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THE EVENING BULLETIN
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Firm Held for Jury in Midcity Asbestos Pollution

By HARMON Y. GORTON
Of The Bulletin Staff

In the first criminal action to curb air pollution here, Judge Ethan Allen Doty yesterday ordered the Venzie Corp. held for grand jury action as a "common nuisance" in connection with the spraying of asbestos on a center city building now under construction.

The action against Venzie of 1000 E. Mermaid Lane was brought by District Attorney Arlen Specter in an all-out effort to halt pollution by using provisions of the 1860 Penal Code.

At the conclusion of the day-long hearing Judge Doty ruled Specter had made a prima facie case that the spraying of steel beams with asbestos by Venzie on the Girard-Fidelity Building, 15 S. Penn Square, was a nuisance.

Seeks Prompt Trial

Peter Hearn, counsel for Venzie, asked for immediate adjournment, waiving the 10-day rule, so that prompt trial could be held.

Hearn said the construction job has been closed down since the lodging of the criminal complaint. Venzie's insurance was cancelled two days ago, said Hearn, and "he'll soon be out of business."

Judge Doty told Hearn "this isn't a little pebble or grain of sand falling down from the building — it's a highly dangerous material."

Specter interjected "we're dealing with a deadly health hazard — when Hearn says its no hazard he's being obtrious to the cold-turkey testimony from that witness stand."

Experts on lung cancer and environmental diseases testified earlier that inhaled asbestos could cause "profuse" cancer of the lining of the lung.

Witnesses included Dr. William J. Nicholson, a physicist of Ridgewood, N.J. and assistant professor of community medicine at Mt. Sinai School of Medicine, New York City and Dr. Henry Mo[illegible], of the Einstein medical center.

Not 100% Contained

Specter gained an admission from William Reilly, director of enforcement of the city's Air Management Service, that Venzie had not succeeded in getting 100 percent containment of the asbestos from the air, and that the job site had not been completely cleaned up.

Reilly had been called to the stand by Hearn to prove that the asbestos sprayings by Venzie had been done under supervision of the Air Management Service. This had resulted from a law suit brought by the city against Venzie and a stipulation entered into and approved by Judge Herbert S. Levin.

Air Management, said Reilly, had approved the use of the particular kind of asbestos on the job.

The stipulation, said Reilly, provided for adequate protection with city inspectors on the job site.

Judge Doty, however, discounted Reilly's testimony as not meeting the issue in the case — a common nuisance — and said this is a matter for defense at trial.

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POSITIVE PUBLICITY

Asbestos Cement Mixed in a Bag

One of the dustiest operations faced by an asbestos worker—hand-mixing of asbestos cement—can now be controlled by new mixing techniques. Tests were made of a new plastic bag for asbestos cement that can also be used for enclosed mixing. These tests, made by the personnel of the Insulation Industry Hygiene Research Program, showed dust levels could be reduced to one sixth that of standard mixing methods. Water is introduced into the bag by means of a hose inserted through a corner flap, and the mixing is achieved by kneading the bag. Researchers feel that the two problems encountered in the tests—some bag damage, and the difficulty of handling bags weighing between 35 and 50 pounds—can be solved. Other bag materials and the design of packages of more suitable weight are being explored. (*Insulation Hygiene Progress Reports*, Spring, 1970; Environmental Sciences Laboratory, Mt Sinai School of Medicine of the City University of New York, Fifth Ave. and 100th St., New York, N. Y. 10029.)

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