PLAINTIFF'S EXHIBIT
CAP-1003

A/C Pipe Producers Association

Internal Correspondence

W. Whitley
H. Beasley
S. Lowenhaupt
W. Pbrnell

TO Executive Committee
International Affairs Committee

FROM J. F. Welch
J. F. Welch, Vice President

DATE July 16, 1982
7-23-82

SUBJECT U. S. Environmental Protection Agency (EPA) - Office of Drinking Water

ACTION REQUIRED: Review for information

On July 7, 1982, Staff met with Dr. Joseph Cotruvo, Director of Criteria and Standards, to obtain an update on the Office's activities related to asbestos in drinking water and A/C pipe.

Revised Primary Drinking Water Regulations

As reported in the July Regulatory Affairs, Field Problems and Asbestos Research Report, the Interim Primary Drinking Water Regulations will soon be revised and an Advance Notice of Rulemaking (ANPRM) issued for Revised Primary Drinking Water Regulations. Cotruvo said the revisions are still in draft form and will not include asbestos. The ANPRM will, however, solicit public comment on whether a maximum contaminant level (MCL) should be established for asbestos in drinking water. The request for comment will be prefaced by a two paragraph statement that Cotruvo read but would not release. Its content is roughly as follows:



- Asbestos occurs frequently as a natural contaminant in drinking water supplies
- Asbestos also occurs in potable water as a result of the degradation of A/C pipe
- The health effects of ingested asbestos are still unclear; any link between asbestos in drinking water and gastrointestinal cancer can only be considered "conjecture"
- There are methods to remove asbestos from drinking water at the treatment plant
- If the source of asbestos is A/C pipe, a number of treatment methods are effective in mitigating corrosion
- The outcome of animal feeding studies and epidemiological studies will determine whether an MCL should be proposed for asbestos in potable water
- Comments are requested on the need for an MCL, the role of asbestos in the etiology of gastrointestinal cancer, the practicality and potential costs of an MCL, etc.

Cotruvo expects the ANPRM to be issued in September or October, 1982. Staff recommends that AACPP submit comments, perhaps under the aegis of Kirkland & Ellis. Staff will obtain a complete draft ANPRM at the earliest possible date.

NIEHS Animal Feeding Studies

Cotruvo attributed the absence of a 1982 interim report to new requirements to peer review all Agency-funded studies prior to release to the public. Like Staff, Cotruvo is aware of verbal reports that the asbestos-treated animals (rats) exhibited no differences in tumor number or type in comparison to the control animals. He made it clear the results of the NIEHS animal feeding study and the case control epidemiological study conducted in the Puget Sound Region of Washington State will be the final critical determinants as to whether an MCL should be proposed for asbestos in drinking water. The final results of both studies are expected by the end of the summer.

EPA Workshop on Asbestos in Drinking Water

In October, 1982, the Health Effects Research Laboratory (HERL) will sponsor a workshop to review all the research conducted on asbestos in drinking water. Cotruvo optimistically characterized the workshop as a "closeout to the research on asbestos." He envisions bringing together the various EPA grantees, representatives from NIEHS and other agencies, the Canadian Government, and policy makers from the Office of Drinking Water to discuss the evidence in its totality. Cotruvo also expects the workshop to summarize the research activity on corrosion of A/C pipe. Jim Millette is project officer for the workshop. Although Cotruvo is not overseeing program development, Millette has been directed to be "very straight," have no sessions on recommendations for levels of asbestos in drinking water or acceptable usage conditions for A/C pipe, and no excursions into policy-making. Cotruvo himself will attend, probably in the capacity of a speaker.

Staff will contact Millette and obtain additional information on dates, speakers, etc.

Drinking Water Research Strategy

Every four to five years, the Office prepares a major strategy document for drinking water research. The strategy committee is comprised of Cotruvo, Marv Rogul (Office of Research and Development) and Gordon Robeck (Municipal Environmental Research Laboratory). That document also is nearing completion and will soon be available for public review.

Reauthorization of Safe Drinking Water Act (SDWA)

The Agency is still developing its formal position on revisions to SDWA, particularly its position on S. 1866 and H.R. 4509, legislation that would increase the Agency's burden in the rulemaking process. Cotruvo was non-committal and only would say "EPA may support such legislative language." The draft position is being reviewed by the Office of Management and Budget and Department of Justice. It is difficult to believe that the Office of Drinking Water would support the intent of the above legislation. Any such support, if it is real, must come from the more politically-oriented Administrator's Office.

CAPCO JEN 0031615

Indirect Additives

The Office continues to handle inquiries on indirect additives. It is not issuing approvals on new chemicals (there were only a small number anyway) and only chemicals which are "virtually similar" to previously approved products are approved.

The Additives Evaluation Branch has made no substantive progress in the past six months. Cotruvo fully expects the future approval of direct additives and indirect additives to be made by a three party consortium of EPA, the National Sanitation Foundation and AWWA Research Foundation. The actual logistics of this third party approval process are currently being worked out.

EPA Presentation to Pennsylvania Water Works Association

During the visit, Staff also contacted Hugh Hanson, Acting Chief, Science and Technology and Additives Evaluation Branches. Hanson is to make a speech on asbestos in drinking water this year, and Staff previously had provided information. Enclosed is Jim Millette's response to Hanson's request for a summary of ingested asbestos studies.

If you have any questions, please do not hesitate to call.

JFW/ajb
Enclosure

cc: A. Kahn, Esq.
W. E. Smith, M.D.
Brian Commins, Ph.D.

copies to:

Executive Committee

L. Ambler
J. Cran
L. Taylor

International Affairs Committee

E. van der Rest
R. Dorner
L. Giannitrapani
N. Officer
P. Hart
A. Saoulis
R. Jalan
V. Pattabhi
H. Hudson
C. Barton
S. Al-Tarkait
M. Delcourt
J. Cuvelier
B. Giboin
Dubuc
G. Zaviezo
J. Rodigues
Dimatit
J. Schmaus

H01EI21403
Chrono

CAPCO JEN 0031616