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PLAINTIFF'S EXHIBIT

UC-3474

Organization Resources Counselors, Inc.

May 25, 1984

Docket Officer
Docket No. H-033C
Room S-6212
U.S. Department of Labor
Third Street and Constitution Ave., N.W.
Washington, D.C. 20210

In Re: Notice of Proposed Rulemaking (49 FR 14116) Occupational Exposure to Asbestos.

Dear Sir or Madam:

On Tuesday, April 10, 1984, OSHA published in the Federal Register a Notice of Proposed Rulemaking (NPR) on Occupational Exposure to Asbestos. The NPR requested data and comments on OSHA's proposed revisions to its Asbestos Standard 1910.1001.

Organization Resources Counselors, Inc., (ORC) sponsors an Occupational Safety and Health Group which is composed of about 60 companies from a wide range of industries and with employment size ranging from medium to large. All of these companies have a strong commitment to employee safety and health. The members of the Group work with ORC on OSHA rulemaking activities and other aspects of employee safety and health. Although this statement was prepared in consultation with member companies, the views it presents are solely the responsibility of ORC. Independent comments may be submitted by ORC member companies.

ORC commends OSHA's action in undertaking the revision of 1910.1001. Such a revision is long overdue, because many provisions of the present standard do not reflect the increased understanding of the disease process associated with asbestos or the range of actions that can be undertaken to control potential exposure to it. ORC, recognizing the need to impose stricter controls on employee exposure to asbestos, developed and submitted to OSHA on June 6, 1983 a Recommended Revision of 1910.1001.

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It is widely recognized that exposure to asbestos fibers can be a significant source of risk to American workers. There is no known threshold for "safe" exposure to asbestos, and there are many studies that amply document the nature of the risk associated with exposure to asbestos fibers.

Recognizing the necessity to closely control employee exposure to asbestos, we must also recognize that much of the disease that we are seeing today is the result of exposures that took place 30-40 years ago. Much has changed in the industrial environment since 1944, and our understanding of the disease process has improved dramatically.

As our understanding of the risk presented by exposure to asbestos fibers has grown, the use of asbestos containing products and the concomitant exposure to it have dropped sharply. The use of improved respiratory protective equipment, coupled with prudent administrative and work-practice controls, has reduced the actual exposure of the great majority of American workers to levels approaching the limits of reliable detection.

As OSHA makes much needed revisions to its Asbestos Standard, it must recognize that the new standard will be applied to conditions of exposure existing in 1984 not 1944. OSHA's revised Asbestos Standard will be applied to reduce exposures that in a majority of cases are already below 0.5 fibers per cubic centimeter of air. Thus, calculations of benefit and risk must be based on studies which reflect <u>today's</u> exposures not yesterday's!

In its revised Recommendations For Revision of 1910.1001 (May 25, 1984) ORC is recommending two permissible concentrations of asbestos fibers:

(1) <u>Permissible Airborne Concentration</u>: (PAC) Intended to regulate ambient concentrations of airborne asbestos on the worksite to 0.5 f/cc, or less.

(2) <u>Permissible Exposure Limit</u>: (PEL) Intended to regulate actual employee exposures to asbestos fibers, (fibers inhaled into the lungs), to 0.2 f/cc.

In the accompanying material, ORC has submitted a modified version of its Recommended Revision of 1910.1001 along with comments and additional data concerning key elements of any asbestos standard.

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It is our hope that these comments and the accompanying data will prove to be useful, and we would be happy to answer any questions you may have concerning our submission.

Sincerely,

Richard F. Boggs

Richard F. Boggs, Ph.D.
Vice President

RFB:jkj

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