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U.S. DEPARTMENT OF LABOR  
Occupational Safety and Health Administration  
WASHINGTON, D.C. 20110



Ms. Dona Meyer  
Engineer - Industrial Hygiene  
Engineering Department  
Louviere Building  
E.I. du Pont de Nemours and Company  
Wilmington, Delaware 19898

PLAINTIFF'S  
EXHIBIT  
DUP-575

Dear Ms. Meyer:

This is in reply to your inquiry regarding the interpretation of respiratory protection required by OSHA's asbestos standard, 29 CFR 1910.1001 (c) (2) (iii).

Employees about to engage in the spraying of asbestos, in the removal or demolition of pipes, structures, or equipment covered or insulated with asbestos, or in the removal or demolition of asbestos insulation or coverings, shall be provided with and shall use a type "C" continuous flow or pressure-demand, supplied-air respirator. This requirement holds true unless the employer has positively established in advance that the airborne concentrations of asbestos the employees will confront will not exceed 100 times either of the permissible exposure limits; i.e., 8-hour time-weighted average and ceiling limits.

If the employer has conclusively established the upper concentration of airborne asbestos that employees could confront during spraying, demolition or removal, then any of the respirators presented in 29 CFR 1910.1001 (d) (2) (i), (ii) and (iii) that afford adequate protection at such upper concentration of airborne asbestos may be used.

I trust that this answers your question, and confirms what Ms. Garrahan discussed with you previously.

If we can serve you in the future, we shall be glad to do so.

Sincerely,

Grover C. Brown  
Director, Federal Compliance  
and State Programs

DUP 0906822

**(c) Methods of compliance.**

**(2) Work practices.**

**(iii) Spraying, demolition, or removal.** Employees engaged in the spraying of asbestos, the removal, or demolition of pipes, structures, or equipment covered or insulated with asbestos, and in the removal or demolition of asbestos insulation or coverings shall be provided with respiratory equipment in accordance with paragraph (d)(2)(iii) of this section and with special clothing in accordance with paragraph (d)(3) of this section.

**(d) Personal protective equipment.**

**(1)** Compliance with the exposure limits prescribed by paragraph (b) of this section may not be achieved by the use of respirators or shift rotation of employees, except:

**(i)** During the time period necessary to install the engineering controls and to institute the work practices required by paragraph (c) of this section;

**(ii)** In work situations in which the methods prescribed in paragraph (c) of this section are either technically not feasible or feasible to an extent insufficient to reduce the airborne concentrations of asbestos fibers below the limits prescribed by paragraph (b) of this section; or

**(iii)** In emergencies.

**(iv)** Where both respirators and personnel rotation are allowed by subdivisions (i), (ii), or (iii) of this subparagraph, and both are practicable, personnel rotation shall be preferred and used.

**(2)** Where a respirator is permitted by subparagraph (1) of this paragraph, it shall be selected from among those approved by the Bureau of Mines, Department of the Interior, or the National Institute for Occupational Safety and Health, Department of Health, Education, and Welfare, under the provisions of 20 CFR Part 11 (35 FR 6244, Mar. 25, 1972), and shall be used in accordance with subdivisions (i), (ii), (iii), and (iv) of this subparagraph.

**(3)** Air purifying respirators. A reusable or single use air purifying respirator, or a

respirator described in subdivision (ii) or (iii) of this subparagraph, shall be used to reduce the concentrations of airborne asbestos fibers in the respirator below the exposure limits prescribed in paragraph (b) of this section, when the ceiling or the 8-hour time-weighted average airborne concentrations of asbestos fibers are reasonably expected to exceed no more than 10 times those limits.

**(4)** Powered air purifying respirators. A full facepiece powered air purifying respirator, or a powered air purifying respirator, or a respirator described in subdivision (iii) of this subparagraph, shall be used to reduce the concentrations of airborne asbestos fibers in the respirator below the exposure limits prescribed in paragraph (b) of this section, when the ceiling or the 8-hour time-weighted average concentrations of asbestos fibers are reasonably expected to exceed 10 times, but not 100 times, those limits.

**(5)** Type "C" supplied-air respirators, continuous flow or pressure demand type. A type "C" continuous flow or pressure demand, supplied-air respirator shall be used to reduce the concentration of airborne asbestos fibers in the respirator below the exposure limits prescribed in paragraph (b) of this section, when the ceiling or the 8-hour time-weighted average airborne concentration of asbestos fibers are reasonably expected to exceed 100 times those limits.