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DOCUMENT DESCRIPTION: Legal - Affidavit of Philip A. Greer

IN THE COURT OF COMMON PLEAS
TRUMBULL COUNTY, OHIO

LOIS J. MISSIK, Executrix, etc.

Plaintiff,

v.

OWENS-CORNING FIBERGLAS CORP.,

et al.

Defendants.

Case No. 97-CV-303

Judge Peter J. Kontos

AFFIDAVIT

I, Philip A. Greer, do hereby swear that the facts stated below are true and accurate, and are based on my own personal knowledge and observation:

1. I was an employee at the General American railroad tank car manufacturing facility at Masury, Ohio from 1960 to 1984.
2. I held several job positions during my employment at General American, including laborer, insulator, inspector, warehouseman, timekeeper, and timekeeper supervisor. I am thoroughly familiar with the general work conditions in Plant I as they existed throughout my employment tenure.
3. I personally knew Mike Missik during my employment at the Masury plant, and am familiar with the jobs and responsibilities he had there.
4. During the period of my employment, workers in Masury Plant I were routinely exposed to asbestos dust in the following ways:
 - a. Small (approximately four inches by four inches or slightly larger) asbestos pads were placed at various points between the tank and the underlying support structure that supported the tank on aluminum cars. Originally, these asbestos blocks or pads were cut in the carpentry shop;

however, it was later found to be more efficient to cut them right out in the main shop area where the assembly took place. As a result, sometime in the mid-1960's they moved the saw out into the shop and cut the asbestos pads right there in the open shop. The cutting of these asbestos pads not only caused asbestos dust in the air, but also substantial accumulations of asbestos dust on the floor and work surfaces, just like in a saw mill.

- b. An asbestos powder was mixed with water to create an asbestos paste for use as a "splatter compound" when welding certain metal seams. The asbestos powder was provided to us in large sacks like the sacks that cement comes in. We would tear open the sacks and pour the asbestos powder into a large bucket and then stir in water to make a paste or cement. The paste was then spread around seams that were to be welded so that slag from the welding would not stick to the finished surface. Dust from the dry asbestos powder was released into the shop by the process of opening, pouring and mixing this paste.
- c. After welding was completed, the asbestos paste residue was removed by shop workers, who used hand-held grinding tools to smooth down the welds and scour off the asbestos paste. This process created dust and debris, including asbestos dust. The workers who ground away the asbestos "splatter compound" inside the tanks, and the inspectors (including, for a time, Mike Missik) who observed and checked their work, were exposed to this asbestos dust within a relatively confined space.

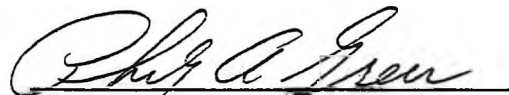
- d. We built several different types of specialized tank cars, depending on their intended use. Many of the cars we built were insulated with cork. On the cork cars, a type of rolled asbestos material (somewhat like tarpaper) was used to protect the cork lining when the seams on the outer metal shell were welded. (This rolled asbestos came in varying thicknesses, from approximately one-eighth of an inch to approximately one-quarter of an inch thick.) Workers routinely cut this sheet asbestos with pocket knives to remove excess quantities, and welders would sometimes weld through it. The cutting of this asbestos material also created dust. I recall that there was a large order for cork cars in the late 1960's and early 1970's, and many were produced at the Masury facility during that time.
5. The asbestos dust generated by the processes described above was readily visible on the shop floor, work surfaces, and workers' clothing, and could even be seen floating in the air when the light was shining in from the windows near the plant ceiling.
6. General American had no mechanical system to limit, control or remove the asbestos dust that accumulated in the shop. The asbestos dust was simply swept up by shop laborers each day.
7. The plant had only some windows high up near the ceiling to provide ventilation. As the plant was unheated, these windows were kept closed during the winter. Even during the summer, the shop doors and windows had

to be closed when argon welding was going on, as a draft would interfere with the welding process.

8. All workers (including Mike Missik) who worked in the medium weld shop were repeatedly and extensively exposed to the asbestos dust there.
9. I do not recall that General American ever provided us any warnings, safety training, or instruction about the health hazards from exposure to asbestos dust.
10. When I first began working at the Masury plant, workers who were working around the heaviest concentrations of asbestos dust either wore no respiratory protection at all or else only flimsy paper or gauze masks (like painters masks). Later, cartridge-type respirators were made available around the late 1960's. These were issued to the grinders and painters, but many did not regularly use them because they were hot and uncomfortable, and because the workers did not appreciate the need to wear them because they had earlier performed the same work and been exposed to the same hazards without respirators. General American did not make it mandatory to wear respirators until sometime in the mid-1970's.
11. Even if someone cutting asbestos or working with a grinder was wearing a respirator, the men engaged in other tasks only a short distance away did not. Since the shop was essentially a single, large enclosed bay, this made no sense because everyone was breathing the same air and was exposed to the same asbestos dust.

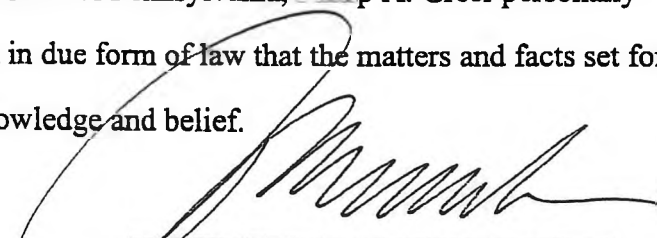
12. I recall that Mike Missik worked as a shop laborer, grinder, insulator, and inspector, and that he later worked in Material Control. As a shop laborer, grinder, insulator and inspector, Mike would have been regularly exposed to the asbestos dust. Also, in his capacity as an inspector, Mike would have had to go inside tanks when welding or grinding was taking place in there. Inspectors were not provided with respirators, and did not wear respirators even though they were exposed to relatively high concentrations of dust when inside the tanks.

13. While Mike Missik was working in Material Control, his duties required him to move throughout the entire Masury facility (not just Plant No. 1) in order to see what materials were on hand and what needed to be replenished. He did this work without a respirator, and as a result he would have been exposed to any asbestos dust that was present in any of the plants at Masury.


Philip A. Greer

MASURY
CITY OF ~~NEW WILMINGTON~~
STATE OF ~~PENNSYLVANIA~~
0718

I HEREBY CERTIFY THAT on this 11th day of November 1998, before me, a Notary Public, in and for the State of ~~Pennsylvania~~ *0718*, Philip A. Greer personally appeared before me and made oath in due form of law that the matters and facts set forth above are true to the best of his knowledge and belief.


NOTARY PUBLIC

My commission expires: _____

RONALD A. MARKS
Attorney At Law
My Commission Has
No Expiration Date