



Shell Oil Company
Interoffice Memorandum

PLAINTIFF'S EXHIBIT

SH-1407

JANUARY 19, 1987

FROM: J. L. RIVARD
TO: H. L. KUSNETZ
SUBJECT: ASBESTOS STANDARD - COMPLIANCE ISSUES

Two significant compliance issues are emerging as locations attempt to implement the new OSHA asbestos standard now in effect.

First - Negative Pressure Enclosures (NPE's).

Practical field people oppose NPE's as ineffective, costly, and presenting new (additional) hazards. The feeling appears to be so deep that the attitude is "we ain't gonna do it!". Yet it is a specification standard, and we (BFA, JLR, et. al) cannot support relief. A variance request is a possibility, but OSHA is sure to deny same. See the attached analyses by GLG.

Second - Respiratory Protection Fit Testing.

OSHA goofed! See the attached.

Let's discuss options.

J. L. Rivard

JLR:sjm

Attachment

cc: B. F. Aurelius
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HS&E-IS (2)

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ASBESTOS COMPLIANCE

THE ISSUES:

A) Are negative pressure enclosures feasible for work outside? Must negative-pressure enclosures be built around exterior regulated areas if data show employees outside the area would not be exposed in excess of the Action Level (AL)?

B) Must the quantitative fit testing protocol be followed exactly? This protocol is new and different, apparently not generally accepted practice, takes four times as long to administer IF it could be done, and usually cannot be completed (the employees refuse to do the calisthenics in the booth or cannot read the "rainbow passage.")

CONSIDERATIONS:

A) When OSHA discusses enclosures or their construction, the only language available to discern whether OSHA meant interior or exterior use seems to imply interior. One might conclude that OSHA never intended negative-pressure enclosures to be used outside.

Practical problems interfere with their use, although sufficient funds could eliminate the problems. Shell locations which have tried building them have not yet been successful, although contractors have (for other companies). The enclosures have blown over, torn, or developed a positive pressure at the top apparently due to a chimney effect. Additional concerns are for:

- 1) the safety of a crew building the enclosure (reaching out from a scaffold to grab the plastic could cause a fall),
- 2) summer safety of a crew working in the enclosure on an asbestos job (the greenhouse effect, particularly in the South, coupled with heavy protective clothing and respirators, could precipitate heat stress which, again, could cause a fall if someone fainted.)
- 3) the need for the enclosure--does it actually provide protection, or does it just fulfill the language, not necessarily the intent, of the standard?
- 4) the enclosure becomes a confined space and could trap other contaminants against which HEPA filters would be ineffective. Plastic is flammable and could cause a major disaster if the enclosure were accidentally ignited.

B) The protocol does not provide any additional protection, but does increase costs substantially.

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CONCLUSIONS:

ORC met with OSHA 1/14/87. The following conclusions take direction from that meeting as well as internal Shell discussions.

A) Where locations are doing "Major" work, i.e., asbestos removal, renovation, or demolition on a large scale, and exposures might exceed the PEL (i.e., if data show exposures are over the AL), a negative-pressure enclosure should be constructed for interior or exterior work. Columns or vessels which do not lend themselves to enclosing the entire structure at once can be done in sections. This is a specification standard; even though feasibility is a consideration, the standard plainly states the requirement. OSHA expects to see negative pressure enclosures after January 16.

B) OSHA revealed that the intended protocol was that found in the lead standard. The published protocol was called up from the computer data base without reading it; someone had made changes in the data base without approval. OSHA should be issuing a correction on this.

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