

FILE NAME: Phenolic Resins (PHR)

DATE: 1984 July 24

DOC#: PHR079

DOCUMENT DESCRIPTION: Legal - Affidavit of John L. Myers

AFFIDAVIT OF JOHN L. MYERS

STATE OF CALIFORNIA)
)
COUNTY OF MONTEREY)

I, John L. Myers, having been duly sworn and being of legal age depose and state as follows:

1. I have been involved in various aspects of Union Carbide Corporation's "Calidria" asbestos operations since 1966. From 1970 until 1981, I was Marketing Manager-Asbestos of the Metals Division of Union Carbide Corporation ("Union Carbide"). From 1981 until April 1, 1984, I served as Product and Production Manager-Asbestos of the Metals Division of Union Carbide.

2. Effective April 1, 1984, the asbestos operations of Union Carbide were transferred to Calidria Corporation, a wholly-owned subsidiary of Union Carbide which was formed on that date. I now hold the position of Product and Production Manager for Calidria Corporation.

3. The records of sales of "Calidria" asbestos are maintained at our facility in King City, California, where I have my office. I am personally familiar with the records of sales of "Calidria" asbestos fiber, the identity of entities purchasing "Calidria" asbestos fiber and the uses to which "Calidria" asbestos is put; and, if called as a witness, I could and would competently testify thereto.

4. My eighteen years in Union Carbide's asbestos operation allow me to state that Union Carbide did not enter into the business of mining, milling and selling asbestos fiber until 1963. Since 1963 Union Carbide has mined, milled and sold raw chrysotile asbestos fiber under the trade name "Calidria".

5. The "Calidria" brand of asbestos fibers is sold to manufacturers who use such material in other products as a filler, reinforcer, opacifier, thixotrope or thickener. Because of the short length of the "Calidria" asbestos fibers, they are not marketed nor are they suitable for use in heat or frost (cold) insulation materials.

6. Union Carbide has never manufactured or sold heat or frost (cold) asbestos-containing insulation materials for the construction, shipbuilding or building trades. The only asbestos-containing material used for insulation purposes which Union Carbide has ever sold was the BAKELITE brand of phenolic molding compounds. Such compounds were sold to manufacturers in granular form and molded into a hard, solid form for electrical and electronic parts such as switches, switch boxes, radios, plug-in receptacles or similar products. In the form in which it was sold to the manufacturers of these products, the asbestos in the BAKELITE material was encapsulated and hence not respirable.

FURTHER THIS DEPONENT SAYETH NOT.

John L. Myers
John L. Myers

subscribed and sworn to before me this 24th day of
July, 1984.

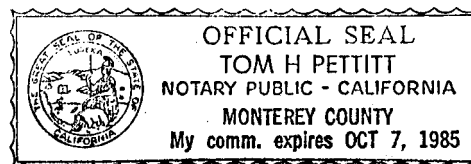
Tom H. Pettitt
Notary Public

My commission expires:

Oct. 7, 1985

My address is:

121 N. Vanderhurst
King City, Ca. 93930



121 No. Vanderhurst Avenue, King City, CA 93930

Myers

9/4/86

(age 58)

6. hired by Carbide in 1951-1985, retired as Product & Production Mgr. of King City A. mine
8. Chem. engr.
9. started at Oak Ridge, UCC Nuclear Div. run for the AEC and then Paducah KY 1951-1966
10. 1967 transf. → Chemicals & Plastics at the King City ash. mine
16. CA ash. fiber sold to Kentile, GAF Uvalde, Armstrong^{celotex}
18. used in floor tile, ^{tape} joint compounds, ^{(19) American Bitumix} pulp & paper industry, various resin applications "ceiling tile"
20. Monsanto Products & World Asphalt, OCF (for polyester resins - tough plastics); US Rubber in OH (6D)
23. mined shortest (grade 7) chrysotile
25. UCC research labs in NY (Tuxedo, Stirling Forest, Niagara Falls, Tarrytown)
26. Tape joint customers USG, NG, TX companies (smaller)
27. Acoustical ceiling tile customer Corvair Corp. maybe Celotex
28. Paints: Std Brands, Kelly Moore, Fuller O'Brien Wood Conversion
He became A. marketing mgr. at some time 1970 (51)
30. Production 25-30,000 t/y in 1966-67; 15000 t/y in 1981-85 (41) "massive deposit" several cu. mi.
31. UCC produced A-cont. Prustone (anti-freeze or stop-leak) Bound Brook NJ OH (52)
- 32-33. UCC blended A into phenolic resin for industrial uses - Morietta
- 35. coffee pot handles, elec. switch boxes, acetylene cylinders
39. open pit scrape-it-up mining
42. UCC sold A mine 1985 to KCAC
44. UCC joined AIA 1972, was still a member in 1985
- 49-50. H Rhodes joined A mkt'ing group in early 1970's
69. use in paper products - insulation papers
- to remove pitch & impurities from pulp during production
71. Calidria is trade name of KC mine asbestos, mine opened 1963 (73)
75. UC began to place warnings on paper sacks of A. in 1968.
76. shipped in hopper cars (40+) to Kentile and Uvalde - by Southern Pacific
85. learned about mesothelioma in early 1970's, not 1960s.
111. After starting caution labels in US in 1968 they still sold to European distributor according to his specs. (Degussa)