

Asbestos in Brake Friction Materials

The Issue

Currently, brake friction materials such as brake linings and pads are not covered by U.S. Environmental Protection Agency (EPA) asbestos regulations. In the past, asbestos was often used in brake components because of its high heat tolerance. U.S. brake manufacturers no longer use asbestos because of its toxicity. Instead, these manufacturers have switched to more expensive alternative raw materials.

At the same time, foreign imports of brake parts containing asbestos are entering the United States. Domestic brake manufacturers are placed at a competitive disadvantage simply because the foreign manufacturers are able to rely on lower cost, hazardous materials and are not required to label the products as containing asbestos.

Additionally, brake linings and pads use composite materials, making it difficult to determine exactly what goes into them. This means consumers and vehicle services technicians may unwittingly come in contact with materials containing asbestos.

Status

Legislation has been enacted in California and Washington eliminating the use of several toxic chemicals, including asbestos, in brake pads, drum linings and heavy-duty brake block for over the road vehicles starting in 2014. While not banned by other states, MEMA, other industry groups, the U.S. Environmental Protection Agency and the Environmental Council of the States, entered into a national memorandum of understanding (MOU) that would require all signatories to eliminate the use of asbestos in brakes. The MOU was signed in January 2015.

In 2014, MEMA was successful in urging Congress to pass legislation directing the U.S. Department of Commerce to conduct a review of imported brake parts containing asbestos. In 2015, the Department of Commerce released this report which identified approximately \$2.2 million in brake friction materials containing asbestos imported into the U.S. in 2013 (most recent full year available). This amount represented one percent of total imports of brake pads and linings for that year.

Impact on Industry

Domestic brake friction material manufacturers no longer use asbestos in brake materials. At the same time, products containing lower cost, hazardous materials, such as asbestos, are imported into this country. These imports place domestic manufacturers at a competitive disadvantage because they are not using these lower cost alternatives.

MEMA's Actions to Advance Your Business Interests

The Toxic Substances Control Act (TSCA) reform package, which Congress is expected to send to the President for signature in early 2016, will give EPA stronger authority to regulate toxic chemicals already in commerce. Therefore, EPA could renew efforts to regulate asbestos. Given the toxicity characteristics of asbestos, it is likely that EPA would designate asbestos as a high priority chemical. MEMA, together with the MEMA Brake Manufacturers Council, will join other stakeholders to urge EPA to regulate asbestos in imported brakes.

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