

S P E C I A L R E P O R T : D A Y 6



BLADE PHOTO BY CHRIS WALKER

Even while sleeping, Butch Lemke needs oxygen. Mr. Lemke contracted beryllium disease – an incurable, often-fatal illness – while working for Brush Wellman. He is determined not to let the disease beat him. See his story on Page 8.

If you're a taxpayer, you
have contributed to Brush

Millions of public dollars have helped company to grow

STORIES BY SAM ROE ■ BLADE SENIOR WRITER

A LOOK AT THE SERIES

Sunday: The U.S. government has risked the lives of thousands of workers by knowingly allowing them to be exposed to unsafe levels of beryllium.

Monday: A secret bargain between government and industry officials twists a plan to protect beryllium workers into a deal protecting themselves.

Tuesday: Brush Wellman, America's leading beryllium producer, has misled workers, federal regulators, and the public about the dangers of the metal.

Wednesday: Brush Wellman has systematically and aggressively tried to control how doctors, scientists, and the public view beryllium.

Yesterday: The final days of Marilyn Miller, who contracted beryllium disease while working as a secretary in a local beryllium plant.

TODAY: Public officials are quick to give Brush Wellman millions of dollars in tax breaks and public money but slow to raise health concerns.

If you think you haven't contributed to workers at Brush Wellman Inc. getting sick and dying, think again.

Millions of dollars in public money and tax breaks have gone to the beryllium producer to help it grow and thrive.

Ottawa County once gave Brush Wellman the biggest tax break in county history.

The Toledo-Lucas County Port Authority once built a plant for the company.

And Cuyahoga County once gave Brush Wellman a property tax cut because its land was polluted – polluted, in part, by the company itself.

While public officials have been quick to give Brush Wellman money, there is one thing they haven't done: ask many questions about how workers have contracted beryllium disease at Brush plants.

"I can't say that weighed very heavily in the decision" to give Brush Wellman a tax break, says Walt Wehenkel, an Ottawa County planner.

Lorain, O., Mayor Joe Koziura says that when he recently backed a tax break for Brush, he had no idea workers at some of its facilities were becoming ill. That was never a part of any discussions, he says.

The average taxpayer has a stake in the matter: Some of Brush's tax cuts involve millions of dollars that would otherwise go to local schools and social services, such as nursing home and mental health care.

Those responsible for providing Brush with public money and tax cuts range from



DEADLY ALLIANCE

HOW GOVERNMENT AND INDUSTRY
CHOSE WEAPONS OVER WORKERS

the U.S. Congress to local school boards. Some defend giving the tax breaks as a way to encourage new jobs. Brush, an international firm with about \$400 million in annual sales, defends accepting them as a way to keep costs down.

"You're building a new plant to expand your revenue and income-base, and therefore you have to do it in the most cost-effective way that you can," says Brush spokesman Timothy Reid, who recently left the firm.

A Blade review of Brush Wellman's government aid shows:

■ For years, the federal government subsidized the company, at times practically saving it from closing.

■ In 1996, state and local officials provided a massive package of tax breaks, loans, and grants for a project that promised to cut jobs, not create them.

■ That same year Lorain lured a Brush plant to town with a tax break

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TAX BREAKS

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even though the company left the city in disgrace 50 years earlier after numerous residents living near a Brush plant contracted beryllium disease.

"I would have never let that company come in," says Angela Barraco, whose husband and 7-year-old niece died of beryllium disease from the old Lorain plant, records show.

"I do believe that they ruined a lot of people's lives."

Based in Cleveland, Brush Wellman has facilities in 11 states. The firm is the nation's leading producer of beryllium, a hard, gray metal used in nuclear bombs and other weapons, as well as in the electronics and automotive industries. Brush has 2,160 workers, including 650 at its main plant near Elmore, 20 miles southeast of Toledo.

Since the 1940s, 127 Brush workers have contracted beryllium disease, an incurable, often-fatal lung illness caused by inhaling microscopic bits of beryllium. Researchers estimate 1,200 people have contracted the illness nationwide since the 1940s.

Brush Wellman emphasizes it



'We put about \$50 million a year, between salaries and local purchasing, in the five-county area around [the Elmore plant].'

*Lyle MacAulay
Brush's director of
manufacturing technology*

has contributed much to its communities. In the Elmore area, it has given thousands of dollars to the United Way, sponsored blood drives, and donated computers to Woodmore High School.

"And it's not like we aren't paying taxes," Mr. Reid, the Brush spokesman, says.

In 1998, Brush officials say, the Elmore plant alone paid roughly \$3.6 million in state and local taxes.

That's in addition to the millions Brush provides in payroll. The average worker at the Elmore plant earns about \$18 an hour — a solid amount in a farming community with few factory jobs.

One year, 150 people camped overnight in the rain to get applications for only four openings.

"We put about \$50 million a year, between salaries and local purchasing, in the five-county area around [the Elmore plant]," says Lyle MacAulay, Brush's director of manufacturing technology.

Sandy Buchanan, executive director of Ohio Citizen Action, the consumer and environmental group, says local governments should not fixate on such figures. She says they should use tax breaks as bargaining chips to encourage firms like Brush to improve health conditions.

"If you are going to give a public subsidy to a corporation, it's a huge opportunity to move things forward in the context of health and safety."

Butch Lemke, an Elmore resident who developed beryllium disease after working nine years at the Brush plant, agrees.

"What good is it to create 10 jobs and turn around and put these 10 people's health in jeopardy?"

FEDS HAVE BACKED BRUSH FOR YEARS

The federal government has backed Brush for years, and for a simple reason: It needs a reliable supply of beryllium for its weapons.

For if Brush were to go out of business, the government would lose its major beryllium source.

So the relationship between the U.S. government and Brush has been intimate since World War

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Tax Breaks: Brush given a rich tax package to expand its Elmore plant

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II, when America bought tons of the metal for the war effort. When Brush couldn't keep up with the demand, the government invested \$1 million to expand operations, federal records show.

After the war, the U.S. Atomic Energy Commission, which oversaw nuclear weapons production, remained Brush's biggest customer, accounting for two-thirds of all sales.

Other beryllium companies relied on government orders in the late 1940s.

"This has placed the AEC in the uncomfortable position of exercising extensive control over a complete industry," a recently declassified AEC document states.

In 1949, the government paid Brush to build and operate a plant in Luckey to produce beryllium for weapons and, subsequently, for the space program.

Still, the government feared Brush would fold if government orders dropped.

"The company is financially weak," an AEC official wrote in 1950, "and its commercial business has been very limited for several years."

So the government continued to help Brush.

In 1957, Brush signed a contract with the government to build and operate a beryllium plant near Elmore.

In return, U.S. officials agreed to buy 50 tons of beryllium over five years.

In 1979, when Brush's only significant competitor dropped out of the beryllium metal business, defense officials agreed to pay Brush a one-time 35 per cent price hike to entice the company to remain a government supplier.

In recent years, Brush's government orders have dropped sharply, largely because of the end of the Cold War. But the government still needs some beryllium for weapons, and so it remains concerned about Brush's financial health.

In 1982, the U.S. Department of Energy gave the company a \$3.5 million grant to study how to improve production and safety, and in 1994, the U.S. Defense Department provided \$2 million to help Brush and several other businesses convert their defense technologies to commercial uses.

TAX BREAK GIVEN FOR CUTTING JOBS

A few years ago, when Brush Wellman was thinking about expanding its plant near Elmore, local officials put together a rich package of tax breaks, grants, and loans.

Yet the company was not promising to create a single job.

In fact, officials expected Brush to cut 40 jobs.

Local officials defend the deal, saying that if Brush had built outside Ohio, the Elmore plant would have lost 150 jobs.

"I think it's important for the community to protect what you've got," says Jerry Arkebauer, vice president of finance and strategic initiatives for the Toledo-Lucas County Port Authority.

When Elmore landed the \$110 million expansion in 1996, "it was the talk of the county," Ottawa County Commissioner Chris Redfern recalls. "Everyone was excited – and still is."

The county gave Brush a 10-year tax break on personal and real property – money that otherwise would have gone to schools and social service agencies.

Total savings for Brush: \$7.5 million.

Commissioner Redfern says no one voiced opposition to the tax break, and local schools approved the deal.

The schools didn't come away empty-handed: Brush agreed to directly pay the schools 25 per cent of what it would

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'I think it's important for the community to protect what you've got.'

Jerry Arkebauer

Toledo-Lucas County Port Authority
VP/finance and strategic initiatives

TAX BREAKS

Continued from PAGE 6

have otherwise paid.

County officials acknowledge few questions were asked about Brush's health problems at other plants.

"It's beyond my expertise to do that," says Walt Wehenkel, the county planner who helped negotiate the tax break.

Commissioner Redfern says beryllium disease was a concern to him, but Brush assured him the new plant would have safeguards.

Plus, he says, relatively few workers at the main Elmore plant have the disease. He doesn't know exactly how many: "It's 1 in 150, 1 in 200, as far as I know."

In reality, a recently published study found 1 in 11 have the disease or an abnormal blood test — a sign they may very well develop the illness.

Meanwhile, the Toledo-Lucas County Port Authority, a public agency, put together a \$20 million financing package — \$15 million in bonds and a \$5 million low-interest state loan.

Under the agreement, the port would construct and own the plant and lease it back to Brush for 15 years. The port did this to allow Brush to keep long-term debt off its books, making the company look better to investors.

In addition, the port orchestrated a lobbying effort to sway state officials to approve the \$5 million loan. It was a special loan — five times greater than the usual allowable amount.

In all, port authority documents on the Brush deal stand three feet tall. Yet there is scant information about the health problems.

The port's Mr. Arkebauer says port officials discussed the issue, and it was indeed a concern.

"We look at it as: Is it going to impair the ability of the company to make the debt service payments? In our opinion, it was not."

He says he did not know off-hand what percentage of workers were sick at the Elmore plant, but from the port's point of view, he believed it was "an acceptable amount."

BRUSH GETS TAX CUT ON LAND IT POLLUTED

Brush once polluted a plant site, then received a large property tax cut because of the contamination.

"This is a real loophole. It's really lousy," says Richard Linhart, a real estate analyst for the Cuyahoga County board of revision.

The Brush site is 66 acres in the Cleveland suburb of Bedford. In 1994, Mr. Linhart says, the taxable value of the property was \$1.6 million. That year, Brush appealed the assessment, saying the property was so contaminated with lead and toxic chemicals that it was worthless. The company argued that it should pay no taxes.

When the county rejected that argument, Brush appealed to a state tax board. County officials then decided to compromise with the company: The taxable value of the property would be reduced to \$400,000 — a 75 per cent cut.

So Brush is now paying thousands of dollars less a year in taxes, says James Hopkins of the Cuyahoga County board of revision. He says that means less money for local schools.

Mr. Linhart says Cuyahoga County settled with Brush because it wanted to avoid losing a lawsuit. "I didn't want this to become a precedent," he says.

The tax cut, first reported in The (Cleveland) Plain Dealer, was rare but legal: State law allows property to be devalued because of pollution, and it doesn't matter if the owner caused it.

Brush acknowledges it polluted the property but says it is not solely to blame: It owned the factory only 14 of the 36 years the plant was operating.

The factory, which made brake parts for heavy-duty trucks for Brush subsidiary S.K. Wellman, closed in 1988 and was torn down in 1993.

Mr. Reid, the Brush spokesman, says the money the company saved on the tax cut has been greatly negated by the \$6.5 million spent so far on pollution cleanup.

Even if Brush is able sell the vacant property, he says, it will be at a loss. "We're not going to get our money back."

DESPITE TRAGIC PAST, LORAIN WELCOMES BRUSH

Back in the 1940s, residents near Brush's factory in Lorain were contracting beryllium disease from the plant's air pollution.

Fear gripped the city, and more than 600 residents signed a petition to force Brush to leave town.

The company voluntarily moved to the country, far from residents and another potential disaster.

Five decades later, Brush is back in Lorain — thanks to taxpayers' money.

In 1996, the city gave Brush a 10-year tax break to build a plant in its west side industrial park. The savings to Brush: \$1 million.

The plant, which has 31 workers, manufactures bronze materials for aircraft landing gear, drilling equipment, and plastic molds.

Mayor Joe Koziura says beryllium disease was not an issue when officials approved the tax break.

A few residents, he says, did recall the tragedy of the 1940s at public meetings, but he thought the disease was in the past.

Had he known workers were still getting sick, "I would have been more concerned and have said, 'Hey, what is going on here?'"

Yet he does not expect a repeat of the tragedy. Brush, he says, has assured him the plant will not handle beryllium.

In an interview with The Blade, the Brush spokesman did not rule out that the deadly metal might be handled there someday.

"But that is not the plan, and it never was the plan," Mr. Reid says.

Some are upset that Brush was allowed to return to Lorain.

"I can't understand why Lorain would want them back," says Angela Barraco, whose husband, Al, and 7-year-old niece, Gloria, died of beryllium disease from the old plant. Researchers in the 1940s concluded that Gloria got it from air pollution; Mr. Barraco worked in the plant briefly.

Mrs. Barraco, 79, of Avon, O., keeps her husband's papers and photographs in an album, including pictures of him wearing his oxygen hose.

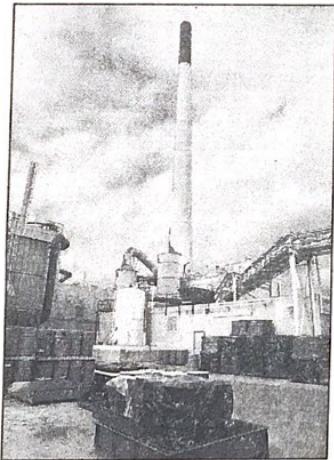
"I want my grandchildren to remember what he had to go through," she says.

Cheryl Sanders's father, Stanley Sobocienski, lived near the plant and died of the disease in 1946, researchers concluded. She was just 5 at the time.

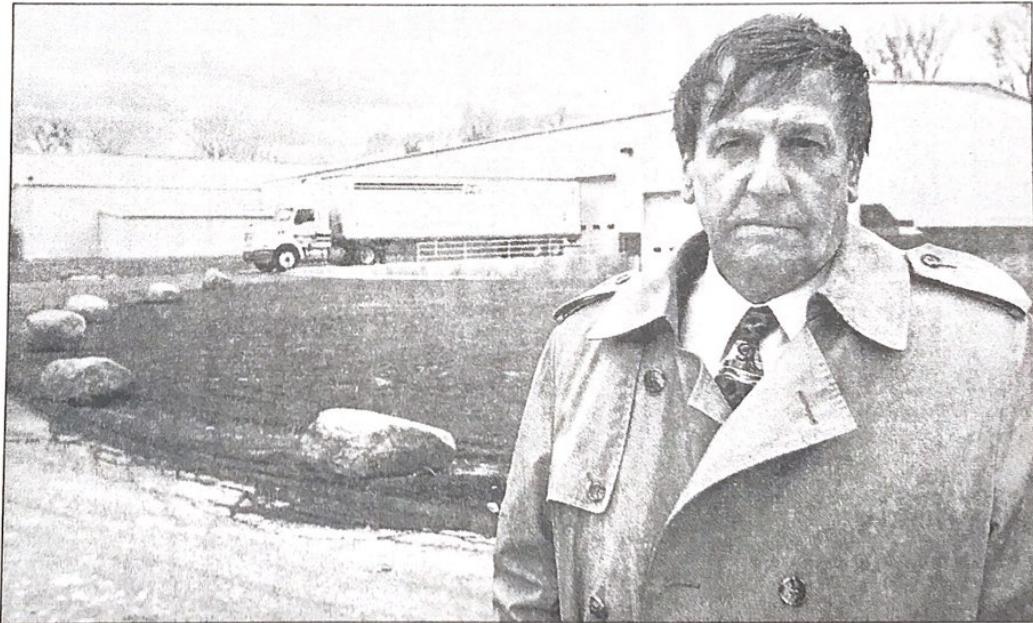
"The only thing I remember is that he was sick, that he wasn't able to work," recalls Ms. Sanders, 57, of Amherst, O. "That's about all I really know about my father."

She says it was wrong for Lorain to lure the beryllium company back.

"They were here once, and they had to move out. They should have just stayed away."



The average worker at the Elmore plant makes \$18 an hour – a solid amount in a farming community with few factory jobs.



Brush recently received a tax break for its plant in Lorain. Mayor Joe Koziura, outside the plant, says had he known that Brush workers at other facilities were getting sick, he would have asked more questions.



A group tours the Brush plant outside Elmore. The plant was recently expanded with the help of tax breaks provided by the government.

DEADLY ALLIANCE

Day 6: Tax dollars back Brush

Brush backs politicians – and vice versa

*Firm's political action committee
contributes to noted lawmakers*

BY SAM ROE
BLADE SENIOR WRITER

Brush Wellman Inc. has had many friends in high places.

U.S. Sen. Orrin Hatch of Utah once opposed a worker safety plan that would have cost the company millions of dollars.

Toledo Congresswoman Marcy Kaptur once obtained federal funds for the company to help it convert its defense technology to commercial uses.

And U.S. Rep. James Hansen of Utah and U.S. Rep. Paul Gillmor of Ohio once pushed legislation that could have potentially exempted the company from proposed mining rules and fees.

Likewise, Brush Wellman has backed these lawmakers – with thousands of dollars in campaign contributions.

Since 1988, Congressman Gillmor has received \$26,500; Congressman Hansen, \$24,400; Senator Hatch, \$10,000, and Congresswoman Kaptur, \$2,000, a review of Federal Election Commission records shows.

Overall, Brush Wellman has donated a total of \$187,700 to 47 lawmakers and candidates since 1988. Most have been Republicans running for Congress in states in which Brush has beryllium plants, such as Ohio, Pennsylvania, and Utah.

The contributions are perfectly legal: The money comes from Brush's political action committee, or PAC. It was created in 1987 and is called the Brush Wellman Good Government Fund. Brush's PAC money comes from payroll deductions from some of the company's top executives.

"It's the company's right – it's anybody's right – to petition government," says Hugh Hanes, Brush's vice president of government affairs.

"Our participation in a PAC is no different

than labor organizations, or environmental organizations or other people that support candidates that support the principles that they believe in."

He says Brush does not expect politicians to give Brush favors in return for donations.

"Frankly, I don't think any representative or member of Congress would be influenced by the modest amounts that the [Brush] PAC gives."

Brush documents turned over in recent lawsuits show the company does expect certain lawmakers to back the firm.

When Congress was debating several bills affecting American manufacturers in 1987, Brush executive Richard Davis offered a lobbying strategy in a memo to Brush colleague James Gulick.

"Since these are issues which will impact all manufacturers, not just Brush Wellman, I don't believe we should 'use up any favors' owed us by our most reliable supporters," Mr. Davis wrote.

In a related memo, Mr. Davis wrote that Brush official Stephen Zenczak would monitor the legislation with "Orin (sic) Hatch's people" and that Mr. Zenczak "agreed we shouldn't use up our favors on a bill that won't have as big an impact on [Brush] as on the rest of industry."

Mr. Zenczak, now retired from Brush, says Senator Hatch has long been a friend of the company, which has a mine and plant in the senator's home state of Utah. He says Mr. Hatch, a Republican, has frequently helped Brush gain access to key U.S. officials, such as those in the Defense Department.

"You just can't knock on the doors of those [officials] and say, 'I want to talk with you,'" Mr. Zenczak says.

Hatch aide J.J. Brown says Brush is a constituent, and Senator Hatch helps constituents who have legitimate requests.

Campaign contributions do not influence whom the senator helps, the aide says. Most constituent requests are handled by staffers, who do not know who has given money. "To me, contributions are irrelevant."

Senator Hatch would not turn over to The Blade any documents he had regarding Brush, pointing out in a letter that Congressional offices are exempt from public records laws.

But documents obtained from the Energy Department show that Senator Hatch once opposed a worker safety plan that would have cost Brush millions of dollars.

In 1975, the Occupational Safety and Health Administration proposed lowering the limit of deadly beryllium dust that workers could be exposed to. In 1978 and 1979, Senator Hatch weighed in on the issue, writing to Labor Secretary Ray Marshall, U.S. Sen. Sam Nunn, and Health, Education, and Welfare Secretary Joseph Califano, Jr.

At first, Senator Hatch questioned the scientific studies on which the safety plan was based. When a panel of independent experts verified the science behind the plan, Senator Hatch tried a different approach: He wrote to Senator Nunn, a member of the Armed Services Committee, saying the plan could harm national security.

In the end, the worker safety plan died.

Today, Senator Hatch says he only vaguely recalls the issue and could not comment, according to his chief of staff, Patricia Knight.

Another Utah Republican who has received Brush PAC money is Congressman Hansen. His district includes Brush's Utah plant and the open-pit mine, where the company extracts beryllium-containing ore.

In 1993, Congressman Hansen tried to help Brush on a bill that would have required mining firms to pay higher fees and royalties on the minerals they mined.

As House members debated the bill, Congressman Hansen proposed an amendment that could have potentially exempted Brush. He wanted to give the Defense Department the power to exempt firms like Brush Wellman to ensure ample national defense materials. He said forcing Brush to pay increased royalties could threaten the U.S. beryllium supply.

Congressman Gillmor, a Republican whose district includes areas near Brush's Elmore plant, agreed. Holding a piece of beryllium-containing ore, he told colleagues they should not "damage critical industries that are of strategic importance to our national defense."

In the end, Mr. Hansen's amendment failed, 193 to 238. U.S. Rep. George Miller, a California Democrat, called it "an outrageous amendment, all in the name of national security."

Both Mr. Hansen and Mr. Gillmor deny that campaign contributions had anything to do with their actions.

"Of course not. Patently absurd," Hansen aide Bill Johnson says.

Congressman Hansen, he says, was trying to protect beryllium supplies for national security purposes. "There is one beryllium mine in this country. It happens to be Brush Wellman."

Christopher Slagle, press secretary for Congressman Gillmor, says: "We make legislative decisions based on the merits of the decisions in question.... There's no quid pro quo between a contribution" and a political decision.

Mr. Gillmor has backed Brush in other ways. In 1996, he gave a glowing tribute to the company in honor of its community party called "BrushPride Day." He entered the speech in the Congressional Record, calling Brush "a model citizen."

"As their mission statement so aptly states: 'We are committed to on-time delivery of defect-free competitive products and services to all of our customers by always performing to requirements.'"

As for Toledo Congresswoman Kaptur, a Democrat, Brush has both backed and opposed her. Likewise, she has both helped and hurt the firm.

From 1988 to 1995, Brush's PAC did not give her any money. In fact, in 1992, when her district expanded to include the Elmore plant, Brush contributed \$5,000 to her opponent.

And the opponent was not just anybody: He was Ken Brown, a Brush Wellman chemical engineer. Mr. Brown, the endorsed Republican, was trounced by Ms. Kaptur, capturing only 25 per cent of the vote.

A few months later, in May, 1993, Ms. Kaptur sparked an OSHA inquiry of Brush's Elmore plant.

"I have received several complaints from current and former Brush Wellman employees regarding the conditions at that plant," she wrote to OSHA's Toledo office. "I am quite concerned that people could become terminally ill simply because of where they work."

OSHA found 11 violations, and Brush paid \$12,350 in fines.

A year later, in 1994, Ms. Kaptur was helping Brush. Her amendment to a Defense Department spending bill gave \$2 million to several businesses, including Brush, to help convert defense technologies to commercial uses.

In a press release, she said national security was at stake.

"If the United States fails to convert quickly to commercial applications for beryllium, our nation will lose its production capability and be forced to purchase future supplies from either China or Kazakhstan."

Since 1996, Ms. Kaptur has received \$2,000 from Brush.

She says she has had two long-standing concerns regarding Brush: protecting the workers and maintaining jobs at the Elmore plant. "I've tried to work on both fronts," she says.



Gillmor:
\$26,500



Hansen:
\$24,400



Voinovich:
\$13,000



Hatch:
\$10,000



Specter:
\$10,000



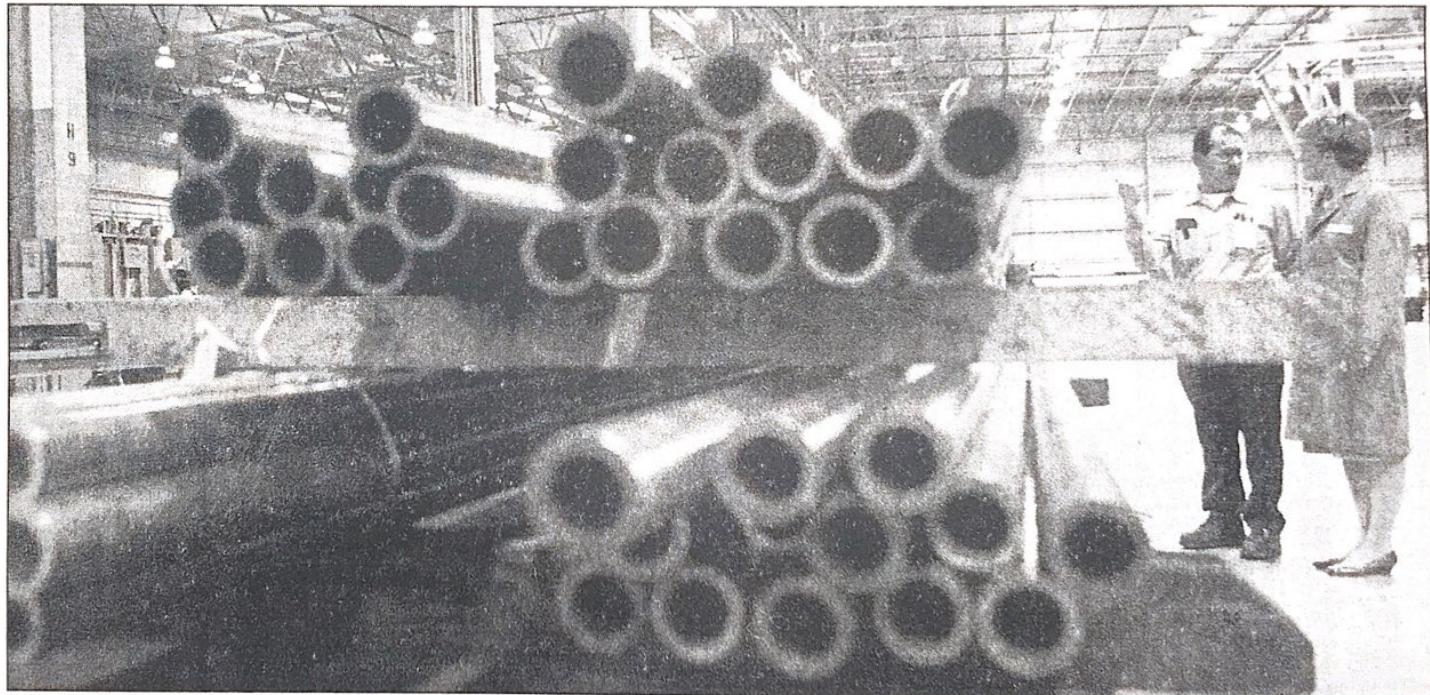
DeWine:
\$8,500

THE TOP RECIPIENTS

Those who have received the most in campaign contributions from Brush Wellman's PAC fund, 1988-1998.

1)	U.S. Rep. Paul Gillmor	(R., Ohio)	\$26,500
2)	U.S. Rep. James Hansen	(R., Utah)	\$24,400
3)	U.S. Sen. George Voinovich	(R., Ohio)	\$13,000
4)	U.S. Sen. Orrin Hatch	(R., Utah)	\$10,000
5)	U.S. Sen. Arlen Specter	(R., Pa.)	\$10,000
6)	U.S. Sen. Mike DeWine	(R., Ohio)	\$8,500
7t)	U.S. Rep. Steven LaTourette	(R., Ohio)	\$6,000
7t)	U.S. Sen. Robert Bennett	(R., Utah)	\$6,000
9)	Ohio Atty. Gen. Betty Montgomery	(R.)	\$5,500
10t)	Ken Brown	(R., cong. candidate)	\$5,000
10t)	State Sen. Robert Latta	(R., Bowling Green)	\$5,000
10t)	U.S. Sen. John McCain	(R., Ariz.)	\$5,000

SOURCE: FEDERAL ELECTION COMMISSION



Brush's PAC fund has backed lawmakers who have beryllium facilities in their districts. U.S. Rep. Marcy Kaptur of Toledo, seen here touring the Elmore plant, has received \$2,000. Brush also has opposed Miss Kaptur, once backing an opponent, Ken Brown, with \$5,000.

BLADE PHOTO BY ALLAN DETRICH

DEADLY ALLIANCE

Day 6: Tax dollars back Brush

More than dust at Elmore

*Ohio EPA finds
Brush has polluted
air, land, water*

BY SAM ROE
BLADE SENIOR WRITER

ELMORE — For 17 years, state officials warned Brush Wellman Inc. that its plant here was contaminating the groundwater.

But year after year, the problem continued.

Now, officials say, the pollution is creeping toward the Portage River and threatening several residents' wells.

"This is one of our bigger issues in northwest Ohio," says Jeffery Steers, assistant chief of the Ohio Environmental Protection Agency district office in Bowling Green.

The tainted groundwater is one example of how Brush Wellman has created serious public health problems other than exposing its workers to dangerous beryllium dust.

**'This is one
of our bigger issues
in northwest Ohio.'**

Jeffery Steers

assistant chief of the Ohio EPA district office
in Bowling Green

Ohio EPA records show that Brush Wellman's Elmore plant — the company's main facility — has violated dozens of environmental rules over the years, overpolluting the air, water, and ground.

Some violations involve highly toxic materials.

"Brush Wellman has a history of noncompliance with respect to Ohio's hazardous waste laws," one Ohio EPA record states.

EPA officials estimate that 1,500 residents are potentially exposed to injury from Brush's plant near Elmore, 20 miles southeast of Toledo. The risks include contracting beryllium disease from air pollution and being poisoned from tainted drinking water.

A review of Ohio EPA documents on the Elmore plant shows:

- The company has exceeded monthly air pollution limits for beryllium dust nine times in the last 25 years. This is significant because residents in other communities have contracted beryllium disease from air pollution and died.

It is unclear how the emissions have affected residents near the Elmore plant because no tests have been done.

- Brush has had more than 250 EPA violations over the past 20 years, and the EPA has fined the company more than \$275,000 since 1987.

- Since 1990, Brush has reported 29 spills, including releases of sewage and beryllium.

The contaminated groundwater is the most pressing issue, Ohio EPA officials say.

The underground pollution includes lead, arsenic, and mercury. The EPA says there is no evidence that it has moved off of Brush's property, but it is headed that way and is 1,500 feet from the nearest home.

The EPA recently tested five residents' wells, and none showed problems. "But it's still an important issue for us," the EPA's Mr. Steers says. "We see it as a problem that still needs to be corrected."

EPA officials have known for 17 years that Brush has been polluting the groundwater, but they have not stopped it. Mr. Steers blames the delay on government ineptitude and disputes between the Ohio EPA and

Brush over the seriousness of the problem and the accuracy of test results.

Some of the pollution is coming from a closed Brush landfill next to the Portage River, says Don North, an Ohio EPA environmental specialist. He says the landfill will be a problem indefinitely. "They'll be monitoring the groundwater out there forever," Mr. North says.

Brush defends its environmental record.

"We've had accidents and problems, but we don't ignore them," says Marc Kolanz, Brush's environmental health and safety director.

He says many of the violations are inconsequential - paperwork problems, for example. "I don't care what plant you go to: You are going to find a violation," Mr. Kolanz says. "There are too many rules and regulations not to."

As for the tainted groundwater, he says it is not widespread, not spilling into the Portage River, and not a community threat. Brush has been monitoring the problem, he says, and will continue to do so.

Brush's pollution problems in northwest Ohio date to the 1950s, when the company's now-closed plant in Luckey dumped waste into the Toussaint River.

One year, a farmer downstream from the plant claimed that when the river flooded, waste from the beryllium plant spilled onto his farm, ruining his land and sickening his herd of 47 cattle.

He sued Brush, and the firm settled out of court for \$12,500. Brush's lawyers, company records show, thought that if the case went to trial, a jury in rural Ottawa County would likely give the farmer "a substantial verdict."

A few years later, in 1966, pollution from Brush's Elmore plant killed 137,000 fish in the Portage River, the Ohio EPA reports. Brush says the cause was never determined.

In recent years, inspectors have noted green sludge at the plant, a blue liquid in the river, and heavy foam on Hyde Run, a creek on Brush's property.

In 1996, the company was fined \$225,000 for numerous violations related to handling and storing hazardous and solid wastes.

During an inspection that led to the fine, the EPA's

Steve Snyder noticed a powder from a landfill blowing with the wind "and possibly off site." One worker in the area had a respirator on; another had a protective suit.

But inspector Snyder was not wearing a respirator and was incensed that Brush did not warn him that he might need one. EPA officials wrote a heated letter to the company: "We are troubled by Brush Wellman's irresponsible actions in this matter."

Brush responded by saying that the dust was likely not beryllium and that its workers were wearing protective gear for other jobs.

For citizens near the plant, air pollution is a threat. Beryllium dust can be deadly, lodging in the lungs and causing an often-fatal disease.

There is a strict monthly emission limit, and Brush has nine monitors around its plant to take samples. In the last 25 years, the plant has exceeded the limit nine times. The most recent violations were in 1989 and 1990, and the EPA fined Brush \$46,000.

Brush says neighbors have not been tested for beryllium disease because there is no indication they are getting sick.

"My guess is it's not needed," Brush Medical Director Dr. David Deubner says.

State officials have also been concerned about Brush polluting the water.

Brush is allowed to discharge treated wastewater into its creek and the Portage River.

But frequently, the concentration of the waste exceeds limits. In the last 20 years, Brush has had more than 150 violations for overpolluting the river or creek, EPA records show.

In recent years, the EPA's Mr. Steers says, Brush's compliance has improved.

And Brush has reported 29 spills since 1990. In fact, between 1989 and 1994, the company "was the single leading source of spills in the Portage River basin with 15 episodes," an Ohio EPA record states.

A 1995 Ohio EPA study found that overall, the plant has had little effect on fish in the river. But it detailed several concerns:

■ Sediment samples in the river just outside Brush were "grossly polluted" with high levels of beryllium, copper, and polychlorinated biphenyls, commonly known as PCBs.

■ Levels of nitrate-N, a form of nitrogen that can cause excess algae growth, were so high that they damaged the lab equipment.

■ Elevated levels of PCBs were found in fish caught outside the plant, posing "a moderate health risk for human consumption."

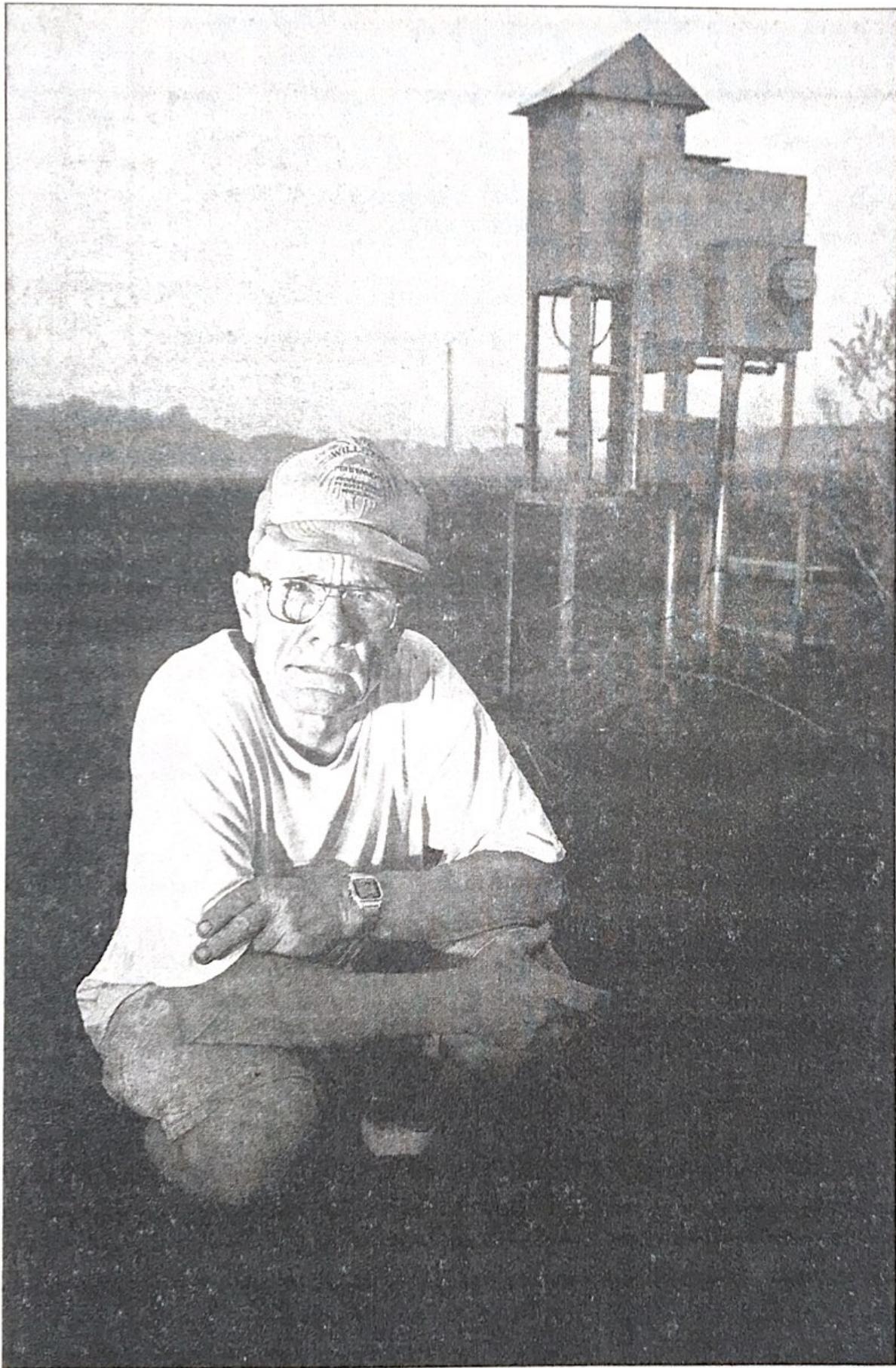
Residents say many people fish near Brush's plant.

"In the spring they come out for white bass," says Pete Willett, a retired chemist who lives next to the plant. "All kinds of people are wading out there."

"We've had accidents and problems, but we don't ignore them."

Marc Kolanz

Brush's environmental health and safety director

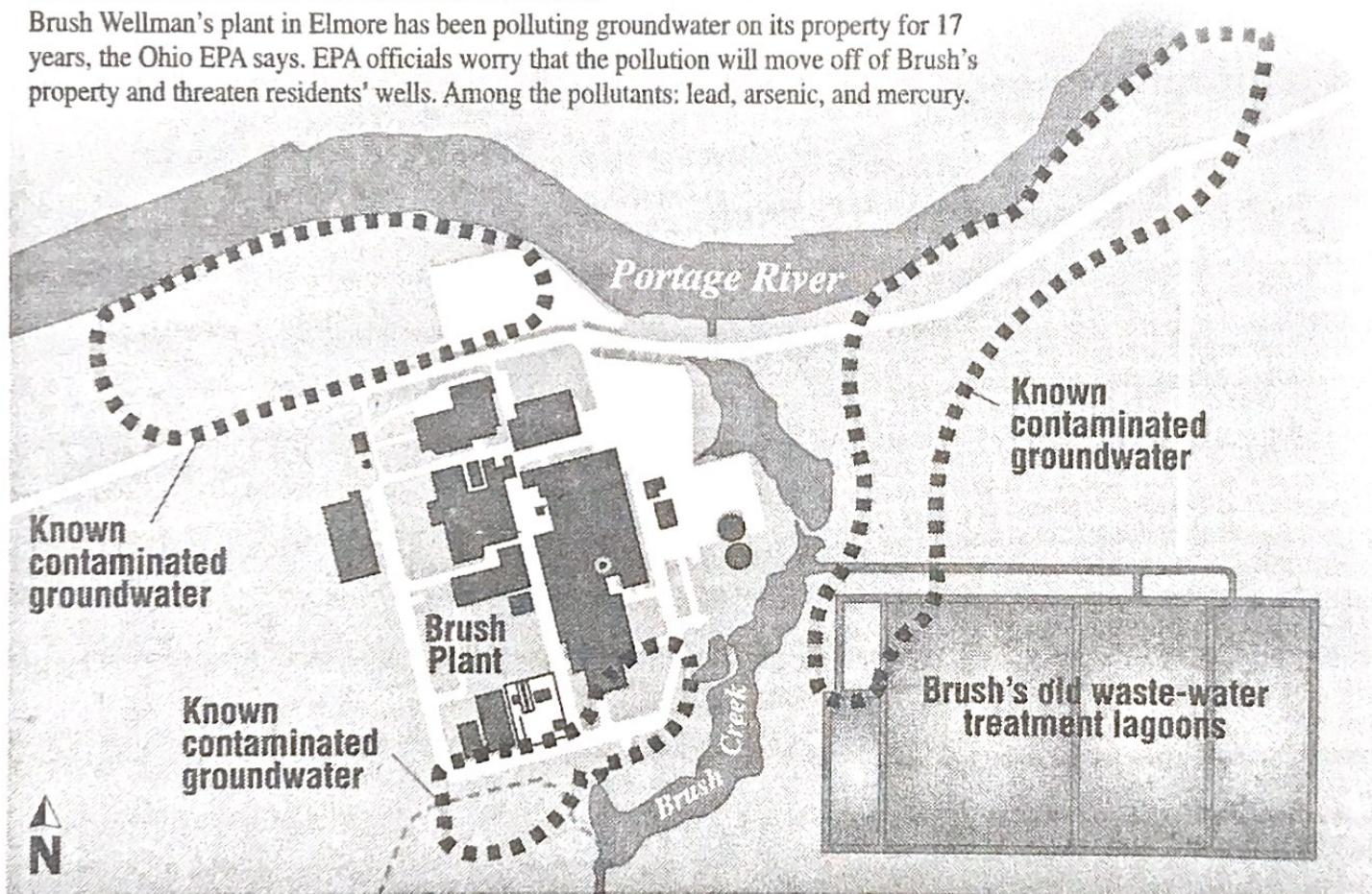


BLADE PHOTO BY CHRIS WALKER

Brush monitors the air outside its Elmore plant. One of the monitoring stations is on the property of Pete Willett, a retired chemist, whose land abuts the beryllium plant.

GROUNDWATER CONTAMINATION

Brush Wellman's plant in Elmore has been polluting groundwater on its property for 17 years, the Ohio EPA says. EPA officials worry that the pollution will move off of Brush's property and threaten residents' wells. Among the pollutants: lead, arsenic, and mercury.



Source: Ohio Environmental Protection Agency

DEADLY ALLIANCE

Day 6: Tax dollars back Brush

Fight for life measured step at a time

STORY BY SAM ROE ■ PHOTOS BY CHRIS WALKER

Butch Lemke attaches his portable oxygen tank to an old golf pull-cart and begins slowly walking around the inside perimeter of Woodville Mall.

He moves steadily and deliberately, pushing the cart in front of him as if he's fertilizing a lawn. He passes the Fashion Bug, Tia's Coffee, and Perry Cream, where a teenage girl behind the counter steals a glance.

After a full loop, he sits down on a bench to catch his breath. "I took 2,347 steps," he says, checking his pedometer. In 15 minutes, he'll try to do it again.

Mr. Lemke has advanced beryllium disease, but he is determined not to let it kill him.

The former high school football star from Elmore exercises every day, uses several inhalers, and takes a fistful of medication. "If they prescribe any more I won't have to eat," he says.

So far, his hard work has paid off: His disease has stabilized.

"I've always been a fighter," the 58-year-old says. "And I hate to lose."

Mr. Lemke is an example of how some beryllium victims can live for years – even decades – with the disease, however difficult that may be.

His physician, Dr. Shakil Khan, credits a vigorous treatment program, particularly steroids, for stopping Mr. Lemke's lungs from getting worse. But the doctor also credits Mr. Lemke's determination.

"He really pulls the full potential out of what he gets out of those lungs."

When Mr. Lemke is not fighting for his own life, he's fighting for others.

One of the area's beryllium victims advocates, Mr. Lemke has written to newspapers, complained to lawmakers, and circulated petitions regarding issues at the local Brush Wellman beryllium plant.

He even bought a few shares of Brush stock in case he ever wants to attend a shareholders' meeting with pointed questions.

"On some issues," says fellow victim Dave Norgard, "he's the only one who has had the courage to stand up against the company."

Says Mr. Lemke: "I just want people to know what is going on at the plant and have tried to protect other people who are working there."

Mr. Lemke knows that beryllium disease, an incurable illness, will eventually beat him. And he knows he'll never be able to breathe on his own again. He'll always have that oxygen hose dangling from his face.

"I told my wife, 'When I die, you keep it right on me. Because that's how people know me.'"

Until then, he is determined to make the most of his time.

Last summer, he went to a Cleveland Indians game, bringing three oxygen tanks in case the game went into extra innings. When he goes fishing, he puts his tank on a bench and casts while sitting down.

Years ago, he was a strong, athletic man. His Harris-Elmore High yearbook has a picture of him in his football uniform, posed as if catching a pass. "Good pass receiver, scoring many touchdowns," the caption says. "His

determination and will to win is hard to beat."

Above it is a picture of co-captain Gary Anderson. Like Mr. Lemke, he worked at the Brush plant near Elmore, dying in 1989 after a long struggle with beryllium disease.

"It just grabbed him, and he was gone," Mr. Lemke recalls.

Mr. Lemke worked nine years at Brush, mostly as a machinist, making parts for the U.S. government's weapons

Butch Lemke knows he'll never be able to breathe on his own again. He'll always have that oxygen hose dangling from his face: 'I told my wife, "When I die, you keep it right on me. Because that's how people know me."'

program. When he left in 1969, records show, the company said he was in excellent health.



Butch Lemke (left to right), Bob Szilagyi, and Gary Renwend, all former employees of the Elmore plant, attend the funeral of Marilyn Miller, who died of beryllium disease last year.

But a year later, while working at Owens Illinois, a chest X-ray revealed spots on his lungs. Doctors gave him the bad news: He had beryllium disease.

His wife, Betty, remembers that day well. "When he got home he sat down in the chair and cried, and I sat on the couch and cried. Because the kids were small. And he wasn't very old either."

Just 29, Mr. Lemke was put on powerful drugs. A few years later, he was forced to go on oxygen.

But he didn't live like an invalid. In fact, he started his own business: a computer parts firm. He sold it in 1987, making enough to build a new house.

It's a sprawling, brick home with cathedral ceilings and fan windows. Mr. Lemke helped design it, putting oxygen outlets in nearly every room so he could move freely.

He knows what locals say: Brush Wellman bought him that house.

But his 1988 negligence lawsuit against the beryllium company wasn't successful; it was dismissed because the statute of limitations had run out.

Today, Mr. Lemke says he receives \$3,143 a month in Social Security, disability, and workers' compensation. Brush, he says, sends him several thousand dollars in checks a year.

As for his health, Mr. Lemke's goal is

simple: Do not get sicker.

Every morning he takes numerous pills, uses a nasal spray, and either goes for a walk or rides his stationary bike. Four times a day he has a "breathing treatment" - 15 minutes of breathing through an inhaler. At night, there are more pills, inhalers, and sprays.

"I don't have much free time," he says.

Outside the home, he is careful not to pick up germs.

"You have to watch the door knobs, the shopping carts, and when you're done, you wash your hands. When I'm leaving bathrooms, I don't even grab the doorknob without a bathroom towel."

He would like to travel more, but arranging a supply of oxygen in every town and hotel is a logistical nightmare.

"We were going to go to Hawaii," he says. "We were going to do a lot of things."

"Well," his wife says softly, "we're thankful we're here."

Mr. Lemke says he is a realist. "Sooner or later this disease is going to get me. You just don't know when."

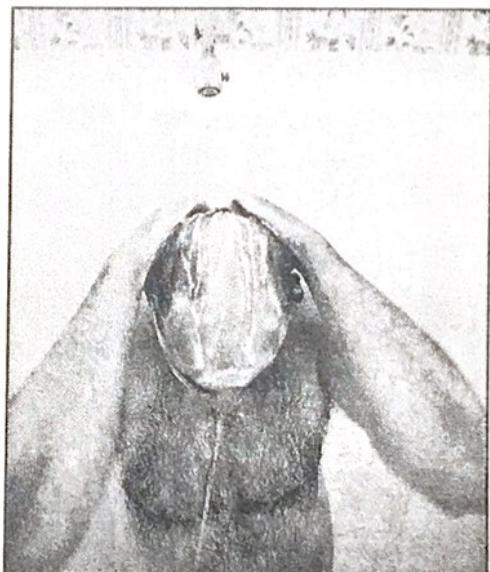
And yet he is far from giving up. "If I would just take it as it comes, and not try to help myself, I'd be gone a long time ago."



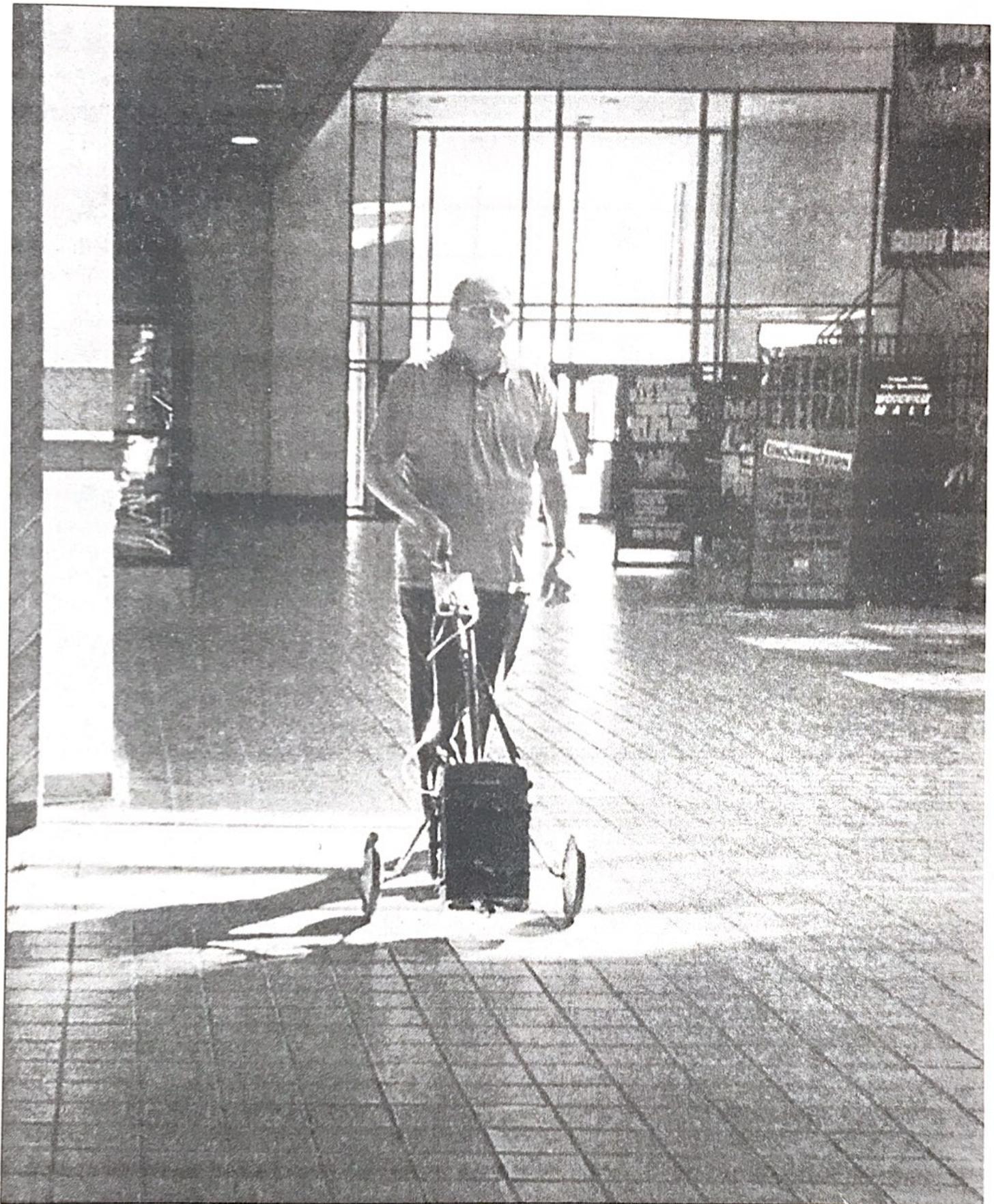
Being tethered to an oxygen tank does not stop Butch Lemke from enjoying one of life's pleasures: He took two extra tanks in case the Cleveland Indians game went into extra innings.



Butch Lemke knows that some of his neighbors think his sprawling brick house, which has oxygen outlets in nearly every room, was paid for from a settlement with Brush. But his lawsuit against the firm was dismissed.



Life for Butch Lemke arrives through a plastic nose tube. Even while going through his morning routine, Mr. Lemke is connected to oxygen.



Butch Lemke's fight against beryllium disease includes walks with his oxygen tank attached to an old golf cart.

Original tearsheets



THE BLADE

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TOLEDO, OHIO, FRIDAY, APRIL 2, 1999

FINAL

SPECIAL REPORT: DAY 6



Even while sleeping, Butch Lemke needs oxygen. Mr. Lemke contracted beryllium disease — an incurable, often-fatal illness — while working for Brush Wellman. He is determined not to let the disease beat him. See his story on Page 8.

If you're a taxpayer, you have contributed to Brush

Millions of public dollars have helped company to grow

STORIES BY SAM ROE ■ BLADE SENIOR WRITER

A LOOK AT THE SERIES

Sunday: The U.S. government has risked the lives of thousands of workers by knowingly allowing them to be exposed to unsafe levels of beryllium.

Monday: A secret bargain between government and industry officials twists a plan to protect beryllium workers into a deal protecting themselves.

Tuesday: Brush Wellman, America's leading beryllium producer, has misled workers, federal regulators, and the public about the dangers of the metal.

Wednesday: Brush Wellman has systematically and aggressively tried to control how doctors, scientists, and the public view beryllium.

Yesterday: The final days of Marilyn Miller, who contracted beryllium disease while working as a secretary in a local beryllium plant.

■ TODAY: Public officials are quick to give Brush Wellman millions of dollars in tax breaks and public money but slow to raise health concerns.

If you think you haven't contributed to workers at Brush Wellman Inc. getting sick and dying, think again.

Millions of dollars in public money and tax breaks have gone to the beryllium producer to help it grow and thrive.

Ottawa County once gave Brush Wellman the biggest tax break in county history.

The Toledo Lucas County Port Authority once built a plant for the company. And Cuyahoga County once gave Brush Wellman a property tax cut because its land was polluted — political, in part, by the company itself.

While public officials have been quick to give Brush Wellman money, one is one that hasn't done as many contracts about how workers have contracted beryllium disease at Brush plants.

"I can't say that weighed very heavily in the decision" to give Brush Wellman a tax break, says Walt Wehenkel, an Ottawa County planner.

Lorain, O. Mayor Joe Kozlura says that when he recently backed a tax break for Brush Wellman, he had no idea workers at some of its facilities were becoming ill. That was never a part of any discussions, he says.

The average taxpayer has a stake in the matter: Some of Brush's tax cuts involve millions of dollars that would otherwise go to local schools and social services, such as nursing home and mental health care.

Those responsible for providing Brush with public money and tax cuts range from



DEADLY ALLIANCE

HOW GOVERNMENT AND INDUSTRY CHOSE WEAPONS OVER WORKERS

the U.S. Congress to local school boards. Some defend giving the tax breaks as a way to encourage new jobs. Brush, an international firm that makes \$400 million in annual sales, defends accepting them as a way to keep costs down.

"We're building a new plant to expand your revenue and income-base, and therefore you have to do it in the most cost-effective way that you can," says Brush spokesman Timothy Reid, who recently left the firm.

A former employee of Brush Wellman's general office is shown here.

■ For years, the federal government subsidized the company, at times practically saving it from closing.

■ In 1996, state and local officials provided a massive package of tax breaks, loans, and grants for a project that promised to cut jobs, not create them.

■ That same year Lorain lured a Brush plant to town with a tax break

See TAX BREAKS, Page 5

INSIDE

WEATHER REPORT



Mix of clouds and sun; high 70. Tonight, cloudy with a shower possible; low 46.

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Michigan fines factory for 1st fatal explosion

Inquiry into Monday's blast is ongoing

BY KELLY LECKER

BLADE STAFF WRITER

LANSING — The state yesterday accused an Ohio fireworks factory where 12 people died in a massive explosion of failing to provide training employees and having propane gas heaters within five feet of where employees mixed explosives.

Independence Professional Fireworks was fined \$562,500 from the first blast in December by the Michigan Occupational Safety and Health Administration. Still, agency heads maintained they believe the first explosives were at such risk after the first explosion that the state should close the plant.

"We did not feel there was imminent danger," said Kathy Wilbur, director of Michigan Consumer and Industry Services which oversees OSHA. "Everything in that build-

ing was obliterated. We can't say what the problems were in that building on that day."

Seven people died in that explosion. On Monday, less than a week after the company responded, five more people died in another blast, including owners Robert and Pat Slayton.

An attorney for the company, Brent Reator, said the OSHA findings are proposed citations and must go through due process. He expects the company will appeal. The company has 15 business days to appeal.

"They just aren't right," he said.

Michael Nye, a former state legislator from Hillsdale who was forced out in November by term limits, is also representing the company.

Also yesterday:

See EXPLOSION, Page 4 ►

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instructional service, and a lower price.
They chose Buckeye Testimony. You've got beyond a
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Belgrade says it will put seized GIs on trial

Court-martial against international law, U.S. says

FROM THE BLADE'S WIRE SERVICES

BELGRADE — Three American soldiers captured along the border with Macedonia will appear before a Yugoslav military court today when they are charged and put on trial as is today, the state news agency Tanjug said.

The U.S. government said a Yugoslav court-martial of the Americans would violate international law.

President Clinton said he holds Yugoslav President Slobodan Milosevic responsible for the capture of the three soldiers near the Macedonian-Yugoslav border, warning him to "make no mistake," and release them immediately.

U.S. officials initially branded the capture an illegal abduction on the assumption that Serb forces

■ Michigan town rallies for one of its own; Serbs say the three soldiers "got what they deserved." Stories, photos, Page 12.

had crossed into Macedonia.

But Pentagon spokesman Kenneth Lyles said the soldiers "prisoners of war" raising the specter that they could be held until the end of hostilities. The Pentagon is investigating the possibility that the three had blundered across the Macedonian border into Yugoslavia.

Yugoslavia said the soldiers are invaders and must face trial before a military court.

"We're outraged by that," Mr. Bacon said. "They are covered by the Geneva Convention. Prisoners of war should not be tried."

The men are Sgt. Steve Andrew A. Ramey, 24, of Los Angeles; Staff Sgt. Christopher Stone, 25, of Capac, Mich., and Spec. Steven Gonzales, 21, of Huntsville, Tex. — were paraded on state television.

Yugoslav Deputy Prime Minister Vuk Draskovic told the British Broadcasting Corp. that the soldiers will be held in accordance with the Geneva Convention on war prisoners.

But the main evening broadcast led with another event: An unexpected meeting between Yugoslav President Slobodan Milosevic and a prominent leader of Kosovo's ethnic Albanian minority, Ibrahim Rugova.

On the broadcast, the two men signed a document calling for a peaceful end to the Kosovo crisis



Gonzales: Texas man holds enlisted rank of specialist.



Ramirez: A staff sergeant, he is 24 and from Los Angeles.



Stone: Noncommissioned officer is from Capac, Mich.

through "political means." Mr. Rugova was a part of the ethnic Albanian delegation that signed a Western-drafted peace treaty rejected by the Serbs.

With Serbian forces driving to destroy the armed Kosovo Liberation Army and forcing tens of

See TRIAL, Page 16 ►



O Nunavut

Members of Arctic Rangers raise the first Nunavut flag in the territory's first hours. The region, as large as western Europe, is cut from the Northwest Territories and will be a self-governing territory of Canada. The change yesterday marked the first major change to the Canadian map in 50 years. STORY ON PAGE 2.

DEADLY ALLIANCE

Day 6: Tax dollars back Brush

TAX BREAKS

Continued from PAGE 1

even though the company left the city in disgrace 50 years earlier after 10,000 residents living near a Brush plant contracted beryllium disease.

"I would have never let that company come in," says Angela Barraco, whose husband and 7-year-old son died of beryllium disease from the old Lorain plant, records show.

"I do believe that they ruined a lot of people's lives."

Today, Brush Wellman has facilities in 11 states. The firm is the nation's leading producer of beryllium, a hard, gray metal used in nuclear bombs and other weapons, as well as in the electronics and automotive industries. Brush has 2,160 workers, including 630 at its main plant near Elmore, 20 miles southeast of Toledo.

Since the 1940s, 127 Brush workers have contracted beryllium disease, an incurable, often-fatal lung illness caused by inhaling microscopic bits of beryllium. Researchers estimate 1,200 people have contracted the illness nationwide since the 1940s.

Brush Wellman emphasizes it



'We put about \$50 million a year, between salaries and local purchasing, in the five-county area around [the Elmore plant].'

Lyle MacAulay
Brush's director of manufacturing technology

has contributed much to its communities. In the Elmore area, it has given thousands of dollars to the United Way, sponsored blood drives, and donated computers to Woodmore High School.

"And it's not like we aren't paying taxes," Mr. Reid, the Brush spokesman, says.

In 1998, Brush officials say, the Elmore plant alone paid roughly \$3 million in state and local taxes.

That's in addition to the millions Brush pays in payroll. The average worker at the Elmore plant earns about \$18 an hour – a solid amount in a farming community with few factory jobs.

One year, 150 people camped overnight in the rain to get applications for only four openings.

"We put about \$50 million a year, between salaries and local purchasing in the five-county area around [the Elmore plant]," says Lyle MacAulay, Brush's director of manufacturing technology.

Sandy Buchanan, executive director of Ohio Citizen Action, the consumer and environmental group, says local governments should not fixate on such figures. She says they should use tax breaks as leverage to help Brush to encourage firms like Brush to improve health conditions.

"If you are going to give a public subsidy to a corporation, it's a huge opportunity to move things forward in the context of health and safety."

Butch Lemke, an Elmore resident who developed beryllium disease after working nine years at the Brush plant, agrees.

"What good is it to create 10 jobs and turn around and put these 10 people's health in jeopardy?"

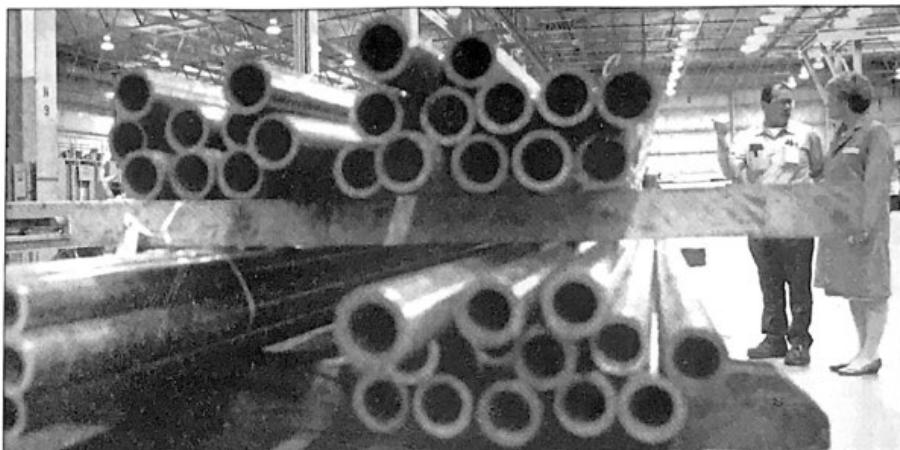
FEDS HAVE BACKED BRUSH FOR YEARS

The federal government has backed Brush for years, and for a simple reason: It needs a reliable supply of beryllium for its weapons.

If Brush were to go out of business, the government would lose its major beryllium source.

So the relationship between the U.S. government and Brush has been intimate since World War

See TAX BREAKS, Page 6



BLADE PHOTO BY ALAN DETRICH

Brush's PAC fund has backed lawmakers who have beryllium facilities in their districts. U.S. Rep. Marcy Kaptur of Toledo, seen here touring the Elmore plant, has received \$2,000. Brush also has opposed Miss Kaptur, once backing an opponent, Ken Brown, with \$5,000.

Brush backs politicians – and vice versa

Firm's political action committee contributes to noted lawmakers

BY SAM ROE
BLEADER SENIOR WRITER

Brush Wellman Inc. has had many friends in high places.

U.S. Sen. Orrin Hatch of Utah once opposed a worker safety plan that would have cost the company millions of dollars.

Toledo Congresswoman Marcy Kaptur once obtained federal funds for the company to help it convert its defense technology to civilian uses.

And U.S. Rep. James Hansen of Utah and U.S. Rep. Paul Gillmor of Ohio once pushed legislation that could have potentially exempted the company from proposed mining rules and fees.

Likewise, Brush Wellman has backed other lawmakers with thousands of dollars in campaign contributions.

Since 1988, Congressman Gillmor has received \$26,500; Senator Hansen, \$24,400; Senator Hatch, \$10,000, and Congresswoman Kaptur \$2,000, a review of Federal Election Commission records shows.

Overall, Brush Wellman has donated a total of \$187,700 to 47 lawmakers and candidates in the last two election cycles, running for Congress in states in which Brush has beryllium plants, such as Ohio, Pennsylvania, and Utah.

The contributions are perfectly legal. The money comes from Brush's political action committee, or PAC. It was created in 1987 and is called the Brush Wellman Good Government Fund. Brush's PAC money comes from payroll deductions from some of the company's top executives.

"It's the company's right – it's anybody's right – to retain government," says Brush Hansen, Brush's vice president of government affairs.

"Our participation in a PAC is no different than labor organizations, or environmental organizations or other people that support candidates that support the principles that they believe in."

He says Brush does not expect politicians to give Brush favors in return for donations.

"Frankly, I don't think any representative or member of Congress would be influenced by the modest amounts that the [Brush] PAC gives."

Brush Wellman turned over in recent weeks the company does expect certain lawmakers to back the firm.

When Congress was debating several bills affecting American manufacturers in 1987, Brush executive Richard Davis offered a lobbying strategy in a memo to Brush colleague James Golic.

"Since these are issues which will impact all manufacturers, not just Brush Wellman, I don't believe we should 'use up any favors' owed us by the most reliable supporters," the memo wrote.

In the cited memo, Mr. Davis wrote that Brush official Stephen Zencak would monitor the legislation with "Orin [sic] Hatch's people" and that Mr. Zencak "agreed we shouldn't use up our favors on a bill that won't have as big an impact on [Brush] as on the rest of industry."

Mr. Zencak, now retired from Brush, says Senator Hatch has long been a friend of the company, which has a mine and plant in the senator's home state of Utah. He says Mr. Hatch, a Republican, frequently helped Brush gain access to key U.S. officials such as those in the Defense Department.

"You just knock on the doors of those [officials] and say, 'I want to talk with you,'" Mr. Zencak says.

Hatch aide J.J. Brown says Brush is a constituent, and Senator Hatch helps constituents who have legitimate requests.



THE TOP RECIPIENTS

Those who received the most in campaign contributions from Brush Wellman's PAC fund, 1988-1998.

1) U.S. Rep. Paul Gillmor	(R., Ohio)	\$26,500
2) U.S. Rep. James Hansen	(R., Utah)	\$24,400
3) U.S. Sen. George Voinovich	(R., Ohio)	\$13,000
4) U.S. Sen. Orrin Hatch	(R., Utah)	\$10,000
5) U.S. Sen. Arlen Specter	(R., Pa.)	\$10,000
6) U.S. Sen. Mike DeWine	(R., Ohio)	\$9,500
7) U.S. Rep. Steven LaTourette	(R., Ohio)	\$8,000
7) U.S. Sen. Robert Bennett	(R., Utah)	\$6,000
9) Ohio Atty. Gen. Betty Montgomery	(R.)	\$5,500
10) Ken Brown	(R., cong. candidate)	\$5,000
10) State Sen. Robert Latta	(R., Bowing Green)	\$5,000
10) U.S. Sen. John McCain	(R., Ariz.)	\$5,000

SOURCE: FEDERAL ELECTION COMMISSION

Campaign contributions do not influence which the senator helps, the side says. Most constituent requests are handled by staffers, who do not know who has given money. "To me, contributions are irrelevant."

Senator Hatch would not turn over to The Blade any documents he had regarding Brush, pointing out in a letter that Congressional offices are exempt from public records laws.

But documents obtained from the Energy Department show that Senator Hatch once opposed a worker safety plan that would have cost Brush millions of dollars.

In 1975, the Occupational Safety and Health Administration proposed lowering the limit of deadly beryllium dust that workers could be exposed to. In 1978 and 1979, Senator Hatch weighed in on the issue, writing to Labor Secretary Ray Marshall, U.S. Sen. Sam Nunn, and Health, Education, and Welfare Secretary Joseph Califano, Jr.

At first, Senator Hatch questioned the scientific studies on which the safety plan was based. When a panel of independent

experts verified the science behind the plan, Senator Hatch tried a different approach. He wrote to Senator Nunn, a member of the Armed Services Committee, saying the plan could harm national security.

In the end, the worker safety plan died. Today, Senator Hatch says he only vaguely recalls the issue and could not comment, according to his chief of staff, Patricia Knight.

Another Utah Republican who has received Brush PAC money is Congressman Hansen. His district includes Brush's Utah plant and the open-pit mine, where the company extracts beryllium-containing ore.

In 1993, Congressman Hansen tried to help Brush on a bill that would have required mining firms to pay higher fees and royalties on the minerals they mined.

As House members debated the bill, Congressman Hansen proposed an amendment that could have potentially exempted Brush. He wanted to give the Defense Department the power to exempt firms like Brush Wellman to ensure ample national defense materials. He said forcing Brush

to pay increased royalties could threaten the U.S. beryllium supply.

Constituent Hansen, a Republican whose district includes areas near Brush's Elmore plant, agreed. Holding a piece of beryllium-containing ore, he told colleagues they should not "damage critical industries that are so strategic important to the country."

In the end, Mr. Hansen's amendment failed. The bill, introduced by Rep. Barbara Boxer, a California Democrat, called it "an outrageous amendment, all in the name of national security."

Both Mr. Hansen and Mr. Gillmor deny that campaign contributions had anything to do with their actions.

"Of course not. Patently absurd," Hansen aide Bill Johnson says.

Congressman Hansen, he says, was trying to ensure beryllium supplies for national security purposes. "There is one beryllium mine in this country. It happens to be Brush Wellman."

Christopher Slagle, press secretary for Congressman Gillmor, says: "We make legislative decisions based on the merits of the decisions in question... There's no quid pro quo between a contribution and a political decision."

Mr. Gillmor has backed Brush in other ways. In 1992, he gave a glowing tribute to the company in honor of its community party called "BrushPride Day." He entered the speech in the Congressional Record, calling Brush "a model citizen."

"As their mission statement so aptly states: 'We are committed to on-time delivery of defect-free competitive products and services to all of our customers by always performing to requirements.'

As for Toledo Congresswoman Kaptur, a Democrat, Brush has both backed and opposed her. In 1992, she has both helped and hurt the firm.

From 1968 to 1995, Brush's PAC did not give her any money. In fact, in 1992, when her district expanded to include the Elmore plant, Brush contributed \$5,000 to her opponent.

And the opponent was not just anybody: He was Ken Brown, a Brush Wellman chemical engineer. Mr. Brown, the endorsed Republican, was trounced by Ms. Kaptur, capturing only 25 percent of the vote.

A few months later, in May 1995, Ms. Kaptur sparked an OSHA inquiry of Brush's Elmore plant.

"I have received several complaints from current and former Brush Wellman employees regarding the conditions at that plant," she wrote to OSHA's Toledo office. "I am quite concerned that people could become terminally ill simply because of where they work."

OSHA found 11 violations, and Brush paid \$12,350 in fines.

A year later, in 1996, Ms. Kaptur was helping Brush. Her amendment to a Defense Department spending bill gave \$2 million to several businesses, including Brush, to help convert defense technologies to commercial uses.

In a press release, she said national security was at stake.

"If the United States fails to convert quickly to commercial applications for beryllium, our nation will lose its production capability and be forced to purchase future supplies from either China or Kazakhstan."

Since 1996, Ms. Kaptur has received \$2,000 from Brush.

She says she has had two long-standing concerns regarding Brush: protecting the workers and maintaining jobs at the Elmore plant. "I've tried to work on both fronts," she says.

DEADLY ALLIANCE

Day 6: Tax dollars back Brush

More than dust at Elmore

**Ohio EPA finds
Brush has polluted
air, land, water**

BY SAM ROE
BLADE SENIOR WRITER

ELMORE — For 17 years, state officials warned Brush Wellman Inc. that its plant here was contaminating the groundwater.

But year after year, the problem continued.

Now, officials say, the pollution is creeping toward the Portage River and threatening several residents.

"This one of our bigger issues in northwest Ohio," says Jeffrey Steers, assistant chief of the Ohio Environmental Protection Agency district office in Bowling Green.

The tainted groundwater is one example of how Brush Wellman has created serious public health problems other than exposing its workers to dangerous beryllium dust.

**'This is one
of our bigger issues
in northwest Ohio.'**

*Jeffrey Steers
assistant chief of the Ohio EPA district office
in Bowling Green*

Ohio EPA records show that Brush Wellman's Elmore plant — the company's main facility — has violated dozens of environmental rules over the years, overpolluting the air, water, and ground.

Some violations involve highly toxic materials. "Brush Wellman has a history of noncompliance with environmental rules and laws," says Steers. "These include contracting beryllium disease from air pollution and being poisoned from tainted drinking water."

A review of Ohio EPA documents on the Elmore plant shows:

- The company has exceeded monthly air pollution limits for beryllium dust nine times in the last 25 years. This is significant because residents in other communities have contracted beryllium disease from air pollution and died.

It is unclear how the emissions have affected residents near the Elmore plant because no tests have been done.

- Brush has had more than 250 EPA violations over the past 20 years, and the EPA has fined the company more than \$1 million.

- Since 1990, Brush has reported 29 spills, including releases of sewage and beryllium.

The contaminated groundwater is the most pressing issue, Ohio EPA officials say.

The underground pollution includes lead, arsenic, and mercury. The EPA says there is no evidence that it has moved off of Brush's property, but it is headed that way and is 1,500 feet from the nearest home.

The EPA recently tested five residents' wells, and none showed problems. "But it's still an important issue to us," the EPA's Mr. Steers says. "We see it as a problem that needs to be addressed."

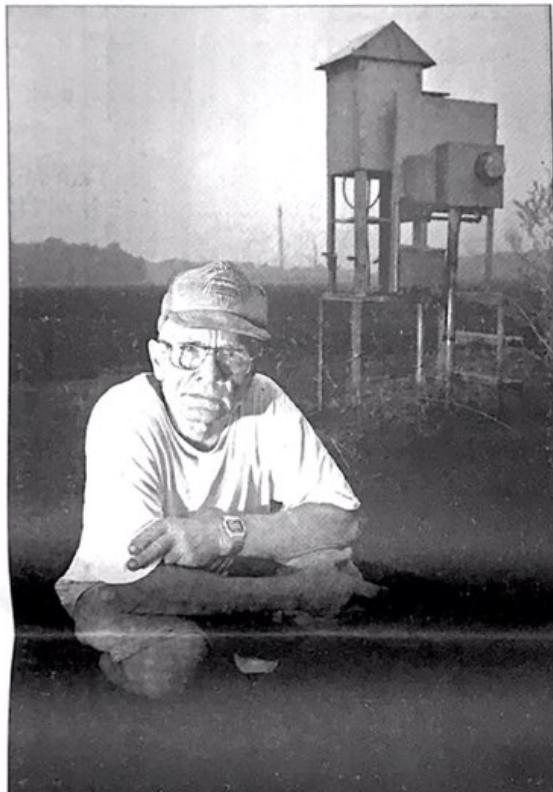
EPA officials have known for 17 years that Brush has been polluting the groundwater, but they have not stopped it. Mr. Steers blames the delay on government inaptitude and disputes between the Ohio EPA and Brush over the seriousness of the problem and the accuracy of test results.

Some of the pollution is coming from a closed Brush landfill next to the Portage River, says Don North, an Ohio EPA environmental specialist. He says the landfill will be a problem indefinitely. "They'll be monitoring the groundwater out there forever," Mr. North says.

Brush defends its environmental record.

"We have accidents and problems, but we don't ignore them," says Marc Kolanz, Brush's environmental health and safety director.

He says many of the violations are inconsequential — paperwork problems, for example. "I don't care what plant you go to. You are going to find a vi-

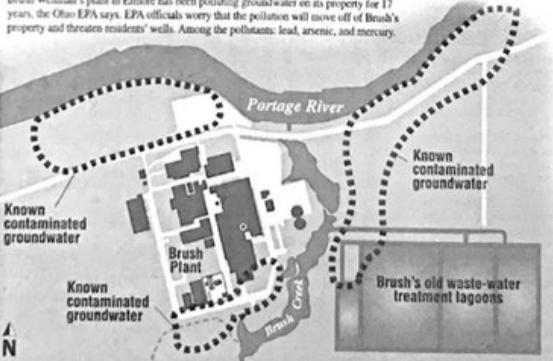


Brush monitors the air outside its Elmore plant. One of the monitoring stations is on the property of Pete Willett, a retired chemist, whose land abuts the beryllium plant.

BLACK PHOTO BY CHRIS WALKER

GROUNDWATER CONTAMINATION

Brush Wellman's plant in Elmore has been polluting groundwater on its property for 17 years, the Ohio EPA says. EPA officials worry that the pollution will move off of Brush's property and threaten residents' wells. Among the pollutants: lead, arsenic, and mercury.



Source: Ohio Environmental Protection Agency

Tax Breaks: Brush given a rich tax package to expand its Elmore plant

Continued from PAGE 5

II, when America bought tons of the metal for the war effort. When Brush couldn't keep up with the demand, the government decided to expand operations, federal records show.

After the war the U.S. Atomic Energy Commission, which oversaw nuclear weapons production, remained Brush's biggest customer, accounting for two-thirds of all sales.

Other beryllium companies relied on government orders in the late 1940s.

"This has placed the AEC in the uncomfortable position of exercising extensive control over a complete industry," a recently declassified AEC document

states.

In 1949, the government paid Brush to build and operate a plant in Luckey to produce beryllium for weapons and, subsequently, for the space program.

Still, the government feared Brush would fold if government orders dropped.

"The company is financially weak," an AEC official wrote in 1950, "and its commercial business has been very limited for several years."

So the government continued to help Brush.

In 1957, Brush signed a contract with the government to build and operate a beryllium plant near Elmore.

In return, U.S. officials agreed to buy 50 tons of beryllium over five years.

In 1959, when Brush's only significant

competitor dropped out of the beryllium metal business, defense officials agreed to pay Brush a one-time 35 per cent price hike to entice the company to remain a government supplier.

In recent years, Brush's government orders have dropped sharply, largely because of the end of the Cold War. But the government still needs some beryllium for weapons, and so it remains concerned about Brush's financial health.

In 1992, the U.S. Department of Energy gave Brush a \$10 million grant to study how to improve production and safety, and in 1994, the U.S. Defense Department provided \$2 million to help Brush and several other businesses convert their defense technologies to commercial uses.

TAX BREAK GIVEN FOR CUTTING JOBS

A few years ago, when Brush Wellman was thinking about expanding its plant near Elmore, local officials put together a rich package of tax breaks, grants, and loans.

Yet the company was not promising to create a single job.

In fact, officials expected Brush to cut 40 jobs.

Local officials defend the deal, saying that if Brush had built outside Ohio, the Elmore community would have lost 150 jobs.

"I think it's important for the community to protect what you've got," says Jerry Arkelauer, vice president of finance and strategic initiatives for the Toledo

Lucas County Port Authority.

When Elmore landed the \$110 million expansion in 1994, "it was the talk of the county," Lucas County Commissioner Chris Redfern recalls. "Everyone was excited — and still is."

The county gave Brush a 10-year tax break on personal and real property — money that otherwise would have gone to schools and social service agencies.

Total savings for Brush: \$7.5 million.

Commissioner Redfern says no one voiced opposition to the tax break, and local schools approved the deal.

The schools didn't come away empty-handed: Brush agreed to directly pay the schools 25 per cent of what it would

See TAX BREAKS, Page 7

DEADLY ALLIANCE

Day 6: Tax dollars back Brush



I think it's important for the community to protect what you've got.

*Jerry Arkebauer
Toledo-Lucas County Port Authority
VP/Finance and strategic initiatives*

TAX BREAKS

Continued from PAGE 6

have otherwise paid.

County officials acknowledge few questions were asked about Brush's health problems at other plants.

"It's beyond my expertise to do that," says Tom Wenzelk, the county planner who helped negotiate the tax break.

Commissioner Bedfern says beryllium disease was a concern to him, but Brush assured him the new plant would have safeguards.

Plus, he says, relatively few workers at the main Elmore plant have the disease. He doesn't know exactly how many: "It's 1 in 150, I in 200, as far as I know."

In 1996, a recently published study found 1 in 11 men with disease or an abnormal blood test — a sign they may very well develop the illness.

Meanwhile, the Toledo Lucas County Port Authority, a public agency put together a \$20 million financing package — \$15 million in bonds and a \$5 million low-interest state loan.

Under the agreement, the port would construct and run the plant and lease it back to Brush for 15 years. The port did this to allow Brush to keep long-term debt off its books, making the company look better in financial reports.

In addition, the port orchestrated a lobbying effort to sway state officials to approve the \$5 million loan. It was a special loan — five times greater than the usual amount.

In all, port authority documents on the Brush deal stand three feet tall. Yet there is scant information about the health problems.

The port's Mr. Arkebauer says port officials discussed the issue, and it was indeed a concern.

"We look at it as: Is it going to impair the ability of the company to make the debt service payments?" In our opinion, it was not.

He says he did not know off hand what percentage of workers were sick at the Elmore plant, but from the port's point of view, he believed it was "an acceptable amount."

BUSH GETS TAX CUT ON LAND IT POLLUTED

Brush once polluted a plant site, then received a large property tax cut because of the cleanup.

"This is a real loophole. It's really lousy," said Richard Linkhart, a real estate analyst for the Cuyahoga County board of revision.

The Brush site is 66 acres in the Cleveland suburb of Bedford. In 1994, Mr. Linkhart says, the taxable value of the property was \$16 million. That year, Brush appealed the assessment, saying the property was so contaminated with lead and toxic chemicals that it was worthless. The company argued it should pay no taxes.

When the county rejected that argument, Brush appealed to a state tax board. County officials then decided to compromise with the company. The taxable value of the property would be reduced to \$400,000 — a 75 percent cut.

So Brush is now paying thousands of dollars less a year in taxes, says James



A group tours the Brush plant outside Elmore. The plant was recently expanded with the help of tax breaks provided by the government.



The average worker at the Elmore plant makes \$18 an hour — a solid amount in a farming community with few factory jobs.

Hopkins of the Cuyahoga County board of revision. He says that means less money for local schools.

Mr. Linkhart says Cuyahoga County settled with Brush because it wanted to avoid losing a lawsuit. "I didn't want this to become a precedent," he says.

The tax cut, first reported in The (Cleveland) Plain Dealer, was rare but legal. State law allows property to be devalued because of pollution, and it doesn't matter if the owner caused it.

Brush acknowledges it polluted the property but says it is not solar to blame. It owned the factory only 14 of the 36 years the plant has been operating.

The plant, which made brake parts for heavy-duty trucks for Brush subsidiary S.K. Wellman, closed in 1988 and was torn down in 1993.

Mr. Reid, the Brush spokesman, says the money the company saved on the tax cut has been greatly negated by the \$6.5 million spent so far on pollution cleanup.

Even if Brush is able to sell the vacant property, he says, it will be at a loss.

Mayor Joe Koziria says beryllium disease was not an issue when officials



Brush recently received a tax break for its plant in Lorain. Mayor Joe Koziria, outside the plant, says had he known that Brush workers at other facilities were getting sick, he would have asked more questions.

DESPITE TRAGIC PAST, LORAIN WELCOMES BRUSH

Back in the 1940s, residents near Brush's factory in Lorain were contracting beryllium disease from the plant's air pollution.

Fear gripped the city, and more than 100 residents signed a petition to force Brush to leave town.

The company voluntarily moved to the country, far from residents and another potential disaster.

Five decades later, Brush is back in Lorain — thanks to taxpayers' money.

In 1996, the city gave Brush a 10-year tax break to build a plant in its west side industrial park. The savings to Brush: \$1 million.

The plant, which has 31 workers, manufactures bronze materials for aircraft landing gear, drilling equipment, and plastic molds.

Even if Brush is able to sell the vacant property, he says, it will be at a loss.

Mayor Joe Koziria says beryllium disease was not an issue when officials

approved the tax break.

A few residents, he says, did recall the tragedy of the 1940s at public meetings, but he thought the disease was in the past.

Had he known workers were still getting sick, "I would have been more concerned and have said, 'Hey, what is going on here?'"

Yet he does not expect a repeat of the tragedy. Brush, he says, has assured him the plant will not handle beryllium.

In an interview with The Blade, the Brush spokesman did not rule out that the deadly metal might be handled there someday.

"But that is not the plan, and it never was the plan," Mr. Reid says.

Some are upset that Brush was allowed

to return to Lorain.

"I don't understand why Lorain would want them back," says Angela Barraco, whose husband, Al, and 7-year-old niece, Gloria, died of beryllium disease from

the old plant. Researchers in the 1940s concluded that Gloria got it from air pollution; Mr. Barraco worked in the plant briefly.

Mrs. Barraco, 79, of Avon, O., keeps her husband's papers and photographs in an album, including pictures of him wearing his oxygen hose.

"I want my grandchildren to remember what we had to go through," she says.

Cheryl Sanders' father, Stanley Sobczak, died of beryllium disease and died of the disease in 1996, researchers concluded. She was just 5 at the time.

"The only thing I remember is that he was sick, that he wasn't able to work," recalls Ms. Sanders, 57, of Amherst, O. "That's about all I really know about my father."

She says it was wrong for Lorain to lure the beryllium company back.

"They were here once, and they had to move out. They should have just stayed away."

ABOUT THE SERIES

'Deadly Alliance' is based on a 22-month investigation by The Blade. Thousands of court, industry, and recently declassified U.S. government documents were reviewed, and dozens of government officials, industry leaders, and victims were interviewed.

About beryllium: Beryllium is a hard, lightweight, gray metallic element. It does not occur in nature as a pure metal; it is extracted from minerals, chiefly bertrandite and beryl, and produced through a series of chemical processes. Beryllium is used in nuclear weapons, missiles, and jet fighters. Small amounts are added to other metals, such as copper, and used in computer components, household appliances, and car ignitions. Beryllium's atomic number is 4 and chemical symbol Be.

About the disease: People exposed to beryllium dust often develop a lung illness called chronic beryllium disease, also known as berylliosis. It is caused by the dust

lodging deep in the lungs. Symptoms include coughing and shortness of breath, which may not appear until many years after the last exposure to beryllium. The disease is often fatal, and there is no cure. Scientists believe some people have a genetic predisposition to the disease. The federal exposure limit for workers is 2 micrograms of beryllium dust per cubic meter of air — equivalent to the amount of dust the size of a pencil tip spread throughout a 6-foot-high box the size of a football field.

About the victims: Researchers estimate 1,200 Americans have contracted beryllium disease, and hundreds have died, making it the No. 1 illness directly caused by America's Cold War buildup. Many cases have occurred in Ohio, Pennsylvania, Arizona, Colorado, and Tennessee, home of beryllium or nuclear weapons plants. Fifty current or former workers at the Elmore plant have the disease. Twenty-six others have an abnormal blood test — a sign they may very well develop the illness.



To comment

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Sam Roe, 38, has been with The Blade for 12 years, primarily as a special projects reporter. He is a graduate of Kent State University and Columbia University's Graduate School of Journalism. His investigative series have won numerous awards, including two National Press Club honors.



HOW GOVERNMENT AND INDUSTRY
CHOSE WEAPONS OVER WORKERS

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DEADLY ALLIANCE

Day 6: Tax dollars back Brush



Butch Lemke knows that some of his neighbors think his sprawling brick house, which has oxygen outlets in nearly every room, was paid for from a settlement with Brush. But his lawsuit against the firm was dismissed.



Being tethered to an oxygen tank does not stop Butch Lemke from enjoying one of life's pleasures: He took two extra tanks in case the Cleveland Indians game went into extra innings.

Fight for life measured step at a time

STORY BY SAM ROE ■ PHOTOS BY CHRIS WALKER

Butch Lemke attaches his portable oxygen tank to an old golf cart and begins slowly walking along the outside perimeter of Woodville Mall.

He moves steadily and deliberately, pushing the cart in front of him as if he's fertilizing a lawn. He passes the Fashion Bug, Tia's Coffee, and Perry Cream, where a teenage girl behind the counter steals a glance.

After a full loop, he sits down on a bench to catch his breath. "I took 2,347 steps," he says, checking his pedometer. In 15 minutes, he'll try to do it again.

Mr. Lemke has advanced beryllium disease, but he is determined not to let it kill him.

The former high school football star turns Lemke exercises every day, uses several inhalers, and takes a host of medication. "If they prescribe any more I won't have to eat," he says.

But his hard work has paid off. His disease has stabilized.

"I've always been a fighter," the 58-year-old says. "And I hate to lose."

Mr. Lemke is an example of how some beryllium victims can live for years - even decades - with the disease, however difficult that may be.

His physician, Dr. Shakil Khan, credits a vigorous treatment program, particularly steroids, for stopping Mr. Lemke's lungs from getting worse. But the doctor also credits Mr. Lemke's determination.

"He really pulls the full potential out of what he gets out of those lungs."

When Mr. Lemke is not fighting for his own life, he fights for others.

One of the area's beryllium victims advocates, Mr. Lemke has written to newspapers, complained to lawmakers, and circulated petitions regarding issues at the local Brush Wellman beryllium plant.

He even bought a few shares of Brush stock in case he ever wants to attend a shareholders' meeting with pointed questions.

"On some issues," says fellow victim Dave Norgard, "he's the only one who has the courage to stand up against the company."

Says Mr. Lemke: "I just want people to know what is going on at the plant and have tried to protect other people who are working there."

Mr. Lemke knows that beryllium disease, an invisible illness, will eventually beat him. And he knows he'll never be able to breathe on his own again. He'll always have that oxygen hose dangling from his face.

"I told my wife, 'When I die, you keep it right on me. Because that's how people know me.'"

Until then, he is determined to make the most of his time.

Last summer, he went to a Cleveland Indians game, bringing three oxygen tanks in case the game went into extra innings. When he goes fishing, he puts his tank on a bench and casts while sitting down.

Years ago, he was a strong, athletic man. His Harris-Elmore High yearbook has a picture of him in his football uniform, posed as if catching a pass. "Good pass receiver, scurrying many touchdowns," the caption says. "His determination and will to win is hard to beat."

Above is a picture of co-captain Gary Anderson. Like Mr. Lemke, he worked at the Brush plant near Elmore, dying in 1989 after a long struggle with beryllium disease.

"It just grabbed him, and he was gone," Mr. Lemke recalls.

Mr. Lemke worked nine years at Brush, mostly as a machinist, making parts for the U.S. government's weapons



Butch Lemke's fight against beryllium disease includes walks with his oxygen tank attached to an old golf cart.



Butch Lemke (left to right), Bob Szilagyi, and Gary Renwand, all former employees of the Elmore plant, attend the funeral of Marilyn Miller, who died of beryllium disease last year.



Life for Butch Lemke arrives through a plastic nose tube. Even while going through his morning routine, Mr. Lemke is connected to oxygen.

Butch Lemke knows he'll never be able to breathe on his own again. He'll always have that oxygen hose dangling from his face: 'I told my wife, "When I die, you keep it right on me. Because that's how people know me.'"

program. When he left in 1969, records show, the company said he was in excellent health.

About a year later, while working at Owosso, Mich., a chest X-ray revealed spots on his lungs. Doctors gave him the bad news: He had beryllium disease.

His wife, Betty, remembers that day well. "When he got home he sat down in the chair and cried, and I sat on the couch and cried. Because the kids were small. And he wasn't very old either."

Just 29, Mr. Lemke was put on powerful drugs. A few years later, he was forced to go on oxygen.

But he didn't live like an invalid. In fact, he started his own business: a computer parts firm. He sold it in 1987, making enough to build a new house.

It's a sprawling, brick home with cathedral ceilings and fan windows. Mr. Lemke helped design it, putting oxygen outlets in nearly every room so he could move freely.

He knows what locals say: Brush Wellman bought him that house.

But his 1988 negligence suit against the beryllium company wasn't successful. It was dismissed because the statute of limitations had run out.

Today, Mr. Lemke says he receives \$3,43 a month in Social Security disability and workers' compensation. Brush, he says, sends him several thousand dollars in checks a year.

As for his health, Mr. Lemke's goal is simple: Do not get sicker.

Every morning he takes numerous pills, uses a nasal spray, and either goes for a walk or rides his stationary bike. Four times a day he has a "breathing treatment" - 15 minutes of breathing through an inhaler. At night, there are more pills, inhalers, and sprays.

"I don't have much free time," he says. "Outside the home, he is careful not to pick up germs."

"You have to watch the door knobs, the shopping carts, and when you're done, you wash your hands. When I'm leaving bathrooms, I don't even grab the doorknob without a bathroom towel."

He would like to travel more, but arranging a supply of oxygen in every town and hotel is a logistical nightmare.

"We were going to go to Hawaii," he says. "We were going to do a lot of things."

"Well," his wife says softly, "we're thankful we're here."

Mr. Lemke says he is a realist. "Sooner or later this disease is going to get me. You just don't know when."

And yet he is far from giving up. "If I would just take it as it comes, and not try to help myself, I'd be gone a long time ago."