PLAINTIFF'S
EXHIBIT
DUP-1572

A. Palmer

# NOTES ON DISCUSSIONS WITH OSHA REPRESENTATIVES

## 1/25/80

- OSHA representatives were Gary Mosher, Dr. David Logan, and Dr. Wallace Miller. Dr. Miller is a non-OSHA radiologist from the University of Pennsylvania.

- Dr. Miller was taken to the Plant Medical Building in order for him to look at the X-rays for the individuals on the list.

- Gary Mosher requested that the X-rays of the following individuals be supplied as an addendum request to Mr. Harry Allendorf's letter to P. M. Humanick dated December 5, 1979:

  J. T. Kenny (pensioner)
  Grover Herrman
  Robert A. Stalcup
  Thomas Data
  Horace T. Morgan (pensioner)
  Frank C. Dauphin (pensioner)

- We requested that Mosher make a formal request in writing which he did (letter attached). We provided the secretarial and copying assistance required. We further agreed that we would try to get the X-rays to Dr. Miller today so that he would not be inconvenienced by another trip in the future.

- Gary Mosher requested to meet with the Union at 11:30 a.m. and we agreed to provide a meeting room. Mosher stated that he did not want to meet in the room where they were examining records because he was concerned that we might think that he was giving data to the Union about employee records which he agreed not to do.

- During the day, Dr. Miller stated that he thought that the quality of our X-rays was excellent. He also stated that this was rare for industrial plants.

- Dr. Miller also complemented Dr. Neeld on the obvious good work of the Chambers Works Medical in picking up certain diseases early. He related that several times he saw the start of a disease in one X-ray and the next X-ray showed that surgery had taken place.

At about 4:00 p.m., a wrap-up session was held covering the 3-day visit. The following represents the summary analysis by OSHA: (P. M. Humanick, R. A. Shinn, J. P. Micallef, Dr. W. E. Neeld, Jr. and R. L. Wright were present for Chambers Works).

Dr. Miller

- All of the X-ray films that he saw were either good or very good quality films.
- Very few of the films had shown any change since 1972.
- He felt that a number of the films could tie to asbestos (Note, all of our asbestos classified cases were looked at by Dr. Miller).
- He indicated that in his opinion all bilateral pleural thickening could be related to asbestos while unilateral thickening could be from a number of causes.

Dr. Logan

- Expressed appreciation for the full cooperation shown by Chambers Works.
- Thought that Plant physical programs were adequate and he had no problems with our general programs.
- Stated that while things seem to be O.K. over the past year, he had some concerns from previous years:
    - PFT's were not always done.
    - There may be some cases where changes acknowledged from X-ray reports were not adequately followed up.
    - Questions in some cases if the individual was told about abnormal X-ray findings.
- Dr. Logan wanted to study the medical records further and would not say that currently we have no problems but he could not currently relate any problems.

Gary Mosher

- Also expressed appreciation for the full cooperation shown by Chambers Works.
- Indicated that he would talk with individual workers to get their input on what they were told vs. what our records show.
- When asked again for the basis of OSHA's request for the medical records of the individuals on the list, Mosher stated that he had no hard evidence that any of these individuals had been exposed to 0.1 fibers per cc or more. His information came from the Union and they had stated that the individuals on the list had the potential for asbestos exposure and respiratory ailments.
- Mosher stated that in his discussions with the Union, he had put all laggers on the list but had evaluated pipe-fitters.
- Mosher was asked specifically why Charles Morris (Note: A Union representative) was on the list - Mosher stated that Morris had told him that he had had substantial exposure to asbestos and that his doctor had told him that he had a respiratory illness.
- Mosher indicated that during his investigation of asbestos, a side issue had developed. He questioned Manual Pollock's records (Note: Manual Pollock was a bladder tumor case who died late last year.) in two areas - should Pollock have been listed on the OSHA 200 log and were Pollock's records sent to NIOSH. These questions were asked under the beta-naphthylamine standard.

During the wrap-up discussions, we made the point that frequently after gathering data OSHA would come to a closing conference with its mind made up and that our experience was that our next chance to comment was during the legal process.

We requested that if and when a problem developed from OSHA's perspective, would they discuss this with us prior to the closing conference. Mosher agreed to do this and stated that he expected that he would be in a position to do this in about 3 weeks. Again Mosher was asked if this would be well in advance of the closing conference and he said yes.

Also during the wrap-up, we pointed out that OSHA may be only getting inputs from certain militant Union board members or disgruntled employees. Both Mosher and Dr. Logan stated that, to the contrary, they were surprized that most of our employees that they talked to were not disgruntled and thought that the Company currently was and has in the past dealt with them in good faith.

Summary of Concerns from OSHA Visit

From what was stated during the 3-day review, no specific violations, either direct or implied, were related. However, our evaluation would indicate that they have the following areas of concern:

- Are the X-ray readings of Dr. Miller the same as Chambers Works Medical and Allen Associates? This is a matter of readings of our expert vs. OSHA's expert. There is some indication that Dr. Miller has very positive views on asbestos and X-rays and that he feels that he has the ability to diagnose asbestos related illnesses where other radiologists may not. Further, he believes that he can diagnose asbestos illnesses from X-rays only without PFT's, work histories, etc.

- Indications are that Dr. Logan believes that our current medical records are in reasonable shape but he has some concern over the early years of the asbestos regulation.

- Mosher expressed concern over the OSHA 200 log - pensioners are not listed and our equivalent of benign asymptomatic illnesses are not listed.

- Dr. Logan indicated again that he was concerned about the timing of our OSHA 200 log entries and their relationship to the Repauno OSHA investigation.

RAS:em
1/28/80

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