PLAINTIFF'S EXHIBIT

CAP-1113

ENCLOSURE 1

CITY OF WICHITA

RECEIVED MAY 0 1 1984

DEPARTMENT OF WATER
AND WATER POLLUTION CONTROL
OFFICE OF THE DIRECTOR
CITY HALL — EIGHTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202

April 27, 1984

William D. Ruckelshaus
Administrator
Environmental Protection Agency
401 M Street, S.W.
Washington, D. C. 20460

Dear Mr. Ruckelshaus:

The City of Wichita, Kansas is very concerned about EPA's announced plans to ban asbestos-cement pipe. The City of Wichita has used asbestos-cement water pipe to serve its 102,000 customers for more than 36 years. Asbestos-cement pipe has proven a cost-effective means of conveying potable water. Numerous scientific and regulatory bodies around the world, including EPA, have consistently indicated that asbestos-cement pipe poses no risks of any consequence to our customers. We, therefore, continue to use asbestos-cement pipe today and hope to continue its use for many years.

Were EPA to ban asbestos-cement pipe, the City of Wichita would face substantial additional costs. Moreover, we are very concerned that such EPA action would create intense public pressures to remove existing asbestos-cement pipe. Were such demands ever heeded, the costs would be staggering. We, therefore, urge EPA to reconsider its plans. In order to assist the Agency in understanding the asbestos-cement pipe issue, the remainder of this letter provides some information on why the City of Wichita employs this valuable product.

The City of Wichita first began using asbestos-cement pipe in 1948. This pipe was chosen because its ability to withstand the rigors of Wichita's corrosive soils. Soils that attacked and destroyed metal pipe. Its lower cost and ease of installation were an additional bonus to the city. We have yet to determine in our system the lifetime of this material, since the pipe which was installed in 1948 is still serving us well and should do so for many years to come. Maintenance costs of asbestos-cement pipe has been minimal.

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As our community has grown we have continued to install new asbestos-cement pipe. Today, 54% of our 1,352 miles of water distribution system is asbestos-cement pipe.

In selecting pipe materials, we are concerned with both initial installation costs and long-term maintenance costs, and with the safety of the material. In each respect, our experience has often led us to choose asbestos-cement pipe.

The costs of purchasing and installing asbestos-cement pipe have been consistently lower than alternative materials. We have saved our customers hundreds of thousands of dollars because of our continued use of this product.

Finally, we are always vigilant about the safety of the water conveyed in our system. Needless to say, with the great publicity that asbestos health effects have had in the past decade, we have been concerned about the possibility that some health risk might be posed by fibers from asbestos-cement water pipes. We have thus followed closely the reviews conducted by the American Water Works Association and EPA of asbestos ingestion risks.

We were reassured when the AWWA conducted an independent review of the medical and technological evidence on asbestos-cement pipes in 1974 and concluded that, "the probability of risk to health from the use of such (asbestos-cement) systems is small -- approaching zero." We, nonetheless, welcomed the extensive research program on asbestos in water conducted by EPA in cooperation with the National Toxicology Program over the past decade. The results of that program, as announced at EPA's 1982 Workshop on Ingested Asbestos, confirmed the earlier AWWA assessment and once again reassured us that asbestos-cement pipe could safely be used in our system. Several EPA scientists and officials from its Office of Safe Drinking Water participated in that workshop and unanimously concluded that the extensive research program failed to find any human or animal evidence of a risk from ingested asbestos.

The City of Wichita system was monitored in 1974. Asbestos content, from the pipe, was but 6 ug/gal.

In sum, we have found asbestos-cement pipe to be effective, affordable and safe. We thus plan to continue its use for many years. Were we to be denied use of asbestos-cement pipe, our expenditures for new installed pipe would increase substantially.

Perhaps more importantly, we would expect an EPA ban to cause public demands to remove asbestos-cement pipe already installed. It would be extremely difficult for us to explain to our customers our confidence that the materials we use to convey water are safe when the same materials have been banned by EPA.

We understand that any EPA ban would be premised on alleged risks to workers from inhaling asbestos when manufacturing and installing pipe rather than from ingestion risks, but that will likely be a distinction without a difference to the public. Should such public pressure occur, and should we be forced to begin removing and replacing asbestos-cement pipe, our ability to provide potable water at a reasonable price would be seriously jeopardized.

We trust that EPA's mind has not been set in concrete on the asbestos-cement pipe issue and urge you to reconsider any plans to ban this product. If we can provide further information that would be helpful in your deliberations, please let us know.

Very truly yours,

John D. Wynkoop
Director of Water and
Water Pollution Control

JDW/b

cc: Assistant Administrator
John Moore
Office of Toxic Substances
Director-Don R. Clay
Chemical Control Division
Deputy Director-David Dull
Office of Drinking Water
Director-Victor J. Kimm