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October 29, 1976

Honorable S. John Byington, Chairman
Consumer Product Safety Commission
Washington, D.C. 20207

Dear Mr. Byington:

We are writing to respond to the asbestos industry' comments on the Natural Resources Defense Council and Consumers Union's petition on drywall patching compounds, which was filed with your agency on July 15, 1976.

The major thrust of the objection of the Asbestos Information Association (AIA) to our petition to ban asbestos in consumer drywall patching compounds is that asbestc adds desirable qualities to these materials. However, the also note that several manufacturers claim success in developing good asbestos-free formulations. It should be noted here that those who claim success in the development of asbestos-free patching compounds in the construction industry include the dominant company in the market, the U.S Gypsum Co., and several other important manufacturers (DAP, Inc.; Handy Products; Red Devil, Inc.) who provide an effective asbestos-free product.

The asbestos industry trade association argues that the asbestos levels reported in the petition were obtained during patching operations by commercial drywall workers, and suggests that dust concentrations in the home would be less because a smaller scale operation is involved. This contention is not necessarily so; in fact, the opposite is likely to be true. The measurements obtained by Rohl et a. were of dust concentrations measured in the breathing zone of a worker sanding asbestos-containing tape joint compounds. The predominent contribution to the dust would be from the worker's own activity. Some contribution would arise from the buildup of a general asbestos concentration in the room in which sanding is done. As the enclosed area in offices are often considerably larger than those of the home, it would be expected that a buildup of dust over time would be greater in the confined spaces of a dwelling than

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in the spaciousness of a large office building, in which only outside walls and service walls are finished with wallboard, the individual offices being constructed with movable partitions. This type of construction was included in the sampling by Rohl et al.

The Asbestos Information Association (AIA) also lists asbestos concentrations during sanding of patching substances as reported in GDIC/Drywall, an industry trade magazine The origin of the differences between the results of the drywall industry-supported study by Rhodes and Ingalls and that of the independent study of Rohl et al. cannot be pinpointed. Obviously, work conditions and worker activities can vary considerably, and the work which a researcher chooses to sample has utmost importance in the determination of the results obtained.

Petitioners (Natural Resources Defense Council and Consumers Union of U.S.A.) have no disagreement that the cumulative exposure of an individual consumer to asbestos fibers from the use of joint compounds during home repair are less than that of a taper or painter sanding such materials daily However, we are not dealing with a factory or construction situation to which occupational standards are applicable. We are concerned with general population exposures that can occur to millions of "do-it-yourselfers" and to others including infants in the homes of these individuals. As some asbestos fibers, once inhaled, remain in the lungs thereafter the period at risk from that exposure can greatly exceed the corresponding time for occupationally exposed adult workers. It should be noted that the EPA emission standard for asbestos air pollution precludes the emission into the ambient air of any visible quantities of asbestos-containing material. If this criterion were deemed necessary for the protection of general populations living and working about commercial and industrial sources of asbestos, a similar degree of protection should be afforded the occupants of apartments, houses, and offices, etc.

Petitioners acknowledge that in epidemiological studies of asbestos workers, there is a paucity of data on the level of asbestos to which the workers were exposed decades ago. We do know that the permissible levels of asbestos exposure were much higher in the past than the current standard of 2 fibers per milliliter. We take exception to the industry's claim that people residing half a mile from a factory or in the home of asbestos workers are exposed to a "substantial number of high average or massive intermittent exposures to airborne fibers." Data available in recent years suggest that such environmental exposures are considerably below the 2 fiber per milliliter occupational standard.

The statements quoted by AIA from the Johns-Manville submission to the Occupational Safety and Health Administration (on the proposed workplace asbestos standard) suggesting that a threshold level exists below which biological effects will not be seen has no scientific evidence supporting it. As one reduces the exposure of a group of animals to a carcinogen, the risk may be reduced such that no members of a small group of animals will develop cancer; a larger group so exposed might very well incur some small incidence of the disease, but large groups are not studied because of limitations in cost and facilities. While he was the director of National Institute of Environmental Health Sciences, Dr. Paul Kotin, now medical director of Johns-Manville Corporation, stated, (during hearings before the Subcommittee on Research, Development and Radiation of the Joint Committee on Atomic Energy, Congress of the United States, March 17-18, 1969) that:

> "A very respectable body of opinion maintains that there is no threshold for the action of a carcinogen; therefore, limitation in data are the result of our inadequate models rather than the presence of a threshold. For what it is worth, I belong to that group that maintains there is, at present, no evidence for a threshold, but I would say that biological data make such a position reliably speculative."

This is best explained in a report co-authored by Dr. Kotin:

> "Bioassays are always performed on a number of animals which is extremely small when compared with the millions of humans exposed to most environmental carcinogens. Such studies can only detect carcinogenic effects resulting in fairly high incidences. For example, an observed outcome of no tumors in a test group of 100 animals, as well as in 100 negative controls, only provides assurance, at the 99 percent probability level that the true tumor risk is under 4.5 percent...
>
> "It is ~~important~~ impossible to establish any absolute safe level of exposure to a carcinogen for man. The concept of 'toxicologically insignificant' levels, ... of dubious merit in any life science, has absolutely no validity in the field of carcinogenesis."*

* Evaluation of Environmental Carcinogens, a report to the Surgeon General, USPHS, April 22, 1970, Ad Hoc Committee on the Evaluation of Low Levels of Environmental Chemical Carcinogens, pp. 6-7.

The asbestos industry trade group has given no scientific evidence negating the health effects discussed in our petition. Moreover, the only argument advanced for continuing this use of asbestos is, "the consumer-user... needs all the help he can get from product performance". We suggest that this help does not offset an additional health risk from asbestos cancers. We are frankly perplexed by the industry's recalcitrant position, in view of the hazards of asbestos-containing patching compounds and the fact that sale of asbestos for use in patching compounds is only 10,000 tons per year, a mere 1 percent of U.S. asbestos consumption. We submit that the consumer-user needs all the help he or she can get from the Consumer Product Safety Commission, and we renew our plea that the Commission take appropriate and immediate action.

Sincerely yours,

Karim Ahmed

A. Karim Ahmed, Ph.D.

Barry J. Castleman

Barry J. Castleman, M.S.E.

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November 2, 1976

Honorable S. John Byington, Chairman
Consumer Product Safety Commission
Washington, D.C. 20207

Dear Mr. Byington:

We would like to bring to your attention a typographical error in our letter to you of October 29, 1976.

On page 3, the last paragraph, first sentence, in the cited quotation, should read:

> "It is impossible to establish any absolute safe level of exposure to a carcinogen for man."

Sincerely,

A. Karim Ahmed, Ph.D.
Staff Scientist

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