

Canadian Embassy



Ambassade du Canada

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1746 Massachusetts Ave., N.W.
Washington, D.C. 20036-1985

September 11, 1986

BY HAND

The Honourable Lee M. Thomas
Administrator
U.S. Environmental Protection
Agency
Room 1200, West Tower
401 M Street, S.W.
Washington, D.C. 20460

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Dear Administrator Thomas:

Canadian authorities remain seriously concerned about the Environmental Protection Agency's proposed rule regarding asbestos. It continues to be the Canadian Government's position that the banning of asbestos is neither necessary, nor desirable, and that health risks associated with the use of asbestos can be addressed effectively through the "controlled use" approach.

As you will be aware, Canadian authorities are following closely the EPA asbestos rule-making process. We submitted our main comments on the proposal on June 29 and will be preparing reply comments on the basis of the entire hearing record. In response to our letter of July 11, EPA agreed to hear at its informal hearings the testimony of three witnesses who provided details on the findings of the Royal Commission on Matters of Health and Safety Arising from the Use of Asbestos in Ontario.

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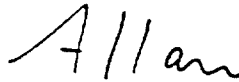
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OPTS Docket # 62036 Asbestos Ban
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It is the view of Canadian authorities that the informal hearings on asbestos clearly established that there are disputed issues of material fact which are central to EPA's decision on a final rule. We note, for example, that evidence was presented in briefs and oral testimony that the carcinogenic potency of some types of asbestos is far less than assumed by EPA, that exposures to asbestos are far smaller than assumed by EPA, and that the admitted risks of substitutes are omitted from EPA's risk calculations.

In view of the importance of the outcome for Canada, we would strongly urge that these and other disputed issues be resolved before EPA proceeds to a final rule. In this regard, we understand that representatives of the asbestos industry have submitted a written request for formal hearings at which EPA witnesses and other witnesses would be subject to cross-examination. It is our view that this would provide the most effective means to ensure that all scientific evidence is adequately considered, and that the basis for any rule is tested. Accordingly, Canadian authorities request that EPA agree to proceed to hearings in which all parties' evidence is subject to cross-examination.

Yours truly,



Allan Gotlieb
Ambassador

c.c. The Honourable Clayton Yeutter
United States Trade Representative

The Honourable Malcolm Baldrige
Secretary of Commerce

The Honourable Donald P. Hodel
Secretary of the Interior

The Honourable Allen Wallis
Under-Secretary for Economic Affairs