PLAINTIFF'S
EXHIBIT
AL-1622

Current Report

Asbestos

OSHA STUDY CITES 73 PERCENT REDUCTION IN RISK AT 0.5 PERMISSIBLE EXPOSURE LIMIT

Lung cancer deaths resulting from a 20-year exposure to asbestos would drop from 2,713 to 692 per 100,000 workers if the Occupational Safety and Health Administration's current limit of two fibers per cubic centimeter of air were lowered to 0.5 fiber, according to a recently released quantitative risk assessment.

If the agency's worker exposure limit were lowered to 0.1 fiber, lung cancer deaths would be reduced to 139 per 100,000 workers. Applying the same 20-year time frame to mesothelioma, the study showed a mortality rate of 1,408 per 100,000 workers at two fibers, 362 at 0.5, and 73 at 0.1. For gastrointestinal cancer, the death rates were 271 per 100,000 workers at the current limit, and then down to 69 and 14 at the two other lower exposure levels, respectively.

The risk assessment was prepared by OSHA's Office of Carcinogen Standards in conjunction with Dr. William Nicholson of the Environmental Sciences Laboratory of the Mt. Sinai School of Medicine, New York City, and submitted to the rulemaking docket last month. The agency's review and evaluation of scientific studies concerning the health effects associated with asbestos exposure identified 11 studies with sufficient data to determine quantitative risk estimates for lung cancer and four studies to quantitate the risk from mesothelioma. After calculating a potency rate for each of the studies, the study then estimated risks for different variables.

For a lifetime exposure of 45 years, which the study notes begins at age 25, the lung cancer mortality per 100,000 exposed workers was 4,416 at the current level, 1,143 at 0.5 and 231 at 0.1. For mesothelioma, the study showed a range of 1,554 at two fibers, down to 407 at the 0.5 level, and 82 deaths at 0.1 fiber per cubic centimeter. The death rates for gastrointestinal cancer were 442, 114, and 23 at the three different exposure levels, according to the risk assessment.

In another table, the study estimated the risk for one year of exposure to asbestos at various concentrations for workers first exposed at ages 20, 30, 40, 50, and 60. At the 20-year level, it is reported that "even one year of exposure to asbestos at 2 f/cc may result in a total cancer risk [lung, mesothelioma, and gastrointestinal] as high as 345 per 100,000 workers." Further, it was noted that "employees exposed at earlier ages show increased risk of all cancers due to the very long latency period which they will experience."

0.5 Exposure Level

The study noted at several points the sharp reduction in cancer deaths that would occur if the permissible exposure limit were reduced to 0.5. "Reduction in the PEL from 2 f/cc to 0.5 f/cc reduces the risk from lifetime exposure from 64 per 1,000 to 17 per 1,000, a 73 percent reduction in risk," the study stated. "Similarly, for a 20 year exposure, the risk is reduced from 44 per 1,000 to 11 per 1,000, representing a 75 percent reduction in risk."

"The lifetime risk from one year of exposure follows a similar course: the risk reduces from 296 per 100,000 at 2 f/cc to 74 per 100,000 at 0.5 f/cc."

In June, OSHA Administrator Thorne G. Auchter told the House Government Operations Subcommittee on Manpower and Housing that within "the next few months" the agency would publish a notice for a public hearing based on a 1975 proposal to lower the PEL to 0.5 fibers per cubic centimeter, and that a final rule "should be completed later this year" (Current Report, July 7, p. 124).

More recently, senior agency officials have been meeting with Department of Labor officials to discuss the agency's options for revision of the asbestos standard, including the possible release of an emergency temporary standard lowering the exposure level to 0.5 (Current Report, Sept. 8, p. 347).

Ethylene Dibromide

AUCHTER PROMISES FINAL STANDARD IN SIX MONTHS; OMB REVIEWING PROPOSAL

The Occupational Safety and Health Administration will have a final standard lowering the exposure limit for ethylene dibromide "in another six months," Assistant Labor Secretary Thorne G. Auchter told the House Education and Labor Subcommittee on Labor Standards Sept. 13.

Auchter told the subcommittee that when he took office in early 1981, OSHA was not doing any work on EDB, a fruit and grain fumigant. But in the past two years, the assistant secretary said, the agency "has worked as expeditiously as we can, given all the constraints," to come forth with a proposal for public comment.

The assistant secretary said that the agency's notice of proposed rulemaking is being reviewed by the Office of Management and Budget. In addition to lowering the permissible employee exposure limit, the notice also covers exposure monitoring, employee education and training, hygiene practices, methods of controlling exposure through respirators and engineering requirements, medical surveillance, recordkeeping, and emergency plans.

While Auchter did not specify what exposure level is included in the proposal, an earlier draft would have lowered the exposure level to 100 parts per billion parts of air over an eight-hour day from the current level, adopted in 1971 from a national consensus standard, of 20,000 parts per billion (Reference File, 31:8303).

Inadequacy of OSHA's Activity

At the outset, and throughout the hearing, Subcommittee Chairman George Miller (D-Calif) made it clear that he is concerned that Auchter has not taken any action to further control the use of EDB, that Auchter has given "inadequate notice" to employees concerning the health effects of the chemical, and that he declined to "take a risk" in issuing an emergency temporary standard when his own legal staff indicated that "respectable arguments could be made in support of the ETS" and that the agency "would have a reasonably good chance of success before a sympathetic forum."

Miller contrasted OSHA's handling of its rulemaking activities with "California's prompt and effective action"