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Johns-Manville Corporation

Greenwood Plaza
Denver, Colorado 80217

Paul Kotin, M.D.
Senior Vice President
Health, Safety and Environment

Paul Kotin

May 4, 1977

Hilton Lewinsohn, M.D.
Corporate Medical Director
Raybestos-Manhattan
100 Oakview Drive
Trumbull, Connecticut 06611

Dear Hilton:

Enclosed per your request is a copy of my presentation at the March seminar sponsored by the University of Toronto Institute for Environmental Studies.

It was good seeing you again.

All good wishes.

Cordially,

Paul

PK/rp/

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UNIVERSITY OF TORONTO
INSTITUTE FOR ENVIRONMENTAL STUDIES
PUBLIC SEMINAR ON ASBESTOS
MARCH 15, 1977

STATEMENT OF CONCERN BY DR. PAUL KOTIN, JOHNS-MANVILLE CORPORATION (INDUSTRY)

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BRONCHOGENIC CANCER IS VIRTUALLY LIMITED TO WORKERS WHO SMOKE CIGARETTES, BUT THE DEVELOPMENT OF ASBESTOSIS AND MESOTHELIOMA DOES NOT APPEAR TO BE AFFECTED BY SMOKING. IN A MAJOR STUDY, HOWEVER, PERSONS WHO SMOKE AND HAVE ASBESTOSIS APPEAR TO HAVE DOUBLE THE AGE-ADJUSTED DEATH RATES OF NONSMOKERS WITH ASBESTOSIS.

IN ADDITION TO THE STUDIES OF DISEASE IN ASBESTOS MINING AND MANUFACTURING WORKERS, (A) ISOLATED INSTANCES OF LUNG CHANGES AND MESOTHELIOMA HAVE BEEN REPORTED IN HOUSEHOLD CONTACTS OF ASBESTOS WORKERS, (B) REPORTS OF ASBESTOS-RELATED DISEASE IN INDIVIDUALS RESIDING IN THE NEIGHBORHOOD OF ASBESTOS MILLING AND MANUFACTURING FACILITIES HAVE BEEN PUBLISHED, AND (C) ASBESTOS-RELATED DISEASES HAVE BEEN IDENTIFIED IN WORKERS USING ASBESTOS IN INSULATION INSTALLATION AND REMOVAL IN THE CONSTRUCTION INDUSTRY.

THE CURRENT PREVALENCE OF ASBESTOS-RELATED DISEASE REFLECTS PAST EXPOSURES, WITH THE ONSET OF EXPOSURE MEASURABLE IN QUINQUENNIA FOR ASBESTOSIS AND IN DECADES FOR MALIGNANT NEOPLASMS. IT IS CLEAR THAT THE DISEASE WE NOW SEE IS THE

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CONSEQUENCE OF DEFICIENCIES OF THE PAST. PROJECTIONS OF FUTURE OCCURRENCE OF ASBESTOS-RELATED DISEASE ARE ESSENTIALLY VALID ONLY TO THE EXTENT THAT THEY CLEARLY STATE THE PAST EXPOSURE THEY REFLECT.

THESE OBSERVATIONS GENERATE A HIERARCHY OF GENERIC ISSUES AND SPECIFIC QUESTIONS WHICH I WOULD LIKE TO RAISE. THE ISSUES ARE:

1. DOES THE PRINCIPLE OF DOSE-RESPONSE APPLY TO THE INTERACTION AND EFFECT OF ASBESTOS ON ANIMALS, INCLUDING MAN?

2. IS THERE A LEVEL OF EXPOSURE AT WHICH NO ADVERSE EFFECT CAN BE DEMONSTRATED? TO DETERMINE THIS, THREE FACTORS MUST BE CAREFULLY CONSIDERED (A) WHETHER EXPOSURE HISTORY IS ACCURATE, (B) WHETHER AN ADEQUATE TIME PERIOD HAS ELAPSED, AND (C) WHETHER THE SURVEILLANCE OF WORKERS AND MEDICAL EVALUATION ARE COMPETENTLY ACCOMPLISHED. RECOGNIZING THE DIFFICULTY ENCOUNTERED BY SOME IN ACCEPTING "NEGATIVE STUDIES," IS THERE A MECHANISM WHEREBY THE CONCEPT OF AN ACCEPTABLE LEVEL OF RISK CAN BE APPLIED TO ASBESTOS EXPOSURE? THIS ACCEPTABLE LEVEL SHOULD NOT BE MEASURED BY THE PECUNIARY AND UNACCEPTABLE RUBRIC OF HOW MUCH A HUMAN LIFE IS WORTH, BUT RATHER BY THE PRACTICAL DEMONSTRATION OF NO ADVERSE EFFECT IN THOSE EXPOSED FOR A WORKING LIFE, EVEN THOUGH IT MAY NOT BE POSSIBLE TO ELIMINATE A THEORETICAL HAZARD FROM OUR THINKING.

3. ARE THE ENGINEERING AND TECHNOLOGICAL MEASURES ADEQUATE TO ENSURE ENVIRONMENTAL CONTROL OF ASBESTOS CONCENTRATIONS, WITH FULL RECOGNITION THAT EMPLOYEE PROTECTION BY PERSONAL DEVICES SUCH AS RESPIRATORS IS A TROUBLESOME SOLUTION AND AN INTERIM MEASURE?

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4. ARE THERE MEASURES OF WORKER SURVEILLANCE AND EVALUATION THAT CAN PROVIDE A BASIS FOR REGULATORY CRITERIA AS WELL AS ENHANCE OUR ABILITY TO IDENTIFY THE EXQUISITELY SUSCEPTIBLE EMPLOYEE SO THAT PROMPT, APPROPRIATE STEPS FOR EMPLOYEE PROTECTION CAN BE TAKEN?

5. WILL THE WORKER, THROUGH HIS OWN EFFORTS AND THOSE OF HIS REPRESENTATIVES, ENTER INTO A PARTNERSHIP WITH MANAGEMENT TO ENSURE AN ACCEPTABLE WORK ENVIRONMENT? ARRANGEMENTS OF THIS TYPE ARE WORKING WELL IN SOME INDUSTRIES, WHEREAS IN OTHERS THEY ARE FOUNDERING. THE KEY ISSUE IS THE TIME-HONORED ONE OF BALANCING RESPONSIBILITY AND AUTHORITY, AS FOR EXAMPLE THE WILLINGNESS OF A UNION TO ELIMINATE THE CONTRIBUTION OF CIGARETTE SMOKING TO BRONCHOGENIC CANCER BY HELPING TO ENFORCE NO-SMOKING POLICIES RATHER THAN BY FILING GRIEVANCES REQUIRING ARBITRATION OR BY JOINTLY CENSURING UNACCEPTABLE WORK PRACTICES.

THESE GENERAL ISSUES CAN BE ELABORATED UPON IN A PRACTICAL MANNER THROUGH REITERATION OF OUR MAXIM AND BY ASKING A COUPLE OF QUESTIONS. THE MAXIM IS:

NOBODY HAS THE RIGHT TO INJURE ANOTHER PERSON KNOWINGLY.

THE QUESTIONS ARE:

1. WHAT ARE THE INGREDIENTS NECESSARY TO FACILITATE COMMUNICATION, COOPERATION, AND COLLABORATION BETWEEN MANAGEMENT AND THE WORKER? I DO NOT NAIVELY SUGGEST THAT THE ADVERSARY RELATIONSHIP SHOULD OR EVEN CAN BE ELIMINATED. ACTUALLY, PRODUCTIVE COOPERATION CAN FLOURISH IN AN ADVERSARY CONDITION TO THE EXTENT THAT EFFORT AND ENERGIES ARE NOT DISSIPATED IN DISTRUST, ANTAGONISM, AND HOSTILITY.

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THAT THE PAST HAS ON SEVERAL OCCASIONS PROVIDED FERTILE SOIL FOR THESE EMOTIONS IS ACKNOWLEDGED. WHAT IS CRITICAL NOW IS TO MAINTAIN AND, YES, EVEN ENHANCE THE USE OF THIS MATERIAL (ASBESTOS) AT A LEVEL ENCOMPASSING THE "NONINJURY" MAXIM.

IT IS IMPERATIVE THAT PRODUCTIVE COOPERATION BE ACCOMPLISHED BOTH IN "REACTIVE" SITUATIONS AND, MORE IMPORTANTLY, IN "ACTIVE" OR CREATIVE SITUATIONS. IN REACTIVE SITUATIONS, CONSULTATION AND JOINT EFFORTS TOWARD RESOLUTION OF SPECIFIC DIFFERENCES AND CRISES ARE NECESSARY, AS WELL AS JOINT INPUT IN RESPONDING TO RECOMMENDATIONS OF REGULATORY AGENCIES. OF MUCH GREATER IMPORTANCE ARE JOINT EFFORTS IN THE "ACTIVE" OR CREATIVE SITUATION. MANAGEMENT-UNION COMMITTEES OFFER A REAL VEHICLE FOR (A) EDUCATIONAL ACTIVITIES FOR WORKERS, (B) CLEARINGHOUSE FUNCTIONS FOR OCCUPATIONAL HAZARDS, AND (C) JOINT INPUT TO REGULATORY AGENCIES IN THEIR DEVELOPMENT AND IMPLEMENTATION OF PROCEDURES TO ENSURE A HZARD-FREE WORKING ENVIRONMENT.

2. WHAT IS THE ROLE OF MANAGEMENT IN RELATION TO THE PAST, THE PRESENT, AND THE FUTURE? IN RELATION TO THE PAST, MANAGEMENT HAS THE OBLIGATION TO PROVIDE COMPENSATION TO THOSE WORKERS WHO HAVE BEEN INJURED AND TO UNDERWRITE RESEARCH TO AMELIORATE THE RESULTS OF PAST DEFICIENCIES. IN ADDITION, MANAGEMENT HAS THE OBLIGATION TO DISSEMINATE THE INFORMATION IT HAS OBTAINED AS A RESULT OF ITS RESEARCH.

FOR THE PRESENT, MANAGEMENT HAS THE RESPONSIBILITY TO PROVIDE AN ACCEPTABLE WORK ENVIRONMENT. THERE ARE NO HAZARD-FREE VOIDS IN LIFE; NEVERTHELESS, MANAGEMENT MUST ASSUME RESPONSIBILITY FOR GENERATING NO NEW CASES OF DISEASE. IN ADDITION, MANAGEMENT MUST GATHER DATA

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THAT CAN BE USED IN DEVELOPING CRITERIA AND SETTING STANDARDS AND MUST COMPLY WITH STANDARDS ALREADY PROMULGATED, THROUGH (A) ENGINEERING CONTROLS TO ACHIEVE MAXIMUM REDUCTION OR ELIMINATION OF HAZARDS; (B) APPROPRIATE WORK PRACTICES; (C) PERSONNEL PROTECTION, RECOGNIZING SUCH MEASURES AS INTERIM SOLUTIONS ONLY; (D) ONGOING INDUSTRIAL HYGIENE AND PERSONNEL MONITORING AND SURVEILLANCE, INCLUDING LUNG FUNCTION AND X-RAY STUDIES; (E) PARTICIPATION IN RESEARCH PROJECTS IDENTIFYING HIGH-RISK GROUPS, SUCH AS SPUTUM CYTOLOGY STUDIES; AND (F) APPROPRIATE DEMOLITION, REPAIR, AND SOLID WASTE DISPOSAL OF ASBESTOS-CONTAINING MATERIAL. AGAIN, MANAGEMENT HAS THE RESPONSIBILITY TO DISSEMINATE THE INFORMATION IT HAS GATHERED ON THE PROPER USE OF ASBESTOS.

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IN CONCLUSION, AS AN INDUSTRY SPOKESMAN, THE ROLE ASSIGNED TO ME FOR THIS SEMINAR ON ASBESTOS, I FEEL THERE IS NO DIFFERENCE IN OBJECTIVES BETWEEN INDUSTRY AND THE OTHER CONSTITUENCIES REPRESENTED HERE (LABOR, CONSUMER AND ENVIRONMENTAL GROUPS, GOVERNMENT AGENCIES, AND ACADEMIC AND PRIVATE RESEARCH GROUPS). THE ROLE OF INDUSTRY, THOUGH, IS A SPECIAL ONE BY VIRTUE OF THE FACT THAT (A) INDUSTRY HAS THE FRONTLINE RESPONSIBILITY FOR THE LOCALE WHERE THE POTENTIAL FOR HARM EXISTS, (B) EXCEPT FOR GOVERNMENT, INDUSTRY HAS MORE RESOURCES THAN ANYONE ELSE TO APPROACH AND AMELIORATE PROBLEMS, AND (C) WITHOUT WORKING TOGETHER IN TRUST WITH INDUSTRY, PROGRESS WILL BE HALTING.

Paul Kotin to Hilton Lewinsohn Enclosing His Toronto Seminar Statement on Asbestos (1977)
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