ZONOLITE

CONSTRUCTION PRODUCTS DIVISION

07540

RECEIVED
MAY 4 1973
CAMBRIDGE

INTER-OFFICE CORRESPONDENCE

TO: B. R. Williams

DATE: May 1, 1973

FROM: C. H. Wendel

SUBJECT:

CC: T. P. Feit
T. W. Pickthall

The following is an excerpt from Walt Pickthall's weekly report:

"I wrote you about the gal that was writing the story on the asbestos being used in the Tishman Building. Dr. Cooper sent me the enclosed. Alberta made a couple of extra photo copies so you can send to Bruce and Tom.

"There are also two letters enclosed which Cooper wrote as the result of the story. One is to the gal that wrote it covering a few of the discrepancies (there are many more). The other letter is to the Wells Fargo Bank data processing department who will occupy part of the Tishman Building. They got upset about the hazardous occupancy they were about to move into and contacted Dr. Cooper. Note where they are presently located. Remember Jack Smith's famous excursion with Cafco? Wells Fargo Bank Building.

"Don't see that we have any legal responsibilities or that we can do anything about the story but knowing how these things go these days I'm sending all along.

"Note that Gene is a nice guy and used MK-4 on his job. Bob is a bum. Gene said yesterday that it was nice to wear a white hat."

CHW:me

PLAINTIFF'S EXHIBIT WR6-299

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Ex. 2025
12-14-88

PACIFIC REGION

GRACE

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)UNDED KNEE p.12

ASBESTOS: AIR POISON p.6

BAY GUARDIAN

Introducing the Guardian Literary Supplement

With extracts from unpublished Bay Area writing, plus reviews, specialty bookstores, small press newsletters and literary gossip . . .

ce 1966– The largest circulation alternative newspaper in Northern California. Published fortnightly on Thursdays.
L. 7 NO. 12, APRIL 12 THROUGH APRIL 25, 1973

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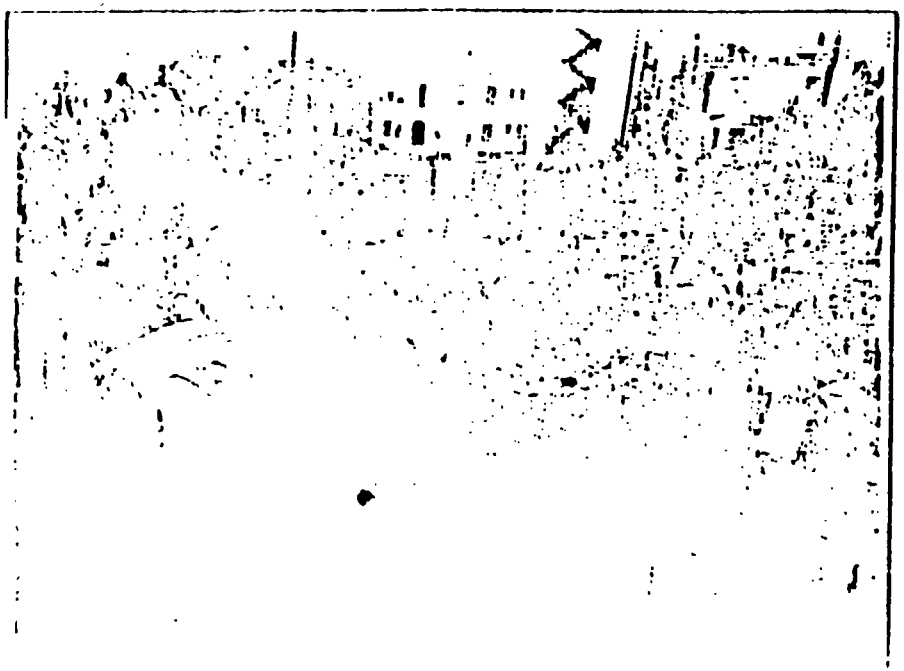

How to plan, cultivate, harvest a City Garden, inside or out. An urban farmer's guide to seeds, tools, pest control,

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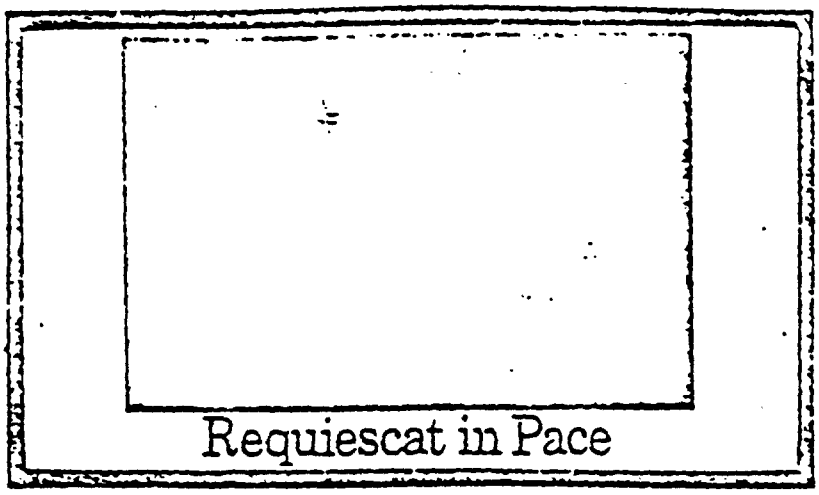

Requiescat in Pace

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(Wilbur F. Storey: Statement of the aims of the Chicago Times, 1861)

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April 12 through
April 25, 1973

Printed at Waller Press, a Union shop

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CONGRESSIONAL ?

I have just seen a co; your excellent article o: drug prices. Congratula: fine job.

Earlier this month, I the results of an 18-mon on retail drug price com (copy enclosed). It show consumers are overcharg cess of $1 billion a year scriptions. Rx drugs are the only commodity on ket today for which there retail price competition ious on the wholesale lev

Here's hoping work s ours will introduce retai macy to a revolutiona cept in doing business — the free enterprise syste

Benjamin S. Rosenthal
8th District, New York
U.S. House of Represen

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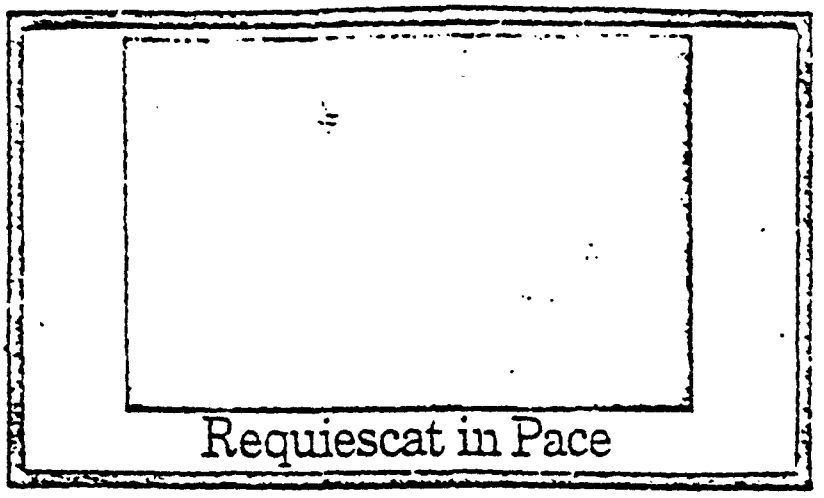

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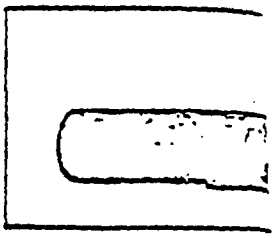

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Our Lethal Asbestos E

By Madeline Nelson

Back in February, construction workers on the big new Tishman Building, going up at First and Market in SF, noticed that they were spraying an asbestos material called Mono-Kote 3 in spaces which would later be used to recirculate air throughout the entire building. They knew that the asbestos could be extremely harmful to health, and that it could end up permeating the air of this 38 story building, and that spraying in such areas violates California's one serious anti-asbestos law in the Health and Safety Code. And so they complained.

They complained to the California Department of Industrial Safety, which refused to step in because the asbestos poison wouldn't affect the construction workers themselves, it would just affect the people who work in the building after completion (Wells Fargo will be the major tenant, filling 20-22 stories with computer workers.)

They complained to the State Building Standards office, which refused to step in since the law is part of the Health and Safety Code, not the building standards.

They complained to the State Health Department, which could only admit that, well, actually the law doesn't say anything about enforcement. And that's about all they were able to get out of official governmental and regulatory agencies.

Finally, they complained to the Guardian. And after our investigation of the effects of asbestos and the ways it is used in the Bay Area, we discovered a very simple fact: regulation is virtually non-existent here, or in the state of California. With a construction boom in full swing and scores of new buildings going up, the Tishman story is being repeated over and over; and despite 65 years of accumulated medical knowledge about the dangers of asbestos, almost nothing is being done locally to curtail its use.

Asbestos is one of the miracles of modern construction. Most buildings erected in the last half-century use it, in some form, for its fire-resistant qualities.

But asbestos is also a killer. It is one of the most deadly air pollutants in existence, the proven cause of crippling respiratory diseases and cancer; it is so deadly that New York City, Boston, Chicago, Philadelphia and the state of Illinois have all passed laws strictly forbidding the spraying of asbestos. This is a step the Bay Area and California have yet to take. The result: construction workers, asbestos workers, office workers are inhaling poisonous asbestos fibers daily—all because nobody, from the building contractors to the highrise corporations to the Governor and the legislature is doing anything about it.

Here's what asbestos can do to people:

▶ Asbestos workers (40,000 nationwide) and c struction workers (5,000,000), who are exposed bestos in their daily work, risk getting asbestosis pling and sometimes fatal scarring of the lungs, a that makes it hard for the victim to breathe and sible for him to engage in any physical activity more than a few minutes.

In a study of 392 people who had worked w bestos for more than 20 years, 339, or 86%, had tosis. Reducing the period of exposure may incr the time before a person comes down with the d but there are cases of workers with as little as six exposure who, 20 years later, are crippled by asb sis.

Exposure to asbestos makes a person who sm much more susceptible to lung cancer than the n smoker—and 92 times more susceptible than a p who neither smokes nor works with asbestos.

▶ Within the past 15 years, researchers have di covered the most frightening effect of asbestos f people not engaged in asbestos-related work: me lioma, a cancer which, until recently, was consid medical curiosity. Dr. Clark Cooper, who headed National Academy of Science panel on asbestos now a consultant to West Coast unions, explains asbestos fibers in your lungs work their way out the lung lining. Once there, 10 or 20 or even 50 later, they may cause a cancer which will kill, pa within a year.

"You know, we have damn near as ma or more, people who work with asbestos there are coal miners in the country. But body cares about us, because we don't ha disasters. The miners have a disaster and picture shows up on the front pages with ty faces and everybody feels sorry. So th put a black lung bill through Congress. W have a higher percentage of people dying respiratory trouble but nobody gives a d about it." —William Bernard, Secretary-Treas Asbestos Workers Union, quoted in the New Yo Times.

7543 C

Environment

Long or even direct exposure seems unnecessary. A Massachusetts woman who worked in an asbestos factory for six weeks during World War II died of mesothelioma more than 20 years later. A woman in South Africa who played in an asbestos dump on her way home from kindergarten died of it 50 years later. Asbestos workers have died of it. So have their wives, who clean their clothes, and their neighbors in the asbestos mill towns.

Because of the long latency, nobody is sure how many people who work in cities with asbestos pollution will die of mesothelioma—but what *is* known is that increasing numbers of people have asbestos in their lungs. In New York, a random sample of autopsies showed 48% of the people had asbestos in their lungs; in Pittsburg the rate was 98%. With asbestos in the air from building construction, with it in the air circulating systems of some buildings, chances are that a large percentage of Bay Area residents who work downtown already carry asbestos fibers in their lungs.

Asbestos is used in homes, cars, factories, shops, planes, trains; it has been sprayed on such SF buildings as the Bank of America, Embarcadero Center, Federal Building, Hilton Tower and PG&E. Whenever it escapes into the air, as it does from spraying buildings or hosing out brake linings or cutting up floor tiles, someone breathes it—and keeps fibers in his lungs. It does not biodegrade in the body. "Once you get it in your lungs," says Dr. Irving Selikoff of Environmental Sciences Laboratory, Mount Sinai Hospital, the nation's top asbestos researcher, "it stays forever and as years go by your lungs continue to be exposed—even though you may be out in the Rockies."

This is the kind of danger that California and local governments are blind to when they fail, again and again, to take the responsibility to challenge the manufacturers of asbestos and impose strict rules and bans. What about situations like the Tishman Building, where the only real anti-asbestos law was evidently violated? William Steffen, of the Dept. of Industrail Safety, could only remark that "the whole thing is all screwed up."

That won't help the people who will work and do business in the Tishman Building. The first time a repairman goes into those asbestos-lined passages and knocks off some dust, and the air circulating system takes it around the building, they will all add a little more asbestos to their lungs.

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Area: the buildings now standing contain tons of asbestos, and when they need repair or are torn down, those tons of asbestos will be released into the air. New regulations from the US Environmental Protection Agency (EPA) demand asbestos be wetted down during demolition (to prevent dust) and that it be dropped to the ground in airtight chutes.

The obvious problem in the Bay Area, of course, is that the next big earthquake is unlikely to find the city ready with airtight chutes and hoses to keep all that asbestos out of the air.

What can be done to get the asbestos out of the air? Dr. Cooper, the consultant to the asbestos workers union, has concluded that asbestos spraying should be banned, as in many eastern cities. Four years ago, he told me, he thought the poisoning of the air could be controlled short of abolishing spraying, but he has changed his mind for the simple reason that the asbestos level in the air all around the city is now similar to the level right around construction sites.

"We must have a timetable for abolishing asbestos," Cooper argues. "There is no place for ambient air standards." Ambient air standards, which set an "allowable level" of asbestos in the air, were adopted by San Francisco in 1971; beyond these standards, efforts in the city and California have centered on cutting the asbestos level by *better ventilation, clean-up procedures,* special clothing and respirators –and yearly checkups to see how bad a worker's lungs have gotten.

Nationally the record of asbestos control isn't much better. The U.S. Dept. of Labor, after consulting a committee of "experts" (31 of 34 drawn from the asbestos industry), left the acceptable level of asbestos at the very high 5 fibers per cubic centimeter of air. Selikoff charges that the ruling has thrown "50,000 more lives down the drain," and the AFL-CIO has taken the Dept. of Labor to court for failing to protect workers.

...1971, recommending the banning of all asbestos spraying. But the agency then failed to issue final regulations until environmentalists went to court to demand them, and EPA finally released the rules this April 6.

The rules are considerable weakened. Spraying is still allowed, just with sprays of less than 1% asbestos content which will help, but not solve the problem. In demolition of buildings every pipe, boiler and structural member must be wetted and stripped of asbestos and the debris must be wet to prevent dust. The hitch is that most buildings with sprayed asbestos are relatively new and won't come down soon, so the asbestos fibers could be seeping into the buildings' air systems for a long time.

Meanwhile, California is stuck with an anti-asbestos provision of the Health and Safety Code which doesn't even have an enforcement clause, and which confuses matters further by barring asbestos technically only if it is not coated with a sealant which would keep the asbestos from coming off.

The State Dept. of Public Health states that no such sealant does or could exist, so no asbestos should be sprayed in air circulation areas at all; manufacturers argue the point, and nobody enforces the law.

What are the alternatives? Right now, since safety has not been accepted as an important issue by the government, the manufacturers or building contractors, *everybody points to the lower cost of asbestos as a major argument in its favor.* But right down the street from the Tishman Building (with its asbestos spray), the new Metropolitan Building is using Mono-Kote 4, an asbestos-free fireproofing.

SF Building Inspector Alfred Goldberg claims that he can do nothing because "the state has preempted the ...construction safety; but banning asbestos spray doesn't just protect the workers, it protects every person who ever comes near the construction site or the finished building.

Until more stringent controls go into effect, building architects can control the problem by specifying non-asbestos material. This almost happened, in fact, on the Tishman Building: architect J. C. Warnecke's office specified either Mono-Kote 3 (asbestos) or Mono-Kote 4 (non-asbestos), whichever met all legal requirements, and the contractor went ahead and picked Mono-Kote 3.

While asbestos spraying continues, it becomes crucial that the workers in direct contact with it follow at least elementary precautions. Workers on the Tishman Building, for example, were observed spraying and cutting asbestos by hand, without wearing masks.

Like the current strike against Shell for more healthy working conditions, the asbestos issue is one on which the unions and the environmentalists can fight together, instead of the union standing alone as it has up to now. Banning asbestos will clean up the air for everyone, it will save lives in the construction industry and it will not, even according to union officials, throw union workers out of jobs, because asbestos substitutes do exist and will have to be used.

Action: Every level of government *can act to ban* asbestos spraying, though a federal law is the most desirable since it protects everyone. Write your Senators and Representatives asking for such legislation, letting them know that the new EPA rules aren't enough.

In California, write legislators, telling them the same things. On the local level, ask Building Inspector Goldberg and the Supervisors to enact a ban now. Ask them why San Francisco is dragging its heels when New York, Boston, Philadelphia, and Chicago have already acted. □



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