

with an OSHA PEL of 0.2 f/cc, EPA estimates that this alternative would avoid about 840 cancer cases that EPA can quantify, while costing about \$1.87 billion. This is a cost of about \$2.22 million per cancer case avoided.

EPA believes that effective substitutes are increasingly becoming available for asbestos friction products and will be readily available by the date the delayed ban would become effective. However, EPA is considering an exemption process (for example) uses without substitutes. One area EPA is studying in particular is the aftermarket for asbestos brakes. Some persons have noted that asbestos brakes now in use cannot safely be replaced by asbestos-free brakes when they wear out, while others have disagreed with this assertion. EPA is aware of the potential risk to the public from poorly performing brakes. EPA specifically requests comment on this issue.

EPA considered various approaches for addressing the risk presented by asbestos products not banned either soon after promulgation or 5 years after promulgation under this alternative. One approach would be to propose and promulgate a rule under section 8(a) of TSCA to gather contemporaneous data concerning the production and use of and exposure to these products at the time the first products ban rule becomes effective or at a date a few years later. EPA would analyze that data and then decide whether to ban additional asbestos products. EPA would also determine the date of these bans, which may be at staged intervals. After deciding these issues, EPA would propose and promulgate the bans of these asbestos products. Another approach for addressing the risk presented by those remaining asbestos products is discussed as alternative 3 below.

3. Ban the asbestos construction products category and asbestos clothing soon after promulgation of the rule, ban the asbestos friction products category about 5 years later, and ban remaining asbestos products about 10 years later under this alternative, as in alternative 1. EPA would ban the manufacture, importation, and processing of the asbestos construction products category and asbestos clothing soon after promulgation of the rule, and ban the manufacture, importation, and processing of the asbestos friction products category 5 years after promulgation of the rule. This alternative would also ban the manufacture, importation, and processing of all other asbestos products 10 years after promulgation of the rule.

This alternative would relatively quickly ban a number of asbestos products for which effective substitutes exist while strongly encouraging the rapid development of effective substitutes for other asbestos products.

This alternative, unlike alternative 1, avoids the necessity of future rulemakings to gather additional data and then ban additional products. It would also provide greater certainty about the status of all asbestos products and more strongly encourage the development of substitutes for all applications of all products.

As in alternative 1, EPA is considering the need for an exemption process for asbestos friction products in connection with the staged product bans.

EPA estimates that this alternative, assuming current exposure levels, would avoid about 2,120 cancer cases that EPA can quantify while costing about \$2.29 billion. This is a cost of about \$1.08 million per cancer case avoided.

Assuming strict compliance with an OSHA PEL of 0.2 f/cc, EPA estimates that this alternative would avoid about 1,070 cancer cases that EPA can quantify, while costing about \$2.29 billion. This is a cost of about \$2.13 million per cancer case avoided.

Without a ban of asbestos-cement pipe and assuming strict compliance with an OSHA PEL of 0.2 f/cc, EPA estimates that this alternative would avoid about 950 cancer cases that EPA can quantify, while costing about \$2.02 billion. This is a cost of about \$2.12 million per cancer case avoided.

3. Ban the asbestos construction products category and asbestos clothing soon after promulgation of the rule and cover all other asbestos products under the phase-down. Under this alternative EPA would ban the manufacture, importation, and processing of the asbestos construction products category and asbestos clothing soon after the promulgation of the rule and cover all other asbestos products under the phase-down.

This alternative, unlike the current proposal, would ban all asbestos-cement products at the same time, thus addressing similar exposure patterns in the same way and treating all parts of an industry sector similarly. The phase-down would operate to restrict use of asbestos in other industry sectors.

EPA estimates that this alternative, assuming current exposure levels, would avoid about 2,020 cancer cases that EPA can quantify while costing about \$2.01 billion. This is a cost of about \$1.01 million per cancer case avoided.

Assuming strict compliance with an OSHA PEL of 0.2 f/cc, EPA estimates

that this alternative would avoid about 1,070 cancer cases that EPA can quantify while costing about \$2.01 billion. This is a cost of about \$1.88 million per cancer case avoided.

Without a ban of asbestos-cement pipe and assuming strict compliance with an OSHA PEL of 0.2 f/cc, EPA estimates that this alternative would avoid about 950 cancer cases that EPA can quantify while costing about \$1.88 billion. This is a cost of about \$1.85 million per cancer case avoided.

The following Table VI summarizes the estimated costs and estimated cancer cases avoided that EPA could quantify for the proposal and the three alternatives discussed earlier, first assuming current exposure levels and then assuming strict compliance with an OSHA PEL of 0.2 f/cc.

TABLE VI—ESTIMATED COSTS AND CANCER CASES AVOIDED

	Proposal	Alt. 1	Alt. 2	Alt. 3
Assuming Current Exposure				
Cost (billion)	\$1.08	\$2.11	\$2.29	\$2.01
Cancer cases avoided	1,030	2,100	2,120	2,020
Cost per cancer case avoided (million)	\$1.03	\$1.01	\$1.08	\$1.02
Assuming Strict Compliance With an OSHA PEL of 0.2 f/cc				
Cost (billion)	\$1.00	\$2.11	\$2.29	\$2.01
Cancer cases avoided	1,070	1,090	1,070	1,070
Cost per cancer case avoided (million)	\$1.00	\$2.00	\$2.13	\$1.88

Alternative 1—Ban asbestos construction products and asbestos-cement pipe soon after promulgation and ban asbestos friction products in five years.

Alternative 2—Ban asbestos construction products and asbestos clothing soon after promulgation, ban asbestos friction products in five years and ban remaining products in ten years.

Alternative 3—Ban asbestos construction products and asbestos clothing soon after promulgation and cover remaining products under the phase-down.

4. Require labeling of asbestos products subject to a ban. As part of this alternative, EPA also proposes and requests comment on a labeling requirement. In particular, it is proposed that products not immediately banned but subject to regulation 5 or 10 years from now be labeled in the interim. The labeling would advise purchasers that the product contains asbestos. EPA requests comments on this proposal, in particular on (1) the appropriateness of this proposal for all or some subset of the products in this category; (2) the appropriateness of a simple content warning as opposed to a more extensive labeling provision; and (3) the extent to which labeling would serve to reduce exposure to asbestos.

EPA also considered a number of alternatives for implementing the phase-down. These include options concerning the following: who would be assigned permits; how persons would be granted