

The Honorable Henry Waxman, Chairman  
Committee on Energy and Commerce  
2204 Rayburn House Office Building  
Washington, DC 20515-0530

The Honorable Bobby L. Rush, Chairman  
Subcommittee on Commerce, Trade, and Consumer Protection  
2416 Rayburn House Office Building  
Washington, DC 20515-0530

RE: Toxic Substances Control Act discussion draft, EPA Expedited Action on Asbestos

Dear Chairman Waxman and Chairman Rush,

On behalf of numerous organizations and associations dedicated to protecting public health, and in the interests of curtailing the terrible human and economic toll caused by asbestos, we respectfully urge you to include language in the TSCA reform legislation that directs the EPA Administrator to immediately prohibit the importation, manufacturing, processing, and commercial distribution of asbestos-containing products in America. No further time or money need be spent on risk assessment or risk management analysis of this indisputably toxic chemical, responsible for the deaths and disability of over 10,000 people a year in the United States alone.

In support of this request, we offer the following information regarding the recognized harm caused by asbestos:

- For more than a century, medical and scientific studies, and scientific reports have confirmed that exposure to asbestos causes chronic and fatal diseases.
- Asbestos has been declared a proven human carcinogen by the International Agency for Research on Cancer (IARC) of the World Health Organization (WHO).<sup>1</sup>
- As stated by the WHO, all forms of asbestos cause asbestosis, a progressive, debilitating fibrotic disease of the lungs.
- All forms of asbestos cause malignant mesothelioma, lung, laryngeal, and ovarian cancers, and may be responsible for many gastrointestinal and other cancers, according to the IARC.<sup>2</sup>
- The U.S. Surgeon General, the World Health Organization, International Labour, and the Environmental Protection Agency all agree that there is no safe level of asbestos exposure.
- The U.S. Department of Labor estimates that the U.S. loses over 10,000 lives per year to asbestos-related diseases.

On May 12, 2010, the World Health Organization released a report from the 2004 study stating that asbestos-related lung cancer, mesothelioma, and asbestosis developed from occupational exposures resulted in over 100,000 deaths and 1.5 million “Disability Adjusted Life-Years,” or DALYs for that year.<sup>3</sup> This means that in 2004 *alone*, more than 1.5 million years of potential lives worldwide were disabled or lost due to asbestos-related diseases.

More than two decades ago, EPA tried to ban most uses of asbestos in the United States, but failed in the face of an industry court-challenge due to the constraints placed upon EPA under the existing TSCA. Rather than protecting the public from unsafe chemicals as was intended, TSCA has instead served to prevent EPA from reducing or eliminating exposure to asbestos. TSCA reform legislation should correct this terrible

---

<sup>1</sup> IARC 1977

<sup>2</sup> Straif, et al. 2009

<sup>3</sup> DALYs calculate the years of potential life lost to a disease due to disability and premature.

mistake, and ensure that action is taken quickly to cut off the steady flow of asbestos into U.S. commerce. Despite the known hazards of asbestos, in 2009, 715 tons of asbestos were imported into the United States for commercial consumption, 65% of which was intended for use as roofing material.<sup>4</sup>

Prohibiting the importation, manufacturing, processing, and commercial distribution of asbestos-containing products will enable the United States to take its rightful leadership role in the mitigation of asbestos-related diseases and the elimination of these preventable diseases and deaths. Fifty-two countries have already banned asbestos in favor of safer alternatives. It is time we joined them.

Thank you for your efforts to reform the Toxic Substances Control Act and to protect the public and the environment from unsafe chemicals. We hope you will incorporate our recommendations regarding asbestos into your legislation.

Sincerely,

Linda Reinstein, President/CEO and Co-Founder  
Asbestos Disease Awareness Organization  
1525 Aviation Boulevard, Suite 318  
Redondo Beach, CA 90278

Arthur L. Frank, MD, PhD.  
Professor, Chair, Department of Environmental and Occupational Health, Drexel University, School of  
Public Health  
ADAO Science Advisory Co-Chairman

Richard A. Lemen, Ph.D.  
Assistant Surgeon General, United States Public Health Service (Ret.)  
ADAO Science Advisory Co-Chairman

Peg Seminario  
Director, Safety and Health  
AFL-CIO  
815 16th Street, NW  
Washington, DC 20006

Brent Kynoch, Managing Director  
Environmental Information Association  
6935 Wisconsin Avenue, Suite 306  
Chevy Chase, MD 20815

Ken Cook, President  
Environmental Working Group  
1436 U Street, NW, Suite 100  
Washington, DC 20009

TC McNamara, Founder  
John McNamara Foundation  
21115 Devonshire Street  
Chatsworth, California 91311

---

<sup>4</sup> USGS, 2009

Terry Lynch  
International Vice President  
Health Hazard Administrator  
International Association of Heat and Frost Insulators and Allied Workers (formerly Asbestos Workers Union)  
9602 M.L. King Jr. Hwy  
Lanham, MD 20706

Laurie Kazan-Allen, Coordinator  
International Ban Asbestos Secretariat  
P.O. Box 93, Stanmore HA7 4GR  
England

Laurie Fenton Ambrose, President & CEO  
Lung Cancer Alliance  
888 16th St. NW, Suite 150  
Washington, DC 20006

Kathleen Wiedemer, Interim Executive Director  
Mesothelioma Applied Research Foundation  
PO Box 91840  
Santa Barbara, CA 93190

Andy Igrejas, Director  
Safer Chemicals, Healthy Families  
1748 N Street NW, 4th Floor  
Washington, DC 20036