

FILE NAME: Union Carbide (UC)

DATE: 1977 Aug 29

DOC#: UC077

DOCUMENT DESCRIPTION: Letter to Consumer Products Safety Commission from Calidria Asbestos Arguing Against the Asbestos Ban



Calidria ASBESTOS

CC10-77-17

UNION CARBIDE CORPORATION • METALS DIVISION • P. O. BOX 579 • NIAGARA FALLS, N.Y. 14302 • TEL: 716-278-3376

August 29, 1977

The Honorable S. John Byington
Chairman, Consumer Product Safety Commission
1111 18th Street, N.W.
Washington, D.C. 20207

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CONSUMER PRODUCT
SAFETY COMMISSION

Dear Chairman Byington:

This letter transmits, in three separate documents, the supporting technical data promised during my testimony before the Commission on August 15, 1977, and also the information on our activities to educate employees and those of our customers on the hazards of asbestos and precautions to take when using it. I will also take this opportunity to comment briefly on several key issues that were raised at the hearings.

It was pointed out that we have a relatively minor financial stake in this application. This "stake" is now essentially nil since there has been a virtually complete halt in the use of asbestos in all taping and spackling compounds, regardless of their intended end use. This is due primarily to the Commission's proposed broad-reaching ban on the use of spackling compounds and the inaccurate media reporting of the Commission proceedings. Our lack of financial interest must raise a question as to why we have continued to pursue this matter. We believe that there are some basic principles and precedents involved that must be settled. These include:

1. The banning of a product which was introduced 50 years ago and has been in widespread use for the last 35 years without any evidence that a consumer has ever been harmed. Extrapolation from commercial experience strongly suggests that there is no measureable risk so the only remaining basis for the ban becomes the unproven and unproveable "one-hit" hypothesis. The evidence to ban a product as an "imminent hazard" should be much stronger than this.
2. The statutory authority of the Commission to base a banning action on a "zero risk" requirement.

A question was raised as to whether or not data submitted by an "interested party" was admissible; or, if it was, what weight should be given to it. The prevalent attitude of the self-appointed "public interest" advocates appears to be one where, if the advocate believes his cause to be just, he automatically becomes a "disinterested party" with the only access to objective data. We

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submit that there are no truly disinterested parties in a regulatory action of this nature and that all scientific evidence presented should be judged on its own merits. We intended, and firmly believe, that the data submitted by Union Carbide Corporation meets the test of scientific validity.

There appeared to be some misunderstanding as to whether or not our counting method meets the NIOSH criteria. We assure you that it does and in fact twelve of the samples from the two consumer tests have been checked by two independent laboratories, McCrone Associates and NGC Research Center Environmental Laboratories. The results given in the enclosed Appendix confirm the data which we presented.

All of the commercial and consumer exposure data presented has been discussed and conclusions have been drawn in terms of concentrations of fibers longer than five microns in length as measured by optical methods. This was done because commercial exposures for which health effects data are available for comparison are largely measured this way. In this connection comparisons have been made with "ambient" asbestos levels as described by NIOSH. Thus:

"Only a few studies of ambient levels have been performed using phase contrast optical microscopy. These studies indicate ambient levels to be generally less than 0.01 f/cc(1) with some peak values as high as 0.03 f/cc."

Using the NIOSH ambient levels as a frame of reference, the consumer data presented show a maximum exposure of 1.3 f/cc during the actual installation operations and 8-hour time-weighted average (TWA) exposures of only 0.2-0.3 f/cc. A TWA of 0.3 f/cc for 3 days is equivalent to an exposure of 0.0045 f/cc/day for one year when calculated by the method proposed by Dr. Bayard of your staff. Even if the TWA was as high as one f/cc, which is much higher than any measured, the annual daily exposure would be only 0.01 f/cc, i.e., the upper end of the ambient level described by NIOSH. It was also demonstrated that general household exposures for both tests after completion of the installation were also well below 0.01 f/cc. The critical point here is that the exposure to the consumer while he is engaged in the installation is low and when averaged over a year does not exceed ordinary ambient exposure. We are aware of no evidence that such casual exposure is harmful.

I will close with a final comment on our proposal to allow a maximum of 2% asbestos in spackling compounds. We agree that there is no proven correlation between the asbestos content in compounds and the anticipated airborne fiber level, but this is largely academic. A substantial consumer test has demonstrated the levels of exposure to be expected from a mud containing 2.6% asbestos. Levels that might occur from a 5% or 8% asbestos mud are not relevant since only a 2% level is requested, and support for this level is provided.

Thank you for this opportunity to present our views. Please do not hesitate to contact me if we can be of any further assistance in this or related matters.

(1) In this letter and all enclosures "f/cc" means "asbestos fibers, greater than five micrometers in length, per cubic centimeter of air."

Very truly yours,

John L. Myers
for Harrison B. Rhodes
Technology Manager

HBR:da1

"ASBESTOS EDUCATION"

Union Carbide has mined asbestos ore and operated an ore beneficiation plant in California since 1963. We market asbestos fibers for industrial applications, but we do not make any products from asbestos.

We have provided medical surveillance for our asbestos plant employees and conducted air monitoring since 1963. Some of our plant areas are currently monitored as often as once per month to ensure that our dust control measures are effective. Safety meetings, posters, and individual consultations are some of the means used to advise employees of the asbestos health hazard. The use of safety equipment is rigidly enforced and employees are constantly reminded of safe procedures and precautions to take to preserve their health. Smoking has always been prohibited in certain plant areas and has been generally discouraged by communicating to employees the apparent connection between an increase in lung cancer and asbestos workers who smoke. Since January 1, 1977, smoking has been prohibited on all plant property. Medical surveillance has included chest X-ray and pulmonary function analysis, and we have recently added sputum cytology to our medical program. Before initiating new rules or programs, we thoroughly discuss them with employees. This facilitates the implementation of changes and demonstrates to our employees why we are making the changes. They can then understand our reasons and cooperate with us in establishing a safe working environment.

Our customer "education" includes mailings and personal contact through meetings, seminars and sales calls. Our salesmen are thoroughly familiar with the asbestos health hazard and are aware of regulatory requirements, safe handling methods, etc. Our bags of asbestos have carried a warning label since 1968, four years before the Federal OSHA standards were promulgated to require this, air monitoring, medical surveillance, and other safety measures. We have provided free air monitoring for our customers for several years. This often provides us with the opportunity to discuss the asbestos hazard and safety precautions with our customer's employees. We have prepared booklets containing information related to specific applications. These booklets contain general information on the asbestos health hazard, regulatory requirements, typical air monitoring results and other pertinent items. We have also prepared information for presentation to technical society meetings or any group who is interested in the asbestos/health story. We have in our files a large number of items which we send to customers, and including all of them with this document would make it very voluminous. The attached list of them is essentially complete and the items are available for immediate mailing, if so desired.

The State of California recently enacted an Occupational Carcinogens Control Act, and asbestos is one of the 16 substances affected by it. The CAL-OSHA Asbestos Standards have been modified to include the provisions of the Act, which also provides for a massive education program. We have worked closely with State personnel to develop standards which are effective and also practical and enforceable. We have participated heavily in the education program, "Preventing On-The-Job-Cancer", by serving on panels and assisting in workshops held at four different California cities in June and July.

Asbestos can be used safely in essentially all of its many applications. The key to safe working and public environments is a thorough knowledge of its potential health hazards and how to handle and use it without creating excessive airborne contamination.

INFORMATION AVAILABLE FROM UNION CARBIDE CORPORATION
ON THE HEALTH HAZARDS OF ASBESTOS AND HOW TO USE IT SAFELY

Material Safety Data Sheet & Typical Chemical & Spectrographic Analysis of
"Calidria" Asbestos
Testimony by George W. Wright, M.D. before U.S. Dept. of Labor, Occupational Safety
& Health Hearing on Proposed Occupational Asbestos Standard, March 14-17, 1972
Testimony by J. Corbett McDonald, M.D. - same as above
OSHA Regulations
EPA Regulations
"Airborne Asbestos" National Research Council, 1971
"Airborne Asbestos" - Summary
"Airborne Asbestos" - References
Asbestos Bulletin (Asbestos Information Committee, London - 9/72)
CIBA CEIGY - UK 2/72
QAMA Folder
WHO Report - 10/72
Dust Counting - S. G. Bayer, R. D. Zummalde, T. A. Brown - Feb. 1969 (NIOSH/HEW)
Dust Monitoring Equipment & Costs - 2/19/73
Instructions for Sampling of Airborne Asbestos Fibers
Procedure for Pump Calibration used for Monitoring of Asbestos Dust Emissions
AIA - "Protecting the Asbestos Worker"
AIA - "Asbestos and Health"
AIA - "The Asbestos Information Association/North America"
AIA - "Asbestos and Health Questions and Answers"
AIA - "What Asbestos Is: How and Where it Is Used"
AIA - "What Every Employee Should Know About Asbestos" - 2/74
AIA - "Asbestos In the Atmosphere"
AIA - "Asbestos in Water"
AIA - Molding & Fabrication of Asbestos-Containing Plastic Products, Work Practices
Partnership for Prevention - "The Insulation Industry Hygiene Research Program"-4/70
Asbestos - Reprint from National Safety News - 10/73
"Asbestos Health Question Perplexes Experts," C & EN - 12/10/73
Disputes on the Safety of Asbestos - New Scientist 3/7/74
JLM - "Chrysotile Asbestos in Plastics"
Asbestos & Silica Dust in the Drywall Industry. Part 1-Nov./Dec. 1975
Asbestos & Silica Dust in the Drywall Industry. Part 2-Jan./Feb. 1976
Detection of Chrysotile Asbestos in Airborne Dust from Thermosetting Resin
Grinding - 1975
"Calidria" Asbestos Pellets - Health and OSHA Information
"Calidria" Asbestos RG-244 - Health and OSHA Information
"Calidria" Asbestos RG-600 - Health and OSHA Information
"Calidria" Asbestos Pellets - JLM, "ASBESTOS" - 10/71