



NICOLET INDUSTRIES, INC.

Manufacturers of Quality-Controlled Asbestos Products

August 7, 1972

PLAINTIFF'S EXHIBIT

BIR-149

TO ALL NICOLET CUSTOMERS

Dear Customer:

On June 7, 1972 the Occupational Safety and Health Administration of the United States Department of Labor published regulations under the Williams-Staiger Occupational Safety and Health Act of 1970, covering the use of asbestos in industry. A copy of the OSHA standards is attached.

In our opinion, based in part upon comments made by the members of the Asbestos Information Association of North America, (our industry association); most, if not all, major United States asbestos manufacturers believe:

1. That the currently prescribed level of five fibers (5 microns or more in length) per cc of air can be achieved by better housekeeping, improved work practices, process modifications and engineering controls, (i.e., dust collection systems), in all segments of the asbestos manufacturing industry, with the probable exception of asbestos textile carding and spinning.
2. That the prospective level of two fibers (5 microns or more in length) per cc of air, which is indiscriminately made applicable to all types of asbestos, (scheduled to become effective in 1976) probably is unnecessary to protect the health of the asbestos work force.

We anticipate, therefore, that the major companies in the U. S. asbestos manufacturing industry, during the next four years, will sponsor research to determine which kinds of asbestos may be dangerous, what fiber configurations may be dangerous and what levels and duration of asbestos dust exposure can be experienced without adverse effects upon health. If the results of this research are as expected, the data gathered will be used hopefully to persuade the Department of Labor not to implement the two fiber standard because we think it is unnecessary, and, therefore, a waste of industry resources.

In the meantime, both you and we must take steps to comply with the five fiber standard and certain other provisions of the regulations. Nicolet cannot yet claim to be expert in the general field of industrial hygiene; but we have made dust counts, and we have successfully reduced dust levels in many of our own manufacturing areas.

BIRD 014826

We offer you our assistance within the limits of our resources in taking a first look at your situation. We will, at your request, at a reasonable cost to you, measure dust levels in certain areas of your factory and try to define which portions of your manufacturing process may pose problems. You may find that you already are under the five fiber level. If you are not, you may wish to use our engineering staff to advise you on how to achieve the five fiber level. You will understand that, for this service, we will have to charge an additional fee. It may still, however, be less costly for you to use Nicolet personnel than it would be to hire your own professionals on a full time basis.

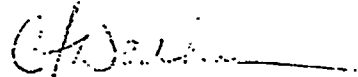
If a study of your dust problem should indicate that the capital cost of compliance is high, you may wish to consider having Nicolet perform some converting operations for you. It may be that we are already equipped effectively to handle your critical operations, (or we can equip ourselves at a nominal cost), so that it would be more economical for us to do your converting for you.

If you would like to discuss any of these matters in greater detail, please contact one of our Marketing Managers or the undersigned.

In summary, we are satisfied that most asbestos materials, (particularly those formulated with chrysotile), will continue to be valuable and safe when used by methods which comply with the OSHA standards.

Very truly yours,

NICOLET INDUSTRIES, INC.



C. FRED WORKMAN
VICE PRESIDENT-MARKETING

CFW/emc..

