

BULLETIN

NO. 613

October 31, 1977

California Department of Health--Reporting of

Asbestos Use by Brake Repair Facilities

The California Department of Health issued an open letter to Motor Vehicle and brake repair facilities in August 1977 concerning their reporting on the use of asbestos. The notice headlined such items as reporting use of asbestos, penalties, the procedure for reporting, the regulation with items on inspection and disposal of waste.

As this open letter was addressed to motor vehicle and brake repair facilities it is intended specifically for those who do any work on brake linings and clutch facings, and this includes procedures such as blowing out brake dust, grinding, sanding, drilling or chamfering of brake linings or clutch facings. A copy of this letter is sent to you so that you may alert your customers in the California market if they have not already been advised.

E. W. Drislane
Executive Director

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SPNY 004747

DEPARTMENT OF HEALTH

14-744 P STREET
SACRAMENTO, CALIFORNIA 95814
(415)843-7400 Ext. 306



August 1977

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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For shops, garages, and other facilities which are not registered with BAR, the reporting process is simple. All an employer must do is send a letter to the Chief of the Division of Industrial Safety, 455 Golden Gate Avenue, San Francisco, CA 94102. Include the following information:

- Name and address of locations where asbestos is used.
- Number of employees working with asbestos, including maintenance personnel.
- Manner in which asbestos or asbestos-containing products are processed, or otherwise handled.
- Names and addresses of any collective bargaining representatives or other representatives of affected employees.

If you prefer, forms for this purpose are available from the above address.

THE REPORTING REGULATION

The regulation requiring reporting as passed by the Cal/OSHA Standards Board is quoted below. Part (B) applies to clutch and clutch repair facilities as well as brake repair facilities. NOTE: Reporting is not necessary if you avoid the dust-producing work practices listed in part (B), or if you are registered with BAR.

Operations Processes Requiring Reporting:

- (A) Any use, handling, disposal, processing, manufacturing, packaging or repackaging of asbestos or asbestos-containing products which require labeling by Subsection (i)* of this section.
- (B) Brake repair and clutch repair operations where asbestos-containing frictional materials are processed in a manner which may produce airborne asbestos fibers, such as grinding, sanding, drilling, brake shoe arcing and beveling, or removing asbestos-containing dust with compressed air. Automotive repair facilities which are registered with the State Bureau of Automotive Repairs meet the registration requirements of this subparagraph, but are not otherwise exempt from this Section.
- (C) Maintenance, construction, repair, renovation, demolition or salvage activities in which any materials containing more than 1% asbestos (dry weight) are sanded, ground, abrasive blasted, sawed, cut, shoveled, removed, or otherwise handled in such manner that asbestos dust would be raised.
- (D) Any other use where employee exposure exceeds the concentrations of airborne fibers given in Subsection (a).*

NOTE: The ordinary use, handling, or installation of products which do not require labeling under Subsection (i)* are exempt from the reporting requirements. Examples of non-labeled products include but are not limited to, vinyl-asbestos floor tile, resilient sheet flooring, packings and gaskets, fibrated asphalt coatings and coated asbestos cloth.

Operations such as retail, wholesale, warehousing, transportation or distribution of products requiring labeling are exempt from reporting requirements providing such products are handled or stored in sealed or unbroken containers.

*See State General Industry Safety Orders Section 5208.

INSPECTIONS

This new Act requires the State Department of Health to inspect work places where cancer-causing substances are used. Primary responsibility for enforcing these safety and health standards, as with all other job safety and health standards, rests with the State Division of Industrial Safety in the State Department of Industrial Relations.

It is important to note that even though facilities registered with the Bureau of Automotive Repair are exempt from reporting requirements, they are not exempt from Cal/OSHA safety inspections to ensure compliance with regulations on asbestos.

FOR REGULATIONS AND MORE INFORMATION

Free copies of regulations on asbestos and information on how to protect workers may be obtained by contacting one of the State Health Department offices listed below:

In Northern California

State of California
Occupational Health Branch
Occupational Cancer Control Unit
2151 Berkeley Way
Berkeley, CA 94704

(415) 843-7900, Ext. 306

In Southern California

State of California
Occupational Health Branch
Occupational Cancer Control Unit
1449 West Temple Street
Los Angeles, CA 90026

(213) 620-4290

EMPLOYEE COMPLAINTS

The law requires the State Department of Health and the Division of Industrial Safety to respond to complaints from employees regarding potentially unlawful use of the regulated cancer-causing substances in their work places. Priority is given to investigation of such complaints.

NO-CHARGE CONSULTATION

To help employers achieve compliance with the provisions of the Occupational Carcinogens Control Act, the State Department of Health will provide penalty-free, no-charge consultative services and educational programs. These services will be provided on request by any employer or employee.

RECOMMENDED WORK PRACTICES

To keep asbestos exposures as low as possible, it is recommended that removal of dust from brake drums and brake assemblies be done with a wet rag or vacuuming instead of by means of compressed air. All arc-ing or grinding of brake linings should be performed with an adequate local exhaust dust collection system. The asbestos dust collected should be disposed of in sealed impermeable bags or containers.

DISPOSAL

The Department of Health, Vector and Waste Management Section, has designated asbestos-containing waste as hazardous wastes. Waste consisting of spent brake linings, dust, cuttings, or other materials which contain asbestos, should be packaged and in sealed, nonreturnable containers (e.g. double plastic bags) from which asbestos fibers cannot escape. The contents should be wetted to prevent the production of airborne asbestos fibers in case the container is broken. These containers may be placed in your regular solid waste bin for transportation to the disposal site.

For additional information on the requirements for disposal of asbestos-containing wastes, contact the Vector and Waste Management Section Office nearest you.

Headquarters Office

744 P Street
Sacramento, CA 95814

(916) 322-2337

Berkeley Office

2151 Berkeley Way
Berkeley, CA 94704

(415) 843-7900, Ext. 434

Los Angeles Office

Post Office Box 30327
1449 W. Temple Street
Los Angeles, CA 90026

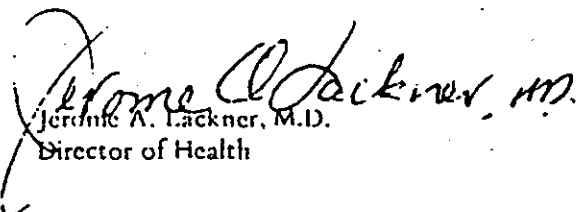
(213) 620-2380

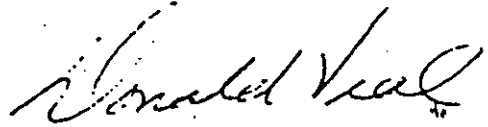
The General Industry Safety Orders (Section 5208 (i)(2)) require this caution label to be attached to containers of asbestos waste:

CAUTION
Contains Asbestos Fibers
Avoid Creating Dust
Breathing Asbestos Dust May Cause
Serious Bodily Harm

The State Department of Health and the State Department of Industrial Relations provide this information to employers now to alert them to their major legal responsibilities under the Occupational Carcinogens Control Act and to give maximum lead time to planning to achieve health and safety standards mandated by the law. Both Departments will work cooperatively with employers in the interests of improved worker safety and health.

Sincerely,


Jerome A. Lackner, M.D.
Director of Health


Donald Vial
Director of Industrial Relations and
Designated Administrator for Cal/OSHA

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