FILE NAME: Sprayed Asbestos (SPRA)

DATE: 1979

DOC#: SPRA039

DOCUMENT DESCRIPTION: Legal - Congressional Testimony of Barry Castleman

OVERSIGHT HEARINGS ON ASBESTOS HEALTH HAZARDS TO SCHOOLCHILDREN

HEARINGS

BEFORE THE

SUBCOMMITTEE ON ELEMENTARY, SECONDARY, AND VOCATIONAL EDUCATION

OF THE

COMMITTEE ON EDUCATION AND LABOR

HOUSE OF REPRESENTATIVES

NINETY-SIXTH CONGRESS

FIRST SESSION

ON

H.R. 1435 and H.R. 1524

TO ESTABLISH A PROGRAM FOR THE INSPECTION OF SCHOOLS FOR THE PRESENCE OF ASBESTOS MATERIALS, TO PROVIDE FUNDS FOR THE TESTING AND EVALUATION OF POTENTIAL HAZARDS, TO CREATE A LOAN PROGRAM TO ASSIST IN THE CONTAINMENT OR REMOVAL OF IMMINENT HAZARDS TO HEALTH AND SAFETY, AND FOR OTHER PURPOSES

HEARINGS HELD IN WASHINGTON, D.C., ON JANUARY 8, 16; FEBRUARY 22, 1979

Prepared for the use of the Committee on Education and Labor

Do Not Remove

Asbestos also causes cancer of the larynx, esophagus, stomach, bowel, colon, and kidneys in asbestos workers The millions of us with lesser exposure to asbestos may also be afflicted by these deseases, some of which are caused and "promoted" by other, added carcinogenic insults in our diet, our work, consumer products, medications, and so on

Since the mid-1950's, there has been a general consensus of scientific opinion to the effect that any exposure to a carcinogen must be presumed to carry some cancer risk That is to say, there are no "safe thresholds" of exposure (besides zero) to a carcinogen A carcinogen need only trigger the formation of one malignant cell to pose the threat of a cancerous growth This no-threshold concept of carcinogenesis is one of the most unanimously held theories in biological science today

II INDUSTRY RESPONSIBILITY

As Congressman Miller has proposed to have the asbestos industry help pay for the cost of sampling and analysis of asbestos in schools, it is important to evaluate the historical conduct of the industry in fairness to both industry and the taxpayers

The no-threshold concept of carcinogenesis was expressed in the works of Dr Wilhelm Heuper, the most eminent environmental cancer scientist this country has produced Heuper implored industry to substitute carcinogens used in the workplace and specifically named asbestos as a carcinogen in 1943 That same year, lung cancer was formally declared a compensable occupational disease among asbestos workers in Germany In 1952, an international panel of scientists declared that a lung cancer risk had been "demonstrated" in, among other things, "the handling of asbestos" Around that time, employees confronted Johns-Manville and Armstrong Cork with workers' compensation claims for lung cancer

Industry recognized that there was an air pollution threat from its operations long ago In 1949, a survey of a Johns-Manville mill led to an internal request for funds for control of air pollution emissions

In a 1955 Public Health Service Monograph, Dr Hueper warned that the general population was endangered by carcinogenic air pollutants, including asbestos As usual, Hueper called for development of substitute products for industrially used carcinogens Dr Thomas Mancuso was hired by another U S asbestos company with asbestos mines in Canada, Philip Carey Corporation, in 1962 Mancuso urged control of air pollution, informing officers of the company that they might face lawsuits from neighbors of their asbestos plants for cancer From descriptions of many asbestos manufacturing operations of those years, it must have been clear that the airborne cancer hazard did not end at the factory gates

Asbestos pollution of ambient air from factory emissions is in many respects a similar threat to indoor air pollution from deteriorating asbestos ceilings

Representatives of asbestos textile firms discussed Hueper's 1955 publication with great concern, acknowledging among themselves that cancer was a major health problem of the industry. However, they rejected a proposal for a cancer study, fearing that such research might "stir up a hornet's nest" of bad publicity and regulation Several years later in 1960, the Board of Directors of the National Insulation Manufacturers Association voted down the creation of a health program, 6–2 Many of the firms in NIMA either made sprayed asbestos insulation or sold asbestos fiber to firms that did

The Johns-Manville Corporation dominated the U S asbestos industry, accounting for more than half of the asbestos used here in manufacturing throughout this century Documents obtained recently through legal discovery reveal that an ongoing conspiracy existed for many years, between Johns-Manville attorney Vandiver Brown, Raybestos-Manhattan President Sumner Simpson, and others Brown was the architect of the conspiracy to suppress knowledge of the hazards of asbestos, involving, for example

(1) editing of an industry-sponsored medical survey conducted by Dr A J Lanza, of Metropolitan Life, published with crucial changes suggested by Brown, in 1935,

(2) supporting animal studies at the Saranac Laboratory for Research on Tuberculosis (in New York), whose purpose Sumner Simpson described as follows to four other industry executives

"My own idea is that it would be a good thing to distribute the information among the medical fraternity, providing it is of the right type and would not injure our companies" (Nov 10, 1936)

Subsequently, Johns-Manville's Brown vetoed publication of research done at Saranac which showed the damage asbestos caused in cats

In 1936, the Public Health Service informed asbestos textile firms in North Carolina that it planned a medical and engineering survey The companies responded by firing 150 out of less than 600 employees in those plants, most of whom were

asbestotics, prior to the Public Health Service's arrival. This gutted the data base the government needed, especially regarding the dangers associated with less-intense, long-term occupational exposure to asbestos Dust

In 1947, the members of the Asbestos Textile Institute had confidential plant surveys conducted by the Industrial Hygiene Foundation. They were told that much more effort was needed to determine the effects of long-term exposure to levels less than the Public Health Service's tentative threshold limit value of 5 million particles per cubic foot of air.

The hazards of applying sprayed asbestos insulation must have been obvious to industry from the day these products were introduced Industry sources give values of 150 to 1500 fibers per milliliter of air for undamped spraying of asbestos (the current U S standard forbids peak exposures over 10f/ml) Equally high dust levels arise from sweeping up the debris Spraying asbestos was so hazardous that in 1945 the Chief Inspector of Factories in Great Britain sent a notice to 70 thermal insulation contractors advising among other things that "no other person should work in the same compartment (of a ship where asbestos spraying was done) unless also provided with a respirator."

It is possible that one or two smaller firms failed to realize how dangerous asbestos was, and this in turn led them to use it in sprayed formulations rather than employ safe substitutes Johns-Manville did not even begin to affix euphemistic caution labels on its sacks of asbestos fiber until late in 1968 or 1969. Other asbestos mining companies didn't put warning labels on their product until the 1970's By that time, minutes of the Asbestos Textile Institute were full of talk about (1) supporting research at McGill University in order to obtain favorable publicity (1965); and (2) bringing pressure on Dr Irving Selikoff at the Mount Sinai School of Medicine to not make so much noise about the cancer threat of asbestos (1971) The minutes of the trade association meetings are devoid of anything except concern for the health of the asbestos business.

The Canadian asbestos mining firms finally supported an epidemiological study by the Industrial Hygiene Foundation (published 1958), that was aptly described by Wilhelm Hueper as, "statistical acrobatics which tend to obscure incriminating evidence" about carcinogenicity

In view of all this, it is not so surprising that sprayed asbestos insulation products came into widespread use in this country starting only 20 years ago The long-time suppression of information on the hazards of asbestos, especially carcinogenicity, and industry's failure to support scientific medical research was an essential step in paving the way for such a product to achieve widespread acceptance in the 1960's

No less foreseeable than the epidemic of cancer initiated among millions of construction workers was the deterioration of asbestos ceilings in school buildings Vandalism, horseplay, and such things as indoor ball playing all take their toll on school structures, in addition to the common problems of aging (moisture, vibration, etc) over the years Equally foreseeable to those who were "keeping the lid on asbestos" was the enormous renovation and demolition hazard we would have to reckon with as these buildings become old and obsolete at the end of this century

And though the abuses of the asbestos industry probably did a great deal to stimulate the public awakening to the issue of environmental cancer in the 1970's, most of this story took place before there was much of an occupational or environmental regulatory authority in the country to oppose the freewheeling marketing plans of the asbestos industry

CONCLUSION

Congressman Miller's bill thus has the merit of (1) placing a financial responsibility on the shoulders of those who profited by the marketing of these deadly products, and (2) setting some limit on the readiness with which public funds alone will be used to deactivate the cancerous minefield our schools have become as a result of criminal business practices