

Irving J. Selikoff Is Dead at 77; TB Researcher Fought Asbestos

By BRUCE LAMBERT

Dr. Irving J. Selikoff, the co-discoverer of a treatment for tuberculosis who went on to prove the hazards of asbestos and lead a campaign against its use, died on Wednesday at Valley Hospital in Ridgewood, N.J. He was 77 years old and lived in Ridgewood.

He died of cancer, said a spokeswoman for the Mount Sinai Medical Center and School of Medicine, where he was affiliated for 51 years.

Dr. Selikoff was a pioneer in environmental and occupational medicine. In 1966 he became the founding director of the nation's first hospital division dedicated to that field, at Mount Sinai in Manhattan. He was also a prize-winning researcher, educator and author and a relentless public advocate.

In 1952 he and Dr. Edward H. Robitzek demonstrated the effectiveness of isoniazid as a new tuberculosis medicine, especially for patients not helped by other treatments. It proved a major advance in controlling the disease and is still widely used.

Spotted an Unusual Illness

Then Dr. Selikoff opened a lung clinic in Paterson, N.J., where he was alarmed to find unusual illnesses in 17 patients who worked at an asbestos plant.

"It became clear as we were following these people that they were dying of cancer," he said. Within several years 15 were dead, 14 from lung cancer, asbestosis or mesothelioma.

Although some industrialists resisted his research — by refusing access to employee records, for example — he persisted, enlisting the help of unions and even getting workers' names from the F.B.I.'s World War II security clearances.

A larger study of several hundred

asbestos workers also found abnormally high rates of death and cancer. That led to an even larger survey of 17,800 insulation workers, which confirmed the findings. Dr. Selikoff reported that people who worked with asbestos for less than a week had scarred lungs 30 years later.

Safeguards Finally Come

The Federal Government finally responded: In the 1970's the Occupational Safety and Health Administration imposed safeguards for workers, and in 1989 the Environmental Protection Administration imposed regulations to phase out most asbestos products.

His findings also prompted billions of dollars in lawsuits that attributed workers' illnesses to exposure to asbestos on the job.

Dr. Selikoff's work won awards from the American Public Health Association, the New York Academy of Sciences, Modern Medicine, the American Cancer Society and the A.F.L.-C.I.O.

He was the former head of the American Thoracic Society, the Collegium Ramazzini and New York Academy of Medicine. He was a consultant to the World Health Organization, the National Cancer Institute and other agencies, businesses and unions.

He wrote more than 350 scientific articles and two books, edited 11 books and founded two journals.

Dr. Selikoff was born in Brooklyn. He graduated from Columbia University in 1935 and earned his medical degree at the Royal Colleges of Scotland in 1941. He retired as division director at Mount Sinai in 1985 but remained active in research.

There are no immediate survivors. His wife, the former Cecelia Shiffrin, died 1986.



The New York Times, 1987

Dr. Irving J. Selikoff

**ASBESTOS RULING AND PREVENTION TREND PUSH
EPA TO REVISE TOXICS PROGRAM, SAYS FISHER**

A federal court decision that has complicated regulatory work under the Toxic Substances Control Act and "new trends in environmental management" have spurred the Environmental Protection Agency to redirect its toxics program, Assistant Administrator Linda Fisher said last week.

The agency faces some "definite challenges" in using TSCA Section 6 because of a decision last October by the 5th U.S. Circuit Court of Appeals overturning EPA's 1989 asbestos ban, she said (TMN, Oct. 23, 1991, p. 413). Under Section 6, the agency has seven regulatory options to consider for chemicals found to pose unreasonable risks to human health or the environment. Section 6 authorizes EPA to order manufacturers to notify the public about a chemical's risks (the least stringent option). It also empowers the agency to ban a chemical, as it tried to do with asbestos (the most stringent option). However, the 5th Circuit found that EPA strayed from a mandated analytical scheme by failing to consider options less stringent than a ban of asbestos.

"The burden of proof that the court's decision imposes [on EPA] could significantly increase the level of analysis on substitutes and on the least burdensome approach that the agency must provide for any future Section 6 action," Fisher told a March 25 hearing of the Senate Environment and Public Works subcommittee on toxic substances. Conceding that Section 6 regulations now will require more time and resources than ever before, Fisher nevertheless pledged to use Section 6 "whenever we encounter unreasonable risks." Section 6 offers the agency an important tool in trying to persuade companies to volunteer to implement risk reduction measures, said Fisher, who heads EPA's Office of Prevention, Pesticides and Toxic Substances (OPPT). The agency has decided not to appeal the 5th Circuit decision to the Supreme Court.

Therefore, due to the asbestos decision and new ideas in environmental management, OPPT intends to use four key principles to guide future activities to reduce threats from toxics substances, Fisher explained. Under the first principle, OPPT will promote pollution prevention in a number of ways, ranging from encouraging voluntary measures to putting cost-effective prevention alternatives

in regulations, she said. OPPT will join other EPA offices in seeking rules that should be targeted for pollution prevention options, and it will be trying to develop non-regulatory strategies to achieve public health and environmental goals. Moreover, OPPT will be providing outside parties with information, training and grant assistance in the area of pollution prevention.

The second principle calls for OPPT to use TSCA in promoting the design, development and application of safer chemicals, said Fisher. "Fundamentally, our role is to push for use of safer chemicals and processes in the basic operations of the industrial sector," she explained.

In the new chemicals program, OPPT has revised the premanufacturing notification (PMN) form to allow companies to illustrate how a proposed new chemical might serve as a better substitute for an existing chemical. For the existing chemicals program, the office is putting an emphasis on evaluating clusters of chemicals that are used in a particular industrial process, with a goal of promoting safer chemicals and technologies at a reasonable cost, said Fisher.

"We believe this approach will eventually replace the tendency to focus on single chemicals, which may sometimes lead to inadequate consideration of the risks of substitutes," she added.

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With the third principle, the office hopes to provide stewardship for high-risk chemicals. While pollution prevention will be a guiding principle, OPPT still faces the task of managing several high-risk chemicals, such as polychlorinated biphenyls, lead and asbestos, Fisher noted. For example, OPPT developed and is coordinating a multi-media, agency-wide strategy to address health risk from lead. The lead strategy includes studies on the efficacy of various lead abatement alternatives and new TSCA regulatory investigations on lead in plumbing fittings, fixtures and solder, she said.

OPPT's fourth principle is to acquire and disseminate information about chemical risks and pollution prevention. While the agency, as required, intends to protect legitimate confidential data, EPA is concerned that some companies have made confidential business information (CBI) claims on health and safety studies that, with rare exceptions, fall outside the scope of TSCA confidentiality.

Therefore, OPPT has started to systematically review and, in appropriate cases, challenge CBI claims for health and safety submissions. In challenging 200 health and safety submissions claimed in part as confidential, OPPT has convinced submitters in each case to provide more disclosure, said Fisher.

Bush Sides With Industry in Overruling The EPA on-Clean Air Act Regulations

By ROSE GUTFELD

Staff Reporter of THE WALL STREET JOURNAL

WASHINGTON — President Bush's decision to overrule the Environmental Protection Agency on a key issue of the Clean Air Act means that two rules vigorously sought by industry probably will be finalized soon.

Mr. Bush, as expected, sided with the White House Competitiveness Council and against his top environmental official on the controversial air-permits rule. The rule would have required businesses with air pollution permits to seek regulatory approval when they change operations in ways that could increase emissions.

At issue was how much public participation should be required. EPA Administrator William Reilly had argued that the law requires citizens groups to have ample opportunity to challenge such changes. The competitiveness council, headed by Vice President Quayle, disagreed, arguing that the requirement would cost industries billions of dollars.

While it is highly unusual for a such a seemingly technical rule to go to the president for a decision, the permits became a major test of the president's deregulatory initiative. Mr. Bush's involvement followed months of intense debate within the administration, with Mr. Reilly virtually alone in calling for a strong regulation. The president's decision was first reported in the Washington Post.

Now that Mr. Bush has made his decision, the permits rule should be finalized shortly. The EPA also is likely to issue another that had been pushed by the White House and the utility industry that would ease the environmental standards that

apply when utilities upgrade their plants. The agency had been waiting to issue the rule in order to increase its leverage in the permits dispute.

Officials are still discussing whether a formal legal opinion from the Justice Department is required before the permits rule can be issued. Mr. Reilly continues to argue that such an opinion is necessary. With the president's decision, however, EPA officials believe the EPA administrator is satisfied that he has pushed his case as far as possible. Individual states could still require public participation, but they wouldn't have to do so.

In a statement yesterday, Rep. Henry Waxman argued that the changes accepted by the president would be illegal, and he urged Mr. Reilly not to issue a permits rule that includes them. Noting that the law gives the EPA administrator ultimate authority for carrying out the Clean Air Act, the California Democrat said, "I urge Mr. Reilly not to take the illegal action called for by the president, and not to sign the rule with this loophole."

The rule is expected to give environmental regulators 45 days to review operating changes that businesses want to make under their permits. It would be up to the states to decide if businesses could start making the changes before the review was complete. If a state decided to disallow a change that was already under way, the company would have to stop and, possibly, to temporarily reduce emissions elsewhere in the facility to make up for the excess emissions that had been caused by the disallowed change. The competitiveness council had pushed for a shorter review period.

■ Learning to live with asbestos

— Wrapping up the asbestos problem has proved to be much more difficult than first thought, as we learn just how much of the stuff is lying around. It is refreshing, therefore, to hear a voice of reason on the subject. The American Medical Association's Council of Scientific Affairs contends that it is better to learn to live with asbestos safely than to attempt the impossible task of eliminating it completely.

Not all asbestos building materials are dangerous. In schools, where of course much of the concern has been focused, asbestos is

often safely contained within walls, pipes and other stable areas of the buildings, and the air indoors contains no more asbestos than the air outside the building. The Environmental Protection Agency has estimated the cost of cleaning all asbestos out of 107,000 primary and secondary schools, as well as commercial and public buildings, at as much as \$150 billion. This staggering sum might be much better spent on other health problems than on a cleanup program of such questionable benefit.

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USEPA clarifies asbestos ban; production of A-C pipe proceeds

Certain asbestos products remain subject to the USEPA asbestos prohibition despite a federal court's rejection of the ban last year. Producers of asbestos-cement (A-C) pipe, however, are proceeding full speed ahead to meet worldwide demand, not anticipating any further agency attempts to outlaw their product.

USEPA, which opted not to appeal the ruling to the Supreme Court, in an April 3 Federal Register notice explained how the court held that the rule "continued to govern asbestos-containing products that were not being manufactured, imported, or processed" the day the rule was promulgated—July 12, 1989. The agency said it believes any new use of asbestos is prohibited as are vinyl-asbestos floor tile and asbestos flooring felt products, production of which ceased prior to 1989. The agency also believes the following products may be subject to the rule: A-C corrugated and flat sheet, A-C shingle, and asbestos clothing, flooring felt, pipeline wrap, roofing felt, commercial corrugated and specialty paper, rollboard, and millboard.

B.J. Pigg, president of the A-C Pipe Producers Association, said that with the agency's failure to appeal, "the cloud of a prospective ban on the manufacture of A-C pipe has been removed completely. EPA has no further legal recourse; the agency's ban . . . has been wiped off the books." Pigg further noted that the association is confident USEPA will not initiate a new rule threatening A-C pipe production. "The A-C pipe industry is gratified that the continued use of its product has been fully vindicated as a result of this long rulemaking and legal process," said Pigg. "The tarnish of the EPA ban has been removed and the reputation of A-C pipe as the 'value-engineered pipe' has been restored."

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\$54.5 Million to Schools For Asbestos Abatement

On April 27, EPA said that it is awarding \$54.5 million in funds during fiscal year 1992 to public and private schools to pay for asbestos abatement projects. The money, made available under the Asbestos Hazard Abatement Act (ASHAA), is being offered to 128 school districts for 261 abatement projects in 198 schools. About \$14.8 million of the available funds will be grant monies and \$39.7 million will be interest-free loans.

Applications for funds were received from 362 Local Education Agencies. Each application was reviewed by EPA. Projects posing the highest degree of hazard, within school districts that have demonstrated financial needs, were those considered for funding, as required by ASHAA.

States receiving the largest awards are: Illinois, \$11.9 million; Tennessee, \$8.8 million; Ohio, \$6.7 million; Iowa, \$5.7 million and New York, \$5.3 million. For lists of states and school districts offered awards, contact the Toxic Substance Control Act Hotline at 202-554-1404.

TALK BACK

To the Editor:

I read, with interest, your article, "Will the Real Asbestos Threat Please Stand Up?" in your November 1991 issue.

I have felt (and still feel) that the asbestos danger is grossly exaggerated. I have lived with, worked with, and known many people who, like myself, have been exposed to asbestos for years without asbestos-related problems.

The cost of removing asbestos in public and private schools is staggering. The people in asbestos removal have made fortunes. But, even with the high cost to the public, no one appears to demand proof of the dangers of asbestos.

For several years, I have asked various agencies and environmental groups one simple question. Where are the records of the asbestos-related deaths they report? In New York State, health department figures show seven or fewer deaths occurred from asbestosis in each year going back to 1965. There is no question that, in certain circumstances, asbestos can be harmful, even fatal (recall the ship spraying incident that started the scare). For most users, asbestos does not seem to be dangerous. Shouldn't we, therefore, be provided with some proof of danger?

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