

Attorney: Stricter standards won't help disease victims

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Stricter asbestos standards approved Wednesday by the Labor Department were long overdue but won't help the families of workers with asbestos-caused diseases to win damage suits, a local expert said.

"I don't see that it will affect current asbestos litigation at all," said Marlin Thompson, an Orange attorney who pioneered asbestos liability law. "Our clients have the diseases from exposure under the old standards," so the new exposure limit isn't an issue.

"But I'm glad to see stronger regulations are finally coming down," Thompson said. "If we had this standard 10- or 20- or 30-years ago there wouldn't be nearly as many people with asbestos diseases who are dying right now."

Thompson said the new standard, if strictly enforced, will reduce the risk to many shipbuilding and oil industry workers who still are exposed to some forms of asbestos, but won't completely eliminate new cases of two deadly asbestos diseases.

Thompson said several prominent asbestos researchers believe no level of exposure to asbestos is

safe because a single asbestos fiber can cause mesothelioma, a fatal cancer of the lung and intestine lining.

The new maximum exposure level of a half-fiber per cubic centimeter of air means workers still could breathe thousands of fibers per hour.

Thus, the new standard should do more to reduce asbestosis, a chronic lung disease produced by regular exposure to asbestos fibers, than to reduce cancers, he said.

Thompson's firm has handled asbestos cases since 1963, and in 1972 he won an asbestos death case which, when upheld in federal appeals court, first opened the door for the thousands of cases now pending against companies that manufactured asbestos or exposed workers to it.

Dewey Cox, Rollermakers International representative for 6,000 members in Texas and Oklahoma, said he also is "pleased" by any tightening of the exposure standards.

"It helps some, yet it doesn't do any good for all our people who are getting sick today . . . those who got in contact with asbestos 30 years ago," Cox said.

"It affects workers sometime 30 years after contact" while already "we have had some deaths we feel are directly attributed to asbestos contact."

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