IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ANDERSON DIVISION

Wanda Gail Cox, Executrix of the Estate of Michael Wayne Cox, Plaintiff, vs. Georgia Gulf Corporation, et al, Defendants.	AFFIDAVIT OF NICASIO P. MARULLO CIVIL ACTION NOS. 8:88-1400-3 (Survival Action) 8:88-1399-3 (Wrongful Death)

PERSONALLY appeared before me Dr. Nicasio P. Marullo, who, after being duly sworn, deposes and states that he is a professor in the Department of Chemistry at Clemson University and has been so employed since 1961; that his Cirriculum Vitae is attached herewith as Exhibit "A" and details his educational background and publications; that in the field of chemistry he has specialized in the area of organic chemistry and m re particularly thermally stable organic polymers.

That affiant has been requested by Robert M. Ariail as attorney for Wanda Gail Cox, Executrix of the Estate of Michael Wayne Cox, to review the deposition of Michael Wayne Cox, the scientific literature and various documents from the file of Stauffer Chemical Company and in conjunction with my experience and knowledge, render an opinion as to the probability of exposure of Michael Wayne Cox to vinyl chloride during his mployment at Stauffer Chemical Company.

EXHIBIT B

UCC 079896

That in reaching my opinion I relied upon the following assumptions of fact:

1. Michael Wayne Cox was employed between 1978 and 1982 and again between 1985 and 1986 as an operator of a laminating machine at the fabricating facility for Stauffer Chemical Company in Anderson, South Carolina.

2. That the operation of the laminating machine involved the heating of polyvinyl chloride film to a temperatur of up to 265 degrees Fahrenheit and the bonding of that film to other materials.

3. That the polyvinyl chloride film was made in the same industrial plant, although a separate part, in which Mr. Cox operated the laminating machine.

4. That Mr. Cox wore no protective mask or clothing during the normal operation of the laminating machine and was not provided with respiratory equipment.

5. That Mr. Cox operated and was in close proximity to the laminating machine on a daily basis for periods of approximately eight (8) hours per day.

6. That OSHA recognizes that operators such as Mr. Cox, involved in the processing of polyvinyl chloride at temperatures sufficient to cause melting of the polymer, are at risk of exposure to vinyl chloride monomer.

That in addition to the above stated assumptions of fact, affiant relied upon the following scientificcally established facts in reaching his opinion:

1. In th polymerizati n pr cess used by manufacturers to mak polyvinyl chloride, there is never a c mplete polymerization of all of the monomer form of vinyl chloride.

2. Manufacturers remove portions of the residual vinyl chloride monomer from the polyvinyl chloride but it is impossible to remove all of the monomer.

3. The residual vinyl chloride monomer which remains a part of the polyvinyl chloride resin will be released in varying amounts during the fabrication process.

4. That the amount of the release of vinyl chloride during the fabrication process varies depending upon a number of factors.

5. That the primary factors which affect the amount of the release of vinyl chloride monomer from polyvinyl chloride are as follows:

(a) The amount of residual monomer remaining in the polyvinyl chloride resin.

(b) The amount of the surface area of the polyvinyl chloride material.

(c) The temperature of the polyvinyl chloride material during the fabrication process.

(d) The incorporation of additives such as plasticizers and lubricants in the polyvinyl chloride material.

6. An increase in any of the factors listed in 5(a) through (d) will cause an increase in the amount of the release of vinyl chloride monomer from the polyvinyl chloride material.

7. That the scientific facts set f rth in numbers 1 through 6 abov w re well established in the scientific literature and community prior to 1974, the year that OSHA regulations were adopted which were applicable to polyvinyl chloride and the residual monomer contained therein.

That based upon the information which affiant has reviewed, the factors of significant heat (265° F) being appli d over a very broad surface area to a polyvinyl chloride material which contained plasticizers and lubricants were all present at the time that Mr. Cox operated his laminating machine.

That based upon the assumptions of fact, depositions of Michael Wayne Cox, the scientific facts set forth above, the scientific literature I have reviewed as well as my own knowledge and experience in the field of polymer chemistry, it is my opinion that Michael Wayne Cox was most probably exposed to levels of vinyl chloride significantly above that of the general population during the operation of the laminating machine at his employment.

NICASIO P. MARULLO

SWORN to before me this
23rd day of November, 1988

(SEAL)
Notary Public for South Carolina
My commission expires: 3/4/93