

Radon: A Rerun of Asbestos?

The Senate Environment and Public Works Committee is holding hearings on four different bills that would vastly increase spending for the reduction of radon in homes and in schools. The eventual cost has been estimated from \$20 billion up to \$1 trillion. Such regulatory mania is startlingly reminiscent of the asbestos fiasco.

The 1987 Asbestos Hazard Emergency Reduction Act forced schools all over the country to rip out asbestos insulation at a cost of \$2 billion or more a year. But last year the Environmental Protection Agency (EPA), under quiet pressure from scientists and others, had to confess that removing the asbestos in homes, schools and other buildings might be more dangerous than leaving it in place.

A growing body of research, much of it published in the prestigious *Science* magazine, showed that the dangers of airborne asbestos were infinitely lower than EPA had assumed. Now *Science's* senior editor, Philip Abelson, has taken on the issue of radon. There is a fast-growing body of epidemiological research that shows no evidence of any raised lung cancer dangers from this source, either.

On the opposite page, we offer excerpts from a recent speech by Mr. Abelson to the Science Writers Workshop in which he denounces the "radon flimflam" and accuses the EPA of fomenting "needless anxiety for millions of people" by issuing risk numbers "that are not supported by epidemiological studies."

Indeed, observes Mr. Abelson, virtually all of the evidence suggests that an elevated level of radon, a naturally occurring radioactive gas that can seep into basements, coincides with a lower lung cancer death rate. While that may not prove radon is good for you, it suggests that even at residential levels well above those which EPA contends are "danger-

ous," there is no danger. Mr. Abelson accuses the EPA of trying to "brainwash the public" for its own purposes.

Let's you think these are harsh charges, right across the river in Canada, authorities have set a "danger level" for radon of 20 picocuries per liter of air, which is five times as high as the EPA. Canadian officials, no shrinking violets when it comes to the environment, do not even recommend costly remediation for anything less than 50 picocuries, or 10 times the U.S. "danger level."

At those levels, fewer than 10,000 U.S. homes would need remediation. At the EPA level, some 10 million would have to be "fixed" at a cost of \$2,000 each, or \$20 billion. The purpose of the congressional hearings now under way is to tighten the U.S. standards even further. Environmental hard-liners want 70 million homes fixed at an average cost of \$14,000 each, a total of \$1 trillion.

Incidentally the Canadians are well into a major epidemiological study of their own to determine if radon levels have any influence on cancer. Their first preliminary "finding" assures a negative result: 96 percent of the lung cancer cases they have identified are also smokers.

As Rosalynn Yalow, a Nobel Laureate in nuclear medicine, told the science writers in Washington, before people began to smoke, lung cancer was virtually unheard of. There were fewer than three cancer deaths per 100,000 compared with nearly 50 today. Yet radon was just as ubiquitous then as it is today. She concluded that residential radon is simply not a public health problem.

Some in Congress seem eager to push the EPA to repeat the asbestos mistake. We hope their colleagues show more sense.

Celotex Loses Attempt to Avoid Punitive Damages in Asbestos Case

WASHINGTON (AP)—The Supreme Court yesterday rejected an appeal by a building supply company ordered to pay \$1.55 million in punitive damages to employees in Texas who suffered asbestos-related injuries.

The justices, without comment, let stand a ruling that Celotex Corp. fairly was being forced to pay damages in a series of lawsuits stemming from the same conduct.

The justices on March 4 refused to place limits on punitive damages as it upheld a \$1 million jury award to an Alabama woman victimized by insurance fraud. The court said the award was not so disproportionate to the damages suffered by the woman that it violated constitutional guarantees of fundamental fairness.

The March ruling did not address so-called mass tort cases like the one at issue yesterday. Asbestos industry lawsuits are examples of such cases, in which hazardous products can cause disease and death to thousands of people.

Celotex, headquartered in Tampa, Fla., said it has

been forced to pay some \$250 million in damages in asbestos lawsuits nationwide.

In the Texas case, the company was ordered to pay \$1.9 million in compensatory damages and \$1.55 in punitive damages for several employees who were exposed to asbestos dust.

Celotex said the punitive award is unfair, particularly since the asbestos products were made by Philip Carey Corp., a company acquired by Celotex.

Celotex also argued it has been punished thousands of times for the same conduct.

But the 5th U.S. Circuit Court of Appeals ruled against Celotex last July.

The appeals court said, "Even though Celotex has paid punitive damages to other plaintiffs in other cases, the punitive damages awarded in those cases have reflected the harm inflicted upon only the plaintiffs in those suits."

The award to the Texas workers was based on the harm they suffered due to Celotex's conduct, the appeals court added.

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