

Administrator Gina McCarthy
USEPA Headquarters, William Jefferson Clinton Building
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Washington, DC 20460

November 9, 2016

RE: EPA Prioritization of Asbestos

Dear Administrator McCarthy,

On behalf of leading international trade unions, public health, and environmental individuals and organizations, we urge you to prioritize asbestos as one of the 2016 top ten high-risk chemicals for evaluation under TSCA, leading toward the prohibition of asbestos in manufacturing, processing, use, distribution in commerce, and disposal.

According to the [World Health Organization](#) (WHO), “All types of asbestos cause lung cancer, mesothelioma, cancer of the larynx and ovary, and asbestosis (fibrosis of the lungs),” and further, that “there is no safe level of exposure.”

Asbestos remains the poster child for the failure of the 1976 [Toxic Substances Control Act](#) (TSCA) and now stands as the litmus test for the success and efficacy of [The Frank R. Lautenberg Chemical Safety for the 21st Century Act](#). As we both heard, President Obama became [the first sitting U.S. president to publicly acknowledge the dangers of asbestos](#): “the system was so complex, it was so burdensome, that our country hasn’t even been able to uphold a ban on asbestos—a known carcinogen that kills as many as 10,000 Americans every year. I think a lot of Americans would be shocked by all that.”

The facts are irrefutable. In 1971, the [Environmental Protection Agency](#) (EPA) identified asbestos as a hazardous pollutant. That same year, the [Occupational Safety and Health Administration](#) (OSHA) and the [National Institute for Occupational Safety and Health](#) (NIOSH) jointly created the first standard for regulating asbestos exposure. In 1973, the EPA banned spray-applied asbestos-containing material for fireproofing and insulating purposes. And in 1976, the [International Agency for Research on Cancer](#) (IARC) listed asbestos as a human carcinogen, and NIOSH called for a ban on asbestos in U.S. workplaces.

The United States and Canada are the only two Western industrialized nations not to ban asbestos.

More than 55 countries have banned asbestos and now use economically viable safer substitutes, yet the United States Geological Survey (USGS) reported that in 2015, [the U.S. imported 358 metric tons of asbestos](#) “to meet manufacturing needs.” In fact, the chlor-alkali industry alone accounted for an estimated 90% of U.S. asbestos consumption and wants to continue its use despite the public health repercussions.

We are encouraged by your June 22, 2016 statement: “The updated law gives EPA the authorities we need to protect American families from the health effects of dangerous chemicals.” More than 200,000 Americans have died from preventable asbestos-caused diseases since the EPA’s [failed 1989 attempt at an asbestos ban](#) and imports have continued. Protection from this deadly mineral is something all Americans desperately need, and we can’t afford to wait any longer.

There is consensus. In addition to Senators [Boxer](#), [Tester](#), [Feinstein](#), and [Durbin](#) writing open letters to the EPA, urging you to prioritize asbestos as you implement TSCA, leading organizations such as National Resources Defense Council (NRDC); the American Public Health Association (APHA); the Environmental Information Association (EIA); and [Safer Chemicals, Healthy Families](#) (SCHF); [Environmental Working Group](#) (EWG); Collegium Ramazzini (CR); and the [Asbestos Disease Awareness Organization](#) (ADAO) are in agreement that asbestos must be named on or before December 22, 2016.

We, the below signatories, urge the EPA to prioritize asbestos as one of the first 2016 ten high-risk chemicals for evaluation and regulatory action. The time is now to protect public health and the environment.

Sincerely,

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