

Faces from 9/11

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The Sept. 11, 2001 attack on the Twin Towers of the World Trade Center blasted thousands of tons of asbestos into the air, exposing rescue, recovery and cleanup workers at "the Pile" and in Lower Manhattan to glass fibers, pulverized cement, diesel exhaust and heat so intense that it often melted rescue workers' rubberized boots.

I personally viewed Ground Zero in early October from blocks away, a plume rising above it. And I have devoted many hours since then to understanding the cracks in the country's disaster response and compensation systems.

Why did Spadafora die?

Ronald Spadafora was in charge of New York City Fire Department's Ground Zero safety program for its employees from the first hours after the attack, as they searched for survivors, then remains of the 2,735 killed in the towers' collapse. Among the victims were 343 firefighters. Most of them had been huddling in the second tower to fall, victims of the failure of the Mayor Giuliani's administration to fix a well-known flaw in public safety communications.

Spadafora was diagnosed in 2015 with blood cancer, caused by exposure to the toxic air at Ground Zero, the doctors said. On June 28, at age 63, he was buried. Before him, 178 other New York City firefighters were determined to have died from Ground Zero exposure.

A medical expert on Ground Zero exposures commented in the mid 2000s, "You have a mix of cancer-causing agents. The reality is that we are never going to know the full range of what the responders were exposed to." She was then mainly concerned about latent risks of cancer.

Federal agencies and labor unions gave out respirators. But many of them just weren't used, and workers weren't reprimanded for not wearing them. Safety on Ground Zero, it seemed, was relegated to an act of personal virtue.

Further, the collapse decapitated the work safety leadership inside New York City's government. "The whole emergency response command structure of the FDNY was lost, as well as a majority of the department's [hazardous materials] instructors, technicians and specialists," wrote a consultant team.

A detailed plan for Ground Zero safety had been given to the City on about Sept. 20. The City administration hid it away.

Congress took these failures seriously. The Homeland Security Act of 2002 called for cooperation among first responders. Today, even tiny volunteer fire departments have to comply. One emergency specialist told me that Homeland Security's new guidelines

“absolutely, without a doubt” improved the response to the Joplin, MO, tornado on May 22, 2011.

Why did Smith flourish?

While Spadafora was assigned to Ground Zero, Stu Smith (not his real name) worked to remove debris. On Nov. 20, 2001, late at night in dim lighting, he tripped, falling to the ground on his right knee while breaking his fall with his right arm.

He filed a workers' compensation claim with his employer's insurer, the New York State Insurance Fund. He hired a lawyer in November when benefits were not forthcoming. His claim was awarded in early 2003.

That knee problem, apparently misdiagnosed at the start, led to a total replacement later in 2003 and a post-surgical complication that sent him for several weeks into a hospital.

Even before his workers' comp award, Smith had enrolled in a medical monitoring program out of Mount Sinai Hospital, paid for by the federal government. The doctors told him he was depressed, had acid reflux, and had "World Trade Center cough." He continued care at Mount Sinai, completely uncoordinated with his knee treatment paid for by the State Fund, which also paid for a rotator-cuff repair relating to that fall at Ground Zero.

The person who was CEO of the State Fund at the time told me that the State Fund made no attempt to coordinate medical care with the immensely funded Mt. Sinai program. Has anyone today at the State Fund placed a phone call to Mount Sinai?

The State Fund awarded him a total permanent disability of about \$1,400 a month. He applied on his own and was awarded full federal social security disability insurance benefits at about \$1,700 a month. For his involvement at Ground Zero, the Red Cross gave him a \$10,000 check. And because he was working in a crime scene, Smith received a \$25,000 check from a New York State Fund for crime victims.

Why did Langone languish?

Marty Langone (not his real name) was working and living some 30 miles east of Lower Manhattan at the time of the attack. A few days later, his employer told him to report to Ground Zero, where he worked as a truck driver through December 2001.

Smith would occasionally notice body parts caught in debris as operating engineers dumped the remains of the towers into his truck.

In early 2003, Mount Sinai examined Smith and found he was displaying symptoms of heavy mental stress. He wasn't alone. The Mount. Sinai program later reported that half of the 9/11

rescue, recovery and cleanup workers it examined had post-traumatic stress disorder symptoms. And then there's the problem with recognizing diseases in workers' comp.

Among 9/11 rescue, recovery and cleanup workers, disease figures into at least 75% of them.

In 2005, he told me, "I was coming home in the afternoon, and there was a truck in front of me, and I began to see body parts hanging out of the truck." He was diagnosed with PTSD. The employer's insurer denied his claim. The denial was based on the absence of medical evidence, the absence of evidence that its policy covered Langone's employer, and the absence of a documented employee-employer relationship.

Langone was trapped in the warren-like insurance arrangements of many contractors, subcontractors and holding companies engaged at Ground Zero. Four insurers delayed resolving his claim by fighting over who owned it.

Imagine the faces of three men looking at us and asking, Is the workers' comp system prepared for the next major disaster?