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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

----- X
HERMAN YANDLE, et al.,
Plaintiffs
vs. Civil Action No. TY-74-3-CA
PPG INDUSTRIES, INC., et al.,
Defendants
----- X

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

----- X
LESTER KAY (And all Intervening
Plaintiffs)
vs. Civil Action No. TY-74-13-CA
PPG INDUSTRIES, INC., et al.
----- X

Deposition of RICHARD GAZE, produced, sworn and
examined the 4th and 5th days of June, 1975, at the offices of
Messrs Davies, Arnold & Cooper, 4/7, Salisbury Court, London,
EC4Y 8AD, England, pursuant to a Notice.

Walter H. Clark, of Harry Counsell & Co., 61, Carey
Street, London, WC2A 2JG, England, acted as Reporter.

1 A Yes, but I would repeat that what I did not know, as I know
2 today, was the extent or the concentrations of asbestos dust which
3 could be regarded as hazardous.

4 Q But you did know that ----

5 A I knew, for example, that the kinds of condition that my
6 colleagues at that time who had worked before the 1933
7 regulations described to me as being the conditions in the
8 industry, I knew, I could see, that these conditions could
9 cause asbestosis.

10 Q So, then, you knew that the conditions as they existed then,
11 if not corrected, could cause asbestosis?

12 A The conditions as they existed before 1933, yes, of which
13 I had no experience, but which had been described to me very
14 clearly.

15 Q What were those conditions?

16 A The descriptions that were given to me in a general sense
17 were conditions in which the asbestos dust around some
18 machines was so thick that you could not see your hand
19 stretched out in front of your face. This was the kind of
20 description that was given to me of the conditions existing.

21 Q And unfortunately you knew that these working conditions would
22 continue to exist throughout the world for a period of time,
23 that they wouldn't be changed overnight?

24 A No, but this was 10 years later that it was described to me,
25 and, of course, there were war-time conditions, too, involved
26 here, where there were very long working hours. I know now
27 with hindsight that there were people exposed during the war
28 who were being subjected to as much danger as people who were
29 in the firing line.

1 Q People exposed to asbestos?

2 A That's right.

3 Q But the point I am making, and I want to make it clear,
4 is the extent of your knowledge as to the effects of asbestos
5 was such that beginning with the 1950's and through the 1960's
6 and into the 1970's you realised that it was a dangerous
7 material to work around?

8 A Yes, but I want to make my position quite clear on this,
9 Mr Baldwin. I realised that precautions needed to be taken
10 in the handling of this material. What I realise now I was
11 in error about was the extent of the precautions which needed
12 to be taken.

13 Q What precautions do you feel should have been taken that
14 were not when you look back?

15 A With hindsight, I believe that our siting of dust exhaust
16 machinery was not sufficient to reduce the concentration of
17 asbestos dust in the atmosphere to a sufficiently low level.

18 Q But what I am asking you is that you don't intend to imply
19 that you have just recently come upon the knowledge that
20 asbestos can cause the condition of asbestosis?

21 A No. I knew that asbestos, improperly handled, could cause
22 asbestosis, or breathing asbestos dust at too high quantities
23 for too long a time could cause asbestosis. I have known this
24 since the first day I was employed.

25 Q All right. You have defined asbestosis yesterday, haven't you?
26 You don't intend to change that definition?

27 A No.

28 MR BALDWIN: I have nothing else.

29 MR BERNAYS: Are you through?

30 MR O'CONNOR: Yes.

1 Q Dr. Gaze, I believe you mentioned the British regulations on
2 asbestosis as having been promulgated in 1933?

3 A Yes.

4 Q Could it possibly have been 1931 that they were promulgated?

5 A It could be, yes.

6 Q You are not certain about that?

7 A I am not certain. 1931. Thank you.

8 MR BERNAYS: That's all we have.

9 A But, of course, in the light of later knowledge they were
10 revised in 1969.

11 MR BALDWIN: Dr. Gaze, thank you for letting us impose upon your
12 time. You were very co-operative.

13 A Not at all. Thank you for being so considerate.
14

15 The foregoing deposition
16 having been taken down in shorthand,
17 and afterwards transcribed, was
18 read over by the witness and
19 subscribed to on the day
20 of , 1975.

Witness.

21 I, Walter H. Clark, of Harry Counsell & Co.,
22 61, Carey Street, London, WC2A 2JG, England, a Member of
23 the Institute of Shorthand Writers, hereby certify that the
24 foregoing deposition of RICHARD GAZE is a true and correct record
25 of all questions asked and answers made of the said witness.

26 W.H. Clark
27 W.H. Clark.
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