

LETTER OF INTENT FROM THE BRITISH MINISTRY OF LABOUR, CONCERNING THE TYPE OF REGULATIONS THAT THEY ANTICIPATE PUTTING INTO EFFECT IN THE ASBESTOS PROCESSING INDUSTRY.

PLAINTIFF'S EXHIBIT
JM-1347



Your reference:
Our reference:

MINISTRY OF LABOUR
SAFETY, HEALTH AND WELFARE DEPARTMENT
Baynards House, 1-13 Chepstow Place
Westbourne Grove, LONDON W.2
Telephone: BAYswater 3456. ext.

October 1966.

Dear Dr. Holmes,

Revision of the Asbestos Industry Regulations

As you may already know, we are at present reviewing the Asbestos industry Regulations, 1931 with a view first to extending their scope to cover occupations in which there is a hazard from asbestos, but which are not covered by the existing Regulations, and secondly, to making their substantive provisions more effective.

We have now reached the stage where we are able to put forward certain proposals and I am writing to seek your observations on them. These proposals are not complete or final. As they stand they are concerned solely with the physical precautions to be taken to minimize exposures to asbestos dust. They may have to be supplemented by other provisions in due course.

As you are no doubt aware, HM Senior Medical Inspector of Factories has set up a panel of experts to advise him on questions relating to the health risks of asbestos in industry. The panel is considering in particular the question of the association of mesothelioma with exposure to asbestos, as well as such matters as medical supervision. When we come to consider what provision to make in these matters, therefore, our medical colleagues will have full knowledge of the most expert medical opinion on this subject.

Meanwhile, however, some things are clear. We think that the new Regulations will have to apply to any process in which asbestos is processed or used or in which it is applied to or removed from an article or in which any article made wholly or partly of asbestos is worked. They should apply to all factories and to all premises and places to which the provisions of the Factories Act as respects special Regulations apply. The Chief Inspector should be given the usual powers of exemption from the substantive requirements, and duties would be laid on both employers and workpeople to comply with the appropriate requirements of the Regulations.

We propose a general requirement that no process to which the Regulations apply should be carried on unless exhaust draught ventilation is provided to prevent the escape into the air of any workplace of asbestos dust. This requirement would not apply where the process is carried on, either in a total enclosure from which all persons are excluded, or in some other equally safe manner. In any case in which it is impracticable to comply with this requirement, protective equipment should be provided for the use of every person employed in a part of the factory into which asbestos dust might escape. This equipment should consist of suitable breathing apparatus and overalls, headgear, gloves and boots or overboots which effectively exclude asbestos dust. Such protective equipment will have to be properly maintained and there will be a requirement that it should be used by the persons for whose benefit it was provided. The Regulations will also provide that breathing apparatus which has previously been used and disinfected before being used by anyone else.

We propose to require that all machinery, plant, fixtures and internal surfaces of every part of a factory in which any process to which the Regulations apply is carried on should be kept clean by means of vacuum cleaning equipment; air emitted from this equipment must not be discharged into workrooms, corridors, etc. The cleaning of machinery, fixtures and exhaust ventilation equipment must be carried out by persons wearing personal protective equipment and an air-line respirator, and no other person will be allowed in that part of the factory where the cleaning is being carried on.

The Regulations will require any building used for the first time for an asbestos process after the coming into force of the Regulations to have interior walls with smooth impervious surfaces, and fixed vacuum cleaning equipment.

The Regulations will provide that asbestos must be stored in suitable closed containers and that it must not be brought into, transported within or despatched from the factory otherwise than in impervious containers. When not in use personal protective equipment must be kept in lockers in suitable changing rooms. Finally, we propose that personal protective equipment should be laundered at suitable intervals. If laundering is not carried out at the factory the clothing should be sent out in impervious containers.

It would be helpful if you could let me have your observations on these outline proposals within the next six weeks. Copies of this letter are going to the organisations shown on the attached list.

Yours sincerely,



A. F. HATFULL.

Dr. D. Holmes,
Asbestos Research Council
Turner Brothers Asbestos Co. Ltd.,
Rochdale,
Lancs.

Confederation of British Industry

Trades Union Congress

The Cape Asbestos Co. Ltd.

Turner Brothers Asbestos Co. Ltd.

A. A. Brasier & Co. Ltd.

Bell's Asbestos & Engineering Ltd.

Central Asbestos Co. Ltd.

British Belting & Asbestos Ltd.