

MAJOR REGULATORY INITIATIVES ARE UNDERWAY WITHIN EPA AND CPSC

Both the Environmental Protection Agency and Consumer Product Safety Commission staffs are developing advance notices of proposed rulemaking (ANPRM) which will have major impact on the asbestos industry. A draft copy of the ANPRM prepared by CPSC has been obtained.

EPA (Office of Toxic Substances) has been conducting an investigation of asbestos for past several months as reported in prior newsletter articles. June issue N&N reviewed presentation given by EPA's Deputy Assistant Administrator for Chemical Control, John P. DeKany, to AIA/NA directors at second quarter board meeting. Using authority of Toxic Substances Control Act (TSCA) EPA plans to evaluate exposure problems associated with all types of asbestos activities from mining, milling, and primary manufacturing to end product use and disposal, i.e. a life cycle or "cradle to grave" approach according to DeKany.

Among actions that could be taken under TSCA, DeKany identified "bans on primary and secondary manufacturing of products containing asbestos; bans on uses of asbestos-containing products; requirements for disposal of asbestos-containing products; and labeling requirements for asbestos containing products." It should be noted that concept of permissible levels of exposure is not included among alternatives under consideration by EPA.

In July, EPA contracted with GCA Corporation and Research Triangle Institute to prepare technical and economic analyses of asbestos respectively. These studies are essentials to a regulatory analysis for any future rulemaking proceedings. Details of studies are described below:

Technical Study (GCA) - Information obtained will be used as input for performing a risk assessment on asbestos exposures; in addition to examining substitutes for asbestos, will provide estimates of asbestos emissions associated with mining, milling, manufacturing, processing, use, and disposal of asbestos and asbestos-containing products; Phase I includes evaluation of human exposure associated with asbestos paper products and brake linings (estimates will concentrate on release during installation and maintenance rather than highway use) - draft report due in 4½ months and final report due in 6½ months; Phase II includes remaining asbestos-containing products with schedule for reports yet to be determined.

Economic Study (RTI) - Purpose is to investigate the probable economic effects which would result from implementation of controls on certain use and exposure categories of asbestos products; Phase I includes asbestos paper products and labelling of friction products - draft report due in 4½ months and final report due in 6½ months; Phase II includes remaining asbestos-containing products with draft report due in 14 months and final report in 16 months.

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