Scary Asbestos

Asbestos scares people.

The discovery of a white, powdery material left over from previous construction work prompted administrators of Apalachicola (Fla.) High School to postpone the start of classes this fall while they determined whether the material was asbestos. Similar concerns at Clara Barton High School in Brooklyn, N.Y., resulted in the school's being shut down for the fall term, and its students farmed out to other schools in its district. The fear that asbestos fibers may have been accidentally dislodged during a removal process this past summer threatened the opening of nine Cabell County, W. Va., schools.

That asbestos causes lung cancer has been known and widely publicized since 1939, when the surgeon general of the Navy described the health risks of excessive exposures to asbestos-containing materials in shipyards. But over this period, neither the government, politicians nor the media have made much effort to help the public understand when asbestos is dangerous and when it is not dangerous.

During the next year, the scare stories should proliferate. A new rule drafted by the U.S. Environmental Protection Agency under orders from Congress, and taking effect Saturday, will require inspection of more than 100,000 school buildings throughout the country's 45,000 school systems for "friable" asbestos (dry, crumbling material that can become airborne). In cases where the substance is found, cleanup and maintenance plans will also be required.

This process might be manageable, except for the EPA's requirement (enforced with a $25,000-a-day fine for noncompliance) that the schools publicly announce the presence of asbestos-containing material whenever it's found. The problem with this requirement is that it often causes undue alarm among parents and school workers who've received no help from their government in putting asbestos in perspective. The EPA does not require removal if the asbestos does not pose a health threat, but the reasons for this alternative often get lost amid the emotionalism.

As the new rule takes effect, the EPA should be making its own highly public announcements to clear up misconceptions about the extent of the asbestos threat. The first thing it should do is disabuse the public of the notion that asbestos is unsafe at all levels of exposure. This fact gets lost in such EPA estimates as that roughly one-third of the nation's schools have asbestos problems. This amounts to a potential risk, the agency says, to 15 million children, and 1.3 million teachers, administrators and staff. Little wonder people get scared.

But the EPA itself acknowledges that the number of people among the 16 million it designates as "at risk" who will actually be exposed to dangerous friable asbestos is negligible. The preponderance of scientific knowledge on asbestos strongly argues that there is no evidence that low-level exposure to asbestos in such settings as schools causes either asbestosis or mesothelioma (which affects the lining of the lung and abdomen), the two cancers most often resulting from exposure. Indeed, almost all asbestos-related cancer deaths recorded to date have occurred among people who worked in industries with high levels of exposure to asbestos material—such as shipyards and building construction—levels not found in schools.

To put asbestos in perspective, we should consider how it rates among other risks of daily life. The risk of succumbing to lung cancer from smoking just one cigarette a day is estimated to be at least 1,000 times greater. And the risk of dying in an automobile accident is at least 10,000 times greater.

In fact, the greatest threat posed by asbestos in schools is its removal. Higher levels of asbestos are usually found in a building for up to five months after it has been removed than before. Many buildings mainly require competent maintenance or repair of asbestos material rather than complete, costly removal.

Congress and the EPA bear partial responsibility for instilling in the general public such overheated fears of asbestos. They have made "environmental risk" an issue that attracts great amounts of concerned publicity. But for all the time and money spent on these matters little progress has been made to help the public understand the complexities of making judgments about environmental risks—or the relative absence of such risks. Instead, the EPA will do what federal regulatory agencies tend to do—simply coerce a response from the country's independent local school districts. Perhaps someone ought to coerce the EPA to make a more forthright effort to tell the nation's parents what science knows about asbestos.

Letters to the Editor

Smoking Hazards of Asbestos

Your editorial "Scary Asbestos" on Oct. 12 was a breath of fresh air. It put the hazards associated with asbestos in buildings into perspective by mentioning the fact that removal presents greater danger than taking prudent action to control the escape of respirable fibers into the ambient air. Unscrupulous operators who sell asbestos substitutes and fraudulent rip-out contractors are profiteering from the hysteria associated with this burgeoning industry.

That is not to say that asbestos isn't bad and that the major sellers have not been concealing the danger of their products for 50 years. Our tort system will exact justice on them, even though the meager recovery the victims' survivors obtain will be inadequate compensation.

There are two other vital points associated with asbestos-related diseases:

- The threat of contracting mesothelioma, the vicious form of lung cancer that is always lethal, from inhalation of asbestos fibers is confined almost exclusively to smokers. If you don't smoke, asbestos inhalation isn't likely to give you lung cancer. If you do smoke, the probability that it will is very high.
- There is a latency period of 25 to 40 years after the onset of exposure to asbestos before the dread mesothelioma appears. This factor alone has allowed most employers of asbestos-exposed workers to escape legal responsibility.

Smoking is the greater culprit in the asbestos fray.

WILLIAM ENGLISH

Oakton, Va.

* * *

Asbestos causes lung cancer almost exclusively in damaged lungs and that damage is mostly caused by tobacco smoking. You did note that smoking is a greater risk than asbestos but you didn't provide the linkage. Well-documented evidence supports this and, in fact, tobacco companies have become co-defendants in many lawsuits against the asbestos industry.

E.P. COUGHLIN

Philadelphia

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Your editorial told it like it is, with one exception. Almost all lung cancers seen in asbestos workers have been among smokers. Asbestos is regarded as a promoter, not an initiator, of lung cancer. You imply, but didn't clearly state, that asbestos-related illness is dose-related. These facts are too often overlooked and bear directly on the minor problem of asbestos in buildings.

ROGER S. MITCHELL M.D.
Professor Emeritus, University of Colorado School of Medicine

Denver

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The greatest threat posed by asbestos isn't its removal. It is, in fact, when asbestos-containing materials are disturbed by well-intentioned but uninformed contractors during construction activities. Once disturbed and airborne, asbestos fibers do pose a health hazard. Building owners and managers, who are aware of this potential danger, can retain a competent consultant or trained contractor to deal with this special health hazard. Qualified contractors can ensure safe, economical and professional asbestos abatement.

MICHAEL C. TOLL
Commodore Environmental Services
Chicago

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I've long held that the asbestos peril is vastly overrated, and I'll "go to the mat" to back up my opinion. How well I remember, back in the '20s, my mother cooking over a gas stove, as many homemakers did then. Routinely she reached for a flat, round asbestos mat to reduce the heat to "simmer." That went on for years. When mats wore out, she bought replacements at the hardware store.

My parents suffered no lung problems, neither did they die young. And in spite of the contaminated air we breathed as children, my sister and I today are healthy and strong. Our lungs may be laced with hazardous fibers, but we are managing very well, [illegible] without oxygen tanks.

HELEN K. COOK
Kansas City, [illegible]

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Manville Files Appeal Of Ruling on Asbestos

DENVER, Colo. — Manville Corp. has appealed an Aug. 6, U.S. Claims Court decision that ruled the company failed to prove that the government breached its wartime contracts with the company.

Manville's suit against the government, which concluded on June 12, sought recovery for payments made by Manville to individuals who were exposed to asbestos in government-owned or controlled shipyards during World War II. The company contended that the government breached its mandatory World War II supply contracts in its use of government specified insulation and fireproofing materials.

"We believe there are significant errors of fact and law that justify an appeal and warrant reversal by the U.S. Court of Appeals for the federal circuit," said Robert Batson, Manville's senior litigation counsel.

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U.S. court halts shift of Cal-OSHA to federal control

By Doug Willis
Associated Press writer

SACRAMENTO — Gov. George Deukmejian's plan to abolish Cal-OSHA suffered setbacks Monday in separate court hearings, but a final decision on the worker safety program is still at least three weeks away.

First, before a state 3rd District Court of Appeal panel, attorneys representing the Republican governor were peppered with critical questions by all three justices during oral arguments over a suit challenging Deukmejian's legal authority to abolish the program.

Then, in a separate hearing 15 minutes later in federal court, Chief U.S. District Judge Lawrence Karlton issued a preliminary injunction prohibiting U.S. Labor Secretary William Brock from issuing an order that would give final federal approval to Deukmejian's attempt to abolish the program.

Brock had announced his intention to decertify the state program Oct. 1, but Karlton issued an order preventing that until Monday's state court hearing. Karlton's followup order after that hearing placed even tighter restraints on Brock until the state court rules.

The 15-year-old state agency, which worker representatives say enforces much tougher standards than the federal agency Deukmejian wants to replace it, ceased operations in July after Deukmejian vetoed the $8 million that the lawmakers had appropriated for it.

Since then, worker safety inspections in California have been left to federal inspectors operating under an interim "concurrent jurisdiction" arrangement which neither side in the dispute wants to continue.

Attorney Ralph Abascal, who represented workers opposing Deukmejian in both court hearings Monday, said he was "very, very encouraged" by results of the back-to-back court appearances, while attorneys representing Deukmejian and Brock declined to make any substantive comment outside court except to acknowledge the procedural setbacks.

Presiding Justice Robert Puglia of the 3rd District of the state Courts of Appeal said at the conclusion of an hour of oral arguments that his court would rule within three weeks on whether Deukmejian acted legally in closing down the California Occupational Safety and Health Act program without legislative approval.

Although none of the justices on that panel said how they intended to vote, all three directed their most probing and hostile questions to attorney's representing Deukmejian.

Puglia, regarded as the most conservative judge on the panel, said the principal question in the Cal-OSHA suit involved whether the governor or Legislature has authority to set program priorities "and it seems to me the Legislature has done that."

$520,000 asbestos award

A jury in Cleveland has awarded $520,000 to a former government employee who sued the maker of a fire-proofing material that contained asbestos after she was diagnosed as having an asbestos-related disease.

The former employee, Geraldine Layne, 46, of Cleveland, sued the U.S. Mineral Products Company of Stanhope, N.J., in 1983, three years after her illness was diagnosed, said her lawyer, Robert E. Sweeney.

He said U.S. Mineral Products supplied a fire-proofing material, Cafco, used in the construction of the Anthony J. Celebrezze Federal Building in downtown Cleveland.

Sweeney said Cafco contained 25 percent to 30 percent asbestos, which has been shown to cause cancer. Layne worked in the building for 12 years.

The company contended that Layne's medical condition existed before she went to work in the building. Company officials said they were considering an appeal.

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