

CEMENT/ASBESTOS PRODUCTS COMPANY

Sales Offices, 2144 Highland Avenue, South / Birmingham, Alabama 35205 • Phone 205 • 324-4551

January 12, 1968

Mr. Charles F. Barber
American Smelting and Refining Company
120 Broadway
New York, N. Y. 10005

Dear Chuck:

Please find enclosed clippings from the Nashville paper dated August 6, 1967, August 18, August 22, October 20, October 22, November 8 (2 articles), November 30, early December, December 11, December 12, and December 13, 1967. Also various articles as furnished by J-M, and two articles from Mike Messell to me, all pertaining to the same subject.

As you will see in reading, this thing started out with newspaper publicity reflecting on the people responsible for purchasing pipe in Nashville and all the cancer propaganda apparently came as a direct result of the newspaper attack.

Hoping this will give you a deeper insight into the problems as we see them.

Sincerely,



S. D. Weaver
Vice President & General Manager

SDW/gj
Enclosures

NYO-1/19/68-Copied for: ~~W. Messell~~ - w/encs.
KWNelson " "

Manufacturers of PERMAFLEX Water and Sewer Pipe

CAPCO KIN 0000180

DECEMBER 12, 1967

Asbestos Pipe, Cancer Tie Hint

NASHVILLE TENNESSEAN
By JIM SQUIGGS
Staff Correspondent

NEW YORK -- There is no evidence to support a recent statement by a Nashville doctor that use of asbestos-cement water pipe might cause cancer, a noted cancer researcher said here yesterday.

Dr. George Wright, chairman of The Institute for Occupational and Environmental Health, said he did not think such a relationship "will ever be established."

WRIGHT, HEAD of the department of medical research in internal medicine at St. Luke's Hospital in Cleveland, Ohio, said a letter from Dr. James Snell, an assistant professor at Vanderbilt University school of medicine, suggesting such a relationship "apparently arises out of an incomplete perspective" of the problem.

Wright spoke to nine Metro councilmen here to tour a Johns-Manville plant in Newark, N.J., a manufacturer of asbestos-cement pipe.

Snell sent a letter last month to Metro waterworks director Robert L. Lawrence supporting Lawrence's decision to prohibit asbestos-ce-

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Asbestos Pipe, Cancer Tie Hint

(Continued From Page One)

ment manufacturers from hiding on Metro waterpipe purchases.

The council committee on purchasing had suggested that Lawrence allow asbestos-cement manufacturers to bid because the product is less expensive than the cast iron pipe now being used.

SNELL WROTE that asbestos is a known cause of cancer and can contaminate drinking water. The physician said he did not believe this fact had been brought to the attention of the U.S. Public Health Service.

Wright, an adviser to the U.S. Public Health Service, said the asbestos-cement pipe industry had long been aware of a link between certain types of asbestos fibers and lung cancer and with Mesothelioma, a rare malignant tumor found on the lung covering and the gastrointestinal tract.

He pointed out, however, that asbestosis (a lung tissue disease) and lung cancer are caused only by inhalation of certain asbestos fibers in large amounts and over long periods of time.

MESOTHELIOMA, he said, has never been linked positively with swallowed amounts of asbestos and is "extremely rare."

"Evidence of research indicates that virtually everyone is exposed to asbestos fibers," he said. "In fact, it would appear reasonable to assume that there is no such thing as not having been exposed. If mere exposure is a cause, we would all have it."

Wright cited widespread use of asbestos fibers in insulation, electrical wiring and stove doors and washers.

"THERE IS A great upswing in the use of asbestos fiber, but the incidence of cancer has actually fallen off," Wright said.

Wright said asbestos-cement pipe, consisting of 20% asbestos fiber, has been in water systems in some areas for as long as 30 years. In many instances, he said, there is no evidence of wear in these pipes to release asbestos fiber.

"After this many years of experience, if these fibers were to be a source of Mesothelioma — a dramatic tumor — it would be known," Wright stated.

"THIS WOULD not escape. This is not a new point of interest to the industry," he added.

Wright said manufacturers of asbestos products were among the first to discover its possible biological effects and have spent "millions of dollars" in the field.

The doctor said he is preparing a written answer to Snell's statement.

"I don't know Snell or his background in this area," Wright said, "but no doctor is knowledgeable in all areas. I have spent much of my life in this field, and even I am not."

SNELL WROTE Lawrence Nov. 14, stating he would consider the use of asbestos-cement pipe "a medical hazard of significant degree" until the U.S. Public Health Service had checked it out completely.

Officials of the Johns-Manville Co., asked about this yesterday, said the Public Health Service is among its customers.

"We have sold them thousands of feet of pipe," said Jay Baker, product manager. "I feel certain we will sell them much more."

THE COUNCILMEN are scheduled to tour the manufacturing plant and research center today. The company claims its product will save Metro \$20,000 a year on pipe purchases.

Asbestos Pipe Use Backed

By JIM SQUIRES
Staff Correspondent

NEW YORK—Eight Metro councilmen recommended yesterday that waterworks director Robert L. Lawrence allow manufacturers of asbestos-cement pipe to bid on Metro pipe purchases.

The councilmen urged that the bans against the firms be dropped after a tour of the Newark, N.J., plant of Johns-Manville Corp., a manufacturer of the asbestos-cement product.

"IT'S A SHAME that a product this good has been kept out of the bidding," said Councilman Frank Griffin. "I see no reason why these manufacturers cannot be given the opportunity to bid for our business."

James LaPenna, chairman of the council purchasing committee, said the tour of the Johns-Manville facility produced "overwhelming evidence that asbestos-cement pipe is a quality product and widely used throughout the world."

Joining Griffin and LaPenna in the recommendation were Councilmen Martin Garrett, John Fox, Mansfield Douglas, John Driver, Earl Shacklett and Robert McBride.

A NINTH councilman making the trip, Tom Sharp, said he would make no recommendation concerning the product pending further investigation. Sharp said he wanted to learn as much about the cast iron water pipe now being used by Metro as he learned about the asbestos-cement product during the two-day visit here.

The councilmen toured the facility at the invitation of Johns-Manville officials at no expense to Metro government. The firm had previously told the purchasing committee it was being excluded from bidding because of Lawrence's opposition to the use of asbestos-cement pipe.

The purchasing committee has been investigating Metro's pipe purchasing practices

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Asbestos Pipe Use Backed

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since a probe by THE NASHVILLE TENNESSEAN disclosed that a single cast iron manufacturer has gotten all Metro water pipe business in the last four years.

THE FIRM, JAMES B. Chow & Son, was successful low bidder on all pipe contracts, while its three major competitors were equally successful in the state's other major cities.

Griffin and LaPenna, after viewing quality and durability tests of the asbestos-cement pipe, said it is "apparent" Metro has been "victimized by a lack of true competition among cast iron pipe companies."

Comparing list prices of asbestos-cement and cast iron pipes, LaPenna estimated Metro can save \$22,000 over the next 12 months by allowing asbestos-cement manufacturers to bid against cast iron companies.

"I am not saying we should switch entirely to asbestos-cement or that one product is superior," he said. "It is my personal feeling the two products are comparable and all vendors should be allowed to bid."

LAPENNA SAID councilmen who toured the plant will present their findings in the full purchasing committee later this month. The committee will make recommendations to the council.

Comments from other councilmen concerning asbestos-cement pipe were:

John Fox: "I think these firms have a good product and should be allowed to bid. If installed to specifications, the nature of the terrain will not matter."

Martin Garrett: "Our biggest problem is selling it to Mr. Lawrence. I personally think we should let the contractors buy the pipe and that both cast iron and asbestos-cement companies be allowed to try for the business."

John Driver: "I was amazed at the strength and quality of this asbestos-cement material, especially after what we had heard locally. I think the company should have the privilege of competitive bidding. With expenses continuing to go up, it is advantageous to us to save tax money."

Mansfield Douglas: "I was quite impressed and am convinced that the pipe is sufficient to carry water under the stress and strain anticipated in Metro's system. I see no reason why these companies are not allowed to bid."

Robert McBride: "I feel there are places where asbestos-cement might not work in the local system. At the same time there are places where it will do the job as good as cast iron and at a much lower cost. With a comparison program as large as ours, this is a good place for us to save a substantial amount of money."

12/11/67

Councilmen To Go On Pipe Plant Tour

By JIM SQUIDES

Nine Metro councilmen will leave today for a two-day inspection tour of the Newark, N.J., plant of the Johns-Manville Co., a manufacturer of asbestos-cement water pipe.

The pipe firm has invited the lawmakers in an effort to convince them that the cheaper asbestos-cement product is an adequate substitute for the costly cast iron now being used in Metro's water system.

THE COMPANY claims Metro can save \$200,000 annually by buying asbestos-cement pipe.

Robert L. Lawrence, Metro waterworks director, has consistently refused to allow asbestos-cement pipe companies to bid on government purchases. He declined the invitation to tour the plant.

Making the trip are Councilmen James LaPenna, Frank Griffin, Earl Shacklett, Mansfield Douglas, Martin Garrett, Thomas Sharp, John Fox, Robert McBride and John Driver.

LaPenna is chairman of the council's "watchdog" committee on purchasing which is now investigating Metro's pipe purchases.

THE COMMITTEE was formed and the probe launched following an investigation by

SEAN which disclosed that one cast iron pipe company, James E. Clow & Sons, has won every Metro pipe contract in the last four years.

Through a hodge-podge pattern of bidding, the investigation disclosed, Clow has gotten all Metro pipe business, while its two major competitors have been equally successful in Chattanooga and Memphis and in small towns surrounding Nashville.

Clow has been the low bidder in Nashville on every contract, while at the same time bidding high on similar pipe in other areas of the state. At the same time, companies bidding high in Nashville consistently underbid Clow in towns as close as Murfreesboro and Columbia.

LaPenna has proposed widening specifications to allow competition between cast iron and asbestos-cement manufacturers.

Lawrence has refused to do this, saying he has no intention of accepting an asbestos-cement company bid no matter how low the price.

AT THE LAST council session, he distributed a pamphlet which claimed to show the superior strength of cast iron compared with asbestos-cement.

The pamphlet was prepared by the Cast Iron Pipe Research Association.

The councilmen will return to Nashville tomorrow night.

Early December, 1967

Council Invited To N.Y. Pipe Study

Members of the Metropolitan Council have been invited to go to New York next month to study the possibility of using asbestos cement pipe for Metro's water system, it was announced yesterday.

Councilman James J. LaPenna, chairman of the council's special "watchdog" committee for government purchases, said the invitation had been extended by the Johns-Manville Co. which maintains a research center just outside New York.

LaPenna's committee voted to take the trip to determine if the pipe would be feasible for use here.

"THIS WILL be a work trip and it will not be an entertainment one," LaPenna told the council. He said it had been estimated Metro would save \$250,000 a year by using the pipe instead of cast iron pipe.

For the past 4½ years Metro has bought all its cast iron pipe from a single concern—Clow and Sons—which has consistently submitted the low bid.

LaPenna said all members of the council as well as representatives of the mayor's office and the waterworks department were invited to make the trip Dec. 11-12. Johns-Manville, which manufactures the pipe, will fly the councilmen to and from New

York in a company-owned airplane.

COUNCILMAN Richard Taylor attacked the invitation on the council floor, saying, "This is ridiculous . . . this is setting a horrible precedent to offer to take the whole council and the press and television to New York."

He said his committee had considered the pipe and had recommended Metro continue to use cast iron pipe. Taylor said it might be proper for LaPenna to make the trip, but not a large group.

"Why do they want to take you all if they don't expect something in return?" he asked.

COUNCILMAN Sanders Angles said he felt council members should see the product for themselves.

"We're down here criticizing this product when we don't know anything about it. Those who have been criticizing it ought to go up there and see if what they have had to say is correct," he said.

Councilman Frank Griffin said he agreed with Angles, adding, "I read about department heads being in Hawaii, in Dallas, in Washington, just about everywhere. But when it comes time for a councilman to go anywhere, there is no money available."

Councilman Mansfield Douglas III said he felt as many councilmen as possible should accept the company's offer.

Lawrence Raps Pipe Proposals

By DICK BATTLE

Robert L. Lawrence Jr., Metro director of water and sewerage services, said today in his opinion "there is no comparison between asbestos-cement pipe and cast iron pipe."

Nationally recognized as one of the country's outstanding water system authorities, Lawrence blasted proposals by Councilman James LaPenna to change pipe specifications to allow asbestos-cement pipe manufacturers to bid against cast iron pipe producers to force lower bids on iron pipe.

LaPenna was quoted as stating following Tuesday night's council session that he was "not suggesting that Metro switch to the asbestos-cement" but should merely rewrite specifications to

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Lawrence

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allow the asbestos-cement people to bid.

Not Comparable

Lawrence said "asbestos-cement pipe is obviously not comparable to cast iron, particularly for use in our rocky soil. Its strength is much less than cast iron and it would be a disservice to the people of this community to substitute this material for cast iron."

"Based on my own experience and knowledge and the experience and research of some outstanding engineering consultants, I will not recommend the use of this (asbestos-cement) pipe in our system. I am not going to recommend what I consider to be an inferior material for use in our system."

The director scored LaPenna's proposal to change specifications to open up bidding to asbestos-cement pipe with no intention of purchasing such pipe if it came in on the low bid. "It's not honest, as far as I'm concerned," Lawrence said.

Disheartened

"I won't recommend changing specifications to allow bids to be submitted for asbestos-cement pipe when I cannot conscientiously recommend purchase of this pipe if it comes in on the low bid. As far as I'm concerned that would be dishonest. It would also be unfair to the asbestos-cement people who might submit bids, to use them simply to force better prices on cast iron pipe when we have no intention of changing the system to asbestos-cement pipe."

LaPenna, chairman of the council's new "watchdog" purchasing committee, offered the scheme for pushing down bids on cast iron pipe. He also gave every councilman and members of the press a letter he had so-

licited from an asbestos-cement pipe manufacturer which cited possibility of \$377,650 "savings" if Metro shifted from cast iron to asbestos-cement pipe next year.

Savings Offset

Lawrence said the asbestos-cement pipe required "great care" in laying. "The additional cost of laying this kind of pipe would, in my opinion, offset any saving that might accrue from the difference in the cost of the pipe."

LaPenna said the pipe manufacturer with whom he was in correspondence had offered an "all expense paid trip" to the firm's New Jersey plant for members of the council purchasing committee, Lawrence and members of his staff, newsmen and any "other interested individuals."

In answer to questions from the floor, LaPenna said the pipe manufacturing firm's offer "means they'll pick up the tab for everything. I didn't ask what 'everything' means, but I suppose it means EVERYTHING."

His statement was greeted with laughter but there were no immediate "takers."

Pipe Buying Economy Urged

By JIM SQUIRES

Metro Government could save \$200,000 over the next 18 months by switching from cast-iron to asbestos-cement pipe in its water system, Metro Council was told last night.

The report came from the council's new "watchdog" committee on purchasing which is now investigating the government's water pipe purchases that total more than a million dollars annually.

The economy-minded council also:

- Delayed action on a request by Mayor Beverly Briley for an additional \$47,500 appropriation this fiscal year for the operation of his office until the mayor submits a list of government spending priorities.

- Adopted a Public Safety Committee report which, in effect, issued an "executive order" directing the administration to call in all government-owned automobiles now assigned for 24-hour use, re-

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Probe Called

Metro Council directed its Human Relations committee last night to investigate reports that Metro firemen are being issued firearms.

"I think we ought to find out just who they plan to use them against and for what purpose they are being issued," said Councilman Macfield Douglas, in requesting the probe.

Douglas did not comment in detail on his accusations, saying only that he has received reports that "the fire department is being armed."

11/8/67 Pipe-Buying Economy Eyed

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assign them on a limited basis, and submit 30-day reports to the council on their use.

- Passed on second reading an ordinance establishing fees ranging from \$100 to \$1,000 for licenses to sell liquor by the drink.

- Deferred a hotly contested proposal to appropriate \$10,000 for a feasibility study by outside consultants on the extension of Capital Boulevard—a proposal already disapproved by the Metro Planning Commission.

Metro's pipe purchasing has been the subject of much controversy since an investigation by THE NASHVILLE TENNESSEAN disclosed earlier this year that one pipe company, James B. Clow & Sons, has won every Metro pipe contract in the last four years.

Through a hodge-podge pattern of bidding, Clow has gotten all Metro business, while its two major competitors have been equally successful in Chattanooga and Memphis and in small towns surrounding Nashville.

Councilman James LaPenna, chairman of the purchasing committee, presented a letter to the council last night

from the Johns-Manville Co., an asbestos-cement pipe manufacturer, offering its product at a "savings" to the government.

Based on anticipated expenditures for cast-iron pipe in 1968, the letter said, the cost would be \$277,050 for cast iron and \$182,346 for asbestos-cement—a difference of \$94,704.

LAPENNA SAID further projections for an 18-month period call for cast-iron pipe expenditures of \$300,000. The same amount of asbestos-cement pipe, he said, would be \$200,000 less.

Following the session, LaPenna said he was not suggesting that Metro switch to the asbestos-cement but merely rewrite purchase specifications so that asbestos-cement manufacturers would be allowed to bid.

"If these pipe manufacturers are allowed to bid against each other," he said, "cast iron prices will be lower."

ROBERT L. LAWRENCE, Metro waterworks director, has opposed any broadening of specifications because "asbestos might win and I don't want it in my system."

The issue over the mayor's increased budget request was actually settled earlier this week when Kenneth Miller, chairman of the council budget and finance committee, asked the mayor for the spending priorities.

Briley indicated the police department ranked highest on his list but that his office could not operate effectively without the supplemental appropriation.

The council cut the mayor's \$10,000 budget request by \$69,000 earlier this year, leaving the mayor some \$40,000 less than he had last year.

THE PROPOSAL WAS deferred by voice vote last night without controversy.

Although councilmen haggl'd over minor issues, the only major dispute came as Councilman Robert Lillard made a strong pitch for a \$10,000 appropriation for an outside study on the proposed Capital Boulevard Extension.

Lillard termed the extension "a vital project" to the life of the downtown area and implied that the Metro Planning Commission did not keep this in mind in recommending against the project.

He urged that city planners give more weight to the recommendations of numerous downtown businessmen who favor the extension.

COUNCILMEN James L. Warren and Richard Adams joined budget and finance committee spokesmen to defeat Lillard's motion and defer action until the planning commission can defend its position before the entire council.

In a surprising and somewhat complicated move, the council also deferred action on a bill that would prevent the unnecessary use of government-owned vehicles.

Instead, it accepted a committee report which provided that the bill be "held in abeyance" for 90 days. The report also recommended that the bill be amended to provide that any employee found guilty of misuse be suspended for five days and that any department head who knowingly allows misuse be suspended for three days.

MANY COUNCIL observers indicated they believe the bill to be "punitive legislation" outside the legislative powers of the council.

Although the bill was not actually passed, the committee report directs Col. John Sullivan, head of the department of general services, to recall all automobiles except those of the mayor, police chief and fire chief.

The report says the automobiles are to be reassigned to employees designated by department heads, but that Sullivan is to submit a written report every 30 days concerning their use.

In other action, the council:

- Directed the planning commission to prepare the necessary documents to implement the expansion of Urban Services to the General Services District during the next four years.

- Heard Councilman Robert McBride warn that Central High School is in such deplorable condition that it could easily be destroyed by fire as Dupont High was Monday night.

- Passed a resolution offering its cooperation to the Metro Board of Education to assure that Dupont students resume classes with a minimum of delay.

- Authorized the issuance of \$27,500 in promissory notes for the purchase of property on Fifth Avenue, North, across from the courthouse as a site for a new Metro Office Building.

11/9/67

TO: Mr. W. B. Bond
Mr. S. D. Weaver

FROM: Mr. J. L. Taylor

THE NASHVILLE TENNESSEAN

SILLIMAN EVANS SR. (Publisher, 1937-1951) SILLIMAN EVANS JR. (Publisher, 1951-1961)

JOHN SEIGENTHALER, Editor AMON C. EVANS, Executive Vice President and Publisher LLOYD ARMOUR, Associate Editor

The news columns shall be fair and accurate and the editorial columns shall be honest and just in the expression of conscientious opinion.—Silliman Evans Sr.

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Sunday Morning, Oct. 22, 1967

People Can Find Fault

MR. ROBERT L. LAWRENCE Jr., Metro waterworks director, says he can "find no fault" with purchasing practices which have permitted one company to supply practically all of Metro's iron water pipe for the past five years.

Perhaps Mr. Lawrence has not looked far enough for the fault. But the people find it strange, to say the least, that James B. Clow & Sons Co. consistently turn in low bids on iron pipe in Nashville, while the firm is almost always underbid on the same pipe in Chattanooga and Memphis.

The business of Chattanooga and Memphis usually goes to U.S. Pipe and Foundry Co., while Clow consistently is successful bidder for pipe sales to Metro and Knoxville.

"If there's any confusion," Mr. Lawrence told Metro Council's purchasing committee, "then it's something for the federal government to look into. They have a responsibility in this area."

Mr. Lawrence is right about that. The Justice Department should look into the matter, and Councilman Frank Griffin suggested that the committee should go to the district attorney.

But this does not relieve the waterworks department of the re-

sponsibility that the taxpayers are not being cheated on the purchase of iron pipe. Mr. Lawrence is not doing enough just to sit back and open the bids without trying to find out why Clow is always low bidder in Nashville and U.S. Pipe and Foundry is low in Memphis and Chattanooga. In addition, Council has a responsibility to make sure that competitive bidding is a part of the government's purchasing and contract procedures and policies.

Mr. Lawrence showed the committee a tabulation of comparative costs of water pipe in Metro and six other cities. The tabulation showed that Metro was paying more for the pipe in 19 out of 26 instances, but Mr. Lawrence said this was because his department purchases "superior pipe."

The question is whether some other "superior pipe" isn't cheaper.

Other cities seem to get by all right on what Mr. Lawrence probably would call "inferior" material. They get their pipe at a lower price than that paid by Metro.

The purchasing committee should demand that the waterworks department not rely entirely on the district attorney and use initiative of its own to find out why one firm is getting all of the