

Memorandum

Asbestos - Litigation
New US
United States Steel Corporation

January 10, 1974

PLAINTIFF'S EXHIBIT

USX-1101

To: Mr. C. T. Spivey

Re: Medical-Legal Problems With OSHA Standards

The attached two newspaper accounts of law suits that have been entered as a result of the asbestosis problem taken with the package from the New Yorker leads me to suggest that some discussion should go on in U. S. Steel concerning the potential we have for the same type of problem. With these attachments, I am wondering if the New Yorker document should also be circulated to Mr. Larry and Mr. Lohrentz and also to Operations.

Merle Bundy, M. D.

MB/rp

Attachments

Oakland, Calif.
Tribune

(Cir. D 267,413 - 5m. 23c. 470
5m. 23c. 77c)

11-22-73

79 4

POST-DISPATCH, Pittsburg,

Friday, Dec. 7, 1973

Hospital sued for \$2 million

MARTINEZ — Pittsburg Community Hospital and three doctors have been named in a \$2 million "wrongful death" lawsuit filed in superior court here today on behalf of a dead Pittsburg woman's family.

Doctors named in the suit are Edwin Boysen, Charles Brisbin and Louis Lewis.

Drafted by Pleasant Hill Attorney Richard E. Kennett, the suit alleges the death of Mrs. Geraldine Peacock of Pittsburg, on Dec. 5, 1972, was due to negligence of the hospital and the three doctors.

Details of the illness or injury suffered by Mrs. Peacock were not given. It was listed, though, that Mrs. Peacock died after surgery.

Kennett filed the suit on behalf of Woodrow C. Peacock and her four minor children, Norma Wood, 12, Mark A. Peacock, 5, Tracy L. Peacock, 3 and Lytonia Peacock, 1.

Patient Wins \$351,000 Judgment

MARTINEZ—A former machinist for a Pittsburg asbestos tile manufacturer, disabled by asbestosis, has won a \$351,000 verdict against a doctor who allegedly failed to diagnose the disease in time to treat it.

A Contra Costa County Superior Court jury made the award to Marcos A. Vela, 58, who had been employed at Johns-Manville. His attorney, Arne Werchick, contended that the company sent Vela to Dr. Kent Wise of Pittsburg for periodic examinations for six years before his condition was diagnosed in 1968.

The disease, which affects the lungs, could have been controlled if Vela had changed jobs sooner, Werchick said.

UNITED STATES STEEL CORPORATION
PUBLIC RELATIONS - PITTSBURGH DISTRICT

From McKEESPORT DAILY NEWS

Date JAN 3 - 1974

Page No. 23

Workers Sue Asbestos Firm

TYLER, Tex. (AP)—Alleging negligence, former employees of the Pittsburgh Corning Corp. have brought suit against the company for \$100 million.

The case, filed in U.S. District Court here, claims the corporation exposed workers to "asbestos fibers in extremely dangerous concentration" and this caused them to "suffer from various stages of asbestosis, lung cancer and other pulmonary diseases."

Disclosures of employee health hazards and new regulations governing air pollution led Pittsburgh Corning to close its Tyler plant Feb. 5, 1972.

The damage suit was filed by a Dallas lawyer, State Sen. Oscar Mauzey, as a class action on behalf of former employees of the firm here.

It identifies one of the plaintiffs, Jessie Mae Thomas, as "the surviving widow of Robert T. Thomas, deceased, a former employee of Pittsburgh Corning who has died as a result of such exposure" to asbestos fibers.

Those joining her in bringing the suit "on behalf of themselves and all others similarly situated" are Herman Yandle, Arthur Bearden, N.C. Yandle, Harold Spencer, Rufus J. Lee and Hubert T. Thomas.

Besides the Pittsburgh Corning Corp., the defendants are PPG Industries, Inc., Dr. Lee Grant, Corning Glass Works, Inc., Industrial Health Foundation, Inc., Asbestos Textile Institute and John Doe I-X.

Dr. Grant heads the medical facilities of PPG Industries and Pittsburgh Corning.

Cancer Found in Relatives of Asbestos Workers 30 Years After Contact

Continued From Page 1, Col. 7

recognized as early as the first century, but it was not until British studies in the 1920's that any attempt was made to protect workers from its effects.

In the years since, workers exposed to asbestos have been shown to face a greatly increased risk of developing lung cancer, mesothelioma, cancers of the gastrointestinal tract and asbestosis, a scarring of the lungs. These effects generally do not show up until two or three — and sometimes even four — decades after the first exposure to asbestos.

A Two-Decade Study

For two decades, Dr. Irving Selikoff, director of Mount Sinai's Laboratory of Environmental Sciences, has been studying the effects of asbestos on the men who worked at the Union Asbestos and Rubber Company (UNARCO) in Paterson, N.J. The factory was in operation from 1941 to 1954.

These men came home each day covered with the whitish fibers of asbestos — on their clothes, in their hair, in their lunch pails. Sometimes they brought home samples of the fireproof product they made for their children to play with.

According to Dr. William Nicholson of the Mount Sinai team, asbestos fibers can still be found in the attic dust of the homes of workers who left the plant as many as 30 years ago.

A year ago, the Mount Sinai team began a study of the fate of those who lived with the Paterson workers. Thus far, of 210 family contacts examined

under the direction of Dr. Henry A. Anderson, nearly 40 per cent were found on X-rays to have the kinds of abnormalities in their lungs common to asbestos workers. In some cases where X-ray abnormalities were found in the family, the worker had been at the UNARCO plant for only a few days.

In the last three months, three persons who were children at the time their relatives worked in the Paterson plant were found to have mesothelioma.

One of the three died of the disease in June at the age of 44. Her father had worked the day shift at the UNARCO plant for a year in the mid-1940's, and

she took him a hot meal every evening, waiting outside the plant for her father to pick it up. Another patient was in her lungs common to asbestos workers. In some cases where X-ray abnormalities were found in the family, the worker had been at the UNARCO plant for only a few days.

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cent developments regarding asbestos that have caused alarm among the Mount Sinai investigators and stimulated laudable efforts to protect the adequacy of current regulations. The other developments that are causing concern include a British medical report indicating that the levels of asbestos in the Federal regulations say that Federal regulations can safely inhale may be in fact cause lung disease and cancer years later. The British

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rats suggests that the consumption of small amounts of asbestos fibers can result in a wide spectrum of cancerous tumors, a finding that could be of significance to the residents of Minnesota who for the last 18 years have been drinking water from Lake Superior that is contaminated with asbestos from a mining company.

A United States Court of Appeals has allowed the Lake Superior dumping to continue because the Government could not demonstrate that Minnesotans had suffered ill effects from drinking the asbestos-containing water or breathing the fiber-filled air.

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Cancer Found in Asbestos Workers' Kin

By JANE E. BRODY

The 933 men who produced asbestos insulation at a Paterson, N.J., plant in the nineteen forties, came home each day from the dusty factory covered with asbestos fibers.

Today, some 30 years later, many wives, children and other persons who were in contact with these men at home are beginning to show the effects of their peripheral and often brief exposure to this insidious mineral.

A study by Mount Sinai Medical Center has shown a high incidence of lung abnormalities among the workers' relatives, and four persons who were exposed as children have devel-

oped a rare, usually fatal form of cancer called mesothelioma, the only known cause of which is exposure to asbestos.

The new study, being conducted under a grant from the National Institute of Environmental Health Sciences, adds a new dimension to the already well-established dangers of asbestos, a ubiquitous mineral with some 3,000 uses. Thousands of workers have succumbed to asbestos-related cancers and lung disease, including many who worked at the Paterson factory.

Now, evidence is mounting that far less than the intense exposure of the work environment is necessary to produce asbestos-related disease. The new evidence raises questions

not only about the adequacy of regulations designed to protect asbestos workers but also about the hazards the general public may face from exposure to the persistent fibers of asbestos.

Asbestos fibers can be found virtually everywhere — in urban air as a result of the erosion of brake linings, air-conditioning ducts, floor tiles and other sources; in commercial beverages that have been passed through asbestos filters; in water supplies that are carried through asbestos pipes.

The danger of asbestos to those who work with it was

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ALTON'S birthday is front page news. With our love, Evelyn and Charles. —ANN.