

1 JUDGE MAHONY: Thank you. Do you have an exhibit
2 number for Dr. Crump's testimony?

3 MR. SHORTALL: Yes, we do, Your Honor. Dr. Crump's
4 written submission will be Exhibit 237-A, and copies of Dr.
5 Crump's overhead transparencies would be Exhibit 237-B, 1
6 through whatever they are.

7 (Whereupon, Exhibits Nos. 237-A
8 and 237-B were received in
evidence.)

9 JUDGE MAHONY: Dr. Crump, thank you very much for
10 coming.

11 DR. CRUMP: Thank you.

12 (Discussion off the record.)

13 JUDGE MAHONY: We will go back on the record.

14 Mr. Sampson, I will defer to you to introduce our
15 next group of panelists.

16 MR. SAMPSON: Thank you, Your Honor.

17 The presentation of the Asbestos Information
18 Association of North America continues this afternoon with
19 a panel of witnesses from the primary manufacturing sector
20 of the industry. I will allow them to introduce themselves,
21 and unless there is an objection, we would request that all
22 four gentlemen be permitted to present their statements
23 seriatim, and answer questions as a panel together after all
24 presentations are complete.

25 MR. SHORTALL: That is fine with me.

1 MS. NASH: That is fine with us.

2 MR. SAMPSON: We will bring with John McGinley,
3 who is with CertainTeed, and will introduce himself.

4 MR. MCGINLEY: My name is John McGinley and I am
5 Vice President of Asbestos-Cement Operations for CertainTeed
6 Corporation and a registered professional engineer.

7 I have complete responsibility for the manufactur-
8 ing operations at CertainTeed's two A-C pipe plants, which
9 are located at Riverside, California, and Hillsboro, Texas.
10 My responsibilities also extend to the design and modifica-
11 tion of new and existing process equipment for the manufacture
12 of A-C pipe, including all associated environmental controls.

13 I began working in the asbestos products industry
14 while studying mechanical engineering in college. Since
15 graduating in 1957, I have worked in the industry in both
16 engineering and management capacities.

17 My first fifteen years were in the engineering
18 field. From 1959 to 1962, I worked exclusively on industrial
19 hygiene projects. During that time, I conducted dust level
20 sampling in various plants and designed and installed local
21 exhaust ventilation systems for the various manufacturing
22 processes. For the past 11 years, I have overseen A-C pipe
23 manufacturing operations in various management positions.

24 Today I would like to address several aspects of
25 OSHA's proposed standards as they relate to the A-C pipe

1 industry. These issues and others are covered in my written
2 testimony, which was prepared by CertainTeed's Corporate
3 Industrial Hygiene group and myself. Although I am comment-
4 -ing as a representative of CertainTeed Corporation, I believe
5 my associates at CAPCO and JM -- the other domestic manu-
6 facturers of A-C pipe -- would support my views.

7 A-C pipe is manufactured from a closely-controlled
8 mixture of chrysotile and crocidolite fibers, Portland cement
9 and silica sand. My written testimony describes the process
10 in detail. To make acceptable quality pipe economically,
11 both chrysotile and crocidolite asbestos are required.

12 A-C pipe manufacturers therefore oppose any OSHA
13 action that would effectively ban either of these forms of
14 asbestos.

15 The earliest existing records of asbestos exposures
16 in CertainTeed's plants are from several U.S. Public Health
17 Service and OSHA studies conducted from 1966 to 1972. This
18 informatioⁿ is collected in Table I of my written statement.
19 Compared to workplace conditions today, those exposure levels
20 were high. In 1972, our insurer assisted us in developing
21 monitoring programs, and by 1974 our own plant personnel
22 began monitoring operations with the help of NIOSH training.

23 In 1979, a newly founded corporate industrial
24 hygiene group began periodic monitoring of all positions in
25 our plants on an annual basis.

1 Our historical monitoring results reveal gradual
2 improvements in exposure conditions over time. An example
3 of these gradual improvements is railcar unloading of asbestos
4 fiber, historically one of the dustiest operations in A-C
5 pipe production.

6 Improvements in asbestos packaging described in
7 my written testimony have taken place over time. The results
8 have been that the unloading of fiber bags from railcars
9 has gone from one of the dustiest operations to among the
10 cleanest in the A-C pipe plants.

11 American A-C pipe producers have worked diligently
12 not merely to comply with the current PEL, but to attain the
13 lowest possible fiber levels at each work station. The low
14 dust levels that exist today in A-C pipe manufacturing have
15 been the result of a long learning process.

16 A-C pipe manufacturers have experimented with new
17 hood designs, modified cutting and finishing techniques,
18 implemented employee educational programs, and upgraded
19 housekeeping procedures in order to offer their workers
20 maximum protection.

21 Based on my visits to similar manufacturing plants
22 in other countries, I believe the dust control technology
23 employed by the three United States A-C pipe manufacturers
24 represents the state of the art in the industry.

25 The keystone of this dust control technology is

1 effective local exhaust ventilation, which removes a high
2 percentage of the dust generated before it can enter the
3 workplace atmosphere. The local exhaust ventilation system
4 reduces employee exposure on most operations to between 0.5
5 and 1.0 fiber per cc. In our experience additional ventila-
6 tion capacity will not generate significant further reduc-
7 tions.

8 We have been able to reduce fibers levels at most
9 work stations to 0.5 fibers per cc or lower by improving hood
10 designs at the point source of dust generation and upgrad-
11 ing maintenance of the local exhaust ventilation system.

12 The implementation of good employee work practices
13 and the meticulous housekeeping are essential to reduce
14 exposure levels below 0.5 fibers per cc. Local exhaust will
15 not provide effective dust control if it is not supplemented
16 with sound housekeeping and work practices.

17 We at CertainTeed also supplement the engineering
18 controls with a variety of ancillary worker protection
19 measures. CertainTeed's workplace monitoring program pro-
20 vides semiannual exposure sampling of each work station by
21 plant personnel who have completed the NIOSH course on
22 "Sampling and Evaluation of Airborne Dust." A separate team
23 of Corporate Health and Safety industrial hygienists also
24 sample each station annually.

25 CertainTeed provides medical surveillance for all

1 employees in pipe plants through preplacement, annual and
2 termination physical examinations. The examinations include
3 health questionnaires, measurements of the vital signs, chest
4 x-rays, visual acuity tests, audiograms, pulmonary function
5 tests, urinalyses, blood counts and complete blood chemistry.
6 In addition, CertainTeed provides educational programs on
7 the health hazards of asbestos.

8 All employees receive instruction in respirator
9 protection, although respirators are mandatory only for
10 workers who perform relatively short-duration, high-exposure
11 operations, such as maintenance and cleanup.

12 CertainTeed's plants are equipped with showers,
13 lockers and lunchroom facilities. We consider our entire
14 plant a regulated area.

15 The great majority of our dust counts are around
16 the 0.2 fibers per cc level. However, even with the applica-
17 tion of local exhaust ventilation and the employment of good
18 housekeeping procedures, we occasionally register counts in
19 excess of 0.6 fibers per cc.

20 Most of our work stations generate very low
21 average levels of airborne fiber, but a few difficult areas
22 remain. For example, we have not been able to consistently
23 operate our pipe cutting saws below the 0.5 fibers per cc
24 level. We have experimented with hood designs and new
25 methods for cutting pipe, but with limited success. It may

1 take considerable time before improvements are realized.
2 The pipe formation machinery also presents difficult dust
3 control problems, and does not consistently operate below
4 0.5 fibers per cc.

5 The variability of airborne concentrations of
6 asbestos makes assessment of the feasibility of a PEL of 0.5
7 fibers per cc difficult. Monitoring of specific jobs in our
8 plants has produced varying results from day to day and from
9 individual to individual.

✓ 10 We apparently experience daily changes in airborne
11 asbestos levels^g at any given work stations. Yet, there is
12 no way to visually distinguish the difference in the work-
13 place environment between levels slightly above 0.5 fibers
14 per cc and levels below.

15 Only after exposure monitoring results are avail-
16 able several days later do we know that levels were high at
17 a particular time. In order to accommodate these fluctuations
18 and assure compliance with a PEL of 0.5 fibers per cc we
19 would have to operate at an average exposure level of about
20 0.2 fibers per cc. Most of the fluctuations would then fall
21 under 0.5 fibers per cc although a small portion would still
22 exceed that level.

23 A-C pipe manufacturers would be unable to comply
24 with a PEL of 0.2 fibers per cc unless all workers wore
25 respirators. Although over half of the sample measurements

1 in CertainTeed's two plants show airborne levels less than
2 0.1 fibers per cc, a large number indicate fiber levels above
3 0.2 fibers per cc at the same work stations measured on
4 different days. Although A-C pipe plants may attain long
5 run exposure averages of near 0.2 fibers per cc, I know of
6 no way to eliminate the large number of readings above that
7 level.

8 An additional source of difficulty is assessing the
9 feasibility of the proposed PELs is that at such low levels
10 the current measurement techniques are imprecise and subject
11 to great biases. Dr. Eric Chatfield has thoroughly discussed
12 the problems inherent in measuring airborne asbestos levels,
13 and I do not have the expertise to add to his theoretical
14 discussion. However, I would like to address the practical
15 difficulties that measurement problems present to asbestos
16 manufacturers.

17 Our experience shows that the current NIOSH count-
18 ing method is subject to considerable bias. In the course of
19 our industrial hygiene quality control program, CertainTeed
20 has conducted several tests to evaluate the consistency of
21 our asbestos monitoring results.

22 The tests included duplicate counting of the same
23 filter by plant personnel and their corporate counterparts,
24 duplicate counting by different personnel in our corporate
25 lab, and a round robin test using a NIOSH Proficiency

1 Analytical Sample (PAT) involving both Corporate and Plant
2 personnel.

3 A comparison of plant versus corporate counts on
4 the same sample reveals a bias in results. Corporate results
5 tended to be higher than plant calculations. One factor that
6 may account for the bias is that the corporate lab uses a
7 brand of microscope different from that used in the plants.
8 NIOSH has shown that differences in microscopes can produce
9 significant biases.

10 An intra-laboratory comparison of readers in the
11 corporate lab demonstrates the subjective nature of the
12 NIOSH counting method. Corporate counters, using the same
13 equipment and operating under the same conditions, generated
14 consistent biases in their results.

15 The Round Robin Test provides further evidence of
16 both intra- and inter-laboratory sources of error in measur-
17 ing asbestos. Two plant counters, two corporate counters,
18 and one Research and Development lab counter observed three
19 wedges from a NIOSH Proficiency Analytical Testing sample.

20 All five counters counted the wedges in their own
21 laboratories, in a three-day span. The results are presented
22 in Table III of my written statement. The counts on one
23 slide ranged from 75.41 fibers per square millimeter to
24 1,133.77 fibers per square millimeter. Despite such a wide
25 spread in values, I have been told by our corporate

1 industrial hygienists that the results were within the PAT
2 program's acceptable counting range of ± 3 standard devia-
3 tions. The data also disclosed a high count corporate bias
4 similar to the bias observed in the inter-lab comparison
5 study.

6 If these counts represented a 240 minute exposure
7 sample at a flow rate of 2.0 liters per minute, a sample
8 measurement could vary from 0.13 fibers per cc to 2.02 fibers
9 per cc. A workplace manager attempting to determine his
10 compliance status with a given PEL would have no way of
11 knowing which value to trust.

12 He also would have no way of knowing where in that
13 range OSHA compliance measurements would fall. Thus, it
14 becomes extremely difficult to assure compliance with any
15 given PEL.

16 Measurement imprecision severely limits the useful-
17 ness of sampling data in planning new dust control strategies.
18 Inter-day variations in sampling results hinder the ability
19 of manufacturers to pinpoint problem areas in their plants.

✓ 20 Frequently, samples taken on one day may indicate
21 high airborne fiber levels at a certain work^{*}station, but
22 samples taken the following day will show low levels at the
23 same station. Thus, plant managers have great difficulty
24 obtaining an accurate picture of exposure patterns in their
25 plants. Consequently, continued efforts to achieve

1 improvements over the low levels that our plants have already
2 achieved are somewhat hindered.

3 The Regulatory Analysis of the Proposed OSHA
4 Standard on Asbestos, prepared for OSHA by the Research
5 Triangle Institute (RTI) and released in May of 1984
6 acknowledged that it would not be possible to achieve 0.5
7 fibers per cc at all times even in the best run A-C pipe
8 plants.

9 Certain operations such as bag house cleaning and
10 maintenance will generate concentrations in excess of 0.5
11 fibers per cc. The RTI study concluded that where engineer-
12 ing controls and housekeeping techniques are already utilized
13 to the limit of their effectiveness, further controls would
14 achieve only marginal improvements.

15 These basic conclusions of the RTI report are
16 correct. However, RTI's further suggestions of specific
17 controls to generate reductions in some plants are misguided
18 and poorly substantiated.

19 RTI's first suggestion advocates enclosed fiber
20 introduction or, alternatively, automatic bag openers to
21 introduce asbestos fiber into the manufacturing process. Our
22 experience in A-C pipe production has been that either an
23 automated debagger or a well run manual bag opening station
24 can achieve equivalent low exposures around 0.1 fibers per
25 cc on average. RTI's industry survey indicated an exposure

1 range for the introduction and mixing stage, which presumably
2 includes plants with manual bag openers, at 0.07 to 0.20
3 fibers per cc. At such low levels, even if further reduc-
4 tions were possible, they would probably be nondetectible.

5 RTI also suggests wetting of fibers at an earlier
6 stage in the production process. In current production
7 methods, asbestos fiber is dry mixed with cement and silica
8 sand before water is added. The current dry operation is not
9 a manned workstation; it is completely enclosed and automated.

10 Airborne dust concentrations are low -- generally
11 less than 0.3 fibers per cc. Radical redesign of this
12 operation would be costly and would make little sense. Oper-
13 ating wet often creates more exposure problems than it
14 solves.

✓ 15 The wet substance spills on the floor and dries,
16 creating housekeeping headaches. In the manufacture of A-C
17 pipe, CertainTeed has found that wet processes are incom-
18 patible with local exhaust ventilation because the moist
19 cement particles clogs the ducting, impairing the efficiency
20 of the exhaust system.

21 A third suggestion by RTI is for manufacturers to
22 receive asbestos fibers in an uncompressed state in order to
23 reduce the need for willowing during production. While this
24 suggestion seems attractive on its face, it too would create
25 more problems than it would solve. Uncompressed fibers would

1 be very difficult to handle, and it would increase the danger
2 of asbestos exposure from torn bags.

3 RTI factored the use of respirators into its cost
4 calculations for compliance in model plants. Consistent
5 with the study's basic conclusion that no significant addi-
6 tional reductions in air concentrations are achievable in
7 A-C pipe plants through engineering controls, RTI's cost
8 figures for compliance with proposed PELs include only the
9 addition of respirators.

10 At a PEL of 0.5 fibers per cc, RTI estimates 10 per-
11 cent of the workforce in A-C pipe plants will require respira-
12 tors; at a PEL of 0.2 fibers per cc, 50 percent and at 0.1
13 fibers per cc, 100 percent.

14 These estimates fail to consider the variability
15 and measurement problems of asbestos. Plant managers are
16 incapable of assuring continued airborne asbestos concentra-
17 tions of less than 0.2 fibers per cc at any workstation.

18 Atmosphere changes would easily drive daily readings
19 above a .2 fibers per cc. Measurement imprecisions would
20 also generate readings above the 0.2 fibers per cc level,
21 even at stations where the long term average is below that.

22 Plant managers would not be able to determine at
23 which areas of the plant airborne levels exceeded 0.2 fibers
24 per cc; therefore, to assure compliance they would need to
25 require respirators for all workers.

1 The variability of asbestos concentrations and the
2 imprecision of measurement techniques place asbestos manu-
3 facturers in a difficult position. Plant operators have no
4 method of determining with an acceptable degree of certainty
5 the airborne levels of asbestos concentration at any time.

6 Consequently, compliance with a PEL as low as 0.2
7 fibers per cc becomes a guessing game. Unless manufacturers
8 choose respirators, they may be subject to compliance viola-
9 tions if OSHA samples generate high readings, even if such
10 readings are attributable to unusual variations or measure-
11 ment error.

✓ 12 Members of the A-C pipe industry have already
13 invested considerable time and money to install the best
14 available engineering controls. A-C pipe manufacturers ⁿis_A
15 the U.S. have combined effective dust control engineering
16 with sound housekeeping and a variety of educational, medical
17 and monitoring programs in order to reduce exposures to the
18 lowest possible level.

19 As Dr. Bragg indicated in his feasibility report,
20 asbestos control research has focused with considerable
21 success on optimizing current technologies. In the A-C
22 pipe industry, where the best available controls have
23 already been implemented, further improvement are likely to
24 be minimal.

25 JUDGE MAHONY: Thank you, Mr. McGinley.

1 JUDGE MAHONY: So we are looking at about an hour
2 and a half to two hours for questioning.

3 MS. NASH: Perhaps it won't be that long.

4 JUDGE MAHONY: Let us begin.

5 MR. SHORTALL: Thank you, Your Honor.

6 Thank you very much, gentlemen, for appearing here
7 today. I would like to begin with Mr. McGinley. I wonder
8 first if you could tell us what is the basis for your beliefs
9 stated in your written testimony that your views would gen-
10 erally be supported by CAPCO and JM, the other domestic manu-
11 facturers of A-C pipe?

12 MR. MCGINLEY: Well, I am somewhat familiar with
13 the gentlemen that run those operations. The Vice President
14 of Production at CAPCO used to work with me at CertainTeed.

15 MR. SHORTALL: Have you discussed your testimony
16 at all with --

17 MR. MCGINLEY: Yes. He has seen my written testi-
18 mony before it was submitted, and he agreed with it in
19 principle.

20 MR. SHORTALL: Thank you. You note in your written
21 testimony that plant personnel have been conducting semi-
22 annual air sampling at each position since about 1973, and
23 corporate industrial hygienists have been conducting annual
24 air sampling at each position since 1979. I wonder, first,
25 if you would clarify the status of the corporate group. Am

1 I correct in assuming that those are employees of Certain-
2 Teed?

3 MR. MCGINLEY: Yes.

4 MR. SHORTALL: Do you know what method they use to
5 analyze the samples?

6 MR. MCGINLEY: I don't understand the question.
7 They would use the method that is prescribed in the regula-
8 tion.

9 MR. SHORTALL: So the answer is that you don't
10 know?

11 MR. MCGINLEY: I don't understand the question.
12 I would assume that they are using --

13 JUDGE MAHONY: Don't assume anything.
14 Try rephrasing it and see where we go.

15 MR. SHORTALL: Have you heard of a sample analysis
16 technique that has been published by NIOSH?

17 MR. MCGINLEY: Yes.

18 MR. SHORTALL: Is that the one that you are using?

19 MR. MCGINLEY: Yes, they use a NIOSH -- in fact,
20 I may mention it here in the testimony.

21 (Pause.)

22 JUDGE MAHONY: Is your answer yes? Is that a
23 certain answer?

24 MR. MCGINLEY: I really don't know. I am not
25 qualified to answer that question.

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1 MR. SHORTALL: What kind of turnaround time do
2 you get on your sampling results?

3 MR. MCGINLEY: The sampling results done at the
4 plant, we read them at the plant, and it is usually within
5 a couple of weeks, a week or two, depending on the numbers
6 sampled. The corporate samples might take a little longer.

7 MR. SHORTALL: And "a little longer" means approxi-
8 mately what?

9 MR. MCGINLEY: Maybe a month by the time a cor-
10 porate report is ready.

11 MR. SHORTALL: Are you generally satisfied with
12 the performance of your labs?

13 MR. MCGINLEY: Well, I am not technically qualified
14 to judge their performance. I just take their data and
15 operate with it.

16 MR. SHORTALL: In your capacity as a manager, are
17 you satisfied with the performance of the labs?

18 MR. MCGINLEY: Again, I can only say I have no
19 basis any longer to judge their proficiency. I take their
20 report and act accordingly.

21 MR. SHORTALL: So you act on the basis of what is
22 contained in the reports?

23 MR. MCGINLEY: Absolutely.

24 MR. SHORTALL: We had a witness who testified ear-
25 lier in the hearings that some labs that he had dealt with

1 falsified their air sample analysis reports. Do you feel
2 that you are getting honest, accurate reports from your labs?

3 MR. MCGINLEY: Absolutely.

4 MR. SHORTALL: If I could ask that question to the
5 other members of the panel. You all three agree with that?

6 MR. ALEXANDER: I believe we are dealing with a
7 reputable lab that participates in the NIOSH round robin.

8 MR. SHORTALL: So you also believe that you are
9 getting honest, accurate reports from your labs?

10 MR. ALEXANDER: Honest.

11 MR. SHORTALL: But not accurate?

12 MR. ALEXANDER: That is a question of the method.

13 MR. SHORTALL: Mr. McGinley, you note that the
14 plant at Hillsboro began production in '61, and Riverside in
15 '64. How many tons of A-C pipe are produced annually at
16 each plant?

17 MR. MCGINLEY: The typical pipe machine in Certain-
18 Teed would make 50,000 tons a year if they are running full
19 production. At the present time we are running two machines
20 at Hillsboro. If business conditions continue, we could make
21 as much as 80,000 tons there this year.

22 MR. SHORTALL: How about at Riverside?

23 MR. MCGINLEY: Around 50,000 tons a year.

24 MR. SHORTALL: Do you know approximately what the
25 production of the plants operated by CAPCO and JM are?

1 MR. MCGINLEY: I generally know their capability.
2 I don't know what their production figures are.

3 MR. SHORTALL: Are they essentially comparable to
4 your own, or are they much larger?

5 MR. MCGINLEY: The capability is essentially the
6 same. What their actual production is I have no way of
7 knowing.

8 MR. SHORTALL: In your statement, you note that
9 you implemented the use of polywoven bags beginning in 1972
10 and the use of palletized bundles beginning in 1978.

11 First, when did you implement the automatic
12 debagging machine?

13 MR. MCGINLEY: Well, we developed that ourselves,
14 and it was an evolutionary type development. I believe we
15 started around 1976.

16 MR. SHORTALL: I wonder if you can just describe
17 what the difference is between a manual debagging process
18 and an automatic?

19 MR. MCGINLEY: In a manual operation, the operator
20 would take the bag under an exhaust hood, slit the top, and
21 proceed to dump the bag into, in our process, a bucket
22 elevator. This was all done under a hooded area that had
23 good intake velocity coming through the hood.

24 MR. SHORTALL: Can you describe what the size of
25 the bag is and what the size of the hood is?

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1 MR. MCGINLEY: An asbestos bag, I don't know that
2 there is a standard size, but they are about 30 inches high,
3 18 inches wide, and 9 or 10 inches deep, would be the size
4 of the bags that we receive.

5 MR. SHORTALL: How about the width of the hood?

6 MR. MCGINLEY: Well, when we were using a manual
7 hood, it would be possibly a foot wider maybe. It would
8 probably be -- if the bag was 18 inches wide, the hood would
9 have clearance on either side, maybe enough for the operator
10 to get his hands in.

11 MR. SHORTALL: If I can ask the other gentlemen on
12 the panel, those of you that use this kind of hood apparatus,
13 is that essentially the same as what Mr. McGinley has
14 described?

15 MR. NETTER: In concept, yes.

16 MR. SHORTALL: I am sorry?

17 MR. NETTER: Yes, in concept.

18 MR. SHORTALL: You are Mr. Netter?

19 MR. NETTER: That is correct.

20 MR. HUTCHINS: We would be using a block breaker
21 and high density pressure packed block, so it is different
22 from his. We also are using repulpable bags, and practically
23 everything we make, bag and all, goes into the wet operation.

24 MR. SHORTALL: Mr. Alexander?

25 MR. ALEXANDER: We use approximately 3 cubic foot

1 brickettes. In our newest station, these 100-pound
2 brickettes are introduced manually by the operator into an
3 opening about the size of a bedroom window, about the same
4 height. Inside that opening, he can slash the bag, empty
5 the contents, and dispose of the bag.

6 MR. SHORTALL: Excuse me. I don't know what size
7 house you live in, so I don't know how big your bedroom
8 windows are.

9 MR. ALEXANDER: About 38 by 32 inches, 38 inches
10 wide, 32 inches high.

11 MR. SHORTALL: Okay. And what are you giving the
12 dimensions of there?

13 MR. ALEXANDER: The opening. That is the opening
14 to what we call the hood. Just inside the opening is a
15 table, which is nothing but a set of round bars, ^{The worker} places the
16 block on the set of round bars, cuts the plastic bag off,
17 and breaks the block so that it falls through the bars down
18 into what we call the fluffer.

19 MR. SHORTALL: You referred to cutting. How does
20 he cut the bag, at one end, or does he hack at it?

21 MR. ALEXANDER: No. He uses what they call a
22 utility knife. You have seen them in the hardware store.
23 He cuts around the center line from the left side, across
24 the back, along the right side, so that he can draw the
25 cover back.

1 MR. SHORTALL: Do any of you use something called
2 a carousel feeder? You are all shaking your heads no?

3 MR. ALEXANDER: No, we don't.

4 MR. SHORTALL: Mr. McGinley?

5 MR. MCGINLEY: No.

6 MR. SHORTALL: Mr. McGinley, what about exhaust
7 ventilation, when did you first implement that? Is that just
8 sort of a basic part of your plant, since the day you opened
9 you had exhaust ventilation of some kind in there?

10 MR. MCGINLEY: You are referring to the two plants
11 that we presently operate?

12 MR. SHORTALL: Yes.

13 MR. MCGINLEY: Yes, they were designed with exhaust
14 ventilation as part of the original equipment.

15 MR. SHORTALL: When you refer to exhaust ventila-
16 tion, what essentially are you talking about?

17 MR. MCGINLEY: Local exhaust ventilation.

18 MR. SHORTALL: Have there been any significant
19 advances in exhaust ventilation technology in -- let's see,
20 both of your plants were opened in the early sixties -- so
21 in the last 20 years?

22 MR. MCGINLEY: The principles of local exhaust
23 ventilation have been known ^{since} ~~for~~ I don't know when. That is
24 very basic engineering.

25 MR. SHORTALL: Okay. So the answer is no. On

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1 page 2 of the section of your statement covering the manu-
2 facturing process, you said that all cutting and machining
3 operations on the pipe are performed in the finishing depart-
4 ment, which contains an elaborate local exhaust system.
5 When was that local exhaust system installed in the finish-
6 ing department?

7 MR. MCGINLEY: When the plant was originally
8 designed. Actually, to elaborate on that answer, in our
9 two plants today, the exhaust ventilation systems that exist
10 are the same exhaust ventilation systems that were installed
11 in the plants when they were originally built. The only
12 additional ventilation that we have since that time is when
13 new processes possibly were added, and then we would put an
14 exhaust system in, in addition to a process piece of equip-
15 ment.

16 MR. SHORTALL: In the part of your testimony cover-
17 ing dust control history, on page 2, at the top of the page
18 you refer to the wet machine area. I wonder if you can tell
19 us whether the wet machine that you are referring to does the
20 same operation as the dry mixing system, or is that something
21 else?

22 MR. MCGINLEY: Well, the wet machine is the name
23 given to the pipe machine, which is the area where the mate-
24 rial is mixed with water. The dry mix at the beginning of
25 the wet process is mixed with water. The slurry that is

1 formed passes through vats. It is transferred onto a felt.
2 The sheet then rolls up to the front end of the machine, and
3 is wrapped around a steel cylinder in the formation of the
4 pipe.

5 I gave a diagram of that process earlier on.

6 MR. SHORTALL: Where on the diagram is the wet
7 machine that you are referring to?

8 MR. MCGINLEY: Where it says pipe machine, on the
9 middle section starting from the left side of the page.

10 MR. SHORTALL: Where on the diagram is the part
11 you described as the dry mixing area?

12 MR. MCGINLEY: On the top section to the right,
13 extreme right, designated "mixer."

14 MR. SHORTALL: Now, at the bottom of the first page
15 of the section in your testimony covering dust control
16 history, you note that it has recently been suggested that
17 by converting the dry mixing system to a wet mixing system,
18 you could significantly reduce employee exposure levels.
19 However, you note that your experience at CertainTeed does
20 not substantiate that. And you say that you get lower fiber
21 counts in your dry mixing area than at the wet machine area.

22 Just so the record is clear, the wet machine area,
23 however, is not a mixing area in the same respect that the
24 dry mixing area is, is it?

25 MR. MCGINLEY: That is correct, it is not.

1 MR. SHORTALL: Are you aware of other companies in
2 your industry that use wet mixing systems rather than dry
3 mixing systems?

4 MR. MCGINLEY: In the United States, they are all
5 dry mixing systems. In Europe, you see a lot of wet mixing.

6 MR. SHORTALL: Do you know whether the wet mixing
7 at those European companies has reduced asbestos dust levels
8 in comparison to those at dry mixing systems?

9 MR. MCGINLEY: I don't have access to their dust
10 measurement values. I do have visual observation. I form
11 opinions, but that is subjective. They are not, in my opin-
12 ion, as good as what we do.

13 MR. SHORTALL: Now, referring to one of your tables,
14 Table II, entitled "Cumulative Frequency," I wonder first
15 if you could tell us what was the cutoff date for 1984 data
16 that is referred to in that table?

17 MR. MCGINLEY: We have an industrial hygiene prog-
18 ram that is kind of ongoing. We do not do all our sampling
19 at one time. We sample by the plant people twice yearly at
20 each workstation. So by the time you get to June, we would
21 like to have the whole plant sampled once, and then from June
22 on, for the rest of the year, we would be working toward
23 sampling it the second time.

24 So I really don't have the breakdown of that data
25 with me.

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1 MR. SHORTALL: Not to put words in your mouth, but
2 then the answer is you don't know what the cutoff date for
3 1984 data is, is that fair?

4 MR. MCGINLEY: At the present time I don't know,
5 but I could find out and supply you that answer, if it is
6 meaningful.

7 MR. SHORTALL: Can you tell us when the plants,
8 that are identified as Plant A, B, and C, were shut down?

9 MR. MCGINLEY: Well, Plant A was shut down
10 approximately 1978. Plant B was shut down around 1980.
11 Plant C, about 1981, I believe.

12 MR. SHORTALL: So, for example, on Table II, the
13 data that is reported for Plant B for the period 1980 to
14 1984 actually refers only to 1980, is that true?

15 MR. MCGINLEY: That would be essentially correct.

16 MR. SHORTALL: And the data that is reported for
17 Plant C, for the period 1981 through 1984, only applies to
18 '81?

19 MR. MCGINLEY: That would be essentially correct.

20 MR. SHORTALL: Again, in Table II, you report data
✓ 21 for exposures less than 0.1 fibers per cubic centimeter^{et} and
22 less than 0.5 fibers per cubic centimeter. Do you have data
23 which covers up to and including 0.2 fibers per cubic
24 centimeter?

✓ 25 MR. MCGINLEY: We have the actual data^{from} for which

1 all these readings were taken. Yes, I would have that. It
2 wasn't broken down in this table, but the raw data exists.

3 MR. SHORTALL: Would you be able to supply a
4 column for the record that covers the data up to and includ-
5 ing 0.2, because that was one of the permissible exposure
6 limits that was mentioned in the notice?

7 MR. MCGINLEY: Yes, I will.

8 MR. SHORTALL: Another question having to do with
9 Table II. If you reported data for exposures up to and
10 including 0.5 instead of less than 0.5, would you agree that
11 the percent of employees exposed to no more than 0.5 would be
12 at least 96.4?

13 MR. MCGINLEY: Could you repeat the question,
14 please?

15 MR. SHORTALL: What I am trying to get at is the
16 way you present your data. You arrange it for exposure
17 levels less than .1 and less than .5 --

18 MR. MCGINLEY: No, I don't. It is equal to or
19 less than. That is kind of cheating with the equal sign
20 maybe.

21 MR. SHORTALL: Well, cheating is your categoriza-
22 tion. I just didn't see where it says equal there. So for
23 all of the data that is on here, where it says less than a
24 particular fiber concentration, it is less than and including?

25 MR. MCGINLEY: No. The title says percent equal

1 to or less than. The first column it is less than .1. Then,
2 we go equal to or less than in the remaining categories.

3 MR. SHORTALL: Okay. So the table indicates that
4 96.4 percent of your employees at Plant E were exposed to
5 .5 or below?

6 MR. MCGINLEY: It says 96.4 percent of the samples
7 that we have taken at those workstations were equal to or
8 less than .5.

9 MR. SHORTALL: Okay. Thank you. On the page
10 which follows Table II, in the paragraph at the bottom, about
11 the middle of the paragraph, you note that you are trying to
12 improve hood design and you are now experimenting with a
13 new concept of cutting pipe. I wonder if you can tell us
14 what this new concept is.

15 MR. MCGINLEY: We have a specifically troublesome
16 location in our saws where we have to trim pipe. We have not
17 been too successful at getting substantially consistently low
18 readings. When I say "consistently low," I define it as
19 something less than .5.

20 We tried to attack it from instead of using a saw,
21 to go to a machine tool operation. In our industry, you
22 don't go out and buy equipment. You build it, develop it,
23 innovate, and it is an evolutionary process.

24 So we started to develop a piece of equipment that
25 would cut it with a tool, and quite frankly, it is presently

1 under evaluation. Early indications are we have improved the
2 dust level measurement, and we have created a noise problem.
3 So I have solved one problem and created another. But we
4 constantly work in these areas to take the highest levels
5 that we have at a plant, within an operation, and then we
6 concentrate our efforts on getting that location substan-
7 tially improved.

8 Then, we will go to the next highest reading that
9 we still have in the plant, and work on that. It is just
10 an ongoing day-in, day-out process.

11 MR. SHORTALL: Approximately how long have you
12 been experimenting with this method?

13 MR. MCGINLEY: We started talking about it probably
14 about nine months ago. We got something that we could do a
15 check on about, oh, early this year, and it is presently
16 under evaluation.

17 MR. SHORTALL: Continuing on your section called
18 current best practices, you cite some data on page 2,
19 monitoring results for 1983. It is the bottom paragraph on
20 page 2.

21 First of all, can you tell us whether those monitor-
22 ing results are from your Riverside plant, or your Hillsboro
23 plant?

24 MR. MCGINLEY: I can't tell for certain. I believe
25 them to be Riverside.

1 MR. SHORTALL: Are the results that are reported
2 as time weighted averages -- excuse me -- how many employees
3 would be subjected to air sampling at Riverside?

4 MR. MCGINLEY: We do not monitor employees per se.
5 We monitor workstations. Employees constantly bid on dif-
6 ferent jobs, so there is no way of telling on a given day
7 where an employee is going to be working. So what we do is
8 monitor an employee when he is at that workstation.

9 If we are monitoring that same workstation the
10 second time during the year, we make sure there is a different
11 employee at that job, so we can get as good a cross section
12 as possible.

13 MR. SHORTALL: What are some of the areas that, in
14 your experience, have the highest exposure levels? What are
15 some of the job titles, job positions?

16 MR. MCGINLEY: Basically, our saw operations con-
17 cern me the most.

18 MR. SHORTALL: I would like to direct your atten-
19 tion to something that was introduced into this record by a
20 witness last week. I believe Mr. Hardy had a copy of that
21 this morning. It is a letter from Mr. E. J. Lamoureau --
22 or rather to Mr. E. J. Lamoureau. The exhibit number is
23 Exhibit 225. It is a letter to Mr. E. J. Lamoureau who
24 represents employees at the Riverside plant, and it is from --

25 MR. MCGINLEY: Mr. Lohuis.

1 MR. SHORTALL: Mr. Lohuis. And it is dated
2 November 23rd, 1983. I guess the first question is, have
3 you seen a copy of that? Did Mr. Hardy show that to you?

4 MR. MCGINLEY: I saw a copy of it when it was
5 submitted to Ernie, Ernie Lamoureaux.

6 MR. SHORTALL: Are you familiar with what is
7 attached, with the sampling data that is attached to the
8 letter?

9 MR. MCGINLEY: Generally.

10 MR. SHORTALL: Just for the record, the letter is
11 the company's response to a request made by the union on
12 November 4 for dust exposure data for asbestos for 1981,
13 1982, and 1983 to present.

14 Attached are samples listed together with the
15 dates, the job titles, and then the samples recorded for
16 different time periods.

17 I am wondering, first of all, you, in your state-
18 ment, note that monitoring results for 1983 for the position
19 of machine tender show a high value of .5 and a low value of
20 .068. You don't have a copy of this in front of you, do you?

21 MR. MCGINLEY: No, but if you give me some time,
22 I might be able to dig one out. I have a lot of data with
23 me.

24 JUDGE MAHONY: Do you have a question?

25 MR. SHORTALL: Yes.

CTD005855

EXECUTIVE COURT REPORTERS

(301) 565-0064

222

1 JUDGE MAHONY: Why don't you ask him the question,
2 and then see where we go?

3 MR. SHORTALL: He needs to read it, I think.

4 Now, on the attached air sampling results, I
5 believe that samples for machine tenders are listed in five
6 places, and the readings are: .129, .074, .068, .050, and
7 .045. Thus, according to the data that is recorded by Mr.
8 Lohuis, the high value for machine tenders was .129 rather
9 than .5. The low value was .045 rather than .068. The range
10 of exposures for machine tenders, the difference between the
11 high and low was only .08 rather than .432.

12 I guess my question is, do you have any reason to
13 doubt the data that is reported by Mr. Lohuis to the union?

14 MR. McGINLEY: Well, first, I see this data is
15 generally done in March and April, and does not seem to
16 include data. The counts for March and April would be during
17 the first half of the year, and don't show you the counts
18 for the second half of the year. We count twice at each
19 plant, twice a year. So that may account for it.

20 Mr. Lamoureaux did not write to me for the data.
21 He wrote to the plant. I am really not responsible. I mean
22 the plant reports to me, but I have no control over when
23 they send something like that. I don't hinder any communica-
24 tion between the plant and the International.

25 MR. SHORTALL: But just to finish off the loose

1 ends, do you have any reason to doubt the data that is
2 reported here?

3 MR. MCGINLEY: No.

4 MR. SHORTALL: Thank you. Is there any other air
5 sampling that is conducted besides the two semiannual samples
6 by plant personnel and the annual sampling by corporate
7 personnel?

8 MR. MCGINLEY: Yes. We will do what I refer to as
9 engineering sampling. As we work on the development of a
10 piece of equipment, we will sample the results of any modi-
11 fications we made to something to see if we made any
12 progress in our modifications.

13 MR. SHORTALL: You note on page 2 of the part of
14 your statement covering other worker protection measures,
15 the CertainTeed treats the entire plant as a regulated access
16 area. Do you provide showers for all of your employees?

17 MR. MCGINLEY: We have a shower room. We do not
18 make it mandatory that they take a shower.

19 MR. SHORTALL: To your knowledge, do all of your
20 employees take showers at the plant before they go home?

21 MR. MCGINLEY: I don't know that. I have no way --
22 I never checked on it.

23 MR. SHORTALL: What sort of protective equipment
24 do you require your employees to wear?

25 MR. MCGINLEY: Doing what? Generally, we have

CTD005857

EXECUTIVE COURT REPORTERS

(301) 565-0064

224

1 safety shoes are mandatory in the plant. Depending on the
2 job they were doing, they could wear goggles, they could be
3 wearing respirators, they could be wearing special clothing.

4 MR. SHORTALL: What kind of special clothing?

5 MR. MCGINLEY: If somebody was doing maintenance
6 work in an area where they would be -- or even operations
7 in an area where we thought they could be exposed to the
8 potential of dust accumulation on their clothing, that indi-
9 vidual would be issued company clothing.

10 MR. SHORTALL: Have you ever done any air sampling
11 during maintenance operations?

12 MR. MCGINLEY: Yes, we do air sampling in the
13 Maintenance Department. You know, maintenance can cover such
14 a wide variation of things. We do eight-hour sampling gen-
15 erally -- actually, the sampling probably is closer to seven
16 hours, but that maintenance man is generally not on one job
17 for an eight-hour period. He could be on half a dozen dif-
18 ferent jobs.

19 MR. SHORTALL: Well, let me ask you this. On
20 page 2 of the part of your statement covering other worker
21 protection measures, where you are talking about respirator
22 programs, you note that mandatory wearing of respiratory
23 protection is required only for special operations where
24 the possibility of excess exposure may occur, such as
25 maintenance and cleanup operations involving asbestos

1 containing materials.

2 Have you ever done any air sampling during the
3 course of the maintenance operations that you are referring
4 to there?

5 MR. MCGINLEY: I presume we have, but I have no
6 knowledge of it at the present time.

7 MR. SHORTALL: Have you ever done any air sampling
8 during the cleanup operations that you are referring to
9 there?

10 MR. MCGINLEY: Here, again, I could not cite any
11 specific data, but I am sure we have.

12 JUDGE MAHONY: Do you have much more, Mr. Shortall?
13 You have been going about 40 minutes with this witness.

14 MR. SHORTALL: Well, I am afraid I do.

15 JUDGE MAHONY: Well, I am afraid you are going to
16 have to really get to the point, because a lot of this is not
17 too terribly enlightening I don't think. I am really going
18 to cut you short.

19 MR. SHORTALL: Okay.

20 MS. NASH: Your Honor, we wish to perhaps register
21 an objection to that characterization of Mr. Shortall's
22 questions.

23 JUDGE MAHONY: Well, you can object all you want,
24 but it is twenty to 6:00, and we have been here a long time,
25 and I still think the questions could be a little more

1 pointed than just to reinforce what has already been testi-
2 fied to.

3 MR. SHORTALL: Have you done any area monitoring
4 in your locker areas?

5 MR. MCGINLEY: Not that I am aware of.

6 MR. SHORTALL: What considerations led you to
7 conclude that at the levels of exposure encountered in your
8 plant today, separate change rooms and mandatory showers are
9 not necessary? That is a statement you make at the bottom
10 of page 2.

11 MR. MCGINLEY: We feel that the operation is a
12 very clean operation. There is no visible dust on people's
13 clothing. I know when I am at the plant, I don't feel that
14 I am any more contaminated or dirty at the end of a day than
15 I would be if I was sitting in this room.

16 MR. SHORTALL: Okay. On turning the page to the
17 section on worker protection, you note that you operate two
18 plants that have been in operation since '61 and '64,
19 which presumably are the Hillsboro and Riverside plants.
20 And you say, "At the present time we are not aware of any
21 asbestos-related disease cases in either of these plants."

22 Are you aware of any asbestos-related disease cases
23 at any of the three other plants that have been shut down?

24 MR. MCGINLEY: I am aware that we have some, yes.

25 MR. SHORTALL: Can you elaborate on that a bit? I

1 mean what kind of cases?

2 MR. MCGINLEY: I am not qualified to speak to that
3 subject. I am just aware due to my position as Vice Presi-
4 dent of Operations, that we do have litigation going on
5 involving former employees. It seems to be standard practice
6 for the lawyers to contact the employees as soon as they
7 retire or leave.

8 MR. SHORTALL: How many former employees?

9 MR. MCGINLEY: How many former employees what?

10 MR. SHORTALL: How many former employees apparently
11 are asserting that they have suffered asbestos-related disease
12 in the three plants that have closed down?

13 MR. MCGINLEY: I couldn't speak to that subject. I
14 am not qualified to. I can get you that information if that
15 seems important to you.

✓ 16 MR. SHORTALL: Okay. That would be useful. Thank
17 you. Can you approximate for us what your turnover rate is
18 for employees who leave within the first six months of em-
19 ployment?

20 MR. MCGINLEY: I am not sure I understand your
21 question.

22 JUDGE MAHONY: Would you say that again, the turn-
23 over rate for the employees that leave in the first six
24 months?

CTD005861

25 MR. SHORTALL: Right. What percentage -- you give

1 turnover rates for different groups of employees here.

2 JUDGE MAHONY: What page is it on in the testimony?

3 MR. SHORTALL: I am looking for it now.

4 MR. SAMPSON: Are you talking about the first page
5 of the section entitled "Worker Protection?"

6 MR. SHORTALL: Right. You say that your turnover
7 rate is highest for employees under 30 years of age and
8 five years of service. I am wondering how many employees --

9 MR. MCGINLEY: It depends on the economic times.
10 It depends on the unemployment rate. You know, you have to
11 be a little more specific, and I don't have those figures at
12 my fingertips. I certainly will take note of it, and supply
13 you with data if you tell me what specifically you are after.

14 MR. SHORTALL: Well, I am asking that in connection
15 with your belief you state later on in your testimony that
16 medical exams should only be provided after six months or
17 something. I will have to get the page.

18 (Pause.) Well, what exactly do you mean when you
19 say, on page 3 of the section entitled "Ancillary Provisions
20 of the Proposal," at the bottom of the page, "We believe
21 a six-month interval for preplacement physicals, as suggested
22 appears reasonable?"

23 MR. MCGINLEY: We presently give people a physical
24 when we hire them. Everybody is given a preplacement physi-
25 cal. In the OSHA proposal, I believe they mentioned having

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1 a physical within six months after hire. I never really
2 gave it much thought until I read about it. We were always
3 used to giving physicals as soon as we hire somebody. It
4 started us thinking that maybe that is a good way to go.

5 MR. SHORTALL: On page 2 of the section covering
6 proposed PELs, you state that there is general bias in the
7 data in that the majority of the corporate results tend to be
8 higher. Several members on the panel used the word "bias."
9 What do you mean by the use of "bias" there?

10 MR. MCGINLEY: Well, we compare readings. If you
11 look on the submission on the following pages, we have done
12 evaluations where we have taken interlaboratory comparisons,
13 where we would take the plant reading -- I am looking at
14 Figure 1 on the next page, following the one that you were
15 just discussing -- we would take plant readings, and then
16 we would have the plant send the filter to the corporate labs.

17 We would have the corporate people take a segment
18 and read it. Then, we started comparing this data on these
19 scatter diagrams, and it appears that we tended to get
20 higher readings in some cases, you know, in the corporate
21 analysis than we did in the plant analysis. CTD005863

22 We noted so far that the only difference is that
23 the corporate people use one type of microscope, and the
24 plant people use another. In putting this data together,
25 this was something that started to become apparent. When we

1 were meeting the 2 fiber level, I really wasn't too concerned
2 in variations between plant and corporate reading, but as we
3 get down lower and lower, our data indicates that as we get
4 under the .5 fiber level, we tend to get wide variations.
5 The only thing I could attribute it to would be possibly
6 microscope differences.

7 But then again, I am not really qualified, nor have
8 we done any kind of in-depth analysis of this problems. It
9 was really a question that developed in our minds as a result
10 of putting some data together.

11 MR. SHORTALL: Do you know why the corporate people
12 use a different kind of microscope than the plant people?

13 MR. MCGINLEY: I know how it came about. When we
14 started our industrial hygiene program in the early '70s,
15 we were instructed to buy one type of microscope, and one
16 of the plants couldn't get that, and he bought another manu-
17 facture. That plant shut down, and that microscope went to
18 corporate. So it is just a difference in two different micro-
19 scopes.

20 MR. SHORTALL: Thank you. Mr. Hutchins, on page 4
21 of your written statement, you refer to damage in the fiber
22 receiving and storage area. You say, "Any minor damage is
23 repaired by vacuuming spilled fiber." How often does this
24 minor damage which requires vacuuming occur?

25 MR. HUTCHINS: It is very infrequent.

CTD005864

EXECUTIVE COURT REPORTERS

(301) 565-0064

231

1 MR. SHORTALL: Do you mean once a week, once a
2 month?

3 MR. HUTCHINS: Well, we receive fiber in probably
4 one truckload a week, so, no, I would say probably once a
5 month.

6 MR. SHORTALL: What sort of protective equipment
7 is worn by employees who clean up the results of minor
8 damage?

9 MR. HUTCHINS: Respirators.

10 MR. SHORTALL: What kind of respirators do they
11 wear?

12 MR. HUTCHINS: They are the single-use respirators,
13 3M. We also supply -- all of our employees are supplied with
14 uniforms. They are given five sets of uniforms a week.
15 We have disposable uniforms also, if they were to have a
16 major spill. But I haven't seen a major spill in a very
17 long time. The last one came about as the result of a rail-
18 car being wrecked on the way down to the plant, and when
19 we opened it we had a mess.

20 MR. SHORTALL: On page 5 of your written statement,
21 about the middle, you refer to both economics and an EPA
22 requirement forcing you to have full recycle of whitewater.
23 What economic factors contributed to your decision to re-
24 cycle the whitewater?

25 MR. HUTCHINS: To make our grades of so-called

CTD005865

1 purified electrical paper, it is very important that we
2 retain as much of the fiber fines and also as a result of
3 being sold^[by Johns-Manville] fiber to us became much more costly. Therefore,
4 it became economically desirable to retain as much of the
5 fiber fines as possible.

6 In our process, fiber slurry is about 95 percent
7 through a -200 mesh screen. We lose an awful lot in the
8 so-called whitewater. In the close-up of the plant, we are
9 allowed no process outflow from the plant. We jumped from
10 probably about 55 percent the normal first-pass up to about
11 85 percent first-pass.

12 Basically, it created an awful lot of high fiber
13 mist. It was necessary to use this whitewater in mold
14 showers, in edge deckels, in all dilution steps, and the
15 cascading and the splash-offs, and so forth, put into the
16 air a very high percentage of high fiber content mist.

17 MR. SHORTALL: Do you know what the asbestos
18 content of the high fiber mist is?

19 MR. HUTCHINS: All I can tell you is that we get
20 readings around the machine that are consistently in the
21 2 fibers per cc range.

22 MR. SHORTALL: But that is not the -- that is the
23 mist that you are describing there?

24 MR. HUTCHINS: It is from the mist. If you look
25 around the machine, you will have, where that can deposit,

CTD005866

1 you have a gel-like, colloidal accumulation, and it has
2 basically forced us to put shielding, fully enclosed molds.
3 We are a long way from complete in that area.

4 MR. SHORTALL: You present some data beginning on
5 page 11; I wonder first if you can tell us what is the
6 significance of the information reported under the column
7 System Changes in relation to the exposure data that is
8 reported in these tables?

9 MR. HUTCHINS: Just trying to see if there was any,
10 so that each time a change was made, did it really influence
11 the readings. In some cases, there were indications it did;
12 in others it was a toss-up.

13 MR. SHORTALL: I thought that was probably what you
14 were doing, and I am trying to get through this as fast as
15 I can. However, there are several places where you refer
16 to system changes, and I am wondering if they are the same
17 systems that you refer to earlier on page 9, where you
18 describe the cost of equipment purchases that you have made.

19 MR. HUTCHINS: Yes, but that cost, as I state at
20 the bottom, the initial cost of the equipment is nothing in
21 comparison to the fiddling around that you have to do to try
22 to get it to work, and the changes and rechanges.

23 MR. SHORTALL: I understand that. Actually, what
24 I am trying to get at, though, is --

25 MR. HUTCHINS: To answer, yes.

CTD005867

1 MR. SHORTALL: For example, on page 11, you refer
2 to, in connection with the tests on February 5, 1979, you
3 refer to a system change, a block breaker system, and I am
4 wondering, is that different than the fiber block opener?

5 MR. HUTCHINS: Right. That is the same.

6 MR. SHORTALL: That is the same.

7 MR. HUTCHINS: Right.

8 MR. SHORTALL: The fiber block opener, if I read
9 this correctly, the information on page 9, was not completed
10 until July of '79.

11 MR. HUTCHINS: We installed that thing and initial-
12 ly, after about a week of operations, we destroyed the drive
13 on it. It went through half a dozen rebuilds, and it is
14 still far from perfect. It takes these one cubic foot,
15 100-pound high density blocks that are like rocks. They
✓ 16 go up a conveyor under a hooded exhaust system, drop^s into
✓ 17 the block breakers, and then drop^s directly into a regular
18 old type beater or a high-agitation pulper.

19 The high-agitation pulper works very nicely, but
20 in the old beater that breaks it down into pieces that big
✓ 21 *(indicating a 3-4 inch diameter object)*
that go right to the bottom, as if there were rocks, we are
✓ 22 *still playing with the system.*

23 MR. SHORTALL: In the interest again of time, I
24 wonder if you can just clarify, on page 12, where you refer
25 to the system change, whitewater showers installed --

CTD005868

EXECUTIVE COURT REPORTERS

(301) 565-0064

235

1 MR. HUTCHINS: What it's looking for there is where
2 we added these whitewater showers, and became immediately
3 aware of the mist that was high in fiber content, and expected
4 to see higher numbers.

5 MR. SHORTALL: But are those whitewater showers
6 the same as the whitewater showers that are listed on page 9?

7 MR. HUTCHINS: I purchased probably about three or
8 four different whitewater shower systems, but they are the
9 more expensive ones, yes.

10 MR. SHORTALL: And also on page 12, under System
11 Changes, you refer to a dryer dust collector. Is that the
12 same thing as the PM dryer Yankee dust collector?

13 MR. HUTCHINS: Yes.

14 MR. SHORTALL: And on page 13, the System Change,
15 mist shield installed. Is that the same as the whitewater
16 mist shields that are listed on page 9?

17 MR. HUTCHINS: For the millboard machine.

18 MR. SHORTALL: And the baler that you refer to on
19 page 14, is that the same as the scrap baler listed on
20 page 9?

21 MR. HUTCHINS: Right.

22 MR. SHORTALL: And on page 15, the vacuum roll
23 cleaners, is that the same as the vacuum cleaner roll clean-
24 ing that is listed on page 9?

25 MR. HUTCHINS: Yes.

CTD005869

1 MR. SHORTALL: While we are on page 15, you have
2 noted that Manville sold the plant to Quin-T sometime around
3 1975. Why was Manville in the plant taking tests in October
4 of '83?

5 MR. HUTCHINS: We buy, or our major supplier is
6 Johns-Manville. We buy glass fiber from them, among other
7 things. We are probably one of the -- not only this plant,
8 but the Erie plant -- we are a major buyer of asbestos and
9 glass from them. They came in to make readings on glass
10 exposure, and at the same time, made asbestos tests.

11 We can get the same periodic service from our
12 insurance company, Wassau. They will come in a couple times
13 a year at no cost to us, but if we ship samples to them --
14 we have our own pumps -- we will make tests and ship them
15 to them for analysis. We pay for that service.

16 JUDGE MAHONY: Do you have much more, Mr. Shortall?

17 MR. SHORTALL: Not too much more, Your Honor.

18 On the bottom of page 17, where you are describing
19 current best practices, and you refer to a pulper system.
20 You already have a pulper system in operation?

21 MR. HUTCHINS: Yes, but I would love to have some-
22 thing that will allow me to more efficiently pulp scrap.

23 MR. SHORTALL: Is that the scrap pulper that was
24 installed in October of '78?

CTD005870

25 MR. HUTCHINS: That was a small unit, yes.

1 MR. SHORTALL: And on page 18, you are discussing
2 the cost of a system under paper machiner dryers?

3 MR. HUTCHINS: Right.

4 MR. SHORTALL: Is that generally the same system
5 as your Yankee dust collector?

✓ 6 MR. HUTCHINS: Yes, but it is extending it ^{to} ~~two~~ ² addi-
✓ 7 tional operations anyplace you have a (docter) blade on a
8 dryer drum. Sp?

9 MR. SHORTALL: Under Part 5, covering dry end,
10 are the slitters you are referring to there essentially the
11 same as the slitter dust collector?

✓ 12 MR. HUTCHINS: No. There is on the end of the paper
13 machine a winder ^{on which} ~~that~~ edge trimming is done.

14 MR. SHORTALL: Is the slitter that you are referring
15 to on page 18 essentially the same as the piece of equipment
16 called slitter dust collector, which is on page 9, or is it
17 different?

18 MR. HUTCHINS: Where are you? You are on the dry
19 end. No, that is referring to our so-called Cameron winder,
20 or winder slitter on the end of the paper machine. We take
21 it off the machine, and we slit tapes down a quarter-inch
22 wide for a range of applications. That has a dust collecting
23 system on it. This particular unit does not. CTD005871

24 MR. SHORTALL: And the Cameron device that you
25 refer to, that is not listed under the equipment on page 9,

1 is it?

2 MR. HUTCHINS: Right, it isn't.

3 MR. SHORTALL: A few questions about your hiring
4 policy with respect to nonsmokers. First of all, how do you
5 determine that a job applicant is a nonsmoker?

6 MR. HUTCHINS: You ask them. You ask them to sign
7 a statement, but again, you look at them. Invariably,
8 coming into our office, anybody that has smoked, excuse me,
9 but you can smell them immediately. That is not always so,
✓ 10 and there ^{are} ~~is~~ always those coming in that ^{say} ~~yes~~, we gave it up
✓ 11 yesterday." Most of them are more ingenious than that. "We
12 gave it up a week ago."

13 We have had a pretty good record of hiring people
✓ 14 that do not smoke. We have probably hired, say, ~~hired~~ 20
15 people, in a quick estimate, that we have had to get rid of
16 three that we caught smoking after they said they didn't.

17 MR. SHORTALL: Have you ever reject a job applicant
18 on the basis that he was a smoker?

19 MR. HUTCHINS: Yes, every day of the week.

20 MR. SHORTALL: Do you rely on any legal authority
21 in enforcing this ban against hiring smokers?

22 MR. HUTCHINS: We have used legal advice in doing
23 this.

CTD005872

24 MR. SHORTALL: Do you know specifically what the
25 basic of the legal advice was? I mean what the statute was.

1 MR. HUTCHINS: We handle it by falsifying a job
2 application, not -- I mean if he says he doesn't smoke, and
3 we find out he does, and he signs that statement on the job
4 application, he is falsifying a job application.

5 MR. SHORTALL: Are you aware of any legal authority
6 that supports your right to not hire smokers?

7 MR. HUTCHINS: The only thing that we have obtained
8 legal advice -- I am out of my element if you want to know
9 the truth.

10 MR. SHORTALL: Has your policy of rejecting appli-
11 cants who smoke ever been challenged?

12 MR. HUTCHINS: No.

13 MR. SHORTALL: After a person has been hired, do
14 you continue to insist that he or she not smoke at all?

15 MR. HUTCHINS: Absolutely.

16 MR. SHORTALL: What measures do you take to assure
17 that your no smoking rule is being faithfully observed by all
18 your employees?

19 MR. HUTCHINS: Observation.

20 MR. SHORTALL: Do you observe them off the job, as
21 well?

22 MR. HUTCHINS: If one of our supervisors saw this
23 guy smoking -- person smoking off the job, we would tend to
24 fire them, yes. CTD005873

25 MR. SHORTALL: Does the no smoking policy apply to

all positions, hourly and salaried, in the plant?

MR. HUTCHINS: Yes. Realize, though, that we, as we put this ban in -- it was under Johns-Manville -- we have 10 people that do smoke. We have a hard job keeping control of that. They don't smoke in the plant except I know different because you can occasionally find on the roof, or on the back deck, and so forth, cigarette butts that says yes, they have been ^{smoking} there.

We also don't allow anybody coming into the plant in the line of a contractor or visitor, or anybody else, to smoke in the plant. That isn't as bad as it sounds. In the plant they never were allowed to smoke in any of the operating areas from the day it was put together. They were allowed to smoke only in the lunch rooms or locker rooms.

MR. SHORTALL: My last questions have to do with lockers. On the bottom of page 20, you note that your employees each have two lockers. I am wondering if they are side by side, or in separate locations.

MR. HUTCHINS: Yes, they are, they are side by side.

MR. SHORTALL: What procedures do you have to assure that employees do not take clothing, shoes, or other gear home from the plant?

CTD005874

MR. HUTCHINS: Because we supply each of them five uniforms each week, meaning that they have got five sets of clothes, and those clothes are marked with our labels and

1 so forth. They don't take those home.

2 MR. SHORTALL: How about shoes or other gear?

3 MR. HUTCHINS: I would suspect that their shoes,
4 and so forth, go home with them.

5 MR. SHORTALL: I am sorry?

6 MR. HUTCHINS: I would suspect -- I know their
7 shoes go home with them. We supply shoes to a number of
8 people, but they are not in the asbestos area; they are in
9 saturator area where anti-static sole shoes are necessary.

10 MR. SHORTALL: Thank you. That is all I have, Your
11 Honor.

12 JUDGE MAHONY: I think in fairness to the other
13 people, since the Government took over twice the time they
14 announced, that the others should at least have an opportunity
15 to ask their questions.

16 Mr. Adams, would you like to come up?

17 MR. ADAMS: I will try to be brief. First of all,
18 just a general question for the panel. Does any company
19 represented on the panel engage in directly installing
20 asbestos-containing products in the workplace?

CTD005875

21 MR. NETTER: No.

22 MR. ADAMS: In other words, do you go out and
23 install any of the products that you sell, that you rely on
24 other people to buy your products and you install them?

25 JUDGE MAHONY: Is the answer for everybody?

1 MR. NETTER: Nobody on this panel.

2 JUDGE MAHONY: The answer is no.

3 MR. ADAMS: Do any of the panelists' companies
4 conduct routine monitoring of the work practices of workers
5 installing products purchased from your company? Do you
6 have any programs in place, any of you have programs in place
7 to go out and see how your products are installed, to see
8 what kind of work practices are used?

9 MR. MCGINLEY: CertainTeed does not.

10 MR. HUTCHINS: We supply monitoring pumps to people
11 who use our products, but it would be us peddling a paper,
12 a (Sorgall) heavy-duty GE, and so forth, and they would use
13 the pumps to run a test. We would get a sample submitted to
14 a lab for testing.

15 MR. ADAMS: I think the rest of my questions are
16 for Mr. Netter. Your company is Supradur?

17 MR. NETTER: Supradur.

18 MR. ADAMS: Could you describe the composition and
19 characteristics of the cooling tower fill on page 1 of your
20 written testimony? What does that look like?

21 MR. NETTER: Essentially, that is an asbestos
22 cement sheet that is either texture or corrugated. It's a
23 regular -- if you have ever seen a flat sheet --

24 MR. ADAMS: It's a variation, then, of a flat
25 sheet?

CTD005876

1 MR. NETTER: Yes.

2 MR. ADAMS: On page 5, you say that work practice
3 pamphlets have been developed by the industry, and copies of
4 work practices are available. Are these work practices in-
5 cluded in the record, have you submitted them?

6 MR. NETTER: No, I have not.

7 MR. ADAMS: Are they published or copyrighted?
8 in any way?

9 MR. NETTER: I don't know whether they are.

10 MR. ADAMS: The question I am really getting at,
11 the A-C pipe producers have a recommended work practices
12 guide. I am asking if the people who manufacture -- you
13 manufacture flat sheets, cooling tower fill, and other spe-
14 cialized products, if you have a work practices guide similar
15 to what the A-C pipe producers have.

16 MR. NETTER: Different manufacturers have developed
17 their own work practice guidelines and work practice guide
18 that they supply, and I believe the Asbestos Information
19 Association has, as well. CTD005877

20 MR. SAMPSON: I believe that is correct, also.
21 We will be happy to try to put that together for you.

22 MR. NETTER: We can collect them if you would like.

23 MR. ADAMS: Thank you. On page 3, at the top of
24 the page, first paragraph, you have got a statement there,
25 "In normal use, no measurable amounts of asbestos should be

1 released over time." Could you give me your characteriza-
2 tion of "normal use?"

3 MR. NETTER: In the case of roofing or siding,
4 for example, or flat sheets sitting there being exposed to
5 the weather is considered to be normal use.

6 MR. ADAMS: Would your definition include the
7 removal, renovation, or repair of the product?

8 MR. NETTER: No, it does not.

9 MR. ADAMS: Do your recommended work practices
10 cover removal, repair, or renovation?

11 MR. NETTER: No, it does not.

12 MR. ADAMS: Could I ask the AIA if yours do?

13 MR. SAMPSON: I believe that is also the case
14 with the AIA. I would rather let the document speak for
15 itself.

16 MR. ADAMS: On page 4, at the bottom, you refer
17 to special tools that have been developed for use in the A-C
18 sheet industry. How do the primary installers learn of these
19 special tools and the work practice required with these
20 special tools?

CTD005878

21 MR. NETTER: Certainly in the case of Supradur and
22 the tools that we advocate using, it is part of our standard
23 literature package that would be used for promotional pur-
24 poses or installation purposes. We recommend the use of cer-
25 ✓ tain equipment, and we also sell ^{the} ~~that~~ equipment that we

1 recommend be used.

2 MR. ADAMS: So you sell the tools to go with the
3 material?

4 MR. NETTER: Yes. The tools are not manufactured
5 by us.

6 MR. ADAMS: On page 5, does the label describe the
7 lung and cancer hazard that may result from improper work
8 practices in tools?

9 MR. NETTER: No, it does not.

10 MR. ADAMS: Could you give me the specific language,
11 or as close as possible to what the specific language of that
12 label is?

13 MR. NETTER: It includes the contents of the
14 product, it includes the proper storage of the product, and
15 certain other installation instructions.

16 MR. ADAMS: It is not intended, then, to advise the
17 workers or the installers?

18 MR. NETTER: No, I answered the question in the
19 negative when you asked it the first time.

CTD005879

20 MR. ADAMS: I am sorry. I won't harass you.
21 These labels, are they visible after the product is installed?

22 MR. NETTER: No, they are not.

23 MR. ADAMS: How do the workers involved in renova-
24 tion, repair, and removal learn of the special tools and
25 work practices required to control asbestos dust release? In

1 other words, your product is installed and somebody is going
2 to come in and work on it later on, how do they learn of the
3 special tools and practices necessary to work on that partic-
4 ular product?

5 MR. NETTER: Concerning the repair of the product,
6 those are ordinarily the same people that install the product.
7 Concerning the demolition, that is a whole different industry.

8 MR. ADAMS: You didn't listen to me. I didn't say
9 demolition. I said renovation, removal and repair. Demo-
10 lition is not exactly the same thing as removal and repair.

11 MR. NETTER: Okay. I addressed myself to repair,
12 which is ordinarily the same people who install, and they have
13 the tools available to them.

14 MR. ADAMS: On renovation, where there is remodel-
15 ing work going on?

16 MR. NETTER: Renovation, to us, renovation means
17 adding. It doesn't mean taking siding off. In the event that
18 they took siding off, if they did not contact us, I have no
19 way of knowing how they would find out.

20 MR. ADAMS: At what point do you consider the
21 products you manufacture to become an installed product?

22 MR. NETTER: When it is on the structure, when it
23 is nailed to the structure.

24 MR. ADAMS: When it is finally fastened?

25 MR. NETTER: Yes.

CTD005880

1 MR. ADAMS: Could you generally describe the proper
2 procedure for removing installed asbestos, flat sheet, cor-
3 rugated sheets, and siding? Is there a general procedure for
4 the proper way of doing this?

5 MR. NETTER: Not in a formal manner, that I am
6 aware of. There are obviously good common sense things that
7 should be done, or not done. I have seen articles or pub-
8 lications basically telling you what should not be done,
9 which is throwing them down from the fifth floor into a pile
10 on the street, and letting a bulldozer run over it. I am not
11 aware of specific instructions that are used for demolition
12 purposes.

13 MR. ADAMS: Would you agree that during the instal-
14 lation of siding and sheets, the primary installer may have
15 to remove material immediately previously installed due to
16 mistakes or changes made in the building plan? This is not
17 an unheard of thing, where as you are installing new mate-
18 rial, mistakes are made, or the client decides to change his
19 mind and do something differently.

20 Do you have a procedure, do you know of procedures
21 for the removal of that material?

22 MR. NETTER: No, I do not.

CTD005881

23 MR. ADAMS: My last question. Does your company
24 and AIA consider the removal, renovation, and repair of your
25 installed products beyond their scope of responsibility?

1 MR. NETTER: I cannot speak for the AIA. For my
2 company, I would say yes, that it is beyond our scope.

3 MR. ADAMS: AIA?

4 MR. SAMPSON: I can't speak for AIA.

5 MR. ADAMS: Okay. Thank you.

6 JUDGE MAHONY: Thank you. Ms. Seminario?

7 MS. SEMINARIO: Peg Seminario from the AFL-CIO.

8 Mr. McGinley, on the section of your testimony that
9 deals with current best practices, you make the statement,
10 "In order to comply with a 0.5 fiber per cc standard, we
11 feel that we must be able to operate at the 0.25 fibers per
12 cc level with a high degree of consistency." What do you mean
13 by a "high degree of consistency?"

14 MR. MCGINLEY: I don't know if I can define that
15 to some numerical number. I just feel that we have to have
16 some values, in my judgment, to be 75, 80 percent of the time,
17 or even higher than that, at the 2 fiber level on all occa-
18 sions.

19 MS. SEMINARIO: The 0.25 fiber level?

20 MR. MCGINLEY: Generally, yes.

21 MS. SEMINARIO: A question on a couple of your
22 tables here. In Table I, you have laid out a summary of
23 your 1965 to 1972 exposure levels, and at least one, if not
24 two of those data sets were from OSHA inspections, is that
25 correct?

CTD005882

1 MR. MCGINLEY: Yes. One was in 1972, the first
2 and the fifth one.

3 MS. SEMINARIO: 1972. The samples from one of the
4 1972 exposures, the one marked 5 in the first column, had
5 levels of 94.38, 2.5, 40.19, do you know if that inspection
6 resulted in a citation from OSHA?

7 MR. MCGINLEY: No, I do not. I was not in my
8 present position at the time. I know about that. We were
9 unloading government surplus fiber that was sold to us by the
10 GSA out of their warehouse, and when it came in the bags were
11 all ripped. It happened to be we were getting an OSHA
12 inspection when that railroad car came in. That is the data
13 that we had in our files.

14 MS. SEMINARIO: During the time that you have
15 been with the company, can you tell me how many OSHA inspec-
16 tion you have had at your facilities? Have you had any?

17 MR. MCGINLEY: Oh, yes. I would only be guessing
18 how many. You are talking about industrial hygiene inspec-
19 tions?

20 MS. SEMINARIO: Let me be specific; to asbestos,
21 industrial hygiene inspections that evaluated, took samples
22 for asbestos exposure.

23 MR. MCGINLEY: No, I don't know the answer to that.

24 MS. SEMINARIO: Do you know if there have been any
25 citations, OSHA citations at all for overexposure to asbestos?

1 MR. MCGINLEY: Since when?

2 MS. SEMINARIO: Since 1976, with the 2 fiber
3 standard.

4 MR. MCGINLEY: I am not prepared to answer that
5 one. It would be a matter of record. I could research it
6 and supply you with that answer.

7 MS. SEMINARIO: If you could without a lot of
8 trouble.

9 MR. MCGINLEY: I am sure I could.

10 MS. SEMINARIO: You indicated that in preparing
11 your Table II, that that was based on raw sampling data.
12 In that table, the column marked sampling number, there are
13 different numbers that start with 144. Just a clarification.
14 Is that the actual number of samples that was taken? --

15 MR. MCGINLEY: Yes, that is the number of samples
16 that were taken in that time frame, not the sample number.

17 MS. SEMINARIO: You said that was prepared from
18 raw sampling data. For the period from 1981 to the present,
19 could you supply for the record the results of that sampling,
20 the actual data rather than just a summary table?

21 MR. MCGINLEY: Yes.

22 MR. SAMPSON: Excuse me. You want it from 1981 to
23 the present?

CTD005884

24 MS. SEMINARIO: Right.

25 Mr. Hutchins, as part of your testimony, you have

1 a table in here which lists historical sampling results.
2 These questions are really a matter of clarification. On
3 the page in your testimony, starting with page 11, the
4 column there that says, "PEL" and "Fibers per Centimeter,"
5 let's say for the first sample that was done 7-26-72, tested
6 by J.M., the PEL fiber per cubic centimeter was 2. Was that
7 column supposed to represent the OSHA standard at that time?

8 MR. HUTCHINS: Right, the 10 would be in the peak
9 levels.

10 MS. SEMINARIO: But the OSHA standard in 1972, I
11 believe was 5 -- 10 rather. Okay. Now, for these tests that
12 are not peak levels, would those be representative of 8-hour
13 TWA computations, or time weighted averages for the period
14 the sample was taken?

15 MR. HUTCHINS: Those are time weighted averages.
16 In other words, they are just to the eight hours. Very few
17 of them were actual 8-hour tests. They are anywhere from
18 -- if the exposure was high, or if the background dust was
19 high, they were cut short.

20 MS. SEMINARIO: But they were all adjusted to the
21 eight hours?

22 MR. HUTCHINS: They were all adjusted to an 8-hour
23 test, yes. .

24 MS. SEMINARIO: Was this all the sampling that was
25 conducted at your plant during this time period, essentially?

1 MR. HUTCHINS: There is a lot of extraneous sampl-
2 ing. We have four of our own pumps, and we are playing
3 around constantly, whenever you make a change, so we have a
4 lot of data that isn't in here, yes.

5 MS. SEMINARIO: Could you supply for the time
6 period of 1981 to 1984, your environmental monitoring sampl-
7 ing results?

8 MR. HUTCHINS: Right.

9 MS. SEMINARIO: You mentioned a policy in your
10 plant of not hiring smokers, or hiring only nonsmokers. Last
11 week we heard testimony from Dr. Irving Selikoff on the
12 question of the increased risk associated with asbestos
13 workers who smoke. Dr. Selikoff testified that in his
14 opinion, the workers at greatest risk were formerly exposed
15 workers, because the exposures had been very high.

16 According to a number of studies that he had
17 conducted, even in formerly exposed workers, if they stopped
18 smoking today before they had developed the disease, that
19 indeed the risk of developing the disease was reduced. It
20 didn't reduce back to the point of never being a smoker, but
21 it did reduce somewhat. CTD005886

22 In your company, do you have a policy or a program
23 to notify former workers, who have worked for your company,
24 to indicate the hazards of asbestos and to urge that they
25 get medical tests to determine risk and also to cease smoking?

1 MR. HUTCHINS: Specifically, no. I am looking back
2 at retirees that have gone out of the plant in recent years.
3 They have all had the training. They have all been given
4 that opportunity, I would say since 1975, under Johns-
5 Manville. So anybody from 1975 on up has been given a dog-
6 gone good background of influence of smoking on asbestos
7 exposure and a good go-around on quit now if you can.

8 We have gone through hiring a hypnotist that did a
9 good job initially on a lot of people. We have had the
10 lung society, Cancer Society in for talks, and Smoke Enders,
11 and have had people that it worked on for five or six
12 months, but pretty soon they are drifting back into it.

✓ 13 ^{answer} To ^{we never} specifically, ^{even} looked at that in detail, no.

14 MS. SEMINARIO: A question for all the panelists.
15 Do any of you include in your medical surveillance program
16 a notification and provision of medical exams for formerly
17 exposed workers, who were exposed to asbestos, who are no
18 longer employed at your facility?

19 MR. MCGINLEY: We contact, on a yearly basis, our
20 retired employees, and offer them physicals. At that time
21 we also remind them about smoking and its associations.

22 MS. SEMINARIO: Mr. Netter?

CTD005887

23 MR. NETTER: On an annual basis, when we have our
24 pulmonary function tests, we do invite retired employees. We
25 do not require it of them. We invited them to take part.

1 MS. SEMINARIO: Mr. Alexander?

2 MR. ALEXANDER: I am not aware of such a program.
3 We have only a very small fraction of our employees exposed
4 to asbestos.

5 MS. SEMINARIO: I would just like to follow up and
6 ask Mr. Netter and Mr. Alexander, for the same time period
7 I spoke about with the other gentlemen, 1981 to 1984, if you
8 could provide for the record the exposure monitoring results
9 for asbestos sampling that you have conducted.

10 MR. NETTER: Yes, ma'am.

11 MR. ALEXANDER: I will find out.

12 MS. SEMINARIO: Thank you very much. I have no
13 further questions.

14 MR. SAMPSON: Do you just want a tabulation of
15 the individual sample results? What exactly are you
16 interested in?

17 MS. SEMINARIO: Most of the data that has been
18 presented, both in your testimony and by a number of other
19 witnesses, has been in the area of ranges. It is sometimes
20 very hard to tell where things fall within those ranges
21 because of the cutoff points or the way the data is charac-
22 terized. By having a listing of exposure measurements it is
23 easier to see exactly what kind of exposures we are talking
24 about.

25 To the extent that the data is available currently

CTD005888

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255

1 and it would not be a lot of extra work by different times
2 of operations, it would be helpful. I am not trying to
3 create a lot of work for anybody.

4 MR. SAMPSON: I understand. I just wanted to be
5 sure that we would produce it in a way that would be meaning-
6 ful to you. You are interested in the individual readings,
7 8-hour TWAs?

8 MS. SEMINARIO: Eight-hour TWAs, or any short term
9 that you have, that would be by job classification.

10 MR. HUTCHINS: You realize that most of that kind
11 of data is already in these tables.

12 MS. SEMINARIO: I understand. If it is duplica-
13 tive, then I am not asking you to submit it, but any addi-
14 tional data that you have would be useful.

15 JUDGE MAHONY: Thank you, Ms. Seminario.

16 Ms. Nash?

17 MS. NASH: I have a few questions. I will try to
18 make it very brief.

19 I wonder if each of the panelists could quickly
20 tell us what the asbestos content of your product lines is,
21 the kind of asbestos it is, and whether that has always been
22 the case, or whether the asbestos fiber mix has changed over
23 over the last 10 years. CTD005889

24 MR. ALEXANDER: The asbestos content has been
25 quite stable over many decades. The asbestos in our product

1 is thoroughly encapsulated during the manufacturing process
2 and remains so. It has always been what is called "floats,"
3 and it is still that grade, although the makers tailor the
4 grades a little bit differently from year to year.

5 MS. NASH: Did you say it is floats?

6 MR. NETTER: It is Grade 7.

7 MS. NASH: Oh, it's a grade, but the fiber type is
8 chrysotile?

9 MR. ALEXANDER: We have been using Canadian as-
10 bestos for a very long time.

11 MS. NASH: Thank you. Mr. Hutchins?

12 MR. HUTCHINS: We use a range of fibers that go
13 from an Arizona 3Z chrysotile, paper asbestos 1 and 5.
14 Paper asbestos 1 is a 5K. 5 is a 7D. The products, we make
15 fuel cell diaphragm materials, NASA and others, that are
16 100 percent Arizona asbestos. We make 100 percent asbestos
17 millboards that go into anti-radar and so forth type bat-
18 teries, small volume.

19 We make papers that are 100 percent asbestos. They
20 come off the paper machine, but are saturated with silicon
21 and acetate, and so forth, that go into such things as self-
22 destruct labels on automobile engines, and this kind of thing.

23 We make a range of asbestos papers that are kraft
24 and starch-bonded that go into lens -- where you wrap the
25 bifocal lens and fuse it together, and on, and on. We have

1 about eight different basic formulas that go from 100 percent
2 asbestos to normally about 80 percent asbestos. Most of
3 our production is in the 80 percent asbestos. The materials
4 in that other than asbestos are about 10 percent of a rein-
5 forcing staple that could be ^{Nomet} ~~no mix~~, that could be poly-
6 ester, it could be rayon. It could be glass, and acrylon-
7 itrile latex.

8 MS. NASH: But it is chrysotile, also, various
9 grades of it?

10 MR. HUTCHINS: Right.

11 MS. NASH: When you talk of various grades, does
12 this have to do with the dimensional qualities of it?

13 MR. HUTCHINS: As you go from a 3 grade, you are
14 going from a fiber that is probably three-quarters of an
15 inch long down to a 7D, which gets you down into a fiber that
16 is -- oh, it has some quarter-inch fiber in it, but it is
17 more ^{than} 35 percent retained on a 200 mesh screen. That doesn't
18 tell you much, but -- it is relatively short.

19 When you get to his fiber, ^(indicating Mr. Alexander) it is deucedly short.

20 When you get to his, ^(indicating Mr. —) you are getting into the 4 grade fiber
21 I would suspect, way longer than anything I am using.

22 MS. NASH: What is the shortest fiber you use?

23 MR. HUTCHINS: That would be 4T floats -- 7T
24 floats, and so forth. I would be next in line.

25 MS. NASH: What does that mean?

CTD005891

1 MR. HUTCHINS: It is short, very short. If you
2 start with Number 1, you have got fiber going into very
3 high grade spinning operations, that could be up to 2 inches
4 long, but it will have some shorter fiber in it. That stuff
5 would probably be \$3,000 a ton. As you get into 2, it is
6 seldom used. 3 grade goes into special textiles. 4 grade
7 is asbestos cement, for the most part. 6 grade goes into
8 pipeline felts; 5 and 6, brake linings, clutch facings, this
9 kind of thing. 7 grade is floor tile. The shorter 7 grades
10 go into caulking compounds.

11 MS. NASH: Do you all use chrysotile asbestos?
12 Is that it exclusively?

13 MR. MCGINLEY: CertainTeed used chrysotile and
14 crocidolite.

15 MS. NASH: What is the percentage?

16 MR. MCGINLEY: Total asbestos, and A-C pipe varies
17 from 13 to 18 percent of the mixture by weight. It is
18 predominantly chrysotile. I can only speak for CertainTeed
19 here. We use something less than 20 percent crocidolite.

20 MS. NASH: Could you make it without using crocido-
21 lite?

✓ 22 MR. MCGINLEY: No. Well, let me ^{qualify} quantify that.
23 We cannot make it economically. If I don't keep up with my
24 production rates and other things, keep my specifications,
25 I in a sense don't have a product anymore.

1 MS. NASH: Thank you. Mr. Netter, you use chry-
2 sotile also?

3 MR. NETTER: Yes, only. Just to clarify to Mr.
4 Hutchins, asbestos cement is 5's, 6's, and 7's.

5 MS. NASH: Primarily my questions are directed to
6 Mr. Alexander and Mr. Netter, but if anyone else wants to
7 chime in, that's all right, also.

8 What kind of measurement programs do you have in
✓ 9 your plants, and do you measure workstations and employees
10 both, and what frequencies?

11 MR. ALEXANDER: We have purchased the pumps, and the
✓ 12 analytical lab provides the (filters). The pumps and the
✓ 13 filters are given to the foremen who are trained to use the
14 NIOSH method. They select the worst case men. The monitor-
15 ing is always done on a man for one day. We hope he works
16 a full eight hours, but on occasion they don't. We report
17 for the number of hours they do work.

18 The work schedule of these men can be highly
19 variable, and no one man spends full time on worst case
20 asbestos handling. They all have many other duties, but
21 they are monitored for their full shift.

22 MS. NASH: In other words, the day that monitoring
✓ 23 should be taking place, somehow the worst workstation will
24 be identified, and the person at that station gets monitored?
25 How do you do that?

CTD005893

1 MR. ALEXANDER: We don't have many men, and we
2 don't have many stations, so we pick the men that are on
3 that asbestos handling station.

4 MS. NASH: You said in your statement that only
5 five or six individuals work directly with asbestos. Is that
6 five to six out of 10 to 15 in a typical plant?

7 I am sorry. Would you refer to your oral statement?
8 There may be a typographical error. It's the first page,
9 face page. When you talk about the industry, "There are
10 approximately 20 major producers of asbestos coatings,"
11 and "A typical coatings plant" -- is that a typographical
12 error?

13 MR. ALEXANDER: A plant employing 10 to 15 workers
14 would have two to three individuals working directly with
15 asbestos. When I pick five or six, I pick a larger size
16 plant.

17 MS. NASH: So the plant size would range from
18 10 to 15 employees, and the direct asbestos-exposed popula-
19 tion would range from two to six?

20 MR. ALEXANDER: That is correct. CTD005894

21 MS. NASH: What do you mean by direct asbestos
22 exposure?

23 MR. ALEXANDER: Our monitoring shows that we pick
24 up TWAs above the limit of detection only if they ^[the workers] have been
25 actively handling asbestos, and there are only a few ways

1 that they can do it. The easiest way to actively handle
2 asbestos is to be opening the bags at the bag opening sta-
3 tion that we described earlier. These are manual bag open-
4 ing stations.

5 MS. NASH: Even in the new plant?

6 MR. ALEXANDER: The new plant has a manual bag
7 opening station, and the design of that station is so effec-
8 tive, we can maintain ^{exposure} at .5 PEL.

9 MS. NASH: What design attributes are there in
10 that new bag opening station that make it effective?

11 MR. ALEXANDER: The station is under negative
12 pressure. It has a front door, that I described earlier,
13 about waist high.

14 MS. NASH: Is that the bedroom window?

15 MR. ALEXANDER: Yes, that's the bedroom window --
16 through which the man introduces a bale of asbestos. After
17 he cuts the wrapper and breaks open the bag, the asbestos
18 drops through the bars into the processor underneath the
19 station. The processor is a fluffer. It redisperses
20 the asbestos as it moves vertically downward into the vat.

21 MS. NASH: Have you investigated how much it would
22 cost to transform the other bag opening stations in your
23 other plants into the superior ones that you just mentioned?

24 MR. ALEXANDER: I mentioned that. Our engineering
25 department says 20 to \$33,000 a station.

CTD005895

1 MS. NASH: That would be a one-time cost?

2 MR. ALEXANDER: One time. The operating charges
3 are rather normal.

4 MS. NASH: That would be a percentage of -- would
5 it be about 3 percent of sales? I kind of did a little
6 calculation.

7 MR. ALEXANDER: I can't --

8 MS. NASH: You wouldn't know?

9 MR. ALEXANDER: That sounds too high.

10 MS. NASH: You mentioned that in these plants, the
11 asbestos comes to you pressure-packed. Is this the case with
12 all of your plants and throughout the industry?

13 MR. ALEXANDER: There is some minor variability.
14 The bulk of the asbestos that we buy, we prefer these partic-
15 ular bales. They are not the most dense bales which are
16 possible, but they are quite dense, and the reason is that
17 should it become ruptured in transit, it holds together even
18 without a wrapper, and doesn't spew fibers through the vehicle
19 or through the plant while it is being transported from
20 the dock to the storage area. CTD005896

21 Not only do we like the pressure-packed bale
22 wrapped in plastic, but we like to see the bales overwrapped
23 with additional plastic sheet.

24 MS. NASH: Do you know if this is commonly done
25 this way in your industry, or is it just your company that

1 does it this way?

2 MR. ALEXANDER: No, it is all through the industry.

3 MS. NASH: Are there any plants in the industry that
4 still receive loose asbestos?

5 MR. ALEXANDER: There are vendors who offer loose
6 asbestos. I can't tell you the extent to which they are used
7 in the industry.

8 MS. NASH: Thank you. Do you only use local exhaust
9 ventilation, is that it?

10 MR. ALEXANDER: That is correct.

11 MS. NASH: On page 3, you talk about there are many
12 smaller sources of airborne dust that you have improved over
13 the years. How do you identify these sources of airborne
14 dust?

15 MR. ALEXANDER: I believe they are identified because
16 you can see the asbestos dust.

17 MS. NASH: Only visual dust?

18 MR. ALEXANDER: When we monitor, we really don't
19 pick up finite numbers unless the men have been in the
20 asbestos handling areas.

21 MS. NASH: Do you monitor the workstations of men
22 outside the --

23 MR. ALEXANDER: We have tried, but we don't
24 get numbers above the limit of detection.

CTD005897

25 MS. NASH: Is there any physical barrier between

1 the asbestos handling areas and the other areas?

2 MR. ALEXANDER: Kimberton has an asbestos area.
3 There are signs in that area. The people who go in there
4 are the asbestos handlers. I describe our ancillary pro-
5 visions.

6 MS. NASH: Is Kimberton your new plant?

7 MR. ALEXANDER: No, Kimberton is the oldest.

8 MS. NASH: How old is your newer plant? When do
9 you mean when you say your new plant?

10 MR. ALEXANDER: I think three years ago. I am
11 guessing.

12 MS. NASH: The exposures that you monitored at
13 Kimberton, that you allude to on page 6, you say, "Of the
14 23 exposures measured, fifteen were above the generally
15 accepted limit of detectability of .1 fibers/cc." They were
16 on workers at the introduction and mixing stages.

17 Did you separate out the data for the employees in
18 the introduction stages as opposed to the mixing stage?

19 MR. ALEXANDER: I separated out all the readings
20 ✓ ^{ator} below .08, and kept all the readings above .08.

21 MS. NASH: These statistics were generated during
22 the last four years. How frequently were people monitored?

23 MR. ALEXANDER: Semiannually, in some cases more
24 frequently, but generally semiannually. CTD005898

25 MS. NASH: Before, you said that you tried to

1 identify the most heavily exposed employee. Is that in each
2 functional area, or just in the asbestos handling area?

3 MR. ALEXANDER: Amongst the group of asbestos
4 handlers. I went back through the data, trying to see if
5 the data was homogeneous across the workers, or whether some-
6 body was getting especially high counts. The one with the
7 highest count was also the one with the lowest count. The
8 TWAs were distributed across the people in what appeared to
9 be quite a random fashion.

10 The only workers who showed low levels, and never
11 got a measurable number, were people who are known as
12 asbestos handlers who were in the warehousing area. They
13 receive asbestos from the trucks and transport it to the
14 asbestos storage area. Their counts were very low.

15 MS. NASH: All 15 of the exposures were in the
16 introduction and mixing stage. Are the warehouse people
17 included in those categories?

18 MR. ALEXANDER: All 15 TWAs, which were included,
19 were men who spent some time in the introduction phase,
20 at the workstation where the asbestos is introduced. No one
21 man spends full time in that area. He has other duties.

22 MS. NASH: On the day he is measured, he is there
23 for a full day?

24 MR. ALEXANDER: No. On the day he is measured,
25 he goes about his business.

CTD005899

✓ 1 MS. NASH: And he carries a sample ^{pump} ~~cuff~~ with him
2 from area to area?

3 MR. ALEXANDER: Wherever he goes.

4 MS. NASH: Wouldn't that account for some of the
5 variability in the measurements?

✓ 6 MR. ALEXANDER: It certainly would, because the
7 work schedule for the men is highly variable in ^{their} ~~its~~ expo-
8 sure to asbestos.

9 MS. NASH: So it may not reflect the variability
10 of the method at all, then, if they are going around from
11 place to place, exposed to different operations, and being
12 exposed in different ways.

13 MR. ALEXANDER: Ask the question again.

14 MS. NASH: I may be confused.

15 MR. ALEXANDER: There are a lot of sources of
16 variability. The work schedule is somewhat bimodal.

17 MS. NASH: What does that mean?

18 MR. ALEXANDER: Well, he is in the asbestos area
19 doing asbestos handling, and picking up fiber, and at other
20 times he is out of the area where the exposure level might
21 very well be extremely low.

22 MS. NASH: Maybe I could ask you this to save some
23 time. It would be helpful, because I am not sure I under-
24 stand this, and to ask you a number of questions. Do you
25 have the actual data that you could perhaps submit to us,

CTD005900

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267

1 and would that reflect the operations of the employees and
2 the amount of time that they were measured doing these
3 operations? They would not?

4 MR. ALEXANDER: Wait a minute. We measured the
5 amount of time they worked that day, the amount of time they
6 were monitored. But we didn't break it down to what they
7 were doing. We have no records on what they were doing that
8 day.

9 MS. NASH: But based on your experience with the
10 program, would you say that each employee may have been
11 doing something different than another employee who is also
12 represented in the group?

13 MR. ALEXANDER: We have got some men in there who
14 appear to be doing similar things day after day, and the
15 data are highly variable. Let me repeat that. We have men
16 whose schedules include working in the asbestos area on
17 a somewhat similar basis on a number of days, and yet the
18 monitoring data that we get back from them is extremely
19 variable. There is no information that we have collected that
20 ties in what they were doing to the variation. CTD005901

21 There is some indication that the sampling and
22 analytical technique is subject to considerable variation,
23 and I interpret the data to indicate that the exposures
24 themselves are extremely variable even though the men appear
25 to be working on similar schedules. The reason for the

1 extreme variability is, of course, what troubles us, what
2 makes it difficult to predict.

3 MS. NASH: Thank you. Mr. Netter, when you talk
4 on page 5 of integrated asbestos control --

5 MR. NETTER: The written testimony?

6 MS. NASH: Whatever you handed in today. That is
7 an integrated program of industrial hygiene, and you are
8 talking about training, work practice requirements, house-
9 keeping, respirator programs, locker room facilities. Is
10 this something which was done throughout your industry, or
11 just in your company?

12 MR. NETTER: I certainly can speak for my company.

13 MS. NASH: You talked about the A-C sheet indus-
14 try in your testimony. I was wondering if you were rep-
15 resenting company practice or industrywide practice.

16 MR. NETTER: I certainly am speaking of company
17 practice.

18 MS. NASH: Do you have locker room facilities that
19 include shower facilities for your workers?

20 MR. NETTER: Yes, ma'am.

21 MS. NASH: Do you require them to shower at the
22 end of each workday?

23 MR. NETTER: We supply them with different clothing
24 every day, and they have to walk through the shower. Whether
25 they get wet or not, I don't know.

CTD005902

1 MS. NASH: In your typical plant, how many em-
2 ployees are there?

3 MR. NETTER: About 100.

4 MS. NASH: How many of these employees are engaged
5 in asbestos handling operations?

6 MR. NETTER: I would say 100 percent of them either
7 handle asbestos or the product which is an asbestos cement
8 product.

9 MS. NASH: Do you monitor by workstation, or by
10 employee?

11 MR. NETTER: Our union rules require that an indi-
12 vidual work at the same station for the duration of the shift,
13 so when we monitor we are monitoring a person at a work-
14 station for a shift.

15 MS. NASH: What is the frequency of your monitoring?

16 MR. NETTER: At least twice a year, and we do
17 monitor more often if we believe we have made some change,
18 we want to see how it is doing, or something, but a minimum
19 of twice a year.

20 MS. NASH: Is every employee in the plant monitored
21 twice a year?

22 MR. NETTER: No.

CTD005903

23 MS. NASH: Which ones are, and which ones aren't,
24 how do you determine that?

25 MR. NETTER: Several years ago -- which was

1 reaffirmed in 1984 -- several years ago a determination was
2 made that beyond a certain point in the plant, levels of
3 asbestos were so low that there was no point in monitoring.

4 MS. NASH: A point in the processing?

5 MR. NETTER: Geographically in the plant. It is
6 not a door you go through, but it is a portion of the plant
7 behind which about half the people work. We stopped monitor-
8 ing there several years ago.

✓ 9 MS. NASH: Do you mark the ^tpark in which asbestos
10 levels were detectable and found to be significant?

11 MR. NETTER: The entire plant is marked none-
12 theless.

13 MS. NASH: How is it marked?

14 MR. NETTER: Warning signs, caution, asbestos dust
15 hazard.

16 MS. NASH: The ones that are prescribed in the
17 OSHA standards?

CTD005904

18 MR. NETTER: Right.

19 MS. NASH: You mentioned that the cost to the
20 manufacturers of integrated asbestos controls have been
21 high. At your company, you say 70 percent of your total
22 capital expenditures have been, in the last four years, for
23 dust control equipment. What kind of dust control equipment
24 have you installed in the last four years?

25 MR. NETTER: We installed at least one very large

1 dust collector, large being 100,000 CFM collector.

2 MS. NASH: Is this considered local exhaust, or
3 is it plant or operationwide?

4 MR. NETTER: It is a large dust collector that is,
✓ 5 by means of ductwork, made into local exhaust at ^{Various} ~~very~~ places
6 within the plant.

7 MS. NASH: Why did you decide that you needed to
8 install this equipment?

9 MR. NETTER: We were trying to get our dust counts
10 below 2.

11 MS. NASH: Have you been successful?

12 MR. NETTER: Yes, to a point.

13 MS. NASH: What point is that?

14 MR. NETTER: We have managed to get our dust counts
✓ 15 to a 1 fiber ^{level}

16 MS. NASH: When you say dust counts you have managed
17 to get to 1 fiber, are those the exposure measurements you
18 get twice a year when you monitor at the stations that you
19 are concerned about?

CTD005905

20 MR. NETTER: Yes.

21 MS. NASH: What was the cost of installing that?

22 MR. NETTER: I would say the capital cost for the
23 machinery was probably \$300,000, which does not include
24 all the subsequent tinkering that has been done, and the re-
25 structure of the local ducting that was required since then.

1 MS. NASH: When you installed that, and you wanted
2 to see how well it was working, did you have a plant, an
3 industrial hygienist come around from time to time and do
4 measurements at certain emission sources to see whether --

5 MR. NETTER: Absolutely.

6 MS. NASH: What did they find when they made these
7 measurements?

8 MR. NETTER: They found that after the machine was
9 installed, and over the next three or four months we did a
10 lot of adjusting of baffles and backdraft regulators, and
11 other technical things, that we were able to balance the
12 machine and reduce our dust counts to a point.

13 MS. NASH: To the point that you mentioned?

14 MR. NETTER: Yes.

15 MS. NASH: Does that vary among workstations?

16 MR. NETTER: Surely.

17 MS. NASH: What are your most troublesome spots?

18 MR. NETTER: We have two areas that we consider to
19 be troublesome. One is the punching operation, and the other
20 is the scrap grinding operation.

21 MS. NASH: Have you installed special controls or
22 work practices in those areas?

23 MR. NETTER: Yes.

24 MS. NASH: What are they?

CTD005906

25 MR. NETTER: The new dust collector that we

1 installed was for the punch press area, which allowed us to
2 take the old dust collector that was also working in that
3 area, and employ it in the scrap area.

4 MS. NASH: If OSHA were to reduce its exposure --
5 its permissible exposure level to, let's say, .5, I imagine
6 at least in the punch press area and the scrap area, you
7 would find that most of the measurements would exceed that,
8 is that correct, right now?

9 MR. NETTER: Yes.

10 MS. NASH: What do you think you could do to
11 reduce those exposure levels further in that area?

12 MR. NETTER: It certainly would be a multi-
13 faceted type of approach to the problem. It would not
14 simply be the installation of additional hardware, hardware
✓ 15 meaning additional dust collection. That alone certainly^{ly} would
16 not do it. It would require some other work practice mod-
17 ifications and perhaps material flow modifications.

18 MS. NASH: Do you believe generally that you have
19 installed pretty much the best available technology to
20 reduce -- collection devices and systems that represent the
21 best available technology?

22 MR. NETTER: Speaking for Supradur, I would say
23 yes, I believe that we have.

24 MR. ALEXANDER: Allow me to correct a statement I
25 made. Our new plant began in 1983.

CTD005907

1 MS. NASH: You said on page 6 that you won't be
2 able to get down to .5 without large expenditures, and it
3 would only benefit a few individuals who work at these high
4 exposure workstations. Are those the workstations we were
5 just talking about? How many employees work at those sta-
6 tions in your plant of 100 people?

7 MR. NETTER: In our punch press area, there are
8 12, and in the scrap area, there is 1.

9 MS. NASH: How about the other people in your
10 plant who are in the areas where you would say there is some
11 significant asbestos exposure, what levels are they getting
12 now?

13 MR. NETTER: Anywhere from .2 to .7, an average
14 of about .5, I would say.

15 MS. NASH: So you would not make that statement
16 as relating to that, that it would not cost a lot of money to -

17 MR. NETTER: It certainly would cost money, because
18 I think you have to engineer to go below -- in order to reach
19 a PEL of .5, you have to engineer to go below .5. We could
20 not rest assured that the people that are ordinarily at .5
21 that that station would not require additional work. It
22 would.

CTD005908

23 MS. NASH: When you are talking about resting
24 assured, is there a level of confidence you are talking about?

25 MR. NETTER: Yes, the concept of variance in the

1 dust counts.

2 MS. NASH: Can you quantify it for us?

3 MR. NETTER: No, I can't.

4 MS. NASH: Do you quantify it now at your plant?

5 MR. NETTER: No, it was a qualitative feeling
6 rather than a quantitative one.

7 MS. NASH: Do you support AIA's suggestion that
8 OSHA should consider requiring respirators even in situa-
9 tions -- I can ask the entire panel this -- even in situa-
10 tions where engineering and work practice controls have
11 reduced the permissible exposure level, to have reduced
12 exposures to the permissible exposure level?

13 MR. ALEXANDER: We make them available to everyone.

14 MS. NASH: When you say you make them available,
15 is that you make the single-use, disposable masks available
16 to everyone?

17 MR. ALEXANDER: Half-face.

18 MS. NASH: Do you have any training that goes along
19 with the availability, what does that consist of?

20 MR. ALEXANDER: I won't give you the whole program,
21 but everyone who works with asbestos goes through the train-
22 ing program, has to learn the work practices. CTD005909

23 MS. NASH: But training in respirator use?

24 MR. ALEXANDER: It also includes the respirators,
25 and there is a liberal supply of those, always available,

1 and meeting the PEL does not require the mask, but we do
2 require that the men in the asbestos area wear the masks
3 when they are there. They can wear them anywhere else they
4 want. We encourage them to wear them.

5 MS. NASH: You don't rely on these masks to meet
6 the PEL?

7 MR. ALEXANDER: You can't rely on the masks.

8 MS. NASH: Why is that?

9 MR. ALEXANDER: We believe that we must protect
10 our men with engineering controls. Having done that, we
11 believe that the mask improves the protection. To the
12 extent that the mask has acceptance among the workers, we
13 encourage them to do so.

14 MS. NASH: Do you have any kind of fit testing
15 for these masks?

16 MR. ALEXANDER: No, only to the extent that the
17 foreman checks visually that the mask is functioning.

18 MS. NASH; You say these masks are used by people
19 who are doing maintenance operations. What kind of asbestos
20 exposure do people doing maintenance operations have?

21 MR. ALEXANDER: These same men at least maintain
22 the bag house, which is the worst operation. CTD005910

23 MS. NASH: Do you measure their exposures when they
24 are in the bag house?

✓ 25 MR. ALEXANDER: That is not⁺ really feasible for

1 us to measure their exposure.

2 MS. NASH: Why isn't it feasible?

3 MR. ALEXANDER: There are some very short-term
4 exposures.

5 MS. NASH: How short is short term?

6 MR. ALEXANDER: Fifteen-minute exposures.

7 MS. NASH: How frequently do they have this 15-
8 minute exposure?

9 MR. ALEXANDER: Once a month.

10 MS. NASH: Do you have any idea of the levels which
11 they are getting in the bag houses?

12 MR. ALEXANDER: I don't have any idea. I would
13 have to find out who is responsible. I know that has been
14 given careful consideration.

15 MS. NASH: Do the rest of the panel support AIA's
16 suggestion to OSHA that it consider a requirement that
17 respirators be used even if the permissible exposure level
18 has been achieved with engineering and work practice controls?

19 MR. NETTER: I think it is fair to say that we
20 support that it be considered. All of us here are in plant
21 environments, and recognize that there will be certain
22 difficulties posed if that becomes a requirement, but it is
23 certainly something that should be considered. CTD005911

24 MS. NASH: Do you also support AIA's suggestion to
25 OSHA that it consider prescribing certain work practice and

1 engineering controls be used regardless -- correct me if I
2 am characterizing your suggestion wrongly -- regardless of
3 the levels that are actually achieved? In other words, as I
4 understand it, AIA is suggesting to OSHA that in certain
5 operations, it would be effective control for only wet
6 process to be used, and OSHA should require that those pro-
7 cesses be used regardless of the levels that are actually
8 achieved.

9 Do you support such a scheme in concept?

10 MR. NETTER: I don't understand your question.

11 MS. NASH: Mr. Sampson, am I characterizing your
12 suggestion correctly?

13 MR. SAMPSON: I think that, as with the case of
14 the respirator program, that all AIA has said so far is that
15 those are options to be considered. They are not affirma-
16 tive recommendations at this point. I think Mr. Netter
17 implied that in answering your question. That would also
18 extend to the suggestion that consideration be given to
19 specifying engineering controls, work practices, house-
20 keeping requirements whether or not the PEL is met, that
21 is a suggestion of something to be considered.

22 MS. NASH: We have no further questions.

23 JUDGE MAHONY: Thank you very much. Thank you,
24 gentlemen, for coming. Do you have exhibit numbers you
25 would like to attach to their testimony?

CTD005912

1 MR. SAMPSON: We had each one of them submit an
2 advanced testimony statement.

3 MS. NASH: Let's put in first their statement
4 that was handed out today. Mr. McGinley's statement that
5 was handed out today would be 238-A.

6 MR. SAMPSON: Do you want to make his previously
7 submitted statement 238-B?

8 MS. NASH: Okay.

9 MR. SAMPSON: We can follow the same procedure for
10 the other three.

11 MS. NASH: 239 was Mr. Netter.

12 MR. SAMPSON: 240 would be Mr. Hutchins'.

13 MS. NASH: 241 would be Mr. Alexander.

14 MR. SAMPSON: In all those cases, the oral state-
15 ment submitted today would be A, and the May 25th advance
16 statements would be B.

17 (Whereupon, Exhibits Nos. 238-A,
18 238-B, 239-A, 239-B, 240-A,
19 240-B, 241-A, and 241-B were
received in evidence.)

20 JUDGE MAHONY: Is that all you need on the record,
21 Ms. Nash?

CTD005913

22 MS. NASH: Yes, sir.

23 JUDGE MAHONY: We will stand adjourned until 9:00
24 a.m. tomorrow.

25 (Whereupon, the hearing was adjourned at 7:10 p.m.,
to reconvene at 9:00 a.m., July 10th, 1984.)

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280

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