PLAINTIFF'S EXHIBIT

CHV-879

# FACT SHEET
# FOR PROPOSED RULE TO BAN CERTAIN ASBESTOS PRODUCTS AND PHASE OUT USE OF ASBESTOS

## BACKGROUND

Asbestos is a demonstrated human carcinogen that causes lung cancer and mesothelioma (a cancer of the chest and abdominal linings). It is associated with other cancers and also causes a serious lung disorder known as asbestosis. Asbestos is used in hundreds of products and about 240,000 metric tons were used domestically in 1984. The largest use of asbestos products is in the construction industry (e.g., asbestos-cement pipe and sheet, roofing products (e.g., brakes), textiles, coatings and sealants, and packings and gaskers. Asbestos is released into the air during many stages of the lifecycle of the substance, when asbestos is mined, milled, processed, and fabricated into industrial and consumer products, and when those products are used and disposed of.

As a result of these releases, asbestos is present in ambient air. Even brief exposure at low levels may present risks. No level of exposure to asbestos is considered without risk since cases of mesothelioma have been documented as arising from short-term or low-level exposure.

## REGULATORY STRATEGY FOR ASBESTOS

This proposed rule is part of an integrated EPA strategy to control releases of asbestos from products already in place and to eliminate risks from future uses. This strategy is based on health risks and the availability of substitutes for many asbestos products.

## DISCUSSION OF PROPOSED RULE

This rule under section 6 of the Toxic Substances Control Act, would ban the following asbestos products which have effective substitutes: asbestos-cement pipe and fittings, roofing felts, flooring felts (and felt-back sheet flooring), vinyl-asbestos floor tile, and asbestos clothing. The rule also would reduce or "phase down" the total amount of asbestos which may be imported or mined, in staged decrements over ten years.

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EPA is also actively considering alternatives to this proposed ban and phase-down. These alternatives involve staged ban of categories of asbestos products. One approach would ban the category of asbestos construction products, including asbestos-cement sheet and shingle as well as felts, floor tile, and A/C pipe, and asbestos clothing immediately and ban the category of asbestos friction products in five years. In addition, EPA would gather current production and exposure information on the remaining products through a section 8(a) reporting rule. EPA would then propose bans on some or all of the remaining products.

A second alternative would ban all asbestos construction products, and asbestos clothing immediately, ban asbestos friction products in five years, and ban the remaining asbestos in ten years.

Alternative three would ban asbestos construction products and asbestos clothing immediately. The remaining products would be phased out over ten years.

Under any alternative that EPA pursues, the Agency is considering that all products that are not immediately banned be labeled as containing asbestos. Labeling would ensure that persons working with or otherwise handling these products would know that the product contained asbestos, and it would enable them to take steps to reduce likelihood of exposure.

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