FILE NAME: General Electric (GE)

DATE: 1980 Feb 20

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FR NOTICE- 10-17-79 -12-17-79
COMMENTS DUE- 12-17-79 -2-18-80

UNITED STATES GOVERNMENT

Memorandum

U.S. CONSUMER PRODUCT SAFETY COMMISSION
WASHINGTON, D.C. 20207

TO : OFFICE OF PROGRAM MANAGEMENT
OFFICE OF THE GENERAL COUNSEL

DATE 2-20-80

FROM: CATHY RASBERRY, OFFICE OF THE SECRETARY

16 CFT Chapter II
Consumer Products Containing ASBESTOS; Advance Notice of Proposed Rulemaking

SUBJECT : REFERRAL OF OFFICIAL COMMENTS

CC12-79

ATTACHED ARE COMMENTS ON THE _____

PLEASE LOG AND HANDLE AS APPROPRIATE.

Comments By Date Of Receipt

COMMENT	DATE	CORRESPONDENT	SIGNED BY
CC12-79-31	2-4-80	School of the Institute of Chicago Chicago, Ill.	Gail Barazani Michael McCann Monona Rossol Linnea Smith
CC12-79-32 32a 32b	2-5-80	General Electric Co. Fairfield, Conn.	Martin F. Connor
CC12-79-33	2-7-80	Maureen Dye Glens Falls, N.Y.	Interested Person
CC12-79-34	2-11-80	Reichold Chemicals, Inc. White Plains, N.Y.	T. R. Madden
CC12-79-35	2-14-80	Australian Consumers' Assoc. Chippendale, N.S.W. Australia	Allan Asher
CC12-79-36 (see;CC12-79-15)	2-15-80	Wagner Electric Corp. Parsippany, N.J.	J. C. Schroer
CC12-79-37	2-15-80	The Assoc. of Asbestos Cement Pipe Producers Philadelphia, Pa.	Arthur H. Kahn George E. Rahn,Jr. Counsel
CC12-79-38	2-15-80	W. R. Grace & Co. Cambridge, Mass.	B. R. Williams,V.Pres.
CC12-79-39	2-15-80	American Industrial Health Council, Inc. Scarsdale, N.Y.	Ronald A. Lang Ex. Dir.

CC 12-79-32 General Electric Company
Fairfield, Connecticut 06431
Martin F. Connor

Mr. Connor stated:

1. Generic Rulemaking on the Use of Asbestos in Consumer Products is unnecessary and inappropriate.

2. The Commission's proposed regulatory approach improperly assumes that every risk of cancer is unreasonable.

   a) The Consumer Product Safety Act specifically requires that the Commission find that a degree of risk is unacceptable before it takes regulatory action.

   b) In view of the prevalence of carcinogenic substances, the Commission may not ignore quantitative degrees and differences when it assesses the risk associated with such substances

3. The Commission may not assess the acceptability of risk associated with use of a carcinogen without addressing the difficult scientific and public-policy issues which arise from exposure to extremely low doses of that carcinogen.

4. Any step taken to control the use of asbestos in consumer products must acknowledge, and make sense in light of our substantial and continuing exposure to asbestos in ambient air.

5. Without supporting empirical data, the Commission may not regulate products emitting very small quantities of asbestos fibers on the hypotheses that these fibers build up indefinitely within buildings.

6. The Commission must realistically balance health risks against total product utility, including particularly product safety.

ESEP comment: No CPSC engineering issues