PLAINTIFF'S EXHIBIT

CAP-1096

A/C Pipe
Producers Association

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June 6, 1984

John D. Wynkoop
Director of Water and Water Pollution Control
The City of Wichita
City Hall
455 North Main Street
Wichita, Kansas 67202

Dear John:

Thanks for forwarding a copy of your letter to EPA Administrator Ruckelshaus and a copy of John Moore's response.

We were, of course, aware of the Agency's intentions to propose a phase-out of all asbestos-containing products. EPA would attempt to use the same regulatory hypothesis, i.e. residual occupational risks, to effect that end as to propose a manufacturing ban on A/C pipe. Now you can see why this rulemaking is so important to the entire asbestos industry.

I don't believe that John Moore, or EPA for that matter, fully appreciates the potential impacts raised in your letter. Perhaps the message will be clearer when additional letters come from other major municipalities throughout the U.S. On June 19, OSHA will start public hearings on a reduced occupational exposure standard for asbestos. This too may modify the EPA's thinking about the wisdom of a separate asbestos proceeding under the Toxic Substances Control Act. You should also know that the last paragraph in Moore's letter is the first indication we've seen that EPA's regulation may "very likely undergo further changes." That is an optimistic note.

John, thanks again for your support and cooperation. The Association will keep fully advised on this matter. If you have any questions at any time, please do not hesitate to call.

With best regards,

A/C PIPE PRODUCERS ASSOCIATION

John F. Welch

John F. Welch
Vice-President

JFW/bwm

cc: A. H. Kahn, Esq.
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