

September 20, 1940

Dr. Graham Edgar
Ethyl Gasoline Corporation
Chrysler Building
New York City
New York

Dear Graham:

Thanks very much for your letter of September 17th with your comments on the memorandum which I sent you. I can see your points quite clearly and I acknowledge at once that on both of these points the memorandum might have been either more specific or less so with a certain advantage. In the first instance my reference to the "complete control of all operations, etc." had nothing to do with legal responsibilities but was concerned with medical supervision, and I am quite sure that Dr. Thompson would look at it in that light only, since that was the only aspect of the matter which he and I discussed when I visited him in Washington.

On the second point, any interpretation could be put on my statement that certain patents would expire in the near future. Just what is meant by the near future is certainly not clear, but what I had in mind was the fact that with the expiration of the first patent, regardless of subsequent ones, there would probably be some weakening of the situation of the Corporation. I am not by any means certain that this is true and I did not inquire into the precise details in order to be able to express myself in precise terms. I think, however, that I covered this point as well as the other one in the letter which I sent Dr. Thompson accompanying this memorandum. In that letter I made it quite clear that I was not speaking for the executives of the Ethyl Gasoline Corporation and that I have not consulted them in the preparation of the memorandum. I stated that I believed I was expressing their general point of view but, perhaps, not in the terms which they might use and perhaps not even in a manner which they would wish me to use. I went on to say, as I indicated to you, that I considered it my professional duty to acquaint them with my own reactions to a developing situation and that while I could not expect them to regard my communication as

strictly confidential, I wanted it understood that I was speaking for myself as a medical man, and that although the Corporation had authorized me to do so, it had not told me what to say.

One additional point concerning the second paragraph on Page 3 of my memorandum. In our conversation Dr. Thompson indicated that the Public Health Service could exercise certain measures of control on activities within the states by communicating with the state and suggesting some examination into the facts by the workers in industrial hygiene in the health organization. As you are probably aware, the Federal government has matched state funds in a number of instances for the purpose of developing departments of industrial hygiene within the state organizations. Most of the men who hold these positions in industrial hygiene are well known to the Service, and in some instances have been trained by them. It is thus possible to suggest the advisability of state supervision and some state control. No legislation is required for this purpose. This is one mechanism whereby the influence of the Public Health Service can be exercised. It was Dr. Thompson's feeling that on the basis of information received from me or from other sources, he would be in position to suggest action on these lines. If manufacturing plants were to be developed and should become a problem, I believe the Service would welcome information which would permit them to lay down specifications for the prevention of the occupational hazards. We have done this before outside of the United States and I see no reason why we should not do it here. Obviously, however, I should take no action on any such matter without consulting you and all of the other persons in the Corporation who could give us help in such matters.

In connection with general provisions of the Public Health Service for the handling of leaded gasoline, I find that my file is not complete in that I do not have any records of the changes which have been made from time to time in the regulations as originally proposed. I know what these changes have been to a very large extent, but I do not have any written evidence of them. I wonder if it would be too much trouble for you to obtain copies of the changes as they have been made, plus any correspondence bearing on them which might be useful to me in recording the progress of this situation. There is no hurry for I have no immediate or specific need of this information. However I think it would be useful if

our file on this matter were complete. Incidentally I found out how incomplete our file is when I attempted to check a matter of fact for use in the Safety Manual which is in process of being printed. It was my understanding that consent had been given to use 4 cc of tetraethyl lead in aviation gasoline. I was greatly surprised when this figure was corrected in the New York office by the substitution of 4-1/2, and I was appalled that I should have been ignorant on this point. It strikes me that I had better know the facts a little more accurately.

With kindest personal regards,

I am

Sincerely yours,

RAK:is

Robert A. Kehoe, M.D.

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