



INTERNAL
CORRESPONDENCE

UNION CARBIDE CORPORATION SOUTH CHARLESTON PLANT

Silicones and Urethane Intermediates

P.O. BOX 8004, SOUTH CHARLESTON, WV 25303

To (Name) Maintenance Area Superintendents
Division Maintenance Department Heads
Location
Area

Date April 19, 1983

Originating Dept.

Area

Copy to R. W. Holland, Jr., M.D.
C. E. Fry
L. W. Phair
T. G. Swanson

Subject OSHA Plan To Lower Asbestos
Permissible Exposure Limits

I thought the attached article appearing in Occupational Safety & Health Reporter, April 14, 1983, would be of interest.

WCYoung:b1

Attachment



Asbestos

OSHA PLANS ACCELERATION OF RULEMAKING TO LOWER STANDARD, AUCHTER TELLS UNIONS

Citing the "very serious nature" of asbestos exposure hazards, Assistant Labor Secretary Thorne G. Auchter told representatives of organized labor that the Occupational Safety and Health Administration will accelerate rulemaking on a 1975 agency proposal to lower the current exposure limit from two to one-half fibers per cubic centimeter.

The disclosure of the agency's intentions — which include issuance of a public notice this summer updating the 1975 proposal, holding rulemaking hearings, and publishing a final rule by this fall — was made in two nearly identical letters, one sent April 8 to Sheldon Samuels, director of health, safety, and environment at the AFL-CIO Industrial Union Department, and the other sent April 11 to George H.R. Taylor, director of the whole labor federation's safety and health department.

Taylor had written Auchter last month seeking high-priority action to reduce the current OSHA limit, charging that "many thousands of workers exposed at or below the standard will die of asbestos-related disease in the coming years" and alleging that the agency had withheld from the public a staff risk assessment showing a high range of lung cancer risk at the two-ppm level (Current Report, March 17, p. 891). Auchter's letter to Samuels said it was sent in response to an April 7 telephone conversation.

Agrees on Priority

In the letters, Auchter told the union officials, "I fully agree with you that revision of the asbestos standard is a project which deserves high priority," adding that he has "spent a fair amount of time lately with my senior health staff discussing asbestos."

Auchter's concern was "heightened," he wrote, after speaking recently with Irving Selikoff, director of the environmental sciences laboratory at Mount Sinai School of Medicine, at a Florida meeting of the International Union of Operating Engineers, where both were guests. The OSHA chief said he planned to meet "in the very near future" with Selikoff, who was the author of a Labor Department-sponsored study that projected 200,000 excess cancer deaths by the year 2000 as a result of past exposures (Current Report, June 24, 1982, p. 84).

Referring to Taylor's complaint that no formal regulatory action was taken subsequent to the 1975 proposal, Auchter wrote, "I agree with your criticism of the previous Administration's lack of action on this issue." He contended that his own handling of the asbestos standard has contrasted with his predecessor's by setting into action a "preliminary regulatory action team" a year ago, once "this Administration had the beginnings of a regulatory agenda under way."

It was this team's recommendations — cited in the letter as target dates of June 1984 for a proposal and September 1985 for a final rule — that Auchter said he was accelerating "because of the very serious nature of the hazards presented by exposure to asbestos." The agency's new plan included:

- Publication of a notice "this summer" scheduling a hearing based on the 1975 proposal, with reduction of the

permissible exposure limit as the primary issue of the rulemaking. A final rule would be published this fall.

- An update of the 1975 proposal discussing risk assessment and significance-of-risk issues. A senior agency health official added in comments to BNA that the update also will include a feasibility analysis, saying that the 1975 document identified the 0.5-fiber limit as the lowest feasible but contained no formal justification for it. A working group of scientists from the agency and the National Institute for Occupational Safety and Health in 1980 endorsed a 0.1-fiber limit as the lowest feasible.

- An expansion of the 1975 proposal's scope to include the construction industry and the publication, at the same time as the planned final rule, of a proposal addressing development of special provisions for the construction industry (see related article in this issue), as well as updating the medical and hygiene provisions of the current standard.

Denies Withholding Risk Document

Auchter told the union officials that he has asked his senior health staff to meet with them on the agency's timetable and the technical details of the revision and noted a recent OSHA staff meeting with Roy Steinfurth, administrator of the Insulators Health Hazard Program of the Asbestos Workers union, to discuss the standard. He concluded, "I think it is clear from the above that OSHA intends to act quickly on this issue and, as we do on other issues, involve labor extensively and substantively in the process."

Taylor's charge that the OSHA draft risk assessment was "withheld" until it surfaced in litigation two months ago was denied by Auchter, who said the numerical conclusions of the draft were published in the *Federal Register* "a few months" after it was completed (Current Report, Jan. 21, 1982, p. 682). He added, however, that the draft was an internal document considered "neither sufficiently polished nor complete enough for release to the public."

OSHA does not expect to make "any significant changes" in the draft estimates when it publishes a revised version currently being prepared, Auchter said.

Asbestos

ASBESTOS STANDARD FOR CONSTRUCTION PROPOSED TO OSHA BY INDUSTRY GROUP

The details of a recommended standard for occupational exposure to asbestos in the construction industry were presented to Occupational Safety and Health Administration chief Thorne G. Auchter in a meeting April 7 with members of the Asbestos Information Association.

AIA's proposal represents more than three years of study and review during which time the group sought comments and support from other industry groups, labor organizations, and government advisory committees. At this point, according to AIA Executive Director B.J. Pigg, "it is imperative that OSHA address the construction issue as the first step in any reevaluation of the current asbestos standard."

The association's recommended standard was presented to the agency the day before Auchter first announced that he is accelerating revision of the OSHA asbestos standard and expects to issue a final standard for general industry by this fall. At the same time the agency plans to publish a proposal