PLAINTIFF'S EXHIBIT

CHV-596

MAY 3 1973

San Francisco, California
May 1, 1973

ASBESTOS REGULATIONS
EPA: NATIONAL EMISSION STANDARD
CALIFORNIA: OCCUPATIONAL STANDARD
File: 110.1

SAFETY ENGINEERS
EMPLOYEE RELATIONS MANAGERS (Selected)

EPA

In addition to the limits imposed under the OSHA, asbestos has been classified as a hazardous air pollutant within the meaning of Section 112 of the Clean Air Act by the EPA.

> In brief, the Administrator has determined that asbestos is a causal factor in the development of mesotheliomas (cancers of the membranes lining the chest and abdomen). Mesothelioma has also been reported to be associated with non-occupational exposures in areas with asbestos sources. The EPA further states that although available evidence suggests there are asbestos exposure levels that will not be associated with any detectable risk, these levels are not known. Available evidence does not show that asbestos levels in most community air cause asbestotic disease. Therefore, in order to protect the public health with consideration for an ample margin of safety, it is not necessary to ban all emissions. Therefore, controls prohibit visible emissions in the five categories names as major sources of asbestos emissions: (1) Mining and Milling, (2) Manufacturing, (3) Fabrication, (4) Demolition and (5) Spraying.

A brief summary of the regulation, which became effective April 6, 1973 is attached together with a copy of the Regulation and Report form. This summary includes those items on which immediate action may be required.

The Manufacturing limits apply to stationary sources, primarily to formulation of Chevron Asphalt products containing asbestos. They prohibit visible emissions containing asbestos but provide the option of using specified air-cleaning methods.

The rules on demolition apply Company-wide. Even when the demolition is contracted out it may be preferable for the Company to file in order to ensure that the notice required in 61.22(d)(1) is given in a timely manner. With regard to demolition of certain buildings or structures, the actual standard specifies work practices to be followed, and requires notification to the Administrator at least 20 days prior to commencement of demolition. 56 Page 8829 EPA Standard attached

The rules on spraying limit asbestos content to no more than 1% in spray-on materials used for insulation and fireproofing of buildings, structures, pipes and conduits.

CHEV
BB 011135

Spraying with asbestos products should be avoided. If spraying appears essential we recommend that you consult with the Safety Division before proceeding.

CALIFORNIA

The California regulation for occupational asbestos exposure (GISO Section 5208) has been adopted and becomes effective as of March 30, 1973. It is essentially the same as the Federal regulation, with clarifications. Two significant changes are:

1. While the Federal standard is vague as to what constitutes "exposure" to airborne asbestos, Section 5208 specifies a definite level, 1 fiber/cc, above which air sampling and medical monitoring must be done. This is consistent with USDL's interpretation of the Federal regulation.

2. The medical recordkeeping requirement is increased from 20 to 30 years.

D. H. BARBER

SHJ:mc
Attachments:
1. Summary: National Emission Standards For Asbestos
2. EPA National Emission Standards for Hazardous Air Pollutants
3. California GISO Section 5208 (California only)

CHEV
BB 011136

NATIONAL EMISSION STANDARDS FOR ASBESTOS
Title 40, Chapter 1, Part 61

Section 61.22(c) - Manufacturing (Nine Categories of Stationary Sources)

"There shall be no visible emissions to the outside air...from any building or structure in which the following operations are conducted or directly from any of the following operations if they are conducted outside of buildings or structures." Company Operations are limited to Category (7) Paints, coatings, caulks, adhesives and sealants.

Construction or Modification of Stationary Sources: Written approval of the EPA Administrator is required. However, "modification" as defined in 61.02(j) does not include routine maintenance, repair and replacement nor does it include increases in production rates or hours.

Operation: All new sources must operate within the standard per 61.05(b). Existing sources must operate within the standard within 90 days of April 6, 1973 or a waiver must be obtained from the Administrator per 61.10(b) using the form in Appendix A. Waivers may be granted for up to two years provided corrective action is being taken. Immediate action may be required!

Reporting: The owner or operator of any new or existing source must provide the information required in 61.10 and 61.24 to the Administrator, using the form in Appendix A within 90 days of April 6, 1973. Immediate action required!

Notification of Startup: "Any owner or operator of a source which has an initial startup after the effective date..." shall notify the Administrator in writing per 61.09 "....of the anticipated date of initial startup not more than 60 days nor less than 30 days prior", and "...of the actual date...within 15 days after..."

Section 61.22(d) - Demolition

Procedures: The procedures such as wetting and careful handling given in 61.22(d)(2) "...shall be used to prevent emissions of particulate asbestos material to outside air:..." Demolition is not defined but appears to be oriented to structures rather than equipment.

Reporting: "Any owner or operator or a demolition operation who intends to demolish any...structure, facility, installation or portion thereof which contains any boiler, pipe or load supporting structural members that is insulated with friable asbestos material shall..." provide at least 20 days advance notice to the Administrator as provided in 61.22(d)(1). Modification per 61.02(j) indicates that routine maintenance, repair and replacement are excluded.

Section 61.22(e) - Spraying

"There shall be no visible emissions to the outside air from the spray-on application of materials containing more than 1% asbestos on a dry weight basis..." "Any owner or operator who intends to spray...shall report...to the Administrator at least 20 days prior to the commencement of the spraying operation." as provided in 61.22(e)(2).

Section 61.22(f)

"Rather than meet the no-visible-emission requirements of...(c) and (e) of this section, an owner or operator may elect to use the methods specified in Section 61.23 to clean emissions containing particulate asbestos material before such emissions escape to, or are vented to the outside air." Detailed requirements for air cleaning equipment are specified in 61.23 and for reporting to the Administrator in 61.24.

CHEV
BB 011137

Attachment 1