

Introduction: In early 2001 Senator DeWine asked ATSDR to determine whether air emissions of beryllium from the Brush Wellman plant in Elmore, Ohio, or possible off-site transport of beryllium on workers' clothing, constitute a health hazard to the area residents. The Ottawa County Commissioners and Brush Wellman have expressed concerns from the outset: the stated basis for their opposition has changed as ATSDR's work has progressed and other circumstances evolved. At each stage ATSDR has endeavored to work with them and the community at large to address questions and concerns raised about its proposals.

Initial Findings and Recommendations: In its 2002 public health consultation ATSDR concluded that current emissions of beryllium from the Brush Wellman facility did not present a public health hazard. However, the Agency also concluded that it did not have the data necessary to determine whether residents were at risk from exposures to beryllium released in the past. The case finding and exposure investigations that, until recently, ATSDR was planning, were intended to address that uncertainty. ATSDR has taken a fresh look at scientific and related ~~other~~ issues. As a result, the Agency recently decided to take a more limited approach to address what the health consultation refers to as an "indeterminate public health hazard".

ATSDR's current approach: The Agency recently concluded that while there was not sufficient evidence of health impact at this time to warrant a full case finding study or exposure investigation, data showing beryllium had been released in the past, and the uncertainty left by the earlier report's finding of an indeterminate health hazard, it would be prudent to offer tests for beryllium sensitivity to persons who may have been exposed to beryllium and may be concerned about these past exposure. The current proposal is to offer, as a public service, tests for beryllium sensitization to up to 200 eligible persons, including those who live within a short distance of the facility, and those who could have been exposed through beryllium dust brought home on workers' clothing. The test would be purely voluntary and confidential.

Issues and Concern expressed by the Ottawa County Commissioners and Brush Wellman: The current concerns relate to a community service testing plan that ATSDR released for public comment on March 31, 2006. The plan, which is open for public comment through April 30, provides for activities that are significantly more limited than those ATSDR proposed to undertake in the past: in place of a full research study and exposure investigation in residences, which the Commissioners and Company opposed,

The Commissioners and Company have raised these concerns through numerous channels, including several directed to Secretary Leavitt: a letter from the CEO of Brush Wellman; a phone call to Sen. DeWine; and a note from Governor Taft. Their concerns include:

- challenging the need for any further action by ATSDR,

- Arguing that ATSDR's presence could hurt the chances that Brush Wellman's Elmore facility will be chosen to carry out a large contract recently awarded to the Company by the DOE. Selection would mean construction of a state of the art facility and job creation in an economically depressed area. The other location under consideration is in Utah, the site of Brush Wellman's current mining operations. Brush Wellman and the Commissioners suggest that ATSDR's presence in Elmore would raise unfounded health concerns among residents and create a climate that would be hostile to their expansion. However, beryllium sensitization is an indication of past exposure to beryllium; ATSDR's proposed plan should have no bearing on where Brush Wellman builds its new state of the art facility.
- Arguing that the testing method is seriously flawed and unreliable without acknowledging that the company has periodically offered this same test to its own employees.

The Commissioner also made a suggestion, which Senator DeWine reportedly pursued in his conversation with Secretary Leavitt, that the County Health Department, rather than ATSDR, should conduct the testing.

Steps to accommodate concerns raised by the Commissioners and Brush Wellman:

1. ATSDR has consistently solicited and ~~seriously~~ considered the concerns of Brush Wellman, the County commissioners, and the community at large, and where appropriate has taken steps to accommodate these concerns. For example, the Agency:

- Has sought and considered public comments on the protocol for the exposure investigation in 2003;
- read a statement prepared by the County Commissioners at ATSDR public meeting in 2003;
- planned to invite public comment on the case finding protocol in 2005, before deciding not to go forward with a case finding study;
- agreed to change the intended schedule for release of the protocols;
- reconsidered its approach, based in part on issues raised by the Commissioners and the company, and decided not to proceed with the case finding or exposure investigation at this time;
- attended a lengthy meeting convened by Sen. DeWine with representatives of Brush Wellman and the County Commissioners on March 24, 2006, to brief them on and answer questions regarding the approach under the new protocol, prior to its release on March 31, 2006; The company president, Mr. Richard J. Hipple's sent a letter to Senator DeWine, on March 28, 2006 that inaccurately characterized the purpose and the content of the March 24, 2006 meeting; a meeting in which he did not attend. ATSDR will review and address any scientific comments contained in this letter immediately following the public comment period.

- offered to convene an expert panel in Ottawa County to address the interpretation of testing results, on April 25, 2006: the panel will include representatives of Brush Wellman and the County, as well as other scientists;
- invited public comment for a period of 30 days on the protocol released on March 31, 2006, and before finalizing the protocol will consider comments received.

2. Based on the circumstances -- data showing past releases of beryllium, and ATSDR's earlier finding of an indeterminate health hazard - persons who may be concerned about potential exposure should be offered an opportunity to learn more about their individual status through a test for beryllium sensitization.

3. ATSDR's current proposal is scaled back significantly from the approach contemplated earlier, based in part on consideration of concerns raised by the County Commissioners and Brush Wellman.

4. ATSDR is in an ongoing dialogue with the County Commissioners regarding their suggestion that the County conduct blood testing. Although the suggestion raises some concerns, the Agency has requested further information to allow it to more fully evaluate the proposal.

5. If the County Commissioners and the company are correct that the community is not interested in the testing, then the demand for this service will be limited. Press in response to ATSDR's announcing its release of the protocol for public comment has been limited and neutral.

6. The Commissioners and the Company should be encouraged ~~advised~~ to raise their concerns through the public comment period on the protocol, which is open until April 30, rather than allowing them to bypass this process which ATSDR voluntarily offered precisely for the purpose of inviting and addressing concerns such as those that have been raised. ATSDR's senior management will personally review all comments offered by the company and the county commissioners and ATSDR proposed responses to the comments.