PLAINTIFF'S
EXHIBIT
BRK-56

BWC BUREAU OF WORKERS' COMPENSATION

Division of Safety & Hygiene, Oliver R. Ocasek Government Office Bldg.
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December 12, 1991

Judy Spencer
Legal Section
Industrial Commission of Ohio
30 W. Spring Street, 9th Floor
Columbus, Ohio 43266-0581

OD 40071-22
Thomas Pope - Dec'd
U.S. Steel Corporation
Lorain, Ohio

Dear Ms. Spencer:

Per your request, the above claim of occupationally induced mesothelioma was investigated. The claim was discussed with Ms. Roberta Spurgeon, the attorney representing U.S. Steel in this claim. Since the worksite has been changed considerably since the decedent was employed with U.S. Steel a site visit was not conducted.

According to company records, the decedent worked during the summers of 1972 and 1973. In 1972, Mr. Pope worked as a general laborer in the No. 3 Seamless Finishing Department. According to an affidavit contained in the facsimile file, summer employees in this department were assigned to perform such jobs as sweeping floors and piling and unpiling pipes. In 1973 the decedent worked as a yard laborer. Ms. Spurgeon described these duties as general outdoor clean-up work.

There was no statement given by the decedent before his death indicating how he was exposed to asbestos. Mr. Arthur Weber, a foreman with U.S. Steel, stated that the decedent worked for him in 1972 and 1973 and that summer employees were involved in tearing out fire brick and making repairs on the open hearth furnaces. However, there are several affidavits in the facsimile file indicating that the open hearth furnaces were shut down in 1971 and therefore the decedent would not have worked in them. Ms. Spurgeon stated that specialists were hired to actually take the furnaces apart and decedent was in no way involved with the demolition work.

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Ms. Spurgeon also contends that the fire brick in the furnaces did not contain asbestos because the asbestos could not have withstood the extremely high temperatures. The Bureau of Workers' Compensation's Resource Center conducted a literature search and did not find any information concerning asbestos in fire brick. Ms. Spurgeon did not know whether there was asbestos in the insulation around the furnaces.

The Bureau's Resource Center also conducted a literature search to find any information pertaining to general asbestos exposure in the steel industry. Three reports were found and copies of the information are included with this report.

A study conducted in Liege, Belgium investigated the asbestos burden in a steel plant environment by counting asbestos bodies (ABs) in the brochoalveolar lavage fluid (BALF) of 65 steel workers ho had retired. The study found an increased prevalence and concentration of ABs in the BALF of the steel workers. The authors concluded, "Steel workers may be subject to nontrivial exposure to asbestos in an industrial plant environment." The authors also stated, "The important point of this study is that steel workers denying any contact with asbestos had a significantly higher AB burden in their BALF than did controls."(1)

Another study investigated asbestos-related disease in employees of a steel mill and a glass bottle manufacturing plant. The extent of asbestos in place in the factories was not known with certainty. However, asbestos was used extensively during processes that involved heating, primarily as an insulation material. None of the workers studied had a history of working directly with asbestos.

The study found, "the presence of significant numbers of workers with astestos-related disease in two industrial sites, a steel mill and glass bottle manufacturing plant, not generally associated with high risk of asbestos-induced disease...Although the exact source of asbestos exposure in these workers is not known, the one industrial process common to both plants is the use of intense heat necessary to produce molten glass and steel. In both plants asbestos was used extensively as an insulator and fire retardant around the furnaces and in the assembly line carrying molten materials."(2)

Mesothelioma is a rare form of cancer that effects the pleura, the lining of the chest, or the peritoneum, the lining of the abdomen.(3) Mesothelioma is inoperable and always fatal.(4) Mesothelioma rarely occurs in people not exposed to asbestos. In the U.S. and Canada, 1 or 2 cases of mesothelioma would be expected per million people not exposed to asbestos.(3) Yet it is estimated that mesothelioma accounts for 7 to 10 per cent of

the deaths of asbestos workers.(4) Mesothelioma has been associated with low level exposures and short exposure periods.(5) Mesothelioma is considered to have a long latency period, the period between first exposure and the appearance of symptoms. Typically, the latenc, period is on the order of 20 to 40 years although mesothelioma has occurred in teenagers which indicates that shorter lantency periods are possible.(6) Once symptoms do occur, the patient's condition rapidly deteriorates. Death typically occurs within a few months. he average survival time following diagnosis is less than 12 months.(7) For more information pertaining to mesothelioma please see the enclosed article from the NIOSH book, Occupational Respiratory Diseases.

In summary, the decedent worked for U.S. Steel during the summers of 1972 and 1973. Company records indicate that he worked as a general laborer and there is no information indicating he had direct exposure to asbestos. A literature search conducted by the Bureau's Resource Center found two studies linking employment at steel plants with asbestos exposure.

Sincerely,

Natalie Reno

Natalie Reno
Industrial Hygienist

References

1. "Occupational Exposures to Asbestos in Steel Workers Revealed by Bronchoalveolar Lavage, Jean-Louis Corhay, M.D., et al, Archives of Environmental Health, Sept./Oct., 1990, pp. 278-282.

2. "Asbestos-Related Disease in Employees of a Steel Mill and a Glass Bottle Manufacturing Plant", Richard S. Kronenberg, M.D., et al, Toxicology and Industrial Health, Vol. 7, No. 1/2, 1991, pp. 73-79.

3. Occupational Respiratory Diseases, Natioanl Institute for Occupational Safety and Health, NIOSH Publication Number 86-102, pp. 672, 681.

4. Occupational Lung Diseases, An Introduction, American Lung Association, 1983, pp. 9, 11, 16, 41.

5. Encyclopaedia of Occupational Health and Safety, Volume 1, International Labour Offices, Third (Revised) Edition, 1983. pp. 185-195.

6. Chemical Hazards of the Workplace, Second Edition, Proctor, Hughes, and Fischman, 1988, pg. 85.

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