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From the Baltimore Sun

Asbestos concerns resurface

Brake imports using fibers surge, imperiling mechanics

By Andrew Schneider
Sun Reporter

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WASHINGTON -- A significant increase in imports of automobile brakes containing asbestos over the past decade is raising renewed concerns for the health of the nation's auto mechanics.

Most U.S. automakers stopped installing brakes with asbestos in the 1990s, amid worries about the health hazards. As the perceived risk of exposure declined, so did government warnings to mechanics outlining the possible dangers.

Despite an 83 percent rise in imported brakes with asbestos over the past decade, there has been no renewed effort by the Occupational Safety and Health Administration to notify mechanics that they might again be at risk of asbestos-related disease, which can be fatal.

Many mechanics are apparently unaware of the dangers of working with such brakes, which are installed as replacements by corner gas stations, backyard mechanics and auto repair shops, even though warnings on some boxes note the presence of asbestos.

Health officials say the problem could be compounded by a common misperception that the United States has banned asbestos, which can cause mesothelioma, lung cancer or asbestosis.

The United States is one of the few industrialized nations that haven't banned the use or importation of most asbestos products.

"Now you've got green mechanics who believe asbestos is banned, brakes still loaded with asbestos being imported in record amount and OSHA, who's responsible for worker safety, saying there's no problem," said Dr. Barry Castleman, a former Baltimore County health officer and a leading researcher on medical and legal issues involving asbestos.

The last time mechanics were warned by a major, coordinated government effort of the hazard from the

cancer-causing material was 20 years ago, when the Environmental Protection Agency published a gold-colored pamphlet, Guidance for Preventing Asbestos Disease Among Auto Mechanics.

The agency said thousands of copies of the "Gold Book" were distributed to high schools, technical colleges, neighborhood garages, auto dealers and unions.

Bob Virta of the U.S. Geological Survey, who tallies data on imported minerals, said there has been an 83 percent increase in imports of asbestos brakes and brake material over the past 10 years.

Mechanics have long been at risk because brakes were often made with 50 percent asbestos. A belief that nothing they couldn't see could harm them encouraged many to ignore safety practices, occupational health specialists say.

Public health specialists, including Castleman, estimate that each year, asbestos-related diseases, which often take 20 years to surface, are diagnosed in thousands of auto-repair workers.

Many older cars have brakes containing the dangerous fibers. An OSHA supervisor who asked that his name not be used because he is not authorized to speak with reporters said that even if a meaningful ban were imposed on asbestos imports, the danger to mechanics would continue for decades as brakes on warehouse shelves continued to be installed on vehicles.

The dangers of asbestos in brakes apparently are a surprise to many auto-repair workers. All of the 11 mechanics and auto-parts specialists interviewed in the Baltimore area said they thought asbestos was banned.

Jerome Dorsch has old disc brakes with asbestos warnings on the packaging in his repair and supply shop in Brooklyn, but he said he isn't sure about some of the new brakes he sells.

"These are for older cars, '80s and '90s," he said, pointing to the asbestos warning. "What worries me now is all the new brakes we get that say 'organic' and warn you not to breathe the fibers. I wonder how many of those are really asbestos."

Nine of the 11 interviewed said their younger mechanics need the warnings.

"Asbestos was banned in the '80s because it could kill you. But you can't know what's in all that black dust that's released when brakes are changed." said Steve Boring, who runs Riviera Auto Service in Riviera Beach. "It's not just the new mechanics that have to be cautioned about asbestos. The old-timers should be reminded also."

Dan Crane, who oversees asbestos analysis at OSHA's Salt Lake City laboratory, said, "It is a common misconception by many that [asbestos-containing] products were banned and are no longer present."

Crane wrote that this "attitude has spawned a disregard to the potential danger of exposure to these materials," according to an internal agency document obtained by The Sun.

Democratic Sen. Patty Murray of Washington has tried repeatedly over the past six years to get a ban through Congress.

"This is just the latest example of why we need to ban asbestos in America once and for all," she said through a spokesman.

For years, federal regulators assured members of Congress that they would issue fresh warnings to new generations of auto mechanics that the black dust on the brakes they change might contain lethal amounts of asbestos.

In late 2004, asbestos experts from OSHA's Directorate of Science, Technology and Medicine completed a

five-page Safety and Health Information Bulletin. By March 2, 2005, the bulletin had been peer-reviewed, deemed accurate and reviewed by OSHA political appointees, according to documents obtained by The Sun.

OSHA reviewed the proposed warning again with officials of the Office of Management and Budget in August 2005, said two OSHA managers who asked not to be identified.

Some of those at OSHA and at the EPA who were working on the issue say it was at that meeting that the warning was killed. OSHA did not respond to questions about the meeting.

In October 2005, OSHA's Crane submitted another technical review, supporting release of the bulletin.

OSHA declined to issue a new warning. A spokesman, Al Belsky, said agency officials had concluded that development and publication of a safety and health information bulletin on asbestos in brakes "is not warranted."

The agency issues warnings when it becomes aware of new hazards that need to be brought to the attention of workers and employers, Belsky said.

Workplace-safety advocates sharply criticized OSHA's refusal to issue a new warning.

"It borders on criminal negligence for OSHA to have produced a new alert addressed to mechanics but refuse to publish it because it does not conform to a so-called guideline," said Joel Shufro, executive director of the New York Committee for Occupational Safety and Health, a training and advocacy organization with ties to organized labor.

Critics said the government's refusal to act resulted from pressure from the industry, which faces many lawsuits over health-related claims resulting from asbestos in brakes and is at the center of a long-running debate in Washington over compensating victims of asbestos poisoning.

David Michaels, a health and safety official in the Clinton administration, said industry is "calling the shots" at OSHA and EPA "on all changes involving health or safety."

"Except when ordered to by a federal judge, OSHA has stopped issuing regulations or even guidance telling workers how to protect themselves," he said. "It has been that way from the moment President Bush took office. The political appointees continue to place the desire of industry before the safety of workers."

EPA's new version of the out-of-print 1986 guide to mechanics on dealing with asbestos in brakes is at least two years overdue.

In 2003, Stephen L. Johnson, then EPA deputy administrator and now its head, said the science the pamphlet was based on was "solid" and that his agency stood by it. He promised "quick action" on releasing revised guidelines.

Lawyers from a firm that has represented asbestos and insurance industry clients demanded that the government stop distributing the pamphlet and other material designed to help auto mechanics protect themselves from asbestos in brakes.

The Gold Book had been "used to support thousands of personal injury lawsuits," the firm Morgan, Lewis & Bockius said in a 2003 filing with the EPA. "The continuing availability of the Gold Book, and its alarmist and inflammatory tone, continues to hinder a fair-minded assessment of the hazards, if any, imposed to users of asbestos-containing friction products."

Dr. David Egilman, a specialist in occupational medicine who has been a consultant for the brake industry and for the families of workers who have died, said that calling the Gold Book "inflammatory" is ludicrous.

"It's the same thing as calling a stop sign inflammatory. It warns people of possible danger. The government warnings do the same thing," he said.

Susan B. Hazen, the EPA's acting assistant administrator for toxic substances, said the agency is working on a revised version of its guidance to mechanics and "hopes to make it available for public comment this summer."

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