PLAINTIFF'S
EXHIBIT
USX-221

Janice M. Savinis, Esquire
Goldberg, Persky, Jennings & White, P.C.
1030 Fifth Avenue, Third Floor
Pittsburgh, Pennsylvania 15219-6295

23 April 1999

RE: Eisenreich v. Westinghouse

Dear Ms. Savinis:

This is to update my previous report on this case transmitted to you on January 7, 1999. In addition to the documents reviewed for my previous report to you, I have now reviewed additional documents regarding Westinghouse including: the depositions of former Westinghouse employees Roy Gaunt, David Moan, Francis Brown, Joseph Pawlik, Ben Scarbarough, Richard Mayo, the depositions of Johns-Manville employees Harry Elder, Alan Crugh, Conrad Volz, various Answer to Interrogatories filed by Westinghouse, documents produced by Westinghouse and/or U.S. Steel regarding the flash evaporator project, documents produced by Westinghouse and/or Goldberg, Persky, Jennings & White concerning Westinghouse's use and/or knowledge of the use of asbestos and the deposition of Mrs. Wilke and attachments from the Industrial Hygiene Foundation.

I have updated my Asbestos Timetables as they pertain to this case and Westinghouse. Specifically, I have inserted important scientific documents from the Industrial Hygiene Foundation into the timetables showing knowledge available to Westinghouse. Westinghouse was a member of the Industrial Hygiene Foundation since 1936. Westinghouse was aware of the dangers of asbestos prior to submitting a proposal to U.S. Steel for a flash evaporator water plant system on a turnkey basis which included insulation of equipment and piping. Westinghouse "had been in the business of manufacturing heat transfer products for over 50 years" and accumulated valuable experience and knowledge of the hazards of asbestos.

It is my opinion, to a reasonable degree of scientific certainty, that by the time Dennis Eisenreich was employed at U.S. Steel Clairton in 1968, Westinghouse had sufficient knowledge of the hazards associated with asbestos exposure and the various asbestos-related diseases, including mesothelioma. The depositions and affidavits of the Johns-Manville and AC&S employees establish that Dennis Eisenreich had exposure to asbestos-containing insulation that was installed on the Westinghouse flash evaporator system at U.S. Steel Clairton.

Based on the scientific evidence of the epidemiology of mesothelioma and exposure to asbestos, Dennis Eisenreich's latency (that is time from first exposure to the development of his mesothelioma) 29 Years, and his known exposure to asbestos is consistent with such an etiology for his disease. Medical surveillance and preventive methods to reduce or control asbestos exposure were not consistently followed or applied in a manner that would have prevented asbestos exposure to Mr. Eisenreich.

If you should have any further questions, please feel free to contact me.

Sincerely,

Richard A. Lemen, Ph.D.

Attachments:
Updated Asbestos Timetables & Their Relevance to Westinghouse – 23 April 1999.