

LAW OFFICE
OF

Raymond Alexander

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August 10, 1994

Mr. William A. Abernethy
MEREDITH, DONNELL & ABERNETHY
P.O. Box 2624
Corpus Christi, Texas 78403

via FAX 880-5718

Re: Cause No. 94-4291-B
Noe Garcia, et al vs.
Koch Refining Company, Inc., et al

Dear Mr. Abernethy:

As per our conversation this afternoon, I am writing this letter to inform you of some of the specific complaints our clients have regarding unsafe asbestos abatement practices by Gilman Insulation/Basic Industries, as well as the other Defendants in this case. All of our clients have a desire to work in their field, and very much need to work and earn a living to support their families; however, in view of the extremely hazardous nature of asbestos abatement work, these individuals must not be subjected to unreasonably dangerous conditions.

The following list is not intended to be all inclusive at this time, but rather a summary of the problems that have been brought to my attention to the present date:

1. Defendants' failure to provide decontamination units and showers adjacent to or in close proximity to areas in which asbestos abatement is being conducted, requiring contaminated workers to walk through the plant, thereby endangering other unprotected workers;
2. Incorrect glove bagging procedures on pipes that are extremely hot (i.e. exceed the melting point temperature of the poly bags), causing the bags to melt and leak asbestos into the air, endangering the abatement workers as well as unprotected insulation workers and scaffold workers who are nearby in the same work area;
3. Defendants' failure to take precautions to protect or remove unprotected workers in an asbestos abatement area who are not engaged in abatement but who are in close proximity thereto;

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4. Allowing workers contaminated by and exposed to asbestos to ride in pickup trucks with other workers who are unprotected by respirators or appropriate coveralls;
5. Requiring asbestos abatement workers to use wire brushes to remove asbestos from pipes;
6. Defendants' use of asbestos vacuuming equipment that is in a state of disrepair;
7. Defendants' failure to authorize the use of lockdown sealant during the abatement procedure;
8. Defendants' failure to provide an adequate number of disposable coveralls to abatement workers who become exposed to asbestos;
9. Inadequate showers and shower heads in decontamination units;
10. Defendants' refusal to allow abatement workers to shower for longer than one to two minutes;
11. Inadequate procedures for washing masks, respirators and other equipment that has been exposed to asbestos;
12. Defendants' decision to discontinue the use of disposable coveralls;
13. Defendants' requiring that its workers perform asbestos abatement procedures in temperatures exceeding 125 degrees;
14. Use of unlined dumpsters to store bags of asbestos;
15. Failure to contain water leaks from decontamination units;

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16. Defendants' policy of allowing abatement workers to shower only twice a day.

The foregoing problems have led to our clients' severe and irreversible exposure to asbestos fibers.

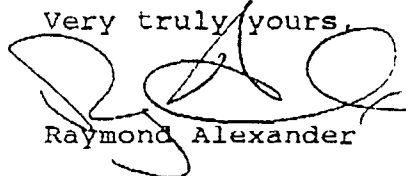
State, national and international medical studies have confirmed that: (a) there is no safe level of asbestos exposure, and (2) exposure such as that to which our clients have been subjected is very likely to result in one or more of the following debilitating and life threatening diseases:

- a. asbestosis
- b. bronchogenic carcinoma
- c. malignant mesothelioma (cancer of lung lining)
- d. diffuse pleural thickening
- e. discrete pleural thickening (plaques)
- f. rounded atelectasis
- g. pleural effusion
- h. rectal, colon or laryngeal cancer.

It is also undisputed in the medical community that there is a latency period of 10-40 years between the time of exposure and complete manifestation of the foregoing diseases.

I hope this letter assists in answering your questions about the nature of my clients' complaints and health problems.

Very truly yours,



Raymond Alexander

RA/yr

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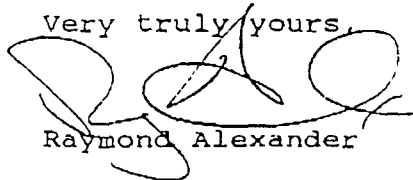
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