

Miller, Diane M. (CDC/NIOSH/EID)

From: ()
Sent: Thursday, May 17, 2007 9:34 AM
To: NIOSH Docket Office (CDC)
Subject: CANCER COMES HOME TO I B M -- BITE THE BULLET BEFORE MAY 28, 2007 !!!

I have general information which may be of interest to NIOSH. My submission also includes a proposed resolution for the damage suffered by IBM employees, such as my late husband,

PART OF EXPOSE SERIES

CANCER COMES HOME TO I B M --
 BITE THE BULLET BEFORE MAY 28, 2007 !!!

IBM, the responsible thing to do is to direct your own destiny by biting the bullet before the United States government forces your hand !!! By May 28, 2007 NIOSH will have all the evidence it needs to nail IBM and definitively link IBM to cancers, birth defects, and other health hazards. That's not news to IBM, and denial won't help.

http://www.house.gov/apps/list/press/ny22_hinchey/morenews/042707TCEStudy.html

<http://www.cdc.gov/niosh/review/public/103/comments.html>

<http://www.health.state.ny.us/environmental/investigations/broome/phrp/toc.htm>

<http://www.allianceibm.org/anioshstudy032707.htm>

http://www.occupationalhazards.com/News/Article/52791/NIOSH_Report_Supports_Cancer_Study.aspx

<http://newyorkhealth.gov/environmental/investigations/broome/phrp/report.htm>

But why wait until your hand is forced ??? Take a proactive stance and consider the proposed resolution associated with _____ et al (Docket # _____ Superior Court)

1. International Business Machines (IBM) will establish (within 6 months) a wide spread public awareness campaign that will last at least 5 years, directed at persons who have worked around industrial grade chemicals during the last 40 years. IBM's campaign would educate and encourage those individuals to take a cancer screening blood test or equivalent medical tests, if such are accurate. In the event that the individual cannot afford the tests, IBM will offer some form of financial assistance/counseling to enable and encourage all affected individuals to take the medical tests.

This public awareness campaign could be patterned after the ongoing anti-smoking and responsible drinking campaigns of the tobacco and alcoholic beverages industries. IBM's campaign should include announcements in multiple languages, and should be disseminated in the press, over the airways, on billboards, on IBM's Internet site, and in all other places where it is likely to attract the attention of a broad spectrum of the general public and health care community.

Plaintiff has no objection to IBM seeking or establishing the cooperation and/or some financial participation of other employers, government agencies, etc. But the primary responsible for the coordination and fulfillment under this Resolution would be borne by IBM.

Plaintiff notes that the late _____ multiple _____ was detected by a blood test a year before there were apparent physical symptoms. That gave us our last "doctor/hospital free" year. Our extended family used that "extra" time to prep ourselves, as best we could, for the glum months that awaited us. The enactment of this Resolution would offer that same gift of time to countless others and their loved ones.

2. IBM will offer "in lieu of" settlement awards to those current and former IBM employees and their family members who qualify for such awards but for the existence of time bars or other statutes of limitation. In other words, those uncompensated employees or their family members who:

- a. Worked at IBM's manufacturing sites in jobs that exposed them to industrial grade chemicals; and,
- b. Suffered or experienced diseases and disabilities similar to those suffered or experienced by compensated current or former employees and/or their families,

will be eligible to the "in lieu of" awards.

IBM will make every effort to identify and contact such persons or their next of kin.

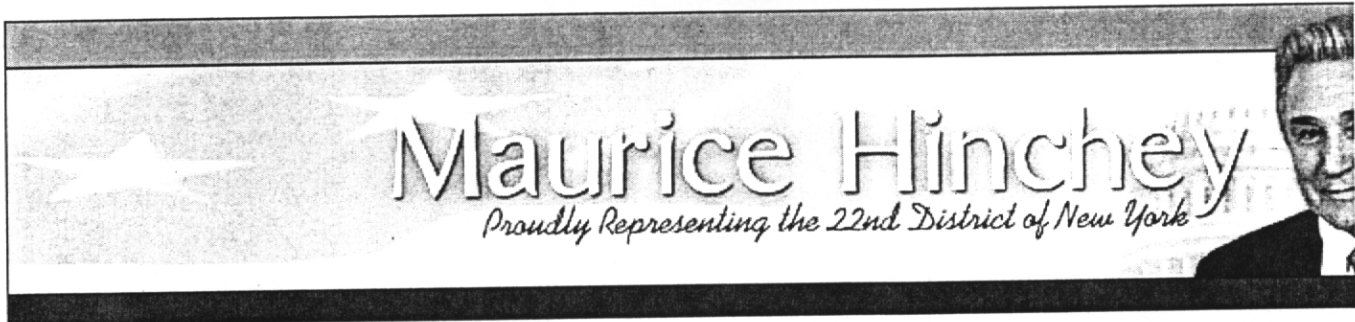
Plaintiff notes that the medical bills and pain and suffering are just as real for persons, like herself, who had no reason to connect the disease, disability, or death to on-the-job chemical exposure.

3. IBM will offer to Plaintiff and Infant : _____ settlement that will sufficiently compensate them for their loss and injury.

4. The Defendant Attorneys and their respective law firms (individually or collectively) will offer to Plaintiff and Infant / _____ a settlement adequate to compensate them for any and all injuries and stresses they suffered because of the deeds and misdeeds of the Defendant Attorneys and their respective law firms.

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For Immediate Release

April 27, 2007

**Hinchey Calls on IBM to Cooperate with Federal Study
on TCE Exposure of Employees;
Announces Next Steps to Secure Funding for Research**

Binghamton, NY - Congressman Maurice Hinchey (D-NY) today called on IBM to cooperate and announce the next steps in his efforts to secure federal funds for that study. The congressman urged IBM to work with the National Institute for Occupational Safety and Health (NIOSH) on a proposed study of cancer rates among 28,000 employees who worked for IBM at its Endicott since 1964. The study, which is estimated to cost \$3.1 million, would potentially show a link between increased cancer rates and TCE exposure.

"It is absolutely critical that IBM fully cooperate with NIOSH by providing the agency with all necessary records so that a thorough examination can be conducted to determine the health that TCE has had on those who worked in its presence," Hinchey said. "So far IBM has provided personnel records to NIOSH, but not the records of what chemicals were used, how much were used and in what proximity to workers they were used. Nothing short of full cooperation from IBM is acceptable, which has an obligation to come forward with all of the necessary information."

Hinchey is working with NIOSH and the National Institutes of Health (NIH) to discuss the available options for funding the study. The congressman is trying to determine whether the agencies have existing funds in their budgets to conduct the study or whether he will in fact need to attempt to secure federal dollars through the appropriations process. If additional funds are needed, Hinchey, who is a member of the House Appropriations Committee, will continue to talk with his colleagues in Washington to try to find a way for the money to be included in legislation.

The congressman also discussed his efforts to get the Agency for Toxic Substances and Disease Registry's (ATSDR) and the New York State Department of Health (NYS DOH) to take further steps to examine public health risks over TCE. ATSDR and NYS DOH last month released a report indicating that while there are elevated rates of testicular cancer, kidney cancer, heart defects and low birth weights in the Endicott area, the sample size is too small to conduct an epidemiological study that would show TCE to be the definitive cause. To get around this problem, Hinchey agrees with ATSDR that useful information for an epidemiological study could be obtained by combining TCE studies in Endicott with TCE studies elsewhere in order to reach the total population threshold needed to determine a definitive cause.

"I encourage the public to use the ongoing public comment period for the two federal studies:

the relevant agencies know just how deep of an impact TCE contamination has had on our area," Hinchey said. "TCE has brought great tragedy to many families throughout our region. We require those responsible to have complete accountability for these deaths and illnesses and in order to achieve that goal, all of the relevant studies must be fully conducted."

Hinchey has been a constant leader of efforts to clean-up TCE contamination at Endicott and hold responsible parties accountable. In 2003, Hinchey had language included in a federal bill to require ATSDR to conduct its health-risk study. The congressman is continuing to push federal and state agencies for much tougher health standards with regards to TCE exposure.

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Draft Document for Public Review and Comment:

An Assessment of the Feasibility of a Study of Cancer among Former Employees of the IBM Facility in Endicott, New York
Docket #NIOSH-103

Draft Document Comment Form

Please fill in your contact information below, or leave blank to submit comments anonymously.

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Comments may also be submitted by email.

by fax: 513-533-8285

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NIOSH Mailstop C-34
Robert A. Taft Lab
4676 Columbia Parkway
Cincinnati, Ohio 45226

Endicott Area Investigations - Public Health Response Plan

Draft Public Health Response Plan to Prioritize and Evaluate the Public Health Impact of Environmental Contamination in the Village of Endicott, Broome County, New York

January 24, 2006

"Draft Public Health Response Plan to Prioritize and Evaluate the Public Health Impact of Environmental Contamination in the Village of Endicott, Broome County, New York" is available in Portable Document Format (PDF, 502KB, 41pg.).

Prepared by:

The New York State Department of Health,
the Agency for Toxic Substances and Disease Registry, and
the Broome County Health Department

PHRP Release History

January 24, 2006 (current)
June 8, 2004
January 5, 2004 (initial)

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Questions or comments: beei@health.state.ny.us
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Wednesday March 28, 2007

NEWS

Cancer study may focus on IBM files

Health officials' proposal would examine illness rate of workers at Endicott plant

By Tom Wilber
Press & Sun-Bulletin

ENDICOTT -- Federal health officials are proposing a \$3.1 million study delving into IBM personnel records to determine the cancer rate among 28,000 employees who might have been exposed to chemicals at the Endicott plant since the 1960s.

Lynne Pinkerton, an official with the National Institute for Occupational Safety and Health, said the agency could combine information from personnel and industrial hygiene records kept for decades at the plant to determine cancer rates of people working in manufacturing and in various departments.

The information would address a long-standing question about whether IBM workers who faced exposure to chemicals, including trichloroethylene (TCE), were more likely than other people to become ill.

The interest in chemical exposure became more intense in the Southern Tier after the 2003 discovery that a subterranean plume of trichloroethylene and similar chemicals was flowing from the micro electronics plant on North Street and forming gases that pushed into hundreds of basements through a process called vapor intrusion. IBM sold the plant to Huron Real Estate Associates in 2002.

TCE exposure is linked to illnesses ranging from cancer to brain

TO SUBMIT COMMENTS

Comments on the health statistics review can be e-mailed to beoe@health.state.ny.us

or mailed to

Endicott HSR Follow-up

547 River St., Room 200

Troy, N.Y. 12180

Comments on the IBM worker study can be submitted online to:

www.cdc.gov/niosh/review/public/103

or mailed to

NIOSH Docket Office

4676 Columbia Parkway

MS C-34

Cincinnati, OH 45226

FOR MORE INFORMATION

Call James Bowers at (800) 458-1158, ext. 27950 or Lynne Pinkerton at 800-356-4674.

An information session about the latest findings regarding illnesses and pollution in Endicott and the feasibility of a study of IBM workers will be from 4 to 8 p.m. April 17 at Union-Endicott High School.

The reports are available at the George F. Johnson Library in Endicott and online at:

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damage, but there is little consensus among scientists and policy makers about risks from low levels over long periods. www.health.state.ny.us/environmental/investigations/broome/index.htm
www.cdc.gov/niosh/review/public/103

In August 2005, officials found that a polluted area in the village had a disproportionately high rate of birth defects and certain cancers, including kidney and testicular cancer. An updated assessment released Tuesday found other factors, such as smoking, could not explain the spike in illnesses, and TCE remained a suspect. The report was compiled by scientists from the state Department of Health and the federal Agency for Toxic Substances and Disease Registry.

Pinkerton and nine other officials from the health agencies briefed federal, state and local elected officials Tuesday afternoon, before presenting the IBM study proposal to residents gathered at the First United Methodist Church.

Residents have often pointed out that many village residents were exposed to the chemicals at home and then again when they went to work at nearby IBM.

"The employees of IBM are at the core of this community," said Alan Turnbull, a longtime village resident and executive director of RAGE, a citizens group working with health officials and lawyers to address issues about pollution. "They have been in the kettle the longest."

IBM has supplied NIOSH with personnel records that would tell researchers who worked at the plant, in what buildings and for how long. Information is also available from air testing in the buildings over the decades that would give scientists a reasonable idea of concentrations and types of chemicals workers would have been exposed to in certain spots at certain times, Pinkerton said.

The agency would then cross-reference that data with information from the state cancer registry to determine who got sick.

IBM has resisted giving all the necessary information to the agency without a guarantee that it would be kept private, Pinkerton said. The public nature of the study would make that difficult. If necessary, she added, NIOSH has the legal authority to subpoena the records.

"We prefer to work with IBM," she said.

Ari Fishkind, a spokesman for IBM, could not be reached Tuesday evening. He said last week that IBM was cooperating with the investigation.

Funding is a barrier to the study, Pinkerton said, but not insurmountable. Much of the incentive to do the study will depend on the reaction from the community, she said.

"We want your feedback on whether it is worth it to move forward," she told about 40 residents, advocates and current and former IBM workers standing or sitting on folding chairs in the basement of the church.

She received immediate support.

"It seems like a no-brainer to do a study on the people who worked there, day in and day out, right in the lion's den," said Dave Leonard, a Town of Maine resident and 33-year IBM employee.

Officials will receive comments on the report until May 28. They have scheduled an informational session open to the public on April 17.



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what do you mean Just start with the people that worked in building 18.??????

Posted by: **grace13795** on Wed Mar 28, 2007 11:39 am

Just start with the people that worked in building 18.

Posted by: **Champion of the underdog** on Wed Mar 28, 2007 10:02 am

Credit for getting NIOSH moving on this should go to Rick White of the IBM union for pushing this the last few years.

Posted by: **IBM1974** on Wed Mar 28, 2007 9:57 am

Posted: Wed Mar 28, 2007 8:02 am Post subject: cancer study

MY DAUGHTERS FATHER WORKED FOR A CONTRACTOR IN 1986 IN IBM AND WORKED IN CHEMICALS THAT WOULD PUT HOLES IN HIS BOOTS AND PANTS AND IN 1987 FOUND OUT THAT HE HAD A BRAIN TUMOR (CANCER) AT THE AGE OF 23 AND DIED AT THE AGE OF 28.

Posted by: **grace13795** on Wed Mar 28, 2007 8:19 am

MY DAUGHTERS FATHER WORKED FOR A CONTRACTOR IN 1986 IN IBM AND WORKED IN CHEMICALS THAT WOULD PUT HOLES IN HIS BOOTS AND IN 1987 FOUND OUT THAT HE HAD A BRAIN TUMOR AT THE AGE OF 23 AND DIED AT THE AGE OF 28.

Posted by: **grace13795** on Wed Mar 28, 2007 8:02 am

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April, 20 2007

NIOSH Report Supports Cancer Study

By Katherine Torres

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According to a feasibility report issued by the National Institute for Occupational Safety and Health (NIOSH), a study should be conducted in order to determine if former workers from IBM's Endicott, N.Y., facility are more likely than other people to develop cancer.

Such a study, according to NIOSH, would require \$3.1 million in funding.

The need for a cancer study stems from a longstanding question of whether or not workers are exposed to various chemicals, including trichloroethylene (TCE), from a chemical spill that occurred on the IBM Endicott facility – now owned by Huron Real Estate Associates – in 1979. A study by the New York City Department of Health indicated that a town nearby the facility had a high incidence of birth defects and certain cancers, such as kidney and testicular cancer.

Officials at NIOSH say they are accepting comments from the public until the end of May. After that, they will determine whether or not to go ahead with the study.

Lynn Pinkerton, a scientist with NIOSH, assessed whether it was scientifically feasible to conduct the study, as most cancer studies among employees of a company are based on existing records. She asserted that combining company personnel data from employees who worked after 1964 with industrial hygiene records from 1980 or later would be sufficient to determine cancer rates of people who worked in the manufacturing departments or other areas within the facility.

“A retrospective cohort study of cancer among former employees would be able to evaluate whether or not employees are more likely to develop or die of certain cancers than the general population,” Pinkerton wrote in her feasibility report. “This type of cancer study would also be able to evaluate whether or not former employees who had potential exposure to chemicals, or who worked in some departments, are more likely to develop or die of certain cancers than the general population or other workers.”

Pinkerton: Study Limitations Not an Issue

Pinkerton warned that determining if cancers are work-related may be limited by lack of data on other factors known to contribute to the development of cancer. For instance, key data may not be available on employees' medical histories, lifestyle choices (such as smoking) and environmental exposures to chemicals outside the

<p>Ads By Google Noise Control EMCOR Facilities Services Work order mgmt, mobile & onsite services, 24/7 emergency response www.emcorgroup.com Occupational Health</p>	<p>job. However, Pinkerton stated it was still possible to conclude that a specific type of cancer may be work-related if the extent of cancers observed among employees is greater than that which can be explained by other risk factors.</p>	<p>Fire HazMat Safety Tool HazGuide? \$489 - All HazMat Guides 24/7 Medical Alert System Emergency Button for Seniors Living</p>	<p>Wholesale C. Community Er Community Er</p>
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questions about the contribution of workplace exposures to cancer would remain, Pinkerton noted that a follow-up nested, case-control study that would allow a detailed comparison of former workers with cancer to a group of workers without cancer could be considered.

NIOSH officials will receive comments on the report until May 28. They can be submitted online to <http://www.cdc.gov/niosh/review/public/103> or mailed to NIOSH Docket Office, 4676 Columbia Parkway MS C-34, Cincinnati, Ohio 45226.

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Fri Jul 27 2001

Environmental Factors May Cause Cancer

' A recent study of twins in Denmark, Finland and Sweden, published in the New England Journal of Medicine , suggests that environmental factors may be a larger contributor to cancer incidence than heredity. The research team identified 10,803 people who had contracted at least one cancer among 9,512 pairs of twins. Because genetic makeup of twins is so similar, a particular type of cancer for ...

Tue Aug 08 2000

IBM Cancer Study Shows Elevated Risk Among Workers

IBM employees have an increased risk of dying of cancer as a result of exposure to solvents and other chemicals in manufacturing operations, according to a study published in the Oct. 18 issue of Environmental Health Journal. The study's author, Richard Clapp from the Boston University School of Public Health, analyzed 31,941 deaths of workers who had been employed at IBM factories across ...

Wed Nov 01 2006

Fatal Cancer Linked to Radiation Exposure of Nuke Workers

Increasing exposure to ionizing radiation boosts the risk of multiple myeloma, a rare but often fatal cancer of blood-forming tissues, especially among people exposed later in life, according to a study of workers in four U.S. Department of Energy plants. The study, conducted by University of North Carolina at Chapel Hill (UNC-CH) researchers, analyzed radiation exposures among ...

Mon Apr 10 2000

Endicott Area Investigations - Public Health Response Plan

The Public Health Response Plan (PHRP)

A Public Health Response Plan (PHRP) is a written plan designed to document historic, on-going, and planned public health actions being undertaken to address specific human exposure(s) to environmental contaminants. Health agencies, regulatory agencies (such as the New York State Department of Environmental Conservation (NYSDEC)), and community stakeholders will use the PHRP to help prioritize and evaluate the public health affect of environmental contamination. The PHRP helps to facilitate increased communication and understanding between the involved agencies and community stakeholders.

This PHRP is being developed by the New York State Department of Health (NYSDOH), the Agency for Toxic Substances and Disease Registry (ATSDR) and the Broome County Health Department (BCHD) in response to community concerns about health issues associated with environmental contamination in the Village of Endicott. It is a "living" document. That is, it will be updated and shared with the public as progress warrants.

The PHRP will do the following:

- identify community concerns;
- provide an overview of environmental contamination and human exposures;
- provide descriptions of actions that are being proposed to address community concerns;
- assist stakeholders in prioritizing health agency and community activities;
- describe opportunities for input from the community;
- provide updates as new issues and concerns arise;
- provide an overview of completed health studies in the Endicott area (Appendix C);
- give background on what proposed health studies can and cannot tell us, as well as describe how proposed studies will be conducted; and
- provide an overview of the stakeholder planning group (SPG).

2. Community Concerns

The community has expressed the following concerns about health issues associated with environmental contamination in the Village of Endicott:

- possible excesses of childhood and adult cancers;
- relationship of cancers to environmental factors;
- relationship of adverse birth outcomes to environmental factors;
- potential health effects from inhalation exposures as a result of soil vapor intrusion of volatile organic compounds (VOCs) into overlying structures;
- potential health effects from inhalation of historic outdoor (ambient) air;
- potential health effects from inhalation of current outdoor (ambient) air;
- potential health effects from ingestion of vegetables grown in the soil vapor plume area;
- potential exposures associated with contamination at the Old Village Dump;
- potential health effects from historic occupational exposures to chemicals;
- potential health effects from current occupational exposures to chemicals; and
- potential health effects associated with exposure to low concentrations of VOCs in the public water supply.

These concerns will be addressed based on their potential public health importance, community stakeholders' assessment of priority and the availability of resources.

3. Overview of Environmental Contamination and Human Exposures

The Village of Endicott is a mixed residential, commercial and industrial community in the Susquehanna River Valley. Soil in the area is mainly sand and gravel. Shallow groundwater is generally found at 18 to 24 feet below ground surface and represents the top of the shallow aquifer. A second, deep aquifer, is present below the shallow aquifer. In most areas of Endicott, the shallow and deep aquifers are separated by a layer of dense silt, which acts as a confining layer, effectively isolating the two aquifers from each other. In a few locations, this confining layer is absent.

Endicott has a rich industrial heritage that included large manufacturing operations at the Endicott Johnson Tannery and International Business Machines (IBM) facility. Many historic and current businesses within the Village of Endicott used or use solvents that contain VOCs. Such businesses include, but are not limited to, IBM, automotive repair facilities and dry-cleaners. As a result of leaks and spills associated with these operations, groundwater, soil and soil vapor in the Endicott area are contaminated with VOCs. This section provides a brief evaluation of human health exposure pathways to VOCs in Endicott.

3.1 Soil

Some areas of soil at the former IBM facility may be contaminated with VOCs. Access to the former IBM facility is restricted and most of the site is paved, therefore direct contact to VOC-contaminated soil is unlikely. Direct contact, although unlikely, remains a potential exposure pathway. Potential exposure to contaminated soil at other sites, such as those on Robinson Hill Road, will be evaluated as they are identified and investigated.

3.2 Groundwater

Although both shallow and deep aquifers are contaminated with several VOCs, the contamination is mostly contained in the shallow aquifer. The area is served with public water from wells installed in the deep aquifer. In the past, routine monitoring of the main public water supply well for this area, the Ranney Well, has detected VOCs at levels above New York State drinking water standards. Historic ingestion of water from the Ranney Well is a completed exposure pathway. To reduce exposures and remove VOCs, an air stripper was installed on this well in 1991.

The South Street Well Field, which is intermittently used to supply the public water system, has had low level detections of VOCs. Detections of VOCs have not exceeded drinking water standards. Therefore, exposure to VOCs above New York State drinking water standards from this well is not expected. In January 2004, the Village of Endicott received funding from IBM to install a treatment system on the South Street Well Field. In July 2005 the Village of Endicott completed construction of a packed tower aeration treatment system for well #5 and well #28 designed to reduce VOC levels in water produced from those wells. The system began treatment of water from well #5 during July 2005. The pump in well #28 will be upgraded so that it too can provide treated water. That well has been off line since September 2005.

3.3 Outdoor (Ambient) Air

There are many sources of contaminants to the outdoor air including motor vehicle emissions, operation of sub-slab mitigation systems, and emissions from industrial/commercial facilities. Inhalation exposure of contaminants in outdoor air is a potential exposure pathway.

Historic and current industrial/commercial operations, including the former IBM facility, emitted or emit contaminants to the outdoor air. The former IBM facility is still an active process facility known as Endicott InterConnect Technologies Incorporated. The facility currently has emissions that are regulated by an air emissions permit issued by the NYSDEC.

Current inhalation exposure of VOCs as a result of the operation of the sub-slab mitigation systems is being

evaluated by IBM in consultation with the NYSDEC and NYSDOH (see Section 4.4).

ATSDR is planning on collecting historic data from agencies to help evaluate the feasibility and usefulness of conducting exposure modeling for historic ambient emissions, consistent with Section 4.5.

3.4 Soil Vapor and Indoor Air

Soil vapor is the air that occupies the spaces between soil particles in the ground. In some areas of Endicott, VOC contamination is present in the soil vapor. Soil vapor intrusion is the process by which VOCs migrate from the subsurface into the indoor air of overlying structures.

In the IBM study area the primary VOC of concern in soil vapor is trichloroethene (TCE). TCE and its degradation by-products were found in indoor air as a result of soil vapor intrusion. Therefore, exposure to VOCs in indoor air is a completed exposure pathway. Mitigation systems have been offered to owners of those structures known to be affected and to most of those potentially affected by contaminated soil vapor. If a structure has a mitigation system, then inhalation exposure to VOCs in indoor air as a result of contaminated soil vapor is minimized. In those structures where an affect was identified and a mitigation system has not been installed, inhalation of VOCs in indoor air remains a completed exposure pathway.

Outside of the IBM study area, the main contaminant of concern, in addition to TCE, is tetrachloroethene (PCE or PERC). PCE and its degradation products were found in the soil vapor and indoor air of some structures outside of IBM's study area during IBM's Groundwater Vapor Project investigation. IBM offered mitigation systems to those structures in this area affected by soil vapor intrusion of primarily TCE. The NYSDEC conducted further investigations into this area in March 2004 to identify the remaining affected structures. Based on the results appropriate actions were taken to reduce exposures to TCE and PCE. The NYSDEC is continuing to investigate this area (see Section 4.2). Inhalation exposure to TCE and PCE in indoor air was a completed exposure pathway in the past and in some cases may remain to be one today.

4. Status of On-Going Actions

This section describes the various activities being conducted to identify environmental contamination and corresponding human exposures, to mitigate human exposures, to determine the feasibility of evaluating potential past exposures, and to evaluate potential health effects associated with human exposures.

4.1 IBM Endicott Site — Groundwater Corrective Action Program

Being Performed by:

IBM Corporation with NYSDEC, NYSDOH and BCHD oversight

Project Overview:

The goal of the Groundwater Corrective Action Program is to identify and address source areas and to reduce the overall extent of contamination through the use of interim remedial measures (IRMs) both on and off-site. The program consists of 8 operable units, each of which is designed to address a different component of the overall remediation, ranging from on-site source area remediation to bedrock plume control to addressing the Ideal Cleaners source area.

Status:

IBM continues to operate and maintain a series of extraction wells and treatment facilities in an effort to reduce contaminant levels in groundwater. Included in these activities is the monitoring of the overall effectiveness of the existing extraction wells and the installation of new extraction wells where necessary.

IBM has conducted supplemental remedial investigation (SRI) activities at the Ideal Cleaners site and is currently preparing an SRI report. Investigation activities included groundwater, soil and soil vapor sampling.

IBM has submitted a Draft Pre-Characterization Technical Memorandum for the Railroad Corridor Source Area and the North Street Area. This document includes a detailed Source Area Evaluation (SAE) for the

main site, presents Remedial Actions Objectives (RAOs) and offers candidate remedial technologies.

IBM was offered an opportunity to conduct an on-site soil vapor intrusion investigation. However, they declined, and the NYSDEC, in conjunction with the NYSDOH, conducted an on-site soil vapor intrusion investigation that was completed in September 2005 (see Appendix D). Overall, no immediate health concerns were identified as a result of the investigation. However, the soil vapor data generated by this investigation support the necessity of continuing IBM's on-going on-site investigation.

Timeline:

Analytical Summary Reports are prepared for many of the operable units on a regular basis. These reports are available for review at the document repository.

IBM is due to submit the SRI Report for Ideal Cleaners in early 2006.

4.2 Area-wide Investigation

Being Performed by:

NYSDEC, in consultation with the NYSDOH and BCHD

Project Overview:

One goal of this investigation is to further define the extent of soil vapor and groundwater contamination outside of the IBM study area.

A second goal of this investigation is to identify the potential sources of VOC contamination of the soil vapor and groundwater in Endicott. Investigations have been completed at the Old Village Dump, Jenny F. Snapp Middle School, and Creative Printing among others. An ongoing investigation is being conducted in the Badger Avenue area, the results of which will be available in late 2006.

When warranted, samples will be collected to evaluate potential human exposures associated with soil vapor intrusion and appropriate actions will be taken to address exposures where necessary.

Status:

The NYSDEC and NYSDOH have investigated soil vapor intrusion at more than 100 structures. Soil vapor and indoor air results from the 2004-2005 heating season have been evaluated and based on those results measures have been taken to reduce exposures to VOCs where appropriate. In general, actions taken to date have been driven primarily by the potential for exposures rather than current exposures.

The final report for sampling conducted through May 2005 was submitted in November 2005 and is available in the document repository.

The investigation at Creative Printing was conducted in 2004 and the Preliminary investigation Report was submitted in March 2005. Additional investigation is being conducted. The Preliminary Investigation Report is available in the document repository.

Timeline:

Additional investigation will be conducted throughout the 2005-2006 heating season.

4.3 Other Identified Site Investigations

Being Performed by:

Varies depending on the site or remedial program

Project Overview:

These investigations are focused on potentially contaminated sites currently being handled under the Brownfield Cleanup Program, the Voluntary Cleanup Program, Environmental Remediation Program or Environmental Protection Agency Emergency Removal Actions. These sites include, but are not limited

to the following:

- Schapiro's Fine Dry-Cleaning
- Endicott Forging
- IBM Gun Club
- IBM Gun Club Burn Pit
- 312 Maple Street

The goal at each of the above sites is to determine the nature and extent of environmental contamination and to take appropriate actions to mitigate exposures and remediate the environment where necessary.

Status:

Schapiro's Fine Dry-Cleaning has entered the Voluntary Cleanup Program and additional investigative work according to the June 2005 work plan will be conducted in early 2006. The proposed work includes installation of additional monitoring wells and limited soil vapor intrusion sampling.

The USEPA completed an emergency removal action of drums stored on the Endicott Forging site. The NYSDEC regional spills unit is conducting an investigation in addition to removing NAPL from monitoring wells.

IBM has submitted Brownfields Cleanup Program (BCP) applications for the former IBM Gun Club and the Former IBM Gun Club Burn Pit. The applications were deemed complete by the NYSDEC and workplans have been submitted and approved. Investigation work should begin in early 2006.

Broome County has submitted an Environmental Investigation Program (ERP) application for the 312 Maple Street. The application was deemed complete by the NYSDEC and a workplan has been submitted and approved. Investigation work should begin in early 2006.

Approved work plans and final reports for each of the above sites are available at the document repository.

Timeline:

Varies depending upon the specific site; see above. For additional, site specific questions please contact Mr. Justin Deming at 1-800-458-1158 (extension 2-7880), by faxing at (518) 402-7859, or by emailing to BEEI@health.state.ny.us.

4.4 Current Outdoor (Ambient) Air Investigations

Being Performed by:

IBM Corporation, in consultation with NYSDEC and NYSDOH

Project Overview:

The goal of this project is to develop and implement an action plan to address community concerns that pertain to current exposures to contaminants in the outdoor air from the operation of sub-slab mitigation systems.

Status:

IBM submitted and NYSDEC approved a work plan that was designed to assess what, if any, affects the operation of mitigation systems are having on ambient air quality. The work plan requires IBM to complete several tasks, including mitigation system sampling and outdoor air sampling. Outdoor air sampling began in May 2005 in accordance with the ambient air monitoring plan approved by DEC. The first set of sampling results for the monitoring period from May 2005 - September 2005 were submitted to the NYSDEC and NYSDOH in November 2005 and are under review.

Timeline:

Outdoor air sampling will continue until May 2006. At that time, the monitoring results will be evaluated and a determination will be made as to the need for further monitoring.

4.5 Data Review: Historic Outdoor Air Emissions in Endicott

Being Performed By:

ATSDR in consultation with the NYSDOH

Project Overview:

The purpose of this project is to collect available data and information to determine the feasibility of reconstructing past exposures to VOCs in the outdoor air in the Village of Endicott. Depending on the data and information that are available, air modeling may be performed to assist in reconstructing past exposures.

Status:

ATSDR met with the WBESC on July 26, 2005 to discuss the preliminary findings of the IBM air modeling for the timeframe 1987-1993 (Phase I) and to inform the stakeholders that it is feasible to conduct air modeling for this time period. Phase II of the modeling effort will determine air exposures from IBM before 1987. ATSDR and our contractors at Eastern Research Group (ERG) have reviewed data and information at the IBM Somers, New York, facility on two occasions (July and October 2005) to assist in completing Phase II of the project. ATSDR and ERG believe that all available data and information have been collected to complete Phase II of the project. A health consultation will be conducted by ATSDR and ERG to provide the public with a health interpretation of past air exposures from IBM.

Timeline:

ATSDR expects that Phase I and II will be completed by ERG by winter 2006 and that the health consultation will be available for public comment in spring 2006.

4.6 Health Statistics Review: Cancer and Birth Outcome Analyses

Being Performed by:

NYSDOH and ATSDR, in consultation with BCHD

Project Overview:

This project compiled information on the incidence of different types of childhood and adult cancers, as well as birth defects, low birth weight and prematurity, in two areas of Endicott with potential exposure to VOCs in soil vapors. The goal of this review was to determine if these adverse health outcomes were higher, lower, or about what we would expect to see in a community of this type. Among the 22 specific types of cancer investigated, rates of testicular and kidney cancer were found to be significantly higher than expected. In addition, rates of cardiovascular birth defects and term low birth weight births were also significantly higher than expected. Because of certain limitations in this type of study, it can not directly link adverse health outcomes with specific causes. Rather, it can generate hypotheses which may require further investigation.

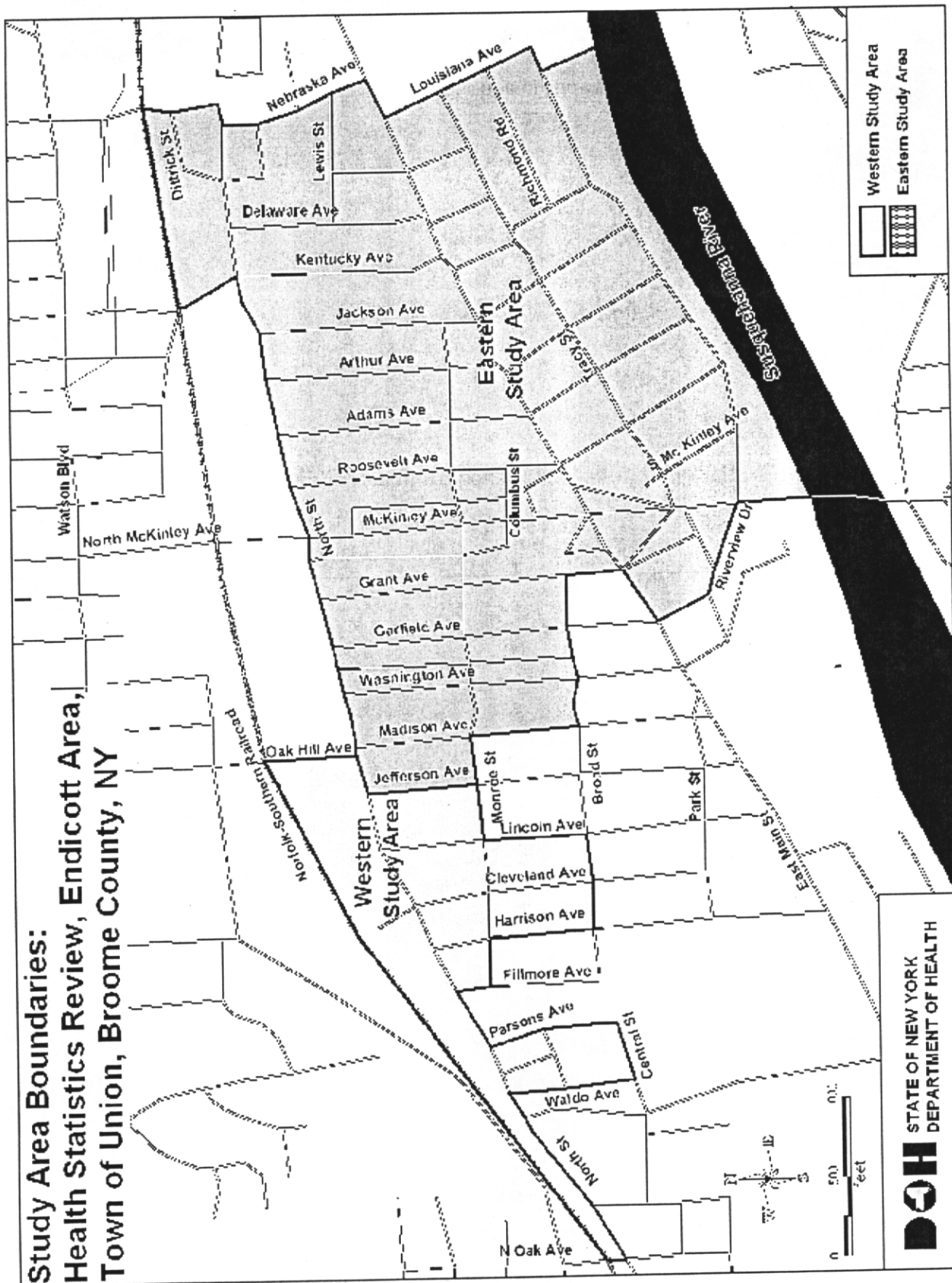
Status:

A draft of the public health consultation entitled "Health Statistics Review, Cancer and Birth Outcome Analysis, Endicott Area, Town of Union, Broome County, New York" was released on August 23, 2005 for public comment. A fact sheet summarizing the consultation findings, along with educational materials about cancer and birth outcomes, was sent to over 7,000 Endicott residents in September 2005. The public comment period for the draft consultation ended November 23, 2005 and currently NYSDOH staff are responding to public comments to finalize the health statistics review.

The elevated rates of several cancers and birth outcomes observed will be evaluated further to try to identify additional risk factors which may have contributed to these adverse health outcomes. Initial follow-up will consist of additional review of the cancer and birth outcome data already collected. This will include additional analysis of birth outcomes further adjusted for socioeconomic status and a review of small for gestational age, a slightly different low birth weight outcome than in the draft study. The results of these additional birth outcome analyses will be included in the final version of the Health Statistics Review. Other efforts underway or beginning include collecting individual case records for kidney and testicular cancer, heart defects, Down syndrome, and term low birth weight; obtaining historical exposure information; analyzing fetal deaths and calculating power for study options. The information gained, along with the results of this Health Statistics Review, will be used to assess if a follow-up epidemiologic study is warranted and feasible.

Timeline:

The final version of the Health Statistics Review is expected to be released in spring 2006. Initial follow-up steps are expected to be completed by fall 2006, at which time a summary describing these activities and suggesting other warranted study will be issued.



4.7 Health Consultation: Exposures to Low-level VOCs in Public Drinking Water

Being Performed by:

ATSDR and NYSDOH with data collection by BCHD.

Project Overview:

This project evaluates the public health implications of exposure of Village and Town residents to the combination of several different VOCs detected at low concentrations over the past 20 to 30 years. Throughout this time, the water met applicable drinking water standards for a public water supply. In addition, the risk posed by the combination of VOCs and trihalomethanes (a by-product of the disinfection of water) is evaluated.

Status:

ATSDR and NYSDOH released a draft health consultation on October 12, 2004. The draft health consultation evaluated the risk of non-cancerous and cancerous health effects from individual chemicals and the mixture of chemicals in the Endicott Municipal Water Supply. The water is not expected to cause any non-cancerous effects. ATSDR and NYSDOH conclude that the cancer risk from using water from the Endicott Municipal Water Supply is very low to low. Based on these data, ATSDR and NYSDOH conclude that drinking, bathing, and showering in water from the Endicott Municipal Water Supply is not an apparent public health hazard. ATSDR and NYSDOH concluded that Endicott's public water is of high quality and is suitable for both drinking and bathing. ATSDR and NYSDOH received public comments on the draft and met with members of the WBESC on May 24, 2005 to address these concerns. Even after taking into consideration these concerns and performing new calculations to create a worst-case scenario, the health consultation conclusions did not change.

Timeline:

The NYSDOH and ATSDR expect to release the final health consultation with response to public comments during the winter of 2006.

4.8 Western Broome Environmental Stakeholders Coalition (WBESC)

Being Performed By:

Stakeholders in the community

Project Overview:

The Western Broome Environmental Stakeholders Coalition, formerly referred to as the Stakeholders Planning Group (SPG), is made up of stakeholders representing varying constituencies within the Endicott area community. The group provides a way for stakeholders, individuals or groups from the community affected by decisions or actions taken by the health and environmental agencies, to present and discuss concerns related to the environmental contamination in the Endicott community. This helps the agencies more effectively understand community concerns. The group serves as the key vehicle for information exchange between members of the community and government agencies. Please see Appendix B for additional details on the WBESC.

Status:

The WBESC continues to meet monthly to discuss relevant issues. The WBESC generates an agenda prior to each meeting.

Timeline:

The actions of the WBESC will be on-going.

4.9 Data Review: Evaluating Cancer and Historic Occupational Exposures at the Former IBM Facility in Endicott

Being Performed By:

The National Institute for Occupational Safety and Health (NIOSH)

Project Overview:

NIOSH is assessing the feasibility of a study to evaluate associations between health effects and worker exposures at the former IBM facility. The primary focus of this effort is to determine the feasibility of a study of cancer.

Status:

NIOSH representatives requested, received, and evaluated electronic personnel and work history data

for former IBM employees at Endicott. NIOSH contracted with industrial hygiene experts through Battelle to 1) identify the main exposures of concern at the plant given the primary health outcome of concern is cancer, 2) evaluate industrial hygiene and other data on potential exposures at the facility, 3) provide an expert opinion on whether or not exposures could be estimated for a study of former employees, and 4) provide recommendations for assessing exposures if a study among former employees was conducted. Selected industrial hygiene and other data were reviewed at IBM. The Battelle investigators completed their evaluation of these records and provided NIOSH with their findings, conclusions, and recommendations. NIOSH is currently completing their assessment of the feasibility of a study based on an evaluation of available records and Battelle's findings, conclusions, and recommendations.

Timeline:

NIOSH anticipates releasing the findings of their assessment of the feasibility of a study in the summer of 2006.

4.10 Community Outreach and Education

Being Performed By:

NYSDOH, ATSDR and BCHD

Project Overview:

This project will provide the community an integrated outreach and education program that focuses on issues related to the work being performed by ATSDR, NYSDOH and BCHD.

Status:

NYSDOH, ATSDR and BCHD supports the activities of the WBESC (see Section 4.8);

NYSDOH, ATSDR and BCHD will continue to participate in regular meetings with the stakeholder planning group and other community groups as appropriate. ATSDR and NYSDOH will request review and feedback from these groups on work in progress. ATSDR and NYSDOH will also attend and sponsor other public meetings and availability sessions related to the work being performed by the health and environmental agencies;

NYSDOH, ATSDR and BCHD will develop informational materials and update existing materials that provide health messages, such as in the previous NYSDOH fact sheet on soil vapor ventilation systems (released in April 2003);

To accomplish the above items, NYSDOH staff are available in the Endicott area as need arises and resources allow;

ATSDR will provide assistance to the to the NYSDOH in preparing and developing materials for the public and medical community; and

BCHD serves as the local contact for residents and a link to other agencies.

Timeline:

These activities are on-going.

5. Proposed Actions

There are no proposed actions at this time.

6. Next Steps

As needed, the NYSDOH, BCHD and ATSDR will perform evaluations of emerging exposure issues as they arise.

The NYSDOH, ATSDR and BCHD are currently seeking the community's input on the following:

- proposed actions described in this document;
- prioritization of on-going and proposed activities; and
- additional concerns not identified in this document.

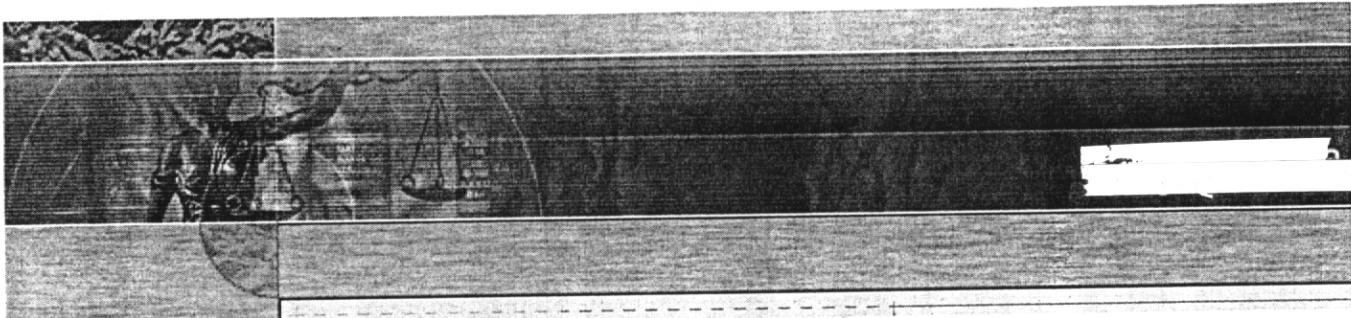
7. Contact Information

Comments about this document can be made by calling Mr. Justin Deming at 1-800-458-1158 (extension 2-7880), by faxing at (518) 402-7859, or by emailing to BEEI@health.state.ny.us. Where appropriate, updated versions of the PHRP will incorporate comments received from the public.

8. Document Repository

Documents relating to the on-going projects in Endicott may be reviewed, as they become available, at the George F. Johnson Memorial Library, Village of Endicott, 1001 Park Street, Endicott, NY 13760.

Questions or comments: beei@health.state.ny.us
Revised: April 2006



- ▶ WIDOW MAKER
- ▶ WIN-WIN SOLUTION
- ▶ IBM MURDERS
- ▶ SPITZER LETTERS
- ▶ [REDACTED]

I B M : T H E W I D O W M A K & T H E O R P H A N M A I

BY I

A W H I S T L E B L O W E R ' S M E M

PART 1 - NO BLUES FOR BIG BLUE

PART 2 - I CAN SHOW YOU BETTER THAN I CAN TELL
SUB-TITLE: TAKING ON IBM FOR \$1000 OR LESS

PART 3 - OH, LET THE SUN SHINE IN!
SUB-TITLE: WHY THE FREE PRESS & NEWS MEDIA STILL
REIGN AS THE 4TH BRANCH OF GOVERNMENT

ANTICIPATED RELEASE DATE --
ANNIVERSARY OF THE UNTIMELY DEATH OF

n