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November 21, 1979

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HAND DELIVERY

Andrew S. Krulwich, Esquire
General Counsel
Consumer Product Safety Commission
1111 18th Street, N.W.
Washington, D.C. 20207

Dear Andy:

Per our telephone conversation yesterday, on behalf of my client, the Asbestos Information Association/North America ("AIA/NA"), this letter requests an extension of the December 17, 1979, deadline announced in the CPSC's Consumer Products Containing Asbestos ANPRM of October 17, 1979.

As I indicated yesterday, we are seeking a similar extension of the December 17, 1979, deadline announced in EPA's companion ANPRM concerning asbestos fibers. The grounds for our requested extension are set forth in the attached letter to Dick Denney. Basically, we asked EPA for a 120 day extension, although we also suggested a compromise alternative of an initial 60-day extension to permit further discussions with EPA to resolve the problems we foresee in responding meaningfully to the EPA ANPRM.

Many of the same problems apply to AIA/NA's response to its CPSC ANPRM.

- (1) Both Notices seek a vast array of information on all aspects of the many product lines in which asbestos is used;
- (2) Such information is potentially voluminous but is not presently maintained by AIA/NA member companies in easily accessible files; and
- (3) Much of the information sought is presently treated with great confidentiality by AIA/NA member companies and cannot be released until enforceable guarantees of confidentiality are obtained.

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Inasmuch as EPA and CPSC intend to "share all available data" as part of planned "close cooperation in our regulatory endeavors," 44 Fed. Reg. at 60056, the concerns we have expressed to EPA are directly pertinent to our response to both agencies. Although EPA has not as yet indicated a willingness to extend its deadline, we would hope that, should that Agency determine to do so, a similar extension would be granted in CPSC's parallel proceeding.

Although I do not believe we are at a point in the CPSC asbestos proceeding where a meeting between your staff and AIA/NA representative would be useful, I anticipate the utility of such a meeting in the near future. As our plans crystalize, I will contact you to see if a productive session can be arranged.

Sincerely yours,

Edward W. Warren

Edward W. Warren
Counsel for the Asbestos
Information Association

EWV:jrb

Enclosure

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