

UNITED STATES GOVERNMENT

Memorandum

U.S. CONSUMER PRODUCT
SAFETY COMMISSION
WASHINGTON, D.C. 20207

TO: The Commission
THROUGH: Sadie Dunn, Office of the Secretary
THROUGH: Martin W. Katz, General Counsel
THROUGH: Edgar Morgan, Executive Director

DATE: July 21, 1983

FROM: Peter W. Preuss, Associate Executive Director
for Health Sciences

Peter W. Preuss

SUBJECT: Report to the Commission by the Chronic Hazard Advisory
Panel on Asbestos (July, 1983)

I am pleased to forward to you the final report of the Chronic Hazard Advisory Panel (CHAP) on Asbestos. In response to the Consumer Product Safety Act Amendment of August 1981 and pursuant to a nationwide solicitation, the National Academy of Sciences nominated twenty one candidates for the CHAP. The Commission selected seven Panel members who in turn chose their own Chairman and Vice Chairman.

A Federal Register notice with six questions from the CPSC to the Panel was published on April 22, 1982, and is attached. The Panel convened in January, 1983, to address the concern that the presence of asbestos may, under certain conditions, present a risk of cancer and respiratory disease to consumers. During the following six months the Panel met five times in open meetings. In addition, the Panel advertised and distributed a draft of its report for public comment. A public meeting was held on June 20, 1983 to hear and receive written comments on the draft report. Following the meeting the Panel met to revise its draft report in light of the comments received.

In order to enhance the utility of the report to other federal agencies the Panel considered a number of related asbestos matters of concern to the Environmental Protection Agency, the Occupational Safety and Health Administration and the National Academy of Sciences' Committee preparing a report on asbestiform fibers.

This final report reflects the Panel's response to comments received from the public, industry and other Federal agencies which share an interest in the state-of-the-science for the health effects of asbestos.

I would like to express my personal appreciation to the members of the Panel for their efforts in preparing this report. In particular, I thank the Chairman of the Panel, Professor Norton Nelson for his wisdom and tact in guiding the work of the group. Finally, I would thank the CPSC staff who worked with the Panel, Ann Hamann, Paul White, Dodie Kessler and Colin Church.

Attachment

005824

Asbestos

CONSUMER PRODUCT SAFETY COMMISSION**Chronic Hazard Advisory Panel on Asbestos; Invitation to Submit Suggestions for Scientists To Serve as Members**

AGENCY: Consumer Product Safety Commission.

ACTION: Invitation to submit suggestions for scientists to serve as members of advisory panel.

SUMMARY: This notice invites suggestions for scientists to serve as members on the Commission's Chronic Hazard Advisory Panel on the Use of Asbestos in Consumer Products. The seven member panel will provide scientific advice to the Commission concerning the potential chronic hazard of cancer associated with this use. This notice also contains information on the function and composition of the panel, general criteria for selection of panel members, and procedures for suggesting candidates for membership. This will be the first Commission advisory panel established under recently-enacted legislation.

The Commission emphasizes that the selection of the panel is only the first step toward a decision on whether to take any action concerning asbestos in consumer products. The Commission has not decided whether to begin any rulemaking.

DATE: Suggestions for membership should be submitted no later than June 7, 1982.

ADDRESS: Membership suggestions should be sent to Susan Guenette, Chemical Hazards Program, Consumer Product Safety Commission, Washington, D.C. 20207.

FOR ADDITIONAL INFORMATION CONTACT: Susan Guenette, Chemical Hazards Program, Consumer Product Safety Commission, Washington, D.C. 20207; telephone (301) 492-6944.

SUPPLEMENTARY INFORMATION:**A. Background**

Recent amendments to the Consumer Product Safety Act (CPSA) require the Commission to establish and receive the reports of Chronic Hazard Advisory Panels before beginning rulemaking relating to the risks of cancer, birth defects, and gene mutations associated with consumer products. Section 1208 of the Omnibus Budget Reconciliation Act of 1981 (Pub. L. 97-35); 15 U.S.C. 2077, as amended.

In carrying out its advisory functions, a panel is to review scientific data and other relevant information relating to the potential risks of cancer, birth

defects, or gene mutations from a substance in consumer products. The panel is to determine if the substance is a carcinogen, mutagen, or a teratogen and, if feasible, estimate the probable harm to human health that will result from exposure to that substance. The report of the panel must be considered by the Commission and incorporated into any advance notice of proposed rulemaking and final rule.

The Commission therefor emphasizes that establishment of a panel on asbestos, as discussed in section B below, does not mean that the Commission will necessarily regulate any asbestos product. Because the CPSA requires that a panel must meet and advise the Commission before an advance notice of proposed rulemaking can be issued, the Commission is establishing a panel now as a preliminary step. If the panel's advice and other available information are later found to justify regulatory action concerning an asbestos product, the Commission will then decide whether to begin a rulemaking proceeding.

B. Purposes of Panel

The Commission has decided to convene a panel on asbestos as used in consumer products because of concern that the presence of asbestos in consumer products under certain conditions may present a risk of cancer and respiratory disease to consumers. The health hazard may occur when asbestos fibers are released into the air and people inhale them. Inhaled asbestos fibers may become embedded in lung tissue and, once embedded, they may remain there indefinitely. Asbestos fibers that are released from consumer products can remain in the household air for long periods of time and may subject household members to a continuous risk of fiber inhalation.

The Commission's past activities on consumer products containing asbestos include:

1. The Commission banned asbestos-containing patching compounds and artificial emberizing materials in January 1977.

2. In October 1979 the Commission issued, jointly with the Environmental Protection Agency (EPA), an Advance Notice of Proposed Rulemaking (ANPR) on Commercial and Industrial Use of Asbestos Fibers and Consumer Products Containing Asbestos (44 FR 60056, October 17, 1979). The joint ANPR requested general information concerning the use of asbestos in consumer products and described the Commission's proposed regulatory approach to asbestos in consumer products.

3. In 1979 the Commission negotiated with manufacturers voluntary corrective actions and agreements to cease the use of asbestos in hair dryers.

4. In April 1980 Robert Frye petitioned the Commission and presented data which indicated that consumers were exposed to asbestos fibers when using asbestos paper (CP 80-3). The Commission granted the petition and directed the staff to develop a proposed rule to ban asbestos paper.

5. In June 1980 the Commission voted to issue a general order to require firms to furnish information concerning the use of asbestos in selected categories of consumer products.

From the information obtained through the general order and joint ANPR, the staff has found that many of the remaining uses of asbestos in consumer products do not result in consumer exposure. However, the staff has identified several consumer products (e.g., asbestos paper and millboard, bulk asbestos fibers, dry mix furnace cement, wood and coal burning stove door gaskets, certain laboratory and artists materials and stove pads and iron rests) which may present a risk of consumer exposure to asbestos. The staff believes that the results of investigations of possible exposure and risk from these products could lead them to recommend that the Commission begin one or more regulatory proceedings. Therefore, the Commission has agreed to convene a panel to review the carcinogenicity of asbestos and the risks attendant to exposure to this chemical substance.

The staff has prepared documents which it will ask the panel to review (in addition to other medical and scientific information that the panel may find relevant) relating to the general areas of carcinogenicity and epidemiology and the assessment of the risk to human health from exposure to asbestos. Specifically, the Commission will ask the panel to consider the following questions:

1. Are the available animal and epidemiologic data sufficient to draw a conclusion as to the human carcinogenicity of asbestos?

2. Is there evidence linking low level asbestos exposure, and intermittent or short term exposure, with asbestos related diseases?

3. Are there chronic health effects other than cancer related to low level exposure to asbestos?

4. Can a distinction be drawn by size of the asbestos fiber or fiber type in assessing the potential carcinogenic risk from exposure to asbestos?

5. Is there a basis for numerical evaluation of human risks from a given low level exposure to asbestos? What is the evaluation? How meaningful is it?

6. Is there evidence which indicates a threshold exposure level for asbestos? Is there a biological basis to believe a threshold exists for asbestos?

C. Membership and Selection

The Consumer Product Safety Act specifies that panel members must be scientists who have demonstrated the ability to critically assess chronic hazards and risks to human health presented by the exposure of humans to toxic substances or as demonstrated by the exposure of animals to such substances. 15 U.S.C. 2077, as amended. Members may not be officers or employees of the United States or receive compensation from or have any substantial financial interest in any manufacturer, distributor, or retailer of a consumer product. The Act provides that the President of the National Academy of Sciences (NAS) shall nominate 21 individuals from which the Commission is to appoint a seven member panel.

To provide for the broadest possible consideration of qualified scientists, the Commission, with the concurrence of NAS, is soliciting suggestions for nominees for the asbestos panel. The Commission will forward suggestions to NAS without evaluation. In cases of apparent conflict of interest, the Commission will return the suggestion to the submitting individual with an explanation. However, the NAS, in the preparation of lists of nominees to be submitted to the Commission, will not be limited by the suggestions submitted in response to this public notice.

The panel will meet at least twice for two-day sessions in Washington, D.C. over a 120-day period, beginning approximately in July 1982. Travel expenses are reimbursable in accordance with Federal regulations. Members will receive compensation of \$100 for each day (including travel time) during meetings of the panel.

D. Format for Membership Suggestions

Scientists interested in serving on the asbestos panel may suggest themselves for membership, and others may suggest the names of scientists who may be willing to serve on the panel. In either case, the suggestion should include the following information to the extent possible:

- (1) Name of scientist suggested for panel membership.
- (2) Home address and telephone number, including area code.
- (3) Employment affiliation (if any):

a. Current position and description of duties.

b. Employer's name, address, and telephone number (include area code), and type of organization, e.g. health care, manufacturing, educational, testing laboratory, governmental, public interest, retail, etc., including if self-employed.

c. Consulting work (if so, specify kind of consulting work, for whom, and if paid or volunteer).

d. CPSC contract work or grant (if so, specify contract title, number and involvement).

(4) Experience/Expertise: Specify and describe any education, experience, publications related to assessing chronic hazards, particularly from exposure to asbestos. Resumes or curriculum vitae may be submitted.

E. Privacy Act Notice

The information requested in section D may become part of a Privacy Act system of records and will be used to evaluate candidates for the Chronic Hazard Advisory Panel. There are no penalties for not submitting the information except for possibly precluding selection of a candidate. The authority for collecting the information is section 28 of the Consumer Product Safety Act, 15 U.S.C. 2077, as amended by section 1209 of the Consumer Product Safety Amendments of 1981 (Pub. L. 97-35).

Applications should be submitted no later than June 7, 1982, to Susan Guenette, Chemical Hazards Program, Consumer Product Safety Commission, Washington, D.C. 20207. She will also respond to any questions and will provide additional information where possible.

Dated: April 16, 1982.

Sheldon D. Betts,

Acting Secretary.

(FR Doc. 82-10832 Filed 4-22-82; 9:48 am)
BILLING CODE 6385-01-M

DEPARTMENT OF DEFENSE

Department of the Air Force

USAF Scientific Advisory Board Meeting

April 13, 1982.

The USAF Scientific Advisory Board Aeronautical Systems Division Advisory Group will meet at Wright-Patterson Air Force Base, Ohio in Room 222, Building 14, Area B on May 11 and 12, 1982. The purpose of the meeting will be to review selected programs and projects relating to the missions of the Aeronautical Systems Division and the Air Force

Wright Aeronautical Laboratories. The meeting will convene at 8:30 a.m. and adjourn at 5:00 p.m. each day.

The meeting concerns matters listed in Section 5325(c) of Title 5, United States Code, specifically subparagraph (1) thereof, and accordingly, will be closed to the public.

For further information, contact the Scientific Advisory Board Secretariat at (202) 697-8845.

Winibel F. Holmes,

Air Force Federal Register Liaison Officer.

(FR Doc. 82-10832 Filed 4-22-82; 9:48 am)

BILLING CODE 3010-01-M

Determinations of Active Military Service and Discharge; Civilian or Contractual Personnel

In accordance with Public Law 95-202, Section 401 (The G.I. Bill Improvement Act of 1977) and under the provisions of DODD 1000.20, Determinations of Active Military Service and Discharge; Civilian or Contractual Personnel, the Secretary of the Air Force, acting in accordance with authority delegated to him by the Secretary of Defense, determined on April 7, 1982, that the service of the members of the group known as the Wake Island Defenders from Guam shall be considered active military service in the Armed Forces of the United States for all laws administered by the Veterans' Administration.

Also, on April 7, 1982, the Secretary of the Air Force determined that the service of the members of the groups known as the U.S. Coast Guard Temporary Reserve and the Guam Local Security Patrol Force shall not be considered active military service in the Armed Forces of the United States for purposes of all laws administered by the Veterans' Administration.

For further information contact: Technical Sergeant Stephen J. Koegle, USAF telephone: 694-3380, Office of the Secretary of the Air Force Personnel Council (SAF/MOPC), The Pentagon, Washington, DC 20330.

Winibel F. Holmes,

Air Force Federal Register Liaison Officer.

(FR Doc. 82-10832 Filed 4-22-82; 9:48 am)

BILLING CODE 3010-01-M

Department of the Army

Privacy Act of 1974; Amendments to Systems Notices

AGENCY: Department of the Army, DOD.

ACTION: Proposed deletions of and amendments to system notices.