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## ASBESTOS: WHAT'S OLD IS NEW AGAIN

At least 12,000 to 15,000 Americans die every year from exposure to asbestos,<sup>1</sup> a lethal toxin around for decades that has never been banned in the United States. Indeed, asbestos is not a danger existing in the past – it continues to lurk and manifest as a life-threatening health hazard for younger generations while they attend school,<sup>2</sup> play with toys<sup>3</sup> or go about their daily lives.

Take 32-year-old comedian Quincy Jones, who was diagnosed in 2015 with peritoneal mesothelioma, an aggressive asbestos-related cancer that affects the lining of the abdomen, and given about a year to live.<sup>4</sup> His story became public from an appearance on Ellen DeGeneres's show and the HBO broadcast of his one-hour comedy special.<sup>5</sup>

Unfortunately, Jones's age does not make him unique among asbestos victims. As the following examples illustrate, there is a new and ever-increasing epidemic of asbestos-related illness among younger Americans in the U.S.

- 29-year-old Michael Bradley died in 2014, two years after being diagnosed with peritoneal mesothelioma caused by childhood exposure to asbestos that was carried home from the local dump on his father's work clothes.<sup>6</sup> After being diagnosed at age 27, Bradley underwent surgery where doctors scraped his insides and removed a tumor over a foot wide, the first of many debilitating procedures he endured until his death. “Each surgery and round of chemotherapy left Michael weaker, and he was in constant pain,” said his mother Sandy Neuenschwander. “He used to tell us he wanted to die.”<sup>7</sup> Despite his weakened condition, which included losing 150 pounds, Bradley worked to raise public awareness about the dangers of asbestos exposure and received the Asbestos Disease Awareness Organization’s Special Recognition of Valor Award.<sup>8</sup> After his death, Bradley’s mother continued her son’s fight against asbestos.<sup>9</sup>
- At age 36, soon after the birth of her first child, Heather Von St. James was diagnosed with malignant pleural mesothelioma.<sup>10</sup> Her lung was removed, leaving her chronically weak, severely fatigued and unable to care for her daughter or work.<sup>11</sup> As a child, St. James had been exposed to asbestos from dust brought home on her father’s work clothes. “Many nights while growing up,” *Reuters* reported, “she greeted her father with a hug at the door when he returned home from his job sanding drywall, a fine white dust powdering his jacket. She often put on that jacket before running outside to feed her pet rabbits.”<sup>12</sup> Almost 30 years later, she was diagnosed with mesothelioma. In December 2006,<sup>13</sup> a “court that heard her lawsuit estimated that the disability caused by her mesothelioma cost her more than \$5 million in lost lifetime earnings. ‘We didn’t get \$5

million. It can never replace what I lost,” explained St. James, “who is bound by confidentiality agreements not to disclose whom she sued or the precise amount she received.”<sup>14</sup> Today she continues to tell her story and be an outspoken advocate in the battle to ban asbestos.

- Janelle Bedel died in June 2013 after enduring six years of surgeries, chemotherapy, 30 rounds of radiation and other treatments in her fight against malignant pleural mesothelioma.<sup>15</sup> She was 31, a wife, a mother to a four-year-old and working at a local bank when she was diagnosed with her illness, which likely arose from childhood exposure. Bedel was nicknamed “Wonder Woman” for her tireless efforts combatting her sickness and advocating on behalf of other mesothelioma victims. U.S. Sen. Joe Donnelly (D-Ind.) wrote her a letter stating, “You have turned your own heartbreaking situation into a source of inspiration. … Your focus on raising public awareness of the dangers of asbestos exposure, as well as your work to eliminate it, even while enduring difficult medical treatments and precious time away from your husband and son, has motivated many to support this important cause.”<sup>16</sup>
- In 2011, former high school athlete Kevin Morrison of Norwood, MA died at age 21 from peritoneal mesothelioma only six months after being diagnosed.<sup>17</sup> Though it’s not known how he was exposed to asbestos, “[m]esothelioma is no stranger to the area. The cancer has struck many times around Boston, particularly those in blue-collar professions, many stemming from work in the area shipyards, where asbestos exposure has been prevalent.”<sup>18</sup>
- High school senior and star athlete Austin Lacy was diagnosed with pericardial mesothelioma in May 2011 and died the following month, just weeks before graduation at age 18.<sup>19</sup> “He was a kid you won’t forget,” said his high school coach Randy Horton. “There was always a smile on his face, never any excuses. He didn’t want anyone feeling sorry for him. He never let on that anything was wrong.”<sup>20</sup> Lacy was on life support for three days before his death. “One of the last things he told me in the hospital was that if he wasn’t going to be well enough to play football again, he wanted to become a coach,” his mother Karen Rogers told *Asbestos.com*. “Sports had become his life. He loved basketball, too. I can still remember him shooting baskets outside all day in his underwear. He was always being funny.”<sup>21</sup> On June 22, 2011, Rogers attended her son’s high school graduation and accepted his diploma in his honor.<sup>22</sup>
- At age 37, Sarah Simso-DeMaria was diagnosed with stage 4 peritoneal and pleural mesothelioma. Her spleen, appendix, gall bladder, part of her kidney and the lining in her abdomen were removed in one surgery. She subsequently suffered multiple post-surgery complications and endured four rounds of chemotherapy.<sup>23</sup> “I feel I have an hour glass standing next to me all the time and those pieces of sand are loud and clear. It’s just reality,” DeMaria told the *Republican American* in April 2016. “This is the reality of mesothelioma and, unfortunately, people don’t know this.”<sup>24</sup> In May, Simso-DeMaria underwent a second surgery on her spine, lungs and other organs and had the lining of her chest area removed, with more chemotherapy to follow.<sup>25</sup>

## Notes

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<sup>1</sup> Environmental Working Group Action Fund, “Asbestos kills 12,000-15,000 people per year in the U.S.” (May 2015), <http://www.asbestosnation.org/facts/asbestos-kills-12000-15000-people-per-year-in-the-u-s/>.

<sup>2</sup> Staff of Senator Edward J. Markey (D-Mass.), *Failing The Grade: Asbestos in America’s Schools* (December 2015), <http://www.markey.senate.gov/imo/media/doc/2015-12-Markey-Asbestos-Report-Final.pdf>.

<sup>3</sup> See, e.g., Environmental Working Group Action Fund, *Tests Find Asbestos in Kids’ Crayons, Crime Scene Kits* (July 2015), <http://www.asbestosnation.org/facts/tests-find-asbestos-in-kids-crayons-crime-scene-kits/>.

<sup>4</sup> Darby Maloney and Michelle Lanz, “Comedian Quincy Jones: ‘There is no cancer when I’m on that stage,’” *The Frame* (89.3 KPCC), June 1, 2016, <http://www.scpr.org/programs/the-frame/2016/06/01/46761/comedian-quincy-jones-there-is-no-cancer-when-im-on/>; Jacqueline Cutler, “Dying for laughs: terminally ill comic Quincy Jones’ HBO special lands,” *New York Daily News*, May 27, 2016, <http://www.nydailynews.com/entertainment/tv/terminally-ill-comic-quincy-jones-hbo-special-lands-article-1.2652360>; Nick A. Zaino III, “Comedian Quincy Jones is laughing in face of cancer,” *Boston Globe*, March 23, 2016, <https://www.bostonglobe.com/arts/theater-dance/2016/03/22/comedian-quincy-jones-terminally-ill-but-only-spurs-him/BJcMEYSA13j6kxcUjr35nK/story.html>.

<sup>5</sup> Greg Braxton, “Terminally ill comedian Quincy Jones stands up to his cancer in HBO special,” *Los Angeles Times*, May 31, 2016, <http://www.latimes.com/entertainment/tv/la-et-st-quincy-jones-hbo-20160524-snap-story.html>.

<sup>6</sup> Environmental Working Group Action Fund, “Asbestos does not think, it just kills,” *Asbestos Nation Blog*, <http://www.asbestosnation.org/asbestos-does-not-think-it-just-kills/> (viewed June 18, 2016); Sandy Neuenschwander, “Asbestos Took My Son Michael Bradley,” <https://www.youtube.com/watch?v=Pb3BuX0oKhc> (presented to U.S. Senate staff briefing July 17, 2014).

<sup>7</sup> Environmental Working Group Action Fund, “Asbestos does not think, it just kills,” *Asbestos Nation Blog*, <http://www.asbestosnation.org/asbestos-does-not-think-it-just-kills/> (viewed June 18, 2016).

<sup>8</sup> Environmental Working Group Action Fund, “Asbestos does not think, it just kills,” *Asbestos Nation Blog*, <http://www.asbestosnation.org/asbestos-does-not-think-it-just-kills/> (viewed June 18, 2016); Asbestos Disease Awareness Organization, “‘Asbestos Has Changed My Life’ – Michael’s Story,” <http://www.asbestosdiseasewareness.org/archives/18693> (viewed June 18, 2016).

<sup>9</sup> Sandy Neuenschwander, “Asbestos Took My Son Michael Bradley,” <https://www.youtube.com/watch?v=Pb3BuX0oKhc> (presented to U.S. Senate staff briefing July 17, 2014).

<sup>10</sup> “Heather Von St. James,” *Huffington Post*, <http://www.huffingtonpost.com/heather-von-st-james/> (viewed June 18, 2016).

<sup>11</sup> Ben Berkowitz, “Special Report: The long, lethal shadow of asbestos,” *Reuters*, May 11, 2012, <http://www.reuters.com/article/us-usa-asbestos-lawsuits-idUSBRE84A0J920120511>.

<sup>12</sup> Ibid.

<sup>13</sup> Pat Pheifer, “A rare survival story in a brush with a rare and deadly cancer,” *Minneapolis Star Tribune*, August 27, 2008, <http://www.startribune.com/a-rare-survival-story-in-a-brush-with-a-rare-and-deadly-cancer/27512374>.

<sup>14</sup> Ibid.

<sup>15</sup> Asbestos Disease Awareness Organization, “Janelle Bedel’s Mesothelioma and Ban Asbestos Journey as Told by the Rushville Republican from 2007 – 2014,” May 30, 2015,

<http://www.asbestosdiseasewareness.org/archives/22401>; Linda Reinstein, “Asbestos Victims Unite On Mesothelioma Awareness Day,” *EWG EnviroBlog*, September 26, 2013, <http://www.ewg.org/enviroblog/2013/09/asbestos-victims-unite-mesothelioma-awareness-day>; Gary Cohn, “Daughters of the Dust: The Changing Face of Mesothelioma,” *Mesothelioma Cancer Alliance Blog*, August 23, 2013, <http://www.mesothelioma.com/blog/authors/gary/daughters-of-the-dust-the-changing-face-of-mesothelioma.htm>; Melissa Conrad, “Janelle’s journey comes to an end,” *Rushville Republican*, June 20, 2013, [http://www.greensburgdailynews.com/news/janelle-s-journey-comes-to-an-end/article\\_343db44b-1068-5dde-8ea0-37c158d33fe9.html](http://www.greensburgdailynews.com/news/janelle-s-journey-comes-to-an-end/article_343db44b-1068-5dde-8ea0-37c158d33fe9.html); Tim Povtak, “Battle Turned Janelle Bedel into Unlikely Hero as ‘Wonder Woman,’” *Asbestos.com*, June 18, 2013, <http://www.asbestos.com/news/2013/06/18/mesothelioma-bedel-wonder-woman/>; Melissa Conrad, “Thursday is Wonder Woman Day in Rushville,” *Rushville Republican*, June 4, 2013, [http://www.rushvillerepublican.com/news/local\\_news/thursday-is-wonder-woman-day-in-rushville/article\\_21378310-f1d0-5998-bbab-f4ba24d6d921.html](http://www.rushvillerepublican.com/news/local_news/thursday-is-wonder-woman-day-in-rushville/article_21378310-f1d0-5998-bbab-f4ba24d6d921.html).

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<sup>16</sup> Gary Cohn, “Daughters of the Dust: The Changing Face of Mesothelioma,” *Mesothelioma Cancer Alliance Blog*, August 23, 2013, <http://www.mesothelioma.com/blog/authors/gary/daughters-of-the-dust-the-changing-face-of-mesothelioma.htm>.

<sup>17</sup> “Norwood’s Kevin Morrison died Saturday,” *Norwood Transcript and Bulletin*, August 22, 2011, <http://norwood.wickedlocal.com/article/20110822/blogs/308229635>; Sarah Favot, “Friends plan fund-raiser for youth diagnosed with rare cancer,” *Boston.com*, August 1, 2011, [http://archive.boston.com/yourtown/news/norwood/2011/08/fund\\_raiser\\_to\\_benefit\\_norwood.html](http://archive.boston.com/yourtown/news/norwood/2011/08/fund_raiser_to_benefit_norwood.html). See also, Norwood Fire Department, Local 1631 press release, “Kevin’s Cause,” <http://www.norwoodsoccer.com/content/kevins-cause> (viewed June 18, 2016).

<sup>18</sup> Tim Povtak, “Young Athlete Near Boston Hit With Mesothelioma Diagnosis,” *Asbestos.com*, August 4, 2011, <http://www.asbestos.com/news/2011/08/04/young-athlete-near-boston-hit-with-mesothelioma-diagnosis/>.

<sup>19</sup> Tyson Alger, “With memory of friend tattooed on shoulder, Vernon Adams Jr. readies for first and last bowl game,” *Oregonian*, January 1, 2016, [http://www.oregonlive.com/ducks/index.ssf/2016/01/with\\_memory\\_of\\_friend\\_tattooed.html](http://www.oregonlive.com/ducks/index.ssf/2016/01/with_memory_of_friend_tattooed.html); K.J. McElrath, “Not Only The Young,” *levinlaw.com*, August 17, 2011, <https://www.levinlaw.com/news/not-only-young>; Tim Povtak, “Mesothelioma claims young victim: California high school football star Austin Lacy,” *Asbestos.com*, June 10, 2011, <http://www.asbestos.com/news/2011/06/10/mesothelioma-claims-young-victim-california-high-school-football-star-austin-lacy/>; Miguel Melendez, “Football: This truly is really sad to report. Pasadena’s Austin Lacy, a young man filled with sheer determination, passes away at a Maryland hospital on Friday,” *Pasadena Prep Sports*, June 4, 2011, <http://www.insidesocal.com/paspreps/2011/06/04/football-pasadena-family-frien/>.

<sup>20</sup> Tim Povtak, “Mesothelioma claims young victim: California high school football star Austin Lacy,” *Asbestos.com*, June 10, 2011, <http://www.asbestos.com/news/2011/06/10/mesothelioma-claims-young-victim-california-high-school-football-star-austin-lacy/>.

<sup>21</sup> Ibid.

<sup>22</sup> Tyson Alger, “With memory of friend tattooed on shoulder, Vernon Adams Jr. readies for first and last bowl game,” *Oregonian*, January 1, 2016, [http://www.oregonlive.com/ducks/index.ssf/2016/01/with\\_memory\\_of\\_friend\\_tattooed.html](http://www.oregonlive.com/ducks/index.ssf/2016/01/with_memory_of_friend_tattooed.html); Tim Povtak, “Mesothelioma claims young victim: California high school football star Austin Lacy,” *Asbestos.com*, June 10, 2011, <http://www.asbestos.com/news/2011/06/10/mesothelioma-claims-young-victim-california-high-school-football-star-austin-lacy/>.

<sup>23</sup> “Torrington woman with mesothelioma holding fundraiser for group fighting the disease,” *Republican American*, April 29, 2016, <http://www.rep-am.com/articles/2016/04/30/news/local/954092.txt>.

<sup>24</sup> Ibid.

<sup>25</sup> Sarah Simso-DiMaria Facebook post dated May 17, 2016, <https://www.facebook.com/curemeso/posts/1034803403282094>; “Torrington woman with mesothelioma holding fundraiser for group fighting the disease,” *Republican American*, April 29, 2016, <http://www.rep-am.com/articles/2016/04/30/news/local/954092.txt>.