



INTRA-ORGANIZATION

Asbestos

MEMORANDUM

RS-7

FROM Julius Nemeth

Always provide address to which reply is to be sent

TO Doug Wood

DATE July 19, 1977

SUBJECT _____

Please use a separate sheet for each subject treated

Dear Doug:

Attached, hereto, is the latest in print information I've seen on the subject of a ban on asbestos products.

Although it appears in July 1977 issue of Modern Paint & Coatings magazine, I don't really know how current it is because it may be an item just picked up as a "news item" by the magazine.

I certainly would like to believe the first paragraph as being the "latest thing" which indicates that it would not require any repurchase of the products.

I guess we won't really know until a final determination is made and the details are published in the Federal Register.

In the meantime, you might get me an update as to where we stand on remaining stocks of asbestos containing products -- in other words, how much have we moved out -- percentage of the total since the last tally. Thanks.

Cordially yours,

. Julius

JKN/jlj
Att.

PLAINTIFF'S EXHIBIT

BOND-401

BON - 01234

news of the industry

Six-Month Standard Issued for Benzene

The Occupational Safety and Health Administration (OSHA) has issued an emergency temporary standard (ETS) on benzene that limits employee exposure to benzene to one part per million (one ppm) of air per eight-hour time weighted average concentration, with a ceiling level of five ppm for any 15-minute period during an eight-hour day.

The standard, which went into effect on May 21, is based on a recommendation from the National Institute for Occupational Safety and Health (NIOSH). The Institute cited preliminary conclusions of a new epidemiological study showing an incidence of leukemia in workers exposed to benzene at five times the expected level.

The ETS requires employers to notify OSHA of the location of workplaces in which benzene is used and to describe the conditions of use and protective measures in effect. Engineering controls, work practices, respiratory protection, medical surveillance and recordkeeping are mandatory to comply with the one ppm emergency standard.

According to OSHA, the ETS does not apply to retail automotive service stations or to "operations which use liquid mixtures containing one percent or less of benzene." These operations are subject to the present OSHA benzene standard of an eight-hour time weighted average of ten ppm with an acceptable ceiling concentration of 25 ppm. The present standard also allows excursions above the ceiling to a maximum peak concentration not exceeding 50 ppm of benzene, if the exposure occurs for no more than ten minutes in any eight-hour work period.

A public hearing on the ETS—which serves as a proposal for a per-

Lehman Bros. Holds Open House



Herman Singer, president of Lehman Bros. Corp., Jersey City, N.J., explains the mechanism of a filling, closing and embossing machine connected to thinning tanks on the left during a tour of the plant. The tour was a part of the firm's open house held in April to mark the completion of its seventh major expansion program since World War II. The expansion included the purchase of a 17,500 square foot building adjoining the original plant and the addition of two large stainless steel slurry tanks and a production mill.

manent rule, and will be superseded by a permanent standard within six months—will be held on July 12 at 9:30 a.m. in the New Department of Labor Auditorium in Washington, D.C. Persons desiring to participate in the hearing were required to submit a notice of intent in quadruplicate before June 20 with the OSHA Committee Management Office. Comments on the ETS were also required to be postmarked on or before June 20.

CPSC Plans to Ban Asbestos Products

The Consumer Product Safety Commission has announced that it plans to ban consumer patching (spackling) compounds containing asbestos or asbestiform tremolite. The ban on the compounds, to be published within the next few months in the Federal Register, would not require manufacturers to repurchase the products.

The Commission's action was taken as a result of a petition filed on July 25, 1976, by the Natural Resources Defense Council and Consumers Union. In a follow-up letter on the petition filed on April 27, the NRDC stated that "patching compounds con-

taining asbestos present an imminent hazard to the public health."

In addition to patching compounds, NRDC cited the use of asbestos in "textured and other paints." NRDC requested that the compounds be banned under Section 15 of the Federal Hazardous Substances Act, which provides for the repurchase of products by the manufacturer at the full purchase price.

CPSC's action follows regulatory actions previously taken by the Environmental Protection Agency, Occupational Safety and Health Administration and the Food and Drug Administration to limit asbestos exposure in working and other situations.

AP to Expand Plant

Air Products and Chemicals, Inc., is expanding and modernizing its polyvinyl chloride plant at Calvert City, Ky., to increase the plant's capacity to 210 million pounds per year. The expansion, which will be completed in late 1978, will also give the plant flexibility to produce a wide range of homopolymer and vinyl acetate copolymer resins. The plant will incorporate large reactors and computer process control.