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PLAINTIFF'S EXHIBIT
UC-3313

APR 2 5 1980

FOR FURTHER INFORMATION CONTACT:

B. J. Pigg, Executive Director

(The following statement was issued today by the Asbestos Information Association/North America (AIA/NA). AIA/NA is an incorporated, non-profit organization representing firms in the United States and Canada involved in the mining and milling of asbestos ore, the sale of asbestos fiber, and the manufacture or processing of asbestos-containing products.)

The Asbestos Information Association/North America (AIA/NA) responded today to last week's recommendation of the National Institute for Occupational Safety and Health (NIOSH) to the Occupational Safety and Health Administration (OSHA) that the permissible exposure level of the workplace standard for asbestos be drastically reduced. AIA/NA stated that the report of the NIOSH-OSHA work group fails to justify the proposed twenty-fold reduction in the permissible exposure level.

Speaking on behalf of AIA/NA, President Thomas A. Dougherty said: "The NIOSH recommendation for a reduction in workplace exposure from 2 to .1 fibers is based almost entirely on epidemiologic evidence from worker populations exposed to asbestos at levels many times greater than those experienced in industry today. Although NIOSH and OSHA acknowledge that development of disease due to asbestos

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exposure is dose-related," he continued, "they fail, however, to acknowledge the correlative conclusion that societally acceptable levels of risk can be established." Dougherty contrasted what he called the "short-sighted regulatory approach" reflected in the NIOSH-OSHA document with the Simpson Report -- a recent report on asbestos by an advisory committee to Great Britain's Health and Safety Commission, and which was a reference cited by the work group. "Although every recommendation in the Simpson Report cannot be endorsed by AIA/NA," Dougherty said, "the Simpson Report does reflect a balanced regulatory philosophy which seeks to protect workers from significant hazards but which also recognizes that society's occupational health and safety goals cannot be achieved when enormous portions of our finite resources are expended to reduce minimal risks."

Accordingly, the AIA/NA President urged NIOSH and OSHA "to make responsible, scientific assessments of the health risks and health benefits to be gained before pursuing the type of drastic exposure reductions now being proposed." In this regard, Dougherty criticized "NIOSH's reference to exaggerated conclusions in HEW's 1978 Estimates Paper about the cancer risk from asbestos exposure, despite the fact those estimates have been severely criticized by the worldwide scientific community as overstated and invalid." "We fully concur with the goal of protecting workers in the asbestos industry from health related risks," President Dougherty said, "but we

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cannot find in the NIOSH report any justification for the proposed decrease to a .1 fiber standard." He called for an objective analysis of all scientific evidence prior to any rush by OSHA to reduce its permissible exposure level twenty-fold.

Dougherty stressed that the NIOSH proposal was not based on any scientific demonstration of the health-related value of such a reduction, but rather only on NIOSH's assertion that .1 fibers represents the lowest level accurately measurable by optical microscopy. He stated, "Such assertions should not be substituted for sound scientific assessment in determining permissible exposure levels." Dougherty noted further that the industry is aware of no widely applicable technology that would consistently provide accurate measurement of airborne asbestos in the workplace at such low exposure levels.

Dougherty noted that the government agencies failed to acknowledge the dramatic strides that have already been made in reducing worker exposure to asbestos: "In the last decade alone, substantial gains in worker protection have been achieved as OSHA has reduced the permissible exposure level from 12 fibers to 5 fibers, and then to 2 fibers per cubic centimeter," he noted. "And industry continues to seek safer methods for use of asbestos."

As an illustration of the asbestos industry's commitment to protect its workers from significant hazards, Dougherty

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pointed out that AIA/NA has recently proposed to OSHA and its Advisory Committee on Construction Safety and Health a model standard for occupational exposure in construction and other non-fixed work sites. Through a mechanism that would classify products into three categories dependent on their capacity for airborne release of asbestos fibers, the proposed standard would encourage development of cost-effective products and work practices that both protect worker health and meet the practical needs of the construction industry and the economy as a whole.

Dougherty also predicted that "the twenty-fold exposure reduction recommended by NIOSH -- a limit that is orders of magnitude lower than those established in recent years by other advanced industrial nations -- would not prove to be feasible in a wide variety of workplaces." He observed that "The asbestos industry has extensive experience, particularly over the past decade of increasingly more stringent OSHA regulation, with the technology needed to minimize worker exposures." "That experience," he added, "demonstrates that a .1 fiber standard simply cannot be achieved at many work stations. In these situations, the NIOSH proposal amounts, in practical effect, to a ban on the use of asbestos." Dougherty questioned OSHA's authority to impose such a ban, and stressed that "In any event, such a ban would be detrimental to the

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U.S. economy which has found asbestos a cost-effective, versatile substance for many uses, which, when properly handled, does not pose significant health risks."

In closing, Dougherty urged NIOSH and OSHA "to avoid resorting to extreme regulatory measures without first examining the consequences of their actions -- both for workers and society as a whole." Dougherty emphasized that "We support reasonable regulations which protect workers from significant risks without needlessly impairing society's ability to deal with other hazards," and added that "AIA/NA stands ready to assist OSHA and NIOSH, as well as other government agencies, in achieving that goal."

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