"CONFIDENTIAL LEGAL MEMORANDUM"

0636909

GRACE

Construction Products Division

TO: R. C. Walsh
J. W. Wolter

DATE: May 12, 1983

FROM: R. C. Ericson

SUBJECT: Asbestos Warning Labels on Concentrate Shipments

CC: R. Frohlich
O. M. Favorito

PLAINTIFF'S EXHIBIT
WRG-1689

Our current instructions to the Libby Mill are:

- A placard with the standard asbestos warning label is placed on all concentrate cars consigned to US receiving points other than a CPD Expanding Plant.
- No placards are placed on any concentrate cars shipped to Canada.
- All bagged concentrate product is packaged in bags that have a printed standard asbestos warning label.

We should abandon the existing practice on the following basis:

1. The "Duty to Warn" applies to all users including Grace Expanding Plant employees. Air samples at unloading stations would confirm the possibility of exposure to levels of fiber above the current OSHA Standard.
2. Recent "Workers Right-To-Know" legislation would be properly met if we placarded all cars.

May I have your comments.

R. C. Ericson

RCE:dm

PLAINTIFF'S EXHIBIT
6-129.5