

6/81

HEALTH AND ENVIRONMENTAL AFFAIRS COMMITTEE

Membership Assistance

At the last annual membership meeting, the Board asked what the Institute or the Health and Environmental Affairs Committee could do to assist members who were having problems with safety, health or environmental regulations.

Specifically, the Board asked the Committee:

1. What the manufacturer can do himself to insure compliance with regulations?
2. What outside help is available in order to assure compliance?
3. A summary listing of citations alleged against members by regulatory agencies and the steps that industry took to object or move into compliance.

The Committee has met and addressed these issues.

It is felt the Committee and the Institute's role was that of a consultant. It would:

1. Notify members when new regulations are proposed or adopted.
2. Advise on experts in the field who could help members.
3. Work with regulatory agencies in an effort to represent the interest of the members.
4. Provide advice when requested related to specific member interests.

It was concluded that each manufacturer must establish a person or persons who must develop familiarity with the regulations and take action for compliance within their own organization.

What outside help is available

In order to assist the FMSI members in finding experts and information a listing of publications and services in the occupational safety, health and environmental areas was developed and distributed to the membership on February 19, 1981.

In addition, a listing of firms and individuals to consult in industrial hygiene, asbestos sampling and laboratory analysis was compiled and distributed.

On April 30, 1981 a summary of the background and expertise of the Committee members was distributed to the membership along with a summary of the various projects completed. This information was developed in order to inform the membership of the consulting capability within the group and projects that have been done on behalf of the members.

Other actions to assist Members

During 1981, a series of informational bulletins were developed and distributed to the members. Without going into specifics, the subjects covered were: material safety data sheets, a summary of the current EPA requirements regulating hazardous waste disposal, and a guidance document indicating that asbestos had been specifically eliminated from hazardous wastes defined by EPA under RCRA.

Exchange of information - Citations and Corrective Action

Some of the Committee members expressed concern that their management representatives would not approve the release of information to FMSI in that some methods of corrective action were considered proprietary information. Further, Legal Counsel advised there could be some question as to whether members who are under citation would want other companies to know information relating to this legal activity. It was decided that a questionnaire would be developed and circulated amongst the membership to determine how much interest and willingness there was to provide the type of information requested by the Board of Directors. That questionnaire was transmitted by Bulletin #715 on April 30, 1981. While there appears to be interest in the exchange of information, it does not appear to be practical with the limitations that would be required to protect the information considered proprietary.

EPA

On January 26, 1981 the EPA's office of Toxic Substances proposed requirements for the reporting of asbestos usage in the United States. A brake lining or clutch facing manufacture would be classified as a primary processor as raw asbestos is used in the friction product. A rebuilders would be considered a secondary processor. Thus, both categories would become subject to the reporting requirements.

The Health and Environmental Affairs Committee generated FMSI Bulletin #708 on February 18, 1981 advising the membership of the proposed requirements and solicited comments in order to respond to the EPA on the impact to FMSI members.

On March 19, 1981 a response to the EPA was submitted to the Board of Directors for review and approval. The document was then transmitted to EPA on March 25, 1981.

Our committee would like to point out to the Board and the members the following information regarding this proposed rule.

There has not been any further action on this EPA proposal which would indicate it will be adopted. There is a strong need for information within EPA - specifically related to asbestos usage within the friction materials business. As a result, we suspect this proposal will be re-activated.

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- . Should the proposal be adopted in its present form, members of the FMSI will find an additional administrative burden imposed. A couple of examples will explain this point.
- . Each member would be requested to generate data covering a 10-year period from 1971 through 1980. Specifically, the EPA would want to know the quantity of asbestos used by each company by type and grade.
- . A recordkeeping requirement to prepare a customer list containing the name, address, technical contact, phone number and amount of asbestos sent to each customer.
- . A request for the development of a listing of all pollution control equipment along with dates of installation and first use by month and year.
- . We will continue to monitor the developments of this proposal.

New Administration (EPA)

Under the Reagan Administration, there has developed a "new spirit of cooperation" in the EPA. Through the efforts of the Asbestos Information Association, the membership of FMSI is now represented at a series of informal off-the-record meetings between industry and EPA rulemakers. The EPA Office of Toxic Substances (TOSCA) has been reviewing the need for regulation of asbestos in the friction materials section.

Currently representing industry interests in these meetings are Bob Pigg, AIA; John Marsh, Raybestos-Manhattan; Bill Krebs, General Motors and myself, representing FMSI.

Being discussed are such issues as:

- . An industry questionnaire to determine the quantity of asbestos-containing drum brake usage both in current demand and projected estimates for the future.
- . An industry labeling requirement.
- . A general review of EPA training and information materials related to friction material products.

New Administration (OSHA)

There is a temporary hold on all OSHA regulatory activity. There is indication that the new administration wants to move from a compliance enforcement agency to that of a consulting educational role. It is still too early to determine which direction will be taken.

Respectfully submitted,

J. W. Armstrong

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