

FINAL DRAFT

REFERENCE

SHELL OIL COMPANY

05-DEPT-01

PLAINTIFF'S EXHIBIT

SH-1272

TO EXECUTIVE VICE PRESIDENT-ADMINISTRATION
MR. J. P. VAN REEVEN

DATE AUGUST 1, 1978

FROM VICE PRESIDENT
HEALTH, SAFETY & ENVIRONMENT

SUBJECT RECOMMENDED ACTIONS TO BE
TAKEN ON RETIREMENT OF
EMPLOYEES WHO HAVE BEEN
PARTICIPATING IN MEDICAL
SURVEILLANCE PROGRAMS

The attached memorandum and booklet of exhibits outlines our proposal on the above subject as it has evolved, first during the HS&E/Legal/ER study and, last, from discussions of the proposal with operating management. Three such discussions have been held: with Messrs. Wolbert, O'Brien and Carpenter; with Messrs. Baron, Bankston, Mai, Walker, Findley and McMahon; and with Mr. DeNike. Mr. Whittington could not attend, but Mr. McClintic attended for him.

The programmatic portion of the proposal, that on counselling, received universal approval: it is merely a further application of our present policy of informing employees fully on health hazards, it is aimed at giving employees the best and most updated information and advice at a time of major personal change and when they are still readily available for counselling, and it is legally sound.

The concept of continued medical surveillance after retirement, not necessarily for all employees who have been in surveillance programs but only for those with exposures to specific chemicals selected according to pre-determined criteria, was most intensely discussed and debated. As presented here, the concept meets the needs perceived by HS&E as well as the concerns raised in the discussions. Indeed, such surveillance activities do not constitute any sort of "program" but are simply a scientifically logical extension of current activities given the long latency periods now known to exist for many types of cancer and other diseases. The main concern was to avoid some sort of automatic extension of every program, a concept which could lead to unnecessary surveillance and lack of control. The concept presented here calls for chemical-by-chemical decisions utilizing appropriate criteria or guidelines. Such criteria or guidelines, still to be fully developed by the proposed task force, are both a practical and a legal necessity.

The costs of such surveillance activities are difficult to predict. Two hypothetical "ceiling" cases are described in the attachment and the consequences are estimated for one of them in 1978 dollars over a very long time span to illustrate the rate at which such costs might grow and how they might eventually approach limiting values. The "prediction" of trend probably is not valid for more than the first decade, however, since the basic premises are likely to change over a much longer period.

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We would like to proceed with the appointment of a working task force to develop the detailed aspects of these proposals, but are reluctant to embark on the effort until satisfied that what we propose is fully understood and that the basic questions are answered. Please advise if you have questions or wish to discuss this matter.

Original Signed By
Paul F. Deisler, Jr.

P. F. Deisler, Jr.

Attachments

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