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November 23, 1999

Barry Castleman, M.D.
2412 Pickwick Road
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Re: Pennsylvania Documents

Dear Barry:

As requested, I am enclosing a set of the Pennsylvania Documents that I referred to on the telephone.

Some of them are irrelevant, but attached I have given you some annotations concerning the documents as well as their tie in to the Baldwin Locomotive Works and their former division, the Standard Steel Works. As you can see, some of the context of these documents are missing. I am especially looking for the notes concerning the Seventh Annual Meeting of the IHF in 1942.

At this point, I know that the Standard Steel Works was a participant in the January, 1935 meeting that is the subject of a letter between Vandiver Brown and M.F. Judd, Secretary of Raybestos Manhattan. However, I cannot determine whether or not the Standard Steel Works even became an active member of the IHF thereafter. I have never seen their name on the IHF Rosters, but I thought that you might be able to check.

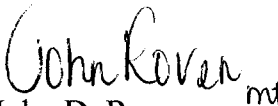
The very interesting thing is that this man William Chestnut. He continues to show up in these documents in Pennsylvania. Chestnut, we can prove, was the company doctor for Baldwin back in the 1930's. He later became Secretary of the entire Department of Labor and Industry in Pennsylvania. His footprints are throughout these entire documents.

Exhibit No. 730 is particularly fascinating and I am sending a copy of it, along with this letter to Steven Berger. This is another example of use of fiberglass as a substitute for the foreign locomotive manufacturing prior to 1952.

Please call me after you have had an opportunity to review these documents.

Sincerely,

JOHN ROVEN & ASSOCIATES, P.C.


John D. Roven ^{mt}

JDR/mt
Enclosure

MEMORANDUM

TO: John

FROM: John

DATE: November 12, 1999

RE: Review of 700 series documents

The purpose of this review is to see what is in the 700 series documents and to dictate a refined memo and to annotate the exhibits on the annotated exhibit list.

Exhibit 700. This is from 1920 and probably has nothing of any particular importance. There is no defendants list that I can see.

Exhibit 701. This is a Bulletin of Information from the Industrial Board concerning second hand boilers. It shows that Baldwin was present at the meeting and not much else.

Exhibit 702. This is a Bulletin of Information regarding the Pennsylvania Boiler Code. Again, Baldwin was present at the meeting but not much else.

Exhibit 703. This is another Industrial Board Bulletin concerning amendments to the Boiler Code. Again, Baldwin is present but there isn't a whole lot in it.

Exhibit 704. This is the Bulletin on a new code on industrial sanitation. Again, Baldwin is present but not much here.

Exhibit 705 is another bulletin from 1921 but not much in it.

Exhibit 706 is another bulletin from 1922 about the crane code. No attendees listed.

Exhibit 707 is another industrial bulletin concerning amendments to the industrial sanitation code. Baldwin attended but there isn't much in it.

Exhibit 708 is the same.

Exhibit 709 is the same.

Exhibit 710 is the same.

Exhibit 711 is the proceedings of the safety conference from 1924. Standard Steel Works were present but I don't see anything about dust.

Exhibit 712 is the state wide safety conference of 1925. Baldwin again has a person present by the name of George A. Grass(?) Again, there isn't anything about dust.

Exhibit 713 is the state wide safety conference of 1926. Baldwin has another representative present (in fact 3 representatives). Nothing about dust.

Exhibit 714 is a 1928 Pennsylvania Safety Congress. There is an address by Leonard Greenberg of the U.S. Public Health Service who talks about masks and respirators. Toward the end of his discussion, there is a discussion of anthrocosis, poisonous dusts causing need for respirators. Baldwin has two men present. George A. Glass and George E. Sims. Alco also has a man present named W.E. Turner.

Exhibit 715 is a publication called Labor and Industry which appears to be a monthly publication of the Department of Labor and Industry in Pennsylvania. It contains the contents of the Pennsylvania Safety Conference in 1931. I don't see anything about dust and Baldwin isn't there.

Exhibit 716 is proceedings of the Pennsylvania Safety Conference in 1932. The proceedings are not published and there is an article entitled "The Engineering Control of Occupational Illnesses by Plan Equipment and Operation by Rule C. Stratton of Travelers Insurance Company. The discussion is about silicosis. Inhalation is discussed. There is a discussion called "Legislation for the Preventino of Occupational Disease" by John Andrews who is the Secretary, American Association of Labor Legislation who calls for legislation to prevent occupational diseases. There is also an address by the Governor.

Exhibit 717 is a publication entitled "Labor and Industry in the Depression" which is a review of the four-year period between 1931-1934 in Pennsylvania. Baldwin is present through the infamous W.H. Chestnutt who is on the special committee of steel

executives for the development of safety programs. There is a reference to a special bulletin in the back which is exhibit 718. A special bulletin on asbestosis is already on our exhibit list as 2036. The annotation needs to be done for that referring back to exhibit 717.

Exhibit 718 is a review of the 1937 worker's compensation amendments and the occupational disease compensation act which made asbestosis compensable.

Exhibit 719 is the Biennium Report of the Department of Labor and Industry. Baldwin Locomotive Works are listed as "self insurers" who have not rejected the new workman's compensation act of 1937. Standard Steel Works is also listed and there is an exhibit which is a "description and outline of a short training course for state factory inspectors on the fundamentals of safety and health in industry. On page 172 it indicates that they visited the standard steel company in Lewistown, PA.

Appendix A is the State Factory Inspectors Training Course and industrial dusts are covered on apge 171.

Exhibit 720 is the Safe Practice Bulletin No. 24 for Occupational Disease Prevention called "Problems in Dust Determinations" by Dr. H. Landsberg of Penn State. The Article is written in 1940. On page 5 it states "it becomes also more and more obvious that the free silica is not the only dangerous compound if dispersed in air. Asbestos, of course, is another but even sericite that is abundantly present in rocks and is most likely another hazardous component.

Exhibit 721 is the Proceedings of the Pennsylvania Industrial Safety Conference in 1940. I don't see anything in here.

Exhibit 722 is the Safe Practice Bulletin No. 69 of Occupational Disease Prevention. There is an Article entitled "Good Housekeeping in a Steel Foundry" with an emphasis on dust. The author of this article Mr. J.E. Turner who is Director of Safety and Personnel at the "General Steel Castings Corp. in Eddystone." The photograph states "although the normal production of this plant may generally be classed as cast steel railway devices (for example a one piece locomotive underframe, which is a combination of the locomotive side frame trailer frame steam and valve cylinders, as well as the locomotive saddle and pivot beam) today this normal production is somewhat altered with the result that 75% of the output of this plant is Steel Castings for defense work. Obviously, this was a supplier of Baldwins. Most of the Article

deals with tripping and stumbling hazards, but there is another photograph of locomotive wheels and discussion of dust on page 4. It states as follows "When there are re-occurring dust conditions consideration should first be given to the installation of dust collecting equipment to control or collect as much of the dust at the point of origin as possible. It also says that today "vacuum cleaning equipment" is recognized as the accepted and practical method of maintaining a clean plant. It states that "dust that may create a health hazard or be an explosive hazard should be eliminated for the benefit of plant conditions. On page 7, it says "in general good housekeeping is a necessity if dust is to be kept down.

Exhibit 723 is the Seventh Annual Meeting of Members of the Industrial Hygiene Foundation of America in 1942. Members include GM, Dresser Manufacturing. Dr. Weedline who is Director of the Mellon Institute speaks and talks about the symptoms of pneumoconiosis. Its like his article isn't complete and I need to tell Thal to get it. There is another discussion of occupational dermatosis in the War Industries on page 37. The question is on the floor from Mr. Chestnut, who, by that time, at that point was the "compensation administrator for the State of Pennsylvania." This is involved in a discussion concerning what the foundation plant surveys are disclosing.

Exhibit 724 is Safe Practice Bulletin No. 88. "Exhausting Asbestos Fiber and Dust in Wire Insulation Manufacture." This article was published in April, 1942. At that time, William H. Chestnut was the Director of the Workman's Compensation Bureau. The Article is very interesting because it states that "high grade asbestos, of long staple and free from iron content, is used in wire manufacture intended for electrical insulation." It states that this asbestos by-product if allowed to escape in to the work room "would soon float into the far boundaries of the plant and hang like spanish moss even from the rafters." "Asbestos has a decided abrasive action and its presence is not beneficial for the long life of plant equipment with which it comes in contact." The rest of the Article talks about GE's fire works at York, Pennsylvania. GE uses a Pangborn Dust Collector. Assistant to the manager of the GE York Works indicates that the employees are receiving re-examination periodically for all employees. There are illustrations of dust collector. On page 3 it states "if permitted to fly in the work room, the fibers adhere to practically all rough surfaces and projections, settle on operating equipment, floors, beams, etc., and cause in a short time an unsightly appearance. The abrasive action of the asbestos on rotating members, bearings, gears, cams is also extremely violent...the installation of adequate ventilating equipment and control measures at York has effectively eliminated these conditions as well as any semblance of health hazard. On page 5, the health routine is listed. It states in brief this program

to protect the health and safety of employees develops the following practices:

- 1). A thorough physical examination and preemployment history a prerequisite to initial employment;
- 2). A distribution of G.E. Co. Booklets on general safety requirements requiring employees signatures.
- 3). A distribution of booklets on rules and precautions of safety and health applying specifically to the York Works.
- 4). Distribution and furnishing of following materials:
 - a). Clothing, Coveralls, Underwear, caps, gloves
 - b). Towels, soap, protective cream
 - c). Lockers, 1 for street clothes - 1 for work clothes
 - d). Shower baths - 15 minutes allowed in work schedule
 - e). Trained nurse - routine inspection and first aid
 - f). Lunch room facilities

Exhibit 725 are the proceedings of the Pennsylvania Industrial Safety Conference, Harrisburg, 1942. I see nothing of significance.

Exhibit 726 is the proceedings of the President's Conference on Industrial Safety, 1952. General Motors is present. W.V. Bruton who is Director of Training for Baldwin Lima Hamilton Corp. is also present. No proceedings are included.

Exhibit 727 is the proceedings of the Pennsylvania Industrial Safety Conference, May, 1952. Baldwin has three people present. W.V. Bruton, J.T. Cappio and John Richard Foley. The contents don't seem to indicate that there is any discussions about dust.

Exhibit 728 is the proceedings of the Pennsylvania Industrial Safety Conference, September, 1953. Silicosis is discussed on page 3. This is a caucus of the foundry section. There is an extensive discussion concerning the control of dust and ventilation. J.T. Cappio is there for Baldwin Lima Hamilton on page 202. James R. Cunningham of General Steel Castings is also present. A.V. Harbst of the Standard Steel Works and Baldwin Lima Hamilton is also there.

Exhibit 729 is a report no. 17 from 1952 entitled "Practical Discussion for the Midget Impinger for Dust Sampling." William H. Chestnut of course is the Secretary of the Department of Labor and Industry. An address is made by John B. Littlefield of the Mine Safety Appliances Company in Pittsburgh. Basically, this is about dust sampling

techniques.

Exhibit 730 is Safe Practice Bulletin No. 2 concerning 'Insulation in Streamline Trains.' This is from 1952 and it is a beauty. It is written by the Medical Director of the Budd Manufacturing Company and talks about the wonderful nature of fiberglass. It states as follows: "When the railroads embarked on a program of modernizing their equipment, the Budd Company's method of streamlining and lessening the weight were the principal parts of that program...Realizing that railroads were hauling enormous dead loads, the Budd Company applied the principle of light weight and staunch construction...One of the designer's original problems was that of insulation. He then says that fiberglass is a product of Owens-Corning and on page 3 he says "this material is the base for numerous products, a partial listing of which would include rail car and bus insulation, locomotive cab and boiler insulation, pipe covering and blocks, insulation for domestic refrigerators and ranges, etc. On page 4 he states that there is no evidence of any pneumoconiosis. On page 5 he says "my information is that in railroad insulation blankets the diameter of fiberglass fibers are on the safe side." In conclusion, he states "fiberglass provides the qualities generally sought as an insulation product in streamline train and in addition has proven safe for handling purposes by our workmen."

Exhibit 731 is a letter from Dr. Lanza to Dr. Armstrong of Metropolitan Life. Lanza discusses the symposium on dust problems which was held on January 15, 1935. This meeting became the genesis for the establishment of the industrial hygiene foundation. Lanza discusses the meeting and indicates that there were numerous discussions concerning dust diseases including asbestosis. It shows that more than 250 representatives of 85 industries were present. Attached is a list of attendees. The very last name on the list is Mr. Roy Yoder of the Standard Steel Works in Burnham, Mifflin County, Pennsylvania. He can prove that the Standard Steel Works was a division of the Baldwin Locomotive Works as proven by Moody's Industrial Reports from the year 1940 as well as the annual reports of Baldwin from that time period. This exhibit indicates that various representatives were set up from 7 different industrial groups to study dust control hazards and medical aspects of dust problems. Vandiver Brown also attended this meeting on behalf of Johns-Manville as reflected in Exhibit 732. The reference to this meeting is found in Barry Castleman's book in the Fourth Edition.

Exhibit 732 is a letter from Vandiver Brown of JM to M.F. Judd, Secretary of Raybestos Manhattan. This is an exhibit to the deposition of Simpson. Exhibit 732 is a memo to Raybestos Manhattan concerning a meeting of January 15, 1935. Brown

discusses the fact that diverse industries got together to discuss dust problems, the problems of ambulance chasing lawyers, the need for uniform workman's comp legislation to avoid juries. At this point, we do not know whether the Standard Steel Works joined the Industrial Hygiene Foundation in the 1935. My recollection is that they did not.

***I need to look through all exhibits following no. 2063 to see if they need an annotation on the Baldwin exhibit list which has not been updated since 6-22-99.