



A/C Pipe
Producers Association

Internal Correspondence

TO Board of Directors
International Affairs Committee

FROM *J.F. Welch*
J. F. Welch, Vice President

DATE August 7, 1984

SUBJECT SOP-01-06 (OSHA-EPA) - Municipal Intervention Tactic

REF: (1) JFW correspondence, same title, July 6, 1984
(2) JFW correspondence, SOP-01-06 (OSHA-EPA Rulemakings), June 18, 1984

ACTION REQUIRED: Review for information

Current Status

Enclosed is letter from the Tucson Water Department to Environmental Protection Agency (EPA) Administrator Ruckelshaus opposing the Agency's consideration of an A/C pipe ban. This letter, like comparable letters from the cities of Wichita, San Antonio and the Arizona Water Company, resulted from staff meetings with utility managers. There are no substantial differences between EPA's response to Tucson and previous EPA responses.

By now, U.S. member companies should have provided salesman with materials that will assist them in persuading utilities to send additional letters to EPA opposing an A/C pipe ban. If Staff can be of any assistance in this effort i.e. by answering salesman's questions, etc., please have them call.

JFW/lk

Enclosure

cc: A. H. Kahn, Esq.
Timothy S. Hardy, Esq.

copies to: Board of Directors

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L. Cejudo
J. M. Couture
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July 5, 1984

Mr. John Welsh
1600 Wilson Blvd.
Suite 1008
Arlington, VA 22209

Dear Mr. Welsh:

SUBJECT: Proposed Ban of Asbestos Pipe Manufacturers

Attached for your information is Tucson Water's letter to EPA and their response on the asbestos pipe issue. Please call if we can be of further assistance.

Sincerely,

Tom Munding
Water Engineering Administrator

TMM:br
Attachment

cc: Tucson Water Division Managers
Engineering Section Leaders



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

Tucson Water
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OFFICE OF
PESTICIDES AND TOXIC SUBSTANCES

Mr. Frank Brooks
Director
Tucson Water
P. O. Box 27210
Tucson, Arizona 85726

Dear Mr. Brooks:

Administrator Ruckelshaus has asked me to respond to your letter of May 15, 1984, in which you expressed concern over the Environmental Protection Agency's (EPA) intention to propose a ban on asbestos-cement pipes.

In spite of previous ongoing regulatory efforts, asbestos-related health hazards continue to be a serious problem in the United States. Human exposure to asbestos occurs throughout the life cycle of the mineral--when it is mined, processed, and fabricated into industrial and consumer products and when these products are used and disposed. Therefore, EPA is working on a proposal that would eliminate the use of asbestos in virtually all products over the next 10 years in a two-phased approach.

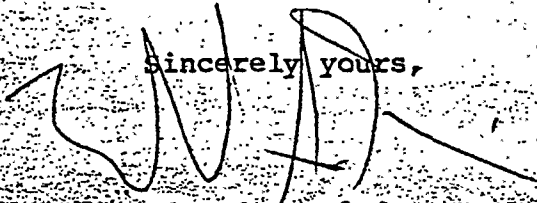
In phase one, EPA's Office of Toxic Substances (OTS) would propose a rule under the Toxic Substances Control Act (TSCA) in August 1984 to prohibit the importation, manufacturing and processing of four asbestos products for which substitutes are now readily available. These products accounted for about half of the asbestos consumption in 1981. They are: saturated and unsaturated roofing felt; flooring felt and asbestos felt-backed sheet flooring; vinyl-asbestos floor tile; and asbestos-cement pipes and fittings. These products were chosen because they are large-volume uses of asbestos, and the availability of substitutes can be easily documented. Our studies indicate that polyvinyl chloride pipe, reinforced concrete pipe, ductile iron pipe, among other substitutes, are indeed competitively priced compared to asbestos-cement pipe. Additional categories of products which pose a disproportionately high risk of disease compared with their volume may be added. This action would have an immediate and significant impact on the asbestos hazard.

In phase two, OTS would propose a rule under TSCA in November 1984 to reduce the total amount of asbestos imported and used in all other applications. Eventually, most uses of asbestos would be eliminated through a staged phased-down rule over a 10-year period.

As you correctly pointed out, our risk assessment is based on inhalation, not ingestion of asbestos, and we have emphasized this point in our drafts of the proposal. Accordingly, at the present time, we foresee no circumstances under which removal of asbestos-cement pipes would be required.

I must emphasize that this proposed action is only under consideration at this time and may very likely undergo further changes. You will be promptly notified at the beginning of the 60-day comment period following the announcement of any proposed rule involving asbestos-cement pipes, so that your views will be considered before any rulemaking decision is made.

Sincerely yours,



Edward A. Klein
Director
TSCA Assistance Office



May 15, 1984

William D. Ruckelshaus
Administrator
Environmental Protection Agency
401 M Street, S.W.
Washington, D.C. 20460

Dear Mr. Ruckelshaus:

Tucson Water is very concerned about EPA's announced plans to ban asbestos/cement pipe. Tucson Water has used asbestos/cement water pipe to serve its 470,000 customers for more than 30 years. Asbestos/cement pipe has proven to be the most cost-effective means of conveying potable water in the distribution system. Our literature search has indicated that asbestos/cement pipe poses no risks of any consequence to our customers. We, therefore, continue to use asbestos/cement pipe today almost exclusively and hope to continue its use in the future.

Were EPA to ban manufacture of asbestos/cement pipe, we would face substantial additional costs. Moreover, we are very concerned that such EPA action would create intense public pressures to remove existing asbestos/cement pipe. Were such demands ever heeded, the costs would be staggering. We, therefore, urge EPA to consider carefully any plans to ban the manufacture of asbestos/cement pipe. In order to assist the Agency in understanding the asbestos/cement pipe issue, the remainder of this letter provides some information on why Tucson Water utilizes the product.

Tucson Water first began using asbestos/cement pipe in the 1950s. Over the years, asbestos/cement pipe has been demonstrated to have a lifetime yet to be determined with minimal maintenance costs. Today, ninety percent of our water system is currently serviced by asbestos/cement pipe.

In selecting pipe materials, we are concerned with both initial installation costs, long-term maintenance costs, and with the safety of the material. In each respect, our experience has often led us to choose asbestos/cement pipe. The costs of purchasing and installing asbestos/cement pipe have been approximately twenty percent lower than alternative materials.



William D. Ruckelshaus

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May 15, 1984

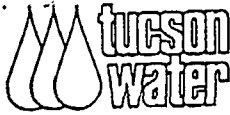
We are constantly concerned and vigilant about the safety of the water conveyed in our system. Needless to say, with the great publicity that asbestos health effects have had in the past decade, we have been concerned about the possibility that some health risk might be posed by fibers from asbestos cement water pipes. We have thus followed closely the reviews conducted by the American Water Works Association and EPA of asbestos ingestion risks.

We were reassured when AWWA conducted an independent review of the medical and technological evidence on asbestos/cement pipes in 1974 and concluded that, "the probability of risk to health from the use of such [asbestos/cement] systems is small -- approaching zero." We nonetheless welcomed the extensive research program on asbestos in water conducted by EPA in cooperation with the National Toxicology Program over the past decade. The results of that program, as announced at EPA's 1982 Workshop on Ingested Asbestos, confirmed the earlier AWWA assessment and once again reassured us that asbestos/cement pipe could safely be used in our system. Several EPA scientists and officials from its Office of Safe Drinking Water participated in that workshop and unanimously concluded that the extensive research program failed to find any human or animal evidence of a risk from ingested asbestos.

We have taken numerous precautions in installation and maintenance operations to minimize asbestos exposures. Our installation specifications require special cutting tools, special tapping procedures, and extensive flushing.

We have found asbestos/cement pipe to be effective, affordable, and safe. We plan to continue its use. Were we to be denied use of asbestos/cement pipe, our expenditures for new installed pipe would increase by ten to twenty percent. Maintenance costs would also increase over the years.

Perhaps more importantly, we would, as previously stated, expect an EPA ban to cause public demands to remove asbestos/cement pipe already installed. It would be extremely difficult for us to explain to our customers our confidence that the materials we use to convey water are safe when the manufacture of the same materials have been banned by EPA.



William D. Ruckelshaus

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May 15, 1984

It is our understanding that any EPA ban would be premised on alleged risks to workers from inhaling asbestos when manufacturing and installing pipe rather than from ingestion risks, but may well be a distinction without a difference to the public. Should such public pressure occur and should we be forced to begin removing and replacing asbestos/cement pipe, our ability to provide potable water at a reasonable price would be seriously jeopardized. Replacement costs in our system would be in excess of \$140 million.

We trust that EPA's thinking on the asbestos/cement pipe issue is not firm or final and we urge you to carefully consider any plan to ban this product. If we can provide further information that would be helpful in your deliberations, please let us know.

Sincerely,

Frank Brooks
Director

✓ FB:TM:jm

cc: Joel D. Valdez, City Manager