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SHIPBUILDERS COUNCIL OF AMERICA
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January 19, 1972

To: ACCIDENT PREVENTION COMMITTEE

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Subject: Asbestos Health Standards

Enclosed are excerpts from the FEDERAL REGISTER of January 11 and 12, 1972, and a self explanatory Labor Department news release pertaining to permanent Asbestos Health Standards and extension of these standards to shipyards.

Please note that written views will be considered if submitted by February 11, 1972. Oral data, views and arguments will be received by an examiner at a hearing March 14 in Washington. Persons desiring to appear at the hearing must file a notice by March 3.

The question arises as to whether the Council should submit comment on this proposal?

Your reaction is urgent.

E. P. Ruddy
Secretary

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NEWS

U. S. DEPARTMENT OF LABOR
OFFICE OF INFORMATION, WASHINGTON, D. C. 20210

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*FOR RELEASE: Immediate*
*Monday, January 10, 1972*

JOB SAFETY AGENCY SETS RULEMAKING ON ASBESTOS HEALTH STANDARD

A proposed rulemaking proceeding to make permanent the existing emergency standard on asbestos was announced today by the Labor Department's Occupational Safety and Health Administration (OSHA).

The emergency standard was issued December 7. It reduced the permissible level of asbestos dust from 12 fibers per milliliter greater than 5 microns long to 5 such fibers for an eight-hour time-weighted average airborne concentration.

The latter level is the essential basis of the proposed rulemaking. Related standards dealing with monitoring, sampling, medical examinations, and the use of signs are also proposed.

George C. Guenther, Assistant Secretary of Labor for Occupational Safety and Health, said a hearing on the proposal will be held March 14 in Conference Room B of the Departmental Auditorium in Washington. Written comments will be accepted until February 11, and those wishing to appear in person must notify OSHA by March 3.

The Assistant Secretary also announced that an advisory committee will be appointed and asked to submit written recommendations to him concerning the proposals within 45 days from the publication of the notice in the Federal Register.

Guenther also announced that the emergency standard for asbestos was being widened to include the ship repairing, shipbuilding, shipbreaking and longshoring industries.

Announcement of the actions on asbestos will be published in the Federal Register January 11.

# # #

# DEPARTMENT OF LABOR

## Occupational Safety and Health Administration

[ 29 CFR Part 1910 ]

## STANDARD FOR EXPOSURE TO ASBESTOS DUST

### Notice of Proposed Rule Making

Section 6(c) of the Williams-Steiger Occupational Safety and Health Act of 1970 (84 Stat. 1596; 29 U.S.C. 655) provides that upon the publication of an emergency temporary standard in the FEDERAL REGISTER the Secretary of Labor shall commence a rule making proceeding in accordance with section 6(b) of the Act, and that the emergency standard as published shall also serve as a proposed rule for the proceeding. An emergency temporary standard concerning exposure to asbestos dust was published in the FEDERAL REGISTER on December 7, 1971 (36 F.R. 23207). Accordingly, pursuant to section 6 (b) and (c) of the Williams-Steiger Occupational Safety and Health Act of 1970 (84 Stat. 1593, 1596; 29 U.S.C. 655), 29 CFR 1910.4, and Secretary of Labor's Order No. 12-71 (36 F.R. 8754), it is hereby proposed to amend 29 CFR Part 1910 as set forth below. The proposals include the emergency temporary standard and additional proposed rules on subsidiary issues.

Interested persons are invited to submit, both orally and in writing, data, views, and arguments concerning these proposals.

Written data, views, and arguments may be mailed to the Office of Safety and Health Standards, Room 305, 400 First Street NW., Washington, DC 20210, within 30 days after the publication of this notice in the FEDERAL REGISTER. The data, views, and arguments will be available for public inspection and copying at the Office of Safety and Health Standards except as to matters the disclosure of which is prohibited by law.

Oral data, views, and arguments will be received by Hearing Examiner Arthur Goldberg, at a hearing beginning at 10 a.m. on March 14, 1972, in Conference Room B, Departmental Auditorium, 14th Street and Constitution Avenue NW., Washington, DC. Persons desiring to appear at the hearing must file with the Office of Safety and Health Standards a notice of intention to appear, no later than March 3, 1972. The notice must state the name and address of the person to appear, the capacity in which he will appear, and the approximate amount of time required for his presentation. The notice must also include, or be accompanied by, a statement of the position to be taken with regard to the proposed rules.

The oral proceedings shall be reported verbatim, and transcripts shall be available for inspection to any interested person on such conditions as the presiding

wheels, and drills, shall be provided with local exhaust ventilation and dust collectors in accordance with the American National Standard Fundamentals Governing the Design and Operation of Local Exhaust Systems; ANSI Z9.2—1971.

(3) Employees exposed to the spraying of asbestos, to the demolition of pipes, structures, or equipment covered or insulated with asbestos, or to the demolition of insulating strippings, shall be provided with respiratory protective devices in accordance with paragraph (c) (3) of this section.

(4) Asbestos cement, mortar, coatings, grout, and plaster shall be mixed in closed bags or other closed containers.

(5) Asbestos waste and scrap shall be collected and disposed of in sealed bags or other closed containers.

(6) Accumulation of asbestos dust shall be removed, as soon as practicable, and only by vacuum cleaners.

(e) *Warning signs*—(1) *Posting.* Warning signs shall be provided and displayed at each location where asbestos dust hazards are present. Signs shall be posted at least 50 feet in each direction from the location where the hazard is present, and at intervals of not more than 100 feet along each edge of the area where the hazard is present.

(2) *Sign specifications.* The warning signs shall conform to the requirements for 20" x 14" vertical format signs specified in § 1910.145(d)(2), and to this paragraph. The signs shall display the following legend in the white panel, with letter sizes and styles of a visibility at least equal to that specified in the notation in the following column to the right:

| Legend: | *Notation* |
|---|---|
| Asbestos | 1" Sans Serif Gothic or Block. |
| Dust Hazard | ¾" Sans Serif Gothic or Block. |
| Follow these | ¼" Gothic. |
| Safety and Health Rules. | ¾" Sans Serif Gothic or Block. |
| 1. Avoid breathing dust. | ¼" Gothic. |
| 2. Wear your respirator. | ¼" Gothic. |
| 3. Do not remain in area unless your work requires it. | ¼" Gothic. |
| Asbestos dust may cause asbestosis, a severe lung disease, and is implicated in the development of certain cancers. Control of exposure to asbestos dust helps protect against these hazards. | 14 point Gothic. |

(3) *Spacing.* Spacing between lines shall be at least equal to the height of the upper of any two lines, except that the spacing between "Following these" and "Safety and Health Rules" shall be at least ¾".

(f) *Monitoring*—(1) *Personal.* Employees engaged in the particular operations or using the particular tools specified in paragraph (d) of this section, or exposed to concentrations of asbestos dust in excess of the limits specified in paragraph (c)(3) of this section shall be monitored in accordance with this paragraph.

(i) *Method.* Dust samples shall be collected from within the normal breathing zone of the employees in their normal working posture. Employees wearing respiratory protective devices shall have the sample taken from a point located on the exterior of the respirator facepiece.

(ii) *Procedure.* The sampling procedure shall be such as to permit the determinations required by paragraph (a) of this section.

(iii) *Sampling duration.* The sampling duration shall be for a period of not less than 15 consecutive minutes.

(iv) *Sampling frequency.* Sampling periods shall be of such number and pattern as to represent accurately the exposure of the employees over their working period.

(2) *Environmental.* Environmental monitoring shall be conducted in all areas in which employees are exposed to concentrations of asbestos dust in excess of the limits specified in paragraph (a) of this section.

(i) *Method.* Asbestos dust samples shall be collected from areas which are representative of the concentration of airborne asbestos dust which may reach the breathing zone of exposed employees.

(ii) *Procedure.* Sampling procedure shall be such as to permit the determinations required by paragraph (a) of this section.

(iii) *Sampling duration.* Sampling duration shall be for a period of not less than 15 consecutive minutes.

(iv) *Sampling frequency.* Sampling periods shall be of such number and pattern as to represent accurately the exposure of the employees over their working period.

(g) *Medical examinations.* The employer shall provide, or make available at his cost, appropriate medical examinations on a periodic basis to any employee who is exposed to asbestos dust in excess of the limits specified in paragraph (a) of this section.

(h) *Records.* (1) Every employer shall maintain records of the personal and environmental monitoring, and of the medical examinations, required by paragraphs (f) and (g) of this section. Such records shall be maintained for at least 20 years.

(2) The records of monitoring shall be made available for inspection and copying to the Secretary of Labor and to his designated representatives.

(3) The records of medical examinations shall be made available only to the Secretary of Labor, to the Secretary of Health, Education and Welfare, to designated representatives of either of them, and, at the request of the employee or former employee examined, to his physician.

3. A new § 1910.19 is proposed to be added to Subpart B, reading as follows:

**§ 1910.19 Asbestos dust.**

Section 1910.93a shall apply to the exposure of every employee to asbestos dust in every employment and place of employment covered by § 1910.12, 1910.13, 1910.14, 1910.15, or 1910.16 of this Subpart B, in lieu of any different standard on exposure to asbestos dust which would otherwise be applicable by virtue of any of those sections.

(Sec. 6, 84 Stat. 1593; 29 U.S.C. 655. 29 CFR 1910.4; Secretary of Labor's Order No. 12-71, 36 F.R. 8754)

Signed at Washington, D.C., this 6th day of January 1972.

G. C. GUENTHER,
*Assistant Secretary of Labor.*

[FR Doc.72-402 Filed 1-11-72;8:45 am]

# Title 29—LABOR

## Chapter XVII—Occupational Safety and Health Administration, Department of Labor

## PART 1910—OCCUPATIONAL SAFETY AND HEALTH STANDARDS

### Standard for Exposure to Asbestos Dust in Ship Repairing, Shipbuilding, Shipbreaking, and Longshoring

Pursuant to section 6(c) of the Williams-Steiger Occupational Safety and Health Act of 1970 (84 Stat. 1596; 29 U.S.C. 655) and Secretary of Labor's Order No. 12-71 (36 F.R. 8754), 29 CFR 1910.13, 1910.14, 1910.15, and 1910.16 are hereby amended as set forth below, in order to prescribe an emergency temporary standard concerning the exposure of employees to asbestos dust.

Sections 1910.13, 1910.14, 1910.15, and 1910.16 adopt, and extend the applicability of, maritime safety and health standards originally published in 29 CFR Parts 1501, 1502, 1503, and 1504, now redesignated as 29 CFR Parts 1915, 1916, 1917, and 1918 (see 36 F.R. 25232). Those standards permit the exposure of employees to concentrations of asbestos dust so high as to constitute a great danger to the employees. The immediate adoption of the emergency temporary standard set forth below, which is the same as that promulgated for industries in general on December 7, 1971 (36 F.R. 23207) is necessary to protect employees from that danger.

In addition, 29 CFR 1910.93a (36 F.R. 23208) is amended by correcting a clerical error in paragraph (g) thereof.

Part 1910 of Title 29 of the Code of Federal Regulations is amended as follows:

1. In § 1910.13, a new paragraph (c) is added, reading as follows:

§ 1910.13 Ship repairing.

* * * * *

(c) The standards prescribed in § 1910.93a shall apply in the case of exposure of any employee to asbestos dust, in lieu of any different standards otherwise required by Part 1915 of this chapter (formerly Part 1501 of this title).

2. In § 1910.14, a new paragraph (c) is added, reading as follows:

§ 1910.14 Shipbuilding.

* * * * *

(c) The standards prescribed in § 1910.93a shall apply in the case of the exposure of any employee to asbestos dust, in lieu of any different standards otherwise required by Part 1916 of this chapter (formerly Part 1502 of this title).

3. In § 1910.15, a new paragraph (c) is added, reading as follows:

§ 1910.15 Shipbreaking.

* * * * *

(c) The standards prescribed in § 1910.93a shall apply in the case of exposure of any employee to asbestos dust, in lieu of any different standards otherwise required by Part 1917 of this chapter (formerly Part 1503 of this title).

4. In § 1910.16, a new paragraph (c) is added, reading as follows:

§ 1910.16 Longshoring.

* * * * *

(c) The standards prescribed in § 1910.93a shall apply in the case of exposure of any employee to asbestos dust, in lieu of any different standards otherwise required by Part 1918 of this chapter (formerly Part 1504 of this title).

5. In § 1910.93a (36 F.R. 23208), paragraph (g) is revised to read as follows:

§ 1910.93a Asbestos dust.

* * * * *

(g) All cleanup of asbestos dust shall be performed by vacuum cleaners. No dry sweeping or blowing of dust shall be performed.

(Sec. 6(c), 84 Stat. 1596; 29 U.S.C. 655. Secretary's Order No. 12-71, 36 F.R. 8754)

*Effective date.* These amendments shall become effective immediately upon publication in the FEDERAL REGISTER (1-11-72).

Signed at Washington, D.C., this 6th day of January 1972.

G. C. GUENTHER,
*Assistant Secretary of Labor.*

[FR Doc.72-401 Filed 1-10-72;8:49 am]