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## Ancient Lung Disease Strikes Countertop Cutters In LA

Since Jan. 2016, at least 30 stone fabricators in the Los Angeles area have been diagnosed with an accelerated form of silicosis, an incurable, and deadly, dust-related illness. The evidence suggests silicarich synthetic stone is to blame.

By Jim Morris and Leslie Berestein Rojas Published Dec 2, 2022 5:00 AM

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#### IN THIS ARTICLE

he men are haggard, starved of breath and tethered to oxygen tanks. Neither will live to an old age; without lung transplants, both may die within a year.

This story is the result of a collaboration between Public Health Watch, KPCC/LAist and Univision.

Juan Gonzalez Morin, 36, and Gustavo Reyes Gonzalez, 32, made a living cutting and grinding engineered-stone countertops, the synthetic slabs that have become popular with consumers. Cheaper and more durable than natural stone, they are composed of crushed quartz bound by a plastic resin.

But the cutting of the slabs releases tiny <u>crystalline silica</u> particles that can kill workers who inhale them. One hundred times smaller than a grain of sand, the particles can travel deep into the lungs, causing scarring that continues even after exposure stops. The result is slow suffocation from an incurable illness known as silicosis.

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Gonzalez and Reyes are among at least 30 countertop fabricators in the Los Angeles area diagnosed with an accelerated form of silicosis since Jan. 2016. It's believed to be the largest cluster of the disease in the United States. All the victims are relatively young Latino men who worked long hours under harsh conditions without complaint.

#### **An Eminently Preventable Illness**

"Thanks be to God, I have been strong, and I spoke with my family," Reyes said during a recent interview with Public Health Watch and LAist. "I explained to them ... that I had basically a year to live. I just asked my siblings and my mother to start preparing for what was coming and what we were about to go through."

Ancient Lung Disease Strikes Countertop Cutters in Southern California

4:27

The illness that has stolen the fabricators' breath is eminently preventable and so old that it afflicted quarrymen in ancient Greece. It claimed the lives of miners, foundry workers and sandblasters in the U.S. throughout the 20th century.

The countertop fabricators are its newest victims. Eighteen of the Southern California workers have been diagnosed at Olive View-UCLA Medical Center in the northern San Fernando Valley since May 2021. Another seven were diagnosed at Olive View between Jan. 2016 and May 2021. The other five were diagnosed elsewhere.

## Since the dust is extremely fine, you stop noticing it. Basically, you lose awareness that the dust is entering your body.

#### — Juan Gonzalez

Many worked in small shops, some no bigger than a garage. Regulating these workplaces is difficult because they are inconspicuous and can move on short notice.

The workers are at the bottom of a chain that includes contractors, kitchen showrooms and home improvement stores and major manufacturers.

"They can maybe not even have symptoms initially," said Dr. Jane Fazio, a pulmonary physician at Olive View, which is funded by L.A. County.\_"Then it's this sort of slow, progressive, dry cough and maybe just an inability to, you know, run and play with your kids." Support for LAist comes from

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Eventually, walking around the block or finishing a sentence becomes too taxing. The patient requires supplemental oxygen, sheds weight and is in and out of the hospital.

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#### First, An Incorrect Diagnosis Of Pneumonia

Dr. Nader Kamangar, a pulmonary critical-care physician at Olive View and a professor at UCLA's David Geffen School of Medicine, pulled up an image of a silicosis victim's CT scan on his desktop computer. Healthy lungs should appear black. These were mostly white, evidence of what's known as progressive massive fibrosis, caused by inhalation of silica dust.

"This is a very, very end-stage process here," Kamangar said. "It

would be very unlikely to imagine that this person could go on for more than a year or two after this. Even with a lung transplant ... this patient would still never go on to live a normal life and their longevity would be significantly limited."

Both Gonzalez and Reyes came to California from Mexico, the former in 2013 and the latter in 2007. Both had brothers working in countertop fabrication, so they slipped into the job easily.

It's likely there are more cases we're just not aware of ... Nor is there reason to believe the problem is limited to California. "We imagine it's happening all over the United States.

- Eric Berg, Cal/OSHA's deputy chief of health

Like many silicosis victims, Gonzalez initially was misdiagnosed with pneumonia. He wound up in the emergency room at Olive View after his medication stopped working. A bronchoscopy in Nov. 2021 revealed the true nature of his illness.



Juan Gonzalez must use an oxygen tank to supplement his breathing. (Trevor Stamp for LAist)

Gonzalez said he worked as a fabricator and an installer for three companies from 2013 until last year. His first work site was "like a whirlwind," he said in Spanish. "The dust never, ever stopped coming." His employer had fans running in the shop, but they were "not really adequate for this job," he said.

The workers wore disposable masks\_that became clogged with dust after an hour or two and were rendered useless, Gonzalez said. "Since the dust is extremely fine, you stop noticing it," he said. "Basically, you lose awareness that the dust is entering your body."

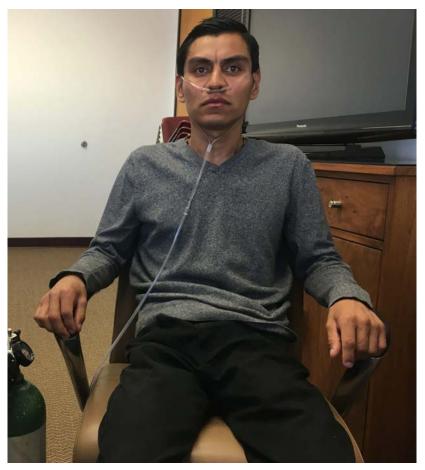
When cut, some of the plastic-filled slabs gave off a pungent odor "like pure garbage," Gonzalez said. He routinely worked 10to 12-hour days in this environment, at a starting wage of \$14 an hour.

## 'I Have Spoken To God'

His first manager "died of the same disease I have," Gonzalez said. "When this person passed away, I waited for them to tell us about it ... But they didn't. They just said, 'Put on the mask. Put on the mask.'" The manager's death, in early 2020, prompted the company's owners to install a water-based dust suppression system, he said.

By this time, it was too late. Gonzalez's symptoms began with a cough, then shortness of breath. The father of four worked all of 2020 and most of 2021. "Every day it got worse and worse," he said. After being diagnosed with silicosis, "I told my boss what was going on. He said he was very sorry. He said I should go get a job at Uber — they make good money there."

Reyes was an independent contractor who worked out of a friend's shop in Orange County. He always used water when he cut, he said, and wore a high-quality mask. "I did my best to take care of myself," Reyes said, but it didn't matter. The dust, with the consistency of powdered sugar, went through and around his mask and into his lungs.



Gustavo Reyes Gonzalez, 32, at his attorney's office in Long Beach. He was diagnosed with silicosis in 2021.

(Leslie Berestein Rojas / LAist)

Like Gonzalez, Reyes was told he had pneumonia before a CT scan and a\_pulmonary test in Sept. 2021 revealed he had silicosis. He said the doctor told him, "There is no medicine for this disease, and so there is no cure for it."

Reyes' weight plunged from 160 lbs. to 115 lbs. He moves today with the sluggishness of an old man. Only a lung transplant will save him.

"I have spoken to God," Reyes said. "If it is my time to go, I am happy to go with him ... If the transplant comes first or it doesn't come, I have accepted it." Most of the silicosis patients at Olive View were uninsured when they were diagnosed, according to Fazio. She said she's helped those who need a lung transplant obtain benefits under Medi-Cal. But a transplant, which can cost more than \$1 million, "is not a perfect solution," Fazio said. Patients need full-time caregivers and often must relocate to be near a hospital. On average, their lives are extended five to 10 years.

## A Scourge Across The Ages

Silicosis is not a new scourge. In fact, it's considered the oldest known occupational lung disease. The German metallurgist and mineralogist Georgius Agricola described it among miners in the 16th century and the Italian physician Bernardino Ramazzini among stone-cutters in the 17th. Its prevalence among workers in the United States triggered a full-blown public health emergency in the early 20th century.



An x-ray of a lung with silicosis and progressive massive fibrosis (PMF). (Courtesy NIOSH)



Dr. Nader Kamangar, left, and Dr. Jane Fazio at Olive View-UCLA Medical Center in Sylmar.

(Trevor Stamp for LAist)

The nadir came in the 1930s, when hundreds of laborers, most of them Black, died after drilling <u>the Hawk's Nest water tunnel</u> through sandstone near Gauley Bridge, West Virginia. The episode triggered congressional hearings and motivated the U.S. Department of Labor to release a public service film, "<u>Stop</u> <u>Silicosis</u>," in 1938. The film highlighted preventive measures that still apply: ventilation, the suppression of dust with water, and respiratory protection. Incidence of the disease has ebbed and flowed ever since. Just when it seems it's been eradicated, it reemerges — among coal miners, construction workers, and now countertop fabricators. The outbreaks have moved from country to country — Israel, Spain, Australia — as the use of artificial stone has spread. Australia considered banning the product because fabrication is inherently dangerous for workers: Synthetic stone contains more than 90% silica, compared with about 30% for granite and about 5% for marble.

#### **Citations And Large Proposed Fines**

In early 2019, the California Department of Public Health learned of the 2018 silicosis death of a Bay Area fabrication worker; the man's brother died of the disease the same year. Both had worked at Stone Etc. in Hayward.

Department officials made a referral to the state's Division of Occupational Safety and Health, better known as Cal/OSHA. The agency launched a "special emphasis" program for silica and inspected 106 workplaces. It found overexposures at 47 of them and issued 523 citations.

## I'm concerned [Cal/OSHA] is not going to have the wherewithal to do an effective job of protecting workers in this industry.

- Retired Cal/OSHA industrial hygienist Garrett Brown

Eighteen citations — three of which alleged <u>willful violations</u>, the most serious category — went to Stone Etc.'s <u>Hayward</u> <u>location</u>; Cal/OSHA proposed a fine of \$476,420. The agency issued nine citations, four classified as willful, to the company's <u>Gardena location</u> and proposed a fine of \$417,325. Stone Etc., which did not respond to requests for comment, is contesting the citations.

The COVID-19 pandemic forced Cal/OSHA to suspend the special emphasis program in early 2020. It has resumed, but no inspections had been conducted as of Nov. 18, an agency spokesperson said.

## 'Chronic Understaffing' At Cal/OSHA

Eric Berg, Cal/OSHA's deputy chief of health, estimated the number of stone-cutting operations in the state to be "in the hundreds. We know of a certain number of cases [of silicosis]. It's likely there are more cases we're just not aware of."

Nor is there reason to believe the problem is limited to California. "We imagine it's happening all over the United States," Berg said.

The U.S. Occupational Safety and Health Administration, which polices workplaces in states that don't have their own federally approved programs, tightened the nation's silica standard in 2016 and in early 2020 began an initiative to look for cases in which the new limit was exceeded in targeted industries. One of those industries is "cut stone and stone product manufacturing," which includes countertop fabricators. An OSHA spokesperson said 44 employers with that classification were cited for alleged silica-related violations from Feb. 4, 2020 through Nov. 21, 2022.

These are extremely dangerous products, and the manufacturers do not provide adequate safe-use instructions.

- Long Beach lawyer Raphael Metzger

Researchers estimated that as of 2018, 96,366 fabrication

workers at 8,694 sites in America were at risk of developing silicosis. The numbers are probably higher today. But both federal OSHA and its state counterparts are severely underresourced. The AFL-CIO reported this year that there were <u>only</u> <u>755 federal and 964 state workplace inspectors in fiscal year</u> <u>2021</u>. That translates to one inspector for every 81,427 workers in the U.S.

Many of the fabrication shops employ only a few workers, some of whom are undocumented and unlikely to file complaints with regulators, interviews show. That makes violators harder to find.

Garrett Brown, a retired Cal/OSHA industrial hygienist, said the agency suffers from "chronic understaffing. I'm concerned the division is not going to have the wherewithal to do an effective job of protecting workers in this industry."

The Cal/OSHA spokesperson said, "We are continuing efforts to hire more industrial hygienists while also providing ongoing training to existing staff on health-related inspection procedures, including those for silica."

# Manufacturers 'Absolutely Know' About The Dangers

If the government can't be counted on to extinguish the silicosis crisis among countertop workers, who can?

Raphael Metzger, a lawyer in Long Beach, thinks he has the answer: Sue the manufacturers and suppliers of engineeredstone countertops. He's filed product liability lawsuits against dozens of them.

"These are extremely dangerous products, and the manufacturers do not provide adequate safe-use instructions" for fabrication workers, Metzger said. He's suing makers of both synthetic and natural-stone countertops, but the former, he said, are by far the most hazardous.

Manufacturers such as <u>Israel-based Caesarstone</u>, one of the pioneers and dominant players in the artificial stone industry, "absolutely know" about the silicosis problem associated with their products, Metzger said.

Many of us continue working in this field out of necessity, and many continue because of ignorance, not knowing what causes the damage: the stone.

— Juan Gonzalez

A <u>study</u> published a decade ago in the journal Chest, for example, found that 25 silicosis patients referred for evaluation by Israel's

artificial, decorative stone product with high crystalline sinca content used primarily for kitchen countertops and bathroom fixtures." In short, the very product Caesarstone makes. A company spokesperson declined to comment for this article.

Two other manufacturers of engineered stone named in the litigation, <u>Cosentino</u> and <u>Cambria</u>, did not respond to requests for comment.

In 2020, following a <u>Centers for Disease Control and Prevention</u> <u>report</u> of 18 cases of silicosis among stone fabrication workers in four states — including the two fatal ones in the Bay Area — Caesarstone unveiled a training program called <u>Master of Stone</u>.

"While we have long had safety measures in place, this educational initiative was created for our fabricators and industry professionals and addresses all issues of health and DONATE

safety in the workplace with special emphasis on creating a space free of the potential implications of respirable crystalline silica dust," the company said in a press release.

#### **Proper Protection Is Expensive**

Preventing silicosis is expensive. Manny DeOliveira, president of United Marble and Granite in Santa Clara — one of the largest countertop fabricators in the Bay Area — said he has invested hundreds of thousands of dollars in special machines, training and protective gear.

His workers craft countertops next to enormous waterfall machines fitted with special air filters that suck in the dust and convert it to mud. Cutters wear half-face respirators, goggles and hardhats. During safety trainings, DeOliveira likes to use a little fear, showing workers images of lungs destroyed by silica dust. He hires industrial hygienists to walk the plant and help him comply with Cal/OSHA rules.

DeOliveira said he is committed to protecting his workers, but this makes it harder to compete with fabricators who don't bother. He thinks that would change if manufacturers and suppliers were held liable for the harm their products cause to workers down the supply chain. "Until that happens, I doubt anything will help," he said.

Metzger maintains that sophisticated protective measures are financially out of reach for many small operators. He is seeking punitive as well as compensatory damages against Caesarstone and the other countertop manufacturers, he said, because "they consciously disregarded the health and safety of these [fabrication] workers." His clients are Gonzalez, Reyes and Ana Miriam Gonzalez Moreno, whose husband, Victor, a fabricator, died of silicosis last year at 53.

### 'We Cannot Get Over It'

In an interview, Miriam Gonzalez said her husband would come home from work "completely white ... all dusty. Even his eyelashes were white, white." He began coughing and gasping for breath about two years ago, she said, and was diagnosed with silicosis. "Since he kept working, the wounds were scarring over. This was blocking his lungs, closing up his lungs."



Victor Gonzalez and Ana Miriam Gonzalez Moreno at their wedding. (Courtesy Raphael Metzger)

Victor's weight fell from 230 pounds to 125 pounds, his wife said. When he died, in Sept. 2021, "I withdrew into solitude," she said. Her grown children — Victor's stepchildren — were heartbroken, as was her mother.

"My mom still cries all the time, even now," Miriam, who lives in Burbank, said. "And so do I. It is hard for us. A year has gone by, but I feel like it just happened yesterday. We cannot get over it."

She and Victor were together for 24 years, but she'd rebuffed his proposals of marriage, fearing it would ruin their relationship. She relented 2<sup>1</sup>/<sub>2</sub> years ago, as Victor was starting to show symptoms. "I will not get married again," she said.

Metzger took Victor's deposition in the summer of 2021. Victor stood during much of his testimony because when he sat, he explained, "I suffocate." He had cut granite and marble, as well as Caesarstone and other artificial stone, for 33 years. A short cellphone video he recorded at one of his places of employment shows some of his co-workers toiling in a thick cloud\_of silica dust with a shrill grinding or sawing noise in the background.

"There were no fans there to let the dust out," Victor, who was diagnosed with silicosis in Oct. 2019, testified. "I made the video so it could show how other people [working] there could get sick."

#### **Consumers Have A Choice**

Dr. Robert Harrison, an occupational physician on the faculty at UC San Francisco's Department of Medicine, has been tracking silicosis in the state for almost four years. He knew trouble was coming to the U.S. as he read about the clusters in other countries.

Like Metzger, Harrison believes countertop manufacturers are ultimately responsible for the workers' illnesses. "They're making silicosis in a box and shipping it out by the tens of thousands of pounds," he said. "How could they not know?"

Consumers do have a choice. They can spend more on granite or marble countertops, thereby reducing, though not eliminating, the likelihood that the workers who shape the slabs will get sick. Or, they can avoid stone altogether and turn to countertops made of concrete, wood or porcelain.

Juan Gonzalez Morin was asked if he had a message for would-be buyers of artificial stone products. He did.

Consumers need to know that "behind their kitchens are many people who have been harmed," he said. "And to value the work of each person. Many of us continue working in this field out of necessity, and many continue because of ignorance, not knowing what causes the damage: the stone.

"Behind the kitchen, basically, there's sweat and blood and, at the worst, even death."

Jim Morris is editor-in-chief of <u>Public Health Watch</u>, a nonprofit investigative news organization. Kim Krisberg with Public Health Watch contributed to this story.

#### LEAD PHOTO CREDIT

Juan Rodrigo Gonzalez Morín, 36, of Sun Valley, must use an oxygen tank to supplement his breathing due to his silicosis. (Trevor Stamp for LAist)

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