



ASBESTOS INFORMATION ASSOCIATION

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& NEWS & NOTES

30 March 1979

EPA AND CONGRESS CONFRONT ASBESTOS EMISSIONS FROM PUBLIC SCHOOL CEILINGS

The progress of "The Asbestos School Hazard Detection and Control Act of 1979," H.R. 1524, has slowed after its rapid passage through the House Subcommittee on Elementary, Secondary and Vocational Education Mar. 7. In a Mar. 29 session, the full Committee on Education and Labor vigorously debated the measure which would require contribution into an Asbestos Hazards Detection Fund from "any company which was engaged, during the period 1946 through 1972, in the mining, refining, or importation of asbestos which was ultimately used in a consumer construction material." No vote was taken at the session, however. The Committee mark up is not expected to take place before May 1 as Department of Health, Education and Welfare (HEW) and Office of Management and Budget (OMB) are being consulted on the prospects of federal funding and administrative support for such legislation.

The Environmental Protection Agency (EPA), on the other hand, has made progress with its guidance document on asbestos-containing materials in school buildings. Administrator Douglas M. Costle announced March 16 the voluntary EPA program to provide technical assistance to state and local school officials for the prevention of exposure of children to hazardous asbestos-containing materials in some schools.

EPA, working with the states, is mailing guidance packages to school officials throughout the nation. The guidance package explains the step-by-step procedure for identifying and correcting asbestos exposure problems in a building. Quantity copies of this package are to be available for distribution within two weeks.

EPA will compile data on the steps taken by schools in order to provide each state with a report on the success of the state program. In addition, EPA is now operating during working hours a toll-free telephone (800-424-9065) to answer questions about asbestos in schools and to fill requests for guidance packages. Further information and assistance will be provided by "asbestos coordinators" in each of the ten EPA regional offices.

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CPSC RESPONDS TO ALLEGED HAZARD FROM ASBESTOS IN HAIR DRYERS

At public meeting Mar. 29 the Consumer Product Safety Commission heard report from staff on alleged health hazard from exposure to asbestos released from insulating material around the heating elements of hand-held hair dryers. Local TV station had carried 15-minute special report on this subject Mar. 28 as developed by its "investigative unit." National news media coverage has followed (see news clip).

CPSC is currently evaluating a report prepared by a local consulting firm for the TV station which gives results of laboratory testing of commercial hair dryers for asbestos emissions. CPSC has initiated further laboratory testing by electron microscopy of additional hair dryers. Results are expected within 30 days. Basic conclusions of the TV station consultant's report are: "(1) hair dryers utilizing asbestos as an insulation material are point sources of asbestos fiber bundles in the environment; and (2) the rate of asbestos discharge increases with the age of the hair dryer."

Following briefing by staff Mar. 29, Commission authorized issuance of special orders to manufacturers which would require submission of detailed information on use of asbestos in hair dryers. In addition, manufacturers have been requested to attend public meeting in Washington, D.C. at CPSC headquarters on Apr. 5. Hair dryer episode will be subject of hastily-called congressional hearing on Apr. 2 by Senate Subcommittee on Consumer chaired by Senator Wendell H. Ford (D-KY).

As related matter, on Mar. 29 the Environmental Defense Fund filed a petition with CPSC for prohibition of "further sale of hair dryers containing asbestos materials and requiring the repair or replacement of such dryers which have already been distributed in commerce."

Of interest is reported information that CPSC staff has completed its study of the following asbestos-containing products (profile/background information prepared by Battelle Columbus Laboratories): (1) dry-mix textured paints; (2) bulk asbestos fiber; (3) asbestos-cement products (pipe, sheet, related products and their household uses); (4) "millboard" products; (5) lumber-related products (plywood patch or filler, composition board); and (6) asbestos-containing sprayed on decorative, accoustical or thermal insulation products.

Based on Battelle reports, staff was prepared to recommend that the Commission "undertake no further regulation at this time." Attention to the hair dryer matter has placed presentation to Commission study results for above products on indefinite hold.

003010

DOT REVISES RULE ON
TRANSPORTATION OF ASBESTOS

Subsequent to issuance of final rule on transportation of asbestos on Dec. 4 by Department of Transportation (N&N Dec.), several petitions for reconsideration were submitted by the industry. Petitions requested reconsideration of the provisions and/or extension of the effective date.

By notice in the Federal Register of Mar. 29, DOT revised its transportation of asbestos regulation. Principal changes include insertion of option which allows "shipments of asbestos when packaged in bags or other non-rigid packagings to be transported in closed freight containers, motor vehicles, or rail cars when loaded by the consignor and unloaded by the consignee; or in bags and other non-rigid packagings that are dust and sift proof which are palletized and unitized. Unitized loads in slings need not be palletized during transportation by vessel." In addition, the effective date of the DOT rule was postponed from April 30, 1979 to August 20, 1979.

Advance copy of Federal Register notice was forwarded appropriate members by AIA/NA memo. of Mar. 28. Basic DOT rule and revision are available on request.

EPA'S PRIORITIES COMMITTEE
TO AGAIN CONSIDER ASBESTOS

Environmental Protection Agency's Priorities Committee, Office of Toxic Substances, is scheduled to review Apr. 6 a staff report on asbestos titled "Preliminary Evaluation of Regulatory Control Options under the Toxic Substances Control Act." This is revised study initially considered by Priorities Committee last Dec. (N&N Dec.).

Document reportedly provides in-depth assessment of various options for possible further regulation of asbestos. While no immediate proposals for further regulation are expected, approval of some options could have significant long-range impact on the industry. Again, reportedly, OTS is concerned with control of asbestos fibers from manufacture to degradation of the final product, and about non-essential uses of asbestos.

An EPA spokesman has advised that consideration will be given at the Apr. 6 meeting to release of information contained in the staff report.

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ASSOCIATION REQUESTS OSHA
TO RETRACT MISLEADING RELEASE

In recent release (Labor Press - Column 11) titled "Do You Work With Asbestos?" circulated to labor unions by Dr. Eula Bingham, Assistant Secretary of Labor (OSHA), following paragraph appeared:

"In all, three to five million workers may be exposed to asbestos. Studies have shown that more than 40 percent of asbestos workers will die of asbestos-related diseases. Even very brief exposure may cause deadly lung disease or cancer which may not show up for 20 years or more. Other studies have shown that 38 percent of asbestos workers' family members may suffer lung disorder, apparently as a result of exposure to fibers which are brought home on work clothes."

AIA/NA President T. A. Dougherty advised Dr. Bingham by letter dated Mar. 22 that the Association "must protest in the strongest terms possible such irresponsible and misleading statements." Statistics cited in the release were apparently taken from the much criticized HEW-sponsored study, "Estimates of the Fraction of Cancer in the United States Related to Occupational Factors." Mr. Dougherty requested that the OSHA release be retracted "with appropriate explanation that the statistics cited are not scientifically supportable nor indicative of related risks associated with present-day exposures to asbestos."

AIA/NA RESPONDS TO VIRGINIA REGULATORY
INITIATIVE AFFECTING ASBESTOS

Asbestos has been nominated for designation as a Class I substance in Virginia-based on State's Toxic Substances Information Act (N&N Jan.). Proposal would require users and/or manufacturers of over 1000 kilograms per year of asbestos to file a special report to ensure that "appropriate government and company officials are aware of character of a potentially hazardous substance, its emissions and health effects, as well as any detoxification procedures."

AIA/NA has responded to the proposal with comments in two specific areas. State's Toxic Substances Information Act requires the Board of Health to promulgate regulations for Class I substances on the basis of substantial evidence "determined from toxicological and other scientific data to pose the greatest threats to human health or the environment listed individually or by generic class together with amounts in which the substances pose such risks . . ." The

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Board's attention was invited to the fact that Class I documentation failed to meet statutory requirement for specifying the amount in which asbestos poses a threat to health or environment.

Secondly, the Association stressed that firms using asbestos-containing materials in manufacturing where the asbestos is bound or "locked-in" should be exempt from Class I reporting requirements. Virginia's Toxic Substances Information Act provides that the Board "exempt classes of commercial establishments which by reason of the manner of use . . . of toxic substances do not constitute a substantial risk to public health, safety or welfare."

A final decision may be expected from the Board by late May.

MORE HEARINGS ON ASBESTOS ARE SCHEDULED

House Education and Labor Subcommittee on Labor Standards under chairmanship Rep. Edward P. Beard (D-RI) has scheduled seven days of hearings on asbestos in the next six months. These are part of a set of "information and oversight" hearings on several occupational diseases including byssinosis (brown lung disease) from exposure to cotton dust and dermatosis.

The asbestos segment of the hearings begins on May 1 with medical testimony on asbestosis scheduled to be given by representatives of Department of Health, Education and Welfare (HEW) and National Institute of Occupational Safety and Health (NIOSH), Dr. Irving J. Selikoff, Dir., Environmental Sciences Laboratory, Mount Sinai School of Medicine, Dr. Leon Condor, Chief of Internal Medicine, University of Pennsylvania, and Dr. Paul Kotin, Senior Vice President, Health, Safety and Environment, J-M Corporation.

The hearing on asbestosis will continue on May 2 with testimony offered by union officials. The third day of these hearings will feature testimony from various representatives of industry and government on issue of liability.

Asbestosis and other occupational diseases are the subjects of two days of hearings in Long Beach, CA, July 6 and 7. In addition, Providence, RI, will be the site of hearings on Oct. 1 and 2 on asbestos, lacquer and other occupational hazards.

003013

CONFERENCE ON ASBESTOS HELD AT NIH

Conference titled "Scientific Basis for Public Health Control of Environmental Asbestos Hazards" as part of National Institutes of Health's Combined Clinical Center Conference Series was held Mar. 29 (3:30-5:30 PM) under sponsorship of National Institute of Environmental Health Sciences (NIEHS).

Conference exclusively featured Dr. Irving J. Selikoff and his colleagues from Environmental Sciences Laboratory, Mt. Sinai School of Medicine, New York City. In announcement of meeting dated Mar. 16, Dr. David P. Rall, director, NIEHS, said asbestos "is becoming of increasing interest" and referred to certain initiatives taken by HEW Secretary Califano during 1978.

No copies or abstracts of presentations were available. It is understood that the papers presented will be published in a single document in 3-4 months. In general, program covered review of extant scientific information.

EMPLOYEES CAN WAIVE MEDICAL EXAMS FOR RESPIRATORS

OSHA told a Washington, D.C. law firm recently that workers are not required to take medical exams which assess their ability to wear a respirator. Employers must make the exams available to workers who are required to wear respirators, must provide respirators, and must assure that employees are using them.

Although medical exams must be made available, OSHA standards do not require workers to take the exams. An employee who waives the exam may still work at a job requiring a respirator, provided the worker wears the device. In letter, OSHA head Dr. Eula Bingham reiterated that "every effort should be made by the employer to see that workers do not have to wear respirators. When they do, reasonable efforts should be made to see that they are physically able to wear them."

NAMES IN THE NEWS

Grover Wrenn, Director of OSHA's Health Standards Program, has been named to head the agency's directorate of federal compliance and state programs. Wrenn will retain his health standards responsibilities pending designation of a successor. Wrenn was luncheon speaker at Dec. directors meeting. Thomas Jorling, Asst., Administrator for Water and Waste Mgt., EPA, is expected to return to Williams College for fall term. No announcement has been made regarding a replacement.

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