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Merle Bundy, M. D.
Medical Director
Room 1629
United States Steel Corporation
525 William Penn Place
Pittsburgh 30, Penna.

RE: William Scott
(our No. I.M. 456)

Dear Merle:

I have critically reviewed and studied the transcripts of hearings which were forwarded to me by G. T. Skinner, Esq. of the Law Department, United States Steel Corporation. The transcripts pertain to testimony of witnesses in the interest of the Claimant, Thelma Scott, widow of the Deceased.

With respect to the testimony, I am impressed with the weight of evidence presented by the various witnesses, notably, Mrs. Thelma Scott; Emerson Venable, Chemist and Industrial Hygienist; Charles C. Bookert, M. D., Physician to the Deceased; and W. C. Hueper, M. D., National Cancer Institute, United States Public Health Service. In essence the seemingly most pertinent bits of testimony are as follows:

1. Mrs. Thelma Scott establishes that her husband, the Deceased, worked in the Clairton Plant for a period of approximately 16 years (Thanksgiving Day 1942 to August 16, 1958). She further tells that her husband often complained about the smoke from the coke ovens, said smoke caused choking like in the chest. It appears that the case of the Deceased was first diagnosed as Pulmonary Tuberculosis for which he was hospitalized, under anti-tuberculosis therapy (September 16, 1958 to January 11, 1959). Subsequently

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on January 11, the Deceased was admitted to Western Pennsylvania Hospital where he remained until February 23, 1959, having been discharged as a hopeless case (Cancer of the Lung by biopsy). The patient died at home on April 9, 1959.

2. Death Certificate discloses that a biopsy of bronchus, made on Jan. 16, 1959 disclosed a poorly differentiated epidermoid carcinoma.
3. Dr. Charles Bookert discloses that he attended the patient after his discharge from the hospital to home. Dr. Bookert further discloses that in his years of practice in Clairton he has seen many cases of malignancy in men who had worked on the coke ovens. Subsequently he names a number of his male patients who had so worked and who had died of Cancer of the Lung.
4. Mr. Emerson Venable testifies that at least two job situations of the Deceased offered exposure to smoke and fumes of coal tar and coal tar pitch and that these two jobs totaled 830 days of the Deceased employment at the Clairton works.
5. Dr. Hueper cites epidemiological evidence concerning the high incidence of lung cancer which attends coke oven operations. He answer the hypothetical question by saying there is reasonable probability that the Deceased during his work became exposed to the inhalation of carcinogenic material originally from the coke ovens, and this exposure was particularly related to his work on the doors of the coke ovens.

I recognize that there may be serious doubt concerning the validity of the statements and views expressed by the above witnesses and as stated in the hypothetical question advanced by the Claimant's Counsel. Nevertheless, in view of the evidence and of my personal

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studies concerning the etiology and genesis of cancer of the lung, it seems to me that it would be extremely difficult to deny -

- a) that the Deceased experienced a significant occupational exposure to the inhalation of substances having the ability to produce cancer.
- b) that the Deceased died of primary bronchogenic (lung) cancer on the basis of bronchial biopsy.
- c) that the Deceased's history of cigarette smoking is unimpressive as a possible factor in the causation of his lung cancer.
- d) that other workers, similarly employed in the same plant did die of primary lung cancer and that the attack rate is higher than in cohorts living in the same community or indeed working in the same plant but without comparable exposure.
- e) that world wide epidemiological studies disclose a high incidence of lung (bronchogenic) cancer in workers significantly exposed to the inhalation of smoke and fume emissions from coke oven operations.

In view of the above and unless startling factual evidence is presented in the interest of the Defendant, it is my personal feeling that every effort should be made to reach a settlement, rather than to contest the case in the Court of Law. Frankly, and in all honesty, I doubt that the case can be won by the Defendant on the basis of the evidence already presented, albeit by Claimant's witnesses.

Sincerely yours,

AJV:ebh

Arthur J. Vorwald, Ph. D., M. D.
Professor and Chairman
Department of Industrial
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