FILE NAME: US Gypsum (USG)

DATE: July 23, 1973

DOC#: USG001

DOCUMENT DESCRIPTION: 1973 Memo to JT Allen from CM Howard re asbestos pollution

cc: #147-2, R. P. Entz
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TO: #149, J. T. Allen, Jr.

FROM: #147-2, C. M. Howard, Jr.

SUBJECT: ASBESTOS POLLUTION.

RECEIVED
JUL 25 1973
U. S. GYPSUM CO.
RESEARCH CENTER

July 23rd, 1973

During the past month, the manufacturing homes division of Westinghouse Corp. contacted us with information that some two-thirds of their factory work force had walked off the job. The charge was that Westinghouse was exposing them to a health hazard as indicated on a caution label of our DURABOND joint compound. Our reaction to this was to offer Westinghouse an asbestos-free DURABOND formula - a more costly formula, but one which had been successfully field tested. Westinghouse's reaction to this was to accept the non-asbestos formulation and to fire an agitator and the entire work force that left their jobs.

Meanwhile, Westinghouse has asked that we place the following statement on the shipping documents of any future shipments of non-asbestos DURABOND - -

> Seller (Supplier) warrants that any and all work performed and/or equipment delivered to Westinghouse or its designee under this purchase order (subcontract) shall comply with all requirements of the Occupational Safety and Health Act of 1970, as the same may be amended from time to time and including all regulations adopted pursuant to such Act, and shall comply with all requirements of any applicable health or safety statute or regulation of any state or local government agency having jurisdiction in the location to which such equipment is to be shipped or such work is to be performed pursuant to this agreement.

Would you please render us an opinion on any potential, legal pitfalls in accomodating Westinghouse's request when shipping them - -

a. Non-asbestos DURABOND, or

b. Asbestos containing DURABOND where the container displays the Caution Label.

CMH:n

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