

MTA and J&J's Consequence of Asbestos Landfilling

By Tony Nocito

At the end of September, it was reported that the Manhattan Transit Authority (MTA) has asbestos contamination in its Brooklyn Bus Terminal. More recently it has been reported that Johnson & Johnson recalled 33,000 bottles of Baby Powder due to the concerns they contained asbestos. Johnson & Johnson's asbestos litigation is reaching the point of public recognition as has the asbestos litigation of Johns-Manville, W.R. Grace, Owens-Corning and all other manufacturers that produced asbestos-containing materials who for many years were well aware of the dangerous health effects caused by asbestos exposure, but buried this information from its employees, end-users and the public, causing millions to die from asbestos exposure. Why did they manufacture products with asbestos clearly and blatantly knowing that asbestos was a carcinogen? Simple: greed and to protect bottom line profits. Their negligent greed came back to haunt them in the form of billions of dollars of never-ending litigation costs and victim payouts to those that they knowingly infected with asbestos's agonizing, slow-suffocating, deadly illnesses, Mesothelioma, ovarian cancer, and other cancers. Their negligence forced these manufacturers into bankruptcy so they could legally maneuver protection against the herculean litigation costs, cash settlements to the victims and relieve them of their landfill cradle-to-grave liability. As long as we have asbestos in our built environment, landfills being part of the built environment, future devastating illnesses and grueling deaths caused by asbestos exposure will be eternal.

Johnson & Johnson's recall of 33,000 bottles of Baby Powder with each bottle weighing approximately 1.375 lbs. amounts to 45,375 pounds or 22,687.5 tons of asbestos-containing material. Because only a fraction of Johnson & Johnson's talc was tested, it may be this recall is the tip of the iceberg. It's a fact that landfill space is rapidly declining. Every day the news is touting the urgency to protect our environment: recycle, reuse, reduce, create a circular economy, reduce the carbon footprint, stop climate change, and send zero waste to the landfill. What is the MTA going to do with its abated asbestos-containing materials and what is Johnson & Johnson going to do with the 16,500 tons of recalled Baby Powder? Are they going to be good public and corporate citizens, environmentally sustainable and financially responsible, seeking out and investing in commercially available, Federal Environmental Protection Agency approved, asbestos destruction technologies or will they take the lowest cost and easiest way out and send it to a landfill?

Asbestos is not only Johnson & Johnson's problem. It's everyone's problem, Asbestos-containing materials were abundantly installed in our built environment for over 150 years, causing asbestos contamination to be ubiquitous. It is embedded in our utilities, port and transit authorities, government buildings, military bases, refineries. brownfield sites, Superfund sites, mines, ships, manufacturing facilities, commercial buildings, office buildings, residential homes, and landfills. If we continue to landfill asbestos, consequently, we are burdening the future generation to deal with unpredictable cleanup costs and an infinite amount of asbestos-related deaths? Although, the initial

costs of using asbestos destruction technologies may be higher than landfilling, in the long run, the use of these technologies will be less costly in every way.