PLAINTIFF'S
EXHIBIT
DUP-1942

cc: J. M. Stallings, PPD, M-5625
R. G. Clem, #81
E. E. Embs, #16
J. L. Everitt, #2
L. T. Freeland, #42
J. J. Haladyna, #42
C. C. Regenbrecht, #42
I. M. Singer, Jr., #16
G. E. Watson, #82
K. C. Weis, #20

September 10, 1984

TO: W. E. DOUGHER, #81

FROM: R. L. McCLURE, #42 RLM/bdr

AMENDED EMISSION STANDARD FOR ASBESTOS

Effective April 5, 1984 EPA amended the National Emission Standard for asbestos. A copy of the standard and its preamble are attached.

The amendments consist primarily of reinstating certain asbestos work practice requirements which had been withdrawn temporarily because of a lawsuit. I do not see any practices which appear to be new or different from those currently followed by our insulation contractors. However, you should advise contractors that the asbestos standard has been amended and refer them to the current regulation which has been redesignated and renumbered to 40CFR Part 61 Subpart M, found at FR13658 (4/5/84).

The preamble to the standard contains a "clarification" which appears to be a change. See the discussion of Section 61.145 on page 13659. This states that both the renovation contractor (e.g., Brand-Sabine) and the facility owner (DuPont) are subject to the standard. Therefore, it is doubly important that we assure ourselves that contractors on the site know and adhere to the requirements of the standard when handling asbestos materials since we, as well as the contractor, could be cited for violations even though the work is performed exclusively by the contractor's employees. I have checked my understanding with Wilmington (J. M. Stallings) and, per phone conversation on September 7, he informed me that it is correct.

Since much of the insulation work on the site is performed under the jurisdiction of area maintenance forces, all site contract administrators should be aware of the work practice requirements described in the standard. These procedures are spelled out in Section 61.147 of the standard on pages 13662 and 3. Will you please transmit this information to all contract administrators.

I suggest that our EDS procedure for asbestos handling be checked to determine that it contains all of the applicable work practice requirements.

Also, Construction Division supervision should be aware of these requirements and assure that their contractors are properly instructed and audited for compliance. By copy of this letter, J. L. Everitt is requested to make the appropriate contacts.

Let me know if you have any questions or need assistance.

RLM/bdr
Attachment
(10-29-2)

DUP 0501527

DU 001280.69