

FRICTION MATERIALS STANDARDS INSTITUTE, INC., E-210 ROUTE 4, PARAMUS, N. J. 07652

BULLETIN

NO. 610

September 26, 1977

UNITED AUTO WORKERS PETITION TO ESTABLISH AN
EMERGENCY TEMPORARY STANDARD FOR OCCUPATIONAL EXPOSURE TO ASBESTOS

Enclosed is a copy of a letter written by Mr. Douglas A. Fraser, President of the United Auto Workers to Mr. Ray Marshall, Secretary of Labor. This letter was written on July 6, 1977 and I received a copy of it at the recent meeting of the Asbestos Information Association in Washington.

Mr. Fraser is petitioning the Secretary to establish rules for occupational exposure to asbestos as the proposal appeared in the Federal Register on October 9, 1975. Along with medical surveillance, record keeping requirements, regulated areas and other controls in the workplace, there was the proposal to establish the 0.5 fiber per cubic centimeter maximum concentration for asbestos fibers. This proposal was to be a reduction from the current 2 fiber per cc level. By petitioning for an emergency standard, Mr. Fraser, among other things is attempting to speed the regulatory process and have the new standard finalized as soon as possible.

A copy of this letter is forwarded to you as a matter of information.

EWD/erc

Enc:

cc-Active Members (List C)
Regional Members (U.S.Dues)

E. W. Drislane

Executive Director

FMSI--0271

FMSI 03376

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INTERNATIONAL UNION, UNITED AUTOMOBILE, AEROSPACE & AGRICULTURAL IMPLEMENT WORKERS OF AMERICA-U

DOUGLAS A. FRASER, PRESIDENT

EMIL MAZEY, SECRETARY-TREASURER

VICE-PRESIDENTS

PAT GREATHOUSE • KEN BANNON • DENNIS McDERMOTT • IRVING BLUESTONE • ODESSA KOMER • MARC STEPP • MARTIN GERBER

July 6, 1977

2721

The Honorable Ray Marshall,
Secretary of Labor,
U. S. Department of Labor,
Washington, D. C. 20210

114959

Dear Secretary Marshall:

On behalf of the UAW I am writing to petition you to exercise your authority under Section 6(c) of the Occupational Safety and Health Act, 29 U.S.C. §655(c), to establish the proposed modification of the Occupational Standard for Exposure to Asbestos, 29 CFR 1910.1001, as an emergency temporary standard. In addition, the UAW petitions that as speedily as possible thereafter you commence hearings and promulgate a permanent standard consistent with recent medical findings, under Section 6(b) of OSHA, 29 U.S.C. §655(b), and 29 CFR 1911.3.

This petition is made on behalf of UAW members engaged in the manufacture of friction products, the repair and remanufacture of brakes and transmissions, maintenance workers in contact with asbestos insulation, chemical formulation workers and others who are regularly or incidentally exposed to this highly hazardous material.

These workers may suffer irreparable harm if the normal, time-consuming standard-setting process is pursued. The risk to health is documented by data presented in the preamble to the proposed standard, which notes that cancer can arise from both brief and low-level exposures to asbestos fibers. That proposal was dated September 30, 1975, over one and one-half years ago. Thus, any additional delay in acting on the proposal through normal channels, which could take additional years, may result in cases of lung cancer and mesothelioma which would have been prevented by improved control over the workplace.

The delay in promulgation of the standard affects our members in two major ways. First, we are aware of several plants in the friction products industry which apparently are in compliance with the current standard of 2 fibers per cubic centimeter, but in which obvious steps to control airborne asbestos exposure have not been taken. The current standard thus allows pollution to the limit of 2 fibers per cubic centimeter, and workers are exposed to levels of asbestos fibers which could easily be lowered.

FMSI 03377

In addition, the current requirements for protective clothing and locker room facilities are tied to the measurement of levels of airborne asbestos fibers in excess of 2 fibers per cubic centimeter. In our experience the clothing of workers becomes quite visibly contaminated with asbestos containing dust or mud where airborne asbestos measurements do not indicate a requirement for hygiene practices under the current standard. Therefore, workers may take asbestos home, serving to provide a continuing source of preventable exposure to themselves, and a completely unconscionable exposure to their families.

While these issues have been pursued through collective bargaining, the weakness of the current standard is a major obstacle. Where such demands are won, the companies employing our members are placed at a competitive disadvantage to other employers.

We are prepared to submit data and to testify in support of these assertions.

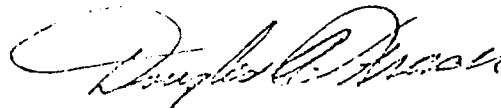
We are aware that the standards-setting machinery of OSHA is currently greatly overloaded with the need for initial regulation of many substances. The solution to this problem, however, should not be to delay action but to increase staffing and support for these activities.

The environment of asbestos-using operations which are apparently in compliance with the current standard of 2 fibers per cubic centimeter are visibly dusty although not highly contaminated. Our members are well aware of the health hazards of the dust which they come in contact with every day and demand better control. The fact that the application of the current OSHA standard does not furnish relief is damaging to the credibility of the entire OSHA effort.

For these reasons, the UAW is filing this petition to request that the proposed modification of the Occupational Standard for Exposure to Asbestos, 29 CFR 1910.1001 be adopted as an emergency temporary standard, and that as soon as possible thereafter, a permanent standard consistent with recent medical evidence be promulgated.

I would appreciate an early reply as to the steps which will be taken in this area.

Sincerely,



Douglas A. Fraser, President,
INTERNATIONAL UNION UAW.

DAF:er
cr-opelw4

cc:Dr. Eula Bingham
OSHA Docket H-033

FMSI 03378

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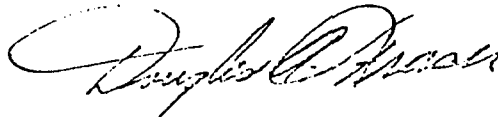
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Douglas A. Fraser, President,
INTERNATIONAL UNION UAW.

DAF:er
er-opeiu494

cc:Dr. Eula Bingham
OSHA Docket H-033

FMSI 03380