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**MICHAEL J. BENNETT**

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## Crying wolf about asbestos

Irving J. Selikoff is something of a hero among American environmentalists. His research studies on the health effects of asbestos spawned a nationwide effort to outlaw asbestos and mandate asbestos cleanups in public buildings. It also helped establish the doctrine that there is no such thing as a safe level of exposure to such carcinogens as asbestos.

There are two huge problems with the Selikoff work. One is that it no longer enjoys the support of the scientific community. The second is that the basic medical credentials of Dr. Selikoff, winner of the Albert Lasker award, the nation's most prestigious scientific prize, are open to question.

Dr. Selikoff's original 1950s and 1960s studies were based on World War II shipyard workers exposed to asbestos levels literally millions of times higher than those faced by building occupants today, even in the worst-case scenarios. Those early studies failed to account for the fact that exposure to the common "white" asbestos found in 95 percent of all buildings is toxic only when exposures are extremely high over a long period of time, as contrasted to the blue and brown varieties used among many of the workers in Dr. Selikoff's original World War II studies. They also ignored the fact that most of the World War II workers smoked, which had a tremendous bearing on their cancer mortality rates.

Dr. Selikoff's early critics were overlooked or silenced by the environmental movement, unions and the media. Over time, however, they became too numerous and too distinguished to ignore. They included such people as Sir Richard Doll of Oxford University, who first established the link between smoking and cancer; Dr. Malcolm Ross of the U.S. Geological Survey; Dr. Morton Corn of Johns Hopkins University; Dr. Patrick Sebastian of McGill University in Montreal; Dr. Andrew Chiurg of the University of British Columbia; and Dr. John E. Craighead of the University of Vermont.

Even Dr. Selikoff, who is retired

from Mount Sinai School of Medicine in New York, has backed away from his earlier estimates of the "excess cancer" deaths caused by asbestos annually. Those estimates have shrunk from 40,000 in 1978 to 20,000 in 1980 to 10,000 in 1981 and 8,200 in 1983. Indeed, Dr. Selikoff in 1986 told Environmental Action magazine, "If you take averages, there is very little risk."

Yet the Selikoff work continues to have dramatic and deleterious effects on our lives. His studies established the assumption that there is no safe level of exposure for such manmade carcinogens as asbestos fibers. That is still the orthodox position of the Environmental Protection Agency and other federal regulatory agencies, and asbestos, used primarily now as a fireproofing material in buildings, is the key to the EPA's efforts to ban such materials.

"If we can't ban asbestos, we can't ban anything," Dr. John Moore, former administrator and current deputy administrator of EPA, has testified before Congress. EPA, acting on the "one fiber can kill" theory, has proposed a total ban on all uses of asbestos, including brake linings in cars, trucks and planes.

The proposed EPA ban of asbestos has been opposed by the World Health Organization, the International Labor Organization as well as every foreign government on record. The organizations fear that the ban would produce a ripple effect through U.S. aid that would prevent, for example, the use of asbestos cement pipe for irrigation and public-health uses. That would effectively outlaw irrigation pipes, since the only safe alternative is cast iron, which is prohibitively expensive.

In America, the ban could cost commercial building \$200 billion to \$1 trillion, and actually multiply cancer cases many times over. Ripping out the mineral's inhalable fibers and dumping them in landfills causes 80 cases of cancer as opposed to one case from all uses of asbestos, according to the EPA division responsible for disposal.

To add to the intrigue, Dr. Selikoff's medical credentials are a matter of dispute. He has claimed at various times in his career to have earned his medical degree in both Great Britain and Australia, half-way across a war-torn world, in the same year, 1941.

The two universities cited by Dr. Selikoff, the University of Melbourne and the Royal College, Scotland, both deny issuing such a degree in 1941. Official records, and an earlier biographical reference book, Medical Directory of the United Kingdom, 1962, note that Dr. Selikoff actually earned the basic British medical degree, which falls somewhere beneath the American doctorate of medicine, at the Royal College in 1945.

Yet in the 1941-45 period Dr. Selikoff says he served as a fellow in pathology at Mount Sinai Hospital in New York, an intern at Newark, N.J., and a resident at Sea View Hospital in New York. If the British records are accurate, he participated in these programs without the prerequisite doctorate.

In short, if the epidemiological evidence against Dr. Selikoff's work isn't enough to persuade bureaucrats to rethink our asbestos policy, perhaps the dispute about his credentials is. Either way, policy-makers should abandon the "one fiber can kill" theory before they discover that the alternatives are sure to be even more deadly.

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*Michael J. Bennett, whose series of articles on asbestos won the top prize of The Detroit News in 1985, is the author of a forthcoming book, "Asbestos Hysteria."*

# Asbestos risk in homes may be overblown

By Catherine Schutz  
The Tribune

The medical message is scary: lung cancer, mesothelioma, asbestosis, all deadly diseases linked to exposure to asbestos.

But for a homeowner, nervously eyeing that bumpy living-room ceiling, fear of asbestos can often be worse than the asbestos itself, say Eastbay experts in the hazardous materials field.

They urge homeowners not to succumb to frightening advertising messages from contractors, who may use tactics ranging from the threat of lung disease to lowered property values to prod an owner into performing unnecessary — and possibly dangerous — asbestos work.

"Removal is frequently *not* the recommended approach to the problem," said Bruce Benike, an occupational health specialist with the Contra Costa County Health Services Department.

"A large percentage of abatement (removal) in homes should never have been done, either because it was not necessary or because, if done improperly, it creates a greater hazard than was present by the material that was removed."

The use of asbestos in home construction has declined significantly since the early 1970s, as knowledge grew about health problems related to the product. Still, thousands of Eastbay homes contain asbestos, in acoustic tiles and sprayed-on acoustic ceilings, furnace insulation, and other fireproofing and insulation uses.

What's a responsible homeowner to do?

In most cases, nothing, except be aware that the product is there and treat it with proper caution.

Asbestos is only dangerous when the microscopic fibers get into the air and can be inhaled into the lungs. Drilling holes in an acoustic ceiling to hang up plants or track lighting, for example, should be avoided.

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# 'Litigation King': Asbestos Lawyer Is Making Millions

By DAN SHOMON Jr.  
UPI Legal Writer

GROVES, Texas (UPI) — Medical records stuffed in boxes, in file cabinets and piled on the floor, make the asbestos unit of Walter Umphrey's law firm look more like a doctor's office.

But the extensive filing system is vital to Umphrey, who has represented more than 4,500 people in lawsuits alleging they were exposed to asbestos on their jobs, suffering subsequent shortness of breath and cancer.

Umphrey, 52, has earned a reputation as the "king of asbestos litigation" in the United States. In the process, he has won hundreds of thousands of dollars for victims and earned more than \$100 million for himself.

"If you have any kind of a claim that has any kind of legitimacy to it, he will dedicate all of his manpower and resources behind it to the conclusion, either right or wrong," says Ken Bailey, an asbestos expert in Umphrey's firm, Umphrey, Swearingen and Edgings.

Umphrey's law practice in southeast Texas near Beaumont is deep in the heart of one of the nation's foremost manufacturing areas. The so-called Golden Triangle area is peppered with oil refineries and chemical plants.

A trim, former Southern Methodist University football player, Umphrey never wears a coat or tie to his office and puts both on reluctantly if he has to appear in court.

He entered into asbestos litigation in 1974 when one of his law partner's relatives was diagnosed as having asbestosis, a respiratory disease caused by exposure to asbestos dust or fibers. At that point, Umphrey was already a successful personal injury lawyer who represented many local union employees.

"We felt an obligation to take his case," Umphrey says.

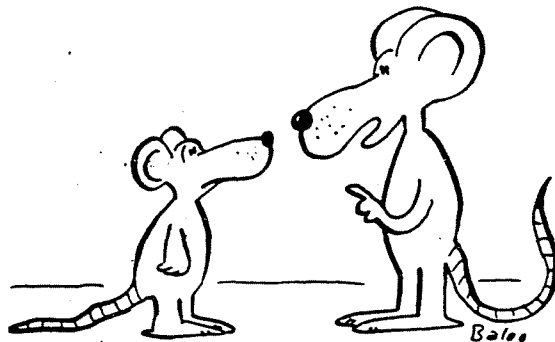
Umphrey spent the next six months working on nothing but asbestos. He says his team of 17 attorneys is so expert that it can now file dozens of asbestos cases at the same time. The asbestos cases have become the "bread and butter" of his law firm, he says.

"Once you do one of them (asbestos suit), you can do a multitude of them because you don't change anything except for the dates and the names and the severity of the illness."

In *Borel v. Fibreboard Paper Products Corp.* in 1973 the federal court opened the way for asbestos litigation.

When Umphrey takes an asbestos case, he never loses.

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"... and stay away from scientists—they cause cancer."