

FILE NAME: Asbestos Information Association (AIA)

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Attendee List with Remarks of the Executive Director



ASBESTOS INFORMATION ASSOCIATION

1660 L Street, N.W. Washington D.C. 20036 (202) 223-4885

BOARD OF DIRECTORS MEETING

September 8, 1976

Stouffer's National Center Hotel

Arlington, Virginia

Pursuant to notice, a meeting of the Board of Directors was held September 8, 1976, in Stouffer's National Center Hotel, Arlington, Virginia. The meeting was called to order at 9:00 A.M.

The following Directors were present:

George Barge
Richard Bauer (for W. B.
Hoffman)

W. H. Beasley
John H. Chidester
William Clark
Thomas A. Dougherty
William Fassuliotis
James Gilmore (for D. E.
Eldred)

John W. Hollingsworth
A. R. Hooker
John H. Marsh
C. G. Morgan
Dimitry Poutiatine
J. L. Rainey
John Riopelle
Martin J. Sendeki
D. Tijumelis (for T. K.
Lindquist)

William C. Thurber
C. Fred Workman

Atlas Asbestos Company
National Gypsum Company

Cement Asbestos Products Co.
Brunswick Fabricators, Inc.
Asten-Hill Ltd.
Certain-teed Corp.
GAF Corporation
Vermont Asbestos Group

Dresser Industries (Magcobar Div.)
The Flintkote Company
Raybestos-Manhattan, Inc.
North American Asbestos Corp.
Johns-Manville Corp.
Amatex Corp.
The Bendix Corp.
Congoleum Industries, Inc.
Borg-Warner Corp. (Borg & Beck Div.)

Union Carbide Corp.
Nicolet, Inc.

Also present: Guy G. Gabrielson, Jr., Nicolet, Inc., Chairman, Asbestos Regulation Task Force; R. H. Mereness, Executive Director, AIA/NA; A. H. Fay, Past President, AIA/NA; Richard H. Rosenberg, Borg-Warner Corp.; Joseph A. Artabane, Esq., Cadwalader, Wickersham and Taft; Richard T. Davis, Frank C. Frantz & Co.; and B. J. Pigg, Administrative Assistant, AIA/NA.

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AIA WL 000001

Minutes

On motion, minutes of the preceding meeting, June 10, 1976, were approved as submitted.

Financial Report

Mr. Barge reviewed the financial report for eight (8) month period ending August 31, 1976. He said that year-end projections indicate expenditures to be within current budget (revised budget for 1976 was approved at Board of Directors meeting June 10, 1976.) He noted that billings for the third and fourth quarters have been adjusted to provide for the current dues rate for 1976 (2.5 mills), which was approved at the March 26 Board of Directors meeting. As of August 31, the Association had total assets of \$93,660; liabilities of \$48,780 and net worth of \$44,880. On motion, the financial report was accepted as submitted.

Mr. Barge stated that the Executive Committee had discussed the matter of conducting an audit of the Association's financial affairs inasmuch as one had not been conducted since the inception of the Association and in view that the AIA/NA accounting firm, Frank C. Frantz & Co., is not independent with respect to the Association. Since the firm bills and receives membership dues it cannot render an independent opinion on financial statements. Mr. Barge said an audit by an "outside firm" would cost between \$3-5,000. He said the Executive Committee saw no need for an audit but recommended that the matter be brought to the attention of the Board. Following discussion, and on motion, it was agreed that an independent audit of Association was not needed at this time.

Third Annual Industry-Government Conference

Mr. Thurber gave a report on the upcoming Conference. He invited attention of Directors to the program schedule and prospective attendance list in folders. He said he was pleased to report advanced attendance of 150 persons.

Work in Connection with OSHA Asbestos Standards

Mr. Gabrielson, Chairman Asbestos Regulation Task Force, said that there had been no recent changes in status of OSHA's proposed revision to the asbestos (manufacturing) standard. The Inflationary Impact Statement (IIS) prepared by CONSAD Research Corp. is yet to be "certified" by Department of Labor. He made reference to a June 21, 1976 meeting in Washington, D. C., with Mr. H.D.S. Hardie, Chairman, Asbestos Information Committee (U.K.). Mr. Hardie has been most helpful to the Association throughout our response to OSHA process and supplemental data from Turner Brothers Associates (TBA) is expected shortly which will be forwarded to OSHA in refutation of the "new evidence" cited in the proposed revision to the asbestos standard concerning exposure experience at a TBA factory. Mr. Gabrielson said that Mr. Norman Rhodes and Dr. Steve Holmes, of TBA will be available to testify at public hearing on the proposed standard. Mr. Jerry Hebb, project director for the AIA/NA techno-

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logical feasibility and economic impact study conducted by Roy F. Weston, Inc., now employed by the Gulf Oil Corp. will also be available to testify.

Mr. Gabrielson recalled at the June 10, 1976 Directors meeting the issue of seeking an injunction against OSHA to force a delay of the manufacturing standard until a regulation for the construction industry is promulgated had been raised by Johns-Manville Corp. He emphasized that consolidation of the proceedings for the two standards was the primary recommendation of the AIA/NA response with regard to the proposed revision to the asbestos manufacturing standard which was submitted to OSHA April 9, 1976. Mr. Gabrielson explained that the Association's initial response to the J-M suggestion had been in the negative because of the feeling that a delay in the manufacturing standard would introduce a longer period of uncertainty and have an adverse impact on the industry. This position, he said, had been reconsidered, partly because delay of the manufacturing standard proceedings has already occurred in connection with development and certification review of the Inflationary Impact Statement (IIS) and a survey of marketing personnel indicates that a further delay in resolution of the manufacturing standard would not have a serious, adverse impact in the marketplace. In addition, the feasibility aspect of a proposed construction standard is likely to be a prominent issue and, therefore, consolidation with the manufacturing proposal is definitely in the industry's interests. For the above reasons, a letter was sent to Dr. Morton Corn on July 27 reiterating the Association's primary recommendation regarding consolidation of proceedings and stating that injunctive relief was being considered if OSHA elected to proceed with an exclusive hearing on the manufacturing standard. (Note: This letter distributed to members by AIA/NA Memo. of 7/29/76.) He said he would propose that the Association proceed with an injunction if the latter event occurs.

Mr. Gabrielson reviewed developments concerning a proposed standard for the construction industry since the June 10 Board of Directors meeting. OSHA's Advisory Committee on Construction Safety and Health, subsequent to meeting June 29-30, has reaffirmed its position that a 2f/cc asbestos standard should be established for the construction industry. On August 17, OSHA let a contract with Research Triangle Institute, Research Triangle Park, N. C., for an engineering feasibility study and preparation of an inflationary impact analysis for development of a standard for the construction industry with completion date set for January 31, 1977. It was noted that there is a difference in procedure for a construction standard in that the impact analysis is now required prior to publication of a proposed regulation. A proposed standard for the construction industry could be published as early as February or March, 1977 with public hearing in April. Mr. Gabrielson suggested that the Association should

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have its own study completed by March 1, 1977.

Mr. Gabrielson reviewed the work of the AIA/NA Ad Hoc Committee for Construction in developing a request for proposal for a technological feasibility and economic impact study of the construction industry. He stressed the importance of this matter since approximately 70% of asbestos-containing products are consumed by the construction industry. He also spoke to the "indivisibility" of the asbestos-health issue in all aspects of the industry. He said with Executive Committee concurrence, several consulting firms were invited to submit bids for the construction study to be completed in three phases within a 6-month timeframe. Four proposals have been received. Phases were described in general as: data gathering, industrial hygiene, and evaluation and conclusions. Concurrent with the independent study, the Ad Hoc Committee for Construction will develop an industry proposal for a construction standard.

Mr. Gabrielson said estimates of costs from the four contractors were reasonably consistent. Phase I estimate is \$50,000 with total cost about \$150,000 or about 50% higher than the Weston study. Complexities of construction industry study are cause for increased cost, especially as pertains to exposure data. He stated he had recommended to the Executive Committee that a contractor be selected and Phase I of the study be authorized to commence immediately.

Mr. Dougherty expressed agreement of Executive Committee in need for AIA/NA to pursue study of construction industry as an urgent matter. He said the Executive Committee had authorized Mr. Gabrielson to select a firm from those submitting bids and enter into a contract on behalf of the Association for Phase I (estimate \$50,000) of the construction study with an appropriate cancellation clause included in event financial support is not forthcoming. Mr. Dougherty proposed that funding for Phase I be initially defrayed from the Association's reserve funds and ultimately by an 18% assessment of 1976 membership dues. Funding for Phases II and III (estimate \$100,000) to be included in the 1977 budget which could be accomplished by maintaining the same dues for 1977 as at present (2.5 mills). Financial support will also be sought from the construction industry. Mr. Dougherty explained that a vote of Directors regarding an 18% assessment for 1976 would be formally acted on by written ballot which will be forwarded by mail to members with a requested return date to the Executive Director of October 12, 1976. After discussion, and on motion by Mr. Thurber, the action of the Executive Committee to authorize Mr. Gabrielson to select a contractor and proceed with Phase I of the study, subject to cancellation of contract following formal ballot vote of the Directors on AIA/NA conducting the entire study, was unanimously approved.

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Mr. Gabrielson said the four contractors submitting bids for the construction study are: Equitable Environmental Health, Inc., Betz Environmental Engineers, Inc., the Franklin-Hahnemann Institute, and Charles T. Main, Inc. He said that it would be of significant assistance to the consulting firm selected if members would provide the AIA/NA office with a complete list of all asbestos-containing materials sold for use in construction; each such material to be identified by trade name, product code or other designation used by or known to the contractor who installs or applies it. In addition, members were requested to provide, if possible, the physical quantity and value of each such material sold for use in construction in the U.S. He said that replies to this request will be kept confidential, will be delivered directly to the Association's outside consultant, will not be disclosed to other members, and will not be placed in AIA/NA files. The consultant will report the data only in aggregate, industry-wide or national market form. A memorandum outlining the above was distributed to members present and is to be mailed to those not present.

Mr. Gabrielson spoke of the work of the Special Counsel Legal/Medical Research Committee explaining that confidentiality of work performed by Special Counsel could be maintained by normal "attorney-client" relationship and by attorney's "work product." The latter is in the form of memoranda, such memoranda to be made available to AIA/NA members upon request from company attorneys. In regard to obtaining "work product" memoranda, Mr. Gabrielson said that it is necessary for each member company of the Association, other than those who have members on the Legal/Medical Research Committee, to designate an associate member of the Committee. It is not necessary that associate members be attorneys nor would they be expected to attend Committee meetings. Members concerned were requested to advise the Executive Director the name of their associate member designee to the Committee in turn to inform Special Counsel.

Mr. Gabrielson discussed status of multidistrict panel approach to pending federal asbestos-health related cases. The Judicial Panel on Multidistrict Litigation has ordered the parties in various asbestos products liability suits to show cause why these suits should not be consolidated for pretrial proceedings. Mr. Gabrielson referred to a memorandum on the subject which had been prepared by Cadwalader, Wickersham & Taft. The "work product" is available to AIA/NA members. He said it was Cadwalader's opinion that it would probably be in the industry's best interest to oppose the multidistrict procedure and to seek separate trials. Mr. Gabrielson stated many insurance carriers, including those of mining companies in Canada, had registered opposition to the procedure. He encouraged AIA/NA member to urge their respective carrier (s) to do likewise as well as litigate each case as a matter of policy rather than settle out of court.

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Revision of Association By-Laws

Mr. Dougherty discussed reasons for which the Executive Committee felt revision of Association By-Laws was in order. The matter was initially discussed at the June 10 Board of Directors meeting. Some administrative corrections are necessary, ambiguities exist, and Association membership is now restricted to one class. He said that the Executive Committee in meeting September 7 reviewed in detail a draft revision and had proposed several modifications. In view of time constraints, it was not possible to give full consideration to the draft. Mr. Dougherty stated the draft would be forwarded to members as soon as practicable for consideration and formal action at the December Board of Directors meeting.

Other Business

The next regular meeting of Directors is scheduled for December 9 at a time and place to be announced.

Adjournment

There being no further business the meeting was adjourned at 10:55 A.M.


R. H. Mereness
Executive Director

20 September 1976

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ASBESTOS INFORMATION ASSOCIATION

1660 L Street, N.W., Washington, D.C. 20036 (202) 223-4885

ANNUAL MEETING

September 8, 1976

Stouffer's National Center Hotel

Arlington, Virginia

The Annual Meeting of the Asbestos Information Association/ North America convened at 11:00 A.M., September 9, 1976, in Stouffer's National Center Hotel, Arlington, Virginia.

The following Directors were present:

George Barge	Atlas Asbestos Company
Richard Bauer (for W. B. Hoffman)	National Gypsum Company
W. H. Beasley	Cement Asbestos Products Co.
John H. Chidester	Brunswick Fabricators, Inc.
William Clark	Asten-Hill Ltd.
Thomas A. Dougherty	Certain-teed Corp.
William Fassuliotis	GAF Corporation
James Gilmore (for D. E. Eldred)	Vermont Asbestos Group
John W. Hollingsworth	Dresser Industries (Magcobar Div.)
A. R. Hooker	The Flintkote Company
John H. Marsh	Raybestos-Manhattan, Inc.
C. G. Morgan	North American Asbestos Corp.
Dimitry Poutiatine	Johns-Manville Corp.
J. L. Rainey	Amatex Corp.
John Riopelle	The Bendix Corp.
Martin J. Sendeki	Congoleum Industries, Inc.
D. Tijunelis (for T. K. Lindquist)	Borg-Warner Corp. (Borg & Beck Div.)
William C. Thurber	Union Carbide Corp.
C. Fred Workman	Nicolet, Inc.

Also present: Guy G. Gabrielson, Jr., Nicolet, Inc., Chairman, Asbestos Regulation Task Force; R. H. Mereness, Executive Director, AIA/NA; A. H. Fay, Past President, AIA/NA; Richard H. Rosenberg, Borg-Warner Corp.; Joseph A. Artabane, Esq., Cadwalader, Wickersham and Taft; Richard T. Davis, Frank C. Frantz & Co.; B. J. Pigg, Administrative Assistant, AIA/NA; and various industry representatives.

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AIA WL 000007

Minutes

Mr. Dougherty, President of the Association, called the meeting to order at 11:00 A.M. On motion, minutes of the last Annual Meeting, September 10, 1975, were approved as submitted.

Statement of Finances

Mr. Dougherty stated the Association's financial statement for the eight-month period ending August 31, 1976 had been reviewed by the Board of Directors at meeting immediately preceding. On motion, the statement of finances was accepted as presented to the Directors.

Remarks of the Executive Director

Mr. Dougherty said he regretted that time constraints precluded an oral presentation of Association activities by the Executive Director for the preceding year. Copies of Mr. Mereness' remarks were distributed and are also appended hereto.

Designation of Directors

In accordance with Article 2, Section 1, Association By-Laws, the Secretary announced the following member company representatives as nominees for membership on the board of directors.

E. H. Feierabend	Abex Corporation
J. L. Rainey	Amatex Corporation
Robert Van Buren	American Biltrite, Inc.
William Clark	Asten-Hill Ltd.
George Barge	Atlas Asbestos Company
John Riopelle	The Bendix Company
T. K. Lindquist	Borg-Warner Corporation
John H. Chidester	Brunswick Fabricators, Inc.
Nicolas Gritzuk	Cassiar Asbestos Corporation, Ltd.
W. H. Beasley	Cement Asbestos Products Company
Thomas A. Dougherty	Certain-teed Corp.
John R. Stetson	Congoleum Industries, Inc.
A. R. Hooker	The Flintkote Company
William Fassuliotis	GAF Corporation
Robert B. Pilmer	Garlock of Canada, Ltd.
Joseph M. Ciskowski	Jim Walter Research Corporation
Dimitry Poutiatine	Johns-Manville Corporation
Charles A. Neumann	Kentile Floors
John Hollingsworth	Magcobar Div., Dresser Industries
Edward R. Zacharias	Molded Materials Company
Joseph T. Mooney, Jr.	Monsey Products Company
George P. Vogel	National Assn. of Filter Manufacturers
William B. Hoffman	National Gypsum Company
Guy G. Gabrielson, Jr.	Nicolet, Inc.
C. G. Morgan	North American Asbestos Corporation
John H. Marsh	Raybestos-Manhattan, Inc.

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Clarence A. Herbst, Sr.	Resinoid Engineering Corporation
J. E. Keith	Rostone Corporation
Kurt Schwarz	Supradur Manufacturing Corporation
William C. Thurber	Union Carbide Corporation
William K. Clark	Uvalde Rock Asphalt Company
D. E. Eldred	Vermont Asbestos Group

The list, as read by the Secretary, was approved by vote without objection.

Election of Officers

Mr. Barge, Chairman of the Nominating Committee, placed in nomination the following persons who were, by vote, unanimously approved for office.

Thomas A. Dougherty	President
Guy G. Gabrielson, Jr.	1st Vice President
John H. Marsh	2nd Vice President
Robert H. Mereness	Secretary/Treasurer

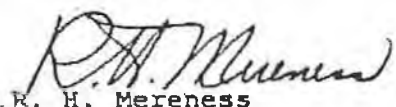
President's Remarks

Mr. Dougherty expressed appreciation to the Directors for the honor to continue to serve as the Association's president. He remarked on the special challenges of the past year and the tasks confronting the Association. He spoke of the growth of the Association and the cooperation of members in the work of the Association.

Mr. Dougherty said he wished to acknowledge several individuals who had been of invaluable assistance to him as President as well as to the overall work of the Association. Those mentioned were: Joseph G. Hall, Noel W. Hendry, A. H. Fay and C. Fred Workman for past service on the Board of Directors; Dr. Hans Weill, AIA/NA medical advisor; members of the AIA/NA Standards and Technical Committee with special recognition to its chairman, Dr. H.B. Rhodes; and members of the Executive Committee. Mr. Dougherty stated he knew he expressed the feeling of all members in gratitude to Mr. Guy G. Gabrielson, Jr. for his outstanding leadership as chairman of the Association's Asbestos Regulation Task Force and to the Association's office staff, R. H. Mereness, B. J. Pigg and Virginia Detgen.

Adjournment

There being no further business, the meeting was adjourned at 11:20 A.M. The Association's Third Annual Industry-Government Conference was scheduled to commence immediately thereafter.


R. H. Mereness
Secretary

Enclosure
20 September 1976

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AIA/NA ANNUAL MEETING

STOUFFER'S NATIONAL CENTER HOTEL

ARLINGTON, VA.

REMARKS OF THE EXECUTIVE DIRECTOR

September 8, 1976

Last year on this occasion I remarked that we had had a busy year. These past twelve months have been even busier. I think we can speak of a number of accomplishments as we look to continuing challenges.

As you recall at this time last year we were anticipating that OSHA would issue amendments to the asbestos standard as a result of the court's ruling on a petition filed by the Industrial Union Department (AFL-CIO). The Court had remanded two issues which pertained to the compliance date for the two fiber p/cc standard and retention period for exposure monitoring records. Government speakers during our 1975 Industry-Government Conference gave us no reason to expect that these amendments would contain any changes other than routine refinements to the standard. However, on October 9, 1975, OSHA proposed a major revision to the asbestos manufacturing standard which would further reduce the permissible exposure limit to 0.5 f/cc. The construction industry was specifically excluded for addressal at a later date. The history of the Association's response and actions to date are familiar to you and have been thoroughly addressed separately by the Chairman of our Asbestos Regulation Task Force, Mr. Gabrielson. I will not attempt to review such in detail except to say that support of this effort has necessarily required the major portion of our attention and effort. In December 1975, over 700 industry companies and trade associations were contacted by letter outlining the Association's

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plan for a response to the OSHA proposal and requesting their participation and support. Other mass mailings were to follow. An industry meeting was sponsored by AIA/NA on February 4, 1976 in Washington, D. C. to review work to date on a response. Our formal response on the proposed standard was delivered to OSHA on April 8, 1976. I know you appreciate the extraordinary volume of correspondence and associated logistics that have been required in support of this project. With hearing proceedings and issuance of a proposed construction standard yet to come, every indication is that the upcoming year will be no less devoted to contending with proposed standards for the asbestos industry.

There have been other specific items of Association work with government agencies in addition to almost daily liaison. For example, on October 14, 1975, EPA issued amendments to National Emission Standards for Hazardous Air Pollutants (Asbestos and Mercury). The Association and various member companies had submitted detailed comments to EPA on the proposed amendments and many of these were reflected in the approved version. This past week on September 1, we submitted our comments to the Consumer Product Safety Commission on a petition filed by the Natural Resources Defense Council, Inc and Consumer's Union of U.S.A., Inc. to ban patching compounds (taping, spackling, and joint sealing) containing asbestos.

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The need of the Association to have expert advice on the asbestos-health issues as recognized in the scientific community were met on October 1, 1975 when Dr. Hans Weill, Professor of Medicine, Tulane University, became medical advisor to AIA/NA.

Recently, there have been two new AIA/NA Committees established: A Legal/Medical Research Committee to exercise day-to-day direction over an Association program to develop a legal and medical information facility for asbestos-related litigation cases, and an Ad Hoc Committee for Construction to assist in coordinating development of an Association response to the forthcoming OSHA proposed asbestos standard for the construction industry.

In March, the Association was named as a defendant in a state of Michigan litigation case, Shoup vs. Johns-Manville Products Corp et al. I am pleased to promptly add that through efforts of Association counsel, on May 5, 1976 the court dismissed AIA/NA as a defendant without prejudice and without costs.

The Association continues to enjoy a close relationship with various trade and other associations having an interest in asbestos. These include among others: the Asbestos Cement Pipe Producer's Association, the National Association of Filter Manufacturers, the Asbestos Textile Institute, the Thermal Insulation Manufacturers Association, the Friction Materials Standards Institute, and the National Paint and Coatings Association. We have contributed to the work on asbestos with the American Society for Testing and Materials, American Industrial Hygiene Association and other groups.

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The Association was represented at several important meetings relating to the asbestos-health issue during the past 12 months. Among these were:

- a) quarterly meetings of the Standing Committee, International Asbestos Information Conference in Europe;
- b) XVIII International Congress on Occupational Health in Brighton, England, this past September;
- c) Industrial Health Foundation's 40th Annual Meeting in Pittsburgh this past October;
- d) Society for Occupational and Environmental Health's Third Annual Meeting in Washington, D. C. this past December;
- e) EPA's Hazardous Materials Advisory Committee, Science Advisory Board in Washington, D. C. in February;
- f) National Academy of Science -- National Research Council in Washington, D. C. on public information on the prevention of occupational cancer in February;
- g) the OSHA/USA Conference and Exposition in New York in May;
- h) American Industrial Hygiene Conference in Atlanta in May; and
- i) OSHA and MESA advisory committee meetings on safety and health in Washington, D. C., San Diego, California, and Birmingham, ALA in January and June.

Providing industry-wide information has been given emphasis primarily through the preparation and distribution of educational/informational materials. The past year has been especially

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active in this regard. Over 14,000 individual publications and posters have been mailed from the Association's office. Income from these materials has exceeded \$10,000. One reason for the increase in requests for our materials may be attributed to the interest generated from non-member industry companies and trade associations as a result of our work on the response to OSHA's proposed revision to the asbestos standard.

New materials that have come "on-line" in 1976 include:

- a) Five booklets covering recommended work practices for friction, textile, plastic, paper and sheet asbestos-containing products. These booklets were developed by the Association's Standards and Technical Committee.
- b) Poster and leaflet dealing with recommended practices for handling asbestos fiber.

Our "News & Notes", a monthly publication of information concerning occupational, safety and health and environmental matters as pertains to the asbestos industry, continues to be received with interest by an increasing number of readers. No other publication covers the industry in this matter and it is a frequent object of favorable comment by recipients.

The following films from our library have enjoyed wide circulation:

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a) Johns- Manville - "Working With Asbestos" and "Asbestos- the Indispensable Mineral."

b) AIC "Asbestos at Work" and "Killer Dust - A Standard Mistake?"

c) 3M - " Living With Dust"

Since September 1975 our preparation of correspondence workload has increased markedly; over 100 pieces per month as compared with 72 the previous year. We have received 264 written queries; 157 were received during the same prior period. Innumerable queries continue to be received by telephone.

On June 1, 1976 the Association office moved its location in Washington, D.C., in order that current and anticipated needs might be met.

Our quarterly board meetings have been well attended and significantly contributed to accomplishment of the Association's objectives. Our meetings were held this past year here at Stouffer's with the exception of the March meeting which was held at Philadelphia.

The events of the past year have presented formidable challenges to the asbestos industry and your Association. I believe AIA/NA has met squarely these challenges and our response thereto has been characterized with reasonableness and a keen sense of responsibility.

Speaking for your office staff, I express our sincere appreciation to the Association's officers and directors for your guidance and support. Your suggestions and advice are always welcome.

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AIA WL 000015