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In the matter of

STANDARDS FOR EXPOSURE TO ASBESTOS DUST,
PROPOSED RULE MAKING

PUBLIC HEARINGS

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EXAMINER GOLDBERG: Mr. Weaver.

MR. WEAVER: My name is Isaac H. Weaver. I am Corporate Director of Environmental Control for Raybestos-Manhattan, Incorporated. I have been engaged in this capacity for the past two years, prior to which I was employed in various engineering and technical management capacities for approximately 25 years, all but two of which were in the employ of Raybestos-Manhattan.

Prior to my initial employment with Raybestos-Manhattan in 1946, the occupational hazard of asbestos dust exposure had been recognized and extensive engineering controls had been implemented to reduce worker exposure and to cope with the problem to the extent that was feasible with then existing technology. Scientists at Raybestos-Manhattan adopted a progressive, positive attitude toward optimum degree of control with the goal of achieving maximum feasible reduction of airborne dust concentrations.

Much original engineering design and dust control development was accomplished at our Manheim, Pennsylvania, and Charleston, South Carolina, asbestos textile plants during the late '30's and early '40's. Some of this was in conjunction with various Government agencies, as well as the foremost industrial hygiene consultants of the time.

While much has been done to reduce exposure of our employees to airborne asbestos fiber in our plants and in

the plants of many other asbestos product manufacturers, much remains to be done to further improve the situation. However, our experiences in our investigation of the experiences of others who have been wrestling with the problems of achieving ever more airborne fiber concentration levels in asbestos processing operations during the past several years has led to grave doubt in my mind regarding the feasibility of consistently attaining levels of less than 5 or 6 fibers per cubic centimeter in many critical operations.

To place this problem in proper perspective requires that one accept the precept that an engineering control approach to environmental improvement in the workplace normally is undertaken with the goal of zero exposure or zero dust emissions. We never have designed an engineering control system with the idea of achieving a 5 million particle per cubic foot level, a 2 million particle per cubic foot level, or a 5-fiber per cubic centimeter level. Our goal always has been to achieve zero exposure and that always will remain the goal.

During recent proceedings concerning the setting of standards for occupational exposure to asbestos fiber, I was very much disturbed by apparent misinterpretations of British asbestos control standards and enforcement practices and by what appears to be disregard or lack of knowledge regarding technical feasibility for attaining such standards.

British medical, governmental and industrial authorities have established an admirable goal of maintaining all asbestos operations below an airborne concentration of two fibers per cubic centimeter. However, it is my impression and belief, as confirmed by Dr. Holmes this morning, that they have many critical operations where this level is not being maintained, in spite of expensive and sophisticated environmental controls and strict work practices that they have maintained and improved upon as rapidly as advances in technical feasibility have permitted.

I recommend that the American asbestos industry take full advantage of available British technology wherever possible to improve our occupational environmental control of asbestos hazards, but I think it is equally important to give full consideration to British experience and knowledge concerning what they have found to be feasible regarding standards and their enforcement. We do not believe it is technically feasible to achieve a level of two fibers per cubic centimeter in all of our operations, either now or within the foreseeable future.

With respect to the measurement of airborne asbestos fiber concentrations, I seriously question the reliability of the membrane filter method, particularly at levels below 5 fibers per cc.

At the present time, there are very few technicians

in this country who are trained or who have the experience and ability to perform the tedious and time-consuming microscopic analysis that is an inherent requirement of the membrane filter method. Furthermore, Raybestos-Manhattan's experience with this procedure, even when using trained and experienced microscopists, have not bolstered our confidence in the potential reliability of the basic method.

While we and others often have deplored the many shortcomings of the membrane filter monitoring method, we always seem to come back to the conclusion that, while it is a poor tool for anyone to work with, still it is the best we have at the present time. In any event, I remain extremely dubious regarding the feasibility of effective monitoring by industry or by Government enforcement personnel by means of the membrane filter method at its present stage of development.

Regarding the question of the medical and health aspects of the problem, we have reviewed hundreds of medical, scientific and industrial hygiene studies relating to asbestos health hazards and their control, and have reached the firm conclusion that no conclusive evidence exists on which to establish need for a threshold limit value lower than 5 fibers per cc greater than 5 microns in length on a time-weighted average basis. This appears to be especially the case in regard to chrysotile asbestos, which accounts for the great majority of both industrial and environmental exposures.

The difficulty or impossibility of maintaining reliable controls at levels lower than 5 fibers per cubic centimeter, coupled with the lack of scientific fact to justify the need for a lower standard, leaves me to recommend the adoption of the presently proposed permanent standard of 5 fibers per cubic centimeter, as determined by the membrane filter method or by whatever improved monitoring method may be forthcoming.

I believe this recommendation coincides with that of the American Congress of Governmental Industrial Hygienists and a number of eminently qualified medical and scientific authorities who have devoted a great amount of effort to study and evaluation of this subject.

I appreciate this opportunity to testify regarding the proposed asbestos standards, and I endorse enthusiastically the concept of uniformly applied and enforced occupational safety and health standards based on sound factual data obtained through all available sources of pertinent input. Unfortunately, I am convinced that the timeframe within which the presently proposed standards, criteria, and recommendations were prepared was grossly inadequate to permit full and proper analysis and consideration of all available data by the parties who participated in the decision-making.

I feel sure that if more time had been allowed for study and review of available medical and scientific information

by NIOSH and the Department of Labor standard-setting personnel and for more extensive deliberation by the Advisory Committee on Asbestos Dust, far more extensive and appropriate criteria and recommendations would now be available as a basis for setting a safe, fair and enforceable standard.

That is the end of my remarks.

MR. MARSH: Raybestos-Manhattan employs 6500 people. Approximately 80% of these are engaged in the manufacture and distribution of asbestos-containing products, including friction materials, asbestos textiles, packings and asbestos reinforced plastic.

I wish first to comment on the emergency standard of 5 fibers per cubic centimeter established on December 7, 1971, and the proposed standard for exposure to asbestos dust published in the Federal Register on January 12, 1972. As Mr. Weaver has indicated, we believe it is technically feasible to achieve the 5-fiber level in most of our operations. It cannot, however, be accomplished immediately. Up to two years time and the expenditure of millions of dollars will be required.

Since the imposition of the emergency standards on December 7, we have been studying all operations to determine where immediate compliance is possible and where engineering studies, additional dust control equipment, or changes in manufacturing procedures are necessary to achieve the standard.

It is now clear that in order to comply with the 5-fiber standard certain products must be discontinued, as it will not be economically feasible to produce them, at least in this country.

In addition to the discontinuance of certain products and consequent loss of jobs, the standard of 5 fibers per cc will result in higher manufacturing costs. Many products produced by Raybestos-Manhattan and the industry will be increasingly vulnerable to foreign competition. Our company has already been forced to lay off textile workers and we are concerned about the prospects of additional lay-offs and loss of business due to lower priced foreign imports.

According to figures from the United States Department of Commerce, imports of asbestos textiles, of the type manufactured by Raybestos-Manhattan, more than doubled between 1969 and 1971, and imports of other asbestos products, of the type manufactured by Raybestos-Manhattan, increased nearly 50%. Higher costs for United States manufacturers will surely accelerate this trend and encourage the flight of American capital and the loss of American jobs.

On the subject of labeling, we believe a cautionary label is appropriate in some instances, but feel that a blanket requirement that all finished products containing 5 or more percent by weight of asbestos be labeled as proposed in the Advisory Committee report is not warranted. To our

knowledge, no evidence has been presented to indicate that any harmful effect has resulted from the normal use of thousands of essential asbestos-containing products.

The National Academy of Sciences, in its report on the biological effect of atmospheric pollutants, states:

"Asbestos has become almost indispensable in modern technology." Nowhere is this fact more evident than in the area of safety.

Safety products manufactured from materials produced by Raybestos-Manhattan range from the common theater fire curtain to sophisticated heat barriers surrounding the engines of the Saturn boosters. The hoods, coats, trousers, aprons and mits that protect steel workers from the heat and splash of molten metal are made of asbestos cloth. Firefighting and rescue teams are protected against incineration by specially constructed garments of asbestos cloth. Woven asbestos cloth and tape around hot piping aboard ships, or in industrial plants, protect operating personnel from harm. Similar asbestos tapes guard electrical cables to prevent accidents.

The safe operation and control of the nation's industrial machinery, construction equipment, agricultural implements, and mining apparatus as well as the millions of cars, trucks and buses on our highways are dependent on the asbestos composites that are used in the braking and power transmission systems with which all of these present day

necessities are equipped.

Packings of asbestos composites are used to seal the countless dials that control all water, gas, and steam lines in industrial manufacturing processes. Gasketing of asbestos effectively seals internal combustion engines and exhaust systems.

These are just a few of the many uses to which asbestos is put to protect life and property.

We believe the labeling provisions for finished products contained in the Advisory Committee's recommendations are unnecessary because of the absence of any health hazard associated with their normal use. Furthermore, such labeling is likely to encourage the use of substitute materials which may not have the superior performance characteristics of asbestos products and may be less safe. To quote again from the statement of the National Academy of Sciences: "Asbestos is too important in our technology and economy for its potential use to be stopped."

Finally, we wish to comment on the recommendation of the Advisory Committee on Asbestos Dust that a level of 10 fibers per cubic centimeter be imposed in two years. As Mr. Leaver has indicated, we do not possess the technical knowledge to achieve this level at many critical operations; therefore, it is useless to speculate on the economic consequences of the establishment of such a standard.

We understand the dilemma in which OSHA is placed by the imposition, by law, of an arbitrary and altogether too short time span in which to develop enforceable standards which will protect the employee and his job. We sincerely hope that some way be found to provide adequate time to fully consider the technical feasibility of the proposed regulations, and the opinions of expert and experienced medical and scientific authorities, who are not convinced that such regulations are justified on the basis of the available evidence.

It would indeed be a tragedy if restrictions were imposed on the industry which are not needed to protect the health of the worker or the user of the products, but which would result in the loss of jobs and the elimination of thousands of asbestos-containing products that protect many lives. Thank you.

MR. GOLDENBERG: May the gentleman be excused?

MR. LEONARD: My name is Joseph Leonard, Safety Director of the International Longshoremen's Association and various other subcommittees of occupational safety and health, a member of the New York Central Labor Council, CIO, subchairman on occupational safety. I am a member of the National Safety Conference on Labor Occupational Safety, and a member of the impartial committee of labor and occupational safety which takes in over 10 million men. On our