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April 9, 2010 05-20-10A08:38 RCVD

Via Federal Express

Dr. John Howard, MD. Director NIOSH Mailstop: C-34 4676 Columbia Parkway Cincinatti, Ohio 45226

Re: Asbestos Fibers and Other Elongate Mineral Particles:

State of the science and Roadmap for Research

Version 4

Revised Draft Document for Public Review and Comment

Dear Dr. Howard:

Thank you for the opportunity to submit comments concerning the above referenced draft document.

In this regard I would like to bring to your attention important information that apparently has not been disclosed to NIOSH. Specifically, I am referring to confirmed cases of mesothelioma among workers who were employed as miners and millers in the talc mines of Upstate New York which have been owned and operated by R. T. Vanderbilt and its subsidiary Gouvernor Talc Company.

As noted in your Draft Document, the latest published epidemiological study of this population was by Honda and associates in 2002. The authors of the study (which was funded by R. T. Vanderbilt) documented 2 cases of mesothelioma deaths in the R. T. Vanderbilt population of 809 workers. In the published paper, the authors acknowledged that they only looked at mortality up to 1989, even though their article was not published until 2002. What is not disclosed is that in the interim (after 1990 and before 2002), there were an additional 4 cases of mesothelioma deaths in this population. R.T. Vanderbilt failed to disclose these mesothelioma deaths to Honda and his colleagues before their paper was published, and it is unknown whether they have been disclosed since.

In addition, there was yet another mesothelioma death in a long term Gouvernor Talc worker in 2005.

All of these mesotheliomas have been confirmed by either surgical biopsy or autopsy, and have been confirmed by the New York State Workers's Compensation Board as causely related to their employment working with the tremolite contaminated talc.

In addition to the above, the studies that have looked at the R. T. Vanderbilt population have failed to account for the mesothelioma among workers of these very same mines where they were owned by International Talc. To the extent these workers were not offered continued employment once R. T. Vanderbilt bought out International Talc in 1974, there are more mesotheliomas unaccounted for.

It is disappointing that NIOSH has not been provided with this information, especially, since some of your "peer reviewers" have consulted for and have been retained experts in litigation for R.T. Vanderbilt. Although it is not stated in the Draft Document, I would hope that such conflicts were disclosed to NIOSH.

In all events, I am attaching documents concerning the confirmed cases of mesothelioma (described above) that I am aware of. Given the relatively small population (only 800 workers over the years) I believe these confirmed case yield a higher rate of mesothelioma than is found in publications concerning either the miners and millers in Libby Montana, or in the Canadian chrysotile mines.

Thank you for your consideration and for the opportunity to submit comments.

Respectfully submitted,

Moshe Maimon

Honda – 2002

- 1) DOD: Before 1989
- 2) DOD: Before 1989

Funded by RTV

Only looked up to 1989
 but published in 2002

TWO MESOTHELIOMA
DEATHS in a population
of 809

Mesotheliomas RTV/GTC

Four out of five of these Mesotheliomas were diagnosed and died before the publication of the RTV funded study

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Pop:

B. Bickford

GTC: 1949 -1954+

Mill Employee
Packer

DOB: 4-4-25

• DOD: 6-4-94

Death Certificate: Cancer of Mesothelium

Hospital Record:
Malignant
Mesothelioma
(biopsy)

• G.R. Evans

GTC: 3/54 - 6/87

(33 years)

DOB: 12-31-23

• DOD: 6-10-95

Death Certificate:
 Mesothelioma ® Lung

Laborer

2nd Miller

Quality Control

Supervisor

 Pathology Report: Mesothlioma (confirmed by Mayo Clinic)

RTV/GTC Mesotheliomas

R.W. Labow

GTC: 4/64 - 4/97

(33 years) Laborer

Wheeler Operator

Quality Control

#2 Packerman

Packhouse Utilityman

Fuller-Kinyon Opr.

• DOB: 9-8-31

• DOD: 11-10-05

Death Certificate: Mesothelioma

Medical Records:
 Mesothelioma

RTV/GTC Mesotheliomas

L. Malbeuf

GTC: 8/54 - 3/94

(39 years)

1st Miller

Laborer

2nd Miller

Quality Control

Supervisor Quality Control

DOB: 2-14-31

• DOD: 9-6-95

Death Certificate:
 Mesothlioma Thoracic

æ

 Medical Records: Malignant Mesothelima by biopsy

R.A. Rice

GTC: 1956-75

Trammer
Shaft Mucker

Trammer

• DOB: 5-28-14

• DOD: 5-17-01

Death Certificate:
 Pleural Tumor

Autopsy – AsbestosisMalignantMesothelioma