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A/C Pipe
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January 27, 1986

INDUSTRY RESPONSE TO EPA PROPOSED RULEMAKING

On January 23, 1986, the U.S. Environmental Protection Agency (EPA) announced it will propose a rule prohibiting the manufacture and sale of asbestos-cement (A/C) pipe and fittings.

It is important that you understand that this will be a proposal for comment, not a final rule that has the force of law. The manufacturers of A/C pipe want you to know that they plan to oppose the proposed ban through EPA's rulemaking process and, if necessary, the courts. This process probably will last for years. Therefore, it is the industry's intention to continue producing and selling A/C pipe products.

This decision is founded on the firm belief that workers manufacturing and installing A/C pipe are not at increased risk, nor is the general public. (Ingested asbestos via drinking water is not an EPA concern in this proposed rulemaking.)

EPA's proposal will be issued under authority of the Toxic Substances Control Act. This law empowers the Agency to regulate products if, in the judgement of the EPA Administrator, they represent "unreasonable risks". The proposal will express the opinion that there may be additional risks to workers already protected by Occupational Safety and Health Administration (OSHA) regulation -- including the stringent asbestos occupational standard which will be in place by mid-1986.

We disagree on two counts. First, EPA has no legal authority to regulate workplaces. Second, even if the Agency had legal authority, the "risks" of manufacturing A/C pipe are neither unreasonable nor significant.

For well over a decade, the A/C pipe industry has shared EPA's interests that the manufacture and use of A/C pipe be as safe as scientifically and economically feasible. We have labored responsibly and continuously to comply with environmental regulations. During this period the following facts formed the basis of industry's position:

- Asbestos is unique and irreplaceable in the manufacture of A/C pipe.
- The risks , if any, from occupational exposures to asbestos have been minimized through manufacturers' compliance with OSHA standards and use of industry-recommended work practices for A/C pipe field operations
- There is no evidence that current environmental discharges from A/C pipe plants, if they occur at all, result in a risk to the general public.
- A ban on A/C pipe is not supported by medical/scientific evidence.

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