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STATEMENT OF THE SHIPBUILDERS COUNCIL OF AMERICA

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WASHINGTON D. C. 20037

presented at

A Hearing Regarding Proposed Emergency Standard on Asbestos

On 14 March 1972

before Office of Safety and Health Standards, Mr. Arthur Goldberg, Hearing Examiner

by: David R. Lavalette
Representing the Shipbuilders Council

PLAINTIFF'S EXHIBIT
SBCA 5086
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STATEMENT REGARDING PROPOSED RULE MAKING FOR ADOPTION OF EMERGENCY STANDARD ON ASBESTOS DUST (29 CFR 1910.93)

1. Although we understand, and are in agreement with, the intent of the subject proposed rule making, we feel that as presently drafted, the proposal requires clarification and is not practicable. Specific sections where a need for change is indicated are discussed, and changes are proposed which would eliminate ambiguity, render implementation practicable, and assure attainment of the objective.

2. Paragraph 1910.93e states: "Warning signs shall be provided and displayed at each location where asbestos dust hazards are present. Signs shall be posted at least 50 feet in each direction from the location where the hazard is present, and at intervals of not more than 100 feet along each edge of the area where the hazard is present."

This requirement would present no problem for fixed shore side facilities such as pipe covering fabrication shops, although there appears to be no necessity for posting such areas except on access doors, provided good ventilation control is maintained.

However, this requirement would impose a hardship aboard ship. It could effectively close down a complete ship under construction or repair during pipe covering or boiler bricking operations. As stated, the proposal would require either the posting of a complete vessel or constant moving of signs as work locations change throughout the ship. The purpose of the signs is obviously to warn employes of the existence of a potential hazard in the general area of operations producing airborne asbestos dust, and hence prevent their exposure.

The key words in the proposed paragraph are "where asbestos dust hazards are present". Since "dust hazards" are not defined, we assume that dust hazards are deemed to exist when the concentrations specified in Paragraph 1910.93a are exceeded. In order to clarify this and obviate the necessity for signs when levels as specified in Paragraph 1910.93a are not exceeded, we propose the following addition to section 1910.93e:

> "Signs are not required in areas where the environmental sampling as conducted in accordance with Paragraph 1910.93f indicates that levels specified in Paragraph 1910.93a are not exceeded."

3. Paragraph 1910.93f states in part:

(f) Monitoring - (1) Personal. "Employes engaged in the particular operations or using the particular tools specified in paragraph (d) of this section, or exposed to concentrations of asbestos dust in excess of the limits specified in paragraph (c) (3) of this section shall be monitored in accordance with this paragraph."

(iv) Sampling frequency - "Sampling periods shall be of such number and pattern as to represent accurately the exposure of the employes over their working period."

(2) Environmental. "Environmental monitoring shall be conducted in all areas in which employes are exposed to concentrations of asbestos dust in excess of the limits specified in paragraph (a) of this section."

(iv) Sampling frequency. "Sampling periods shall be of such number and pattern as to represent accurately the exposure of the employes over their working period."

Although not specifically stated, there is an implication that sampling will be required daily for all individuals and environments exposed to asbestos dust. At least the standard could be so interpreted in the absence of more specific language.

We feel that representative sampling for all types of operations should suffice to prove the personal and environmental exposure levels, and serve as a basis for prescribing the need for engineering controls and/or protective equipment as appropriate. Virtually all shipbuilding and ship repair operations are repetitive and similar operations are not likely to produce exposures which vary significantly from day to day provided proper control measures are imposed.

We, therefore, propose the addition of the following statement to Paragraph 1910.93f:

> "Where dust producing operations are repetitive in nature, it is sufficient to perform and document sampling for each typical type of operation, and consider such results as accurately reflecting employe exposures over their working period. Sampling is required whenever operations, materials, or control measures change in such a manner as to create potential exposures which differ significantly from such typical operations. Sampling of typical operations shall be repeated at least annually to verify prior results."

4. We feel that adoption of the proposed rule making would seriously and unjustifiably impact shipbuilding and ship repair

operations. We feel that the changes we are proposing would result in protection of the employes and the environment equal to or better than the proposed rule making. We feel that the addition of a quantitative definition of "dust hazard" as suggested will encourage users to employ engineering controls at the source of emissions, thus minimizing the need for signs by reducing atmospheric concentrations of asbestos dust in surrounding areas. We believe that the suggested addition regarding sampling frequency will minimize confusion, and is consistent with good industrial hygiene and engineering practice.