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A NEWS

Hazards in the workplace/2,000 lawsuits/Conditions at N-plants led to ailments,
ex-workers say
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Staff

PALACIOS -- Life on the job, as Sam Keeling depicts it, was a grimy hell where people toiled almost non-stop, weren't warned about health hazards and didn't dare complain.

Keeling, 46, was a painter and sandblaster for contractors at both of Texas' nuclear power plants as they were taking shape in the 1970s and '80s. Now disabled, he describes working in heavy dust that, at times, "would take at least six hours to die down," and fumes that caused headaches and nausea. Among his lingering health problems, he says, are shortness of breath, fatigue and memory loss.

If Keeling were the only one telling this story, it would merely be a footnote to the Byzantine histories of two giant construction projects: the South Texas Nuclear Project near Bay City and the Comanche Peak Nuclear Power Plant near Glen Rose in north-central Texas.

Keeling, however, has plenty of company.

Since 1989, about 2,000 men and women who worked as contract painters, laborers, electricians, welders, insulators and heavy-equipment operators at the two plants have filed personal injury lawsuits against a host of companies, including Houston and Dallas utilities and manufacturers of radiation-resistant coatings.

The scene painted by court documents and seven former workers who spoke with the Houston Chronicle is of high-pressure jobs where respiratory protection was poor or non-existent, where people who complained or asked too many questions were intimidated or laid off and where federal hazard-communication laws were ignored.

Add a rare admission of error by the Occupational Safety and Health Administration and a company that is fighting hundreds of workers' compensation claims, and you have a conflict of

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extraordinary size and complexity.

"You've got leukemias, you've got throat growths that are the equivalent of tumors, you've got lung problems, you've got neurological problems -- I use the expression that their brains have been fried," said David Leibowitz, the San Antonio attorney who represents most of the ex-workers.

Although many of his clients became ill years ago, Leibowitz said, they did not learn until recently that their illnesses were work-related. "Even the company doctors they'd go to would tell them, 'You're fine,'" he said.

At the heart of the allegations are two huge contractors: Houston-based Brown & Root, which has been building Comanche Peak since 1974, and New Jersey-based Ebasco Constructors Inc., which took over construction of South Texas in 1982 after Brown & Root was fired by the plant's managing owner, Houston Lighting & Power. Brown & Root had begun work there in 1974.

Other key defendants are manufacturers of coatings that were applied and then ground and sanded to the required thickness and smoothness inside the plants. Leibowitz maintained that these manufacturers did not emphasize their products' hazardous ingredients to the contractors and that workers inhaled noxious dust as a result.

All defendants have denied in court filings that their negligence and actions, as the lawsuits allege, caused former plant construction workers to suffer debilitating respiratory and neurological ailments, cancer and recurring rashes.

At the same time, Ebasco is contesting workers' compensation claims filed by nearly 500 people who worked at the South Texas plant. Keeling and other former Ebasco employees say the company's hard line is depriving them of badly needed benefits.

"The fact that they refused to tell you anything (about the hazards) -- it makes you feel like you've been used completely," said Keeling, who lives in Palacios with his wife and two sons. "And now they won't do anything about it."

Officials with Dallas-based Texas Utilities (which owns Comanche Peak), Houston Lighting & Power, Ebasco and Brown & Root declined to comment on the allegations because of the pending litigation.

HL&P spokeswoman Cindy West did say that the utility "would expect OSHA guidelines to be met on all of our projects."

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And Joe Stevens, a Brown & Root vice president, said: "We're very concerned about the safety and health of all the people who work for Brown & Root. We're very proud of the record we have."

Nonetheless, Brown & Root was cited by OSHA in 1988 for improperly training workers who were exposed to lung-damaging silica dust released by the grinding of a coating.

Gil Saulter, the OSHA regional administrator in Dallas, admitted in a 1989 letter and confirmed in a recent interview that conditions at Comanche Peak warranted more than the two citations -- one to Brown & Root and the other to Texas Utilities -- that were issued. The citations were downgraded by OSHA after negotiations with the companies.

In what he later called "a very rare occurrence," Saulter wrote that OSHA's investigation of the job had been flawed and that "additional citations . . . would have been appropriate," given that "employees were exposed to excessive concentrations of silica" while grinding.

Those who performed the hardest, dirtiest work for Ebasco, Brown & Root or -- like Keeling, for both -- contend that:

Sandblasting in confined areas produced thick clouds of silica dust inhaled by the blasters and those who worked near them.

"When you were blasting inside the containment (building), you couldn't tell whether the guy next to you was white, black or brown," said Raul Villarreal, 36, of Palacios, who spent about five years as a painter for Ebasco at South Texas.

Coatings containing silica, asbestos, zinc and other contaminants were ground and mechanically chipped away, creating more dust.

"I'd grind as much as three or four hours at a time," said L.R. Lowrey, 59, of Erath County, who worked about 4 1/2 years as a painter for Brown & Root at Comanche Peak. "You could barely see. It's a wonder more of us didn't come out in worse shape than we are."

Solvents and other products gave off potent fumes that made some workers violently ill.

"I would cough so much I'd throw up," said Luis Corbo, 57, of Houston, who worked about 3 1/2 years as a painter for Ebasco at South Texas.

Federally required material safety data sheets (MSDSs) often
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could not be obtained for coatings and other materials. Such sheets list a product's contents, highlight its hazards and instruct users on proper handling.

Linda Porter, 43, of Argyle, who worked about four years as a painter for **Brown & Root** at Comanche Peak, said it took two years and a great deal of persistence for her to obtain MSDSs for Nutech 11s and Nutech 11, widely used coatings made by Imperial Professional Coatings of New Orleans and, later, Carboline Co. of St. Louis. When she finally got the sheets in 1988, she said, she was outraged to learn that the coatings contained silica and / or **asbestos**.

"Sometimes you'd be lying on your back on pipes with your hands up," removing the coatings, said Porter, who is perpetually hoarse. The dust "fell on you and you were eating it."

Ineffective, disposable masks were issued for dust conditions that demanded higher-quality filter respirators or tightly sealed hoods with independent sources of air (generally known as supplied-air, or fresh-air, hoods).

While grinding in confined areas, "we were supposed to have fresh-air hoods," Porter said. "We had them there, but we didn't have enough. We would get them only occasionally. They (Brown & Root) didn't want to send a message to anybody that there was any danger."

In a letter to Porter dated Feb. 13, 1989, OSHA regional administrator Saulter wrote that he did not consider disposable masks "adequate for the silica dust concentrations encountered" by OSHA inspectors at Comanche Peak in 1988.

In some cases, even disposable masks were unavailable to those who worked around sandblasting and grinding operations.

"There were no masks for us to use or anything," Jose Victores, a laborer for Ebasco at South Texas from 1982 to 1984, said in a 1987 deposition. "Now, in the other places, where the painters were, well, maybe they had masks over there for them. But not for us."

Many workers were Spanish-speaking and had little understanding of health hazards.

"It was kind of like lambs being led to slaughter," said attorney Leibowitz.

Pressure to finish the plants, both of which were behind schedule and far over their original budgets, caused the
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contractors to compromise worker health and safety.

"There was lots of bitching'' at Ebasco safety meetings about ''using too much material and being behind schedule," Villarreal said. "Productivity -- that's what they were looking for."

All of the ex-workers interviewed by the Chronicle told stories of intimidation by the contractors, some subtle and some not so subtle.

Porter, however, told the strangest tale of all.

She said she was harassed, punished and ultimately laid off because she voiced objections about conditions at Comanche Peak. In one incident on March 9, 1988, Porter said, she and three other workers were handed cartridge-filter respirators and ordered into a room at the plant for an impromptu "test."

The workers were told to begin grinding and power-sanding Nutech 11s and Nutech 11 and to generate as much dust as possible, Porter said.

"We were in there for several hours," she said. "I finally shut down the test and said 'This is ridiculous.' ' Fifteen days later, she was laid off.

Much of Porter's anger has been directed at Brown & Root, which, she is convinced, got rid of her because she demanded a safe workplace. But she also is unhappy with OSHA's handling of a complaint she lodged about toxic dust and fumes immediately after her dismissal.

After OSHA sampling at Comanche Peak in 1988 revealed that a grinder had been exposed to three times the legal limit of silica, Brown & Root and Texas Utilities each received a citation for a "serious'' health violation. A \$300 fine was proposed for Brown & Root for failure to provide adequate training and a \$500 fine for Texas Utilities for failure to conduct regular inspections of a contractor's job site.

OSHA, however, later downgraded the violations to "other than serious'' and did away with the fines after the companies promised in "informal'' settlement conferences to rectify the problems.

Saulter said it is not unusual for OSHA to drop citations and reduce or eliminate fines against companies that agree to promptly address unsafe conditions.

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In his 1989 letter to Porter, however, Saulter acknowledged that additional citations should have been issued for "lack of . . . controls to reduce exposure levels and for not providing adequate respirator(y) protection for the exposed employees."

He found that OSHA's Dallas-area office "did not closely follow current agency policies and procedures in conducting the inspection, issuance of the appropriate citations and in settlement of the citations through the informal conference procedures."

Saulter told the Chronicle that "I've probably only written one or two letters like this over the years. When (a mistake) happens, you need to face up to it."

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Photo: 1. Sam Keeling blames his health problems on construction conditions at two nuclear plants (color); Mug: 2. Sam Keeling (color, 3-star edition); Photo: 3. Former construction workers at the South Texas Nuclear Project near Bay City (b/w, p. 22); Map: 4. Bay City and Glen Rose, Texas (b/w, p. 22); Credit: 1-2. Ben DeSoto/Chronicle, 3. Chronicle file photo, 4. Chronicle

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