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by Jeff Kippel

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Anger. Confusion. And frustration. These were the emotions felt by Osgoode Hall Law School's students and faculty, as well as Newfoundland's Premier Clyde Wells on October 3, when they were not permitted entry into the Osgoode Hall Law School. Osgoode's evacuation and closure resulted from the discovery of a chunk of asbestos in one of the offices. This is the third asbestos scare since last June.

Asbestos was used in the construction of Osgoode in 1967 and has been a problem ever since. The danger results from particles that become loose from age and fall from the structural beams they were sprayed on.

Asbestos causes asbestosis, mesotheliumia and lung cancer, all fatal diseases. Any exposure to the compound can present a health risk.

On the night of October 2, Professor Kent McNeil found a substance that appeared to be asbestos on the floor of his office. This substance was given to Norman Doran, executive officer of Osgoode Hall, in a sealed plastic bag the following morning. Catherine Tracy at the department of occupational health and safety was immediately contacted and precautionary measures were taken.

Tests were conducted using the new FAM machine which instantaneously detects any fibers in the air. The readings were below the level that would indicate a problem. A thorough clean-up occurred that night.

On October 4, further testing indicated there was still a high reading of airborne asbestos coming from McNeil's office and the hallway outside the office. Since the area could not be properly sealed off, the building was closed until the tests taken that morning would confirm there was no apparent health risk.

"The university didn't want people to feel that they were in jeopardy, and so the building was closed until reliable results returned from the lab," explained Jessie May Rowntree from the department of communications.

The results were received at noon, indicating there was less than 0.01 fibers/ml. The building was safe, again.

These precautionary steps were taken as a result of an emergency meeting held October 3. Procedures were discussed and an interim asbestos policy, "Reverse Onus," was proposed by Jim Hathaway, associate dean of Osgoode. The agreement stated that if the FAM machine detects a particle count greater than 0.02 fibers/ml, and there is no other possible explanation aside from an asbestos leak, the building will be evacuated immediately — unless the contaminated area is isolated and can be sealed off. The area would then be cleaned and re-entry to the building would be granted only when it is determined to present no health risk.

McNeil explained in a memo to Osgoode faculty and staff that although he was informed that his office was cleaned and presented no danger, when he entered his office he noticed dust on the shelves and other surfaces.

"My office had obviously not been thoroughly cleaned," he said. "Having reported an actual danger to the administration, and having been assured that appropriate measures were taken to remedy the situation, I find it doubly upsetting to discover the half-hearted way in which the measures were carried out. In light of this, how can I or anyone else have confidence in assurances from those responsible for monitoring this problem that there is no present danger?"

This is not an isolated event, nor is McNeil's reaction uncommon. There have been many such leaks over the years, the most recent one being last summer.

On June 12, dust was found on the inside of a shelving unit that had been relocated to the first floor stack area. The substance was identified as asbestos. It wasn't until June 30 that Tracy posted a memo on the door of Osgoode, warning of the potential danger.

The whole asbestos issue represents a serious health hazard, explained law student Cheryl Carson. "It's a problem that should have been rectified a long time ago."

Ariane Sigel, chairperson of the student caucus, feels Osgoode is doing the best it can but there is a co-ordination problem with York's administration. "The only solution is removal," she said. Sigel is confident about the new proposals and support of Hathaway and believes the precautionary measures taken in this incident are steps in the right direction.

The problem that still hasn't been solved, Sigel explained, is that each asbestos leak brings on new dimensions. And, although there are procedures taken to deal with the mishap, they are not enacted until after the event occurs. Professor Tucker, a member of Osgoode's Asbestos Removal Committee, said in an interview in the summer that, "The programme is not adequate to deal with the hazard. There are continual break downs."

On March 11, 1987, Osgoode students, under the direction of the Student Committee for Asbestos Removal, staged a walk-out. The "strike" was to protest the lack of concern on behalf of the administration in removing the asbestos from Osgoode. Since then, the administration has indicated a greater commitment to handling the problem. But the issue is far from being resolved.



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