

PLAINTIFF'S EXHIBIT

CAP-1544

STATEMENT ON PROPOSED REGULATIONS OF
THE CITY OF BOSTON AIR POLLUTION CONTROL COMMISSION
PRESENTED BY DR. F. L. PUNDSACK,
VICE PRESIDENT, RESEARCH & DEVELOPMENT, JOHNS-MANVILLE CORP.

ON BEHALF OF THE

ASBESTOS INFORMATION ASSOCIATION/NORTH AMERICA

201 EAST 42nd STREET

NEW YORK, NEW YORK 10017

BEFORE THE AIR POLLUTION CONTROL COMMISSION
CITY OF BOSTON

3/4/71

FOR PORTON HEARINGS 3/15

F. L. Pundsack

AIA/NA POSITION ON THE BANNING
AND REGULATING OF ASBESTOS AND ASBESTOS-CONTAINING PRODUCTS

MY NAME IS FRED PUNDSACK AND I AM VICE PRESIDENT OF
RESEARCH AND DEVELOPMENT FOR JOHNS-MANVILLE CORPORATION.

I AM HERE TODAY TO REPRESENT THE ASBESTOS INFORMATION ASSO-
CIATION, AN ORGANIZATION SPONSORED BY THE LEADING
MANUFACTURERS OF ASBESTOS PRODUCTS TO PROVIDE INFORMATION
ON ASBESTOS AND ITS HEALTH IMPLICATIONS. MEMBERS OF THIS
ASSOCIATION ARE LISTED IN A FACT SHEET I HAVE PROVIDED.

I AM AN INORGANIC CHEMIST, AND I HAVE BEEN INVOLVED IN
ASBESTOS RESEARCH SINCE 1952.

ASBESTOS HAS NUMEROUS IMPORTANT APPLICATIONS IN OUR
MODERN INDUSTRIAL SOCIETY. AMONG THESE, IT PROVIDES BUILT-IN
PROTECTION AGAINST FIRE AND DETERIORATION IN SCORES OF COMMON
PRODUCTS IN DAILY USE. THROUGH THE YEARS IT HAS SAVED COUNT-
LESS LIVES AND BILLIONS OF DOLLARS IN PROPERTY DAMAGE BY
PREVENTING OR CHECKING THE SPREAD OF FIRES. ASBESTOS-CONTAINING
ACOUSTICAL PRODUCTS MAKE A VALUABLE CONTRIBUTION TO NOISE
ABATEMENT. PRODUCTS CONTAINING ASBESTOS ARE USED, AMONG OTHER
APPLICATIONS IN THE CONSTRUCTION OF SCHOOLS, HOUSES, THEATERS,
Factories, OFFICE AND OTHER PUBLIC BUILDINGS, AND IN THE
INSULATION OF FURNACES, BOILERS AND ELECTRICAL EQUIPMENT.

THE ASBESTOS INDUSTRY HAS RECOGNIZED FOR MANY YEARS

THAT THERE ARE OCCUPATIONAL HEALTH HAZARDS ASSOCIATED WITH THE EXCESSIVE INHALATION OF ASBESTOS DUST OVER LONG PERIODS OF TIME. AS A RESULT, THE INDUSTRY HAS SPONSORED AND COOPERATED IN A WIDE VARIETY OF SCIENTIFIC RESEARCH PROJECTS DESIGNED TO IDENTIFY THESE HAZARDS AND TO ELIMINATE THEM WHEREVER THEY MAY EXIST, NOT ONLY IN ASBESTOS MINES, MILLS, AND MANUFACTURING PLANTS, BUT ALSO AMONG FABRICATORS AND APPLICATORS OF FINISHED ASBESTOS PRODUCTS. THESE EFFORTS HAVE RESULTED IN THE DEVELOPMENT OF EFFECTIVE MEASURES AND TECHNOLOGY FOR THE CONTROL OF ASBESTOS DUSTS THROUGHOUT INDUSTRY.

IN RECENT YEARS, THE USE OF CERTAIN ASBESTOS-CONTAINING PRODUCTS IN HIGH-RISE BUILDING CONSTRUCTION, PRIMARILY ASBESTOS-CONTAINING SPRAY INSULATIONS, HAS BEEN CALLED INTO QUESTION BECAUSE OF SUPPOSED PUBLIC HEALTH HAZARDS ASSOCIATED WITH THE USE OF SUCH PRODUCTS DURING APPLICATION AND THE EVENTUAL DEMOLITION OF BUILDINGS CONTAINING THE PRODUCTS.

PROPOSALS TO REGULATE THE USE OF ASBESTOS-CONTAINING SPRAY MATERIALS HAVE BEEN ADOPTED IN SEVERAL CITIES AND STATES ACROSS THE COUNTRY.

THE ASBESTOS INDUSTRY WHOLEHEARTEDLY SUPPORTS THE ADOPTION OF REGULATIONS DESIGNED TO PROTECT SPRAY AND OTHER CONSTRUCTION EMPLOYEES FROM EXPOSURE TO POTENTIALLY HAZARDOUS AMOUNTS OF ASBESTOS OR ANY OTHER FORM OF DUST

IN THEIR WORK, AND ALSO SUPPORTS EFFORTS TO REDUCE OR ELIMINATE THE NUISANCE OF SMALL AMOUNTS OF DUST BEING ALLOWED TO ESCAPE INTO THE COMMUNITY AIR. HOWEVER, THE INDUSTRY IS OPPOSED TO THE COMPLETE BANNING OF ANY USEFUL MATERIAL, INCLUDING ASBESTOS-CONTAINING PRODUCTS, ON THE UNPROVEN SUPPOSITION THAT ITS APPLICATION OR USE UNDER THE PROPER OPERATING CONDITIONS MAY PRESENT A HEALTH HAZARD TO THE GENERAL PUBLIC.

IT HAS NOT BEEN DEMONSTRATED THAT ASBESTOS IS A PUBLIC HEALTH HAZARD. THERE IS NO EVIDENCE, SCIENTIFIC OR OTHERWISE, THAT ANYONE IN THE GENERAL PUBLIC HAS EVER CONTRACTED ANY DISEASE FROM EXPOSURE TO THE MINUTE AMOUNTS OF ASBESTOS THAT MAY BE RELEASED INTO THE AIR AT CONSTRUCTION OR DEMOLITION SITES. ON THE CONTRARY, THERE IS EVIDENCE THAT DISEASES ASSOCIATED WITH OCCUPATIONAL EXPOSURE TO ASBESTOS ARE DOSE-RELATED, AND THE DOSES BELOW WHICH NO MEASURABLE INCREASE IN DISEASE OCCURS ARE FAR HIGHER THAN ANY DOSE TO WHICH THE GENERAL PUBLIC IS EXPOSED. THIS EVIDENCE IS BASED ON A STUDY BY DR. NEWHOUSE OF 4500 MEN WHO WERE EMPLOYED IN A BRITISH ASBESTOS FACTORY BETWEEN 1933 AND 1964. IN THIS STUDY, DR. NEWHOUSE FOUND THAT THOSE WORKERS WHO HAD LOW AND MODERATE EXPOSURE TO ASBESTOS DUST DID NOT SHOW ANY INCREASE IN DEATHS FROM DISEASES OF THE LUNG INCLUDING CANCER OF THE LUNG AND CANCER OF THE PLEURA THAN THE GENERAL POPULATION. IN THIS STUDY IT IS SAFE TO ASSUME THAT THE LOW AND MODERATE LEVELS OF ASBESTOS DUST TO WHICH THESE WORKERS WERE EXPOSED ARE MANY TIMES THE LEVELS OF ASBESTOS CONCENTRATION IN THE AMBIENT AIR TO WHICH THE GENERAL PUBLIC IS EXPOSED.

IN CONNECTION WITH AMBIENT AIR CONCENTRATIONS OF ASBESTOS FIBER, IT IS WORTH NOTING THAT RECENT INVESTIGATIONS SHOW THAT SMALL QUANTITIES OF ASBESTOS FIBER FROM NATURAL SOURCES MAY HAVE EXISTED IN THE COMMUNITY AIR FOR THOUSANDS OF YEARS WITHOUT MEASURABLE ILL EFFECT ON HUMAN BEINGS.

IN ADDITION TO THE STUDY OF BRITISH ASBESTOS FACTORY WORKERS BY DR. NEWHOUSE, THERE ARE SEVERAL STUDIES OF THE EFFECT OF VARIOUS DOSES OF ASBESTOS ON LABORATORY ANIMALS WHICH ALSO INDICATE THAT THERE ARE DOSE LEVELS BELOW WHICH NO MEASURABLE DISEASE EFFECT IS OBSERVED. DR. WILLIAM SMITH, FAIRLEIGH DICKINSON UNIVERSITY, STUDIED MESOTHELIOMA CANCERS IN HAMSTERS, AND HIS DATA SHOW THAT BELOW CERTAIN SPECIFIC DOSES OF ASBESTOS, NO CANCERS WERE OBSERVED TO DEVELOP OVER THE ENTIRE NATURAL LIFE SPAN OF THE ANIMALS. DR. MEARL STANTON, OF THE NATIONAL INSTITUTES OF HEALTH, BETHESDA, MARYLAND, CONDUCTED A SOMEWHAT SIMILAR STUDY WITH RATS AND OBSERVED THE SAME TYPE OF DOSE-RELATED RESPONSE.

FOR THESE REASONS, WE BELIEVE IT WOULD BE UNWISE AND UNWARRANTED TO BAN THE USE OF ANY ASBESTOS-CONTAINING MATERIAL, INCLUDING SPRAY INSULATIONS, IN BUILDING OR OTHER CONSTRUCTION. FROM A PUBLIC HEALTH STANDPOINT, SUCH A BAN IS COMPLETELY UNNECESSARY. THE PRIMARY CONCERN OF ANY LEGISLATIVE OR REGULATORY EFFORT SHOULD, THEREFORE, BE DIRECTED AT PROTECTING THOSE OCCUPATIONALLY EXPOSED TO ASBESTOS DUST AND TO THE CONTROLS NECESSARY TO MINIMIZE OR ELIMINATE ITS EMISSION FROM PLACES WHERE ASBESTOS IS BEING PRODUCED AND APPLIED. PAST EXPERIENCE HAS SHOWN THAT SUCH CONTROLS ARE POSSIBLE, ECONOMIC

AND EFFECTIVE.

FOR ADDITIONAL INFORMATION, WE ARE ATTACHING THE
FOLLOWING DOCUMENTS TO THIS STATEMENT:

1. "A Natural Mineral Fibre," Ontario Research Foundation Newsletter, Vol. 13, No. 9, November 1970 (Describes asbestos and its uses)
2. Asbestos and the General Public (An Asbestos Information Association background paper which deals in health research in connection with asbestos)
3. "Asbestos and Health in 1969" by Dr. George W. Wright, reprinted from Amer. Review of Respiratory Disease, Vol. 100, No. 4, October 1969 (Examines in detail the current status of the asbestos health situation)
4. "Partnership for Prevention--The Insulation Industry Hygiene Research Program," by Dr. Irving J. Selikoff, reprinted from Industrial Medicine and Surgery, Vol 38, No. 3 (Discusses accomplishments of program to develop means to protect insulation workers from asbestos dusts)
5. "Source and Identification of Respirable Fibers" by Lewis J. Cralley, et al., Amer. Industrial Hygiene Association Journal, March-April 1968 (Discusses the various types of fibrous materials found in the air and their ability to form so-called "asbestos bodies")
6. "A Study of the Mortality of Workers in an Asbestos Factory" by M. L. Newhouse, reprinted from Brit. J. Ind. Medicine, Vol 26, pp 294-301 (1969)

6. "Experimental Pulmonary Carcinogenesis with Asbestos"
by Mearl F. Stanton, R. Blackwell and E. Miller,
reprinted from Amer. Industrial Hygiene Association Journal,
Vol. 30, pp 236-244, 1969.

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