C753-A/B

BRUCE J. WILLIAMS
VICE PRESIDENT-BUILDING PRODUCTS DEPARTMENT

July 7, 1972

Mr. Robert L. Sansom
Acting Assistant Administrator
for Air and Water Programs
Environmental Protection Agency
401 M Street, S.W.
Washington, D.C. 20460

Dear Mr. Sansom:

On June 14 we wrote to express our objection to the proposed EPA National Emission Standards for Asbestos. Since writing, we have had additional discussions with Mr. Dale Slaughter of EPA in North Carolina.

Mr. Slaughter has informed us that he feels that there is justification for permitting the use of 1% asbestos in cement or plaster type fireproofing materials to serve as a pumping aid additive.

EPA investigations have revealed that a small amount of asbestos is an essential ingredient in materials which are pumped and sprayed, and which have a high content of inorganic binder, such as portland or gypsum cement. EPA concluded that if asbestos were prohibited in these materials many important materials would be made commercially impractical since they could not be applied. Further, they concluded that since, in these materials the asbestos content is low, the binder content high, and the materials are pumped and sprayed in a wet slurry form, the possible asbestos emission from the materials would be so low as to be of no real consequence.

Permitting the use of asbestos as an additive in those fireproofing materials which have a mois wet gypsum or cement content is consistent with other judgements made by EPA and therefore appropriate. The prohibition against



the use of any commercial asbestos in these fireproofing materials could have the effect of forcing these materials off the market because of the inability to pump and apply them.

We therefore support a change in the proposed regulations to allow a 1% asbestos content in cement or gypsum type fireproofing materials.

However, such a change would not correct the basic objections we raised in our June 14 letter to you. We still feel that EPA should establish uniform standards which apply to all materials and which control asbestos emissions rather than arbitrarily ban materials for use in a few applications. In fact, there is serious question whether EPA has authority under section 111 of the Clean Air Act to ban the use of any product, since that section speaks in terms of emissions from "any stationary source or new source" which are defined to mean "any building, structure, facility or installation which emits or may emit any air pollutant". Obviously a product such as a fireproofing product is none of these.

Very truly yours,

Bruce R. Williams
Vice President
Zonolite Construction Products Division
W. R. Grace & Co.

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cc: Mr. Dale Slaughter
Environmental Protection Agency
Research Triangle Park
North Carolina