



Charles E. Boyk ¹
Michael A. Bruno ²
Wesley D. Merillat
Zachary J. Murry ³

Frederic M. Boyk, of counsel

¹ AV Preeminent[®] and Peer Review-Rated Firm by Martindale-Hubbell

² Board Certified Civil Trial Specialist by the National Board of Trial Advocacy and AV Preeminent[®] Rating by Martindale-Hubbell

³ Licensed in Ohio, Maryland and Michigan

PNC Bank Building
405 Madison Avenue, Suite 1200
Toledo, Ohio 43604
Ph: 419.241.1395
Fx: 419.241.8731
Toll Free: 800.637.8170
www.charlesboyk-law.com

Contact: Alan Mortensen
Tel. 801.556.6867
amort@dkolaw.com

FOR IMMEDIATE RELEASE
November 1, 2013

Contact: Charles Boyk
Tel. 419.241.1395
cboyk@charlesboyk-law.com

WHIRLPOOL EXECUTIVE SUMMARY FAILS TO ADDRESS KEY FINDINGS

Company bashes attorneys for “lack of science” but refuses to allow victims to independently test sites

Two days ago, Whirlpool released a 1,608 page report on testing that was performed by Whirlpool at the Whirlpool Park. The park is a 27-acre site near Clyde under controversy for being the main location where it is believed that carcinogenic toxins have had the greatest impact on the cases of cancer, since the site is where many Clyde residents played and swam for nearly 50 years.

Yesterday, Whirlpool held a press conference to discuss the release of their three-page Executive Summary that covered the 1,608 page report.

Essentially Whirlpool is reporting that there is no reason for concern and that no health risks are posed to the residents of Clyde. But the victims of the Clyde Cancer Cluster and their families strongly disagree, based on facts in the report that were not made readily available to the media.

And now here, as the late radio broadcaster Paul Harvey would say, is the rest of the story.

What Whirlpool fails to report in their three-page Executive Summary is that:

1. New finding: Polychlorinated biphenyls (PCBs), recognized as one of the most dangerous carcinogens, were found at the grist mill on a more recent date than those PCBs found at the Whirlpool Park basketball court. These PCBs were found in levels well above what the United States Environmental Protection Agency deems acceptable. Whirlpool tries to gloss over the findings of PCBs at the grist mill by referring to the PCBs at the basketball court having been earlier discovered. PCB production was banned by the United States Congress in 1979, due to its extreme toxicity.

2. New finding: PCBs were found below the floor of the Whirlpool park swimming pool.

3. Benzo(a)pyrene was found at Whirlpool Park at a level **eighty six times the EPA-accepted level** for what is considered safe for residential areas. Benzo(a)pyrene is known to cause cancer in humans, skin disorders in

humans and animals and causes harmful developmental and reproductive side effects. (www.epa.gov/pbt/pubs/benzo.htm)

4. Benzo(a)anthracene was found at Whirlpool Park at a level **twelve times the EPA-accepted level**. Benzo(a)anthracene is known to cause an increased level of several forms of cancer, including childhood cancer. (www.epa.gov/teach/chem_summ/BaP_summary.pdf)

The victims alleged in their lawsuit that Benzo(a)pyrene and Benzo(a)anthracene were two of the causes of the Clyde Cancer Cluster and that the carcinogen has been found at other Whirlpool dumping sites in Eastern Sandusky County. The Whirlpool Park findings of Benzo(a)pyrene and Benzo(a)anthracene are consistent with those found at the Whirlpool dump sites.

5. Benzo(b)fluoranthene was found at Whirlpool Park at a level **over nine times the EPA-accepted level**. Benzo(b)fluoranthene is known to cause an increased level of several forms of cancer. (www.epa.gov/iris/subst/0453.htm)

6. Indeno[1,2,3-cd]pyrene was found at Whirlpool Park at a level **over three times the EPA-accepted level**. Indeno[1,2,3-cd]pyrene is a suspected human carcinogen. (www.epa.gov/iris/subst/0453.htm)

The Whirlpool report is currently being studied by the attorneys and experts working on behalf of the cancer victims in the Clyde Childhood Cancer Cluster and any conclusions are preliminary.

Given the tone of the press conference and the executive summary, the victims believe that Whirlpool would have no issues with an independent confirmation at the Whirlpool Park by the victims' team of experts.

Despite not being permitted to conduct their own independent testing, the victims and their experts once again are challenging Whirlpool to allow them access to Whirlpool Park for further investigation.

Whirlpool executives bashed attorneys representing the victims, stating that their "issue is with attorneys who have used no science, no fact," yet Whirlpool refuses to allow the victims' experts to independently test the sites in question.

###

For more information on this case or to schedule an interview, contact Anneke Godlewski, Communications Director, at 419-720-4456 or agodlewski@charlesboyk-law.com.