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Health Department seeks test of Bendix asbestos emissions

By Phil Brown
Staff writer

GREEN ISLAND — The state Health Department wants the emissions of asbestos at the Bendix Friction Materials plant studied to see if they endanger public health.

The agency's recommendation comes a month after the state Department of Environmental Conservation issued a preliminary ruling that the emissions are safe.

But Jane Magee, EnCon's Region 4 director, said there is no contradiction.

She said EnCon ruled only that Bendix need not prepare an environmental-impact statement — a broad, lengthy study — as part of its application for permits to discharge 5,300 pounds of cancer-causing asbestos into the air each year. EnCon still can require Bendix to do the studies requested by the Health Department.

Those studies need not delay issuance of the permits, but the permits would be reviewed again if something significant is discovered. She noted that Bendix now emits about 6,800 pounds of asbestos annually.

"I don't hear the Health Department saying 'Don't issue that permit,' " Magee said. "I hear them saying something perfectly reasonable."

In a letter to Magee on Friday, the Health Department said the studies should determine the type of asbestos fibers emitted from the brake-lining plant and the concentration of asbestos at ground level in the village.

"To our knowledge, there has been no attempt to evaluate the potential impact of the emissions on the community. We believe that such an evaluation is necessary in light of the quantity of the emissions and the proximity of residences," wrote John Hawley, director of the department's Bureau of Toxic Substance Assessment.

Hawley said that he was not recommending that the permits be delayed or denied.

Though Bendix plans to cut emissions, environmentalists have called upon EnCon to reject the permits and stop all the asbestos discharges.

"I think (EnCon) was poised to rubber stamp approval of this permit until the public became aware of the situation and the Health Department got involved," said Judi Enck, spokeswoman for Rensselaer County Environmental Action.

Magee said she did not know if EnCon would have required the studies if they were not sought by the Health Department. She denied, however, that EnCon is less concerned about public health than its sister agency.

"I don't think it's a question of us not being as concerned as the Health Department," she said. "I think it's a question of each of us having a different area of expertise."

Neither federal nor state law puts a limit on the amount of asbestos that can be discharged by industry. Rather, regulations require factories to control such emissions with the best available technology. EnCon, as a regulatory agency, has found Bendix in compliance with the law.

Hawley, however, said his department is concerned about the emissions, regardless of whether they are legal.

"The Environmental Conservation analysis appears to be based on a review of control technology," Hawley said. "Our viewpoint is somewhat different in that we're concerned just with what levels (of asbestos) there are in the community."

William Clarke, EnCon's regional permit administrator, said the agency will require Bendix to perform the studies if they're possible. However, he said it might be difficult to distinguish the Bendix emissions from asbestos already in the air.

"We're going to have to sit down and see what's doable and what isn't," Clarke said.

Asbestos, a natural mineral, can reach the atmosphere from car brakes and soil. Breathing in the microscopic fibers can cause lung cancer or asbestosis, a disease characterized by scarring of the lung tissue.

Bendix spokesman Craig Larson said studies of the company's workers — who presumably are most at risk — have shown them to be unharmed by asbestos. He also said the state's own statistics indicate that Green Island does not have a high cancer rate.

"Their data and our data supports that there has not been an increased risk," Larson said.

Mark Kruszewski, an EnCon senior environmental analyst, said he will recommend his department hold a public hearing on the emissions.

"We have two contradictory evaluations," Kruszewski said. "That's why I feel the hearing will be necessary."

Clarke, however, said he didn't know if he will go along with such a recommendation.