

DEPARTMENT OF HEALTH

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AN OPEN LETTER TO MOTOR VEHICLE AND BRAKE REPAIR FACILITIES

SUBJECT: Reporting Asbestos Use

This letter is intended to make you aware that California employers who use or work with asbestos face new legal responsibilities for worker protection as part of an expanded State program to prevent job-related cancer. As you know, brake linings and other friction materials used in your industry contain asbestos, which in fiber form is a known cause of human cancer.

The State's new Occupational Carcinogens Control Act seeks to prevent exposure of employees, employers and others to asbestos and 15 other State-regulated cancer-causing substances in the work place. The first new obligation for employers is to report the use of these materials.

REPORTING ASBESTOS USE

Automotive repair facilities that are registered with the State Bureau of Automotive Repair (BAR) do not have to report the use of asbestos because they are obliged to register annually with the bureau. But they are not otherwise exempt from State regulations requiring that employees be protected from unsafe exposure to asbestos dust.

Brake and clutch repair facilities which are not registered with the BAR must report to the chief of the Division of Industrial Safety (DIS) as asbestos users if work practices are used which can create dust. These work practices include: blowing out brake dust with compressed air, or the grinding, sanding, drilling, arcing or beveling of brake shoes or clutch facings. If these dusty work practices are not used, reporting is not required.

PENALTIES

Reporting must be done by September 1, 1977. After that date there is a \$500 fine for failing to report to the chief of DIS. Effective July 1, 1977, there are \$1,000 fines for serious safety violations of Cal/OSHA regulations involving asbestos and a \$5,000 fine for repeat infractions.

REPORTING PROCESS

Repair shops, garages, automobile dealers, and other facilities registered with the State Bureau of Automotive Repair are automatically registered with the chief of DIS and need not follow the reporting process described below. These facilities are also exempt from the \$500 fine for failure to report to the chief of DIS.

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