Johns-Manville

Internal Correspondence

To FILE

Date February 4, 1980

From J. A. McKinney

Copies Paul Kotin
Earl Parker

Subject MEETING WITH DR. SELIKOFF
February 1, 1980

Following the Board Meeting on February 1, 1980, I met with Dr. Selikoff for over two hours. It was to me a disappointing meeting in that I was not able to conduct the meeting in an orderly manner along the points on Page 2 of P. Kotin's letter of January 28 to Dr. Selikoff. The problem with the meeting was that Dr. Selikoff frequently rambled with respect to subjects of interest to him but not really in line with the points which we wished to discuss. Nevertheless, perhaps we did make some progress.

The meeting, as usual, was very cordial and Dr. Selikoff continues to indicate a high degree of respect for J-M, Dr. Kotin and me. On the other hand, he did spend most of his time indicating what great future problems we will have because of the number of "abnormal" x-rays which are showing up among maintenance workers in refineries and other places where asbestos containing insulation has been used on piping and boilers. Of course, he never says that "abnormal" means an asbestos related disease. He just says "abnormal". I was able to turn this phase of the conversation into a discussion of the projection of 20,000 asbestos related deaths per year for the next 40 years. I told him quite unequivocally that any figures of this magnitude were absolute nonsense. I stated that one did not even have to be a medical researcher to know these figures are incorrect. I told him that it could be assumed that the plaintiffs' lawyers had scoured the earth for good cases and that since we had only about 3000 lawsuits, most of which do not even represent plaintiffs with any disability, it was quite clear that the number of deaths from asbestos related disease over the years ahead will be relatively quite small compared to the projections. I also made the point to him that he himself has recognized, that there is a drop off in the rate of incidence of disease. His answer, which may be a new tack for him, is that many, many people are dying of asbestos related diseases where the diseases have not been identified.

I got nowhere specifically with respect to the question of a "safe" level of exposure. We did talk at some length as to what would be a practical threshold limit value for OSHA to set. I told him, in our opinion, the two fiber per cc standard is satisfactory, but that we would certainly agree that the threshhold limit value could be lowered to an unmeasurable

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but feasible level. I told him that in our opinion it could not be placed lower than 1 fiber per cc, because in order to meet that standard, it is necessary to have a goal of a half fiber per cc and that is about as low as we can measure with any degree of confidence. I repeated what I have said to him before, that more lives would be saved by arriving at a practical standard with good work practices, and then emphasize enforcement. I told him, in my opinion, there should be at least some modest provision for discipline of workers who do not comply with required work standards, rather than placing the entire responsibility on management.

I showed him one of the newsclips relating to the JAMA article, pointing out how the article had been widely distributed to media, apparently through Chicago. He pretended to be surprised and unaware that medical articles could be picked up by the general wire services or syndicators and widely distributed. I pointed out to him that this is the type publicity which can have a tremendously adverse affect on customers and that if this sort of nonsense continues the industry would be "regulated" out of existence by sensationalism, rather than by regulation based upon scientific data.

The only really positive result of the meeting was that Dr. Selikoff did agree that if we were to write a series of "positions" or brief white papers on various issues, he would be happy to work with us to see if we could arrive at mutually acceptable language. In other words, he did say he was willing to make a real attempt to arrive at written positions which he would support publicly.

Building on some comments which he made about Tony Robbins, I did get an opportunity to tell Dr. Selikoff that extreme views and expressions by some of the scientists involved with the asbestos issue are pushing us to the point where we may have no alternative but attempt to destroy the credibility of such scientists. I told him, for example, it was not beyond the realm of possibility that we would find a way to begin litigation involving the issues raised by such scientists, and therefore, providing ourselves with an opportunity to place them on the witness stand subject to the same sort of interrogation which he had experienced in the Reserve Mining case.

Although disappointed with the meeting, I think the idea of attempting to get him to agree to written positions with respect to which he could be quoted should be pursued. If we do not make any progress in this regard, we should consider what else should be done.

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