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"Asbestos", International Council of Shopping Centers (2)

Max S. Baucus

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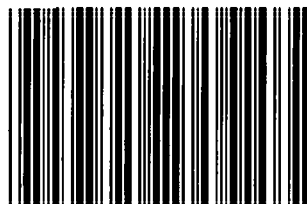
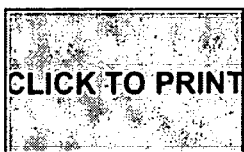
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(2) Subject* **Asbestos**

DOCUMENT DATE*: **04/12/1988**

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* "required information"



BAUCUS

4/12/88

ASBESTOS SPEECH

INTERNATIONAL COUNCIL OF SHOPPING CENTERS

Thank you for having me here today.

My Hazardous Waste subcommittee is looking at the environmental and health problems caused by asbestos. It is a subject Americans have become familiar with over the last several years.

For about 30 years -- starting in the 1940's -- we constructed buildings with materials that contains asbestos. Asbestos, as most of us know, is a generic term for a group of naturally occurring fibrous materials. Builders found it very useful. Asbestos is good for fireproofing, insulation, soundproofing, and decorative purposes.

We've also learned that asbestos is not good for humans. In the 60's and 70's we learned that asbestos -- under certain conditions -- posed a serious health hazard to the public. Asbestos was proven to be a human carcinogen.

Medical studies have demonstrated a correlation between exposure and a debilitating lung disease called asbestos. Asbestos can also lead to mesothelioma (MESS-O-THEE-LEE-O-MA), a form of cancer that attacks the membranes which line the chest and abdomen. The disease can also cause lung cancer.

Like all carcinogens, no safe threshold for exposure to asbestos is known to exist. What scientists do know is that asbestos can separate into microscopic fibers which are then inhaled, deposited and retained deep in the airways and lung tissue. These fibers, through some poorly understood mechanism, lead to disease, and in many cases, ultimately death.

Because there is no safe level of exposure, most scientists agree that exposure should be minimized.

The real issue, then, isn't whether breathing asbestos fibers is safe. No one thinks it is. We have to focus on whether asbestos fibers are being

released into the air. And find ways to prevent it.

The public became alarmed when in the 60's and 70's people began dying from exposure to asbestos. The first federal response to the public outcry was to act to protect school children. Scientists learned that young children are particularly susceptible to the damaging effects of airborne asbestos. Since many of the school buildings in this country contained asbestos they became the first target of federal action.

And why not, since our children are the most important thing in the world to you and me.

In 1981 Congress passed The Asbestos School Hazard Detection and Control Act. It established a program to assist with the inspection of public and private schools for asbestos containing materials. The Department of Education was charged with administering the program, and in January 1981 issued regulations with procedures

for testing the level of asbestos fibers in schools.

Unfortunately, asbestos was not made an issue of priority at the Department of Education. DOE talked a lot about the problem, but little initiative was taken to find solutions.

To its credit, the Environmental Protection Agency felt otherwise. So did Congress. And as a result our government does have a commitment to do something about the asbestos problem.

In 1982, EPA picked up the Education Department's load and, under authority granted to it under the Toxic Substances Control Act, required public and private schools to inspect for "friable" asbestos...the kind that crumbles and is the most dangerous to your lungs.

But while EPA should be applauded for taking some action, Congress felt that not enough was being done. Citizens were calling and writing their representatives demanding action. The White House insisted on leaving this problem to the

states. The public, however, continued to pressure Congress to deal with the health threat.

Congress did act. In 1984 it passed the Asbestos School Hazard Abatement Act. The law transferred the problem from Education to EPA and provided \$600 million to establish an inspection and management program.

I think we are going in the right direction. But we've learned some lessons along the way. First, the system can't yet handle a massive asbestos inspection and management effort.

Schools systems from across the country have said they are trying to get their plans for removing asbestos in place, but that a shortage of certified inspectors make it impossible for many schools systems to meet EPA's deadline, which is June of next year.

I have introduced legislation granting a one year extension for schools to inspect their buildings and implement asbestos management plans. There isn't universal agreement, however, on this

approach to the crunch. There are very strong feelings out there that when it comes to asbestos, there is no time to lose.

Some compromise will be achieved, but I think it shows the inevitability of continued federal action to protect people from asbestos. The call for action is loud and strong, and Congress is listening.

And that raises questions for all of you here today. EPA has concluded that asbestos does pose a public health threat in commercial buildings. And clearly there is political pressure for more action.

But I am sensitive to your concerns, and the problems we face together. For example, we learned from experience that we can't overload the system. Any action taken by Congress must not overload the capacity for trained inspectors and removal contractors to do a proper job.

And we must not ignore the difference between asbestos that is locked in building materials, and

damaged materials that easily spreads asbestos into the air. If there is no danger that asbestos will be released into the air it makes no sense to precipitously rip it out.

On the other hand, Congress will not allow the public health to be put at risk. We know that as soon as asbestos becomes airborne, exposures can be quite high. One day a building could be safe, the next day it could pose a major health risk.

Therefore, what I see coming down the road is a mixed solution -- monitoring standards combined with management plans for removal of asbestos that poses a risk to public health.

The estimated costs to remove asbestos from all commercial buildings is huge --- \$50 billion or higher. However, the health benefits may be greater. It's too early to make that judgement. Yet wherever we come out there is little doubt that something must be done.

I have introduced legislation to expand AHERA to Federal buildings. It seems to me the next logical move after schools is to work on government buildings. Senator Stafford, who has long been a leader on this issue, has introduced legislation to address the asbestos problem in all buildings.

Later this spring I will hold a hearing on these bills. The challenge before us is both simple, and hard. We know we have to get rid of asbestos that can be released into the air. But figuring out the exact threat posed by asbestos -- where it is located, what is it contained in, how to remove it -- that will be hard. We must work together to find a solution.

The Administration is opposed to any action at this time, and the various interest groups are far apart on the issue. I would like to work with you -- and all other concerned parties -- to explore ways to manage this problem in conjunction with more definitive standards.

I hope your organization will contribute to the process and participate in my hearings later this year. I believe it is important for business and government to work together to develop a solution that works for everyone.

We know that asbestos is a problem. And I assure you that Congress is going to continue to act to protect the public's health. I look to you for solutions. But don't delay. The public expects Congress to act -- and the political will to act is there. It is in industry's interest to provide government with a workable solution to the problem -- before the government provides it for you.

I am ready to listen to your ideas. That is what my hearings on asbestos are all about. That's why I'm here this morning. Thank you for inviting me, and now, let's hear some of your questions in this, or any other issue that's on your mind.