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Drastic Cut in Asbestos Exposure Urged By Federal Agency for 250,000 Workers

By GAIL BRONSON
Staff Reporter of THE WALL STREET JOURNAL

Federal researchers are urging a drastic reduction in the occupational exposure of more than 250,000 workers to asbestos, a known carcinogen to one-tenth of the current federal standard. Carcinogens are cancer producing or inciting agents.

In an unpublished report, the National Institute for Occupational Safety and Health recommends that worker exposure to airborne asbestos be limited to 100,000 fibers per cubic meter of air in eight hours. In addition, the researchers want peak concentrations of exposure limited to 500,000 fibers per cubic meter of air based on 15-minute sampling periods.

Current federal standards limit asbestos to two million fibers per cubic meter of air. This standard was promulgated by the Occupational Safety and Health Administration in 1972, at which time industry was given four years to comply. Plants were required to set up improved ventilation systems. In the interim period, an "emergency" exposure standard remained in force after it was set by OSHA under pressure from the AFL-CIO.

The institute recommendations in 1972 to OSHA were well below those actually carried out by OSHA. Its 1972 recommendations were designed to protect workers from asbestosis, or chronic lung disease," says Verne rose, acting director for criteria documentation with the agency's parent, HEW. We are simply stating the lowest detectable exposure level in the workplace. The reason is that we don't know what could possibly be a safe level of exposure over the working lifetime without adverse health effects."

Deadly Quality Documented

The lethal quality of tiny asbestos fibers that lodge in the lungs is well documented. If the exposure to asbestos dust in the workplace is slashed, industries that use the material such as construction and oil refining, may come under increased pressure to substitute nontoxic materials. Asbestos is used in fireproof textiles, shingle insulation, and thermal piping, among other products.

"It's not possible to establish a safe exposure level for the carcinogenic activity of asbestos," says Dr. John F. Finkles, director of the institute. "Therefore, emphasis should be placed on prohibiting the occupational use of asbestos in other than completely closed operations, and on substituting other products whenever possible."

The 1972 institute recommendations on asbestos to OSHA were based in part on the research of the British Occupational Hygiene Society, which evaluated 200 workers in an asbestos factory. Based on that work, the institute concluded that a two-million-fibers limit would prevent asbestosis.

However, when the British plant was restudied in 1972, it was found that there was a greater incidence of asbestosis than the British standard warranted. In fact, 36% of the workers exposed for 10 years to 19 years had some kind of chest abnormality, and the rate of abnormalities increased with the rate of asbestos exposure.

Other studies show an increased mortality rate from cancer among workers exposed to asbestos, says John Dement, an institute industrial hygienist. A British study published this year showed that workers exposed to asbestos from 1933 to 1950 had 1.8 times as much chance of contracting lung cancer as the expected number of cancer cased in the general population. Mr. Dement adds that British scientists found that in workers employed up to 15 years beyond 1950, during a period when industry improved its engineering controls and technology for plant environment, the excess cancer case statistics continued to show up.

'Excess of Cancer Risk'

In a South Dakota gold-mine study published this year, researchers found that the 440 workers had three times as many cases of respiratory disease as expected, based on the state mortality rates. These workers were exposed to less than 250,000 fibers per cubic meter in eight hours.

"We're saying reduce exposures (to asbestos) to a bare minimum because we can't tell you how low you have to go to eliminate a cancer risk," says Mr. Dement. "All studies have shown an excess cancer risk at all levels of exposure to asbestos."

The reason for OSHA reevaluating the asbestos standard stems from a 1974 suit by the AFL-CIO's industrial union department against the Department of Labor complaining about several points in the 1972 exposure standard. The AFL-CIO petitioned for changes to be made to the required medical records that employers maintain on workers, and it requested that the timetable for lowering asbestos exposure limits be stepped up.

The federal court of appeals in Washington, D.C., directed OSHA to reconsider those two provisions of the standard. At that time, the enforcement agency decided the standard possibly wasn't protective enough of asbestos workers' health and it decided to repropose the entire standard, beyond the court directive, says an OSHA spokesman.

OSHA enlisted the aid of the National Institute for Occupational Safety and Health in the re-evaluation to study new research developments and explore advances in protective technology as they related to asbestos exposure. The OSHA spokesman said the agency will hold public hearings early next year on proposed revised standards before promulgating the final rule.

Centex Unit Awarded $19.1 Million Contract For VA Hospital Job

By a WALL STREET JOURNAL *Staff Reporter*

DALLAS—Centex Corp. said its J. W. Bateson Co. unit was awarded a contract of $19.1 million for the second phase construction of a 400-bed replacement hospital at the Veterans Administration Hospital in Columbia, S.C.

Centex said Bateson's work will be performed by its subsidiary, Cardinal Contracting Co., the concern that is currently performing the initial construction work.

GM Agrees to Give Lead-Exposure Data To Safety Institute

By a WALL STREET JOURNAL *Staff Reporter*

WASHINGTON — General Motors Corp. notified a federal occupational health agency that it will furnish many of the records on worker exposure to lead that the agency had threatened to subpoena.

The National Institute for Occupational Safety and Health said GM's medical director, Dr. Robert C. Wehrle, notified the agency that the data would be made available at a meeting next month. "We are told that the data which will be submitted will reflect our concern with employe health and safety," the institute says. It added that only a fair and objective appraisal of the data, the latter declared.

Federal officials hope the GM records, which go back more than 20 years, will help determine whether there is a relationship between lead levels in workplace air and lead levels found in workers' blood. The records involve GM's Muncie, Ind., Delco-Remy lead battery plant. In late November, institute officials said they were considering subpoenaing the records because GM had declined to make them available.

The company said it would furnish monitoring data from 1974 to 1976, as well as a study of women employed at the plant from 1972 to 1975. It also agreed to discuss submission of the earlier data. GM added that it would explain "numerous factors which limit the use" of the data in conducting the study the institute has in mind.

Johnson & Discloses I Of Antitr

By a WALL STREET J

WASHINGTON—J closed that the Fede has been investigati medical-supply busin The New Brunsw made the disclosure statement it filed w Exchange Commissi with Immuno Science son said that the FTC comprehensive grand with its investigation Johnson & Johnson's and that it is in Johnson & Johnson now that the investig said in its 1975 anti

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Coal-Burning Capability Ordered for New Utilities

By a WALL STREET JOURNAL *Staff Reporter*

WASHINGTON — The Federal Energy Administration intends to require 20 proposed electric utility plants to be built with the capability to burn coal.

The latest FEA orders are part of a federal program to require utilities to burn abundant coal, rather than the more-scarce supplies of oil and natural gas, to generate electricity. The agency already has announced its intention to order 122 other proposed power plants to burn coal, and has required 74 existing plants to convert to coal from oil and gas.

If all the FEA orders are carried



Jacquin Aides Fined For Not Assisting SEC Liquor Inquiry

Pacific Options

Option &	price	— Jan — Vol	Last	— Apr — Vol	Last	— Jul — Vol	Last	NY Close
BankAm	20	5	8½	a	a	a	a	28½
BankAm	25	5	3⅜	26	3¾	1	4⅛	28½
BankAm	30	a	a	1	1	2	1½	28½
Cr Zel	45	1	¾	2	1⅜	a	a	44¼
D Sham	35	231	7-16	60	2¼	6	3⅜	34¼
D Sham	40	a	a	26	11-16	b	b	34¼
Disney	38¾	13	8½	a	a	a	a	46¾
Disney	43¾	5	3½	10	5¾	a	a	46¾
Disney	50	b	b	6	2	a	a	46¾

Title 30—Mineral Resources

CHAPTER I—MINING ENFORCEMENT AND SAFETY ADMINISTRATION, DEPARTMENT OF THE INTERIOR

SUBCHAPTER O—COAL MINE HEALTH AND SAFETY

PART 71—SURFACE WORK AREAS OF UNDERGROUND COAL MINES AND SURFACE COAL MINES

Exposure to Asbestos

Pursuant to the authority vested in the Secretary of the Interior under section 101 of the Federal Coal Mine Health and Safety Act of 1969 (30 U.S.C. 811), to promulgate mandatory health standards transmitted to him by the Secretary of Health, Education, and Welfare, there was published in the FEDERAL REGISTER for November 7, 1973 (37 FR 23645) a proposed standard for occupational exposure to asbestos in surface coal mines and surface work areas of underground coal mines.

Interested persons were afforded a period of 45 days within which to submit written comments, suggestions, or objections to the proposed standard and a number of comments were received by the Bureau of Mines (now the Mining Enforcement and Safety Administration) and transmitted to the Department of Health, Education, and Welfare for consideration. On April 10, 1974, the Acting Deputy Assistant Secretary of the Interior, in accordance with section 101 (f) of the Act, published a notice (39 FR 13063) that objections to the proposed asbestos standard had been filed stating the grounds for such objections with sufficient particularity and that a public hearing had been requested. The Department of Health, Education, and Welfare notice of hearing (39 FR 16913) afforded interested persons an opportunity to be heard at the hearing which was conducted by the National Institute for Occupational Safety and Health at that Department on June 5, 1974.

On the basis of the evidence presented at the hearing and on other information available to the Department of Health, Education, and Welfare concerning the asbestos standard, findings of fact were made public in accordance with section 101(g) of the Act on August 5, 1974 (39 FR 28176) with the result that the only change in the standard as proposed has been the addition of a definition for "asbestos" to clarify that nonfibrous or nonasbestiform minerals are not intended to be within the scope of the standard.

In accordance with section 101(h) of the Act, the amendments to Part 71 as set forth below are effective on March 10, 1976.

Dated: March 4, 1976.

WILLIAM L. FISHER,
Deputy Assistant Secretary of the Interior.

Part 71 is amended as set forth below:

1. In Subpart C, the first sentence of § 71.200(a) is amended to read as follows:

§ 71.200 Inhalation hazards; threshold limit values for gases, dusts, fumes, mists, and vapors.

(a) No operator of an underground coal mine and no operator of a surface coal mine may permit any person working at a surface installation or surface worksite to be exposed to airborne contaminants (other than respirable coal mine dust, respirable dust containing quartz, and asbestos dust) in excess of, on the basis of a time-weighted average, the threshold limit values adopted by the American Conference of Governmental Industrial Hygienists in "Threshold Limit Values of Airborne Contaminants" (1972) which is hereby incorporated by reference and made a part hereof. * * *

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2. In Subpart C, a new § 71.202 is added to read as follows:

§ 71.202 Asbestos dust standard; measurement.

(a) The 8-hour average airborne concentration of asbestos dust to which miners are exposed shall not exceed two fibers per cubic centimeter of air. Exposure to a concentration greater than two fibers per cubic centimeter of air, but not to exceed 10 fibers per cubic centimeter of air, may be permitted for a total of 1 hour each 8-hour day. As used in this Subpart, the term asbestos means chrysotile, amosite, crocidolite, anthophyllite asbestos, tremolite asbestos, and actinolite asbestos but does not include nonfibrous or nonasbestiform minerals.

(b) The determination of fiber concentration shall be made by counting all fibers longer than 5 micrometers in length and with a length-to-width ratio of at least 3 to 1 in at least 20 randomly selected fields using phase contrast microscopy at 400–450 magnification.

[FR Doc.76-6813 Filed 3-9-76;8:45 am]

Title 40—Protection of Environment

CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

[FRL 499-6]

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

Announcement of Removal of Court Suspension of Transportation Control Plan Regulations and Postponement of Final Compliance Date for Stage I Vapor Recovery—Boston, Massachusetts

The Environmental Protection Agency is hereby publishing notice that on February 23, 1976, the United States Court of Appeals for the First Circuit ordered the removal of its earlier suspension of certain transportation control plan regulations for the Metropolitan Boston Intrastate Air Quality Control Region (the "Boston Intrastate Region"). Accordingly, the following regulations are in effect as of the date of publication of this FEDERAL REGISTER notice:

1. 40 CFR 52.1135. Regulation for Parking Freeze;

2. 40 CFR 52.1144. Regulation on Evaporative Emissions from Retail Gasoline Outlets (except for paragraph 52.1144 (d), as discussed below); and

3. 40 CFR 52.1161 Incentives for Reduction in Single-Passenger Commuter Vehicle Use.

Paragraph 52.1144(d), containing the so-called "Stage II Vapor Recovery Regulations" remains suspended by the Court pending the promulgation of final Agency regulations and further order of the court.

The above regulations were originally promulgated by the Agency on November 8, 1973 (38 FR 30960) and the suspension was ordered by the Court on September 27, 1974, in the case of *South Terminal Corporation* v. *EPA* (6 ERC 2025, 504 F. 2d 646) and eight related cases arising out of nine separate petitions for review of the original regulations. The Agency promulgated revised regulations on June 12, 1975 (40 FR 25151) but postponed the effectiveness of the above-mentioned regulations pending removal of the court's suspension.

The result of the February 23, 1976, court order is that all of the Agency's transportation control plan regulations for the Boston Intrastate Region are now in effect with the sole exception of the Stage II vapor recovery regulations.

POSTPONEMENT OF MARCH 1, 1976, DEADLINE FOR INSTALLATION OF STAGE I VAPOR RECOVERY EQUIPMENT.

Due to the court suspension there has been substantial uncertainty in the public mind about the status of the Agency's Stage I vapor recovery regulations in the Boston Intrastate Region. Due to this uncertainty a number of sources subject to the Stage I requirements have not yet installed the equipment which was originally required by § 52.1147(a)(5), to be in place by March 1, 1976. In order to allow these sources an opportunity to install the equipment now that the suspension is removed, the Agency has decided to extend the March 1 deadline to June 1, 1976. The Agency anticipates that this additional period of time will lead to substantial compliance by the affected sources and will therefore minimize the need for Agency enforcement action.

The Administrator does not consider today's schedule revision to be a significant change in the June 12, 1975, promulgation. The Stage I requirements were previously subject to public hearing and comments, and the change in the compliance deadline will not prejudice those subject to the requirements. For these reasons and those discussed previously, the Administrator finds that notice and public procedure on the change are unnecessary and would be contrary to the public interest, and that there is good cause for the time extension to be effective immediately. Therefore, this change will become effective immediately upon publication in the FEDERAL REGISTER. This action is being taken pursuant to sections 110(c) and 301 of the Clean Air Act (42 U.S.C. 1857c-5(c) and § 1857(g)).

Dated: March 4, 1976.

RUSSELL E. TRAIN,
Administrator.

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