

NO. B-125,986

RUSSELL H. ALLEN, ET AL § IN THE DISTRICT COURT OF
VS. § JEFFERSON COUNTY, TEXAS
AMERICAN PETROFINA, ET AL § 60TH JUDICIAL COURT

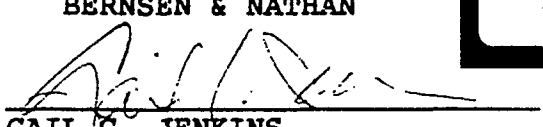
MOBIL'S ANSWERS TO INTERROGATORIES,
RESPONSES TO REQUESTS FOR ADMISSIONS AND RESPONSE TO
REQUEST FOR PRODUCTION

TO: Russell H. Allen, et al, Plaintiffs, by and through their
attorneys of record, Joseph C. Blanks, Reaud, Morgan &
Quinn, Inc., 909 Laurel Street, Beaumont, Texas 77701

COMES NOW, defendant Mobil Oil Corporation (including the
responses of Mobil Mining & Minerals Company and Mobil Chemical
Company, Inc.), and pursuant to the June 20, 1990 Order of this
Honorable Court, files its answers to interrogatories, responses to
requests for admissions and response to request for production, as
follows.

Respectfully submitted,

BENCKENSTEIN, NORVELL,
BERNSEN & NATHAN

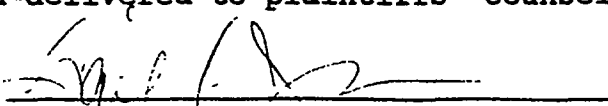

GAIL C. JENKINS
STATE BAR NO. 05201525
P.O. BOX 551
BEAUMONT, TEXAS 77704

(409) 833 - 4309

ATTORNEYS FOR DEFENDANT,
MOBIL OIL CORPORATION

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the
foregoing document has been hand-delivered to plaintiffs' counsel
on this 34 day of July, 1990.


GAIL C. JENKINS

PLAINTIFF'S EXHIBIT

MBL-280

014077

PRELIMINARY STATEMENT OF MOBIL OIL CORPORATION

Plaintiff has named three separate "defendants" in connection with this lawsuit, Mobil Oil Corporation, Mobil Chemical Company Inc. and Mobil Mining & Minerals Company. As counsel for the undersigned has discussed with counsel for plaintiff, all of the Mobil-related premises in this lawsuit are actually owned by Mobil Oil Corporation (herein after referred to as "Mobil"), by virtue of Mobil's corporate structure.

Neither Mobil Mining & Minerals Company nor Mobil Chemical Company is a separate corporation, as both are operating divisions of Mobil Oil Corporation¹. Accordingly, Mobil Mining & Minerals Company, Mobil Chemical Company and Mobil Chemical Company, Inc. are not proper parties and Mobil Oil Corporation is responding on behalf of all named Mobil entities.

In the attached discovery responses, all answers will be made on behalf of Mobil Oil Corporation in a general sense, unless specified by plant site. Mobil will be responding on behalf of four separate plant sites, two in Jefferson County and one Harris County². These will be referenced in the answers to interrogatories as "O/A" (the Beaumont Mobil Chemical Company olefins and aromatics plant which went on line in 1961), the "Refinery" (the Beaumont Mobil Oil Corporation refinery), "BCSP" (the Beaumont Mobil Chemical specialty products plant which went

¹ Plaintiff actually named and served discovery on "Mobil Chemical Company, Inc.", which, as demonstrated by the attached affidavit of W. T. Oates, Jr., is a name holding corporation only and owns no assets and does no business. The name "Mobil Chemical Company, Inc." was incorporated for name protection purposes only, and is not to be confused with Mobil Chemical Company, which operates the Mobil Chemical plant sites. Plaintiffs' counsel has indicated that it is the Mobil Chemical plant sites he is interested in, and is agreeable to the responses being made on behalf of Mobil Oil Corporation and Mobil Chemical Company, as that is where all the information is.

² Mobil in the past has owned three other facilities, all of which were sold some time ago and about which Mobil has no access to records, documents or information at this point. However, to the extent they were owned during the relevant time period, any Mobil corporate policies would have been the same. In addition, Mobil presently owns one other plant site, the Mobil Chemical polyethylene plant located in Beaumont, which went on line in 1977 and which has never purchased asbestos-containing insulation products as referenced in this lawsuit; therefore none of the attached answers refer to that plant site.

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on line in 1965) and "MM/M"³ (the Harris County Mobil Mining & Minerals Company plant).

In addition, Mobil would show that plaintiffs' discovery requests cover a 50 year time span. Due to the large number of individuals this defendant has employed, defendant's record retention policies and the breadth and volume of plaintiffs' discovery requests, it is possible that some responses will require supplementation. However, some categories of requests have proven completely unavailable by any means, such as plaintiffs' inquiries regarding the identification of specific asbestos products on its plant sites. Since the asbestos-containing insulation products referenced in this lawsuit⁴ were last purchased prior to August 1, 1972, any purchase records have long since been destroyed pursuant to normal record retention policies. Mobil has interviewed numerous employees regarding this topic, but has not come up with anything more specific than the few names listed below in the discovery responses, because of the almost 20 year period since the last purchase.

³ This plant site is essentially a fertilizer plant which was purchased by Mobil Oil Corporation in 1979, long after Mobil had ceased purchasing asbestos containing insulation products referenced in this lawsuit. As Mobil had no prior relationship with that facility prior to its purchase, Mobil has less information regarding these discovery requests and MM/M than its other subject premises. Mobil has conducted an investigation, searched records and interviewed employees regarding that plant site, but has not been able to answer many of the inquiries relative to that plant site. When the other premises are referenced and M/M is not listed, this will indicate that no specific information was available for that plant site. As further reason for the general lack of records regarding this facility, defendant would show that many of its records and documents were destroyed in 1983 during hurricane Alicia, and are therefore unavailable.

⁴ For the purposes of this discovery, defendant understands from the various hearings and meetings that plaintiff is seeking information regarding traditional asbestos containing insulation products which were commonly used in the petrochemical and other industries, such as pipe and block covering, cement, etc. Defendant does not understand this discovery as amended and conformed to embrace products which may contain asbestos but are not friable in any manner, which have been used because of the unavailability of alternate suitable materials; and which were approved by OSHA for use after 1972, such as gaskets, woven thermocouple lead wires, graphite or teflon impregnated woven asbestos packing and textile safety materials such as gloves and blankets. Defendant's discovery responses herein will not include the above listed non-friable products when answering regarding "the asbestos-containing insulation products referenced in this lawsuit".

014073

Also, Mobil would show that, due to the passage of time and the extended period of time covered by these discovery responses, that in some instances the employees with the most information on a topic may be either retired and unavailable, or in some instances deceased, therefore some information is simply unavailable.

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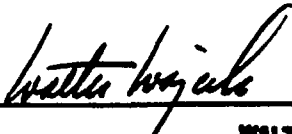
I, W. T. OATES, JR., do hereby certify:

1. That I am a duly elected Senior Assistant Secretary of MOBIL OIL CORPORATION, a New York Corporation, and as such officer have custody of and access to the official records of such Company;
2. That I am a duly elected Secretary of MOBIL CHEMICAL COMPANY INC., a Delaware Corporation incorporated on January 3, 1966, and as such officer have custody of and access to the official records of such Company;
3. That Mobil Chemical Company Inc. is a wholly-owned subsidiary of Mobil Oil Corporation.
4. That Mobil Chemical Company Inc. is a name holding corporation only and has never conducted business.

IN TESTIMONY WHEREOF, I have signed my name and affixed the Corporate Seal at New York, N.Y., this 11th day of April, 1989.


Senior Assistant Secretary

Subscribed and sworn to before me
this 11th day of April, 1989.


WALTER WOJCIK
Notary Public, State of New York
No. 31-4827871
Qualified in New York County
Term Expires Oct. 31, 1989

014081

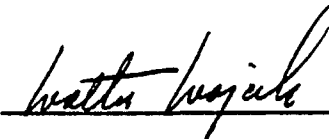
I, W. T. OATES, JR., do hereby certify that I am a duly elected Senior Assistant Secretary of MOBIL OIL CORPORATION; that I have custody of the Secretary's records; and that MOBIL CHEMICAL COMPANY is a Division of said Mobil Oil Corporation and is not a corporation incorporated under the laws of any State in the United States of America, or any country.

IN TESTIMONY WHEREOF, I have signed my name and affixed the Corporate Seal at New York, New York, this 11th day of April, 1989.



Senior Assistant Secretary

Subscribed and sworn to before me
this 11th day of April, 1989.



WALTER WOJCIK
Notary Public, State of New York
No. 31-4827871
Qualified in New York County
Term Expires Oct. 31, 1989

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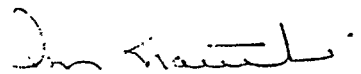
A F F I D A V I T

STATE OF TEXAS

COUNTY OF DALLAS

§
§
§

BEFORE ME, the undersigned authority, a Notary Public in and for said State and County, personally appeared Don Krauth, who being duly sworn deposes and says that he is Regional Claims Manager of Mobil Oil Corporation and is authorized to make this Affidavit on behalf of Mobil Oil Corporation, which includes the other named entities in this lawsuit. He further states that the responses set forth in the foregoing interrogatories, request for production and request for admission have been compiled by him, or at his direction and under his supervision, and that the responses are true and correct to the best of his knowledge.



DON. KRAUTH

SUBSCRIBED AND SWORN TO before me on this 2nd day of July, 1990, to certify which witness my hand and seal of office.



NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

Print Name: ROBERT W. ALBRIGHT

Commission Expires: October 25, 1992

014083

PLAINTIFFS' AMENDED INTERROGATORIES

INTERROGATORY NO. 1. Identify each construction contractor who worked upon your (subject) premises in Jefferson, Orange, Hardin, Matagorda, Harris, Galveston, Brazoria, Chambers or Jasper Counties since the end of World War II, specifying the year each contractor was working in your premises.

[page 367, lines 7-11]

ANSWER:

O/A: The following is a list of the principal construction contractors which defendant believes have worked at the O/A facility in recent years.

M. W. Kellogg - Built Kellogg Unit (Ethylene Unit)
Finished in 1961.

Stone and Webster - 1965, 1985, 1987

Natkin Co. - 1967, 1969

Foster Wheeler - 1969

SIP, Inc. - 1966, 1968, 1969

Brown & Root - 1968

C.A. Turner - 1974

Ford, Bacon & Davis - 1975

Bella Co. - 1966, 1967, 1968, 1969, 1970, 1971, 1972,
1973

Ellerbe Bros. - 1982, 1987

Carruth-Dishman - 1965, 1966, 1967, 1968, 1969, 1973,
1982, 1987

Crest, Inc. - 1965, 1966, 1967, 1968, 1969, 1970, 1972,
1975, 1976, 1984, 1987

Because the O/A plant was constructed and went on line in 1961, records typically do not go back that far. We do not have any more specific information readily available than that listed above. However, plaintiffs' counsel may review all 2,106 storage boxes of such records regarding the O/A plant, which might provide more specific information.

REFINERY: The following is a list of the principal construction contractors which defendant believes have worked at the Refinery facility in recent years.

Braun - 1958, 1969

McKee - 1977

Lummus-Kellog - 1961

Foster-Wheeler - 1958, 1959, 1967, 1968

Kellog Co. - 1934

Blount Bros. Co. - 1976

Fluor - 1960, 1972

Lummus - 1949, 1951

SIP, D.C. Challies - 1956

Stearns-Roger - 1977, 1978

Bechtel - 1957, 1974

Combustion Engineering - 1966

R.M. Parsons - 1980

Ford, Bacon & Davis - 1976

Straumburg & Polk - 1955

Hydrocarbon Construction - 1975, 1978

Bella Construction

Brown & Root

C.A. Turner

Carruth Dishman

Crest, Inc.

E.B. Badger

Ellerbee Bros.

Lummus-Crest

M.W. Kellog

SIP, Inc.

Stone & Webster

Nooter Corp.

Employees have been interviewed to obtain the above information, but we do not have any specific information readily available regarding all dates. However, plaintiffs' counsel may review the 780 storage boxes of such records regarding the refinery, located in Jefferson County, either at the refinery or off site, which might give, among many other things, more specific information.

BCSP: The following is a list of the construction contractors which our employees have listed as those principally working at the BCSP facility in recent years.

Setco, Inc.

Pronoun, Inc.

A & B Construction Co., Inc.

Employees have been interviewed to obtain the above information, but we do not have any more specific information readily available than what is listed above. However, plaintiffs' counsel may review the 325 storage boxes of such records regarding the BCSP facility, located in Jefferson County, either at the facility or off site, which might give, among other things, more specific information.

MM/M: The following is a list of the construction contractors which our employees have listed as those principally working at the Mobil Mining & Minerals facility in recent years:

Jerry Sheats Interest, Inc.

Diamond, Inc.

Fish, Inc.

Employees have been interviewed to obtain the above information, but we do not have any more specific information readily available than what is listed below. However, plaintiffs' counsel may review the approximately 28 storage boxes associated with contractor activities, some of which are stored off-site. Additionally, many of our records were destroyed during Hurricane Alicia in 1983, so records prior to that time are incomplete.

INTERROGATORY NO. 2. Identify each (construction) contractor who installed or removed materials containing asbestos fibers upon your subject premises, stating as well each year that such contractor worked upon your premises.
[page 367, lines 7-11]

ANSWER:

It is possible that some of the contractors listed in Interrogatory No. 1 may have installed asbestos containing insulation products referenced in this lawsuit, although this is not known at this time. In addition, defendant would list the following contractors who may have been involved in work involving the removal of asbestos containing products:

Carruth-Dishman

Mar-Len

Olshan Demolition

Crest, Inc.

Union Insulation

Borinquen Insulation

Performance Contracting

American Insulation

B & B Insulation

H & F Insulation

Thorpe Insulation

Superior Energies, Inc.

Fuller-Austin Insulation, Inc.

Castle Fireproofing, Inc.

Bella Co.

Consolidated Contractors

Bo-Mac, Inc.

Delta Industrial Construction

C.A. Turner Co.

Jefferson Construction

INTERROGATORY NO. 3. Identify each asbestos product present upon the subject premises at any time during the prior fifty years by:

- a) manufacturer,
- b) product trade name, and
- c) product description.

ANSWER:

As stated previously in these discovery responses, Mobil last ordered or purchased the asbestos-containing insulation products referenced in this lawsuit in 1972, and due to record retention policies, these records are no longer available. Employees have been questioned in this regard, but little to no information is recalled after the almost 20 year period of time has elapsed since the last products were ordered. However, at the refinery location, some employees recall that the products of Johns-Manville (specifically calcium silicate), the product "Kaylo" and the products of M. H. Detrick were used at the plant, although they do not remember when or under what circumstances these were used. As stated above, there are no records.

INTERROGATORY NO. 4. Identify each unit in the subject premises where products containing asbestos were ever present.

ANSWER:

Q/A: See Attachment No. 1 regarding a 1988 study identifying products still in place. No other records exist but defendant states that at various periods of time, in several sections of the plant, that asbestos-containing insulation products were used for high temperature insulation purposes, typically because they were the only products available for that purpose, and because they met all U.S. Government requirements regarding asbestos-containing insulation products. Defendant states that substantial amounts of the asbestos containing insulation products referenced in this lawsuit have been removed pursuant to the policy which is set out in Interrogatory No. 14, below. In addition, some units were constructed at a time after defendants ceased the use of the asbestos containing insulation products at issue in this lawsuit, therefore those units never contained those products.

REFINERY: No separate written records exist for this facility, but defendant states that at various periods of time, in several sections of the plant, that asbestos-containing insulation products were used for high temperature insulation purposes, typically because they were the only products available for that purpose, and because they met all U.S. Government requirements regarding asbestos-containing insulation products. Defendant states that substantial amounts of the asbestos containing insulation products referenced in this lawsuit have been removed pursuant to the policy which is set out in Interrogatory No. 14, below. In addition, some units were constructed at a time after defendants ceased the use of the asbestos containing insulation products at issue in this lawsuit, therefore those units never contained those products.

BCSP: See Attachment No. 2 regarding a 1988 study identifying products still in place. No other records exist but defendant states that at various periods of time, in several sections of the plant, that asbestos-containing insulation products were used for high temperature insulation purposes, typically because they were the only products available for that purpose, and because they met all U.S. Government requirements regarding asbestos-containing insulation products. Defendant states that substantial amounts of the asbestos containing insulation products referenced in this lawsuit have been removed pursuant to the policy which is set out in Interrogatory No. 14, below. In addition, some units were constructed at a time after defendants ceased the use of the asbestos containing insulation products at issue in this lawsuit, therefore those units never contained those products.

MM/M: See Attachment No. 3 regarding a March 22, 1990 study identifying products still in place. No other records exist but defendant states that at various periods of time, in several sections of the plant, that asbestos-containing insulation products were used for high temperature insulation purposes, typically because they were the only products available for that purpose, and because they met all U.S. Government requirements regarding asbestos-containing insulation products. Defendant states that substantial amounts of the asbestos containing insulation products referenced in this lawsuit have been removed pursuant to the policy which is set out in Interrogatory No. 14, below. In addition, some units were constructed at a time after defendants ceased the use of the asbestos containing insulation products at issue in this lawsuit, therefore those units never contained those products.

INTERROGATORY NO. 5. Describe generally each use to which asbestos containing products were put on the subject premises.

ANSWER:

For all subject premises, the asbestos-containing insulation products referenced in this lawsuit, to the extent they were used, were generally used for thermal insulation in products such as pipe and boiler insulation, cement, etc. As noted above in answers to interrogatories 3 and 4, due to the almost 20 year period since these products were last purchased, defendant has very little exact information at this time. Also, at BCSP, it is understood that at one time there was a filtration or filtering system which utilized an asbestos-containing material, but the asbestos did not become a part of the product. This has not been used since approximately 1970, and the defendant has no additional information.

INTERROGATORY NO. 6. Identify each use made by you (named Defendant) of asbestos in:

- a) any product manufactured by you, and
- b) any process used by you or such related persons.
[page 171, lines 7-9]

ANSWER:

Please see response to interrogatory no. 5, above, for background information. In addition, Mobil has never mined, milled or sold raw asbestos at any time. However, on or about July 1, 1963, Mobil acquired the paints and coatings division of the Martin Marietta Corporation. As a result of that acquisition and beginning in 1964, Mobil began to manufacture and sell some paint and coatings products which contained very small amounts of non-hazardous encapsulated asbestos. These products were manufactured until sometime in 1980, and the paints and coatings division was sold to the Valspar Corporation in 1984. The products in question were not manufactured at the subject premises.

INTERROGATORY NO. 7. Describe in detail each ownership interest that you or any related company has ever had in:

- a) an asbestos mine,
- b) an asbestos manufacturer, and
- c) an asbestos marketer.

ANSWER:

a) - c) Mobil has never mined, milled or sold raw asbestos at any time and denies that it was an asbestos manufacturer or marketer as phrased in this discovery. On or about July 1, 1963, Mobil acquired the paints and coatings division of the Martin Marietta Corporation. As a result of that acquisition and beginning in 1964, Mobil began to manufacture and sell some paint and coatings products which contained very small amounts of non-hazardous encapsulated asbestos. These products were manufactured until sometime in 1980, and the paints and coatings division was sold to the Valspar Corporation in 1984. The products in question were not manufactured at the subject premises.

3

INTERROGATORY NO. 8. State what your corporate industrial hygiene program required in the way of respiratory protection from dust inhalation injuries since you first began to require respiratory protection stating:

- a) when you first began,
- b) what devices used
- c) what training programs.

ANSWER:

a) - c) Mobil's Corporate Industrial Hygiene Program is fully described in Attachment No. 4: Management Guide Bulletins dated February 9, 1973, February 10, 1984 and May 1, 1987, as well as in the "Asbestos Control Program" guide of Mobil Exploration and Production (U.S.).

Mobil's program regarding respirator protection from asbestos dust inhalation injuries was initiated in 1972, at which time Mobil employees in areas where asbestos was known to exist were required to wear protective equipment, although it is believed that at least dust filter masks and organic vapor canister masks had been available for at least two decades in some circumstances and locations. This program is further described in the "Asbestos Handling Requirements Guide" (March 1975), Mobil Mining & Minerals Revised Asbestos Control and Abatement Policy (October 1988) and the "Mobil Chemical Asbestos and Man-Made Mineral Fibers Policy & Procedure Guidelines".

Immediately after the OSHA regulations went into effect in 1972, caution signs were placed in areas where asbestos was

known to exist and written asbestos guidelines were issued. The wording of the notices was: "CAUTION; ASBESTOS DUST HAZARD; AVOID BREATHING DUST; Wear assigned protective equipment; Do not remain in area unless your work requires it; breathing asbestos dust may be hazardous to your health." The wording on the notices may have varied marginally, but the message remained substantially the same.

Q/A: In addition to the above: Since plant went on stream in 1961, Scott Air Packs (30 min.), dust filter masks and organic vapor canister masks were available to employees and maintenance contractors.

REFINERY: In addition to the above: Although no records exist, it is believed that respiratory protective equipment has been available since at least the early 1950's at the refinery location.

BCSP: In addition to the above: Since the plant went on stream in 1965, Scott Air Packs, dust filter masks and organic vapor canister masks were available to employees and maintenance contractors.

MM/M: Additionally, Mobil acquired this facility in 1979, and pursuant to OSHA, these type programs were already in place at that time.

INTERROGATORY NO. 9. As to the above programs identify:

- a) person primarily responsible for the program,
- b) person still living with most knowledge of program
 - 1. at corporate level,
 - 2. at subject premises.

ANSWER:

a) Mobil's current Medical Director is J. M. Cannella, M.D., whose function is to direct worldwide Medical Department activities and is responsible for occupational health and health maintenance for Mobil's employees.

b)(1) See response to Interrogatory No. 9(a), above.

Q/A: As to OSHA Regulations, see the following for history of those responsible for Industrial Hygiene at plant level. Corporate level also on that list:

SAFETY MANAGEMENT PERSONNEL AT MOBIL CHEMICAL O/A PLANT:

1/80 to present

D.A. Bruce, Sr.
Loss Prevention Supv.
Mobil Chemical, O/A Plant
Box 3868
Beaumont, TX 77704
(409) 839 - 1231

3/75 to 2/78
2/78 to 1/80

M.S. Riggs
Safety Advisor
Safety/Security Supv.
P.O. Box 140126
Anchorage, Alaska 99514
(907) 248 - 5012

7/70 to 2/75

B.G. Milner
Safety Advisor
200 E. Chance Cut Off Rd.
Lumberton, TX 77656
(409) 755 - 2317

4/67 to 2/75
2/75 to 8/76

W.D. Mitterlehner
Safety Advisor
Safety Supv.
Mobil Chemical Co.
Petrochemical Div.
World Twrs.
One, 15600 Drummet Blvd.
Houston, TX 77032
(713) 590 - 7700

8/60 to 2/74

C.W. Cox
Safety Supv.
Rt. 2, Box 972
Kountze, TX 77625
(409) 246 - 2258

5/61 to 12/73

E.M. Patton
Safety Supv.
4655 Galewood Ln.
Beaumont, TX 77706
(409) 898 - 0056

**CORPORATE ENVIRONMENTAL PERSONNEL INVOLVED WITH INDUSTRIAL HYGIENE
ACTIVITIES AT MOBIL CHEMICAL O/A PLANT:**

11/84 to present

R.S. Anderson
Environmental Supv.
(I.H. responsibility for
monitoring went to safety dept.
in 1984)
Mobil Chemical, O/A Plant
Box 3868
Beaumont, TX 77704
(409) 839 - 1243

4/81 to 8/84

P.B. Mullin
Environmental Supv.
Mobil Chemical Co.
Petrochemical Div.
World Twrs.
One, 15600 Drummet Blvd.
Houston, TX 77032
(713) 590 - 7700

9/71 to 5/76

R.J. Brant
Mgr. of Environmental Control
Mobil Chemical Co.
P.O. Box 10070
Stamford, CT 06904
(203) 328 - 7000

CORPORATE LEVEL INDUSTRIAL HYGIENIST (not based on plant) ASSIGNED
TO O/A SINCE 1977:

Bruce Larsen
Mobil Chemical Co.
P.O. Box 1028
Princeton, NJ 08540
(609) 951 - 5945

REFINERY -- The Safety Managers at the Beaumont Refinery
were as follows:

10/88 - present

P.D. Hall
Mobil Beaumont Refinery
P.O. Box 3311
Beaumont, TX 77704
(409) 833 - 9411

01/80 - 10/88

L.E. Limbocker
Mobil Beaumont Refinery
P.O. Box 3311
Beaumont, TX 77704
(409) 833 - 9411

02/71 - 11/79

J.L. Wescoat
Mobil Oil Corporation
150 East 42nd Street
New York, NY 10017
(212) 883 - 4242

06/70 - 03/71

H.L. Jaggard
1795 Rikisha Lane
Beaumont, TX 77706
(409) 892 - 2778

12/67 - 03/70

J.H. Ashley, Jr.
3465 Redwood Drive
Beaumont, TX 77706
(409) 892 - 0841

1966 - 12/67

L.A. Watson, Jr.

04/63 - 08/65

A.W. Saxe

09/60 - 04/63

I.H. Thacker
7095 Ellen Lane
Beaumont, TX 77706
(409) 892 - 0778

1959

C.M. Liles
1215 Longfellow Drive
Beaumont, TX 77706
(409) 899 - 5227

BCSP -- BCSP INDUSTRIAL HYGIENE PERSONNEL

12/5/88 to present

James S. Fennell
Mobil Chemical Co.
P.O. Box 216
Beaumont, TX 77704
(409) 839 - 1458

8/25/86 to 10/1/88

L.K. Reno
Mobil Chemical Co.
P.O. Box 311
Nichols, FL 33863
(813) 425 - 6200

12/1/84 to 9/1/86

V. Arboleda
Mobil Chemical Co.
200 E. Main St.
Macedon, NY 14501
(315) 986 - 6111

5/1/83 to 8/1/84

R. Compton
2950 Ave. E
Beaumont, TX 77701
(409) 832 - 4434

10/1/75 to 1/1/83

H.E. Coussou
5280 Stivers Drive
Beaumont, TX 77705
(409) 842 - 0877

BCSP SAFETY PERSONNEL

12/5/88 to present

James S. Fennell
Mobil Chemical Co.
P.O. Box 216
Beaumont, TX 77704
(409) 839 - 1458

8/25/86 to 10/1/88

L.K. Reno
Mobil Chemical Co.
P.O. Box 311
Nichols, FL 33863
(813) 425 - 6200

12/1/84 to 9/1/86

V. Arboleda
Mobil Chemical Co.
200 E. Main St.
Macedon, NY 14501
(315) 986 - 6111

5/1/83 to 8/1/84

R. Compton
2950 Ave. E
Beaumont, TX 77701
(409) 832 - 4434

1970 to 1/1/83

H.E. Coussou
5280 Stivers Drive
Beaumont, TX 77705
(409) 842 - 0877

BCSP ENVIRONMENTAL PERSONNEL

7/24/89 to present

D.P. Lapinski
Mobil Chemical Co.
P.O. Box 216
Beaumont, TX 77704
(409) 838 - 6532

5/1/87 to 9/1/89

D.M. Smith
Mobil Chemical Co.
P.O. Box 2295
Beaumont, TX 77704
(409) 866 - 3711

1/1/85 to 5/1/87

R.J. Cunha
Mobil Chemical Co.
P.O. Box 1031
Princeton, NJ 08540
(609) 737 - 3000

10/1/78 to 1/1/85

W.G. Jaggers
9275 Broun
Beaumont, TX 77706
(409) 866 - 0572

PRIOR TO 1978 ENVIRONMENTAL WAS HANDLED BY O/A PERSONNEL. PLEASE
SEE THAT LIST.

MM/M:

MM/M SAFETY/INDUSTRIAL HYGIENE

12/79 TO 1/80

William Jones
Manager, Safety
No information available

1/80 to 4/81

H.A. Kelly
Manager, Safety (Interim)
10414 Sageberry
Houston, TX 77089
(713) 481 - 5322

4/81 to 5/83

L.K. Reno
Mobil Chemical Co.
P.O. Box 311
Nichols, FL 33863
(813) 425 - 6200

6/83 to 6/85

P.V. Totin
Mobil Chemical, O/A Plant
Box 3868
Beaumont, TX 77704
(813) 425 - 6200

3/86 to present

R.R. LeClair
Mobil Mining and Minerals Co.
P.O. Box 3447
Pasadena, TX 77501-3447
(713) 920 - 5300

MM/M ENVIRONMENTAL PERSONNEL

12/79 to present

J.L. Murray
Mobil Mining and Minerals Co.
P.O. Box 3447
Pasadena, TX 77501-3447
(713) 920 - 5300

INTERROGATORY NO. 10. Identify the persons responsible for your named Defendant's industrial hygiene program at the subject premises, stating the years of responsibility for each person and the identity of their superior.

ANSWER:

O/A:

Mobil Chemical O/A -- See response to Interrogatory No. 9, above.

REFINERY:

J. Van Zandt
825 Yount Street
Beaumont, Texas 77707
(409) 892 - 0149

J.J. Stanko (Beaumont Refinery 6/71 to 6/73)
600 Grant Street
Pittsburgh, PA 15230
Telephone number is unknown; above is last known address.

R.W. Witzke (Beaumont Refinery 7/73 to 6/76)
803 Carmen Drive
Wyomissing, PA 19610
Telephone number is unknown; above is last known address.

D.B. Dunham (Beaumont Refinery 6/76 to 8/80)
Mobil Oil Corporation
3225 Gallows Drive
Fairfax, VA 22037
(703) 849 - 4340

K.F. Hussain (Beaumont Refinery 1980 to June 1988)
5380 Dawn
Beaumont, TX 77706

Mr. Allan Johnson (Beaumont Refinery from 6/88)
Mobil Beaumont Refinery
End of Burt Street
Beaumont, TX 77701
(409) 839 - 3655

BCSP:

BCSP INDUSTRIAL HYGIENE PERSONNEL

12/5/88 to present	J.S. Fennell Mobil Chemical Co. P.O. Box 216 Beaumont, TX 77704 (409) 839 - 1458 (reported to J. Willis at plant, and to R.L. Holman, 6/86 to 1/90, and G.A. Gratz from 1/90 to present at corporate)
8/25/86 to 10/1/88	L.K. Reno Mobil Chemical Co. P.O. Box 311 Nichols, FL 33863 (813) 425 - 6200 (reported to M. Murrin at plant and to L.M. Bynum at corporate)
12/1/84 to 9/1/86	V. Arboleda Mobil Chemical Co. 200 E. Main St. Macedon, NY 14501 (315) 986 - 6111 (reported to M. Murrin at plant and to J.K. Mooney at corporate)
5/1/83 to 8/1/84	R. Compton 2950 Ave. E Beaumont, TX 77701 (409) 832 - 4434 (reported to S. Dunn at plant)
10/1/75 to 1/1/83	H.E. Coussou 5280 Stivers Drive Beaumont, TX 77705 (409) 842 - 0877 (reported to S. Dunn at plant and B.A. Larson at corporate)

MM/M:

MM/M SAFETY/INDUSTRIAL HYGIENE

12/79 TO 1/80	William Jones Manager, Safety No information available
(supervisor, C.A. Daniels)	

1/80 to 4/81

H.A. Kelly
Manager, Safety (Interim)
10414 Sageberry
Houston, TX 77089
(713) 481 - 5322

(supervisor C.A. Daniels)

4/81 to 5/83

L.K. Reno
Mobil Chemical Co.
P.O. Box 311
Nichols, FL 33863
(813) 425 - 6200

(supervisors C.A. Daniels and R.J. Rusche')

6/83 to 6/85

P.V. Totin
Mobil Chemical, O/A Plant
Box 3868
Beaumont, TX 77704
(409) 839 - 1231

(supervisor R.J. Rusche')

3/86 to present

R.R. LeClair
Mobil Mining and Minerals Co.
P.O. Box 3447
Pasadena, TX 77501-3447
(713) 920 - 5300

(supervisors R.J. Rusche' and C.W. Oaks)

INTERROGATORY NO. 11. Describe in detail each program known to Defendant that Defendant or its wholly owned subsidiaries implemented, 1) at the corporate level, and 2) at the subject premises for:

- a) the study of dust conditions upon your premises,
- b) the control of dust conditions upon your premises, and
- c) the protection of persons upon your premises from exposure to harmful dust.

ANSWER:

a)(1) To the extent defendant understands this interrogatory, defendant states that through its information and belief, Mobil has not conducted any studies of dust conditions at the corporate level; rather these have been implemented at the local level. Please see answer to interrogatory no. 8, and the attachments thereto, for more specific information regarding the control of dust conditions and the protection of persons on defendant's premises.

INTERROGATORY NO. 12. State when and by what means named Defendant first became aware that asbestos:

- a) caused an irreversible lung disease,
- b) caused cancer in humans,
- c) caused cancer in other animals,
- d) caused mesothelioma.

ANSWER:

It is not known precisely when defendant knew of a health hazard associated with asbestos; nor is it known precisely who had such knowledge or the source, whether oral or written. However, in the late-1960's, epidemiology studies substantiated the first conclusive link between the use of a product containing asbestos and health hazards, culminating in the OSHA Regulations and formal Mobil guidelines, effective in 1972. Mobil began in the 1960's to perform annual chest x-rays on employees in job category of insulator. Formal guidelines recommending procedures for establishing a medical and industrial hygiene control program to protect the health of employees with a present or past history of exposure to asbestos and asbestos containing products, which was based on exposure monitoring but also included employees with exposure due to prior employment, were put into effect in 1972. All employees in job categories of boilermaker, pipefitter, machinist, welder, powerhouse worker and insulator helper were later designated for automatic inclusion in the Asbestos Medical Surveillance Program (AMSP).

In addition to categories listed above, individuals were included in the AMSP if on the basis of voluntary periodic examinations there were findings compatible with an asbestos related disease process. The examinations were offered every two or three years, depending on age. Also, any annuitants who met the guidelines were admitted to the program in 1978.

INTERROGATORY NO. 13. State when and by what means named Defendant first began testing in Defendant's plants-refineries for asbestos levels in the air. (not gas stations, etc., only have to state as to first place tested).

ANSWER:

Mobil began ambient air monitoring for asbestos fibers in the early to mid-1970's. See also answer to Interrogatory No. 8 and the materials attached in response to that Interrogatory.

INTERROGATORY NO. 14. State when Defendant began the systematic removal of asbestos from Defendant's plants, refineries and corporate headquarters.

ANSWER:

Pursuant to governmental and regulatory recommendations regarding asbestos-containing products, defendant states that it does not remove or disturb asbestos-containing insulation products on its premises unless the materials need replacement in the normal course of operations and/or maintenance; therefore defendant is in compliance with the federal regulations and has no "systematic" removal program as such. In addition, defendant attempts to monitor the in place asbestos for damage, to eliminate and/or minimize the risk of airborne fibers being released into the air. Mobil's policy in this regard began at or near the time of the 1972 OSHA regulations and all follow-up, superseding or amended regulations have been followed, which indicate that wholly encapsulated asbestos containing insulation or products do not present a risk to human health. Prior to 1972, a need for removal of asbestos was not apparent. See also the "Asbestos Handling Requirements Guide" and other materials referenced in response to Interrogatory No. 8, above. Mobil's procedures and policies for asbestos control have routinely exceeded regulatory requirements. Mobil's asbestos control strategies included a wide spectrum of procedures, programs and approaches, including encapsulation of asbestos and removal where appropriate. Pursuant to this policy, Defendant has removed substantial amounts of the asbestos containing insulation products referenced in this lawsuit at the local facilities.

INTERROGATORY NO. 15. State why Defendant began such removal at that time.

ANSWER:

Please refer back to answer to Interrogatory No. 14, above, which fully answers this inquiry.

INTERROGATORY NO. 16. State why Defendant did not begin the systematic removal of asbestos from its plants, refineries and corporate headquarters before that time.

ANSWER:

Please refer to the answer to Interrogatory No. 14, above. Mobil professionals responsible for health and safety have consistently kept abreast of the literature and expert opinion

regarding the health effects of asbestos since the potential dangers of asbestos under some circumstances were substantiated in the early-1970's. Decisions by management regarding the appropriate handling and control of asbestos have always been made based upon the best information available at the time. Mobil's asbestos control strategies have included a wide spectrum of procedures, programs and approaches, including encapsulation of asbestos and removal where appropriate. Mobil's procedures and policies for asbestos control have routinely exceeded regulatory requirements.

INTERROGATORY NO. 17. Identify by date and description of study and results thereof each study made:

- a) by Defendant,
- b) for Defendant,
- c) upon any premises controlled by Defendant, or
- d) known to Defendant concerning the
 - 1. creation,
 - 2. existence,
 - 3. control,
 - 4. abatement

of asbestos dust in connection with the handling, installation, removal, or other manipulation of asbestos containing products.

ANSWER:

a) - d) Defendant understands that plaintiff is seeking information regarding epidemiological or cohort studies in regard to this inquiry, and would therefore respond that there are two "studies" which may be responsive to plaintiffs' inquiry. One is entitled "Update of a Mortality Study of Workers in Petroleum Refineries", Kaplan (some Beaumont refinery workers were included in this 1986 API sponsored study of 17 refineries). Defendant has recently located a second study, a 1973 study of 137 employees at defendant's Paulsboro, NJ refinery which was surveyed in 1973. This interrogatory has further requested the results of each study; defendant would refer plaintiffs to the studies, as they speak for themselves. Additionally, defendant followed government and regulatory recommendations in regard to this topic, and defendant would state that its procedures and policies for asbestos control

have routinely exceeded regulatory requirements. Please refer to answers to Interrogatory No. 8 and Interrogatory No. 14, as well as other discovery responses filed herein, which set out defendant's policies and programs.

INTERROGATORY NO. 18. Identify the persons primarily responsible for Defendant's safety program at the subject premises during each of the prior fifty years.

ANSWER:

O/A:

1/80 to present	D.A. Bruce, Sr. Loss Prevention Supv. Mobil Chemical, O/A Plant Box 3868 Beaumont, TX 77704 (409) 839 - 1231
3/75 to 2/78 2/78 to 1/80	M.S. Riggs Safety Advisor Safety/Security Supv. P.O. Box 140126 Anchorage, Alaska 99514 (907) 248 - 5012
7/70 to 2/75	B.G. Milner Safety Advisor 200 E. Chance Cut Off Rd. Lumberton, TX 77656 (409) 755 - 2317
4/67 to 2/75 2/75 to 8/76	W.D. Mitterlehner Safety Advisor Safety Supv. Mobil Chemical Co. Petrochemical Div. World Twrs. One, 15600 Drummet Blvd. Houston, TX 77032 (713) 590 - 7700
8/60 to 2/74	C.W. Cox Safety Supv. Rt. 2, Box 972 Kountze, TX 77625 (409) 246 - 2258

5/61 to 12/73

E.M. Patton
Safety Supv.
4655 Galewood Ln.
Beaumont, TX 77706
(409) 808 - 0056

REFINERY:

10/88 - present

P.D. Hall
Mobil Beaumont Refinery
P.O. Box 3311
Beaumont, TX 77704
(409) 833 - 9411

01/80 - 10/88

L.E. Limbocker
Mobil Beaumont Refinery
P.O. Box 3311
Beaumont, TX 77704
(409) 833 - 9411

02/71 - 11/79

J.L. Wescoat
Mobil Oil Corporation
150 East 42nd Street
New York, NY 10017
(212) 883 - 4242

06/70 - 03/71

H.L. Jaggard
1795 Rikisha Lane
Beaumont, TX 77706
(409) 892 - 2778

12/67 - 03/70

J.H. Ashley, Jr.
3465 Redwood Drive
Beaumont, TX 77706
(409) 892 - 0841

1966 - 12/67

L.A. Watson, Jr.

04/63 - 08/65

A.W. Saxe

09/60 - 04/63

I.H. Thacker
7095 Ellen Lane
Beaumont, TX 77706
(409) 892 - 0778

1959

C.M. Liles
1215 Longfellow Drive
Beaumont, TX 77706
(409) 899 - 5227

BCSP:

12/5/88 to present

James S. Fennell
Mobil Chemical Co.
P.O. Box 216
Beaumont, TX 77704
(409) 839 - 1458

8/25/86 to 10/1/88

L.K. Reno
Mobil Chemical Co.
P.O. Box 311
Nichols, FL 33863
(813) 425 - 6200

12/1/84 to 9/1/86

V. Arboleda
Mobil Chemical Co.
200 E. Main St.
Macedon, NY 14501
(315) 986 - 6111

5/1/83 to 8/1/84

R. Compton
2950 Ave. E
Beaumont, TX 77701
(409) 832 - 4434

1970 to 1/1/83

H.E. Coussou
5280 Stivers Drive
Beaumont, TX 77705
(409) 842 - 0877

MM/M:

MM/M SAFETY/INDUSTRIAL HYGIENE

12/79 TO 1/80

William Jones
Manager, Safety
No information available

1/80 to 4/81

H.A. Kelly
Manager, Safety (Interim)
10414 Sageberry
Houston, TX 77089
(713) 481 - 5322

4/81 to 5/83

L.K. Reno
Mobil Chemical Co.
P.O. Box 311
Nichols, FL 33863
(813) 425 - 6200

6/83 to 6/85

P.V. Totin
Mobil Chemical, O/A Plant
Box 3868
Beaumont, TX 77704
(409) 89 - 1231

3/86 to present

R.R. LeClair
Mobil Mining and Minerals Co.
P.O. Box 3447
Pasadena, TX 77501-3447
(713) 920 - 5300

INTERROGATORY NO. 19. Identify Defendant's corporate industrial hygienist or the senior most person responsible for industrial hygiene for each of the past fifty years:

- a) company-wide, and
- b) at the subject premises.

ANSWER:

O/A:

11/84 to present

R.S. Anderson
Environmental Supv.
(I.H. responsibility for
monitoring went to safety dept.
in 1984)
Mobil Chemical, O/A Plant
Box 3868
Beaumont, TX 77704
(409) 839 - 1243

4/81 to 8/84

P.B. Mullin
Environmental Supv.
Mobil Chemical Co.
Petrochemical Div.
World Twrs.
One, 15600 Drummet Blvd.
Houston, TX 77032
(713) 590 - 7700

9/71 to 5/76

R.J. Brant
Mgr. of Environmental Control
Mobil Chemical Co.
P.O. Box 10070
Stamford, CT 06904
(203) 328 - 7000

CORPORATE LEVEL INDUSTRIAL HYGIENIST (not based on plant) ASSIGNED
TO O/A SINCE 1977:

Bruce Larsen
Mobil Chemical Co.
P.O. Box 1028
Princeton, NJ 08540
(609) 951 - 5945

REFINERY

J. Van Zandt
825 Yount Street
Beaumont, Texas 77707
(409) 892 - 0149

J.J. Stanko (Beaumont Refinery 6/71 to 6/73)
600 Grant Street
Pittsburgh, PA 15230
Telephone number is unknown; above is last known address.

R.W. Witzke (Beaumont Refinery 7/73 to 6/76)
803 Carmen Drive
Wyomissing, PA 19610
Telephone number is unknown; above is last known address.

D.B. Dunham (Beaumont Refinery 1976 to 1980)
Mobil Oil Corporation
3225 Gallows Drive
Fairfax, VA 22037
(703) 849 - 4340

K.F. Hussain (Beaumont Refinery 1980 to June 1988)
5380 Dawn
Beaumont, TX 77706

Mr. Allan Johnson (Beaumont Refinery from 6/88)
Mobil Beaumont Refinery
End of Burt Street
Beaumont, TX 77701
(409) 839 - 3655

BCSP

INDUSTRIAL HYGIENE PERSONNEL

12/5/88 to present

James S. Fennell
Mobil Chemical Co.
P.O. Box 216
Beaumont, TX 77704
(409) 839 - 1458

8/25/86 to 10/1/88

L.K. Reno
Mobil Chemical Co.
P.O. Box 311
Nichols, FL 33863
(813) 425 - 6200

12/1/84 to 9/1/86

V. Arboleda
Mobil Chemical Co.
200 E. Main St.
Macedon, NY 14501
(315) 986 - 6111

5/1/83 to 8/1/84

R. Compton
2950 Ave. E
Beaumont, TX 77701
(409) 832 - 4434

10/1/75 to 1/1/83

H.E. Coussou
5280 Stivers Drive
Beaumont, TX 77705
(409) 842 - 0877

MM/M:

MM/M SAFETY/INDUSTRIAL HYGIENE

12/79 TO 1/80

William Jones
Manager, Safety
No information available

1/80 to 4/81

H.A. Kelly
Manager, Safety (Interim)
10414 Sageberry
Houston, TX 77089
(713) 481 - 5322

4/81 to 5/83

L.K. Reno
Mobil Chemical Co.
P.O. Box 311
Nichols, FL 33863
(813) 425 - 6200

6/83 to 6/85

P.V. Totin
Mobil Chemical, O/A Plant
Box 3868
Beaumont, TX 77704
(409) 839 - 1231

3/86 to present

R.R. LeClair
Mobil Mining and Minerals Co.
P.O. Box 3447
Pasadena, TX 77501-3447
(713) 920 - 5300

INTERROGATORY NO. 20. State when you first knew that asbestos was present upon the subject premises.

ANSWER:

Since plaintiffs inquiry is when defendant first knew that asbestos was present on the subject premises, as opposed to when defendant first knew that asbestos containing products might present any potential hazards, defendant states that it knew that asbestos containing products were present on the subject premises at or near the time the premises were built or acquired; defendant is not admitting that it knew of any potential dangers associated with asbestos containing insulation products at that time, however.

INTERROGATORY NO. 21. State when you last ordered or contracted for the installation of asbestos containing materials upon the subject premises.

ANSWER:

Defendant last ordered or contracted for the installation of the asbestos containing insulation products referenced in this lawsuit in approximately August 1972, although it may have been slightly earlier for some products in some locations.

INTERROGATORY NO. 22. At present:

- a) what asbestos containing materials are in place on the subject premises?
- b) where are such materials located?

ANSWER:

Please refer to Interrogatory No. 4 and the materials contained therein and attached thereto; defendant has no further information at this time.

INTERROGATORY NO. 23. Identify all documents that state Defendant's corporate policy regarding that asbestos containing material still on:

- a) your premises, in the United States, Canada, and
- b) the subject premises.

ANSWER:

These documents have all been fully identified and/or attached in answer to Interrogatory No. 8, above.

INTERROGATORY NO. 24. Identify all persons employed by you (named Defendant) primarily responsible for:

- a) specifying,
- b) overseeing, and
- c) inspecting
the installation of asbestos containing materials upon the subject premises.
[page 254, lines 1-3]

ANSWER:

Because defendant is no longer installing the asbestos containing insulation materials referenced in this lawsuit, this inquiry is not applicable.

INTERROGATORY NO. 25. Describe in detail by year each effort you (named Defendant) made to: [page 258, lines 17-20]

- a) warn the employees of construction contractors of,
- b) protect the employees of construction contractors from,

c) provide employees of construction contractors with respiratory protection against asbestos at the subject premises.

ANSWER:

a) - c) These inquiries have been answered in Interrogatory No. 8, above.

INTERROGATORY NO. 26. Identify by date, title, author and abstract, (author's abstract) each document on which you intend to rely at trial which you claim establishes or indicates that asbestos fibers do not cause an unreasonable risk of harm to humans. [page 278, lines 13-19]

ANSWER:

Mobil has not yet determined which documents or studies it intends to use at trial. Mobil will identify its trial documents when appropriate.

INTERROGATORY NO. 27. With respect to your Workman's Compensation claims.

a) Identify the persons with most knowledge of records of such claims for asbestos-related diseases. (corporate headquarters and subject premises), [page 288, lines 17-22].

b) State whether an analysis by type of disease, e.g., asbestosis, mesothelioma, lung cancer, etc., has been made either

1. company wide
2. at the subject premises

c) Identify the documents reflecting each such analysis or summary of claims by disease process.

ANSWER:

Don Krauth is the individual responsible for the Beaumont area. The Mobil claims office address is: P.O. Box 900, Dallas, Texas 75221. There are no workers compensation personnel at the plant level.

In recent years some workers compensation claims have been placed in a computerized database which can be sorted into

several separate fields, but defendant has not done any per se analysis along the inquiries referenced in b) and c).

INTERROGATORY NO. 28. State:

- a) which years your own employees installed asbestos containing products upon the subject premises
- b) when, if ever, did you change your policy to require that only contractors install such products.

ANSWER:

a) Mobil has never had a separate policy regarding the installation of asbestos containing insulation products; rather, insulators, like many other trades such as pipefitters, boilermakers, painters and many others as a rule were retained through outside contractors on an as needed basis. This decision was not based on the type of work done, rather was related to the fact that the company did not routinely require the services of a large number of these crafts, yet at times required a large concentrated work force such as on turn-arounds, special construction projects, etc. Therefore, the company employed very few people in the category of insulator in regard to this question. In addition, since Mobil ceased purchasing the asbestos containing insulation products referenced in this lawsuit in 1972, neither employees nor contract workers have installed such products.

INTERROGATORY NO. 29. Identify each study made by you (named Defendant) [page 295, lines 10-12]

- a) at the corporate level as to your premises
- b) as to the subject premises

concerning the presence of asbestos containing products there at, identifying the persons who made such study, and the custodian of the report generated therefrom.

ANSWER:

- a) This appears to be a duplicate of Interrogatory No. 4 and Interrogatory No. 17. Please see materials referenced in answer to Interrogatory No. 4.

INTERROGATORY NO. 30. State, as to the following associations, those to which

- a) you
 - b) your medical directors
 - c) your industrial hygienists (or equivalent)
 - d) your plant managers of the subject premises
 - e) your health and safety manager (or equivalent)
- belonged to during the prior fifty years, noting the years of membership, if known (at corporate level and at subject premises):
[page 303, lines 17-22]

- a) American Petroleum Institute
- b) American Congress of Governmental & Industrial Hygienists
- c) Gulf Coast Section of American Industrial Hygiene Association
- d) Texas Safety Association
- e) Texas Public Health Association
- f) American Industrial Hygiene Association
- g) Houston Chamber of Commerce
- h) San Jacinto Lung Association
- i) Q.A.M.A.
- j) Permian Basin Land Man's Association
- k) National Safety Council
- l) American Medical Association (Occupational Health Section)
- m) Industrial Hygiene Foundation of America
- n) Industrial Medical Association
- o) American Academy of Occupational Medicine
- p) Institute of Industrial Hygiene (University of Michigan Medical Center)

ANSWER:

To the extent such information is available in the format plaintiff has requested, Mobil states that membership may have been

held in the following organizations:

a) American Petroleum Institute -- unknown for how many years, but is believed to have continuously belonged since the organization's inception.

b) American Congress of Governmental Industrial Hygienists -- exact years unknown.

f) American Industrial Hygiene Association -- exact years unknown.

k) National Safety Council -- exact years unknown.

l) American Medical Association (Occupational Health Section) -- exact years unknown.

m) Industrial Hygiene Foundation of America -- exact years unknown.

o) American Academy of Occupational Medicine -- exact years unknown.

by one or more of the entities listed in a-e) of plaintiff's question. Mobil is continuing to research this issue and will supplement this response if additional pertinent information becomes available.

INTERROGATORY NO. 31. If Defendant contends that the exercise of reasonable care did not require Defendant to:

a) warn,

b) provide respiratory protection,

c) protect workers from exposure to asbestos

in the subject premises, then state in detail why you so contend.

ANSWER:

Please see response to Interrogatory No. 8, above and the attachments referenced, which show that defendant did warn, provide respiratory protection and protect workers from potential exposure to asbestos in the subject premises once the alleged dangers were recognized by the medical and scientific community, the United States Government and its agencies, as well as this defendant.

INTERROGATORY NO. 32. In what year, if any, do you contend that reasonable care first required Defendant to:

- a) warn,
 - b) provide respiratory protection,
 - c) protect from exposure to asbestos
- in the subject premises.

ANSWER:

Generally 1972; please see response to Interrogatory No. 8, above, as well as the attachments referenced, which outline defendant's activities.

INTERROGATORY NO. 33. With respect to the potential exposure of a worker to asbestos upon the subject premises, state what you believe reasonable care requires of the premises owner.

ANSWER:

Please see response to Interrogatory No. 8, above, which outlines defendant's activities in this regard. At all times defendant exercised reasonable care on its premises, and has met every standard of reasonable care in regard to the inquiry posed.

INTERROGATORY NO. 34. Describe in detail all efforts Defendant made at the corporate level and at the subject premises to protect your own employees from exposure to asbestos fibers and dust, identifying the dates during which each such effort was employed.

ANSWER:

This is fully described in response to Interrogatory No. 8, above and in the attachments.

INTERROGATORY NO. 35. Identify or produce the following documents used or provided in the past 50 years:

- a) safety manuals provided to hourly workers at the subject premises,
- b) training manuals for your insulators or asbestos workers,

- c) those maintained at the corporate level and those at the subject premises relating to hazards associated with inhaling of asbestos dust or fibers in plants or refineries,
- d) those maintained at the corporate level and those at the subject premises relative to precautions to be taken with respect to dust generating substances in plants or refineries,
- e) safety manuals, safety warnings, and safety instructions provided to employees of construction contractors at the subject premises,
- f) those as described in (c) and (d) above that Defendant provided to hourly workers at the subject premises

ANSWER:

a) - f) Please see response to Interrogatory No. 8 above, and the attachments referenced. In addition, defendant is making available, through its counsel, additional manuals and materials, which may be inspected at the offices of defendant's counsel, Benckenstein, Norvell, Bernsen & Nathan, 2615 Calder, Suite 600, Beaumont, Texas, 77702, during regular business hours.

INTERROGATORY NO. 36. As to each of the prior five years, state:

- a) Defendant's your gross annual income as shown on your consolidated corporate return,
- b) Defendant's net worth as shown on your consolidated corporate return and financial statements, and
- c) capitol, including treasury stock and retained earnings.

ANSWER:

a) - c) Mobil's annual reports for the prior five years, which answer the above stated questions, are available at the offices of defendant's counsel, Benckenstein, Norvell, Bernsen & Nathan, 2615 Calder, Suite 600, Beaumont, Texas, 77702, during regular business hours.

INTERROGATORY NO. 37. Identify the persons responsible for Defendant's decision not to:

- a) warn of the hazards of asbestos upon your premises,

employees consulted, Mr. Krauth was also assisted by Marvin R. Bullard, President of Petro Chem Claims Corporation, 550 Fannin, Suite 1217, Beaumont, Texas, 77701, (409) 838-6250, who is now an outside consultant but who was employed by Mobil Oil Corporation as Senior Claims Agent for 14 years. Because of the volume of records to be reviewed and the number of employees involved, no one person has, or could have, personal knowledge of all matters set out in these discover responses.

PLAINTIFFS' AMENDED REQUESTS FOR ADMISSIONS

1. You knew that asbestos posed a risk of harm to humans prior to:
 - a) 1985,
 - b) 1980,
 - c) 1975,
 - d) 1970,
 - e) 1965,
 - f) 1960,
 - g) 1955,
 - h) 1950,
 - i) 1945,
 - j) 1940,
 - k) 1935.

RESPONSE:

EXPLANATORY STATEMENT REGARDING REQUEST FOR ADMISSION NO. 1

It is well known that in corporations with many employees, that different employees of that corporation may acquire knowledge on specific issues at varying periods of time. It would therefore be impossible to state when, as a corporation, there was any particular awareness which would rise to the level of "knowledge" on this issue, therefore it is not possible for this defendant to unequivocally respond to this request as phrased by plaintiffs.

Defendant would state that asbestos per se does not pose a risk of harm to humans, rather it has been learned in recent years that friable asbestos or materials containing asbestos may pose a potential risk of harm under some circumstances in some individuals, if airborne asbestos fibers are emitted in processes such as cutting or grinding. In addition, this request, by being phrased in the abstract, refers to asbestos in a generic sense, and defendant would show that without more specific information regarding exposure levels, duration of exposure, ventilation conditions and other pertinent factors, defendant cannot effectively answer the requests noted below without more specific information.

- a) For the above stated reasons defendant must respectfully deny the request as phrased. However, Defendant, after fully incorporating the above explanatory statement, admits that it knew

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prior to 1985 that, under certain exposure conditions, with sufficient duration and extent of exposure, that some types and levels of friable asbestos could pose a risk of harm to humans under certain working conditions, although defendant does not admit that this occurred on its premises.

b) For the above stated reasons defendant must respectfully deny the request as phrased. However, Defendant, after fully incorporating the above explanatory statement, admits that it knew prior to 1980 that, under certain exposure conditions, with sufficient duration and extent of exposure, that some types and levels of friable asbestos could pose a risk of harm to humans under certain working conditions, although defendant does not admit that this occurred on its premises.

c) For the above stated reasons defendant must respectfully deny the request as phrased. However, Defendant, after fully incorporating the above explanatory statement, admits that it knew prior to 1975 that, under certain exposure conditions, with sufficient duration and extent of exposure, that some types and levels of friable asbestos could pose a risk of harm to humans under certain working conditions, although defendant does not admit that this occurred on its premises.

d) For the above stated reasons defendant must respectfully deny the request as phrased. However, Defendant, after fully incorporating the above explanatory statement, admits that it knew prior to 1970 that, under certain exposure conditions, with sufficient duration and extent of exposure, that some types and levels of friable asbestos could pose a risk of harm to insulators under certain working conditions, although defendant does not admit that this occurred on its premises.

e-k) Defendant, after fully incorporating the above explanatory statement, denies that it knew prior to the time frame in question that asbestos could pose a risk of harm to humans, particularly on its premises; therefore these requests are denied as phrased.

2. You knew that asbestos was present in the subject premises prior to:

- a) 1985,
- b) 1980,
- c) 1975,
- d) 1970,

- e) 1965,
- f) 1960,
- g) 1955,
- h) 1950,
- i) 1945,
- j) 1940,
- k) 1935.

RESPONSE:

a) Defendant admits that it knew prior to 1985 that asbestos was present on its subject premises, but denies that such presence created a hazard.

b) Defendant admits that it knew prior to 1980 that asbestos was present on its subject premises, but denies that such presence created a hazard.

c) Defendant admits that it knew prior to 1975 that asbestos was present on its subject premises, but denies that such presence created a hazard.

d) Defendant admits that it knew prior to 1970 that asbestos was present on its subject premises, but denies that such presence created a hazard.

e-k) Defendant admits that it knew prior to the time frame in question that asbestos was present on its subject premises (which were in operation at the time), but denies that such presence created a hazard.

3. You inquired whether asbestos posed a risk of harm to human health prior to:

- a) 1985,
- b) 1980,
- c) 1975,
- d) 1970,
- e) 1965,

- f) 1960,
- g) 1955,
- h) 1950,
- i) 1945,
- j) 1940,
- k) 1935.

RESPONSE:

EXPLANATORY STATEMENT REGARDING REQUEST FOR ADMISSION NO. 3

Defendant would state that asbestos per se does not pose a risk of harm to humans, rather it has been learned in recent years that friable asbestos or materials containing asbestos may pose a potential risk of harm under some circumstances in some individuals, if airborne asbestos fibers are emitted in processes such as cutting or grinding. In addition, this request, by being phrased in the abstract, refers to asbestos in a generic sense, and defendant would show that without more specific information regarding exposure levels, duration of exposure, ventilation conditions and other pertinent factors, defendant cannot effectively answer the requests noted below without more specific information.

a-c) For the above stated reasons defendant must respectfully deny the request as phrased. However, Defendant, after fully incorporating the above explanatory statement, admits that during the time frame in question that it has attempted to keep abreast of and follow governmental and regulatory recommendations and requirements regarding asbestos, as well as well recognized medical and scientific literature.

d-k) For the above stated reasons defendant must respectfully deny the request as phrased. However, Defendant would state that asbestos per se does not pose a risk of harm to humans, rather it has been learned in recent years that friable asbestos or materials containing asbestos may pose a potential risk of harm under some circumstances in some individuals, if airborne asbestos fibers are emitted in processes such as cutting or grinding. In addition, this request, by being phrased in the abstract, refers to asbestos in a generic sense, and defendant would show that without more specific information regarding exposure levels, duration of exposure, ventilation conditions and other pertinent factors, defendant cannot admit or deny these requests without more specific information.

4. The health hazards posed by asbestos were reported in the scientific and medical literature prior to:
- a) 1985,
 - b) 1980,
 - c) 1975,
 - d) 1970,
 - e) 1965,
 - f) 1960,
 - g) 1955,
 - h) 1950,
 - i) 1945,
 - j) 1940,
 - k) 1935.

RESPONSE:

EXPLANATORY STATEMENT FOR REQUEST FOR ADMISSION NO. 4

Defendant would state that asbestos per se does not create a health hazard, rather it has been learned in recent years that friable asbestos or materials containing asbestos may pose a potential hazard under some circumstances in some individuals, if airborne asbestos fibers are emitted in processes such as cutting or grinding. In addition, this request, by being phrased in the abstract, refers to asbestos in a generic sense, and defendant would show that without more specific information regarding exposure levels, duration of exposure, ventilation conditions and other pertinent factors, defendant cannot effectively answer the requests without more specific information.

In addition, defendant would show that plaintiffs' question does not differentiate between what we now know was reported at earlier times, versus what we knew was being reported at the time in question, which can be extremely different, and can make each response appear misleading if answered as phrased.

Further, defendant would show that plaintiffs' request does not specify what "scientific and medical literature" they are referring to, and that this could conceivably embrace thousands of

journals or publications all over the world, only a small percentage of which might be considered well-researched, documented and accepted.

a-d) For the above stated reasons defendant must respectfully deny the request as phrased. However, Defendant, after fully incorporating the above explanatory statement, admits that prior to the dates in question, that defendant knew that certain scientific and medical literature reported that, under certain exposure conditions, with a sufficient duration and extent of exposure, that some types and levels of friable asbestos could pose a risk of harm to humans under certain working conditions, although defendant does not admit that this occurred on its premises.

e-k) For the above stated reasons defendant must respectfully deny the request as phrased. However, Defendant, after fully incorporating the above explanatory statement, admits that prior to the dates in question, that certain scientific and medical literature reported that, under certain exposure conditions, with a sufficient duration and extent of exposure, that some types and levels of friable asbestos could pose a risk of harm to humans under certain working conditions, although defendant does not admit that this occurred on its premises, and denies that as a corporation it was aware of this literature at the time in question.

5. You instituted a corporate industrial hygiene program prior to:

- a) 1985,
- b) 1980,
- c) 1975,
- d) 1970,
- e) 1965,
- f) 1960,
- g) 1955,
- h) 1950,
- i) 1945,
- j) 1940,
- k) 1935.

RESPONSE:

a-g) Defendant admits that during the time frame in question that it had a safety program which incorporated industrial hygiene concerns, such as the availability of respiratory protection equipment, or a formal industrial hygiene program during the time frame in question.

h-k) As defendant has not been able to discover any information or records during the time frame in question, defendant cannot unequivocally admit or deny this request as phrased.

6. You began a corporate asbestos abatement or removal program prior to:

- a) 1985,
- b) 1980,
- c) 1975,
- d) 1970,
- e) 1965,
- f) 1960,
- g) 1955,
- h) 1950,
- i) 1945,
- j) 1940,
- k) 1935.

RESPONSE:

a-c) Defendant admits the request for the time period in question. Pursuant to governmental and regulatory recommendations regarding asbestos-containing products, defendant states that it does not remove or disturb asbestos-containing insulation products on its premises unless the materials need replacement in the normal course of operations and/or maintenance; therefore defendant is in compliance with the federal regulations and has no "systematic" removal program as such. In addition, defendant attempts to monitor the in place asbestos for damage, to eliminate and/or minimize the risk of airborne fibers being released into the air.

Mobil's policy in this regard began at or near the time of the 1972 OSHA regulations and all follow-up, superseding or amended regulations have been followed, which indicate that wholly encapsulated asbestos containing insulation or products do not present a risk to human health. Prior to 1972, a need for removal of asbestos was not apparent. See also the "Asbestos Handling Requirements Guide" and other materials referenced in response to Interrogatory No. 8, above. Mobil's procedures and policies for asbestos control have routinely exceeded regulatory requirements. Mobil's asbestos control strategies included a wide spectrum of procedures, programs and approaches, including encapsulation of asbestos and removal where appropriate. Pursuant to this policy, Defendant has removed substantial amounts of the asbestos containing insulation products referenced in this lawsuit at the local premises.

d-k) Defendant denies this request for the time period in question, as this was not considered necessary based upon the information and state of knowledge at the time.

7. You undertook air sampling and monitoring for asbestos levels in the air on the subject premises prior to:

- a) 1985,
- b) 1980,
- c) 1975,
- d) 1970,
- e) 1965,
- f) 1960,
- g) 1955,
- h) 1950,
- i) 1945,
- j) 1940,
- k) 1935.

RESPONSE:

a-c) Defendant admits that it conducted air sampling and monitoring for asbestos levels in the air during the time period in question.

d-k) Defendant denies that it undertook air sampling and monitoring during the time in question, as this was not considered necessary based on the information and state of knowledge at the time.

8. You undertook to warn your own employees of the hazards to human health posed by asbestos prior to:

- a) 1985,
- b) 1980,
- c) 1975,
- d) 1970,
- e) 1965,
- f) 1960,
- g) 1955,
- h) 1950,
- i) 1945,
- j) 1940,
- k) 1935.

RESPONSE:

a-c) Defendant admits this request for the time period in question.

d) Defendant admits this request for the time period in question regarding insulators, who were the only workers considered at risk at this time.

e-k) Defendant denies this request during the time in question, as this was not considered necessary based on the information and state of knowledge at the time.

9. You provided respiratory protection from dust inhalation to your own employees on your premises in the United States and Canada prior to: ..

- a) 1985,
- b) 1980,
- c) 1975,
- d) 1970,
- e) 1965,
- f) 1960,
- g) 1955,
- h) 1950,
- i) 1945,
- j) 1940,
- k) 1935.

RESPONSE:

a-g) Based on the best information defendant can locate, defendant admits during the time period in question that it provided or made available to its own employees respiratory protection from dust inhalation at the Beaumont refinery, which was one of the company's early operations; defendant believes that similar measures were taken at other facilities as they were constructed or acquired. Please see response to interrogatory no. 8 for more information.

h-k) As defendant has not been able to discover any information or records during the time frame in question, defendant can not unequivocally admit or deny this request as phrased.

10. You last specified the use of asbestos containing products in the subject premises as of:

- a) 1985,
- b) 1980,
- c) 1975,
- d) 1970,

- e) 1965,
- f) 1960,
- g) 1955,
- h) 1950,
- i) 1945,
- j) 1940,
- k) 1935.

RESPONSE:

a-c) Defendant denies that it last specified the use of the asbestos-containing insulation products referenced in this lawsuit during the time frame in question, as this practice was ceased in 1972.

d) Denied as phrased regarding the asbestos-containing insulation products referenced in this lawsuit, as these products were last specified in 1972.

e-k) Denied as phrased regarding the asbestos-containing insulation products referenced in this lawsuit.

11. You knew or should have known of the casual connection between exposure to asbestos and mesothelioma prior to:

- a) 1985,
- b) 1980,
- c) 1975,
- d) 1970,
- e) 1965,
- f) 1960,
- g) 1955,
- h) 1950,
- i) 1945,

j) 1940,

k) 1935.

RESPONSE:

EXPLANATORY STATEMENT REGARDING REQUEST FOR ADMISSION NO. 11

It is well known that in corporations with many employees, that different employees of that corporation may acquire knowledge on specific issues at varying periods of time. It would therefore be impossible to state when, as a corporation, there was any particular awareness which would rise to the level of "knowledge" on this issue, therefore it is not possible for this defendant to unequivocally respond to this request as phrased by plaintiffs.

Defendant would state that asbestos per se does not pose a risk of harm to humans, rather it has been learned in recent years that friable asbestos or materials containing asbestos may pose a potential risk of harm under some circumstances in some individuals, if airborne asbestos fibers are emitted in processes such as cutting or grinding.

a-c) For the above stated reasons defendant must respectfully deny the request as phrased. However, Defendant, after fully incorporating the above explanatory statement, admits that it knew prior to the time frame in question of an alleged causal connection between exposure to asbestos and mesothelioma, which might be possible under certain conditions.

d-k) Defendant, after fully incorporating the above explanatory statement, denies these requests for admissions as phrased.

12. You knew or should have known of the casual connection between exposure to asbestos fibers and lung cancer prior to:

a) 1985,

b) 1980,

c) 1975,

d) 1970,

e) 1965,

f) 1960,

g) 1955,

- h) 1950,
- i) 1945,
- j) 1940,
- k) 1935.

RESPONSE:

EXPLANATORY STATEMENT REGARDING REQUEST FOR ADMISSION NO. 12

It is well known that in corporations with many employees, that different employees of that corporation may acquire knowledge on specific issues at varying periods of time. It would therefore be impossible to state when, as a corporation, there was any particular awareness which would rise to the level of "knowledge" on this issue, therefore it is not possible for this defendant to unequivocally admit or deny this request as phrased by plaintiffs.

Defendant would state that asbestos per se does not pose a risk of harm to humans, rather it has been learned in recent years that friable asbestos or materials containing asbestos may pose a potential risk of harm under some circumstances in some individuals, if airborne asbestos fibers are emitted in processes such as cutting or grinding. In addition, this request, by being phrased in the abstract, refers to asbestos in a generic sense, and defendant would show that without more specific information regarding exposure levels, duration of exposure, ventilation conditions and other pertinent factors, defendant cannot admit or deny the requests noted below without more specific information.

a-c) For the above stated reasons defendant must respectfully deny the request as phrased. However, Defendant, after fully incorporating the above explanatory statement, admits that it knew prior to the time frame in question that, under certain exposure conditions, with sufficient duration and extent of exposure, some types and levels of friable asbestos could be associated with an alleged causal connection to lung cancer under certain conditions.

d-k) Defendant, after fully incorporating the above explanatory statement, denies these requests for admissions as phrased.

13. You knew or should have known of the casual connection between asbestos and other cancers prior to:

- a) 1985,
- b) 1980,

- c) 1975,
- d) 1970,
- e) 1965,
- f) 1960,
- g) 1955,
- h) 1950,
- i) 1945,
- j) 1940,
- k) 1935.

RESPONSE:

a-k) Defendant must respectfully deny these requests as phrased. It is well known that in corporations with many employees, that different employees of that corporation may acquire knowledge on specific issues at varying periods of time. It would therefore be impossible to state when, as a corporation, there was any particular awareness which would rise to the level of "knowledge" on this issue, therefore it is not possible for this defendant to unequivocally admit or deny this request as phrased by plaintiffs.

Defendant would state that asbestos per se does not pose a risk of harm to humans, rather it has been learned in recent years that friable asbestos or materials containing asbestos may pose a potential risk of harm under some circumstances in some individuals, if airborne asbestos fibers are emitted in processes such as cutting or grinding. In addition, this request, by being phrased in the abstract, refers to asbestos in a generic sense, and defendant would show that without more specific information regarding exposure levels, duration of exposure, ventilation conditions and other pertinent factors, defendant cannot admit or deny the requests noted below without more specific information.

Defendant states that it is factually, legally and medically impossible to answer this question in the format phrased by plaintiffs, as "other cancers", without further definition is useless and could refer to hundreds or thousands of disease processes. If an answer is required, defendant must deny these request for admissions as phrased.

14. You knew or should have known that inhalation of asbestos fibers causes an irreversible lung disease prior to:

- a) 1985,
- b) 1980,
- c) 1975,
- d) 1970,
- e) 1965,
- f) 1960,
- g) 1955,
- h) 1950,
- i) 1945,
- j) 1940,
- k) 1935.

RESPONSE:

EXPLANATORY STATEMENT FOR REQUEST FOR ADMISSION NO. 14

It is well known that in corporations with many employees, that different employees of that corporation may acquire knowledge on specific issues at varying periods of time. It would therefore be impossible to state when, as a corporation, there was any particular awareness which would rise to the level of "knowledge" on this issue, therefore it is not possible for this defendant to unequivocally admit or deny this request as phrased by plaintiffs.

Defendant would state that asbestos per se does not pose a risk of harm to humans, rather it has been learned in recent years that friable asbestos or materials containing asbestos may pose a potential risk of harm under some circumstances in some individuals, if airborne asbestos fibers are emitted in processes such as cutting or grinding. In addition, this request, by being phrased in the abstract, refers to asbestos in a generic sense, and defendant would show that without more specific information regarding exposure levels, duration of exposure, ventilation conditions and other pertinent factors, defendant cannot admit or deny the requests noted below without more specific information.

Defendant states that the phrase "irreversible lung disease" could refer to countless disease processes, and that plaintiff's choice of language, without further instruction, is useless.

a-c) For the above stated reasons defendant must respectfully deny the request as phrased. However, Defendant, after fully incorporating the above explanatory statement, admits that it knew prior to the time frame in question that, under certain exposure conditions, with sufficient duration and extent of exposure, some types and levels of friable asbestos could be associated with the disease asbestosis under certain conditions.

d-k) Defendant, after fully incorporating the above explanatory statement, denies these requests for admissions as phrased.

15. Stricken

16. With respect to each contractor listed above, you failed to warn the contractor or its employees that those employees were at risk for inhalation of asbestos fibers while working at the subject premises.

RESPONSE:

Denied for the contractors who worked on defendant's premises. Please refer to interrogatory response no. 8 and its attachments, which sets out defendant's compliance with OSHA regulations and recommendations, the placement of warning signs on the premises, etc.

17. With respect to each contractor listed above, you failed to provide respiratory protection to their employees so as to prevent their inhalation of asbestos fibers upon the subject premises.

RESPONSE:

Defendant must respectfully deny this request as phrased. Please refer to interrogatory response no. 8 regarding the availability of some respiratory equipment. However, defendant specifically denies that it had or assumed a duty to provide respiratory protection to the employees of contractors who worked on defendant's premises, as this was the duty and responsibility of the contractor, as said contractors were knowledgeable regarding the need, if any, in a given situation and generally had the sole authority to monitor and/or enforce any programs in that regard.

18. You failed to take reasonable steps to prevent those employees from being exposed to asbestos fibers while they worked upon the subject premises.

RESPONSE:

DENIED.

PLAINTIFFS' REQUEST FOR PRODUCTION OF DOCUMENTS

1. Studies of asbestos-related diseases in which you participated;

RESPONSE:

To the extent records are available, they may be inspected pursuant to the rules by contacting counsel, Gail C. Jenkins, Benckenstein, Norvell, Bernsen & Nathan, 2615 Calder, Suite 600, Beaumont, Texas, 77702, (409) 833 - 4309, during regular business hours.

2. Studies of asbestos-related diseases of which you are aware;

RESPONSE:

To the extent records are available, they may be inspected pursuant to the rules by contacting counsel, Gail C. Jenkins, Benckenstein, Norvell, Bernsen & Nathan, 2615 Calder, Suite 600, Beaumont, Texas, 77702, (409) 833 - 4309, during regular business hours.

3. Studies of asbestos-related cancer in refinery workers;

RESPONSE:

To the extent records are available, they may be inspected pursuant to the rules by contacting counsel, Gail C. Jenkins, Benckenstein, Norvell, Bernsen & Nathan, 2615 Calder, Suite 600, Beaumont, Texas, 77702, (409) 833 - 4309, during regular business hours.

4. Studies of asbestos-related pneumoconiosis in refinery workers;

RESPONSE:

To the extent records are available, they may be inspected pursuant to the rules by contacting counsel, Gail C. Jenkins, Benckenstein, Norvell, Bernsen & Nathan, 2615 Calder, Suite 600, Beaumont, Texas, 77702, (409) 833 - 4309, during regular business hours.

5. Studies of mesothelioma in refinery workers;

RESPONSE:

To the extent records are available, they may be inspected pursuant to the rules by contacting counsel, Gail C. Jenkins, Benckenstein, Norvell, Bernsen & Nathan, 2615 Calder, Suite 600, Beaumont, Texas, 77702, (409) 833 - 4309, during regular business hours.

6. Research or studies conducted by or with API members or others concerning asbestos-related diseases;

RESPONSE:

To the extent records are available, they may be inspected pursuant to the rules by contacting counsel, Gail C. Jenkins, Benckenstein, Norvell, Bernsen & Nathan, 2615 Calder, Suite 600, Beaumont, Texas, 77702, (409) 833 - 4309, during regular business hours.

7. Research or studies conducted by or with API members concerning asbestos-related diseases and cancer in refinery workers;

RESPONSE:

To the extent records are available, they may be inspected pursuant to the rules by contacting counsel, Gail C. Jenkins, Benckenstein, Norvell, Bernsen & Nathan, 2615 Calder, Suite 600, Beaumont, Texas, 77702, (409) 833 - 4309, during regular business hours.

8. Research or studies conducted by or with API members or others concerning asbestos-related diseases and pneumoconiosis in refinery workers;

RESPONSE:

To the extent records are available, they may be inspected pursuant to the rules by contacting counsel, Gail C. Jenkins, Benckenstein, Norvell, Bernsen & Nathan, 2615 Calder, Suite 600, Beaumont, Texas, 77702, (409) 833 - 4309, during regular business hours.

9. Research or studies conducted by or with API members or others concerning asbestos-related diseases and mesothelioma in refinery workers;

RESPONSE:

To the extent records are available, they may be inspected pursuant to the rules by contacting counsel, Gail C. Jenkins, Benckenstein, Norvell, Bernsen & Nathan, 2615 Calder, Suite 600, Beaumont, Texas, 77702, (409) 833 - 4309, during regular business hours.

10. Minutes of the meetings of your internal committees, study groups, or others:

- (a) Those concerned with industrial hygiene;
- (b) Those concerned with epidemiology;
- (c) Those concerned with health & safety;
- (d) Those concerned with research on medical topics;
- (e) Those concerned with occupational diseases;
- (f) Those concerned with medicine;

RESPONSE:

To the extent records are available, they may be inspected pursuant to the rules by contacting counsel, Gail C. Jenkins, Benckenstein, Norvell, Bernsen & Nathan, 2615 Calder, Suite 600, Beaumont, Texas, 77702, (409) 833 - 4309, during regular business hours.

11. Minutes of all API committees' meetings:

- (a) Those concerned with industrial hygiene;
- (b) Those concerned with epidemiology;
- (c) Those concerned with health & safety;
- (d) Those concerned with research on medical topics;
- (e) Those concerned with occupational diseases;

(f) Those concerned with medicine;

RESPONSE:

To the extent records are available, they may be inspected pursuant to the rules by contacting counsel, Gail C. Jenkins, Benckenstein, Norvell, Bernsen & Nathan, 2615 Calder, Suite 600, Beaumont, Texas, 77702, (409) 833 - 4309, during regular business hours.

12. Indices of all research done by, for, or under the auspices of or for the benefit of the API or its members.

RESPONSE:

To the extent records are available, they may be inspected pursuant to the rules by contacting counsel, Gail C. Jenkins, Benckenstein, Norvell, Bernsen & Nathan, 2615 Calder, Suite 600, Beaumont, Texas, 77702, (409) 833 - 4309, during regular business hours.