



General Motors Corporation
Statement on
EPA Proposed Asbestos Mining and Import Restrictions and
Manufacturing, Importation and Processing Prohibitions
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Closing Remarks at Public Hearing on Asbestos Ban by
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In closing General Motors' statements, I would like to summarize briefly our comments and add some remarks of my own.

I personally believe that, depending upon exposure conditions, any substance may be hazardous and may pose an unacceptable risk to public health and the environment. For example, cyanide is an important industrial chemical which is safe when managed properly. However, when ingested by humans at certain doses, death will occur almost instantly. Similarly, even though water is essential for human survival, a person may die of drowning due to the lack of oxygen caused by an excess quantity of water. Consequently, we ought not propose to ban every substance which is capable of causing harm in order to attempt to create a risk-free society.

In addressing this set of proposed regulations under Section 6 of TSCA, General Motors agrees that asbestos can be hazardous under certain conditions and may pose risk when improperly managed. Therefore, we believe asbestos must be handled with due respect to prevent it from causing any unreasonable risk to public health and the environment.

General Motors objects to the proposed regulations because we do not believe the Administrator has a reasonable basis to conclude that the proposed regulations are necessary. It is important to note that Section 6 of TSCA states:

"If the Administrator finds that there is a reasonable basis to conclude that the manufacture, processing, distribution in commerce, use, or disposal of a chemical substance or mixture, or that any combination of such activities, presents or will present an unreasonable risk of injury to health or the environment, the Administrator shall by rule apply one or more of the following requirements to such substance or mixture to the extent necessary to protect adequately against such risk using the least burdensome requirements:"

We believe EPA did not provide a reasonable basis to conclude that all of the to-be-regulated activities presents an unreasonable risk of injury to health or the environment should the current conditions continue.

As a result of increasingly stringent federal regulations of asbestos for the past 15 years, worker exposure to asbestos has been significantly reduced . In addition, asbestos uses in the U.S. have decreased from about 770,000 tons per year for 1971 to about 240,000 tons per year for 1984. It is beyond doubt that fewer people are exposed to asbestos today and such exposures are at much lower levels than in the past.

The basic problem with this proposal is EPA's use of historical risk and injury information that is related to the consequences of uncontrolled, excessive exposures to friable asbestos. This information is of little relevance to the regulation of manufacturing and use of other types of products which produce minimal exposure.

The chrysotile we use is in a friable form only prior to being manufactured into our brake linings. Our manufacturing facilities are stringently controlled for worker protection and emission prevention. The final products contain chrysotile only in non-friable forms. The use, servicing, and final disposal of these products release virtually no friable chrysotile and pose no significant exposure problems.

Reading the statutory language that I quoted previously, General Motors' objection to the proposed regulations is also related to the permit requirements which are not in line with the statutorily mandated "least burdensome requirements."

Under the EPA proposed 10-year phase-down, the mining and importation permit program will last 10 years. This proposed program would affect GM as an importer. I will discuss the burdensome nature of the proposal, based on my experience with some existing EPA permit programs.

In the proposed asbestos ban regulations, Section 763.148 concerns "Issuance of Permits." It would result in the preparation of permit applications by miners and importers, as well as the review, approval, and tracking of permit applications and approvals by EPA. Similar with other permit programs, obviously there will be frequent phone calls and written communications among applicants, EPA, and their consultants and contractors. And there will be unnecessary actions caused by misunderstanding and confusion.

Other proposed permitting requirements, especially when viewed as a whole, are also burdensome, because they include appeals on EPA's decisions, transfer of permits, banking of permits, reporting requirements, enforcement of the permit program, and EPA inspections to verify permit requirements. Each of these requirements will impose burdensome paperwork and administrative efforts on the part of EPA and regulated parties.

We are also very concerned that the 70% reduction in the supply as required by the proposed regulation may not allow General Motors to provide chrysotile containing brake parts for OEM or servicing our customers' existing vehicles.

We believe EPA, in proposing this set of regulations, has incorrectly assumed that asbestos containing parts and non-asbestos containing parts are interchangeable regardless of the design of brake systems. We must point out that any automotive brake system can safely be used only with parts which were designed for it.

As we pointed out previously, General Motors has developed and put into use brake systems that do not use asbestos. Our development of new brake systems and new material applications continues. However, we cannot predict when we can invent and when new materials will be discovered or developed which will permit us to use non-asbestos parts in all of our brake systems. This is especially true for heavy duty trucks.

Therefore, considering the safety of our customers and the the general public, we are obligated to continue production of chrysotile containing parts for servicing vehicles requiring such parts throughout their useful life. In addition, as we have pointed out, the current health risk of asbestos in motor vehicle applications, contrary to EPA's estimate, is insignificant.

General Motors does not believe there is a need for the EPA proposed phaseout of asbestos. If the EPA acts, however, General Motors recommends that a ban on asbestos friction materials for motor vehicles not take effect until after a period of ten years; and, that the EPA permanently exempt aftermarket brake linings. The details of these and other General Motors recommendations have been previously submitted in our written comments.

This concludes our remarks. We would be pleased to answer any questions the panel might have.

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