

File

T. Stewart.

J. Charm
May 3

MVMA Statement
to the
Michigan Occupational Health Standards Commission
on
Occupational Health Rules for Asbestos

May 10, 1988

**MVMA Statement on the
Proposed Occupational Health Rules
for Asbestos**

Good Morning! My name is Dr. Fred W. Bowditch. I am the Vice President of the Technical Affairs Division of the Motor Vehicle Manufacturers Association. MVMA is the major trade association for domestic producers of cars, trucks and buses. Our members build more than 97% of the motor vehicles made in the United States and directly employ nearly 750,000 persons.

With me today are Dr. Bill Krebs, Director, Toxic Materials Control of General Motors, Dr. Lew Gendernalik, an analytical chemist from Chrysler and Mr. Dave Hands, an industrial hygienist from Ford Motor Company.

Dr. Krebs was also a member of the Asbestos Advisory Committee to the Commission.

The Commission has proposed general industry and construction occupational health rules for asbestos. These standards include rules on employee exposures, exposure monitoring, regulated areas, method of compliance, personal protective equipment, hygiene facilities, medical surveillance and recordkeeping. The permissible exposure level, and action level proposed in the standard are lower by 50% than those promulgated by the U.S. Occupational Safety and Health Administration last year.

MVMA is concerned with the Commission proposal. Federal OSHA

has studied the scientific, technical and health effects aspects of appropriate exposure and action levels for asbestos. OSHA held extensive hearings on this issue and they concluded, based on the best available scientific evidence, that the most appropriate and feasible permissible exposure, and action levels are 0.2 and 0.1 fibers per cubic centimeter of air (f/cc), respectively. MVMA participated in OSHA's rulemaking along with national and international scientists, professional organizations, organized labor and others. The decision made by OSHA was based on the most complete collection of information with the broadest possible participation of interested parties. OSHA concluded that their standards were the most stringent necessary and feasible for the protection of U.S. workers. In addition, an Asbestos Advisory Committee, appointed by the Commission, recommended adoption of Federal OSHA standards with some identified, limited changes.

MVMA questions the basis for the decision by the Commission to reduce by half the levels of asbestos exposure for Michigan workers. Particularly when the levels adopted by Federal OSHA were recommended to the Commission by their own Advisory Committee.

The Commission has not indicated or determined what benefits would be accomplished by this lower standard. No estimates of decreased risk to Michigan asbestos workers have been calculated to justify the lower exposure levels. Although state-plan-states such as Michigan are allowed to develop more stringent

occupational health standards, it is incumbent upon states to demonstrate the need and benefit of such stringent standards.

At the April 6, 1987 Commission meeting to consider an asbestos standard for the State of Michigan, several representatives of MVMA participated in the meeting and discussed the lack of technology available to accurately and precisely measure very low asbestos exposures. MVMA's experience has shown that current sampling and analytical methods border on the edge of accuracy and repeatability of the measurement of an employee exposure below the range of 0.2 f/cc. Data from the Proficiency Analytical Testing (PAT) program of the National Institute for Occupational Safety and Health and American Industrial Hygiene Association confirm this. The variance in the determined analytical values by participants of the PAT program are generally greater for asbestos than for any other material. A more detailed and technical discussion of this is provided in a written attachment to my oral comments.

Despite these comments of the MVMA representatives at the April 6 meeting, as well as similar comments from representatives of the Asbestos Information Association, Detroit Edison and Asbestos Advisory Committee members, the Commission has proposed standards which are infeasible using currently accepted methods of analysis.

In addition, the proposed lower exposure levels will have significant economic and manufacturing implications without

commensurate health benefits. In the past, asbestos was contained in many motor vehicle components. Over the past decade or more, MVMA members have undertaken comprehensive programs to eliminate the need for asbestos containing parts or to find substitutes. A detailed discussion of these efforts is contained in attachment II of my comments.

In spite of these efforts, in some critical applications, asbestos continues to be used. For these situations a 0.1 f/cc Permissible Exposure Level would dramatically affect vehicle and component manufacturers. Lead time will be required for further engineering work where elimination and substitution are feasible. Individual members may comment separately on expected lead times required to accomplish various engineering changes. In addition, in a few limited applications, such as replacement brake linings, continued asbestos usage with appropriate controls may be necessary for the continued viability of vehicles in service.

In approving a state standard applicable to products, OSHA must find that the standard is justified by compelling local conditions. The Commission has yet to address this issue.

The control of asbestos exposure in vehicle manufacturing in the range of 0.1 f/cc PEL would be extremely difficult. Previously, we discussed the problem of evaluating compliance measures to meet this PEL with current analytical techniques. Considering control measures themselves, once asbestos-containing products are removed from the shipping containers, they are

handled by several persons and travel a substantial distance during assembly. Thus, the areas in which controls would be required and the numbers of persons affected would be substantial. Possible control measures would include the use of personal protective equipment for numerous employees over an entire work shift or large ventilated enclosures which permit the passage of partially assembled vehicles.

Turning to vehicle component manufacturers, the 0.1 f/cc would also impose very significant manufacturing constraints. Since our members manufacture very few asbestos containing vehicle components, we are unfamiliar with the exact nature of these constraints. We hope that vehicle parts manufacturers will comment on the proposed standard.

The matter of replacement brake linings for older model vehicles still in service warrants additional discussion. The ideal control approach to asbestos in brake linings is to develop substitutes. This approach is acceptable for new vehicle design because brake systems can be engineered around the characteristics of the substitute. Substituting asbestos-free brake linings without redesigning the brake system may result in reduced lining durability, adverse effects on other brake system components and even increased stopping distance. Thus, using asbestos substitutes in brake linings without carefully evaluating the consequences could result in trading presumed reductions in adverse health effects for increased traffic safety problems. Thus, the continued use of asbestos containing

replacement brake linings with proper control measures may be necessary to ensure adequate braking performance for the lives of vehicles in service.

In conclusion, MVMA urges that the Commission reconsider their proposed asbestos standard and suggest they accept the Advisory Committee recommendation to adopt Federal OSHA's asbestos rule. This will facilitate an expedient implementation of a standard for the State of Michigan and avoid further time consuming disputes, while providing the most feasible and necessary health protection of Michigan workers.

Thank you.

10:15