

DAVEY

UCC 072053

3. Are you retired? If so, please state your former profession and when you retired from active practice.

4. By whom were you employed and what was the title of your position from 1953 to 1967?

5. Please state the relationship, as you understand it, between Union Carbide Corporation and the Mellon Institute.

6. Were you employed by the Mellon Institute from 1953 to 1967 in a professional capacity? If so, please state the name of your profession.

7. Please describe your academic training and any non-academic training or occupational experience which in addition to your academic experience qualifies you to render expert opinions in the field of industrial hygiene.

8. Were you ever a member of the American Industrial Hygiene Association from 1953 to 1967?

9. Please describe for the jury the requirements for membership in the American Industrial Hygiene Association from 1953 to 1967 and the number of members in the association during that period.

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10. Were you ever an officer in the American Industrial Hygiene Association? If so, please give the years and the positions that you held with that organization.

11. What is the American Board of Industrial Hygiene and your relation to it?

12. Were you aware that from 1953 through 1967 Union Carbide Corporation operated a chemicals and plastics plant in Texas City, Texas?

13. From 1953 to 1967, were you familiar with the fact that Union Carbide used or manufactured a chemical named vinyl chloride at its plant in Texas City, Texas?

14. As part of your duties from 1953 to 1967, did you review articles and journals published in the medical, toxicological and industrial hygiene fields to stay abreast of medical or related developments being reported with regard to chemicals used or manufactured by Union Carbide such as vinyl chloride? If so, please describe generally the source of such publications and the frequency with which they cross your desk for review.

15. If in the process of reviewing medical, toxicological or industrial hygiene articles or journals from 1953 to 1967 any previously unknown danger or hazard concerning the use of those products manufactured or used by Union Carbide Corporation had come to your attention, please describe generally what you would have done.

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16. As a result of your review of the medical, toxicological or industrial hygiene literature published through the date of your retirement in 1967, did you ever see or become aware of any study in a reputable journal in which the author concluded or even discussed the probability that vinyl chloride was a cancer causing agent?

17. As a result of your review of the medical, toxicological and industrial hygiene literature through the date of your retirement in 1967, did you ever observe or become aware of any article published in a reputable journal in which the author concluded that vinyl chloride was a toxic or dangerous chemical other than for the effects of intoxication and anesthesia?

18. Are you familiar with an organization known as the American Congress of Governmental Industrial Hygienists (ACGIH)? If so, please state what that organization is and the group to which membership is limited.

19. Do you know whether or not ACGIH published annually a threshold limit value booklet describing recommended safe levels for a large number of chemicals throughout the period from 1953 through 1967?

20. Was vinyl chloride one of the chemicals for which ACGIH published a recommended safe level on an annual basis from 1953 through 1967?

21. Do you know whether or not the ACGIH booklets were widespread among industrial hygienists for their use through government and industry?

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22. Please state the recommended safe level published by ACGIH during the period from 1953 through 1967 for vinyl chloride. If there were any changes, please specify what changes in that recommended safe level were made by ACGIH during that period of time.

23. During the period of time from 1953 to the date of your retirement, did you have occasion to make a special review during the year 1955 to survey all available literature of which you could gain possession pertaining to the potential hazards or toxicity of those chemicals manufactured by Union Carbide? If so, was vinyl chloride among that group?

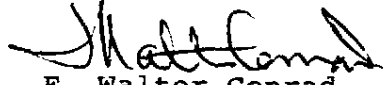
24. Please state specifically whether or not there were any dangers that you found reported in 1955 in the published literature pertaining to vinyl chloride other than potential intoxication or anesthesia from high inhalation levels.

25. Based upon your training as an industrial hygienist and your active practice in that field from 1953 through 1967 as well as your periodic review of the literature published in the medical, toxicological and industrial hygiene fields pertaining to vinyl chloride during that period of time, are you able to form an opinion, based upon reasonable scientific probabilities, as to whether or not industrial hygienists practicing in 1967 were of the opinion that vinyl chloride was a cancer causing or toxic chemical.

26. If so, please state your opinion.

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Respectfully submitted,


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Certificate of Service

I hereby certify that on this 30 day of July, 1984, a true and correct copy of the foregoing was served on counsel for plaintiff by certified mail, return receipt requested.


F. Walter Conrad

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