FILE NAME: Flintkote (FLK)

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GAF CORPORATION
140 West 51 Street
New York, New York 10020

T. A. DENT
VICE PRESIDENT

March 9, 1972

Mr. A. R. Hooker, Jr.
General Sales Manager
The Flintkote Co., Inc.
400 Westchester Avenue
White Plains, New York 10604

Dear Art:

Enclosed please find a preliminary draft of GAF's testimony for the OSHA asbestos hearing, March 14 - 16th.

This is for your information and comments, particularly as to any conflicts you might see with your own testimony.

Very truly yours,

Tom

PLAINTIFF'S EXHIBIT 45 HOOKER 4-13-84

P.S. We are sorry to learn that Flintkote is not going to testify. However, a statement for the record may serve the purpose. Any chance of your sending us a copy since it will be public information in the record? Also, as Flooring Coordinating Chairman, I would like to circulate this to others for the purpose of identifying any conflict if you have no objections.

RECEIVED
MAR 14 1972
A. R. HOOKER'S OFFICE
FLINTKOTE

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PLAINTIFF'S EXHIBIT 11678.0

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3/8/72

OCCUPATIONAL SAFETY & HEALTH ADMINISTRATION
PUBLIC HEARINGS ON PROPOSED REGULATIONS
CONCERNING ASBESTOS DUST
WASHINGTON, D. C. - MARCH 14, 1972
STATEMENT OF JOSEPH G. HALL

My name is Joseph G. Hall. I am Group Vice President of GAF Corporation's Building, Flooring and Industrial Products Divisions. I have been associated with GAF for years and have been involved with asbestos products and their manufacture for years.

GAF appreciates the opportunity to participate in your public hearings on the Proposed Asbestos Regulations. We want to cooperate in this important area and to assist in the writing of Standards which are both practical and yet protect the health of employees.

I would like first to give you a brief outline of GAF activities and policies.

GAF Corporation is a worldwide company which manufactures and distributes a wide range of products in five related consumer and industrial market areas. The areas are: chemicals, building materials, photographic

film and equipment, office systems, and industrial products. The common bond uniting the product groups is chemical research and technology, from which GAF's "congeneric" nature evolved. Headquartered in New York City, we employ approximately 20,000 persons.

At its more than 70 manufacturing and processing plants throughout the United States, GAF endeavors to be a responsible member of the business community. In fact, the company's Management Policy specifies that GAF "will continue to do its utmost...to be a cooperative and useful citizen of the communities in which it operates and to contribute to the progress and welfare of these communities."

We have met pollution control requirements as promptly as possible to the extent permitted by existing technology. Sometimes, solutions to problems must be delayed until the technology of how to solve the problem has been developed.

Overall, GAF spent about $5 million last year and will expend in the neighborhood of $6 million this year on environmental control equipment.

I cite these figures only to illustrate that my company is totally committed to its role of a responsible and concerned citizen.

The ever-changing and sometimes conflicting regulations of the many agencies operating in the environmental control field necessitates our having a full-time staff of corporate environmental engineers to update and modernize our equipment and facilities to meet standards. This effort also includes research in those areas where there is presently no technology to combat certain problems.

The GAF Building, Flooring and Industrial Products Divisions utilize asbestos in the manufacture of a number of products. These products consist of the following: (1) asbestos cement products, consisting of siding, flat sheets, canal bulkheading and simulated brick facing; (2) asbestos felt and millboard; (3) asphalt paints and plastics; (4) vinyl asbestos floor tile and sheet flooring; and (5) asbestos fiber.

We employ 4,000 employees at 15 asbestos product plants and the asbestos mine, and have sales of products containing asbestos of approximately $110,000,000. Our customers include many thousands of distributors, con-

tractors and retailers. The proposed regulations will seriously affect their operations, as well as those of GAF. In addition, the above plants are supplied by several hundred vendors from whom we make purchases amounting to over $30,000,000 yearly.

Since we will be submitting, for the record, a detailed written statement, I will highlight our position as to the Proposals.

GAF has in past years, spent several million dollars on asbestos dust control and believes it will be able to comply with a five (5) fiber Standard, except for an asbestos mine in Vermont, with the expenditure of an estimated $2.2 million dollars. However, this standard cannot be fully met for at least two years due to the time necessary to design, order and receive abatement equipment. Only after reaching the five (5) fiber Standard would it be possible to ascertain the feasibility of further reduction in emissions based on accurate monitoring and design information gained. If a further reduction was later called for, the progress would have, of necessity, to be considerably slower. We believe that a standard substantially below five (5) fibers cannot be generally achieved in this decade and that such a reduction could only be accomplished at a cost which would make questionable, the economic feasibility of continued operation of certain of our facilities.

Maximum emission levels have been studied for years by a number of eminent doctors. Doctors have concluded that the former 12 fiber limit was not adequate. They have not agreed, however, that it is necessary to go below the five (5) fiber Standard. We request that further medical study be carried out so that a concensus can be reached as to the proper limit. At that time, if a new limit is required, it could be set with a realistic time schedule for achievement.

In addition, I am extremely concerned with the possibility that a label will be required to be placed upon asbestos-containing products. I strongly request that this be reviewed in light of the "locked in" nature of the asbestos in many products and the deleterious effect a warning label would create with regard to distribution of these products in the marketplace. GAF does not oppose labels when they serve a legitimate purpose as shown by our longstanding practice of labelling bags of asbestos fiber, but I see no reasonable purpose to be achieved by a label on products in which the asbestos is thoroughly bonded. A warning label, in our opinion, would seriously affect the future marketing of a number of our products. Vinyl flooring, for instance, is often sold directly to the consumer and contains ~~only~~ more than 5% asbestos which is securely "locked in". There is no evidence of hazard related to the application or use of vinyl flooring and

other "locked in" products, nor in our judgement is there any potential hazard due to the nature of those products. A label on flooring in particular would be highly misleading to the public, ruinous to the entire resilient flooring industry and would mean the loss of many jobs and possible plant closings. Where there is no need, there should be no label.

It is important for you to have an understanding of the size and importance of the asbestos industry. Asbestos serves hundreds of essential uses and has brought safety from the hazards of fire to all of us. Asbestos constitutes a billion dollar industry and provides the livelihood for many thousands of workers. It is a strong, durable, flexible and fire resistant material. It is unique in the sense that no other material duplicates all of its useful qualities.

On the other hand, we do not question the potential adverse effect on health of this material when one is exposed for many years to significant concentrations of free fibers. In this regard, raw asbestos fiber should be controlled as well as any dangerous emissions from asbestos-containing products.

In conclusion, GAF does not oppose reasonable standards which are responsive to the problems and upon all the facts. Our statement, which

we are submitting for the record, has been assembled within a very brief time period since the emergency standard was enacted in December and subsidiary recommendations were published as recently as 2 1/2 weeks ago, when the Advisory Committee issued its Recommendations. More time is needed for study by GAF and, in our opinion, by the Labor Department. GAF Corporation pledges its cooperation to the Department of Labor and requests that all the facts be considered before a standard is enacted, and that each standard, when enacted, will regulate only the problem areas and not needlessly penalize workers and industry through enactment of superfluous controls.

Thank you.

RESILIENT FLOOR COVERING INSTITUTE

1030 15th Street NW • Suite 350
Washington DC 20005

202 833 2634

August 10, 1977

TO: RFCI Members
SUBJECT: NIOSH List of Products

Please find enclosed list of trade name products containing carcinogens regulated by OSHA.

The majority of the items noted contain asbestos, some of which are cements and felts. It is perhaps a matter of time until producers of floor coverings will make the NIOSH list on the asbestos issue.

Kind regards,

Robert D. Maurer
Managing Director

RDM:tm
encl:

PLAINTIFF'S EXHIBIT
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HOOKER
4-13-84

Trade Name	*Manufacturer*	*Percentage Carcinogen*
Adco seal B-100	Adco Michigan	6 Asbestos
Aeroloxd 2197 Part A	Adhesive Engineering Co.	9 Asbestos
All purpose joint system	Hamilton Materials Inc.	1 Asbestos
Alumanatia 501 asbestos fibred aluminum roofing	Republic Powdered Metals Inc.	11 Asbestos
Aluminum asbestos	Standard Oil Co.	50 Asbestos
Aluminum roof coating	Johns-Manville Corp.	7 Asbestos
Aluminum roof coating	Monsey Products Co.	10 Asbestos
Aluminum roof coating	Mortell Co.	3 Asbestos
Amelco adhesive	American Elastomer Co.	8 Asbestos
Armstrong epoxy resin A-6 & activator	Armstrong Products Co. Inc.	23 Asbestos
Armstrong tile cement S-60	Armstrong Cork Co.	8 Asbestos
Asbestile cement	Johns-Manville PDTS Corp.	10 Asbestos
Asbestos 7R-05	Johns-Manville Corp.	99 Asbestos
Asbestos fibrous roof and equadation coating	Johns-Manville Corp.	5 Asbestos
Asbestos plastic floor cement	Midwest Products of Illinois	19 Asbestos
Asbestine 325 (3X)	International Talc Co. Inc.	25 Asbestos
Asbestine	Pfizer Inc.	99 Asbestos
Asbestos fiber 7R06	Johns-Manville PDTS Corp.	99 Asbestos
Asbestos fibre shorts 7SI-90	Thompson-Hayward Chemical Co.	99 Asbestos
Asbestos No. 352	Johns-Manville Corp.	99 Asbestos
Asbestos plastic roof cement	De Witt Products Co.	14 Asbestos
Asphalt flashing cement	Karnak Chemical Corp.	25 Asbestos
Asphalt plastic cement No. 030	American Cement	13 Asbestos
Babbitrite #30	Babbitrite Products Co.	7 Asbestos
Barret aluminum roof coating	Celotex Corp.	9 Asbestos
Barret F22036 wall covering cement	Celotex Corp.	9 Asbestos
Benzidine base	Allied Chemical Corp.	99 Benzidine
Bituecte sealer	Bituecte Products Co.	3 Asbestos
Black plastic cement	Johns-Manville PDTS Corp.	10 Asbestos
Blacktine plastic roof cement	Southern Protective Pdts Corp.	5 Asbestos
Blind nailing cement	Monsey Products Co.	12 Asbestos
Blue strip 371-81	Reliance Universal Inc.	56 Chloroethylene
Bond master G458 series	National Starch & Chemical	2 Asbestos
Bond master W1371 adhesive	National Starch & Chemical	12 Asbestos
Buffing & Polishing compound	Harrison Co. Inc.	1 Asbestos
Bull's eye plastic cement	Gardner-Martin Asphalt Corp.	10 Asbestos
Butyl tite butyl rubber caulk	Dunn-Rainey Co. Inc.	1 Asbestos
C-13-C4 Hydralt 800-13	Flintkote Co.	3 Asbestos
CM Sealer	Rideo Sealants	45 Asbestos
Calidra resin grade 244	Union Carbide Corp.	92 Asbestos
Carbonite packing material	Anchor Packing Co.	40 Asbestos
Carbozine No. 11 green 2G4516	Carboline Co.	5 Asbestos
Carey mastic heavy trowel grade damp resistant coating	Celotex Corp., The Phillip Carey Co. Div.	15 Asbestos
Cellufiber	Cellulo Co.	80 Asbestos
Celotex 400 birch	Lawrence-David Inc.	3 Asbestos
Ceramic and quarry floor tile-cement	Chicago Mastic Co.	2 Asbestos
Cerimite	International Talc Co. Inc.	20 Asbestos
Chalking-glazing compound	Tremco Mfg. Co.	2 Asbestos
Chemical sealing SSI-902	Chemical Sealing Corp.	1 Asbestos
Chemvic-450	Goodyear Tire & Rubber Co.	47 Chloroethylene
Chrysolite #5	Cellulo Co.	50 Asbestos
Coat castrol regal	Mortell Co.	4 Asbestos
Cold application cement	Johns-Manville Corp.	10 Asbestos
Cold application cement No. 203	Henry, W W Co.	1 Asbestos
Conecrete 1170 parts A & B	Adhesive Engineering Co.	4 Asbestos
Conecrete No. 1 Part A	Adhesive Engineering Co.	2 Asbestos

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Trade Name	Manufacturer	Percentage Carcinogen
Cooling system sealer	Penray Co.	4 Asbestos
Cope seal	Bideo Sealants	34 Asbestos
Culvert pipe joint compound talcote	Hydro Conduit Corp.	14 Asbestos
Custom seal cope seal	Bitco Sealant Inc.	37 Asbestos
D-931 Undercoating	Mostell Inc.	5 Asbestos
Dayco wood filler golden oak	Day, James B & Co.	8 Asbestos
Double coverage cement	Karnak Chemical Corp.	10 Asbestos
Durex flashing cement	Metropolitan Roofing Supplies	23 Asbestos
Durseal sealing compound	Johns-Manville Corp.	50 Asbestos
Dynel	Union Carbide Corp.	60 Chloroethylene
E905	Protective Treatments Inc.	1 Asbestos
Ebilond 122	Furane Plastics Inc.	20 Asbestos
Elastic roof sealer	Monsey Products Co.	20 Asbestos
Elastigum roof coating	Celotex Corp.	5 Asbestos
Elastigum roofing cement	Celotex Corp.	20 Asbestos
Epibond 1210	Furane Plastics Inc.	5 Asbestos
Epocast 2-D	Furane Plastics Inc.	1 Asbestos
Expoxo floor coating-orange	American Abrasive Metals Co.	1 Asbestos
Exterior caulk 2541	Southern Protective Pdts Co.	1 Asbestos
FM-37 Core splice adhesive form covering	AM Adhesive Metals Co.	1 Asbestos
Falcon expo-non slip coating	American Cyanamid Co.	8 Asbestos
Fedroc safety floor and deck	American Abrasive Metals Co.	1 Asbestos
Fibre glass roof coating	Monsey Products Co.	1 Asbestos
Firetite asbestos furnacement	Johns-Manville Corp.	2 Asbestos
Fisher specification 1145	Chemical Sealing Corp.	26 Asbestos
Fisher specification 1237	Chemical Sealing Corp.	10 Asbestos
Fisher specification 1300 deadener	Mortell Co.	2 Asbestos
Fisher specification 1309	Chemical Sealing Corp.	5 Asbestos
Fisher specification 1486	Mortell Co.	8 Asbestos
Fixative concentrate 1852	Roymal Co.	34 Chloroethylene
Flexigum roof coating	Celotex Corp.	5 Asbestos
Fruehauf adhesive compound	Stedi Products	1 Asbestos
GS-3 Aircraft sealant	General Sealants Inc.	10 Asbestos
GT-49-5 Power roll cam cleaner-lube	Ames Supply Co.	55 Chloroethylene
Geon 222	Goodrich, B. F. Co.	60 Chloroethylene
Geon 552	Goodrich, B. F. Co.	54 Asbestos
Glazing compound	Deshler Products Co.	2 Asbestos
Gray metal sash putty	Pecora Chemical Corp.	3 Asbestos
Grip master cement	Lea Mfg Co.	2 Asbestos
Gripmaster polishing wheel cement	Lea-Michigan Inc.	2 Asbestos
Grizzly saltigrip #16037	Maremont Corp., Grizzly Div.	57 Asbestos
Handi-Gard asbestos roof	Handi Products Co.	6 Asbestos
Heavy duty roofing coating	Southwestern Petroleum Corp.	5 Asbestos
Heavy duty sealer	Penray Co.	2 Asbestos
Hercules asbestos furnace cement	Hercules Chemical Co.	7 Asbestos
Hercules sta put plumbers putty	Hercules Chemical Co. Inc.	16 Asbestos
High velocity 10-105	Chicago Mastic Co.	2 Asbestos
Hycar 1204 x 11	Goodrich, B. F. Co.	29 Chloroethylene
Hydrocide plastic heavy fibrated bituminous damproofing compound	Sonneborn Building Products	4 Asbestos
Hydrocide semi-mastic semi-fibrated asphalt	Sonneborn Building Products	3 Asbestos
Hydroseal black cement	Gibson Homans Co.	9 Asbestos
IPM #33	Gibson Homans	9 Asbestos
Insulkote summer grade	Johns-Manville Corp.	15 Asbestos
Insulmastic	Armstrong Cork Co.	5 Asbestos

Trade Name	Manufacturer	Percentage Carcinogen
K-92	Kalman Paint & Chemical Co.	4 Asbestos
K-326	Kalman Paint & Chemical Co.	2 Asbestos
K-341	Kalman Paint & Chemical Co.	2 Asbestos
K-652	Kalman Paint & Chemical Co.	2 Asbestos
Karnak flashing cement	Karnak Chemical Corp.	25 Asbestos
Karnak insulation adhesive	Karnak Chemical Corp.	10 Asbestos
Karnak plastic flashing cement	Karnak Chemical Corp.	16 Asbestos
Karnak trowel mastic 56	Karnak Chemical Corp.	19 Asbestos
KAYLO	Owens-Corning Fiberglas Corp.	15 Asbestos
KAYLO 17	Owens-Corning Fiberglas Corp.	11 Asbestos
Knickerbocker roof coating	Seaboard Plastics Corp.	1 Asbestos
Liquid asbestos fiber roof coating	De Witt Products Co.	4 Asbestos
Loomie talc	International Talc Co. Inc.	25 Asbestos
Luxall fix it plastic cement	National Mfg. Corp.	12 Asbestos
M242 Elastic glazing compound	Pecora Chemical Corp.	3 Asbestos
MS plastic	Union Chemical & Oil Co.	20 Asbestos
Mack 2310-45	Mortell Co.	16 Asbestos
Manla tradesman plastic roof cement	Seaboard Plastics Corp.	19 Asbestos
Manus bond safety step non-slip paint-black	Manus Products Co.	4 Asbestos
Marinero coatings-aluminum and mastic R-13	Unicorn Chemical Coating Inc.	10 Asbestos
Mastic	Overall Paint Inc.	16 Asbestos
Metal deadener #513	Intercoastal Paint Corp.	9 Asbestos
Metal duct sealer gray 10-104	Chicago Mastic Co.	2 Asbestos
Metallic sealant	Imprex Inc.	2 Asbestos
Monsey roof fix	Monsey Products Co.	10 Asbestos
Mortite 74DBR	Mortell Co.	25 Asbestos
Muffler compound	Mortell Co.	28 Asbestos
Nicolet asbestos pipe line felt No. 15	Nicolet Industries	69 Asbestos
No drip tape	Mortell Co.	16 Asbestos
No. 1-773 Light gray anti-skid	Matrote Co. Inc.	7 Asbestos
No. 7 Roof cement	Rutland Fire Clay Co. Inc.	31 Asbestos
No. 15 Asbestos finishing felt-perforated	Johns-Manville Corp.	80 Asbestos
No. 165-100 Stapon C tank coating white base	Standard Paint & Varnish	1 Asbestos
No. 165-101 C Stapon C tank coating blue base	Standard Paint & Varnish	1 Asbestos
No. 202 Tincher seal	Imprex Inc.	2 Asbestos
No. 351 cement	Johns-Manville Corp.	99 Asbestos
No. 352 Mortar	Johns-Manville Corp.	99 Asbestos
No. 999 Textured vault spray	L & W Paint Products Co.	3 Asbestos
No. 1248 Vinyl	Lilly Industrial Coating Inc.	23 Chloroethylene
Noah's pitch	Celotex Corp.	10 Asbestos
Nylode NY-1/A&B/20/BK 2009	Dart Industries Inc.	20 Asbestos
OEM aluminum roof coating	Electric Paint & Varnish Co.	5 Asbestos
PTI 707 Architectural sealant	Protective Treatments Inc.	1 Asbestos
Pabco wet-patch wet surface plastic	Napco Corp.	10 Asbestos
Palmer mirro mastic	Palmer Asbestos & Rubber Corp.	6 Asbestos
Pec Ka IIC 158 butyl rubber	Pecora Chemical Corp.	3 Asbestos
Pecora acitite cement type QD 2580 F	Pecora Corp.	2 Asbestos
Pecora blk special mirror mastic	Pecora Chemical Corp.	32 Asbestos
Perm-E-Lastic glazing compound	Perfection Model Products Co.	6 Asbestos
Perm seal caulking compound	Timesaver Products Co. Inc.	5 Asbestos
Perma gum chord	Virginia Chemicals Inc.	40 Asbestos
Permagum sealant	Inmont Corp.	30 Asbestos

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Trade Name	Manufacturer	Percentage Carcinogen
Perma-seal Caulking compound knife grade #26 gray	Timesavers Products Co. Inc.	8 Asbestos
Permatex pipe joint compound	Permatex Inc.	3 Asbestos
Permroof wet surface type	Republic Powdered Metals Inc.	2 Asbestos
Phoenix asphalt plastic cement	Fry, Lloyd A Roofing Co.	18 Asbestos
Plastic elasticum	Celotex Corp.	16 Asbestos
Plastic roof cement	Alcatraz Co. Inc.	15 Asbestos
Plastic roof cement	Henry, W W Inc.	5 Asbestos
Plastite roof cement	Coopers Creeks Chemical Corp.	10 Asbestos
Plastic roofing cement	Celotex Corp.	20 Asbestos
Plastic roofing cement	Johns-Manville Corp.	20 Asbestos
Plastic roofing cement	Overall Paint Inc.	16 Asbestos
Plastic roofing cement No. 224	Henry, W W Inc.	4 Asbestos
Plastiseal expanding joint compound	Johns-Manville Corp.	10 Asbestos
Presstite products 440, 22 sealer	Inmont Corp.	2 Asbestos
Pressure sealer IC 450	Birma Products Corp.	7 Asbestos
Pro seal-700	Teledyne Inc., Teledyne Const. Pro-Seal Div.	5 Asbestos
Quaker coat undercoating	Quaker State Oil Refining Corp.	10 Asbestos
Quaker koat solvent type undercoating	Southwest Grease & Oil	22 Asbestos
Quakercote emulsion type undercoating	Quaker State Oil Refining Corp.	10 Asbestos
RBH 5411 Medium chrome green	Inmont Corp.	20 Chloroethylene
RBH 5413 Chrome yellow paste	Inmont Corp.	15 Chloroethylene
RBH 5414 Light chrome yellow	Inmont Corp.	15 Chloroethylene
RBH 5415 Molybdate orange	Inmont Corp.	13 Chloroethylene
RBH 5430 Vinylite paste wachtung red	Inmont Corp.	20 Chloroethylene
Radiator sealer	Permatex Inc.	1 Asbestos
Ready coat rain patch 406 NTP	Gilsonite Inc.	14 Asbestos
Roof cement	Dewitt Products Co.	14 Asbestos
Roof coating asphalt	American Petrofina	6 Asbestos
Roof finish roofing cement	Monsey Products Co.	10 Asbestos
Roof fix coating	Monsey Products Co.	4 Asbestos
Roof keeter 732-00	Grow Chemical Corp.	5 Asbestos
Roof patch	Garland Maintenance Products	11 Asbestos
Roof preservative, tar & asphalt types	Tremco Mfg. Co.	4 Asbestos
Rutland No. 4 roofing cement	Rutland Fire Clay Co. Inc.	12 Asbestos
SC-150	Reliance Universal Inc.	30 Asbestos
SG-210 Sealant	General Sealants Inc.	5 Asbestos
S. I. S. cement	Celotex Corp.	10 Asbestos
SM 475 Sealer	Chemical Sealing Corp.	5 Asbestos
SM-856 Chemical sealing	Chemical Sealing Corp.	16 Asbestos
Santo flex 13	Monsanto Co.	2 4-Aminodiphenyl
Saran	Amtech Inc.	13 Chloroethylene
Sherwin Williams kemak (R) hard set B D65YA	Sherwin-Williams Co.	6 Asbestos
Stainless Putty	Black Swan Manufacturing Co.	3 Asbestos
Supercote roof preservative	Garland Maintenance Products	2 Asbestos
TL-S-27-14 olivetti gray	Sprayon Inc.	16 Chloroethylene
TL-500-6-6 Medium raphael blue Lacue	Sprayon Inc.	16 Chloroethylene
TL-500-6-10 Editor 2 blue	Sprayon Products Inc.	16 Chloroethylene
TL-500-27-19 Praxis gray	Sprayon Inc.	16 Chloroethylene
TL-500 27-24 Dove gray	Sprayon Inc.	16 Chloroethylene
TL-500 42-2 Lexicon tan	Sprayon Inc.	16 Chloroethylene
TL-500 42-4 Sandstone beige	Sprayon Inc.	16 Chloroethylene
Talcote cold plastic sewer joint compound	American Petrofina	18 Asbestos

Trade Name	Manufacturer	Percentage Carcinogen
Thermobestos pipe insulation	Johns-Manville Corp.	9 Asbestos
Thixon B	Whittaker Corp., Dayton Chemical Products Div.	12 Methyleneis (2-Chloroaniline) 4,4'
Tite seal T-25LW	Radiator Specialty Co.	26 Asbestos
Topaz G77HC114	Sherwin-Williams Co.	50 Chloroethylene
Transite conduit joint sealing compound	Johns-Manville PDTS Corp.	10 Asbestos
Tremco glazing compound dark green	Tremco Mfg. Co.	2 Asbestos
Tremco mastic roof cement	Tremco Mfg. Co.	15 Asbestos
Tremco 102 texture coating	Tremco Mfg. Co.	13 Asbestos
Tremco seam sealer	Tremco Mfg. Co.	2 Asbestos
Tremco tremfix emergency roof repair mastic	Tremco Mfg. Co.	16 Asbestos
Tremfix emergency roof repair mastic	Tremco Mfg. Co.	16 Asbestos
Tropical roofkooter	Grow Chemical Corp.	5 Asbestos
Tru-seal	Elixer Industries	13 Asbestos
Tuff kote white	Tuff Kote Co. Inc.	8 Asbestos
UF-1120	Thiokol Chemical Corp.	41 Asbestos
Unibestos	Pittsburgh Corning Corp.	71 Asbestos
Unipar mills-79168	Parker-Hannifin Corp.	2 Asbestos
V5233 Dulling agent top coat	R A Chemical Co.	12 Chloroethylene
VS 6001 cement	Moyen, C. P. Co.	30 Chloroethylene
Vulcatex P. G. caulking compound	Grace, W. R. & Co.	30 Asbestos
Wall board adhesive No. 36	Ohio Sealants Inc.	12 Asbestos
Wanis brake shoes	Raybestos-Manhattan Inc.	46 Asbestos
Weatherized plastic cement	Celotex Corp.	1 Asbestos
Weatherproofing compound C 13A	Flintkote Co.	8 Asbestos
Weldfast Cl. 200	Youngstown Sheets & Tube Co.	2 Asbestos
White hydroseal #559	Pabco Paint Corp.	8 Asbestos
Winter plastic	Union Chemical & Oil Co.	15 Asbestos
Wood filler paste	Lawrence-McFadden Co.	19 Asbestos
5K04 Asbestos	Johns-Manville Corp.	99 Asbestos
7K05 Asbestos	Johns-Manville Corp.	99 Asbestos
8A Resin	Magnolia Plastic Inc.	1 Asbestos
8B Catalyst	Magnolia Plastic Inc.	3 Asbestos
#54 Acoustic R-200	Roach Paint Co. Inc.	9 Asbestos
85% Magnesium insulation	Johns-Manville Corp.	15 Asbestos
#113-2 Epoxy	Ablestik Laboratories	9 Methylenebis (2-Chloroaniline)
#166-5 Epoxy	Ablestik Laboratories	17 Asbestos
2143B Base	Adhesive Engineering Co.	10 Asbestos
No. 352-7M Refractory cement	Johns-Manville PDTS Corp.	99 Asbestos
421, RI	Inmont Corp.	7 Asbestos
600 Putty	Dunn-Rainey Co. Inc.	1 Asbestos
627 Tough film mortex	Mortell Co.	3 Asbestos
#613WB Wet patch plastic cement	Marvin Corp.	23 Asbestos
#755 Asphalt	Intercoastal Paint Corp.	6 Asbestos
2230 French provincial wiping stain 544-119-181	Reliance Universal Inc.	2 Asbestos
2510-45 Insulmat	Mortell Co.	12 Asbestos
5030 Hardener	Philadelphia Resins Co. Inc.	27 Asbestos
5030 Resin	Philadelphia Resins Co. Inc.	25 Asbestos

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DRAFT
2/3/72

GAF CORPORATION
COMMENTS RELATING TO THE DEPARTMENT OF LABOR'S PROPOSED ASBESTOS REGULATIONS TO BE PRESENTED AT THE PUBLIC HEARINGS TO BE HELD ON MARCH 14, 1972

GAF Corporation has reviewed the Department of Labor's Proposed Asbestos Regulations (Proposals), the National Institute for Occupational Safety & Health Report (NIOSH), and the Recommendations of the Advisory Committee (Recommendations). This has been accomplished with the assistance of GAF's Engineering, Safety, Environmental Engineering and Legal Departments, as well as Product and Production Managers and other line management. Due to the brief period of time since the Regulations were proposed and the date of this hearing, we have not been able to carry out a full study as to the validity, cost and feasibility of the Standards. Additional time is needed for a more complete investigation.

However, we have made a preliminary conclusion that the Proposed Standard is workable except for the comments and suggestions made herein.

GAF presently produces the following asbestos-containing products: (1) vinyl asbestos floor tile and sheet vinyl flooring; (2) asbestos cement

products consisting of siding, flat sheet, canal bulkheading and decorative brick; (3) asbestos felt and millboard; (4) asphalt paints and plastics; and (5) asbestos fiber.

For purposes of this discussion, our comments will be addressed primarily to the Sub-Sections in the Proposals.

(a) Asbestos Dust.

GAF believes that it can comply with the five (5) fiber Standard within approximately two years, but only at great cost. GAF manufactures a number of diverse asbestos-containing products and different abatement methods and procedures are required for each.

While our testing program is far from complete due to lack of time, it has been estimated that it would require an investment of more than one million dollars to reduce to the five (5) fiber Standard the asbestos dust levels under all conditions in the asbestos cement plants, more than $600,000 at the floor tile and sheet vinyl flooring plants, more than $200,000 at the asphalt paints and plastic plants and $400,000 in the asbestos felt and millboard plants. It is estimated that it would require at least two years to meet the five (5) fiber Standard at the referenced plants due to the need for further testing and study, and the design, ordering and installation of abatement equipment.

The NIOSH Report and the Recommendations propose a two (2) fiber Standard. In our opinion, an incalculable but unsupportable cost would be required to reduce emissions to the two (2) fiber level and in any case, it would take considerably more than two years to attain such level if in fact it could be reached at all. A two (2) fiber Standard would require that GAF reconsider the economic feasibility of continued operation of the above plants. These plants provide the livelihood for more than employees.

[GAF operates an asbestos mine in Vermont. We have been working closely with the Bureau of Mines in an asbestos reduction program at the mine. However, there is no economically feasible known method to reduce exposure at the mine to the five (5) fiber Standard. The mine is an integral part of the GAF operation and supplies asbestos to a number of GAF asbestos felt plants and other customers.]

In summary, while the five (5) fiber Standard can be met at GAF facilities (except for the asbestos mine) within a period of at least two (2) years by the expenditure of approximately $2.2 million, the two (2) fiber Standard would appear to impose an unsupportable economic burden on GAF and the asbestos industry. The Office of Assistant

Secretary of Defense, Health and Environment states a position with which we agree in its letter to NIOSH dated 13 January 1972 when it advised that the two (2) fiber Standard "is too stringent for us to meet."

GAF will attempt to comply with a five (5) fiber Standard for its asbestos operations. We recommend that the following five (5) fiber Standard become effective within two years from the date the final Regulations are enacted.

"(a) Exposure to airborne asbestos for an employee shall not exceed five asbestos fibers, greater than five microns in length, per cubic centimeter of air calculated as a time-weighted average exposure over the entire working day; and during the workday no concentration of asbestos to which workers are exposed shall exceed 10.0 fibers per cubic centimeter. The above Standard shall become effective two years after its promulgation."

(b) Methods of Compliance, Engineering and Other Methods.

This Section is adequate under present technology. We recommend the addition of certain proposals found in the Recommendations to maintain concentration of asbestos fibers below exposure limits, such as the "Application of water and wetting agents", and the specifications dealing with an exhaust system.

(c) Allowable Respirators.

To allow flexibility in the choice of respirators and at the same time insure employees' safety, the following wording is suggested for this Section. You will note that some of the phraseology is borrowed from present OSHA Regulations, Sub-Part i -- Section 1910.134 (b):

"(1) Where engineering methods are not feasible, or do not reduce the concentrations to or below the limits prescribed in Paragraph (a) of this Section, approved respiratory protective devices (respirators) shall be used and shall be suitable for the purpose intended.

(2) No employee shall be assigned to tasks requiring use of respirators if based upon his most recent examination, the examining physician finds that said employee will be unable to function wearing a respirator, or his health will be impaired thereby."

Protective Clothing.

Work clothing is only necessary in extremely dusty areas, and should be used only when absolutely necessary.

The proposed work clothing requirements, set forth in NIOSH, would be extremely costly to implement if such should become necessary. In addition to the need for the work clothing and cleaning thereof employees would require wash up time as well as locker rooms and showers. Con-

struction of these facilities in a single plant could cost $125,000.

We recommend the adoption of the Advisory Committee recommendation that the employer will provide employees with protective work clothing when they are required to work in an area that contains asbestos dust in concentrations greater than 10 times the permitted limit of Paragraph (a).

(d) Particular Operations and Products.

(1); (2) and (3) -- We have no comment regarding these Sections which are primarily applicable to the construction and related industries.

(4) Mixing.

The covering or closing of the mixing process of the materials mentioned in the Proposals should only be necessary if substantial amount of asbestos is emitted therefrom. This is not the case in regard to GAF asbestos products.

For example, our asbestos cement is made on a four-cylinder Hatchek Machine similar to a paper machine. Asbestos is mixed with water and other raw materials and held in suspension in the mix from the moment it is poured into the machine. The same type of conditions exist for asphalt paints and plastics.

For the reasons stated, the Sub-Section should be amended as follows:

"Asbestos cement, mortar, coatings, grout and plastic shall be mixed in closed bags or other closed containers only when the mixing causes emissions of asbestos in excess of the permitted limits prescribed in Paragraph (a)."

(5) Waste and Scrap.

There is a substantial amount of material that might be considered waste and scrap in the manufacture of asbestos products. Most, if not all, consists of "locked in" asbestos (i.e. asbestos which is bound and encapsulated in binder material), such as the trim from asbestos paper and millboard, asbestos cement products, roofing, flat sheets and floor tile. This trim is generally stored outside the operating areas for future recycling or disposal.

There are substantial quantities of this material at most operations consisting of from 6,000 tons from one plant to over a million tons of tailing rock a year at our Vermont mine.

If GAF were required to bag or containerize this so-called waste, it would serve no health and safety function, yet cost several million dollars a year due to the significant amount of this material emanating from the manufacturing process. For example, extra tile or sheet vinyl would be

stored in containers that cost $150.00 each and thus require an investment of $1,100,000 alone for these tile containers.

There is no doubt that our Industrial Products customers would have the same financial difficulties in complying with this broad waste requirement. The users of asbestos felt and millboard and asbestos fiber are represented by the industries described in Exhibit "A" herein.

In light of the above, a definition of waste is in order. The following is suggested:

"Waste means discarded or non re-cycled asbestos-containing material which emits asbestos fiber in excess of the permitted limits of Paragraph (a)."

(6) Vacuum Cleaning.

The use of vacuum cleaners is not always possible in carrying out plant housekeeping. For example, there are large pieces of scrap that are trimmed from the finished products that cannot be vacuumed. In such case, sweeping and shovelling are the only feasible method of disposal. In asbestos cement plants, cement drys on machines and can only be removed by scrapers.

The major component in many of these products is not asbestos. Paints and plastics contain less than 17% asbestos by weight, asbestos cement products less than 25% and vinyl asbestos floor tile less than 20%.

One must also keep in mind that certain of the above products are consumer orientated, such as flooring and siding. A warning label would be a substantial and unnecessary deterrent to the sale of these products. Since these products are not hazardous under any conditions, they should not be labeled as such. Their demise could mean the abolition of thousands of jobs at the manufacturing, distribution, contractor and retailer levels. For example, GAF employes approximately 4,000 employees in its asbestos plants and sells to over 35,000 retailers and contractors. We operate over 14 Building and Industrial Product plants. All would be affected, as well as several hundred suppliers to these plants furnishing over 30 million dollars of component materials.

GAF favors labeling when it serves a legitimate purpose. GAF has a Labeling Committee, whose function is to review and provide labels for products wherever appropriate. We have, for example, a label on bags of asbestos fibers which states:

> CAUTION: Contains asbestos fiber. Inhalation in excessive quantities over long periods of time may be harmful.

The following rewording of this paragraph would eliminate the outlined problems:

"Where feasible, accumulation of asbestos dust shall be removed by vacuum cleaners. If dry sweeping is carried out, suitable respirators shall be utilized in accordance with Paragraph (c) hereof."

(e) Warning Signs.

CAF does not take issue with the Proposal that warning signs be located at certain areas of a plant where there is a sufficient quantity of dust to constitute a potential hazard. We submit, however, the Proposal is too long and detailed as to the exact wording of such a sign.

A sign should be posted where respirators are required. When the specific area exceeds the prescribed limit, the following sign shall be placed nearby in accordance with present OSHA Safety Standards:

CAUTION

ASBESTOS DUST AREA

Breathing of the Asbestos Dust May be Hazardous
to your Health - Use Approved Respirator.

Warning Labels.

The labels prescribed in the NIOSH Report and the Recommendations

Avoid breathing dust. If adequate ventilation is not possible, wear respirators approved by the U.S. Bureau of Mines for pneumoconiosis producing dust.

This label is necessary since the asbestos fiber could be emitted in substantial quantities if the bag was improperly opened.

However, since there is no need for a label on our asbestos products due to the "locked in" character of the asbestos, we strongly oppose such a requirement.

(f) Monitoring.

GAF does not oppose any reasonable requirement on plant monitoring. We agree with the general principles outlined in the Proposals and make the following suggestion as to frequency of monitoring.

"(iv) Sampling periods shall be of such a number and pattern as to represent accurately the exposure of employees over their working period, but not more than once annually."

(g) Medical Exams.

We agree in principle with the Recommendations of the Advisory Committee regarding the above. However, the requirement that an examination be conducted more than every two years for those working less than 10 years should be left to the discretion of the examining physician, who is the best judge of the employees' physical condition.

The following is recommended:

"A comprehensive history and physical examination shall be performed on workers and applicants. This shall include a chest roentgenogram (posterior-anterior 14 X 17 inches) and baseline pulmonary function including forced vital capacity (FVC) and forced expiratory volume at one second (FEV 1.0).

Periodic medical evaluation is required annually on workers with 10 or more years exposure to asbestos above the permitted limits of Paragraph (a) and every two years on other workers and those with less than 10 years exposure, unless a plant physician provides otherwise.

A comprehensive termination medical examination shall include physical examination, chest roentgenogram, FVC and FEV 1.0, and questionnaire for respiratory symptoms.

The initial and termination medical evaluations shall not be required, if a similar comprehensive medical evaluation has been performed within a 12 month period."

(h) Records.

GAF proposes the following recordkeeping regulations, due to the confidential nature of these medical records.

"Medical records shall be maintained by physicians and other employees charged with the implementation of the medical records. Only those physicians designated and authorized in writing by the employees, shall have access to the medical record. Records shall be maintained for 10 years."

In conclusion, GAF expresses general agreement with the Proposals of the Department of Labor, except as noted herein and respectfully request that careful consideration be given to all GAF suggestions and recommendations to make the Proposals economically and technically possible.

REMOVED DOCUMENT

REQUEST FOR OPINION
FROM CORPORATE COUNSEL
(REPLY TO ANOTHER DOCUMENT
FOR WHICH PRIVILEGE CLAIMED)

LAWYER-CLIENT PRIVILEGE

REMOVED DOCUMENT

MEMO (WITH ENCLOSURES)

TO CORPORATE COUNSEL

G. G. CURRY

LAWYER-CLIENT PRIVILEGE

REMOVED DOCUMENT

MEMO FROM CORPORATE COUNSEL (G.G. CURRY) WITH OPINION

LAWER-CLIENT PRIVILEGE