

Dow Chemical's "Deep Throat"

David L. Linhardt , publisher , MDN - REJECTED June 1, 2005

After thirty years, the confidential source known as "Deep Throat" that played a critical role in the resignation of President Richard Nixon has been identified. W. Mark Felt, Deputy Director of the FBI during the 1970's investigation of the break-in at the headquarters of the Democratic National Committee at the Watergate complex, revealed this week that he is Deep Throat.

Mr. Felt and the other named and un-named sources used by the Washington Post in investigating and reporting this story have done our nation a great service by assuring that the public was afforded access to information that some very high ranking government officials tried to keep secret from the citizens of this country.

The residents of the Midland, Bay City and Saginaw area and the past and current employees of The Dow Chemical Company that have been exposed to high levels of dioxins would be well served by a knowledgeable source that could provide information on sensitive issues that the company would rather not discuss, much less resolve.

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Some unresolved issues that need answers:

1. **Mesothelioma**

In 2002, the company reported¹ that 54 male and 3 female employees of the Midland Division died with mesothelioma, a disease normally associated with exposure to asbestos, but rarely linked to chemical exposure – except possibly in the Midland plant.

Based on an earlier study², only 7 of the male deaths were linked to asbestos exposure. None of the 3 female employees that died had any known asbestos exposure. The reason for the additional 47 deaths has never been identified.

The 2002 study divided up the 57 mesothelioma deaths into eight separate disease categories but provided little information. If all the deaths had been reported as a single disease – **Mesothelioma (M9050/3) C45.9** of the International Classification of Diseases (ICD) – the Standardized Mortality Ratio would have been SMR=2867, almost 29 times the expected death rate.

¹ Burns, CJ et al., Cause-Specific Mortality Among Michigan Employees of a Chemical Company: 1940 to 1994, JOEM Vol44, No 2, February 2002

² Bond, GG et al, Cause-Specific Mortality Among Male Chemical Workers, Am Jour Ind Med 12:353-383 (1987)

One common factor possibly linking these deaths : exposure to high levels of industrial or environmental dioxins. The 1991 National Institute for Occupational Safety and Health (NIOSH) study³ of 5,172 workers in 12 US chemical plants exposed to TCDD reported seven (7) cases of possible mesothelioma with an estimated SMR=2755 (more than 27 times higher than expected).

The company has not provided any additional information on these 47 abnormal deaths nor an update as to whether mesothelioma continues at an extremely high rate at the Midland plant.

2. Cancer, Other and Unspecified Sites

Many mortality studies of dioxin-exposed workers found deaths related to Cancer, Other and Unspecified Sites. This disease classification groups a number of cancers that are so rare that the ICD does not provide a separate classification for each of these cancers.

Some of the Dow dioxin studies and the 1991 NIOSH dioxin study reported a statistically significant increase in these very rare cancers.

One Dow study² is especially important in that it examined the mortality of more than 29,000 male Dow employees that worked in the Midland plant from 1940 to 1982. For the entire cohort, the study reported that the mortality from these very rare cancers was elevated (SMR=135) and that the increase was statistically significant (95% CI = 115-157).

The same study reported that deaths from the very rare cancers were significantly higher, SMR=146, 95% CI (116-262), for hourly and non-exempt workers that are generally exposed to higher levels of chemicals and dioxins. Mortality experience in the 11,000+ salaried workers with less chemical exposure was normal (SMR=100).

A subsequent Dow study¹ that examined the mortality of 42,000 male employees from 1940 to 1994 did not provide any information on the number of deaths from these very rare cancers – an unexpected omission. One Dow study⁴ provided this comment on the significant elevation of very rare cancers at the Midland plant, “... we can offer no explanation for the finding.”

Perhaps, there is a linkage between these very rare cancers and wide-spread exposure to environmental dioxins at the Midland plant. Perhaps, there is additional data that the company has chosen not to release.

³ Fingerhut MA, et al, Cancer Mortality in Workers Exposed to 2,3,7,8-Tetrachlorodibenzo-p-dioxin, NE Jour Med, Jan 24, 1991

⁴ Ott MG, et al, Cohort Mortality Study of Chemical Workers With Potential Exposure to the Higher Chlorinated Dioxins, Jour Occup Med, Vol 29, No 5, May 1987

3. Dow Employee – Dioxin Blood Levels

In 2004, the company reported measuring dioxin blood serum levels in a small number of employees that had been exposed to pesticide plant dioxins sometime between 1940 to approximately 1980.

Although the EPA was measuring TCDD blood levels in exposed workers in the 1980's, the company apparently waited until 2003 to carry out similar testing of some of its employees.

The information released to the general public on dioxin blood levels was reported by the Midland Daily News. However, the publicly released information was substantially different than what the company reported to the DEQ and the Michigan Department of Community Health (MDCH).

It is not known if the MDN was aware that additional data was available when it reported its Dow Press Release story. A Freedom of Information Act request to the DEQ will yield surprising amounts of data should the MDN wish to report a follow-up story.

The public was informed that tested pesticide plant workers had average blood serum levels of all dioxins of 68 ppt-TEQ in 2003. The company informed the DEQ/MDCH of the current levels but also estimated that **TCDD blood levels** may have averaged **582 to 1928 ppt-TCDD** (Max 17,847 ppt-TCDD) at the time of last dioxin exposure – some 23 to 63 years earlier.

EPA, 2003 has reported that TCDD blood serum levels of **233 to 462 ppt** have been linked to cancers rates as high as 410% of expected in the very important All Cancers category.

Based on the concern that the company has shown over the past years about the health of its dioxin exposed workers, it is difficult to understand why the company did not measure dioxin blood levels prior to 2003.

If earlier testing was carried out but not reported, perhaps the levels found in the pesticide workers were significantly higher than the “estimates” – an understandable reason not to report earlier test results.

Conclusion:

W. Mark Felt may have violated federal regulations when he provided information on the Watergate investigation to the Washington Post. But by refusing to participate in the cover-up and the obstruction of justice being carried out by President Nixon and his staff, he proved himself to be a patriot.

The Dow Chemical Company may have a great deal of dioxin-related information that it has not revealed to the DEQ, the MDCH, its Midland plant employees or to the residents living in dioxin contaminated areas – information that may disprove its claim that “there is no indication of increased risk of health effects in Dow workers related to dioxin exposure”. [emphasis added]

Eventually, lawsuits may be filed against the company alleging death or health effects from dioxin exposure. It is anticipated that the company will defend itself vigorously and that the company’s total legal expenses will probably run into the millions of dollars. It will be difficult for a plaintiff to compete with this level of legalese spending.

The initial lawsuits may not be successful – just as the initial lawsuits against the tobacco companies were not successful. However, as in the tobacco lawsuits, information that Dow would rather remain secret may be uncovered in the discovery phase of the lawsuits. Perhaps, additional disclosure of Dow’s dioxin data may be victory enough in the very first lawsuits.

With more incriminating evidence made public with each lawsuit, the greater the need for the company to settle out of court. Hopefully, a settlement that will benefit all dioxin exposed persons.

It is well known that the company has a very disciplined records retention policy that is the basis for its destruction of historic company records. It is possible that an ex-employee or retiree that should have destroyed documents failed to do so for any number of reasons. Perhaps, a Dow Deep Throat (or several) will provide this “oops, I forgot to shred” information to the plaintiffs’ attorneys and possibly to an investigative newspaper.

A few words of advice to any potential confidential source:

- (1) determine if prior confidentiality agreements are still valid,
- (2) the Detroit Free Press may be a much better choice than the Midland Daily News,
- (3) why wait?

Harm to human health may still be ongoing and corrective measures are a distant dream.