

ASARCO

Department of Environmental Sciences

M. O. Varner
Director

February 16, 1984

Mr. M. O. Varner
Building*File: OSHA
Proposed Asbestos
Std.*

2-16-84 From M.O. Varner Copied for R.J. Muth

With
 W.T. Whitely
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Draft Permanent OSHA Standard for Asbestos

A draft copy of the proposed OSHA permanent standard for occupational exposure to asbestos was recently procured by Gary E. Walter from a representative of the Asbestos Information Association. A review of the provisions and comments included therein merit early consideration and planning, in my opinion.

Proposed Regulations

The regulatory text contains the exact same regulatory text published in the Emergency Temporary Standard (ETS) (48 FR 51086), because Section 6(c)(3) of the OSHA Act specifies that the ETS serves as a proposal for a permanent standard. However, the preamble contains references to numerous additions and revisions under consideration.

Proposed Timetables

Deadlines following publication in the Federal Register include:

- 30 days for notices of intent to appear at the informal hearing.
- 45 days for submission of comments, documentary evidence and the full text of verbal testimony to be presented at the hearing.
- 60 days for commencement of the informal rulemaking hearing.

Permissible Exposure Limit

Preliminary regulatory analyses have been prepared for possible PEL's of 0.5 f/cc, 0.2 f/cc and 0.1 f/cc. OSHA, however, cautions that it "...may, therefore, set a PEL that is higher or lower" than these values.

Lung Cancer Risk Estimates

OSHA's predicted 45-year exposure risk for lung cancer is 64 excess deaths (per 1000 workers) at 2.0 f/cc, 17 excess deaths at 0.5 f/cc, 7 excess deaths at 0.2 f/cc and 3 excess deaths at a 0.1 f/cc PEL.

Definition of Asbestos

OSHA is considering the addition of the following language to the definition of "asbestos": "...and every product containing any of these minerals and any of these minerals that has been chemically treated and/or altered." Also, OSHA may amend the definition of "asbestos fiber" to "a particulate form of asbestos, 5 micrometers or longer, with a length-to-diameter ratio of at least 3 to 1, and with a maximum diameter of 5 micrometers." Although this definition would clearly include all nonasbestosform material meeting these criteria, OSHA is inviting comments "...on how mineral fibers that are not asbestos in the mineralogic sense should be regulated."

Ceiling Limit

OSHA is considering modifying the ceiling limit to 2 f/cc (from 10 f/cc) as measured over any 15-minute period during the workshift.

Action Level

OSHA is considering an action level of 0.2 f/cc or half the actual chosen PEL which would trigger certain requirements, such as exposure monitoring, regulated areas, hygiene facilities, protective clothing and medical surveillance requirements of the asbestos standard.

Regulated Areas

OSHA anticipates that the final standard will require the establishment of regulated areas by the employer to prevent asbestos exposure to unauthorized persons. Of course, certain activities such as smoking and eating will be prohibited in regulated areas.

Methods of Compliance

OSHA considers it appropriate to retain the ETS proposal to allow flexibility in using any feasible combination of engineering controls, work practices and personal protective equipment and devices to reduce employee exposure to the PEL. However, OSHA intends to revoke the requirement in the current standard that personnel rotation should be used to control exposures to asbestos.

Respiratory Protection

OSHA recognizes that, if a much lower PEL is ultimately promulgated, improved respirator types must be required at lower ambient air levels. OSHA also plans to require the use of high efficiency filters with air-purifying type respirators.

Protective Clothing

OSHA expects the final standard to contain the provision that employers must provide at no cost to the employee, coveralls or similar clothing and provide for laundering under certain circumstances, whenever employees are exposed at or above the action level.

Medical Surveillance Program

The action level is proposed to replace the current 0.1 f/cc level as the triggering mechanism for the medical surveillance program. OSHA is considering reducing the frequency of X-rays and adding screening tests for colo-rectal cancer and asbestosis.

Methods of Measurement

OSHA is proposing retention of the phase contrast microscopy analysis but mandate technical training, laboratory certification, and laboratory participation in a round robin testing program wherein labs must receive passing grades to retain certification. OSHA, however, will consider other analytical methods to replace optical microscopy, such as electron microscopy. OSHA is seeking comments on the statistical limits of measurements down to 0.1 f/cc.

Hygiene Facilities and Practices

OSHA may require separate change room facilities, one for clean clothes, and one for dirty clothes. In addition, showering facilities may be required. These would be triggered at the action level.

Signs and Labels

OSHA may revise the language to read as follows:

DANGER
ASBESTOS HAZARD
CANCER AND LUNG DISEASE HAZARD
AUTHORIZED PERSONNEL ONLY
RESPIRATORS & PROTECTIVE CLOTHING
MAY BE REQUIRED TO BE
WORN IN THIS AREA

Recordkeeping

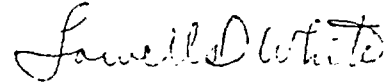
OSHA will revise the existing provision to require that medical records be preserved and maintained for at least the duration of employment plus thirty years.

Construction Industry

Much discussion is made regarding whether or not to include the construction industry under any of the provisions of the OSHA asbestos standard, coupled with numerous requests for comments.

Certification System

OSHA is considering a system for certification and liscensing of employers and employees. Competency would be established in large part by the results of an examination. Work with asbestos could be performed only by specially trained "qualified" and "competent" persons. Apparently this requirement may seek to mimic Great Britain where employer liscensing becomes effective on August 1, 1984. This system would include detailed reporting requirements for employers, should such a system be adopted.



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SB
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