



A/C Pipe
Producers Association

1600 Wilson Boulevard,
Suite 1308
Arlington, Virginia 22209
(703) 841-1556

PLAINTIFF'S EXHIBIT

CAP-901

March 16, 1982

Mr. Dell Smith
Vice President
Ohio Water Service Company
Lake Erie West District
P. O. Box 319
8644 Station Street
Mentor, Ohio 44060

Dear Dell:

It was a pleasure meeting you at the March 4, 1982 briefing at the Quail Hollow Inn. As requested, please find enclosed twelve (12) copies of the briefing packet on medical and scientific evidence regarding the safety of A/C water pipe. Your name also has been added to the mailing list for future issues of "A/C Advisory."

If the Association can ever be of any assistance to you or your colleagues, please do not hesitate to call.

Very truly yours,

A/C PIPE PRODUCERS ASSOCIATION

John F. Welch
Vice President

JFW/ajb

Enclosure

cc: A. Kahn, Esq.
W. Penrell

A01OE21101
Chrono

CAPCO JEN 0023266



A/C Pipe
Producers Association

Internal Correspondence

Public Affairs Committee
TO International Affairs Committee

FROM *J. F. Welch*
J. F. Welch, Director, Public Affairs

DATE April 29, 1981

SUBJECT: Field Problem - Brick Township (Ocean County, New Jersey)

ACTION REQUIRED: Review for information



Background

On March 27, 1981, Ed Hughmanic (Superintendent, Toms River Water Company) called to advise that an article (Attachment 1) had been published in the Asbury Park Press stating that Brick Township would retain Carl Cahill "to discuss his findings" on the A/C pipe and health issue. AACPP had responded previously to inquiries from the Brick Township Municipal Utilities Authority (BTMUA) (Attachment 2).

Staff contacted BTMUA Executive Director, Andrew Ciesla to determine status. BTMUA no longer purchases A/C pipe, although approximately 30 miles is in place in the system. Their contacts with New Jersey Department of Environmental Protection were characterized as "passive"; no contact has been made with EPA Region 2 officials.

Ciesla stated that an activist group in Sutton Village is convinced that A/C pipe is carcinogenic and "does not want to be confused with facts". Their feeling is that the system simply should be removed. Fiber counts have been done and one test showed a level of 70,000 fibers per liter. All other tests have been negative, including a retest of the 70,000 f./l site.

As far as the Cahill situation is concerned, the City Council members apparently were embarrassed into action under heavy public and political pressure. However, the Township attorney recommended that Cahill's credentials be solicited prior to retention. These have been requested from Cahill's attorney. Ciesla solicited additional character references on Cahill, and Staff recommended that Allan Hammer (Director, Water Supply Engineering, Virginia Department of Health) and Bud Allen (Director of Public Utilities, Chesapeake, Virginia) be contacted.

Current Status

On April 8, 1981, the Ocean County Reporter published another article (Attachment 3) on asbestos in Brick Township drinking water. This article made erroneous reference to a 1979 statement from EPA to AACPP that "there is now some direct human evidence that there is a relationship between asbestos in drinking water and increased cancer risk." This statement was used by the activist group as a rationale to replace the thirty miles of A/C pipe in place.

On April 29, 1981, Staff contacted Ciesla again. He advised that Cahill's credentials had been received and that it was apparent that he was a journalist who relied on the "sometimes expert opinion of others." Ciesla recommended to the City Council that Cahill not be retained. This recommendation was received favorably, particularly in view of the \$3,000 price tag attached to Cahill's services. Ciesla plans to formally agree to have BTMUA keep abreast of all developments regarding A/C pipe and health so that immediate action can be taken, if necessary. He, of course, does not

CAPCO JEN 0023267

expect the need for such action. Ciesla believes that the problem is going away, although at a painfully slow pace.

Action Required

1. Routine monitoring by AACPP Staff.
2. Special counsel will attempt to obtain the formal complaint filed with DEP and DEP's response to same.

JFW/ajb

cc: A. Kahn, Esq.
N. Rahn, Esq.
M. Greenberg, Esq.
N. Battle

copies to: Public Affairs Committee

H. Olson
I. Adams
B. Cook
W. Perrell
J. Woods
J. Baker
T. Dougherty
D. Stinson
W. McCallie

International Affairs Committee

R. Dorner
E. Van Der Rest
B. Giboin
R. Hobbs
C. Walters
A. Saoulis
R. Jalan
V. Pattabhi
H. Hudson
C. Barton
S. Al-Tarkait
E. Costa

•• Ashbury Park Press/Thurs. March 26, 1981

n Ocean

Authority hires Virginia man who barred asbestos pipe

BRICK TOWNSHIP — A Virginia man who claims to have helped in the successful effort to ban asbestos cement water pipes in the city of Chesapeake will be hired to discuss his findings on the matter before the Municipal Utilities Authority.

Carl Cahill, of Chesapeake, Va., in a letter to the authority's attorney, said he had "assembled more than 80 pounds of information on asbestos cement pipes and the hazards of ingested asbestos fibers."

"The problem of asbestos in water has been a concern of mine since 1973 and partially through my efforts Chesapeake — in 1978 — became the first city in the nation to ban installation of A/C pipe because of health reasons," the letter said.

"Also, and again partially due to my efforts, Connecticut in October 1980 banned installation of the pipes," Cahill also wrote in his letter.

In approving the resolution to hire Cahill, authority attorney Charles E. Starkey was authorized to research Cahill's background.

The decision to hire Cahill for a \$3,000 fee came after a group of homeowners from Sutton Village condominium and the Hollywood Manor housing development protested to the authority last night that it had not taken sufficient action on the possible hazards of asbestos cement water pipes used to distribute the township's water supply.

Cahill will be hired to speak at a special authority meeting to which representatives from the state Department of Environmental Protection and the federal Environmental Protection Agency will also be invited, according to Warren Wolf, authority assistant treasurer.

While authority officials said they share the residents' concern over the asbestos pipes, they said they have not yet received conclusive information that the pipes are potentially hazardous.

An estimated 10 percent — or 30 miles — of the authority's water pipes are made of asbestos cement.

Asbestos is a mineral that is considered to be a cancer causing agent when inhaled, but studies have not yet shown that asbestos is carcinogenic when ingested or inhaled, according to the authority.

In his letter, Cahill said that asbestos fibers "pose an even greater threat to health" when they are emitted from certain home appliances.

"Often overlooked by utility companies — but an even greater threat to health — are the (asbestos) fibers which are emitted from clothes dryers, home humidifiers and vaporizers. Inhaled asbestos, as you well know, causes asbestosis, lung cancer and mesothelioma," Cahill said.

Meanwhile, over 400 residents have signed a petition demanding that the pipes be replaced.

"Being aware that there is disagreement among experts on what is a safe level of asbestos fibers in drinking water, we refuse to accept any amount of asbestos fibers as

acceptable for potable water coming into our homes through asbestos cement pipes," the petition states.

Andrew Ciesla, authority executive director, said last night that testing conducted by the Franklin Institute in Philadelphia showed that water tests at Amy Court in Sutton Village contained asbestos fibers longer than five microns.

Fibers longer than five microns are considered dangerous by health experts because they are more easily retained by the body.

Residents from Sutton Village will have a public meeting 8 p.m. April 8 in the Sutton Village Clubhouse on Sutton Drive to raise increased pupil support for the removal of all asbestos pipes in the township.

In other action, the authority adopted its new 1981-82 budget of \$9,355,693, an increase of 16 percent from last year's budget of \$8,015,553.

The new budget allocates \$1,038,650 in

capital outlay costs; \$1,921,725 in debt service; \$2,761,100 in temporary financing; \$3,634,148 in operations.

They also gave preliminary approval to a plan under which Burnt Tavern condominium owners would receive individual bills for water service.

The condominium is the only development in the township that had been paying a single water service bill, according to Starkey.

The condominium association, which ed residents for water through the township maintenance fee, has an unpaid bill \$40,000, he said.

Under an agreement with the association, the unpaid balance will be paid at rate of \$1,000 a month at 1 percent interest for the next 51 months, he said.

Individual homeowners will be billed quarterly for \$51.50 for minimum service; the association will pay for any excess used, Starkey said.



A/C Pipe
Producers Association

ATTACHMENT 2

1600 Wilson Boulevard,
Suite 1308
Arlington, Virginia 22209
(703) 841-1556

March 26, 1981

Mr. Andrew R. Ciesla
Executive Director
The Brick Township Municipal Utilities Authority
1551 Highway 88 West
Brick Town, New Jersey 08723

201-458-7000

Dear Mr. Ciesla:

Your February 9, 1981 letter to the Director of Research, Union Carbide Corporation, recently was forwarded to this Association for appropriate action.

It is the industry's position that there is substantial scientific evidence to support the conclusion that the use of asbestos-cement (A/C) water pipe does not create a public health hazard. The potential health effects of the ingestion of asbestos have been studied for at least 10 years, using data bases extending for up to 35 to 40 years — well beyond the latent period for cancer — in Connecticut, Duluth, Minnesota, Canada and the Pacific Northwest where large amounts of asbestos are present in drinking waters. All such studies have not shown that there is a cause and effect relationship between asbestos in drinking water and disease.

Moreover, studies in which test animals have been fed monumental amounts of asbestos do not support the proposition that the ingestion of asbestos is harmful. The Environmental Protection Agency and all state health departments known to have considered the question have rejected a conclusion that the use of asbestos-cement water pipe constitutes a public health hazard. The Association has no reason to believe that this is not the position of the New Jersey Department of Environmental Protection as there are no restrictions on the sale or use of A/C pipe in the State.

Enclosed are the following materials:

1. An executive summary of scientific evidence on A/C pipe and drinking water.
2. "A/C Pipe and Drinking Water"
(A/C Pipe Producers Association)
3. "A Study of the Problem of Asbestos in Drinking Water"
(American Water Works Association Research Foundation)
4. The recently released results of a multi-million dollar animal feeding study being conducted by the National Institute of Environmental Health Sciences.
5. Correspondence from Environmental Protection Agencies Region 4 and 6, which state their respective views on the safety of A/C pipe vis a vis competitive materials.



A/C Pipe
Producers Association

Mr. Andrew R. Ciesla
March 26, 1981
Page 2

6. Position statements of state health departments on the safety of A/C pipe.

Copies of epidemiological and animal feeding studies referenced in the above materials also are available if you require them. If you have questions or require additional information, please call.

Very truly yours,

A/C PIPE PRODUCERS ASSOCIATION

John F. Welch
Director
Public Affairs

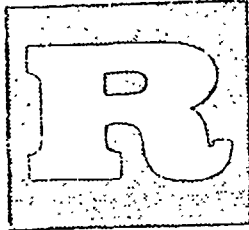
JFW/ajb

Enclosures

cc: A. Kahn, Esq.
N. Rahn, Esq.
M. Greenberg, Esq.

FP/1
Chrono

John Welch



OCEAN COUNTY

REPORTER

VOL. 26, NO. 94

WEDNESDAY, APRIL 8, 1981

Brick showdown over asbestos?

By GENE GATENS

Political involvement in the asbestos-cement pipe issue in Brick Town grew last week as one town council member condemned the use of the pipe. Moreover, another member and two council candidates are expected to attend a meeting tonight of a group demanding the replacement of the pipe in the township.

Meanwhile, Bricktown Citizens for Clean Water spokesman Paul Yanchosky charged the Brick Township Municipal Utilities Authority (BTMUA) with "d dragging its feet" in efforts to obtain information on the possible health hazards connected to the pipe in the hope that public support will fade.

Yanchosky also reported that he has filed a formal complaint with the state Department of Environmental Protection (DEP) on the use of the controversial pipe.

The nearly 100-member anti-asbestos

pipe group wants the 30 miles of a-c pipe in use in the township replaced immediately.

The group not only believes reports that the pipe, which emits tiny asbestos particles that flow through drinking water supplies, is a cancer risk, but it also says there are economic factors which dictate the immediate replacement of the pipe.

Group members say they don't want to continue paying maintenance costs on a water system that they do not feel safe about. They say that they would rather pay to replace the pipe now than to be faced with higher pipe installation and other construction costs in five, 10 or 20 years, when water utilities may be ordered to be remove the pipe by health officials.

Only 10 percent of the water system in Brick Township is asbestos-cement pipe.

Brick Township Councilman Ronald Jones said he stands by all the points

(Continued on Page 4-A)

(Continued from Page 1)

made by the group concerning removal of the pipe, and noted that he believes much of the pipe in question is 25 years old and should be showing signs of wear—a condition which could aid the breaking off of asbestos fibers into the drinking water supply.

"There is no question that the pipe should be removed," Jones said.

Jones said he will attend a meeting of the clean water group tonight at 8 p.m. at the Sutton Village Clubhouse on Sutton Drive in Sutton Village in the township.

Yanchosky said councilwoman Mary Anne Butler and council candidates Anthony Nappe and Albert Neuhaus are expected to attend also.

The Bricktown Council of Concerned Citizens has also announced its support for the group.

Yanchosky this weekend charged the BTMUA with "dragging its feet" in efforts to contact a-c pipe activist Carl Cahill.

The authority voted unanimously at its Wed-

nesday, March 25, meeting to instruct board attorney Charles Starkey to contact Cahill for a check of his background and credentials.

On Friday, Starkey said he had just returned from a three-day trip to Massachusetts and that a letter to Cahill would be in the mail that day.

Cahill, an advertising man by trade, conducted a successful, one-man crusade in 1978 to have a-c pipe banned in his hometown of Chesapeake, Va.

The information he gathered on the pipe was later useful in a movement to have the pipe banned in the state of Connecticut.

Cahill has told the group by phone that he would accept an invitation to present his information to the authority for a fee of \$3,000 plus expenses. But at the time of this writing he had not been contacted.

Yanchosky said he is not surprised that it has taken the authority more than one week to contact Cahill.

"They (the authority) are trying to prolong things for as long as possible in the hope that the issue, and public interest, will die," Yanchosky said.

"Well I've got news for them," Yanchosky said. "Public interest is growing."

In other action, the group last week filed a formal complaint with the state Department of Environmental Protection (DEP) in Trenton on the use of the pipe in the township.

In a letter to DEP Chief of Public Participation Richard Gimello, Yanchosky said that the federal Environmental Protection Agency's 1972 statement to the Asbestos Pipe Producers Association that "there is now

some direct human evidence that there is a relationship between asbestos in drinking water and increased cancer risk" is, in the group's opinion, "reason enough to replace the approximately 30 miles of a-c pipe in use in the township with a proven safe pipe."

Yanchosky said he and other citizens question the accuracy of an \$11,000 per year BTMUA estimate to maintain the asbestos pipe in the township.

Calling the figure "a gross underestimate," Yanchosky stated the group's beliefs on why the pipe should be replaced now.

Stating that the water system in Dover Township is nearly 100 percent asbestos-cement pipe, Yanchosky said he believes "political pressure could restrain the BTMUA from doing the right thing for its customers."

Yanchosky said BTMUA-commissioned tests of water in areas of Brick Town where the pipe is used showed as many as 70,000 asbestos fibers of five microns in length in one sample taken.

"We want no asbestos in our drinking water," Yanchosky said in the letter.

He said the authority's "reluctance to act aggressively and responsibly" in the Cahill matter "has resulted in the authority's total loss of credibility in the eyes of citizens."

According to authority chairman William Miller, "nobody on the board is opposed to replacing the pipe. But we would first like evidence that there is something about it that is harmful."

Miller expressed concern over installing alternate types of pipe in the event that the authority did

resolve to replace the a-c pipe.

"Is somebody going to tell us there is something wrong with iron pipe or plastic pipe after we rip up the a-c pipe?" he asked.

Miller confirmed Jones' belief that most of the a-c pipe in use in the township is 25 years old, but he explained that the BTMUA has never used the pipe for installation.

He said the a-c pipe presently in use was installed before the authority purchased the water system from another water utility.

He said the authority uses only ductol iron pipe to replace damaged asbestos-cement pipe.

Miller included that the authority is trying to obtain early the results of federal Environmental Protection Agency (EPA) tests on asbestos ingestion.

Findings on the tests, in which rats are fed asbestos with their daily diets and then studied at EPA research labs in Cincinnati, are expected to be conclusive.

Tests results are not expected for another year.