

BULLETIN

NO. 776

October 25, 1983

ENVIRONMENTAL PROTECTION AGENCY ASBESTOS POLICY

At the September meeting of the Asbestos Information Association (AIA) and in an article in the WALL STREET JOURNAL earlier this month, Environmental Protection Agency (EPA) plans on asbestos were discussed. A copy of the WALL STREET JOURNAL article is enclosed.

The WSJ article reports the EPA approach as follows:

- (1) EPA plans to propose a rule to ban certain asbestos product categories: Roofing felt, flooring felt, asbestos-backed vinyl flooring, vinyl asbestos floor tile and asbestos cement pipe and fittings.
- (2) In addition, it was reported that EPA intends to propose regulations that will cap the amount of asbestos used in all other asbestos products, with a subsequent time table for phasing out usage over a period of years.

The first part of the EPA plans was unveiled earlier in testimony by Mr. Donald Clay of the Office of Toxic Substances (OTS) in July of this year. The second part of the control technique (capping with subsequent phase out) would of course have a major impact on the friction materials business.

I have attempted for two days to contact the Toxic Substances Control Act Assistance Office for clarification. Their line is either busy or not answered. I have in the meanwhile discussed this with others who state that the WSJ article is inaccurate. They state that Mr. Ruckelshaus had not agreed to this policy. While EPA plans to proceed with the proposed ban on the five asbestos product categories noted, the second part described above is at this stage a staff recommendation and not EPA policy. It is in essence a staff proposal which is being considered. EPA has not decided at this time that the second part is to become policy.

This does not mean that it will not become policy at some later date. The foregoing is sent as a matter of information.

E. W. Drislane

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FMSI 02625

FMSI--0394

EPA, in Major Policy Change, to Propose Ban, Phase-Out of Most Asbestos Uses

By ANDY PARZTOR

Staff Reporter of THE WALL STREET JOURNAL

WASHINGTON—The Environmental Protection Agency, in a major policy change, intends to propose in the next few months a ban or phase-out of almost all remaining uses of asbestos.

EPA Administrator William Ruckelshaus has agreed in principle with a package of proposed regulations against the carcinogen that goes far beyond any action the Reagan administration was considering only a few months ago, agency officials said.

The EPA intends to ban all uses of certain construction products such as cement pipes, roofing materials and floor coverings that contain asbestos, a fibrous mineral used in fireproof materials. In addition, the agency is writing proposed regulations that cap the amount of asbestos used for all other products and set up a timetable for phasing out all but a few minor uses over the next few years.

The decision indicates Mr. Ruckelshaus's willingness to reverse policies that he believes pose an excessive public health risk, according to career EPA officials who have been advocating such a ban for years. Mr. Ruckelshaus also apparently hopes to convince agency critics in Congress and elsewhere that the EPA is willing to change policies even when the result is likely to be costly for industry. A senior agency policy maker said asbestos is likely to be among EPA's top-priority regulatory issues next year.

In the past, senior Reagan administration appointees at the EPA have argued that there wasn't adequate scientific evidence to warrant tough action against asbestos. They also asserted that banning or phasing out the material would be too costly in most instances, and they wanted voluntary action by industry to reduce public exposure to asbestos.

Edward Klein, director of the office that is drafting the proposals, confirmed in an interview that Mr. Ruckelshaus and his top aides approved the concept some time ago. Mr. Klein said the EPA now considers as-

bestos to be "a proven carcinogen" that should be phased out quickly. He noted that industry has developed a variety of substitutes for most uses.

Mr. Klein said the agency decided that continued use of asbestos constitutes "an unreasonable" public health hazard. In reaching that decision, the agency considered the cumulative health risks posed by asbestos mining, milling, manufacturing, use and disposal. In the past, Mr. Klein suggested, top agency officials tended to focus primarily on the direct hazards posed by asbestos use in construction and other materials.

In a related development, the Labor Department said its Occupational Safety and Health Administration will expand workplace inspections seeking possible violations of its asbestos exposure rules. The job-safety agency estimated it will triple such inspections to about 700 over the next year in the construction and manufacturing industries, focusing on demolition sites and manufacturers with a high record of asbestos violations.

OSHA said it will inspect demolition sites that have notified the EPA that asbestos demolition or removal will occur. Previously, OSHA inspectors often didn't know about possible asbestos rule violations at such sites because the work was completed quickly. The cooperative effort with the EPA is to last six months.

In the 1970s, the government banned certain sprays containing asbestos used for insulation and decoration of new buildings. And the EPA ordered schools to perform safety checks to determine if fibers from asbestos insulation posed a health threat to students. Recently, the EPA has been under increasing pressure from lawmakers, environmental groups and cancer experts at other federal agencies to crack down on future use of the material.

Despite years of federal efforts to reduce its use, the EPA estimates that about 280 million pounds of asbestos are still used in the U.S. each year, Mr. Klein said.