

E.P.A. to Ban Virtually All Asbestos Products by '96: 'A terrible ...

By PHILIP SHABECOFFSpecial to The New York Times

New York Times (1923-Current file); Jul 7, 1989;

ProQuest Historical Newspapers: The New York Times (1851-2010)

pg. A8

E.P.A. to Ban Virtually All Asbestos Products by '96

By PHILIP SHABECOFF

Special to The New York Times

WASHINGTON, July 6 — The Environmental Protection Agency today imposed a gradual ban on virtually all products made of asbestos, a widely used mineral that causes lung cancer and other serious diseases.

The Administrator of the agency, William K. Reilly, said that over the next seven years the E.P.A. would bar the manufacture, use and export of most asbestos products, which he said had left "a terrible legacy of dead, dying and crippled."

The action will affect an estimated 84 percent of asbestos products made in the United States, including brake linings, roofing, pipe, tile and insulation. It will not affect asbestos materials in existing buildings.

The ruling was delayed for years by objections from the Office of Management and Budget and demands for reviews by makers and users of asbestos products. It now becomes final and will be carried out in three stages, starting next year.

Even in the absence of Federal restrictions, the use of asbestos in this country has declined to 85,000 metric tons today from more than 560,000 metric tons in 1979. Consumer concerns about the health effects and manufacturers' fear of lawsuits prompted a rapid voluntary reduction in the manufacture and use of asbestos products. Industry spokesman expressed reservations about today's action, while environmentalists praised it.

Saving of 200 Lives

"This is pollution prevention," Mr. Reilly said at a news conference at his headquarters today. "We're eliminating a known cancer-causing substance from the marketplace. Virtually all asbestos-containing products will be replaced with safer alternatives."

He explained that when certain products were banned was based on the exposure of humans to those products and on whether substitutes were available or would be available in the near future.

The agency said it expected the new rule, issued under the authority of the Toxic Substances Control Act of 1976, to save 200 lives over a 13-year period. The action will not protect people who

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Associated Press

William K. Reilly, head of the Environmental Protection Agency, during a news conference about new asbestos restrictions.

were already exposed to some of the millions of tons of asbestos introduced into the environment over nearly a century, but it will prevent otherwise healthy people from future exposure.

Exposure to asbestos over previous decades has led thousands of workers and others to develop cancers, and now causes an estimated 10,000 deaths a year in this country.

Three Stages of Ban

The first stage of the ban, which would take effect in August 1990, would affect about 4 percent of current production, including roofing and flooring felt, sheeting and tile and clothing made with asbestos. The second stage, which would occur in 1993, would affect 18 percent of products now used, including drum brake linings, transmission components, clutch facings and other friction products and gaskets. The final stage, in 1996, would bar the production and use of roof coatings, paper, brake blocks, pipe and shingle made with asbestos.

"Asbestos is still used in a surprisingly wide variety of products," Mr. Reilly noted today.

The cost to industry of abandoning asbestos products and replacing them with substitutes is estimated by the agency at \$459 million over the 13-year period. Mr. Reilly said he expected costs to be passed on to consumers. He said the cost per life saved was not unusually high for environmental regulation.

Advice to Building Owners

He emphasized that the new rules did not affect asbestos materials already in buildings. He said building owners should continue to use professional advice in determining if the asbestos had to be removed and for safe ways of removing it. In many cases, he said, it may be safer to leave asbestos in place rather than risk releasing the fibers into the air.

The agency has already issued rules, in compliance with a Congressional mandate, requiring school systems to determine if asbestos in their buildings poses a threat to health and to take remedial action if necessary.

Canada, which exported 85,000 tons of asbestos to the United States last year, expressed disappointment at today's decision. Malcolm McKechnie, a spokesman for the Canadian Embassy, said the World Health Organization and the International Labor Organization had both endorsed the continued use of asbestos under certain controlled conditions.

Mr. Reilly said at the news conference that the E.P.A.'s action "should not be seen as a signal to other nations, especially developing nations, that use of these products should be discontinued."

Asbestos, a durable, heat-resistant mineral used in a broad range of construction, industrial and consumer products, breaks into tiny fibers that can lodge in the lung and other parts of the body. These fibers have been found to cause lung cancer, gastrointestinal cancer and mesothelioma, a particularly deadly cancer of the lung and stomach lining. They also can cause asbestosis and other respiratory ailments. These diseases may not develop for as long as 30 years after exposure.

Dr. Irving Selikoff of Mount Sinai Medical Center in New York, a leading

'A terrible legacy
of dead, dying
and crippled' will
end, Reilly says.

expert on the health effects of asbestos, said in a telephone interview today that people would continue to die from the effects of asbestos for many years because the mineral remains so widely distributed in the man-made environment.

Waves of Asbestos Deaths

He said there had been three "waves" of deaths attributable to cancer caused by exposure to asbestos. The first, he said, was among those who mined and fabricated asbestos. The second was among shipyard, railroad roundhouse and construction workers who used the products. Now a third wave is occurring among building maintenance workers, demolition crews and workers who remove asbestos from buildings, Dr. Selikoff said.

Jacqueline M. Warren, a lawyer for the Natural Resources Defense Council, an environmental group, said today's action "speaks well" for President Bush and Mr. Reilly. While some uses of asbestos could be banned sooner than planned, she said: "This is a big step for the E.P.A. It will protect public health from asbestos by 1996."

Action Termed Draconian

But the Asbestos Information Association of North America, which represents 20 manufacturers of asbestos fibers and products in the United States and Canada, called the rules "draconian" and said they would eventually force the companies to stop producing asbestos.

Kenneth E. Nyquist, a counsel for the association, said the group was considering a lawsuit to challenge the new rules.

"We feel that the E.P.A. is out of step with world opinion, which has decided on safe, controlled use of present-day asbestos products," Mr. Nyquist said.

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The New York Times/Terrance McCarthy

Sarah Howard, left, a psychologist who was hired by the Downtown Merchants Association to counsel the homeless in San Rafael, Calif., with Sharon Davis and Michael Ostrom, a young homeless couple.