PLAINTIFF'S EXHIBIT
CAP-1823

AMERICAN SMELTING AND REFINING COMPANY
DEPARTMENT OF ENVIRONMENTAL SCIENCES
3422 SOUTH — 700 WEST, SALT LAKE CITY, UTAH 84119

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3M Respirator Approval

The BuMines regulations (now administered by NIOSH) for approved respirators do allow the use of the 3M #8710 single-use respirator for protection against asbestos. Specifically, the language from Subpart K (Dust, Fume, and Mist Respirators) Section 11.130 (Description) Subsection "h" is:

> "(h) Single-use dust respirators designed as respiratory protection against pneumoconiosis-and fibrosis-producing dusts, or dusts and mists, including but notlimited to aluminum, asbestos, coal, flour, iron ore, and free silica." (emphasis added)

In addition, data presented at the AIHA conference shows that the 3M respirator is superior to the Welch disposable model, especially in high humidity areas. The Welch Disposable uses a resin impregnated felt which degrades and offers reduced protection after about 12 days storage at 90% relative humidity. (Los Alamos Laboratory paper.) Thus, the use of Welch disposable respirators by CAPCO employees does not seem prudent. Based on this information, this department recommends use of the 3M #8710 respirator at CAPCO properties.

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