will provide the Gypsum Association with the necessary data to develop uniform procedures and guidelines for users of joint treatment compounds.

The OSHA representatives encouraged the Association to pursue this test program, and implied that this might allow a contractor group to possibly seek variances if they could show that Association procedures to mix and sand joint compound had been followed. It was definitely stated that if the proposed program was finalized and developed, it would certainly show good faith on the part of the manufacturer and the contractors who adhered to it.

With the approval of the Board the Executive Vice President of the Association can appoint a three or four member Association Task Group of individuals knowledgeable in joint treatment compounds and monitoring procedures to develop the program, evaluate information available, and consider hazards as they relate to OSHA and NIOSH requirements.

This preliminary approach to the asbestos dust hazard in joint treatment materials results from the Directors' approval of an investigation of the problem last April, and the suggestion that member companies contribute any accumulated data useful in determining a proper test program. The interest expressed by OSHA is encouraging. May we have your reaction to this report at your earliest convenience?

Yours very truly,

GYPSUM ASSOCIATION



H. B. Carlsen, Secretary
Technical Committee

HBC:mj

Enc.

cc: Chairmen of all Committees

OSHA RULES AND REGULATIONS

TABLE G-2

Material	8-hour time-weighted average	Acceptable ceiling concentration	Acceptable maximum peak above the acceptable ceiling concentration for an 8-hour shift	
			Concentration	Maximum duration
Benzene (Z37.4-1969).....	10 p.p.m.	25 p.p.m.	50 p.p.m.	10 minutes.
Beryllium and beryllium compounds (Z37.5-1970).....	2 µg./M ³	5 µg./M ³	25 µg./M ³	30 minutes.
Cadmium fume (Z37.6-1970).....	0.1 mg./M ³	2 mg./M ³		
Cadmium dust (Z37.6-1970).....	0.2 mg./M ³	0.6 mg./M ³		
Carbon disulfide (Z37.7-1968).....	20 p.p.m.	80 p.p.m.	100 p.p.m.	Do.
Carbon tetrachloride (Z37.11-1967).....	10 p.p.m.	25 p.p.m.	200 p.p.m.	8 minutes in any 2 hours.
Diethylene dichloride (Z37.31-1970).....	20 p.p.m.	30 p.p.m.	50 p.p.m.	8 minutes.
Ethylene dichloride (Z37.31-1968).....	50 p.p.m.	100 p.p.m.	200 p.p.m.	8 minutes in any 2 hours.
Formaldehyde (Z37.16-1967).....	3 p.p.m.	8 p.p.m.	10 p.p.m.	30 minutes.
Nyrogen fluoride (Z37.25-1969).....	Do.	Do.	Do.	Do.
Nyrogen dust (Z37.25-1969).....	2.5 mg./M ³	Do.	Do.	Do.
Lead and its inorganic compounds (Z37.11-1968).....	0.2 mg./M ³	Do.	Do.	Do.
Methyl chloride (Z37.18-1969).....	100 p.p.m.	200 p.p.m.	200 p.p.m.	8 minutes in any 2 hours.
Methylene Chloride (Z37.3-1969).....	500 p.p.m.	1,000 p.p.m.	2,000 p.p.m.	8 minutes in any 2 hours.
Organic (alkyl) mercury (Z37.35-1969).....	0.01 mg./M ³	0.04 mg./M ³	Do.	Do.
Styrene (Z37.15-1969).....	100 p.p.m.	200 p.p.m.	500 p.p.m.	8 minutes in any 2 hours.
Trichloroethylene (Z37.19-1967).....	do.	do.	300 p.p.m.	8 minutes in any 2 hours.
Tetrachloroethylene (Z37.22-1967).....	do.	do.	do.	8 minutes in any 2 hours.
Toluene (Z37.17-1967).....	200 p.p.m.	300 p.p.m.	500 p.p.m.	10 minutes.
Hydrogen sulfide (Z37.2-1966).....	20 p.p.m.	20 p.p.m.	50 p.p.m.	10 minutes once only if no other measurable exposure occurs.
Mercury (Z37.6-1971).....	1 mg./10M ³	Do.	Do.	Do.
Chromic acid and chromates (Z37.7-1971).....	Do.	Do.	Do.	Do.

TABLE G-3—MINERAL DUSTS

Substance	Mppcf*	Mg/M ³	Aerodynamic diameter (unit density sphere)		Percent passing selector
			2.5	5.0	
Silica:					
Crystalline:					
Quartz (respirable).....	250 f	10mg/M ³	2.5	5.0	90
	%SiO ₂ +5	%SiO ₂ +2	2.5	5.0	75
Quartz (total dust).....		%SiO ₂ +2	2.5	5.0	50
		%SiO ₂ +2	10		25
Cristobalite: Use 1/2 the value calculated from the count or mass formulae for quartz.					
Tridymite: Use 1/2 the value calculated from the formulae for quartz.					
Amorphous, including natural diatomaceous earth.....	20	80mg/M ³			
		%SiO ₂			
Filicates (less than 1% crystalline silica):					
Mica.....	20				
Serpentine.....	20				
Talc (non-asbestos form).....	20				
Talc (fibrous) Use asbestos limit.					
Tremolite (see talc, fibrous).....	80				
Portland cement.....	15				
Graphite (natural).....					
Coal dust (respirable fraction less than 6% SiO ₂).....		2.4mg/M ³			
For more than 6% SiO ₂		10mg/M ³			
		%SiO ₂ +2			
Slit or nuisance dust:					
Respirable fraction.....	15	5mg/M ³			
Total dust.....	50	15mg/M ³			

Note: Conversion factors—
Mppcf X 25.3 = million particles per cubic meter
= particles per c.c.
* Millions of particles per cubic foot of air, based on impinger sample as counted by light-field technique.
† 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.
‡ As determined by the membrane filter method at 100x magnification.
§ 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:
• Containing < 1% quartz; if > 1% quartz, use quartz limit.

(3) (c) Methods of compliance—(1) Engineering controls. Engineering controls, such as, but not limited to, isolation, enclosure, exhaust ventilation, and dust collection, shall be used to meet the exposure limits prescribed in paragraph (b) of this section.

(1) (ii) Local exhaust ventilation. (a) Local exhaust ventilation and dust collection systems shall be designed, constructed, installed, and maintained in accordance with the American National Standard Fundamentals Governing the Design and Operation of Local Exhaust Systems, ANSI Z9.2-1971, which is incorporated by reference herein.

(b) See § 1910.6 concerning the availability of ANSI Z9.2-1971, and the maintenance of a historic file in connection therewith. The address of the American National Standards Institute is given in § 1910.100.

(iii) Particular tools. All hand-operated and power-operated tools which may produce or release asbestos fibers in excess of the exposure limits prescribed in paragraph (b) of this section, such as, but not limited to, saws, scorers, abrasive wheels, and drills, shall be provided with local exhaust ventilation systems in accordance with subdivision (ii) of this subparagraph.

(2) Work practices—(i) Wet methods. Insofar as practicable, asbestos shall be handled, mixed, applied, removed, cut, scored, or otherwise worked in a wet state sufficient to prevent the emission of airborne fibers in excess of the exposure limits prescribed in paragraph (b) of this section, unless the usefulness of the product would be diminished thereby.

(ii) Particular products and operations. No asbestos cement, mortar, coating, grout, plaster, or similar material containing asbestos shall be removed from bags, cartons, or other containers in which they are shipped, without being either wetted, or enclosed, or ventilated so as to prevent effectively the release of airborne asbestos fibers in excess of the limits prescribed in paragraph (b) of this section.

(iii) Spraying, demolition, or removal. Employees engaged in the spraying of asbestos, the removal, or demolition of pipes, structures, or equipment covered or insulated with asbestos, and in the removal or demolition of asbestos insulation or coverings shall be provided with respiratory equipment in accordance with paragraph (c) (2) (iii) of this section and with special clothing in accordance with paragraph (d) (3) of this section.

(d) Personal protective equipment—(1) Compliance with the exposure limits prescribed by paragraph (b) of this section may not be achieved by the use of respirators or shift rotation of employees, except:

(i) During the time period necessary to install the engineering controls and to institute the work practices required by paragraph (c) of this section;

(ii) In work situations in which the methods prescribed in paragraph (c) of

this section are either technically not feasible or feasible to an extent insufficient to reduce the airborne concentrations of asbestos fibers below the limits prescribed by paragraph (b) of this section; or

(iii) In emergencies.

(iv) Where both respirators and personnel rotation are allowed by subdivisions (i), (ii), or (iii) of this subparagraph, and both are practicable, personnel rotation shall be preferred and used.

(2) Where a respirator is permitted by subparagraph (1) of this paragraph, it shall be selected from among those approved by the Bureau of Mines, Department of the Interior, or the National Institute for Occupational Safety and Health, Department of Health, Education, and Welfare, under the provisions of 30 CFR Part 11 (37 FR 6244, Mar. 25, 1972), and shall be used in accordance with subdivisions (i), (ii), (iii), and (iv) of this subparagraph.

(i) *Air purifying respirators.* A reusable or single use air purifying respirator, or a respirator described in subdivision (ii) or (iii) of this subparagraph, shall be used to reduce the concentrations of airborne asbestos fibers in the respirator below the exposure limits prescribed in paragraph (b) of this section, when the ceiling or the 8-hour time-weighted average airborne concentrations of asbestos fibers are reasonably expected to exceed no more than 10 times those limits.

(ii) *Powered air purifying respirators.* A full facepiece powered air purifying respirator, or a powered air purifying respirator, or a respirator described in subdivision (iii) of this subparagraph, shall be used to reduce the concentrations of airborne asbestos fibers in the respirator below the exposure limits prescribed in paragraph (b) of this section, when the ceiling or the 8-hour time-weighted average concentrations of asbestos fibers are reasonably expected to exceed 10 times, but not 100 times, those limits.

(iii) *Type "C" supplied-air respirators, continuous flow or pressure-demand class.* A type "C" continuous flow or pressure-demand, supplied-air respirator shall be used to reduce the concentrations of airborne asbestos fibers in the respirator below the exposure limits prescribed in paragraph (b) of this section, when the ceiling or the 8-hour time-weighted average airborne concentrations of asbestos fibers are reasonably expected to exceed 100 times those limits.

(iv) *Establishment of a respirator program.* (a) The employer shall establish a respirator program in accordance with the requirements of the American National Standards Practices for Respiratory Protection, ANSI Z88.2-1959, which is incorporated by reference herein.

b. See § 1910.6 concerning the availability of ANSI Z88.2-1969 and the maintenance of an historic file in connection therewith. The address of the American National Standards Institute is given in § 1910.100.

(c) No employee shall be assigned to tasks requiring the use of respirators if

based upon his most recent examination, an examining physician determines that the employee will be unable to function normally wearing a respirator, or that the safety or health of the employee or other employees will be impaired by his use of a respirator. Such employee shall be rotated to another job or given the opportunity to transfer to a different position whose duties he is able to perform with the same employer, in the same geographical area and with the same seniority, status, and rate of pay he had just prior to such transfer, if such a different position is available.

(10) *Special clothing.* The employer shall provide, and require the use of, special clothing, such as coveralls or similar whole body clothing, head coverings, gloves, and foot coverings for any employee exposed to airborne concentrations of asbestos fibers, which exceed the ceiling level prescribed in paragraph (b) of this section.

(11) *Change rooms.* (i) At any fixed place of employment exposed to airborne concentrations of asbestos fibers in excess of the exposure limits prescribed in paragraph (b) of this section, the employer shall provide change rooms for employees working regularly at the place.

(ii) *Clothes lockers.* The employer shall provide two separate lockers or containers for each employee, so separated or isolated as to prevent contamination of the employee's street clothes from his work clothes.

(12) *Laundrying.* (a) Laundering of asbestos contaminated clothing shall be done so as to prevent the release of airborne asbestos fibers in excess of the exposure limits prescribed in paragraph (b) of this section.

(b) Any employer who gives asbestos-contaminated clothing to another person for laundering shall inform such person of the requirement in (a) of this subdivision to effectively prevent the release of airborne asbestos fibers in excess of the exposure limits prescribed in paragraph (b) of this section.

(c) Contaminated clothing shall be transported in sealed impermeable bags or other closed, impermeable containers, and labeled in accordance with paragraph (g) of this section.

(13) *Method of measurement.* All determinations of airborne concentrations of asbestos fibers shall be made by the membrane filter method at 400-450 X (magnification) (4 millimeter objective) with phase contrast illumination.

(14) *Monitoring.* (1) *Initial determinations.* Within 6 months of the publication of this section, every employer shall cause every place of employment where asbestos fibers are released to be monitored in such a way as to determine whether every employee's exposure to asbestos fibers is below the limits prescribed in paragraph (b) of this section. If the limits are exceeded, the employer shall immediately undertake a compliance program in accordance with paragraph (c) of this section.

(15) (2) *Personal monitoring.* (i) Samples shall be collected from within the

breathing zone of the employees, on membrane filters of 0.8 micrometer porosity mounted in an open-face filter holder. Samples shall be taken for the determination of the 8-hour time-weighted average airborne concentrations and of the ceiling concentrations of asbestos fibers.

(ii) *Sampling frequency and patterns.* After the initial determinations required by subparagraph (1) of this paragraph, samples shall be of such frequency and pattern as to represent with reasonable accuracy the levels of exposure of employees. In no case shall the sampling be done at intervals greater than 6 months for employees whose exposure to asbestos may reasonably be foreseen to exceed the limits prescribed by paragraph (b) of this section.

(16) *Environmental monitoring.* (i) Samples shall be collected from areas of a work environment which are representative of the airborne concentrations of asbestos fibers which may reach the breathing zone of employees. Samples shall be collected on a membrane filter of 0.8 micrometer porosity mounted in an open-face filter holder. Samples shall be taken for the determination of the 8-hour time-weighted average airborne concentrations and of the ceiling concentrations of asbestos fibers.

(ii) *Sampling frequency and patterns.* After the initial determinations required by subparagraph (1) of this paragraph, samples shall be of such frequency and pattern as to represent with reasonable accuracy the levels of exposure of the employees. In no case shall sampling be at intervals greater than 6 months for employees whose exposures to asbestos may reasonably be foreseen to exceed the exposure limits prescribed in paragraph (b) of this section.

(17) *Employee observation of monitoring.* Affected employees, or their representatives, shall be given a reasonable opportunity to observe any monitoring required by this paragraph and shall have access to the records thereof.

(18) *Caution signs and labels.* (i) *Caution signs.* (i) *Posting.* Caution signs shall be provided and displayed at each location where airborne concentrations of asbestos fibers may be in excess of the exposure limits prescribed in paragraph (b) of this section. Signs shall be posted at such a distance from such a location so that an employee may read the signs and take necessary protective steps before entering the area marked by the signs. Signs shall be posted at all approaches to areas containing excessive concentrations of airborne asbestos fibers.

(ii) *Sign specifications.* The warning signs required by subdivision (i) of this subparagraph shall conform to the requirements of 20" x 14" vertical format signs specified in § 1910.145(a)(4), and to this subdivision. The signs shall display the following legend in the lower panel, with letter sizes and styles of a visibility at least equal to that specified in this subdivision.

Legend	Notation
Abrasive.....	1" Sans Serif, Gothic or Block.
Dust Hazard.....	3/4" Sans Serif, Gothic or Block.
Avoid Breathing Dust... Wear Assigned Protective Equipment.	1/2" Gothic.
Do Not Remain In Area Unless Your Work Requires It	1/4" Gothic.
Breathing Asbestos Dust May Be Hazardous To Your Health.	1/4 point Gothic.

Spacing between lines shall be at least equal to the height of the upper of any two lines.

(2) **Caution labels.** (i) **Labeling.** Caution labels shall be affixed to all raw materials, mixtures, scrap, waste, debris, and other products containing asbestos fibers, or to their containers, except that no label is required where asbestos fibers have been modified by a bonding agent, coating, binder, or other material so that during any reasonably foreseeable use, handling, storage, disposal, processing, or transportation, no airborne concentrations of asbestos fibers in excess of the exposure limits prescribed in paragraph (b) of this section will be released.

(ii) **Label specifications.** The caution labels required by subdivision (i) of this subparagraph shall be printed in letters of sufficient size and contrast as to be readily visible and legible. The label shall state:

CAUTION

Contains Asbestos Fibers

Avoid Creating Dust

Breathing Asbestos Dust May Cause

Serious Bodily Harm

(h) **Housekeeping.** (1) **Cleaning.** All external surfaces in any place of employment shall be maintained free of accumulations of asbestos fibers if, with their dispersion, there would be an excessive concentration.

(2) **Waste disposal.** Asbestos waste, scrap, debris, bags, containers, equipment, and asbestos-contaminated clothing, consigned for disposal, which may produce in any reasonably foreseeable use, handling, storage, processing, disposal, or transportation airborne concentrations of asbestos fibers in excess of the exposure limits prescribed in paragraph (b) of this section shall be collected and disposed of in sealed impermeable bags or other closed, impermeable containers.

(i) **Recordkeeping.** (1) **Exposure records.** Every employer shall maintain records of any personal or environmental monitoring required by this section. Records shall be maintained for a period of at least 3 years and shall be made available upon request to the Assistant Secretary of Labor for Occupational Safety and Health, the Director of the National Institute for Occupational Safety and Health, and to authorized representatives of either.

(2) **Employee access.** Every employee and former employee shall have reasonable access to any record required to be maintained by subparagraph (1) of this paragraph, which indicates the employee's own exposure to asbestos fibers.

(3) **Employee notification.** Any employee found to have been exposed at any time to airborne concentrations of asbestos

fibers in excess of the limits prescribed in paragraph (b) of this section shall be notified in writing of the exposure as soon as practicable but not later than 5 days of the finding. The employee shall also be timely notified of the corrective action being taken.

(j) **Medical examinations.** (1) **General.** The employer shall provide or make available at his cost, medical examinations relative to exposure to asbestos required by this paragraph.

(2) **Preplacement.** The employer shall provide or make available to each of his employees, within 30 calendar days following his first employment in an occupation exposed to airborne concentrations of asbestos fibers, a comprehensive medical examination, which shall include, as a minimum, a chest roentgenogram (posterior-anterior 14 x 17 inches), a history to elicit symptomatology of respiratory disease, and pulmonary function tests to include forced vital capacity (FVC) and forced expiratory volume at 1 second (FEV₁).

(3) **Annual examinations.** On or before January 31, 1973, and at least annually thereafter, every employer shall provide, or make available, comprehensive medical examinations to each of his employees engaged in occupations exposed to airborne concentrations of asbestos fibers. Such annual examination shall include, as a minimum, a chest roentgenogram (posterior-anterior 14 x 17 inches), a history to elicit symptomatology of respiratory disease, and pulmonary function tests to include forced vital capacity (FVC) and forced expiratory volume at 1 second (FEV₁).

(4) **Termination of employment.** The employer shall provide, or make available, within 30 calendar days before or after the termination of employment of any employee engaged in an occupation exposed to airborne concentrations of asbestos fibers, a comprehensive medical examination which shall include, as a minimum, a chest roentgenogram (posterior-anterior 14 x 17 inches), a history to elicit symptomatology of respiratory disease, and pulmonary function tests to include forced vital capacity (FVC) and forced expiratory volume at 1 second (FEV₁).

(5) **Recent examinations.** No medical examination is required of any employee, if adequate records show that the employee has been examined in accordance with this paragraph within the past 1-year period.

(6) **Medical records.** (i) **Maintenance.** Employers of employees examined pursuant to this paragraph shall cause to be maintained complete and accurate records of all such medical examinations. Records shall be retained by employers for at least 20 years.

(ii) **Access.** The contents of the records of the medical examinations required by this paragraph shall be made available, for inspection and copying, to the Assistant Secretary of Labor for Occupational Safety and Health, the Director of NIOSH, to authorized physicians and medical consultants of either of them, and, upon the request of an employee or former employee, to his physician. Any physician who conducts a medical examination required by this

paragraph shall furnish to the employer of the examined employee all the information specifically required by this paragraph, and any other medical information related to occupational exposure to asbestos fibers.

§ 1910.93b Coal tar pitch volatiles; interpretation of term.

As used in § 1910.93 (Table G-1), coal tar pitch volatiles include the fused polycyclic hydrocarbons which volatilize from the distillation residues of coal, petroleum, wood, and other organic matter.

[37 FR 24749 Effective November 21, 1972]

§ 1910.94 Ventilation.

(a) **Abrasive blasting.** (1) **Definitions applicable to this paragraph.** (i) **Abrasive.** A solid substance used in an abrasive blasting operation.

(ii) **Abrasive-blasting respirator.** A continuous flow air-line respirator constructed so that it will cover the wearer's head, neck, and shoulders to protect him from rebounding abrasive.

(iii) **Blast cleaning barrel.** A complete enclosure which rotates on an axis, or which has an internal moving tread to tumble the parts, in order to expose various surfaces of the parts to the action of an automatic blast spray.

(iv) **Blast cleaning room.** A complete enclosure in which blasting operations are performed and where the operator works inside of the room to operate the blasting nozzle and direct the flow of the abrasive material.

(v) **Blasting cabinet.** An enclosure where the operator stands outside and operates the blasting nozzle through an opening or openings in the enclosure.

(vi) **Clean air.** Air of such purity that it will not cause harm or discomfort to an individual if it is inhaled for extended periods of time.

(vii) **Dust collector.** A device or combination of devices for separating dust from the air handled by an exhaust ventilation system.

(viii) **Exhaust ventilation system.** A system for removing contaminated air from a space, comprising two or more of the following elements: (a) enclosure or hood, (b) duct work, (c) dust collecting equipment, (d) exhauster, and (e) discharge stack.

(ix) **Particulate-filter respirator.** An air purifying respirator, commonly referred to as a dust or a fume respirator, which removes most of the dust or fume from the air passing through the device.

(x) **Respirable dust.** Airborne dust in sizes capable of passing through the upper respiratory system to reach the lower lung passages.

(xi) **Rotary blast cleaning table.** An enclosure where the pieces to be cleaned are positioned on a rotating table and are passed automatically through a series of blast sprays.

(xii) **Abrasive blasting.** The forcible application of an abrasive to a surface by pneumatic pressure, hydraulic pressure, or centrifugal force.

(2) **Dust hazards from abrasive blasting.** (i) **Abrasives and the surface coatings on the materials blasted are shattered and pulverized during blasting**