

AL10297 0645

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

IN RE: ALL ASBESTOS CASES) VOLUME VI of VI
) (EXHIBITS 27-38)
)
)
)
)
)
)

EXHIBITS TO THE
DEPOSITION OF REAR ADMIRAL JOHN C. MCARTHUR
VOLUMES I, II, III & IV

Taken on behalf of Defendants Keene Corp.;
Pittsburgh Corning Corp.; Forty-Eight Insulation, Inc.;
Garlock, Inc.; GAF Corp. and Ruberoid Co., at the offices of
Case, Kay & Lynch, 2600 Grosvenor Center, 737 Bishop Street,
Honolulu, Hawaii, July 6, 7, 9 & 10, 1984, pursuant to
Federal Rules of Civil Procedure.

FILIBECK REPORTING SERVICE
HONOLULU, HAWAII
524-4433

CRMC-M&S-003208

AL10297 0645



DEPARTMENT OF THE NAVY
PEARL HARBOR NAVAL SHIPYARD
BOX 400

Pearl Harbor, HI 96860

IN REPLY REFER TO:

DDG 46

Ser 214-3021

19 February 1979

From: Commander, Pearl Harbor Naval Shipyard
To: Commanding Officer, USS PREBLE (DDG 46)
Subj: Memorandum of Agreement Regarding Pearl Harbor Naval Shipyard
Occupational Health Controls
Ref: (a) Title 29 - Labor - Part 1910 Occupational Safety and
Health Standards
(b) OPNAVINST 6260.1
(c) NAVSHIPYDPEARLINST 5100.1A, PHMS Safety Supplement 2058.2
(d) NSTM Chapter 635, Thermal Insulation

1. In accordance with references (a), (b), (c), and (d), Pearl Harbor Naval Shipyard has developed and established interim criteria and requirements for Occupational Health Controls for asbestos until higher authority provides further guidance and direction.

2. In order to minimize exposure of individuals (both military and civilian) to airborne concentrations of asbestos fibers during the availability period of this ship, the following agreement is hereby established.

a. Ship's Force. The Commanding Officer shall:

(1) Prohibit ship's personnel from undertaking work which requires the removal, repair, and installation of thermal insulation material containing asbestos.

(2) Prior to removing deck insulation such as vinyl asbestos tile, terrazzo, etc., notify Code 185 (telephone 474-7227). Code 185 and the Naval Regional Medical Clinic (NRMC) will provide the ship's personnel with the necessary asbestos control training and procedures for accomplishing this work.

(3) Continue to perform Ship's Force work involving repairs to pipe flanges, joints, etc., where gaskets containing fixed asbestos normally identified by trade names such as Consaco, Flexitallic, and Garlock are present and removing/installing asbestos rope packing, brake linings, etc. Code 185 and NRMC shall conduct surveillances of these processes to insure that concentrations of airborne fibers are not being generated during these operations.

Ex. 35
McArthur Depo.
7-09-84

Exhibit 43.A
Page 2864

CRMC-M&S-003209

DDG 46
Ser. 214-3021
19 February 1979

~~CONFIDENTIAL~~
Subj: Memorandum of Agreement Regarding Pearl Harbor Naval Shipyard
Occupational Health Controls

(4) Prohibit entrance into areas marked off by Shipyard personnel as "Asbestos Restricted Area". These areas shall be specifically identified to Ship's Force personnel by the Shipyard prior to all asbestos work. Only asbestos certified personnel and qualified Ship's Force watch standers shall be allowed entry into asbestos work spaces during ripout phase of the ship's availability. Ship's Force watch standers shall be briefed by Code 185 on asbestos work procedures such as wearing personal protective equipment and logging in/out procedures.

(5) Ship's Force personnel shall submit work requests to the Type Desk for work involving thermal insulation removal and installation if required. This work shall be accomplished by certified Shipyard asbestos workers.

(6) Establish a program for internal control of asbestos related work and material disposal as instructed by Code 185.

b. Shipyard

(1) The Safety Director, Code 185, Pearl Harbor Naval Shipyard is designated the point of contact for asbestos controls:

Mr. Charles Bolton, Code 185
Telephone: 474-6109/7227
Location: Building 140A, 2nd Deck
Alternate: Frank Roberto, Code 185.5

(2) The Shipyard shall provide the following:

- (a) All asbestos indoctrination and any required training.
- (b) Monitor asbestos work to ensure that only authorized, properly equipped personnel are accomplishing the work in accordance with existing standards and procedures.
- (c) Ensure all asbestos work areas are restricted to authorized personnel only and appropriate warning signs posted.
- (d) Ensure the overall compliance with NAVSHIPYDPEARL policies and instructions relating to asbestos control.
- (e) Conduct sampling and analyzing deck insulation for asbestos material as requested by Ship's Force.

UUA 40
Ser 214-3021

**Subj: Memorandum of Agreement Regarding Pearl Harbor Naval Shipyard
Occupational Health Controls**

(f) Provide Ship's Force with personnel protective equipment (disposable) and red poly bags for disposal.

ACCEPTED:

**F. W. BAILEY, COMMANDER, USN
CO, USS PREBLE (DDG 46)**

**J. C. McARTHUR, CAPTAIN, USN
COMMANDER, PEARL HARBOR NAVAL SHIPYARD**

**Copy to:
COMNAVSURFGRU MIDPAC
COMDESRON TWO FIVE**

**Code 100
140
142.17
185
200
210
214
214.15
214.01
219
225
240
300
330
331
331.4
NRMC**

3

**Exhibit 43.2
Page 2866**

CRMC-M&S-003211



AL10298, 0766

DEPARTMENT OF THE NAVY
PEARL HARBOR NAVAL SHIPYARD
BOX 488
PEARL HARBOR, HAWAII 96840

IN REPLY, PLEASE TO
DD 950
Ser 214.1-3097
16 May 1979

FOR OFFICIAL USE ONLY

From: Commander, Pearl Harbor Naval Shipyard
To: Commanding Officer, USS EDWARDS (DD 950)

Subj: Memorandum of Agreement Regarding Pearl Harbor Naval Shipyard
Occupational Health Controls

Ref: (a) Title 29 - Labor - Part 1910 Occupational Safety and
Health Standards
(b) OPNAVINST 6260.1A
(c) NAVSHIPYDPEARLINST 5100.1A, PHNS Safety Supplement 2058.2
(d) NSTM Chapter 635, Thermal Insulation
(e) NAVSHIPYDPEARLNOTE 5100 of 23 Mar 79

1. In accordance with references (a), (b), (c), and (d), Pearl Harbor Naval Shipyard has developed and established interim criteria and requirements for Occupational Health Controls for ~~asbestos~~. Reference (e) delineates this Shipyard's policy to restrict the use of asbestos-containing deck and floor unless specifically authorized.

2. In order to minimize exposure of individuals (both military and civilian) to airborne concentrations of asbestos fibers during the availability period of this ship, the following agreement is hereby established.

a. Ship's Force. The Commanding Officer shall:

(1) Prohibit ship's personnel from undertaking work which requires the removal, repair, and installation of thermal insulation material containing asbestos.

(2) Prior to removing deck insulation such as vinyl asbestos tile, terrazzo underlayment, etc., notify Code 125 (telephone 473-7227), Code 185 and the Naval Regional Medical Clinic (NRMC) will provide the ship's personnel with the necessary asbestos control training and procedures for accomplishing this work.

(3) Continue to perform Ship's Force work involving repairs to pipe flanges, joints, etc., where gaskets containing fixed asbestos normally identified by trade names such as Conbraco, Flexitallic, and

Ex. 36
McArthur Depo.
7-09-84

55-995
FOR OFFICIAL USE ONLY
EXHIBIT 38A

1072

CRMC-M&S-003212

FOR OFFICIAL USE ONLY

DD 950
Ser 214.1-3037

Subj: Memorandum of Agreement Regarding Pearl Harbor Naval Shipyard
Occupational Health Controls

Garlock are present and removing/installing asbestos rope packing, brake linings, etc. Code 185 and NRMHC shall conduct surveillances of these processes to insure that concentrations of airborne fibers are not being generated during these operations.

(4) Prohibit entrance into areas marked off by Shipyard personnel as "Asbestos Restricted Area". These areas shall be specifically identified to Ship's Force personnel by the Shipyard prior to asbestos work. Only asbestos certified personnel and qualified Ship's Force watch standers shall be allowed entry into asbestos work spaces during ripout phase of the ship's availability. Ship's Force watch standers shall be briefed by Code 185 on asbestos work procedures such as wearing personal protective equipment and logging in/out procedures.

(5) Ship's Force personnel shall submit work requests via ISIC and COMNAVSURFGRU MIDPAC to the Type Desk for work involving thermal insulation removal and installation if required. This work shall be accomplished by certified Shipyard asbestos workers.

(6) Establish a program for internal control of asbestos related work and material disposal as instructed by Code 185.

(7) Restrict the installation of asbestos-contained deck and floor coverings.

b. Shipyard

(1) The Safety Director, Code 185, Pearl Harbor Naval Shipyard is designated the point of contact for asbestos controls:

Mr. Charles Bolton, Code 185
Telephone: 474-6109/7227
Location: Building 140A, 2nd Deck
Alternate: Frank Roberto, Code 185.4

(2) The Shipyard shall provide the following:

(a) All asbestos indoctrination and any required training.

(b) Monitor asbestos work to ensure that only authorized, properly equipped personnel are accomplishing the work in accordance with existing standards and procedures.

FOR OFFICIAL USE ONLY

EXHIBIT 18.A

PAGE 4239

CRMC-M&S-003213

FOR OFFICIAL USE ONLY

DD 950
Ser 214.1-3097

Subj: Memorandum of Agreement Regarding Pearl Harbor Naval Shipyard
Occupational Health Controls

(c) Ensure all asbestos work areas are restricted to authorized personnel only and appropriate warning signs posted.

(d) Ensure the overall compliance with NAVSHIPYDPEARL policies and instructions relating to asbestos control.

(e) Conduct sampling and analyzing deck insulation for asbestos material as requested by Ship's Force.

(f) Provide Ship's Force with personnel protective equipment (disposable) and red poly bags for disposal.

ACCEPTED


R. E. BURBOUR, COMMANDER, USN
CO, USS EDWARDS (DD 950)


J. C. MCARTHUR, CAPTAIN, USN
COMMANDER, PEARL HARBOR NAVAL SHIPYARD

Copy to:
COMNAVSURFGRU HICPAC
COMDESRON THREE FIVE

Code 200, 210, 214, 214.1, 214.14, 214.01, 240, 241, 300, 330, 331, 331.10,
920, 930, 950, 970, X11, X41, X95H, 140, 185

55-997
FOR OFFICIAL USE ONLY
EXHIBIT JPA
PAGE 4240

CRMC-M&S-003214

Division Headquarters, Box 91
July 27, 1951

W. C. Winblad, Washington, D.C.

J-M Asbestos Textiles Commitments

In connection with W.P.A. meeting held July 17th, F. J. Waken has asked me to write you in detail as to how much J-M is committed for to various defense agencies and requirements as of this date. As you know, we have made a most substantial contribution of cloth and other materials in the past several months having cleaned up the total Lap, Roving, and Yarn requirements of 3 of the 9 cable manufacturers involved in the Navy program. We are still committed for vital defense needs, in pounds, as follows:

The Navy program, cable insulation materials	69,315
For Navy Yards, cloth (over 13,000 yds.)	30,400
For bomber heat shields	44,000
For airplane closure seals	17,500
Detroit Arsenal tanks	16,000
Petracum tank seal cloths	50,000
Procurement Office, USEC	14,000
	241,215 lbs.

As of today, the textile orders on Manville are 44.7% D.O. and, upon analysis, 32% of them are indicated as being for use in weapons or other fighting forces equipment.

You may advise the A.S.O. that we can take on 4000 yds. per month of either Type A glass with asbestos or Type B plain weave, shipment to start after we have completed the 13,000 odd yards now on the books as per previous arrangement with Lieutenant Ponder at A.S.O. In this connection, it is realized that there is probably not enough manufacturing capacity in America to come close to meeting the consolidated Navy cloth requirements as stipulated at the recent meeting. You should, therefore, invite the attention of the interested parties to the fact that Carolina Asbestos Company, Garlock Packing Company, the Gafco Corp. of Chicago and the Keasbey & Mattison Co. do not, as yet, appear to have taken any important percentage of the Navy cloth requirements nor, indeed, have they, to our knowledge, taken any of the cable insulation requirements.

There are others in the business of producing asbestos yarns such as Russell Manufacturing Co. and Asten-Hill Manufacturing Co. of Philadelphia who might be persuaded to manufacture yarns for others who have weaving capacity but who are short on asbestos yarn supplies. For your personal information, tabulation of all Asbestos Textile Dept. orders on hand today at Manville total 743,028 lbs., of which 331,269 lbs. are on D.O. and the majority of these are not D.O. 97 priorities.

If we can furnish any additional information to help you in your efforts to avoid our being assigned cloth orders in an unreasonable, arbitrary amount, please advise.

SVD:ab

S. V. DILLON

cc: R. C. Simmons, DEQ
J. A. O'Brien, DEQ
C. G. Dandrow, "
F. J. Waken, "
File

CRMC-M&S-003215

AL 102971904

FIRST NAVAL DISTRICT

OUTGOING DISPATCH

NAVY YARD, BOSTON

9733

Information contained in this dispatch not to be released to any other than addressees unless authorized by competent authority.

RECEIVED BY THE BUREAU OF THE
NAVY YARD, BOSTON

YOUR BID TWO SEVEN BLOCK CHAYON PARATH AT EIGHTEN ELLING AND
ACCEPTED MORE SHIPMENT RE-UNITION ONE DASH THREE SIX FOUR ONE

NOV 14, 1939

(NAVY YARD, BOSTON)

FROM (Office of Origin)

ACTION	INFORMATION	RELEASED BY
		Priority Routine Nite

BOSTON NAVY YARD 9 20 39 AM

General File Copy

CRMCM&S-003216

AL 102971904



DEPARTMENT OF THE NAVY
PEARL HARBOR NAVAL DISTRICT
021 00
Pearl Harbor, HI 96860

DOG 46
 Ser 214-3021
 18 February 1979

From: Commander, Pearl Harbor Naval Shipyard
To: Commanding Officer, USS PRIZLE (DDG 46)

**Subj: Memorandum of Agreement Regarding Pearl Harbor Naval Shipyard
Occupational Health Controls**

Ref: (a) Title 29 - Labor - Part 1910 Occupational Safety and Health Standards
(b) OSHA-OSHA 3090.1
(c) NIOSH-OSHA 3090.1A, PMS Safety Supplement 2000.2
(d) NIOSH Chapter 635, Thermal Insulation

2. In accordance with references (a), (b), (c), and (d), Pearl River State College has developed and established interim criteria and requirements for Occupational Health Controls for asbestos until higher authority provides further guidance and direction.

2. In order to minimize exposure of individuals (both military and civilian) to airborne concentrations of asbestos fibers during the availability period of this ship, the following agreement is hereby established.

a. Ship's Force. The Commanding Officer shall:

(1) Prohibit ship's personnel from undertaking work which requires the removal, repair, and installation of thermal insulation material containing asbestos.

(2) Prior to removing deck insulation such as vinyl asbestos tile, terrazzo, etc., notify Code 153 (telephone 474-7227). Code 155 and the Naval Hospital Medical Clinic (2202) will provide the ship's personnel with the necessary asbestos control training and procedures for abatement/abuse work.

(3) Continue to perform Ship's Force work involving repairs to pipe flanges, joints, etc., where gaskets containing fibrous materials normally identified by trade names such as Asbestos, Mineralite, and Carbolite are present and removing/installing asbestos rope packing, brake linings, etc. CNA 135 and AEC shall conduct surveillance of these processes to insure that concentrations of airborne fibers are not being exceeded during these operations.

EXHIBIT

McArthur P27
94 215/55

CRMC-M&S-003217

DDG 46
Ser 274-3021
17 February 1979

~~FOUO~~

Subj: Memorandum of Agreement Regarding Pearl Harbor Naval Shipyard
Occupational Health Controls

(4) Prohibit entrance into areas marked off by Shipyard personnel as "Asbestos Restricted Area". These areas shall be specifically identified to Ship's Force personnel by the Shipyard prior to all asbestos work. Only asbestos certified personnel and qualified Ship's Force watch standers shall be allowed entry into asbestos work spaces during ripout phase of the ship's availability. Ship's Force watch standers shall be briefed by Code 185 on asbestos work procedures such as wearing personal protective equipment and logging in/out procedures.

(5) Ship's Force personnel shall submit work requests to the Type Desk for work involving thermal insulation removal and installation if required. This work shall be accomplished by certified Shipyard asbestos workers.

(6) Establish a program for internal control of asbestos related work and material disposal as instructed by Code 185.

b. Shipyard

(1) The Safety Director, Code 185, Pearl Harbor Naval Shipyard is designated the point of contact for asbestos controls:

Mr. Charles Bolton, Code 185
Telephone: 474-6109/7227
Location: Building 140A, 2nd Deck
Alternate: Frank Roberto, Code 185.5

(2) The Shipyard shall provide the following:

- (a) All asbestos indoctrination and any required training.
- (b) Monitor asbestos work to ensure that only authorized, properly equipped personnel are accomplishing the work in accordance with existing standards and procedures.
- (c) Ensure all asbestos work areas are restricted to authorized personnel only and appropriate warning signs posted.
- (d) Ensure the overall compliance with NAVSHIPYDPEARL policies and instructions relating to asbestos control.
- (e) Conduct sampling and analyzing deck insulation for asbestos material as requested by Ship's Force.

~~FOUO~~

DDG 46
Ser 214-3021

~~CONFIDENTIAL~~

Subj: Memorandum of Agreement Regarding Pearl Harbor Naval Shipyard
Occupational Health Controls

(f) Provide ship's force with personnel protective equip-
ment (disposable) and red poly bags for disposal.

ACCEPTED:

F. W. BAILEY, COMMANDER, USN
CO, USS PREBLE (DDG 46)

J. C. MCARTHUR, CAPTAIN, USN
COMMANDER, PEARL HARBOR NAVAL SHIPYARD

Copy to:
COMNAVSTA HONOLULU
COMNAVSTA TWO FIVE

Code 100
140
142.17
185
200
210
214
214.15
214.01
217
225
240
300
320
331
331.4
RMC