July 27, 1964

Mr. Albert Houck
5 West Market Street
Lewistown, Pennsylvania

Dear Mr. Houck:

I have gone over the questions which you prepared to put to the Sitkin's Smelting Company, and have thought about the matters at issue. This kind of inquiry is out of my province, and in fact is new to me, and therefore I have no feeling of confidence in the worth of any suggestions that I might make, for additional questions or for any modifications of those which you have formulated. There are two matters, however, that seem to me to be of importance in establishing the factual background of these operations. You will be able to decide, better than I, whether they are suitable for inclusion in this type of inquiry, and if so, how they should be formulated into questions.

One of these relates to the matter of whether at any time consideration was given to the location of this plant, and to the design of its stacks to counteract the "chimney" effect of the valley. This is a matter of topography (i.e. the valley as such) and of meteorology (the direction and velocity of air currents into which the stack (or stacks) would empty their contents). Did they consult any ventilating engineer or meteorologist, or both, with respect to the disposition of the effluents from the stack or stacks? If so who and when? This, I think, is an important matter, for if the Company has any knowledgeable technical people, they should have known enough about this problem, historically, (there have been famous cases in connection with smelters in Western United States and in Canada - large ones to be sure, but well known), to give thought to it in their own case.

The second point has to do with a matter that interests me very much, and also involves the assessment of the degree of concern of these people for the safety of their own employees. I wonder how it was possible for them to operate a plant as dirty and disorderly as this seemed to be, without having cases of lead poisoning among their employees. There must have been illnesses, claims for compensation, and case records in the hands of the local physicians. There must also have been a very considerable "turnover" among their employees. The numbers of such cases that have occurred, what they have done about them, and what precautions they have taken to safeguard their employees, and what help of physicians and industrial hygiene engineers they have sought and obtained in so doing - those are all matters of importance in establishing whether this organization has any knowledge in these matters, or any sense of its responsibilities in looking after them. Regardless of whether their shortcomings (whatever they may have been) were the result of

sheer ignorance of matters which must be dealt with by competent and responsible management, or whether they simply chose to disregard these matters by callously looking the other way, their record may (perhaps, but in all probability) be shown to be very bad. Such a record will not help them in a suit of this type.

It may not be possible or desirable to include these matters in this inquiry. There are other and perhaps better ways of getting at these facts. They can and, in my view, should be inquired into in the appropriate manner.

I shall be out of my office and out of reach (except in emergency) from July 31 until September 2nd. I hope, therefore, that nothing that I could supply will be needed during the month of August. After that time, I shall be available.

Very truly yours,

RAK:vr

Robert A. Kehoe, M D.