file: Asbestos ORC Task Force

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Organization Resources Counselors, Inc.

# Memorandum

March 8, 1988

To: ORC Asbestos Task Force

From: Rebecca L. Daiss and Darrel K. Mattheis

Subject: Report of the February 25, 1988 Meeting

NEXT MEETING

The date of the next ORC Asbestos Task Force meeting will be announced in a future mailing.

PURPOSE OF THE FEBRRUARY 25 MEETING

- To discuss progress to date and address problems encountered in collecting data;
- To determine minimum acceptable sampling time;
- To discuss the recent Appellate Court ruling on the Asbestos Standard.

DISCUSSION

**Effectiveness of Sampling Data Sheet**

Asbestos Data Collection participants who have begun collecting data have found the sampling sheet to adequately meet their needs. The survey sheets cover necessary areas and are in a form which facilitates documentation of data. Problems with data collection to date stem not from the form or composition of the sampling forms but from limiting provisions within the OSHA Asbestos standard (discussed below).

**Problems Likely to Be Encountered in Collecting Data**

Monitoring for asbestos containing material (ACM) prior to undertaking a task has proven to be difficult in some instances. Often, building owners don't know whether or not ACM is present, and are not willing to wait for a service (e.g. phone installation) until the presence or absence of ACM can be determined. Also, when the presence of ACM is known, the service industry, in order to realize a profit, must increase the cost of the service by at least a portion of the cost of complying with the asbestos standard. Building owners are often not willing to bear the

added cost. The customer's alternative to waiting or paying a higher price for a service is often to find a service company which will perform the job without taking the measures prescribed by the Asbestos Standard.

Due to the problems associated with monitoring for, and preventing exposure to, ACM in accordance with CFR 1926, some employers have adopted the policy of avoiding, where possible, those jobs in where ACM is known to be present, or where the presence of ACM cannot be readily determined. Consequently, it may be difficult to obtain even a minimum of 300 data sheets per participating company.

In order to generate enough data sheets, the survey will last a minimum of two years, and will be further extended as necessary to obtain the minimum number of samples needed to ensure the statistical validity of the data. Additionally, survey participants will have to make a concerted effort to monitor all jobs where ACM is a potential factor.

In an effort to remove the unfair competitive advantage held by companies which make no attempt to comply with the standard, ORC and individual companies should formally request that OSHA; 1) increase its enforcement efforts, and 2) initiate a campaign to publicize widely the standard's provisions and the importance of complying with them.

**Minimum Sampling Time**

Participants in the Data Collection Project are finding it difficult to reconcile minimum sampling time actually encountered on short duration jobs, the sampling/analytical method prescribed by OSHA in the standard, and the minimum data which laboratory technicians can analyze at an acceptable level of certainty. Using the sampling/analytical method required by the Asbestos standard to monitor tasks of short duration (15 minutes), it is virtually impossible to collect sufficient data to produce statistically verifiable results. OSHA's Asbestos Standard sets the following parameters on flow rate, fiber $mm^2$, and field count:

Relevant Provisions - Mandatory Appendix A to §1926.58:

3. A maximum air flow rate of 2.5 liters/min for a 25 mm cassette.

4. A minimum fiber yield of 100 fibers $mm^2$

13.e. A maximum count of 100 fields regardless of fiber count.

Since short duration jobs make up a significant portion of the jobs targeted by the Data Collection Project, it is essential that data from those jobs be included in the aggregate data base. To that end, the following three options were proposed:

1. Varying the sampling method by either increasing the pump flow rate (to 5 liter/min), increasing the maximum number of fields counted, or decreasing the minimum fiber yield per air sample;

2. Analysis based solely on the number of fibers collected, regardless of the sampling time, would, it is believed, depict accurately the exposure level for short duration jobs;

3. Leaving the pump running after the task is completed in order to a obtain a mimimum 30 minute sample; (This option was considered the least acceptable because the additional monitoring is bogus as the employee is not actually in a potential exposure situation.)

ORC will contact appropriate people at NIOSH, OSHA, AIHA, and ACGIH to try to get a statement on the possibilty of using either of the first two methods as a means of allowing for inclusion of short duration samples in the data base being developed.

**Target Date for Initial Report**

ORC has set April 30, 1988 as a target date for the first report on data submitted prior to that date. Please submit data which has already been collected to ORC as soon as possible.

**Significance of Recent Appeal Court Decision Regarding CFR 1926 Respirator Requirements**

In its February 2 ruling, the D.C. Court of Appeals told OSHA that it must reconsider requiring the use of supplied air respirators to achieve levels lower than the PEL. As a consequence of this ruling, it is possible that OSHA may revise the standard to require that SCBAs be used in every instance (i.e., prohibit the use of negative pressure respirators).

The ORC Asbestos Task Force believes strongly that the increased cost and the increased risk of compliance with such a provision cannot be justified. The group decided to compile information to support this position and submit it in comments to both OSHA and OMB.

ORC is therefore requesting that companies which may be affected by such a revision of the respirator provisions, send us information on the following:

1. The cost of equipping employees with SCBAs (includes cost of replacing negative pressure respirators currently being used);
2. Cost of training employees in the use of SCBAs;
3. Cost of loss of productivity resulting from the use of SCBAs; and
4. Estimate of the increased risk to workers resulting from the use of SCBAs.

OSHA will have two to six months to reply to parts of the Court's remand other than the PEL change. Therefore, ORC would like to have your comments on the issue by the end of April, 1988. Those collecting cost data should include costs for PAPRS as well as airline and SCBA.

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