

Inter-Office Correspondence

Date July 28, 1980
To R. W. Scott, D. J. Toth
Division & Plant Brake - Gallatin, Louisville
From F. M. Kovalik
Division & Plant Brake - Galesburg
Copy to J. L. Nehring
Subject Asbestos Brake Lining

EATON

Attached is a bulletin from OSHA and NIOSH, which spells out problems that could stem from asbestos fibers in a working environment.

It is extremely important that we bring to a conclusion the grind elimination program so that we are not confronted with problems from OSHA which appears to be in the near future.

F. M. Kovalik
F. M. Kovalik

FMK/sw

Attachment

*Kolasinski v. Acme Lining Corp., et al.
Supreme Court of NY, Erie Cty. Index No. 1208-405, 06/18/08*

EXHIBIT

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9-8-08

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An IC Industries Company

Frail-Horvath

Very Important

Issue

Eaton Corporation
Friction Products Division

My'd
at *Michigan*
Eaton Corporation
Friction Products Division
Eaton Building
Warren, Michigan 48090

SEP
7/25

May 16, 1980

Mr. Jim Pruneski
Eaton Corporation
Brake Division
21220 West Eight Mile Rd.
P.O. Box 935
Southfield, Michigan 48037

Dear Jim:

Attached is an article from the Friction Material Institute regarding asbestos fiber in the working place. Thought this might be of interest to you.

Very truly yours,

John Brown
John J. Brown
Account Manager
Original Equipment Sales

JJB/sw
Attachment

Supreme Court of NY, Erie Cty. Index No: 12008-405
Kolasinski v. Acme Liquidating Corp., et al.
JUL 25 1980
08/03/08

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BULLETIN

NO. 679

April 23, 1980

NIOSH--OSHA RECOMMENDATIONS CONCERNING

WORK PLACE EXPOSURE TO ASBESTOS

In a press conference held on April 17, 1980 some expected recommendations were announced to the media by a joint working group of individuals from NIOSH and OSHA. This press release was in most of the major papers last week.

Essentially, this release stated that NIOSH and OSHA were recommending that the work place exposure levels for asbestos be reduced from 2 fibers per cc TWA standard now in effect to 0.1 fibers per cc exposure level. As this was a press conference, the NIOSH--OSHA people were using the wording 100,000 fibers per cubic meter rather than the 0.1 fibers per cc which had been used earlier. This method of expressing fiber counts has been advocated by Dr. Selikoff and others in order to perhaps get larger headlines in the news media.

Dr. Robbins of NIOSH wrote a letter to Dr. Bingham of OSHA concerning its recommendations. Some may recall Dr. Robbins advocates the complete elimination of asbestos from the work place and all the environment.

Among the items stated in the press release and the reports are:
(1) There is no safe exposure level limit for asbestos. (2) All commercial and several non-commercial forms of asbestos cause disease.

They did not discuss any new information they had uncovered that supported their recommendation for reducing the exposure level from 2 fibers per cc to 0.1 fibers per cc. This is a most important move on the part of NIOSH and OSHA. They are suggesting that a new rule may be in place as soon as six months from the date of this press release.

This move by NIOSH--OSHA coupled with the cradle to grave control approach of the EPA would have overwhelming effects on our industry. Most of those who have worked with the occupational controls and requirements feel that a 0.1 fiber per cc TWA exposure level is the equivalent of no asbestos in the work place. This information on the press release and the statements by Dr. Robbins and Dr. Bingham are enclosed for your information.

E. W. Drislane
Executive Director

Distribution: Health and Environmental Affairs Committee
Active Members (List C)
Regional Members (U.S. dues)

HEW



NEWS

U.S. DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

CONTACT: NIOSH Information Office (301) 443-2140

FOR RELEASE: 1:00 P.M., EST
Thursday, April 17, 1980

REMARKS BY NIOSH DIRECTOR ANTHONY ROBBINS ON
THE NEED FOR A NEW ASBESTOS STANDARD

Good afternoon, I am Dr. Anthony Robbins, Director of HEW's National Institute for Occupational Safety and Health, NIOSH. With me are Dr. Eula Bingham, the Assistant Secretary of Labor for Occupational Safety and Health; Dr. Bailus Walker, Jr., Director of Health Standards for OSHA; and two NIOSH scientists, Mr. Richard Lemen and Mr. John Dement.

We are here to announce the findings of a joint NIOSH/OSHA Work Group that has reviewed recent scientific information about the health effects of asbestos.

The Group reconfirmed that:

- o There is no safe exposure limit for asbestos.
- o All commercial and several non-commercial forms of asbestos cause disease.

On the basis of the Work Group's findings and recommendations, which we endorse, we are today recommending to the Department of Labor that it

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promulgate a safer standard for workers exposed to asbestos and that it eliminate from the workplace all exposure from new non-essential uses of asbestos.

We have asked that the new standard set a maximum workplace exposure limit of 100,000 fibers per cubic meter of air, the lowest level which can be accurately measured. The present level, set in 1972, is two million fibers per cubic meter of air.

Asbestos poses a grave danger in the workplace. At least 1.4 million workers are exposed to asbestos in the United States. In conducting a National Occupational Hazard Survey from 1972-74, NIOSH found that 45 percent of the occupations observed involve exposure to the substance. Nearly three quarters of a million tons are used annually in this country in a wide range of products including floor tiles, cements, acoustical products, brake linings, and roof coatings. Between 8 and 11 million workers have been exposed to asbestos since World War II.

Asbestos is ubiquitous and its effects, measured in disease and death, are staggering. Asbestos causes a very serious form of lung fibrosis known as asbestosis. It also causes lung cancer and mesothelioma, a cancer of the membrane that lines the chest and abdominal cavities. Exposure to asbestos has also been related to significant increases in lung, laryngeal, and gastrointestinal cancers.

In 1974, OSHA promulgated a workplace asbestos standard setting the maximum exposure level at 2,000,000 fibers per cubic meter of air. Since then both NIOSH and OSHA have monitored asbestos health effects research and the development of asbestos substitutes. In 1975, OSHA proposed lowering the

standard to 500,000 Fibers per cubic meter of air. In 1976, NIOSH recommended lowering the standard to 100,000 fibers.

NIOSH and OSHA established an Asbestos Work Group in the fall of 1979. Its charge was to review all health effects data since the 1976 NIOSH recommended standard was transmitted to OSHA and to determine whether any changes to that recommendation were warranted. Was there health damage occurring at the level of the current standard? The Work Group consisted of four experts from NIOSH and three from OSHA.

The Work Group has completed its report and NIOSH has formally recommended that OSHA adopt the Work Group's findings. A copy of the report is in your press kit.

The Group reconfirmed that there is no safe exposure level for asbestos. Although data suggest that lower exposures result in lower risks of developing cancer, there is no known level below which asbestos-related diseases do not occur.

The Group reconfirmed that all commercial and several non-commercial forms of asbestos cause disease. There has at times been debate over which types of asbestos fibers cause disease. The Group found strong evidence that all forms are dangerous, including chrysotile; crocidolite; and fibrous cummingtonite-grunerite including amosite, fibrous tremolite, fibrous actinolite, and fibrous anthophyllite. The Work Group found no basis for regulating one type of fiber and not another.

With these two premises in mind, let me enumerate some of the specific findings of the Work Group:

- o Optical microscopy continues to be the most reliable and economically feasible method for determining airborne levels of

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asbestos. Its lowest reliable detection limit is 100,000 fibers per cubic meter.

- o Substitutes for asbestos should be used whenever possible so that non-essential uses of the carcinogenic fiber are eliminated.
- o The report contains recommendations for medical testing procedures including chest X-rays, pulmonary function tests, observation of respiratory and other clinical symptoms. The Group also recommends that sputum cytology be evaluated as a surveillance technique.
- o Results of medical examinations should be reported directly to the employee, and aggregate medical information—without individual identifiers—should be reported to an employer's entire workforce.
- o Asbestos workers showing respiratory problems should be afforded the opportunity to transfer to jobs where there is no asbestos exposure. They should suffer no cut in pay or benefits to do so. The Group suggests that this program should be similar to the one now enforced by OSHA for lead workers.
- o Regulations should protect all workers exposed to asbestos, including those in the construction, shipbuilding, and maritime industries, where high exposures have historically occurred.

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- o Asbestos product manufacturers should perform air sampling in all possible processes involving their products to determine probable airborne asbestos levels. This information should be passed on to the products' potential users.

Thank you for your time. I would now like to open the conference to

questions.

Dr. Eula Bingham
ASSISTANT SECRETARY OF LABOR
OCCUPATIONAL SAFETY AND HEALTH
REMARKS AT NIOSH NEWS BRIEFING
April 17, 1980

Thank you Dr. Robbins, and good afternoon to all of you. For quite some time, a number of us in the public health community, both in and out of government, have expressed concern about the health effects of exposure to asbestos. In recent years, the substance has become the focus of public attention as well. Asbestos is now perhaps the foremost symbol of this country's concern about toxic substances in the environment and in the workplace. Considerations of asbestos health effects and regulatory protection have always been complex and controversial. In this light, the current data and solid recommendations to come out of this NIOSH/OSHA project are especially welcome and important.

The report released today is certainly a cause for concern--concern for the numbers of workers still exposed to dangerous levels of asbestos. But this report, and OSHA's response to it, should also be a cause for hope among American workers everywhere.

It should be a cause for hope because it confirms that occupational health research is not a static

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science. On the contrary, under Dr. Robbins' direction, NIOSH has demonstrated an ongoing commitment to the re-evaluation of all available data with only one thought in mind: the protection of the worker. The current workplace standard governing asbestos exposure was OSHA's first comprehensive health standard. It is based on data that was assembled and analyzed during the mid-sixties, if not the infancy certainly the childhood of occupational health. Much has been learned in the laboratory and in the workplace since then, as this report indicates. In view of what we know now, OSHA's current standard needs major improvements.

The report is cause for hope because, contrary to some of OSHA's critics, the agency's regulations are not carved in stone. They are instead a reflection of the best science available. As science continues to improve so will OSHA's health standards, and worker protection. The report we are issuing today demands corrective action. We will begin immediately.

We have designated a team within OSHA to begin working on a proposed revision to the present OSHA

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asbestos standard. We will be developing that proposal pursuant to the OSHA cancer policy announced last January. I can't tell you yet what permissible level will be proposed or whether we will issue an emergency temporary standard or pursue the proposed permanent standard route. But the severity of the threat posed and the very high numbers of workers exposed to the asbestos hazard dictate that we move with all deliberate speed in amending the present standard of 2 million fibers per cubic meter, average over a workday. I am confident that the procedures set down by the cancer policy and the synthesizing effect of the rulemaking procedure will result in a much more protective standard so that we can finally move toward an end to fatal asbestos-related diseases such as lung cancer, asbestosis, and mesothelioma.