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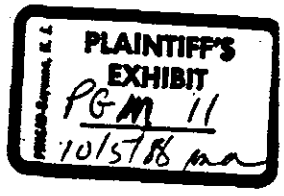

PLAINTIFF'S EXHIBIT
PGM 11
10/5/88 ma

October 30, 1972

Mr. I. H. Weaver
Raybestos-Manhattan, Inc.
123 E. Stiegal Street
Manheim, Pa. 17545

Dear Ike:

Enclosed are two copies of a survey on OSHA labeling for our members.

Please look this over. I will not distribute till you give me the go-ahead.

Sincerely,

EWD/lmc
Encs.

E. W. Drislane
Executive Director

P-FMSI- 0021



PLAINTIFF'S EXHIBIT

FRICTION MATERIALS STANDARDS INSTITUTE, INC., E-210 ROUTE 4, PARAMUS, N.J. 07652

October 30, 1972

TO: Delegates & Alternates
Asbestos Study Committee

SUBJECT: Interpretation of OSHA Labeling Requirements

The Chairman of the Asbestos Study Committee is requesting a survey of members on their interpretation of the labeling requirements for asbestos type brake lining and clutch facing shipments.

On June 20, 1972, the Institute distributed to all members a copy of the OSHA Standards for exposure to asbestos dust. A key paragraph in the standards had to do with labeling requirements:

> (2) Caution labels—(i) Labeling. Caution labels shall be affixed to all raw materials, mixtures, scrap, waste, debris, and other products containing asbestos fibers, or to their containers, except that no label is required where asbestos fibers have been modified by a bonding agent, coating, binder, or other material so that during any reasonably foreseeable use, handling, storage, disposal, processing, or transportation, no airborne concentrations of asbestos fibers in excess of the exposure limits prescribed in paragraph (b) of this section will be released.

The problem, in this case, is the shipment of asbestos containing brake linings or clutch facings where in many cases subsequent operations will be performed—cutting, grooving, drilling, and grinding. The Chairman indicates that these subsequent operations can produce airborne concentrations of asbestos fibers in excess of the current exposure limits (5 fibers/cc TWA, or 10 fibers/cc ceiling).

The questions are:

1. Do you now label asbestos type friction materials with the label as specified in the OSHA Standards?
   1.1 For replacement market shipments?
   1.2 For original equipment shipments?

2. Do you plan to label asbestos type friction materials with this label?
   2.1 For replacement market shipments?
   2.1 For original equipment shipments?

3. Do you interpret the OSHA Regulations on labeling to require a manufacturer to label asbestos type friction materials where subsequent operations (drilling, grinding, etc.) are likely to be performed?

Would you please complete this—or have it done by the individual responsible for implementation of the OSHA Standards—and return to me at the Institute Office.

E. W. Drislane
Executive Director

OSHA LABELING REQUIREMENTS

	Yes	No
1. Current Labeling Practice		
1.1 For replacement market friction material shipments, we now provide the OSHA caution label.	(___)	(___)
1.2 For original equipment friction material shipments, we now provide the OSHA caution label.	(___)	(___)
2. Planned Labeling Practice		
2.1 For replacement market friction material shipments, we plan to use the OSHA caution label.	(___)	(___)
2.2 For original equipment friction material shipments, we plan to provide the OSHA caution label.	(___)	(___)
3. Interpretation of OSHA Labeling Regulations		
3.1 We interpret the OSHA labeling regulations to require caution labels on friction material shipments that will have subsequent working (drilling, grinding, etc.).	(___)	(___)

BY_____

COMPANY_____

DATE_____

FRICTION MATERIALS STANDARDS INSTITUTE, INC., E-210 Route 4, Paramus, N.J. 07652

BULLETIN

NO. 457

October 20, 1972

TO: ACTIVE MEMBERS
ASBESTOS STUDY COMMITTEE
LICENSEES

SUBJECT: Occupational Safety and Health Standards (OSHA)

In the October 18, 1972 issue of the Federal Register, the Department of Labor issued a complete set of Rules and Regulations for the OSHA Standards.

As regards asbestos, the section (1910.93a) pertaining thereto is unchanged from that sent to the membership with our Bulletin 442 of June 20, 1972.

The Department published these to bring in all amendments to the standards through September 22, 1972. The purpose was (1) to publish the OSHA Standards fully and reflect changes made during the year, (2) to correct typographical and clerical errors in the original standards, and (3) to publish an index with the standards.

As these full standards are a bulky 250 page issue, it is suggested that members interested in acquiring up-dated standards request them from:

Superintendent of Documents
U. S. Government Printing Office
Washington, D. C. 20402

If interested, order the Federal Register of October 18, 1972, with payment of 20 cents payable to Superintendent of Documents.

E. W. Drislane
Executive Director

FRICTION MATERIALS STANDARDS INSTITUTE, INC., E-210 ROUTE #4, PARAMUS, N.J. 07652

November 6, 1972

TO: Delegates & Alternates
Asbestos Study Committee

SUBJECT: Interpretation of OSHA Labeling Requirements

The Chairman of the Asbestos Study Committee is requesting a survey of members on their interpretation of the labeling requirements for asbestos type brake lining and clutch facing shipments.

On June 20, 1972, the Institute distributed to all members a copy of the OSHA Standards for exposure to asbestos dust. A key paragraph in the standards had to do with labeling requirements:

> (2) Caution labels--(i) Labeling. Caution labels shall be affixed to all raw materials, mixtures, scrap, waste, debris, and other products containing asbestos fibers, or to their containers, except that no label is required where asbestos fibers have been modified by a bonding agent, coating, binder, or other material so that during any reasonably foreseeable use, handling, storage, disposal, processing, or transportation, no airborne concentrations of asbestos fibers in excess of the exposure limits prescribed in paragraph (b) of this section will be released.

The problem, in this case, is the shipment of asbestos containing brake linings or clutch facings where in many cases subsequent operations will be performed--cutting, grooving, drilling, and grinding. The Chairman indicates that these subsequent operations can produce airborne concentrations of asbestos fibers in excess of the current exposure limits (5 fibers/cc TWA, or 10 fibers/cc ceiling).

The questions are:

1. Do you now label asbestos type friction materials with the label as specified in the OSHA Standards?
   1.1 For replacement market shipments?
   1.2 For original equipment shipments?

2. Do you plan to label asbestos type friction materials with this label?
   2.1 For replacement market shipments?
   2.1 For original equipment shipments?

3. Do you interpret the OSHA Regulations on labeling to require a manufacturer to label asbestos type friction materials where subsequent operations (drilling, grinding, etc.) are likely to be performed?

Would you please complete this--or have it done by the individual responsible for implementation of the OSHA Standards--and return to me at the Institute Office.

E. W. Drislane
Executive Director

OSHA LABELING REQUIREMENTS

	Yes	No
1. Current Labeling Practice		
1.1 For replacement market friction material shipments, we now provide the OSHA caution label.	(____)	(____)
1.2 For original equipment friction material shipments, we now provide the OSHA caution label.	(____)	(____)
2. Planned Labeling Practice		
2.1 For replacement market friction material shipments, we plan to use the OSHA caution label.	(____)	(____)
2.2 For original equipment friction material shipments, we plan to provide the OSHA caution label.	(____)	(____)
3. Interpretation of OSHA Labeling Regulations		
3.1 We interpret the OSHA labeling regulations to require caution labels on friction material shipments that will have subsequent working (drilling, grinding, etc.).	(____)	(____)

BY_____

COMPANY_____

DATE_____