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Congressman John Dingell, Chair
House Energy and Commerce Committee
2125 Rayburn HOB
Washington, DC 20525

July 7, 2007

ATTN: John Sobko, Chief Investigator

Re: Oversight hearing request on OSHA, NIOSH, and EPA failings to adequately protect hazardous waste cleanup workers; Redress for sick Exxon Valdez oil spill cleanup workers

Dear Congressman Dingell,

Enclosed please find a complimentary copy of my book, *Sound Truth and Corporate Myth*, on the effects of the *Exxon Valdez* oil spill (EVOS) on workers and wildlife. This is offered as a follow up to a June 27, 2007, letter sent by three Alaska nonprofit organizations on this topic.

I've marked with stickies key information supporting our assertions that: (1) **all** hazardous waste cleanup workers are currently at risk of work-related health problems because out-dated NIOSH and OSHA standards do not recognize chemical-induced illnesses; and (2) a mass chemical poisoning epidemic occurred during the 1989 EVOS cleanup and was covered up by Exxon.

Assertion 1 (pages indicated):

39-53 According to Daniel Teitelbaum, MD, the expert witness in the single successful toxic tort from the EVOS cleanup (*Stubblefield v. Exxon* [1994]), Exxon's worker safety program had five major failings—yet the program was approved and monitored by OSHA representatives.

55-67 OSHA regulations exempt reporting of “colds and flu” as work-related illnesses, yet symptoms of chemical-induced illnesses through inhalation can mimic colds and flu

125-137 OSHA coding system is outdated and fails to recognize chemical-induced illnesses; NIOSH failed to subpoena Exxon's records and erroneously concluded long-term health monitoring of EVOS cleanup workers was not warranted

97-101 Background of USEPA involvement with Exxon in testing experimental cleanup product containing human health hazard

422-427 Failings of USEPA's listing program for chemical products for oil spill cleanups to adequately consider effects on worker and public health

Assertion 2:

- p. 12 the MSDS for crude oil lists symptoms of overexposure that were reported by workers as acute and chronic problems
- p. 57 Exxon's clinical data shows a total of 6,722 upper respiratory "infections" were reported during the 1989 cleanup—this is 2 of every 3 workers on the beaches. (*Stubblefield v. Exxon* [1994] settled after these records surfaced and the records were sealed from the public. The lawyer surmised the claims were actually work-related illnesses caused by inhalation of polycyclic aromatic hydrocarbon (PAH) aerosols from the high-pressure hot-water wash, not colds and flu as Exxon claimed. The Anchorage-based lawyer preserved the entire case file.)
- p. 450 Exxon's air quality monitoring data showing workers were overexposed to crude oil and other hazardous chemicals present during the EVOS cleanup. (These data also were obtained from the above case and were sealed from the public.)
- p. 33 Exxon's partial release form showing it paid workers \$600.50 to waive future health claims arising from cleanup work (This claim was circulated once Exxon realized workers were getting sick from cleanup operations.)
- pp. 164-167 Yale survey (2003) suggests several thousand former workers may be suffering chronic health problems stemming from the EVOS cleanup

If I can be of any further assistance, please contact me.

Sincerely,

Riki Ott, PhD

cc: Dan Lawn, Alaska Forum for Environmental Responsibility
Pam Miller, Alaska Community Action on Toxics
Barbara Williams, Alaska Injured Workers Alliance