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Draft

The Ministry of Labour and
National Service,
Factory Department,
St. James's Square,
London, S.W.1.

Dear Sirs,

Draft Regulations for Shipbuilding
and Ship-repairing

A copy of the above draft Regulations has recently been sent to us by our Subsidiary Company, Newalls Insulation Co. Ltd. of Washington Station, Co. Durham, they being concerned with the references contained therein to asbestos, since they carry on a substantial insulation contracting business in connection with shipbuilding and ship-repairing.

In addition, another Subsidiary Company of Turner & Newall Ltd. is concerned, namely J. W. Roberts Ltd. of Midland Works, Armley, Leeds, that Company being the owners of certain patents under which the Roberts Asbestos Spray Process is operated: Newalls Insulation Co. Ltd. hold a Licence from J. W. Roberts Ltd. in respect of the use of that Process in connection with shipbuilding and ship-repairing.

The draft Regulations suggest that statements should be sent to the Ministry, indicating briefly and provisionally what points on the draft Regulations it is desired to discuss, and accordingly I have been asked to put the following points forward for consideration by the Department and for later discussion.

1. It may first be of advantage to refer to the circular letter sent out by the Ministry in August 1945 under the

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heading of "Asbestos Insulation aboard Ships", to which in fact a lengthy reply was sent to the Chief Inspector of Factories by Turner & Newall Ltd. on 4th October 1945. Such reply showed (inter alia) that no difficulty arose so far as we were concerned in the case of the six points mentioned in the circular letter of August 1945, except point 3 concerning the use of respirators. As regards that point, our reply indicated that the suggestion that workmen engaged in fitting or removing any dry insulation material containing asbestos on board ship (as suggested in point 3 of the circular letter) was in our view quite unnecessary and inappropriate, and that if any such action were imposed in that manner it would mean in effect a very wide extension to the Asbestosis Regulations, as the latter have always applied in general to manufacturing processes only and have not in any way applied to finished goods. Moreover, our reply stated that it was significant that our experience in the past had shown that no cases of asbestosis have arisen amongst employees handling and applying finished products; that, I understand, is still the case.

2. We are concerned only with those portions of the draft Regulations which apply to the use or application of asbestos, namely the definition of asbestos in Regulation 3 and the provisions of Regulations 70 and 71 as to the use of respirators and the employment of young persons.

The definition of asbestos in Regulation 3 states that asbestos means "any fibrous silicate mineral and any admixture containing any such mineral", and we would like to

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be allowed to submit that such definition is certainly ambiguous and might be read as having an extremely wide application. For the reasons mentioned in our letter of 4th October 1945 and referred to also in this letter, we feel that the definition of asbestos should be limited to the use and application of the fibre itself (or any admixture thereof) in its raw and dry unmanufactured state, and that to prevent misunderstanding the definition should show that manufactured goods are completely excluded from the definition. We feel it likely that it was not the Department's intention that manufactured goods should fall within the definition, but we think that the position should be made clear.

Newalls Insulation Co. Ltd. (in addition to operating the Spray Process) apply on board ship a large range of manufactured insulating materials such as Sections and Slabs composed of magnesia and/or asbestos; in many cases these insulation products are covered in cotton canvas or scrim cloth, in others they are mixed with cement, and in all these cases there is no asbestos dust and no possibility of risk. Moreover, a large proportion of the products applied by Newalls Insulation Co. Ltd. are what are known as "85% Magnesia Products", the asbestos content being the remaining 15% only.

As a basis for discussion we put forward for consideration by the Department the following revised definition -

"Asbestos" means any magnesium silicate mineral in its raw and dry unmanufactured state and any admixture

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containing any such mineral, this definition not including therefore any manufactured products or plastic composed wholly or partly of asbestos"

3. As regards Regulation 70 dealing with respirators, the wording of paragraph (a) would be, in our view, much too wide unless the definition of asbestos is limited so as to exclude manufactured products.

We are under the impression that in general the references to asbestos included in the draft Regulations have been included because of the wide-spread use of the Asbestos Spray Process aboard ship, and that such references are therefore intended to be directed mainly to the use of that Process. No suggestion has ever been made to us before that respirators should be worn in connection with the handling or application of the finished articles; on that basis every plumber for instance installing Magnesia Insulation Sections anywhere in this country should wear a respirator!

Before the Asbestosis Regulations came into effect in 1931, we were similarly given the opportunity of making representations to the Home Office as regards the wording thereof, and certain suggestions we then made were accepted having the effect of excluding all manufactured product from the operation of those Regulations, and confining the latter in effect to asbestos fibre in its dry and unmanufactured state. The incidence of asbestosis since 1931 shows that such limitation of the Regulations was perfectly appropriate, as asbestosis cases within this organisation since 1931 have

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In general occurred amongst employees handling dry asbestos fibre as such and not amongst employees handling finished goods made wholly or partly of asbestos.

4. As regards the Spray Process itself, our spray operators have been provided with respirators for a number of years at the request of the Department. and I am informed that it is still a fact that no asbestosis cases have occurred amongst them, although the Process has been in use extensively for some 20 years and has been operated to an increasing extent, particularly during and since the War.

The Spray Process has been very significantly improved during the last few years through the invention (patented by J. W. Roberts Ltd.) of what is known as the "Drum Damping Process" whereby the asbestos fibre is damped in a drum before the mixture is placed in the Roberts Spray Machine. This invention has reduced the dust in the atmosphere so substantially that the Spray Process can for instance now be operated by J. W. Roberts Ltd. in railway carriage works alongside newly painted railway coaches whose paint is still sticky.

This point is mentioned in relation to the word "vicinity" in paragraph (c) of draft Regulation 70. That word is not defined in the Regulations and we would like to submit that the phrase "immediate vicinity" should be used. Whatever risk there may be from the Spray Process can clearly only exist (if at all) in the immediate vicinity of the work. From the experience gained by J. W. Roberts Ltd. and Newalls

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Insulation Co. Ltd. over a lengthy period, the risk would certainly appear to be slight, if not negligible, and this opinion is supported by the complete absence of any asbestosis cases amongst the hundreds of spray operatives who have been concerned.

In our letter of 4th October 1945 mentioned above is not available to you, I enclose a copy of it herewith.

We would be glad to accept the invitation contained in the Preface to the draft Regulations as to discussing the position personally with representatives of the Department at any mutually convenient date.

Yours faithfully,
for TURNER & NEWALL LIMITED,

Secretary.