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Dec. 19, 2005- El Dorado County delegation talks asbestos in Washington

By Sonya Sorich, Democrat staff writer

The "vast majority" of amphibole particles examined in El Dorado Hills by the federal Environmental Protection Agency were not asbestos, a scientific consulting group's evaluation contends.

The November 2005 report, prepared for the National Stone, Sand and Gravel Association by the RJ Lee Group, maintains the EPA applied incorrect mineral definitions during its evaluation of naturally occurring asbestos in El Dorado Hills.

Amphibole particles studied "were not asbestos, but in fact were a massive form of the mineral," a press release issued by the Pittsburgh-based RJ Lee Group states.

It adds, "Current evidence indicates that the massive form of these minerals has not been linked to any health risks."

The report was discussed at the federal level last week during an El Dorado County delegation's trip to Washington, D.C. It asserts that based on mineralogy, 63 percent of amphibole particles identified by the EPA as asbestos fibers cannot be asbestos.

"We had great discussions (in Washington)," Vicki Barber, El Dorado County superintendent of schools, told the Mountain Democrat on Friday. "It's just so critical that we get this right."

Barber was joined on the Washington trip by superintendents from the Rescue and Buckeye Union school districts. Legal counsel and a local geologist were also present.

The delegation met with federal EPA representatives as well as congressional leaders, and addressed topics that ranged from the importance of "good science" to the financial impact of asbestos mitigation measures in El Dorado County, Barber said.

Barber cited two El Dorado Hills schools - Oak Ridge High School and Lakeview Elementary School, which opened this year - that have spent substantial sums on asbestos mitigation.

Dust mitigation measures adopted by the county have also resulted in significantly more expensive proposals from developers in the public and private sectors alike, Barber said.

She also in Washington discussed the content of the aforementioned report from the RJ Lee Group, which Barber said regulatory agencies should "seriously consider" in the future.

Barber has yet to address the report with regional EPA representatives.

In a phone interview Saturday, EPA Superfund Division 9 Branch Chief Dan Meer said he was "not in a position to comment substantively" on the RJ Lee Group's analysis of the EPA's El Dorado Hills findings.

Regional representatives first saw the 79-page report late last week, Meer said. He expects to consult with the United States Geological Survey in conducting a more thorough evaluation of the report.

Per a citizen's request, the federal EPA in October 2004 conducted a series of activity-based air sampling in parks and school areas in El Dorado Hills.

In May, the EPA presented a final report of the assessments, maintaining that asbestos fibers were found to be present in almost all samples.

The RJ Lee Group's report maintains that the analytical method used in the El Dorado Hills study cannot differentiate between asbestos fibers and non-asbestos cleavage fragments.

"As a result, EPA methodically inflated the reported asbestos concentrations with non-asbestos cleavage fragments that are not known to produce asbestoslike disease," the report states.

It also cites science protocol demonstrating that airborne amphibole asbestos fibers of most concern regarding health risks are those that are long and thin - longer than 10 micrometers and with widths that are less than 0.5 micrometers.

The report contends that EPA's contract laboratory identified 2,386 amphibole particles as amphibole asbestos fibers in the El Dorado Hills study.

"Based on a review of the data, only 42 of these reported 'fibers' were less than 0.5 micrometers in width and longer than 5 micrometers," the report states.

It adds, "Only seven of these reported fibers were longer than 10 micrometers and less than 0.5 micrometers in width."

The report describes the RJ Lee Group as having "a long history of scientific consulting and service for government agencies, including the U.S. Environmental Protection Agency."

Its president, Richard Lee, has testified as an expert witness in asbestos litigation.

The company was enlisted roughly five years ago to check crayons manufactured by Binney & Smith, makers of Crayola, for asbestos.

The results of those tests were addressed by the Seattle Post-Intelligencer newspaper, which conducted additional tests that found asbestos in the crayons.

Lee in response suggested the labs misidentified the asbestos, emphasizing in a May 30, 2000, Seattle Post-Intelligencer article some labs' tendency to "misidentify talc fibers and cleavage minerals as asbestos."

He conducted tests that indicated no asbestos was present, according to the aforementioned newspaper article. Test results from the U.S. Consumer Product Safety Commission later reaffirmed the crayons' safety.