



A/C Pipe
Producers Association
Board of Directors
International Affairs Committee

TO: J.F. Welch
J.F. Welch, Vice President

W. W. Hitley
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Internal Correspondence

August 17, 1984

FROM: U.S. Environmental Protection Agency (EPA) - Consideration to Ban A/C Pipe

ACTION REQUIRED: Review for information

SUBJECT:

Current Status

The enclosed news article appeared in the August 16, 1984 issue of The Washington Post. The advocacy roles taken by the U.S. Geological Survey's Malcolm Ross and Bureau of Mines asbestos specialist Bob Clifton have prompted the U.S. House of Representatives Energy & Commerce Committee to investigate their actions.

According to Kirkland & Ellis, the Office of Management and Budget (OMB) is "dug in" on the EPA's regulatory proposal for asbestos, that is, does not appear to have any interest in commenting on, much less approving, it. It is also believed that the Office of Toxic Substances staff is frustrated by OMB's inaction and may have prompted the Energy & Commerce Committee investigation and this news article as well. There are opinions that if the proposal can remain bottled up in OMB until early October, at which time Congress will recess for elections, there may be a quiet period until early next year.

If you have any questions, please do not hesitate to call.

JFW/lk

cc: A.H. Kahn, Esq.

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INSIDE: EPA

Asbestos Curbs Disputed By the Geological Survey

The Environmental Protection Agency, still plugging away on a rule aimed at controlling exposure to asbestos in commercial products, has encountered resistance from a new and unexpected source: the U.S. Geological Survey.

In a recent series of briefings for officials from the White House down to EPA reg-
writers, USGS officials have argued that the most common form of asbestos—chrysotile or "white" asbestos—is really not very dangerous at all.

The briefings represent an unusual lobbying effort by an agency that is not directly involved in health regulation.

Moreover, the USGS conclusions, based on a study by mineralogist Malcolm Ross, run directly counter to the findings of virtually every federal health-research agency, not to mention a host of medical specialists who have been tracking mounting cases of asbestosis and cancer among asbestos workers.

According to Ross, "brown" and "blue" asbestos, two less common forms of the heat-resistant mineral, are the real culprits in asbestos-related disease. Studies on miners of white asbestos, he contends, don't show any evidence that the substance causes unusual or uncontrollable health problems.

If well-founded, the theory could have broad implications for the EPA's regulatory efforts. About 95 percent of commercial asbestos products, from floor tile to water pipes, are manufactured from the white variety.

The Ross study, however, has been flatly rejected by the Centers for Disease Control, the National Institute for Occupational Safety and Health and the National Toxicology Program.

All of those agencies have declared that asbestos is a cause of cancer and a serious human health hazard, and in recent letters to interested members of Congress they took turns shooting holes in Ross' conclusions.

The CDC, for example, noted that Ross interpreted an Italian study as showing that asbestos miners had fewer lung cancers than the general population. While that was initially true, the CDC said, followup studies on the same group of miners found elevated rates of both lung cancer and mesothelioma, a rare cancer of the chest lining.

"It is not uncommon for persons who do not understand the concept of latency to make such a mistake . . ." the CDC said of Ross' conclusion. "Asbestos-induced diseases are diseases of long latent periods ranging anywhere from 15 to over 30 years from first exposure."

Ross was on vacation this week and unavailable for comment, but USGS spokesman Donovan Kelly said the study was based on "a search of the literature."

"Asbestos is one of several hundred minerals we've been studying for years," Kelly said. "We don't do health studies. He's a mineralogist."

Nonetheless, Ross' foray into medical research apparently has been well-received by the Of-

fice of Management and Budget. EPA's asbestos proposal, which would ban about half of the asbestos products on the market, went to the OMB for review more than two months ago and hasn't been heard from since.

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... The pending asbestos rule, meanwhile, has wedged Canadian officials into a somewhat uncomfortable position. Canada, a major supplier of asbestos to U.S. manufacturers, is opposing the EPA's efforts to ban or phase out the mineral in commercial products.

That means Canada, where about half of the asbestos-mining industry is nationalized, is playing the heavy on a sensitive environmental-health issue at the same time that it is trying to cultivate a national image of purity over another such issue, acid rain.

"As far as Canada is concerned, it's a trade issue," said Bruce Jutzi, an environmental affairs official at the embassy, who promptly referred calls to trade expert Paul LeFleur.

LeFleur confirmed that Canada was opposed to additional asbestos regulation "to the extent of it possibly harming trade." Canadian mines ship about \$50 million worth of asbestos—the "white" variety—to the United States each year.

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