

Canadian Embassy



Ambassade du Canada

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30 November 1984

Mr. David Stockman
Director
Office of Management and Budget
Old Executive Office Building
17th and Pennsylvania Ave., N.W.
Washington, D.C. 20503

PLAINTIFF'S EXHIBIT

CAP-1710

Dear Mr. Stockman

I would like to bring to your attention the position of Canadian authorities concerning asbestos regulation as I understand that your office has under review two regulatory proposals by EPA: (1) banning the manufacture of certain asbestos products and (2) phasing down the production of the remainder. In conjunction, EPA plans the imposition of limitations on both imports and exports of asbestos raw fibre and asbestos-containing products.

As Canada provides about 80 percent of the United States imports of asbestos fibre and in turn buys about 35 percent of the United States exports of asbestos-containing products, it is a significant bilateral issue. Furthermore, it is important to note that what the United States does in the regulatory area will have significant implications for world-wide trade in asbestos and asbestos products.

Canada has given a great deal of thought and study to the issue of asbestos. A recent manifestation of this concern is the report issued by the Ontario Royal Commission on Asbestos. Ontario is not a producer of asbestos fibre but a manufacturer and consumer of asbestos products. The Commission report represents a synthesis of several years of study, investigation and analysis and as such is an outstanding contribution to the better understanding of the complex issue of asbestos. Among the many conclusions and recommendations of the report, the following is of particular relevance: the health risk posed by asbestos is considered a workplace health risk rather than a general health one. In reaching that conclusion the Commission noted that

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absolute freedom from risk is not attained in other aspects of occupational health and safety, and that absolute freedom from risk is therefore not an appropriate criterion for asbestos fibre control. Based on these findings it is difficult for us to understand why EPA would deem it imperative to considerably limit the manufacture of asbestos-containing products when it is possible through proper regulation to protect the health of workers. Indeed OSHA currently has underway a regulatory process which is expected to lead to stricter regulations in this area.

For certain uses - such as friction products in cars and trucks, suits for firefighting, fire insulation in navy ships - asbestos is a key safety factor. Furthermore, a ban on asbestos could create health scares that would call into question, for example, the use of asbestos cement pipe in city water systems which are considered completely safe from the health standpoint. There is no reason to remove or replace them and if this was contemplated, the cost would be enormous.

In the discussion of risks posed by asbestos it is useful to note that there is a stark contrast between past practices and the current ones where the exposure levels are significantly lower. Asbestos has been characterized as hazardous when in fact dramatic improvements in controls have lowered exposure in manufacture, installation and use to the point where risks are not higher than those common in most workplaces. Friable asbestos, which is no longer marketed, may still be encountered in demolition activities and pose high risk if proper work practices are not employed. But in most asbestos-containing products marketed today the asbestos is encapsulated in such a way that when they are installed or used any fibre release is minimal and not hazardous.

My authorities remain convinced that, provided asbestos is used properly, it is not damaging to health. It is in this spirit that I am bringing our concerns to your attention.

Yours sincerely,

Allan Gotlieb
Ambassador