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Avondale Shipyards

Companies involved in shipbuilding and ship repair during World War II were subject to the 1943 US Navy and Maritime Commission publication, "Minimum Requirements for Safety and Industrial Health in Contract Shipyards", which warned of asbestosis hazards and included specific control measures to be taken. One of the attendees of the Conference of Gulf Coast Shipyard Physicians held in New Orleans on Sept. 8, 1943 in connection with the Minimum Requirements document was Dr. LJ O'Neill of Avondale Marine Ways.

The Walsh-Healey Public Contracts Act required during the 1950s and 1960s that government contractors provide health protection for workers when doing government contract work; in the 1950s and 1960s this included limiting worker exposures to specific limits of toxic substances in the workplace air including asbestos.

Avondale was a member of the National Safety Council, and in 1967 the Vice Chairman of the NSC Shipbuilding and Repair Division was JR O'Donnell, Avondale's safety director. Founded 1912 and based in Chicago, NSC made abundant information available for corporate members, including a monthly periodical, National Safety News, the annual National Safety Congresses, accident prevention manuals and other publications. From the 1930s on, NSC publications carried information on asbestos, under subjects including occupational diseases, air sampling/analysis, recommended limits for airborne dust exposure, respirators, industrial ventilation, and workers' compensation laws. More general principles were also discussed, including the importance of worker education and training in the prevention of illness and injury that products can cause.

Shipbuilders Council of America

Avondale was also a member of the Shipbuilders Council of America, an industry trade association in Washington DC. Council documents show that the trade group was involved in informing and coordinating the industry response to safety and health regulations for the industry in 1966. In January 1968, the Council distributed an addendum to a publication, *The Shipbuilder*, saying, "Asbestos is recognized as one of the most dangerous of all industrial poisons." It went on to note that asbestos inhalation caused asbestosis and cancer, mesothelioma even in people with just household or neighborhood exposure. That year, the Council gathered numerous reports on the dangers of asbestos.

On Feb. 7, 1969, a memo to shipyard members included a critical article (Dec. 4, 1968, *Washington Post*) and suggested that the industry might develop a specialized group to deal with asbestos. It was considered "unwise" for shipyards to refuse access to Dr. Selikoff, given the expected publicity and his association with unions demanding health surveys. The Council president desired to avoid "controversy" such as legislation then being enacted by Congress to compensate coal miners for Black Lung.

Council representatives attended a meeting on asbestos hazards in shipyards hosted by Dr. Selikoff's laboratory in October 1970. Protective measures being adopted by the US Navy and in England were featured. The Mt. Sinai Hospital group then wrote a detailed manual for shipyards and sent the draft to the Council in February 1971. Work practices, local exhaust and other ventilation, isolation of removal work, respiratory protection, worker education, non-asbestos (substitute) product use, and medical monitoring were covered in the 16-page draft. Regarding worker education, it read: "No dust control program can be effective unless workmen and supervisors understand the hazards associated with the jobs, the sources of the hazards and the reasons for following recommended procedures carefully."

In January, 1972, the Council circulated the OSHA notice that an asbestos standard was being developed, also referring to the emergency temporary asbestos standard issued December 7, 1971. OSHA was specifically moving to regulate asbestos exposure in shipyards. A US Navy Instruction on asbestos (9 Feb. 1971) circulated by the Council required numerous work practices for control of asbestos hazards in shipyard work. In testimony at the March 1972 hearings on the OSHA asbestos standard, the Council specifically addressed the posting of warning signs and air monitoring of exposed workers.

The Council organized an Ad Hoc Committee on Asbestos in 1978 as the US Department of Health, Education and Welfare prepared to announce that millions of people who worked in US shipyards during World War II were at risk of developing asbestos disease. Workers' compensation claims and personal injury suits over asbestos were increasing "exponentially" and the Council was interested in pursuing legislation to limit shipyards' liability. This was discussed at a Board of Directors meeting June 14, 1978, attended by Albert Bossier, Jr. of Ogden/Avondale Shipyards. Later that month, the Council distributed a press release preceding the broadcast of a documentary, "ABC News Close-up -- Asbestos: the Way to Dusty Death," featuring asbestos victims who had worked at shipyards. The Council also obtained the transcript of the broadcast from the Asbestos Information Association after it appeared.

The Ad Hoc Committee on Asbestos, including John Chantrey, Jr. of Ogden/Avondale, met Nov. 2, 1978 to discuss "potentially ruinous" asbestos liability the shipyards faced. It was agreed to advise the Board of Directors to pursue indemnification legislation to limit liability. Arguments to support this included claims that 1) shipyards "could not have known of the dangers of asbestos until the 1960's or later" and 2) the US government was the ultimate responsible party for the use and control of asbestos on ships.