



NEWS & NOTES

December 31, 1982

PLAINTIFF'S EXHIBIT

CAP-1690

RFCI ISSUES STATEMENT ON ASBESTOS USE IN FLOORING

In a press release dated Dec. 17, Resilient Floor Covering Institute (RFCI) issued a statement clarifying use of asbestos in resilient flooring. Release was prompted by recent publicity regarding asbestos and its use as a raw material by producers of vinyl floor tile and sheet vinyl flooring with an asbestos-containing backing.

According to release, "There has been no evidence or indication established that asbestos fiber as used in the resilient floor covering industry in the United States has represented a health hazard. Publicity on this subject has only introduced concern which is unjustified."

RFCI cites results of study conducted for it by SRI International, an independent consulting and research firm, in support of its statements. SRI International study, completed in Dec. 1979, was made under actual job conditions of installation, usage, maintenance and removal. It concluded that there is no exposure to airborne asbestos fibers from vinyl asbestos floor tile in use or in maintenance. SRI's findings with regard to sheet vinyl flooring concluded there is no airborne release of asbestos fiber from the wear surface in use or maintenance since it contains no asbestos fiber. In addition, for both tile and sheet flooring, it was found that when recommended procedures for removal and installation are followed, exposure to airborne asbestos fiber is substantially below allowable limits established by Occupational Safety and Health Administration.

SRI International report along with accompanying data gathered from individual resilient flooring producers on safety measures being followed in producing and handling products containing asbestos fiber were submitted in Feb. 1980 to U.S. Environmental Protection Agency and Consumer Product Safety Commission where they are available for public inspection.

RFCI's press release concludes by reiterating, "The resilient flooring producers operate under the surveillance of the U.S. Occupational Safety and Health Administration (OSHA) in the handling and introduction of asbestos fiber as a raw material ingredient within manufacturing plants. The floor covering

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industry has an outstanding record of compliance with established OSHA Regulations and protection of production workers against health hazard."

MEDICAL GROUP PUBLISHES DIAGNOSTIC CRITERIA FOR ASBESTOS

Pneumoconiosis Committee of the College of American Pathologists and National Institute for Occupational Safety and Health (NIOSH) have recently issued a report on diagnostic criteria for asbestos-associated diseases of lungs and plural cavity, and a proposed system for pathologic grading of severity of asbestosis. Diagnostic criteria and grading scheme were published in Oct. 1982 issue of medical journal Archives of Pathology and Laboratory Medicine.

In order to determine diagnostic criteria which, according to report, have not been described fully in medical literature, Committee reviewed pathology material, i.e. tissue samples, taken from many cases of asbestosis, lung cancer, and mesothelioma. Proposed grading system for asbestosis, intended only for semiquantitative estimation of degree of asbestosis, and not as an aid to diagnosis, is also based on examination of lung biopsy material. In this respect, it differs from grading protocols for radiologic (X-ray) assessment of pneumoconioses developed under auspices of Union International Centre Cancer (UICC) and International Labor Organization (ILO). To date, no attempt has been made to correlate radiologic severity of disease with studies of pathologic material.

Chairman of Pneumoconiosis Committee is John E. Craighead, M.D., University of Vermont College of Medicine. Other members of Committee include Andrew Churg, M.D., University of British Columbia; Francis H.Y. Green, M.D., NIOSH; Jerome Kleiner, M.D., Mount Sinai School of Medicine; and Hans Weill, M.D., Tulane University.

Copies of report may be obtained from offices of Dr. Craighead, Department of Pathology, Medical Alumni Building, University of Vermont, Burlington, VT 05405; or Dr. Green, NIOSH, Division of Respiratory Disease Studies, 944 Chestnut Ridge Rd., Morgantown, West Virginia 26505, telephone (304) 291-4581.

OSHA AUTHORIZES PERSONAL SAMPLING DEVICES FOR INSPECTIONS

In Federal Register of Dec. 10, Occupational Safety and Health Administration published a final rule to expressly authorize its compliance officers to use personal sampling devices and to attach these devices, such as noise dosimeters and air sampling pumps, to employees during workplace inspection. The amendment was necessitated by conflicting judicial decisions as to whether prior regulation provided sufficient authorization for OSHA to use personal sampling devices.

Under authority of Occupational Safety and Health Act, regulations were promulgated in 1971 which permitted OSHA inspectors to "take environmental samples" and "employ other reasonable investigative techniques" during inspections. Although OSHA had always interpreted this regulation to allow use of personal sampling devices, courts were not in complete agreement. For example, federal appellate court in 1979 ruled that absent a law or regulation specifying their use, a court could not order cancellation of a company policy prohibiting employees from wearing personal sampling devices. In 1981, another federal court of appeals concluded that regulation promulgated in 1971 did not give employers "fair warning" of conduct required or prohibited since it did not specify use of personal sampling devices as a "reasonable investigative technique."

Accordingly, in Feb. 1982 OSHA proposed amending its regulations to expressly authorize OSHA compliance officers to use personal sampling devices and to attach such devices to employees during workplace inspections.

In its Dec. 10 notice of promulgation, OSHA addresses concerns raised in response to its proposal. Agency noted that with regard to issue of whether placement of such a device on an employee may, under certain circumstances, constitute an inherent hazard which subjects employees to potential accident and injury, no comments received specified any accident or injury caused by their use.

Responding to comment that new regulation could be interpreted to authorize performance of unlimited tests upon employees such as blood testing, urinalysis and skin-patch testing, OSHA notice declares, "it is not the agency's intention to authorize such tests of an employee's body. Rather, the agency views the regulation as authorizing external monitoring of noise and air contaminations through the use, inter alia, of dosimeters and air sampling pumps. Any monitoring involving employees' body fluids or internal testing is beyond the scope of this rulemaking."

COURT RULES COST-BENEFIT ANALYSIS APPLICABLE TO OSHA RULE

In a decision handed down Nov. 19 in case of Donovan v. Castle & Cooke Foods and OSHRC, a U.S. Court of Appeals upheld a ruling by Occupational Safety and Health Review Commission (OSHRC) vacating a citation for a violation of OSHA's noise standard on basis of cost-benefit analysis. Court's decision appears to limit applicability of last year's cotton dust case, in which Supreme Court rejected cost-benefit analysis approach in OSHA rulemaking (N&N, June 1981).

Specifically, cotton dust case, Textile Manufacturers Institute v. Donovan, addressed issue of whether section 6(b)(5) of Occupational Safety and Health Act required a determination that costs of a standard bear a reasonable relationship to its benefits. Section 6(b)(5) deals only

with promulgation of standards for toxic materials or harmful physical agents. Focusing on use of word "feasible" in 6(b)(5), Supreme Court stated that standards under that section are only subject to limitation that they are "capable of being done." It reached conclusion that "cost-benefit analysis by OSHA is not required by the statute because feasibility analysis is."

In Castle & Cooke case, employer was cited for violation of noise standard, promulgated under section 6(a) of OSH Act, because it provided employees with ear plugs and muffs rather than instituting engineering controls as required by standard. On review, Occupational Safety and Health Review Commission found that evidence demonstrated that costs of implementing engineering controls exceeded benefits obtained by affected employees and vacated citation.

Upon appeal, U.S. Court of Appeals for the Ninth Circuit rejected Labor Department's contention that case was controlled by cotton dust decision. According to appeals court, cotton dust standard was promulgated under section 6(b)(5) of OSH Act while noise standard was promulgated under section 6(a), and Supreme Court "specifically declined to apply its definition of feasible to regulations promulgated under section 6(a)." Under these circumstances, OSHRC was "free to exercise its authority to interpret the regulations it is charged with enforcing." Court then upheld OSHRC interpretation that "a control is not reasonably necessary and appropriate if the benefits to be gained by employees does not justify the cost."

Section 6(a) of OSH Act relates to national consensus standards and established Federal standards adopted by OSHA. Promulgated under its authority are regulations found in section 1910 of Code of Federal Regulations, among which is asbestos standard (1910.1001).

AWCI TO SPONSOR ABATEMENT SEMINAR

The Association of the Wall & Ceiling Industries - International (AWCI) and the Foundation of the Wall and Ceiling Industry will conduct an Asbestos Abatement Training Program March 21 to 23, 1983, at the Adam's Mark Hotel in Philadelphia, PA.

The series of seminars will deal with techniques and procedures for reducing or eliminating the health hazards attributed to asbestos containing materials applied in the past.

"Because of the great importance given to rectifying a situation that developed prior to the investigation into health hazards imposed by asbestos," Technical Director Gene Erwin explained, "a huge market is awaiting the construction industry."

"Asbestos abatement is far more than merely painting over the existing asbestos used in buildings, and the contractor who goes into this kind of work must be aware of the problems and challenges that such an undertaking involves. They are formidable -- but manageable," Erwin said.

Heading the list of five instructors for the Philadelphia seminar will be Donald J. Pinchin, Ph.D., of Toronto, Canada, who has been involved in the development of techniques for effective abatement procedures.

The two and one-half day course will address the concerns and responsibilities of owners, architects, enforcement officials, contractors, and consultants involved in asbestos abatement. If demand warrants, overflow arrangements call for a repeat seminar immediately, at the same location from March 23 to 25.

A registration fee will be charged.

Full details may be obtained by calling Rob Lederer, AWCI, at (202) 783-2924, or writing AWCI, Asbestos Abatement Training Course, 25 K Street, NE, Washington, D.C. 20002.

CPSC MEETS TO SELECT ASBESTOS PANEL

Commissioners of the U.S. Consumer Product Safety Commission met in closed session on Dec. 15 to review nominees for its Chronic Hazard Advisory Panel (CHAP) on Asbestos. Amendments to Consumer Product Safety Act (CPSA) in 1981 require that Commission establish a CHAP to review and report on a substance associated with chronic hazards of cancer, birth defects, or gene mutations before beginning rulemaking on consumer products incorporating that substance.

A list of 21 nominees to serve on CHAP was to be provided to Commissioners from National Academy of Sciences (NAS). Of these 21, 7 are to be chosen for CHAP. Notice requesting interested parties to submit nominations to NAS appeared in Federal Register of April 22 (N&N, Apr.).

According to CPSC staff, process of selecting all 7 panel members should be completed by early next year. Commission has been conducting tests on consumer products with asbestos-containing components for some time, completing tests and dropping from further consideration a number of products last Jan. (N&N, Jan.). Staff are continuing to examine consumer-related use of asbestos in paper and millboard, dry mix furnace cement, wood and coal burning stove door gaskets, certain laboratory and artists materials, and stove pads and iron rests.

WISCONSIN TOWN REASSURED ASBESTOS IN WATER NOT HAZARD

According to an article in Madison Capital Times, a review of scientific evidence overseen by Dr. Arnold L. Brown, Dean of University of Wisconsin's Medical School, concluded there is "no public health hazard" from asbestos in Town of Weston water supply. "We conclude that at this time, the preponderance of evidence is that the presence of asbestos fibers poses no public health hazard," wrote Dr. Brown to township attorney, adding, "the reported number of fibers is similar to those found in approximately 20 percent of other water supplies in municipalities in Wisconsin and in the U.S. generally."

That conclusion varies from warnings voiced by University of Wisconsin professor Dr. William Croft, a specialist in environmental toxicology who set off a furor when he billed township \$129,000 for his research. Dr. Croft had concluded that there were a "substantial" number of asbestos fibers in water supply, although it's unclear whether he indicated that fibers posed a health threat to community.

Review was requested by University chancellor's office after town questioned findings of study conducted by Dr. Croft. Dr. Brown stated he could supply "no explanation for the variance between the results reported." Dr. Brown and two other university scientists, Dr. Henry Anderson, a clinical professor of preventive medicine and member of State Division of Health, and Dr. Marty Kanarek, a professor of preventive medicine, offered their services for review at no cost to town. Conclusion of team's three members was unanimous.

Dr. Croft's consulting activities are under investigation by State Department of Justice and University chancellor's office. In July, Dr. Croft said he had "explained very clearly" to Town of Weston officials that his expenses could reach between \$200,000 and \$300,000. Town has paid \$49,000 and withheld payment on remaining portion of bill.

ONTARIO MOL SCHEDULES MEETING ON PROPOSED REGULATION FOR ASBESTOS ON CONSTRUCTION PROJECTS

Ontario Ministry of Labour has scheduled a public meeting for Jan. 17, 1983 to consider its proposed regulation for asbestos on construction projects. Meeting will commence at 2:00 PM in the Ontario Room South, MacDonald Block, corner of Bay and Wellesley Streets, Toronto. For further information contact MOL Standards and Programs Branch/(416)965-8710.

AIA/NA filed comments in Oct. (N&N Aug. & Oct. refer). Separate asbestos standard for construction industry complements general industry asbestos regulation promulgated last Aug. by Ontario.

GUEST EDITORIAL

*Drug contamination and DC 10 crashes shock us to action,
but familiarity with a hazard seems to breed complacency*

Health Issues: Reaction Versus Action

As the evening network news unfolds its latest findings on the Tylenol story and announces "The death toll now stands at seven," our spine crawls and our scalp grows tense with energy. We — The Public — are alarmed. Many of us had similar feelings three years ago when the DC 10 crashed in Chicago and the network revealed that over 200 were known to be dead.

We march to the school board and demand immediate action when we learn our six-year-old 'Susie' attends an elementary school which has asbestos in the insulation on the band room ceiling. We don't know how much asbestos or if there is any significant risk of exposure. As far as we know nobody has been injured or killed, but we have read in the newspaper, seen on television, and heard from Helen across the street that asbestos can cause cancer. That awful cancer.

For these and many other similar cases (cyclamates in artificial sweeteners, formaldehyde in foam insulation, lead in paint, polychlorinated biphenyls in transformer oils, etc.), we are alarmed and ready to react with drastic actions.

Our first reaction is a 'deep down feeling' that these events and conditions are not tolerable. The government, business community,

and public should do whatever is necessary to immediately stop these causes of alarm. The government should pull Tylenol off the market and require seals on all over-the-counter drugs. DC 10 airplanes should be grounded until they are redesigned and modified. Some people will refuse to fly on DC 10s again; others will just plain "never fly." Either the school children should be moved out or the asbestos should be removed. Immediately. Never mind the costs, it is our health that is at stake.

LACK OF PERSPECTIVE I agree that all of these events and situations are valid reasons for public concern, study, and action, but I think we — The Public — tend to react without ever getting the situations into perspective with other related social problems. If our honest-to-goodness concern is to stop or minimize death and suffering, I propose we should focus some of this public reaction into educated action against other events which we know are causing larger numbers of deaths and greater amounts of suffering.

Common ethanol (drinking alcohol) is an agent of much death and suffering. If it was invented today, it might very well be classified as a drug by the government. As a drug it would require years of testing before it could be placed on the market. Considering its depressive effects on the central nervous system, permanent effects on the

liver, and the ability to support an addiction, it seems likely it would be a controlled substance — much more so than it is today. Perhaps it would even be a prescription drug.

Ethanol consumed in abusive quantities causes significant social ills. The National Safety Council has reported that "drinking is indicated to be a factor in at least half of the fatal motor vehicle accidents, according to special studies."

It seems to me that these alcohol-related events of death and suffering receive very little sensational press coverage and generate very few feelings of public alarm. In fact, the inability to cause public alarm probably explains why it receives minimal press coverage. Alcohol use and abuse seems socially acceptable. We may not like the 'ills' it causes, but we don't want to hear about and deal with the problems. It seldom alarms us.

During 1970 Congress passed the Occupational Safety and Health Act and established OSHA to help assure safe and healthy conditions in workplaces. According to the legislative history of the act, the public, organized labor and Congress were alarmed. They were upset by the fact that the number of deaths from industrial accidents were exceeding 14,000 per year. Less serious injuries and illnesses from the same causes exceeded ten times that number. According to the preface to the act, this drain on

By William H. Spain, CIH, Atlanta, GA.

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GUEST EDITORIAL

our 'human resources' had to be stopped. A new agency with the necessary funding was to be the solution. The agency was established and funded.

TRAFFIC DEATHS I strongly agree with the need for OSHA, but have we focused our attention too narrowly? According to the National Safety Council, in that same year during which work-related fatalities exceeded 14,000, traffic-related fatalities exceeded 50,000. Unfortunately, that high number has not seemed to alarm us. We are very upset when we hear of the seven Tylenol contamination deaths in Chicago, but more people are killed in most states every three-day weekend. On a national basis, more people are killed over a long weekend than were killed in the Chicago plane crash. Why don't these traffic deaths alarm us? Is it more socially acceptable for deaths to be automobile related than it is for them to be work, contaminated Tylenol, or airplane related? Should it be more acceptable?

Safety glasses, safety shoes, hard hats, and seat belts are all devices for personal safety. Statistics show that all these devices reduce injuries. In fact, the National Safety Council has estimated that "if all passenger car occupants used belts at all times, such use would save at least 12,000 lives annually by preventing ejection from the vehicle and reducing contact with the vehicle interior and other occupants." Those persons who choose not to wear these devices when they are needed seem to be betting "it will not happen to them." Obviously many people lose this bet each year.

In 1970 Congress gave OSHA the authority to enforce the use of these and other protective devices by workers in industry, but it is still optional whether drivers and passengers in cars wear seat belts. *Motor Trend* recently reported the results of a survey: "and only 15 percent are presently buckling up."

SMOKING We are understandably concerned about the potential effects of asbestos on us and our family. After all, cancer has been repeatedly mentioned. To hear an EPA asbestos specialist say over a national television network that "the latest EPA regulations only march school officials by the problem" only adds to our alarm and concern. It is sensational news coverage of the asbestos problem, but it adds very little to the public's limited understanding of the issues.

We have seen no news coverage

Is it more socially acceptable for deaths to be automobile related than it is for them to be work or airplane related?

explaining that the best way to protect yourself from asbestos-related diseases is to not smoke. Yet published research data reports smokers who are exposed to asbestos have a 90-fold greater risk than nonexposed nonsmokers. When exposed to asbestos, smoking increases the risk by a factor of nine times. If the asbestos specialist explained this causal relationship, the television network did not broadcast it. Perhaps it would not have been sensational.

OSHA has issued and enforces employee exposure limits for 400 chemicals. Some of these limits are intended to protect against cancers and lung diseases. Research has proven beyond a doubt that smoking causes cancer and lung diseases. There is even a warning on cigarette packs to remind us of these facts. Dr. G.M. Duffell, a pulmonary physician at Emory University School of Medicine in Atlanta, has said—more than once—in public meetings: "If I could eliminate smoking I could essentially eliminate lung cancers along with the

other lung diseases and heart conditions, except for those caused by genetic defects." Yet, smoking is not only allowed and advertised, but the tobacco industry is subsidized by support from taxes.

THOUGHT-OUT ACTION I desire to see public alarm and reaction replaced with public education and thought-out action. Medical specialists, scientists, government and business officials, and the news media should do more to help the public get events in perspective. The facts are often much less absolute than we tend to believe.

First off, I acknowledge that cancer is certainly a major health problem (perhaps the largest), but I don't think the public has an adequate understanding of it. Unfortunately, what Glenn Frank (University of Wisconsin, School of Medicine) said in 1936 seems all too true today: "For everybody killed by the fact of cancer, thousands are unnerved by the fear of cancer. What cancer does to the morale of millions who may never know its ravages is incalculable."

Perhaps more education of the public would help us to temper our fears and realize that cancer varies in severity from the not-so-severe to the extremely severe. There are over 100 types of cancer, with the most common type being skin cancer. Not only are there several available treatments, but we can easily control our exposure to one of the leading causes, sunlight. Furthermore, one of the largest factors in the elevation of cancer rates is our increasing life expectancies. The longer we live, the greater our risk of getting cancer.

REALISM Secondly, I think many scientific and medical discoveries are never placed into a realistic perspective. Sure, as research has shown, cyclamates and asbestos may cause cancer, but how much does it take? What percent of the population will be affected? How long will the latency period

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be? How do the risks compare with other known risks? In many cases the answers to these questions are not known yet. I think scientists and medical specialists need to be very careful about feeding the news media sensational information without stating its degree of certainty and helping to place it in a proper social perspective.

For example, the public becomes alarmed when they see a government-required sign or label which states: "Caution...Breathing Asbestos Dust May Cause Serious Bodily Harm." However, they don't seem at all alarmed when they see that required label: "Warning: The Surgeon General Has Determined That Cigarette Smoking Is Dangerous To Your Health."

Deaths from plane crashes, asbestos, and contaminated Tylenol are bad, but are they any worse than those from automobiles, alco-

hol, and smoking? I think not! Besides, how do the numbers compare? Do those persons who "refuse to fly" know the fatality statistics from the National Safety Council? On an equal per mile basis, flying on domestic airlines is 13 times safer than taking a train, 17 times safer than taking a bus, and 130 times safer than riding in a car or taxi. After considering the statistics, should the wearing of seat belts be required here as they are in Australia? Should smoking be less subsidized and more controlled? Should alcohol be more taxed and the resulting funds be used to establish treatment centers? Maybe so.

Individually and collectively we should avoid focusing our actions too narrowly. When it comes to the health issue, thought-out action seems much more beneficial to society than public alarm and reaction. **[OHA]**

Donovan Questions Lists

Labor Secretary Raymond J. Donovan, in a speech prepared for the American Industrial Health Council annual meeting Nov. 30, questioned the need for publishing lists of carcinogens.

"OSHA already participates in the rulemaking calendar and [the regulatory] agenda," the speech said. "Do we really need additional lists for potential carcinogens to let people know what the agency is working on? This is particularly true of lists based on a very cursory scanning of the results of unevaluated scientific studies."

Donovan told the AIHC meeting that the revised carcinogen policy will be published "next year," but an industry source said the draft is expected by Feb. 1.

The labor secretary cited as especially important OSHA's participation in drafting interagency guidelines for carcinogen regulation under the supervision of the White House Office of Science and Technology Policy.

A second science office document, on risk assessment as opposed to the simple classifying of the properties of a substance, is in the early stages of drafting and publication is planned for the spring, Donovan added.

CHEMICAL REGULATION REPORTER - December 3, 1982

Carcinogens

OSHA PLANNING CANCER POLICY WITHDRAWAL; COMPLETE REWRITE FAVORED OVER AMENDMENT

The cancer policy issued in 1980 by the Occupational Safety and Health Administration will be withdrawn and replaced, rather than being amended in a piecemeal manner, according to a Reagan Administration official.

Withdrawal of the current rule for identifying, classifying, and regulating carcinogens would be proposed simultaneously with a replacement policy of "several hundred pages," according to several industry and government sources.

The agency originally planned several amendments to the cancer policy, but has decided instead to withdraw it through formal rulemaking and propose an entirely new policy, the sources told BNA. Both documents must clear internal review at OSHA, the Labor Department, and the Office of Management and Budget before publication.

OSHA took its last public action on the cancer policy in January when it asked for comment on several issues it

planned to reconsider, including the manner in which the agency evaluates different types of scientific evidence (Current Report, Jan. 8, p. 1051).

In the advance notice of proposed rulemaking, the agency also issued a proposal to stay provisions in the policy that required it to publish annually a list of substances that are candidates for regulation as carcinogens and semiannually a list of those that it considered its top rulemaking priorities. No action has been taken on these proposals, however.

Withdrawing the entire policy (Jan. 18, 1980, p. 1607; Reference File - 57-0601) would free the agency of the listing requirements, to which industry had objected.

Manville Unit to Sell U.S. Pipe Operations

By a WALL STREET JOURNAL Staff Reporter

DENVER—Manville Corp. said its Johns-Manville Corp. unit signed definitive agreements to sell its domestic pipe operations to J-M Manufacturing Co. and J-M A/C Pipe Corp., both formed by investors not affiliated with Johns-Manville. The purchase price wasn't disclosed.

As reported, the pipe operations added \$164 million to Manville's sales of \$2.22 billion for 1981, but operated at a loss of \$5.4 million. Manville said the sale of the operations was part of its continuing efforts to maximize sales and profitability.

The purchasers of the pipe operations, which primarily make pipe used in municipal water systems, plan to establish headquarters in Denver and named John Fischer, vice president of Johns-Manville and general manager of the pipe division, president of the purchasing companies.

The purchase is subject to approval of the court presiding over Manville Corp.'s bankruptcy proceedings, and a hearing on the sale has been scheduled by the court Thursday, Manville said. Manville, which makes building, industrial and forest products, filed under Chapter 11 of the Bankruptcy Code last summer because of lawsuits filed against it claiming health damage from asbestos produced by the company.

The sale of the pipe operations is expected to be completed by year-end, Manville said.

THE WALL STREET JOURNAL.
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Administration Takes Steps to Ease Controls on Cancer-Causing Agents

By ANDY PASZTOR

Staff Reporter of THE WALL STREET JOURNAL

WASHINGTON—From a cramped conference room at the Environmental Protection Agency's headquarters, the Reagan administration is working towards a fundamental change in how the government regulates suspected cancer-causing substances.

The makeshift office belongs to Roy Albert, respected cancer expert and a part-time EPA consultant. Dr. Albert complains that in the past, the government has "relied on a hair-trigger approach to control carcinogens." If there was any evidence suggesting that a dose of a substance causes tumors in animals, no matter how large the dose, he contends "the risk automatically was classified as substantial" and "the regulatory wheels immediately were set in motion."

Dr. Albert and a faction of the scientific community, including most industry medical experts, contend that the EPA and other agencies should ease restrictions on carcinogens by relying less on the results of laboratory tests on animals. Instead, they say, the agencies should concentrate on controlling those materials that pose the greatest hazard to public health.

Some Oppose Selective Approach

But another faction of medical researchers strongly opposes such a selective approach. These critics argue that the result could be substantial increases in cancer risks from environmental and industrial pollution because there isn't enough data to determine which substances are most dangerous. The new approach, they argue, raises questions about the potential social costs of the administration's drive to reduce environmental regulation of business.

Final governmentwide recommendations are still months away, but Courtney Riodan, the EPA's head of research, concedes the issue could turn into "political dynamite" for the administration.

The EPA already has taken a few tentative steps to put the controversial proposals into effect. (Federal law bans the use of any food additive that causes cancer in animals, but pesticides, industrial chemicals and other materials regulated by the EPA don't come under that prohibition.)

The EPA is considering adopting a version of Dr. Albert's proposals as part of documents intended to help states control toxic chemicals in drinking-water supplies. The agency is leaning toward the same regulatory strategy when it issues long-awaited standards for toxic air pollutants. And in preparing clean-up plans for communities in Missouri that have been contaminated by toxic wastes, the EPA recently established acceptable exposure levels that are at least 100 times less stringent than levels prepared under previous risk assessments.

In another departure from previous policies, the EPA is giving many states temporary approval to use pesticides that don't comply with all federal safety standards. Administration officials contend that local residents should be allowed to assume the potential added health risks if they feel the

benefits to be gained warrant using the chemicals.

Such changes are being attacked by lawmakers. Democratic Rep. Albert Gore of Tennessee says that EPA officials "made a crass, calculated, cynical change" in cancer policy when they refused earlier this year to move against the widely used industrial chemical formaldehyde, which animal tests indicate can cause cancer. Even Dr. Albert joins concerned scientists in questioning the EPA evaluations. "It wasn't an impartial (risk) assessment," he says. "If industry had done it," he adds, "they couldn't have done a better job" to forestall regulation.

Rep. James Florio, another persistent critic of the EPA, contends that the administration is "going to outrageous lengths" to try to justify loosening existing carcinogen

controls when they aren't, Mr. Prager says. "It's a critical issue . . . that shouldn't be ducked."

But the administration's critics and supporters agree that some significant policy changes already are evident. Myron Weinberg, a vice president at the consulting firm of Booz, Allen & Hamilton Inc., says the administration "is moving away from the notion that everything is assumed to be bad for human health unless it is specifically proved to be otherwise." In effect Mr. Weinberg and others believe the White House wants maximum flexibility to determine, on a case-by-case basis, when and what kind of action should be taken against cancer-causing agents.

A consulting-firm executive says the EPA "is moving away from the notion that everything is assumed to be bad for human health unless it is specifically proved to be otherwise."

Industry has been lobbying for such changes for years. The Chemical Manufacturers Association and other influential trade groups argue that the government should give more weight to the economic benefits of suspect materials before restricting their production and use. Many industry officials also have urged the government over the years to differentiate between carcinogens that change the genetic properties of cells and those that affect cells in other ways.

According to their theories and similar arguments made by Dr. Albert, materials that don't cause cell mutations appear to be less dangerous and therefore ought to be regulated less strictly than the other group. To critics, however, that amounts to a major retreat from the government's responsibilities.

Some Scientists' Doubts

Many prominent scientists challenge the validity of such distinctions. They maintain that prudence dictates sticking with the current, more cautious policy until the causes of cancer are better understood. Arthur Up-ton, a former director of the National Cancer Institute, and now a professor at the New York University Medical Center, has criticized administration efforts "to relax vigilance" against cancer threats.

I. Bernard Weinstein, chairman of environmental health studies at Columbia University's medical school, accuses EPA officials of "trying to distort scientific knowledge" to justify politically motivated decisions.

Although major strides have been made recently to understand the "mechanism of cancer," Dr. Weinstein contends there is still too much uncertainty among scientists to try to apply those evolving concepts to regulatory actions. "We're not ready to rely on them yet," he argues, but the administration "has grabbed them . . . and wants to use them for its own purposes."

standards and postponing imposition of new ones. "Their basic approach is to see how many people die and then take some action," the New Jersey Democrat asserts. The subcommittee he heads is expected to hold hearings on the issue early next year.

Despite such criticisms, officials at the EPA, the Occupational Safety and Health Administration and elsewhere want to rely less on the results of laboratory tests on animals and more on historical data indicating the extent of sickness and death in human populations exposed to certain chemicals. As part of this new approach, agency officials want to rank carcinogens in terms of potential hazard. The agencies then would establish, for the first time, "threshold," or low-level, exposure levels that the officials contend wouldn't pose any appreciable danger to health.

Administration officials maintain they haven't determined what changes in regulatory strategy should be adopted. "At this point, we're simply trying to establish where there is agreement on the basic scientific issues and where there is uncertainty," says Denis Prager, an assistant director of the White House Science Office and chairman of a governmentwide group examining carcinogens.

The group "will attempt an honest evalu-

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