

BULLETIN

NO. 778

November 8, 1983

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA) ISSUES EMERGENCY
TEMPORARY STANDARD (ETS) REDUCING PERMISSIBLE EXPOSURE LEVEL (PEL) FOR
ASBESTOS

OSHA issued an ETS on the permissible workplace exposure level for asbestos on Friday, November 4, 1983. Articles in the WALL STREET JOURNAL and the NEW YORK TIMES advised in their November 3 editions on OSHA plans. Enclosed with this bulletin is a copy of the NEW YORK TIMES article as well as a digested copy of the notice as it appeared in the FEDERAL REGISTER.

The FEDERAL REGISTER copy includes the specifics on this emergency standard, but we have not included 44 pages on medical, epidemiological and statistical studies cited by OSHA in support of the emergency standard. The sections not included are those cited below, with the respective page numbers:

III	OSHA Rationale for the ETS	51088
	A Grave Danger	51088-51091
	B Need for an ETS	51091-51099
IV	Occupational Health Data	51099-51122
V	Quantitative Risk Analysis	51122-51132

The most important parts of this notice are those indicating the amendment of Section 1910-1001 of Part 1910 of Title 29 of the CFR, as written on pages 51139-51140 of this notice.

In summary, OSHA is reducing the 8 hour TWA PEL for asbestos from 2 fibers per cc. to 0.5 fibers per cc. This standard is effective with publication in the FEDERAL REGISTER on November 4, 1983. In addition, in no more than thirty days from November 4, employers must institute training programs for all employees exposed to concentrations in excess of the 0.5 fiber limit. Compliance can be achieved by any feasible combination of controls, work practices and personal protection equipment. OSHA also indicated required respiratory protection for certain concentration levels.

An ETS is limited to six months, and this notice requests comments on whether the ETS provisions should become permanent revisions to the asbestos standard. OSHA notes that it will soon issue a separate notice of proposed rulemaking concerning the permanent standard.

There is an industry petition for review of this ETS in the Courts, but no one can now predict the outcome of legal challenges to this action. The foregoing is for your information.

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November 8, 1983

To: Officers and Board of Directors
Health and Environmental Affairs Committee

Subject: OSHA's Emergency Temporary Standard (ETS) on Permissible
Exposure Levels, and the Restructuring of the Health and
Environmental Affairs Committee

Concurrent with this memorandum, the Institute Membership is being sent a copy of our BULLETIN NO. 778, which covers OSHA's Emergency Temporary Standard reducing the 8 hour time weighted average (TWA) permissible exposure level (PEL) for asbestos from 2 fibers per cc to 0.5 fibers per cc. That bulletin, along with a copy of the OSHA notice as it appeared in the FEDERAL REGISTER covers details of this ETS.

While this OSHA move is not unexpected, the Institute first learned of the ETS in the NEW YORK TIMES on Thursday, November 3, 1983. The Institute would ordinarily refer an action of this significance to our Health and Environmental Affairs Committee for possible action or comment.

However, on Wednesday, November 2, 1983, Mr. Jim Armstrong of Bendix, who has chaired this Committee for the last several years, called to advise that as of January 1, 1984, he would no longer be with the Bendix Corporation. I am enclosing a copy of Mr. Armstrong's letter of October 28, which arrived here after our phone conversation.

The timing of this OSHA action and Mr. Armstrong's resignation was referred to Mr. Nelson, President of the Institute. I have contacted others with the intent of installing a new Chairman, but we cannot take any action on this activity until the Committee is reorganized.

As the OSHA action is an Emergency Temporary Standard, it was effective on November 4. There is an industry petition for review in the Courts. Also, as OSHA intends to publish a notice on amendment of the permanent standard, Institute action may be taken after that notice. It is likely that a meeting of the Health and Environmental Affairs Committee will be called after OSHA's notice on proposed rulemaking is published.

The foregoing is for your information.

E. W. Drislane
Executive Director

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