



INTERNAL CORRESPONDENCE

VI.E.10

METALS DIVISION

P.O. BOX 579 - 4625 ROYAL AVE., NIAGARA FALLS, NEW YORK 14302

To (Name) Mr. T. F. Carmody
Division Health, Safety & Environmental Affairs
Location 270 Park Avenue - 11th Floor
New York, NY

Date November 23, 1977
Originating Dept. "Calidria" Asbestos
Answering letter date

Copy to Messrs. T. D. Finnegan
R. F. X. Fusaro
~~J. L. Myers~~
W. C. Thurber
J. W. Whittlesey

Subject H.R. 8689

C O N F I D E N T I A L

The attached bill has been drawing both considerable support from a variety of groups and also considerable opposition. Dr. Selikoff, for example, is strongly in favor of it. Johns-Manville has also had a number of discussions with the Tobacco Lobby and has gotten their attention with the concept that tobacco plus asbestos may be a different legal issue than tobacco alone. The implication is that tobacco could be in for another round of litigation in this area and the bill may benefit them. In any case, I have been informed that there is a good chance that there will be a committee hearing early in the next session of Congress. There will also be a briefing on the bill available to the AIA/NA Directors in Washington on December 13, 1977 that I plan to attend.

A much earlier version of this bill was reviewed and extensively criticized by the Union Carbide Law Department about a year ago. It would be very helpful to me in my AIA/NA activities to have a similar commentary on this version by our appropriate legal expert. It should be emphasized that unless otherwise advised, I plan to continue our very low profile position for Union Carbide in this matter.

H. B. Rhodes

Harrison B. Rhodes

HBR/rmm
Attachment

A08348

UCC 013814

Union Carbide Corporation
Corporate Medical Director's Office
270 Park Avenue
New York, New York 10017

CONFIDENTIAL

DATE June 2, 1976

To: Mr. F. H. Larrison, Jr., Manager
Paypoint 241

For the past two years, the Medical Department has been obtaining a copy of the death certificate of all deceased active and former employees.

To study possible relationships of their illnesses to occupations, additional information is needed. Some of this should come from the plant physician, but most should be available from plant records or personal knowledge of managers. Search for information beyond this is neither expected nor desired.

We have a certificate for: Gordon Thomas Scanzighini

Any information you have as to cause of death: _____

Heart Attack - Died 3-16-75, Age 56

Additional information:

1. Type of work performed for UCC, length of time in various assignments particularly as related to actual exposure to specific hazards such as asbestos, silica, radioactivity, or specific harmful chemicals. Of interest, also, are indications of the severity of exposures.

Worked for U.C.C. 4-25-66 - 6-17-71. Severe heart attack. No further work for us, & unable to do any kind of work. Worked for us as "heavy equipment operator", but did all kinds of laboring type jobs in & around open-pit asbestos mine. Exposure records are very sketchy - 9-66 concentration in pit were sampled at 5-7mppcf., 8-71 mine concentrations were from 7 to 41 particles/ml. > 5 micron. Five to six months/yr. were spent in the Coalina mining office in sample preparation etc. no air sample results are available for these times. Little or no use of respirators was made at the mine during this time.

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2. *Similiar information about activities before or after UCC employment; other exposures or observations such as "complained of shortness of breath, but went on hunting trips."*

No record of before UCC - except I know he was in Air Force during W.W.II; and of course ran cattle on his place, as well as mined mercury (& roasted ore) at his small underground mine, near his home.

3. *Past medical history - whether from Medical Records or other sources believed reliable, particularly about illnesses which might be connected with occupations. In addition, information about final illness might be useful.*

Annual physical on 9-1-70 showed no problems other than hemorrhoids and previous history of pneumonia.

He seemed healthy enough, right up to 6-17-71, his first (?) heart attack.

4. *Smoking history - especially if work hazards were involved, such as coal or carbon dust, ozone, asbestos, silica, or heavy nonspecific dust loads.*

Was heavy cigarette smoker - right up to his death. My guess is a pack a day.

All information is to be considered confidential to the Medical Department.

Very truly yours,

John J. Welsh, M.D.
John J. Welsh, M.D.

Corporate Medical Director

JJW:AG

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INTERNAL CORRESPONDENCE

UNION CARBIDE CORPORATION

APR 9 1973

UCC-CALIFORNIA
KING CITY, CA
270 PARK AVENUE, NEW YORK, NEW YORK 10017

To (Name) Mr. F. H. Larrison
Division Mining & Metals Division
Location King City, CA 93930

Date April 2, 1973
Originating Dept. Medical Department

Answering letter date

Copy to Mr. J. W. Rawlings
Mr. E. A. Piersall
Dr. J. J. Welsh/Dr. K. S. Lane

Subject

CONFIDENTIAL

Dear Mr. Larrison:

Attached are the tabulated findings of my survey of airborne fiber (5.0 microns or longer in length) in the work environment at King City, March 20, 21, 1973. No air samples were obtained at locations outside the buildings during this visit owing to nearly continuous rain during the period.

During the first day (3/20), there was considerable variation in the products being bagged in the main bagger area and also variation in the use or non-use of the palletizer. Consequently, the air samples reflect broad changes in operations. During the second day (3/21), the operations stayed constant.

The notation palletizer-bagger operator or vice versa is used to describe the periodic trade-off in jobs between the two individuals during the day. The notation, bagger-handler or vice versa, reflects a similar job trade but in this case bags were manually palletized at the end of the conveyor in the wet circuit area.

While the sample periods do not cover a complete day, I believe it reasonable to make estimates of the weighted exposures as follows:

3/20	Bagger-palletizer operator-handler.	4.5
		4.0
3/21	Bagger-handler.	8.0
3/20	Resin-grade bagger operator.	1.6
3/21	Resin-grade bagger operator.	1.8
	Wet circuit operators (including press area)	4.0

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UCC 013817

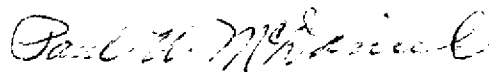
As you will note, and in line with our discussions, it is questionable if we can reasonably predict, except with a broad range, the levels of fiber that might be encountered in the main bagger area. Consequently, at present, the weighted exposure of bagger operators is similarly difficult to predict. For the present, at least, respirators must be worn in this area.

For the wet circuit areas, it seems reasonable to predict that fiber concentration as a weighted average will be less than 5.0/ml, and probably less than 2.0/ml. Of course, losses of dust from a dry ore pile or losses of dust through open doors to the bagger areas on windy days could change the picture. These losses will require close control.

In line with our discussion during the visit, I recommend that plans be started to provide a clothing change area that will allow separation of the work clothes storage and change point from the street clothes storage and change. Provision should be retained, of course, for vacuum cleaning of dusty clothing and shoes to reduce spread of fiber as much as possible.

I also recommend that at the same time, provision be made for a lunch area that is separated from the work area. Both of these areas (change and lunch) will probably be required by regulation, shortly.

Yours very truly,



Paul W. McDaniel
Industrial Hygiene Engineer

PWM:mc

Enclosure

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Fiber Counts

Mining & Metals Division

3/20 - 3/21/73

Sample Identification	Date	Sample Type	Time	Fibers per ml	Remarks
Palletizer-bagger operator	3/20	PA	9:00-11:30 A	6.3	Bagging and palletizing
Bagger-palletizer operator	3/20	PA	9:00-11:30 A	5.8	Imco open fiber. Some
General bagger-palletizer area	3/20	GA	9:00-11:30 A	2.9	problems with conveyor.
Bagger-handler	3/20	PA	11:40- 1:30 P	2.4	Bagging and handling Imco
Handler-bagger	3/20	PA	11:41- 1:31 P	1.9	open fiber and pellets.
					Palletizer not used. Bags
					manually handled at end of
					conveyor.
General bagger area	3/20	GA	11:37- 1:20 P	1.9	During bagging pellets and
"	3/20	GA	2:38P-4:20 P	3.5	Imco open fiber. Palletiz-
					er down.
Discharge end of conveyor	3/20	GA	1:30P-2:50 P	1.4	Pellets and Imco.
during manual handling of					
bags.					
Shifter's office.	3/20	GA	11:50- 1:25 P	0.3	Same conditions as generally
					shown above.
Wet circuit areas	3/20	GA	9:30-11:35 A	0.2	See above for conditions.
"	3/20	GA	11:50- 2:02 P	0.5	" " " "
"	3/20	GA	2:30- 4:00 P	0.3	" " " "
Resin Grade Area					
Bagger operator	3/20	PA	1:30- 3:23 P	1.5	Normal bagging operation.
		PA	3:25- 4:03 P	1.7	
General area	3/20	GA	1:40- 3:50 P	1.6	

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Bagger-Handler	3/21	PA	8:20- 9:40 A	11.5	Bagging and handling Sylodex RG. Some bags broken. Palleti- zer down.
	3/21	PA	9:42-10:39 A	5.2	
	3/21	PA	10:39-12:02 A	6.8	
Bagger area General	3/21	GA	8:23-10:04 A	5.0	Same as above.
	3/21	GA	10:05-11:12 A	3.7	
	3/21	GA	11:13-12:15 A	3.3	
Discharge end of bag conveyor (in wet circuit area)	3/21	GA	8:28- 9:58 A	2.7	Same as above.
	3/21	GA	9:59-11:05 A	7.1	
	3/21	GA	11:06-12:10 A	4.4	
<u>Resin Grade Area</u>					
Bagger area	3/21	PA	8:40-10:00 A	1.5	Bagging resin grade 244.
		PA	10:01-11:29 A	1.0	
		PA	11:30-12:12 A	3.3	

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UCC BUSINESS CONFIDENTIAL
Not to be released without
approval of R.F. Kelley

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ISSUE SUMMARY
UCC FEDERAL GOVERNMENT RELATIONS DEPARTMENT

Draft Report
December 3, 1980

REGULATION OF ASBESTOS

Description and Background

Asbestos is a known human carcinogen. Asbestos was the first material regulated by OSHA and has been subject to a standard since December, 1971. The Environmental Protection Agency (EPA) and the Consumer Product Safety Commission (CPSC) have worked out an inter-agency agreement which divides up the regulatory responsibility for the massive asbestos efforts now underway. The EPA will regulate asbestos under the Toxic Substances Control Act or TSCA, the Resource Conservation and Recovery Act (RCRA), and the Clean Air Act.

Financial Impact

Union Carbide's asbestos business is especially susceptible to the mandatory substitution approach being considered by EPA and CPSC. Without regard for higher cost and lower performance, non-asbestos substitutes are available for many of our current applications.

Although total asbestos sales are relatively low, the quality of the business is excellent, with a net income of between \$500M to \$1MM per year.

UCC Position

We do not oppose regulations which are necessary to enhance worker safety and protect the environment, and we believe that current regulations are adequate to accomplish this. We will continue an active role in the Asbestos Information Association of North America (AIA/NA) because our interests are often not the same as other asbestos suppliers and users.

The Other Side

In analyzing the exposure to asbestos, the EPA has used an innovative "cradle-to-grave" approach similar to that used to ban polychlorinated biphenyls. As described in the October '79 ANPR the approach is to measure the risk at each step in the life cycle of the substances (mining, milling, transportation, product manufacture, product use, and final disposal) and add them together. If the cumulative risk is judged to be unreasonable, the EPA takes the position that all except absolutely

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essential uses should be banned. They have already made a tentative conclusion that an unreasonable risk situation exists for asbestos, and this is reflected in the proposed regulatory alternatives.

Allies and Opponents

Our allies on this issue include the National Association of Manufacturers, the American Mining Congress, and the Asbestos Information Association/North America, all of whom have been involved with the regulatory aspects of asbestos.

UCC Actions Taken

Union Carbide has been active in participating in the meetings with the National Association of Manufacturers and the Asbestos Information Association. Union Carbide has been supportive of comments submitted by the Asbestos Information Association in response to an advance notice for proposed rulemaking issued by EPA in October of 1979.

Key UCC Personnel Involved

Harrison B. Rhodes, Metals, Niagara Falls
John L. ~~Mayers~~, Metals, Niagara Falls

Situation Update and Outlook

The regulatory timetables that are now appearing give belief that there are several more years of regulatory investigations ahead with the result being substantive legal challenges. It is likely that the courts may be the only possible source of relief. Bans or mandatory substitutions are not expected as a result of the large scale regulatory actions in progress. Final regulations reducing the asbestos exposure may take one to three years to be promulgated with several more years after that open for industry to come into compliance.

Adverse publicity related to proposed rulemaking and litigation proceedings is doing more harm to the asbestos industry than promulgated regulations. It seems apparent that some agencies are using the media in a calculated manner to achieve their end.

Federal Government Relations Contact: R.F. Kelley

Supporting Contact: George J. Hanks, Jr.

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Suite 1250

Washington, D.C. 20006

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H.B. Rhodes

A08360

BCC: R. E. Byrne, Jr.
R. F. X. Fusaro
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T. P. Norris
W. C. Thurber

UNION CARBIDE CORPORATION • METALS DIVISION • P. O. BOX 579 • NIAGARA FALLS, N.Y. 14302 • TEL: 716-278-337

January 24, 1978

Mr. Craig McNey
Vice-President
Norwal, Inc.
7314 Deering Avenue
Canoga Park, CA 91303

Dear Craig:

The additional dust count information that we discussed relative to drywall applications is enclosed together with an authoritative medical review article on asbestos-related diseases.

Also enclosed is a description of the type of information and services that can be made available through the Asbestos Information Association/ North America to defense attorneys in asbestos suits. There are relatively nominal charges for this information to help cover the very substantial costs entailed in its collection.

As we discussed, the main thrust in asbestos litigation so far has been in relation to asbestosis cases in insulation workers. The main basis for liability has been that the manufacturer knew the material was hazardous and did not warn the user.

If you have any questions, please let me know. I expect to be in California in the near future and would be glad to talk with your insurance carrier if it is of interest.

Very truly yours,

H. B. Rhodes

Harrison B. Rhodes
Technology Manager

~~HBR/rmm~~

Encs.

1. Testimony Regarding 16 CFR Parts 1304 and 1305
H. B. Rhodes, Federal Register, Vol. 42, No. 146,
Friday, July 29, 1977.
2. State of the Art, Margaret R. Becklake
3. List of Information and Services - AIA/NA

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UCC 013823