

Government Bows in \$100 Million Case

Asbestos Suit Burns U. S.

Tyler, Texas — (AP) — The Federal Government has agreed to pay \$5.75 million to settle its share of a multimillion-dollar suit filed by 445 asbestos workers who said they were unknowingly exposed to cancer-causing materials.

The action, announced yesterday by U.S. District Judge William Steger, settles a \$100 million lawsuit filed by the 445 workers. It was the largest personal injury suit ever filed against the Federal Government.

Judge Steger said settlement offers from private defendants in the suit

would bring the total amount paid to the asbestos workers to \$20 million.

Last December, in a memorandum, attorneys for the Department of Health, Education and Welfare warned that if the asbestos workers won their suit, a precedent would be set which could make the government liable for damages anytime a workplace that was inspected by federal officials — or should have been inspected — proved unsafe.

A Justice Department spokesman said in Washington last night that the settlement in no way implies that the

government admits any negligence on the part of federal safety inspectors.

The workers sued the government and several private firms on grounds that their negligence resulted in on-the-job exposure to a type of asbestos called amosite, which has been shown to cause lung cancer in humans.

The suit was filed in 1974 on behalf of asbestos workers at a Tyler plant which was co-owned by PPG Industries and Corning Glass Works. The plant was shut down in 1972.

The plant manufactured asbestos pipe insulation, some of which was used in navy vessels. The U.S. government was sued because the workers argued it had a responsibility to ensure safe working conditions at the facility.

Although the legal tangle has been unsnarled, the human problems are just beginning.

Officials of the Texas Chest Foundation, in charge of a medical diagnostic program for the plant's former workers, said the outlook is bleak for the 1,000 people who worked at the plant at various times. One study said even short exposures to asbestos carried "a significant risk" of asbestosis, gastrointestinal malignancies, lung cancer and mesothelioma — all forms of cancer or lung disease.

20% of Cancer Deaths Tied to Jobs

Washington — (AP) — Exposure to cancer-causing chemicals in the American workplace may cause at least 20 percent of cancer deaths each year — or nearly 80,000 fatalities — with asbestos the No. 1 chemical killer, government scientists say.

The new estimates are sharply higher than past figures, which placed the cancer toll from occupational exposure at 1-5 percent, said Joseph A. Califano Jr., secretary of health, education and welfare.

Asbestos may account for 17 percent of all cancer deaths annually. Other chemical culprits include arsenic, benzene and vinyl chloride.

The study listed a dozen occupations in which it said the workers showed excessive cancer rates that have not been traced to any single chemical. The jobs included coal miners, chemists, foundry and textile workers, printing pressmen, metal miners, coke byproduct workers, cadmium production workers and lead, rubber, wood and leather workers.

Scientists from the National Cancer Institute and the National Institute of Environmental Health Sciences said 20 percent was a "conservative" esti-

mate of the cancer toll, which could run as high as 38 percent.

The National Cancer Institute says 390,000 Americans die from cancer annually. The new 20 percent minimum estimate would mean 78,000 deaths. The number of new cancer cases diagnosed each year is 700,000.

The scientists based their findings not on new medical research, but on new statistical analyses of the number of workers exposed to cancer-causing chemicals and their risk of developing cancer.

The study singles out asbestos, the fire-resistant chemical used in a host of fields from construction to auto brake linings, as the worst offender. HEW began a campaign in April to alert the estimated 8 million to 11 million Americans who have been exposed to asbestos since World War II about its long-term effects.

The HEW study said at least 2.15 million of those workers will die from asbestos-related diseases, or 67,000 a year for the next 30 to 35 years. It blamed asbestos for 17 percent of all cancer cases.

The study says 5.8 million workers were potentially exposed to arsenic, benzene, vinyl chloride, coal tar pitch and coke oven emissions, which could cause 1-3 percent of all cancers each year.

Some 7.5 million workers potentially were exposed to four other substances, chromium, iron oxide, nickel and petroleum distillates, which could cause 3-18 percent of the cancers, the

study added.

Califano told an AFL-CIO conference on occupational safety and health about the new estimate and released a five-page draft summary of the study yesterday. HEW scientists are putting the study into final form to submit to the Labor Department's Occupational Safety and Health Administration by Friday.

OSHA is preparing new standards for regulating hundreds of known or suspected cancer-causing agents at workplaces in hopes of accelerating federal action to ban or restrict them.

Critics of the plan have said it could cost industry billions of dollars, and some have said the standards are not needed because the incidence of occupational cancer was low.