

January 21, 2012

To: Dr. Diana Wong, Designated Federal Officer (DFO), SAB Staff Office
email: wong.diana-M@epa.gov.

To: The Science Advisory Board IRIS Panel

Ladies and Gentleman of the SAB IRIS Panel:

The following is a comment from Clinton Maynard of Libby Montana regarding the IRIS Toxicological Review of Libby Amphibole Asbestos (External Review Draft)

First I must say that as an American citizen from Libby Montana, I feel a little humbled and honored to have my comments heard and considered. When I entered into this discussion, over twelve years ago now, I had no idea that someday I would be requested to provide comment to the Science Advisory Board (SAB) for my nation. That I might say something to the scientific and medical community, the EPA and my elected officials, something that might help to bring about positive change that better protects public health.

Kudos to the folks who have brought forward the new acknowledgment that extremely low levels of exposure to Libby Amphibole Asbestos (LAA) causes debilitating lung disease and much suffering for many.

The Agency for Toxic Substances and Disease Registry (ATSDR) medical screening of 2000 revealed that 18% of the 6,149 adults screened had lung abnormalities as seen on x-ray. Now we know that it doesn't take much exposure to produce this result. These were environmental exposures! It seems prudent to install this acknowledgment into the Integrated Risk Information System (IRIS) without further hesitation.

The Draft Noncancer Toxicity Value for Libby Amphibole, $RfC = 0.00001$ f/cc installed into IRIS will insure, I believe, that Libby will undergo a residential Superfund cleanup that is as protective as is possible. The fibrotic disease will become the driver for our cleanup and Libby and Troy Montana will be delivered that "clean bill of health" as was promised to us so many years ago, rather than a "partial cleanup" as we've been receiving since our town became a "Superfund site", a decade ago. A cleanup geared to, hopefully, protect against the fibrotic disease would at $.00001$ f/cc, I expect, address the mesothelioma risk as well, hopefully.

Moving on to the cancer effects of LAA, the Draft Libby Amphibole IUR of $.017$ brings me pause. You see, up until now, I had always considered that mesothelioma would be the disease that we would strive to protect against.

In 2003 we received EPA's "work plan" which required thorough cleanup of "specific use areas", garden spots and such, but would allow the remainders of peoples' yards to continue to be contaminated at levels up to 1% mass. As a Community Advisory Group (CAG) member I argued that EPA's residential cleanup was not protective, EPA countered that the cleanup as being delivered was protective. I and others engaged in this argument with EPA for the next three years; up until the point that we citizens had to take this issue to our U.S. Senator Max Baucus. With intervention by our Senator, an EPA Office of the Inspector General (OIG) investigation and Senate Public Work Committee hearings by 2006 there was a noticeable

change in the cleanup. You see, prior to the 2006/2007 residential cleanup as referenced in the Draft Toxicity Assessment, residential cleanups were “partial cleanups” deliberately leaving highly contaminated material behind.

Problem is, citizens who let EPA do these cleanups were left with the impression that the risk had been removed; that their properties had been decontaminated, “cleaned” and therefore used their yards accordingly. There were 552 “cleaned” properties, commercial and residential, during the period, 2003 - 2005. The Draft Risk Assessment at hand refers to these properties as “uncleaned”, more accurately stated would be “uncleaned” and “partially cleaned” properties.

Just thought I would provide some clarification about what went on prior to 2006 - 2007. I, also, wanted to point out the friction that occurred between citizens and our EPA. Additionally, I must add that when EPA first arrived in the winter of 1999, Region 08 sent to us a team of Paul Peronard, On Scene Coordinator, and Dr. Christopher Weis, Toxicologist, who came to our town with truth and integrity. Soon, Region 08 was pursuing “Declaration of Public Health Emergency” (PHE) for Libby which would be required to remove the vermiculite insulation from our homes, walls and attics, as Region 08 folks understood that the people of our now recognized “sensitive population” could tolerate no further exposure added to what we already had.

PHE required signature from the President, which EPA failed to garner. Shortly thereafter, Paul and Chris were pulled out of here and we would soon start dealing with what we the citizens of Libby know as the “Political Fix” i.e. save money, manage in place and teach those hillbillies to live with it. As I’ve said, our argument over the cleanup criteria began with the “work plan” of 2003, soon to follow was the distribution to all postal patrons in our zip code area, an informational brochure titled “Living with Vermiculite” which conveyed the overall message of “don’t worry, a little exposure ain’t gonna hurt ya”. (My words, not theirs.) I and others argued that this document was dangerous and requested that it be pulled from further distribution, EPA refused. Further requests turned into demand and finally it was pulled in 2006. I understand today, that even as EPA personnel argued with me in the public forum, they were in argument with their superiors, that I was not wrong. I feel pretty certain some EPA personnel put their careers in jeopardy fighting for us.

As a reference to the above clarification, please refer to a document produced by and resulting from an investigation by the U.S. Senate Committee on Environment and Public Works Majority Staff titled: “EPA’s Failure to Declare a Public Health Emergency in Libby, Montana” September 2008 prepared for Chairman Barbara Boxer and Senator Max Baucus.

The damage that IRIS has brought to this Libby Superfund Site cannot be measured; loss of trust, the minimization of risk and what that means to future exposure (Libby persons) etc. and for me, this has been nothing short of an ordeal; a rather rude experience to say the least!

Unless I’ve misunderstood something, EPA’s 2003 “work plan” and the “Living with Vermiculite” brochure are both the product of IRIS in its current form. Another product of IRIS is the statement that has been made by both EPA and ATSDR. From the “Living with Vermiculite” brochure, “Nearly everyone is exposed to some level of asbestos throughout their lives, and yet the rate of health effects is generally very low.” This statement I believe may be true if we are talking about serpentine family mineral fiber (chrysotile asbestos). IRIS in current form allows us to throw the word “asbestos” around loosely and it was used at this Superfund site as a minimizing statement of risk, sending the message that exposure to “asbestos” is not that big a deal. EPA and ATSDR qualify this statement in a following sentence stating “In Libby, ...

a type of asbestos that is more toxic than other types of asbestos.” They failed to use the words “extremely more toxic”. The “Living with Vermiculite” brochure can be found in the Senate document I have referenced above.

Now, because I am not a doctor or scientist, my credentials are my x-rays and diagnosis, I must reference an EPA document titled: “Report on the Peer Consultation Workshop to Discuss a Proposed Protocol to Assess Asbestos-Related Risk” prepared for: U.S. Environmental Protection Agency, Office of Solid Waste and Emergency Response, Washington, DC 20460 EPA Contract No. 68-C-98-148, Work Assignment 2003-05. Prepared by: Eastern Research Group, Inc. (ERG) 110 Hartwell Avenue Lexington, MA 02421 FINAL REPORT May 30, 2003

I present the following excerpts so that all readers might better understand my perspective.

“This report summarizes a peer consultation by 11 expert panelists of a proposed protocol to assess asbestos-related risks. Contractors to the U.S. Environmental Protection Agency (EPA) developed the proposed protocol, which is documented in a report titled: “Technical Support Document for a Protocol to Assess Asbestos-Related Risk” (Berman and Crump 2001). The purpose of the peer consultation workshop was to provide EPA feedback on the scientific merit of the proposed protocol. The peer consultation workshop took place in a meeting open to the public on February 25-27, 2003, in San Francisco, California.

ERG worked with EPA to prepare written guidelines (commonly called a “charge”) for the peer consultation workshop.

EPA’s current assessment of asbestos toxicity is based primarily on an asbestos review completed in 1986 (EPA 1986) and has not changed substantially since that time. The 1986 assessment considers six mineral forms of asbestos and all asbestos fibers longer than 5 micrometers to be of equal carcinogenic potency. However, since 1986, asbestos measurement techniques and the understanding of how asbestos exposure contributes to disease have improved substantially. To incorporate the knowledge gained over the last 17 years into the agency’s toxicity assessment for asbestos, EPA contracted with Aeolus, Inc., to develop a proposed methodology for conducting asbestos risk assessments. The proposed methodology distinguishes between fiber sizes and fiber types in estimating potential health risks related to asbestos exposure. The methodology also proposes a new exposure index for estimating carcinogenic risk.

3.2 Mesothelioma

The following paragraphs document the panelists’ responses to charge questions regarding inferences from the epidemiology and toxicology literature on how mesothelioma potency varies with fiber type ...

3.2.1 Mesothelioma and Fiber Type: Inference from the Epidemiology Literature

The expert panelist unanimously agreed that the epidemiology literature provides compelling evidence that amphibole fibers have far greater mesothelioma potency than do chrysotile fibers—a finding reported both in the review document (Berman and Crump 2001) and a recent re-analysis of 17 cohort studies (Hodgson and Darnton 2000) that reported at least a 500-fold difference in potency.

The most notable response to this charge question was the agreement among most

panelists that amphibole fibers are at least 500 times more potent than chrysotile fibers for mesothelioma, as supported by two separate reviews of epidemiological studies.”

I believe that IRIS in current form is fundamentally flawed, meaning that we have taken two families of mineral fiber, serpentine and amphibole , which are vastly different in terms of mesothelioma potency and call them “asbestos”. This simply dilutes the amphibole risk as we know it to be.

In 1971 the OSHA Permissible Exposure Level (PEL) was 17.0 f/cc. The existing IRIS brought our country out of the stone age to today’s OSHA PEL of .1 f/cc. It may have seemed appropriate back then to lump the two mineral families together but we know better today. Thanks to the existing IUR of .023 f/cc we may have protection of health for the multitudes in regard to serpentine family mineral fiber (chrysotile) but, we have done so at the expense of Libby, Montana and the various other places where amphibole exposures occur. The EPA was aware by 1980 that “asbestos” exposure was a problem for a small town in northwest Montana , Libby, yet EPA did nothing until 2000, twenty years of unabated exposure for the people of Libby–amphibole family mineral fiber exposure. This, also, is a product of the current IRIS IUR. We have environmental (non-occupational) mesotheliomas coming out of our Libby population.

It seems prudent to me and others, that in the light of current science, we must restructure IRIS into specific mineral family categories. For those who would differ, I would challenge them to put erionite of the mineral family zeolites into the current IRIS and see what that looks like!

So, in closing, I have to say that in regard to mesothelioma, if the IRIS IUR does not reflect that amphibole family fiber is 500 times more mesotheliomagenic than serpentine family fiber, then it is incorrect.

As you folks of the SAB and EPA go about the task of developing good policy for our nation, please ask the question of each other “How can we turn a blind eye to erionite exposures, are those people, present and future, somehow not as important, just collateral damage?” But then, erionite cannot be installed into current IRIS because it is not “asbestos”.

Thank you all very much and Godspeed.

Sincerely,
Clinton Maynard
Libby, MT

cc: The Honorable United States Senator Max Baucus
The Honorable United States Senator Jon Tester
The Honorable Governor Brian Schweitzer