

Memorandum

San Francisco, CA
March 21, 1986

PLAINTIFF'S EXHIBIT

CHV-780

EPA BAN ON SOME ASBESTOS PRODUCTS

File 175: Federal Agencies
EPA - General

SF&H CONTACTS:

The EPA has recently proposed a rule under section 6 of the Toxic Substances Control Act (TSCA) which would ban the following types of asbestos products: asbestos-cement pipe and fittings, roofing felts, flooring felts, vinyl asbestos floor tile, and asbestos clothing. The EPA has selected these products because it believes that effective non-asbestos substitutes are available. The rule would also limit the mining or importing of asbestos through staged reductions ("phase-down") over a 10-year period. At the end of the 10-year period, no asbestos could be mined or imported except under special permits issued by the EPA.

The EPA is also considering three alternative approaches in which asbestos construction products and asbestos clothing would be banned immediately and friction products (e.g., brakes) and other asbestos products would be either banned or phased out in 5 or 10 years. In addition, the EPA is considering a requirement that any asbestos products not immediately banned but phased out over 5 or 10 years be labeled to indicate they contain asbestos. The bans and other aspects of this rule would start 1-1½ years after the effective date of the rule. A copy of the proposed rule with a more detailed list of affected asbestos products and a fact sheet from the EPA are included with this memo.

Background

The EPA has proposed this rule to control releases of asbestos from processes already in progress and to reduce the risks of exposure from future uses of asbestos. The rule is intended to provide protection against asbestos exposures for the general public, state and local government employees not covered by OSHA, as well as employees covered by the OSHA Asbestos Standard. The EPA believes that even if the OSHA Permissible Exposure Limit for asbestos were reduced, workers exposed to asbestos below the PEL would still face a significant health risk since no "safe" level of exposure has been established for asbestos.

The principal effect of this rule on Chevron facilities will be to ban or phase out the use of the asbestos products discussed above over the next five to ten years. After ten years this rule would greatly limit if not eliminate the use of all asbestos products.

Comments To EPA

The EPA has asked for comments on the proposed rule including the following aspects most pertinent to Chevron operations:

- The appropriateness of the products selected to be banned.
- The appropriateness of the alternative approaches outlined in the attached fact sheet.

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- The effectiveness of labeling as a means of reducing asbestos exposure.
- Should chemically treated or altered asbestos be covered by the rule?
- Would the use of asbestos-free brakes involve a risk to the public or workers from poorly performing brakes?

Although Chevron facilities do not import, mine or manufacture asbestos or asbestos products, this rule may affect some operations. If you feel this rule will seriously affect Chevron operations and should be commented on, please send your comments to Mr. J. S. Hatfield, P.O. Box 7924, San Francisco, CA 94120-7924 by April 14, 1986. Corporate Industrial Hygiene will consolidate any comments we receive and, if appropriate, send a response to the EPA by the deadline of April 29, 1986.

If you have any questions on this rule, please contact Mr. J. S. Hatfield at (415) 894-5280.

S. L. DRYDEN 

JSH:jdr
Attachments

cc: Mr. D. L. Clement
Mr. J. G. Kerr
Mr. W. Mulligan
Mr. N. C. Zeiser