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8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **COUNTY OF SAN FRANCISCO**

11 IN RE:) Case No. 828684
12 COMPLEX ASBESTOS LITIGATION) **CERTAINTED CORPORATION'S**
13) **SUPPLEMENTAL RESPONSES**
14) **TO GENERAL ORDER #129**
15) **INTERROGATORIES**

15 PROPOUNDING PARTY: PLAINTIFFS
16 RESPONDING PARTY: CERTAINTED CORPORATION
17 SET NUMBER: ONE

18
19 **RESPONSES TO INTERROGATORIES**

20 **INTERROGATORY NO. 21:**

21 Has THIS DEFENDANT (except for a defendant that is an educational institution)
22 conducted, or caused to be conducted, tests, and/or studies of ambient asbestos dust created
23 during the manufacture, processing and/or assembling for sale of ASBESTOS-CONTAINING
24 PRODUCTS? If so, state:

- 25 A. Each manufacturing facility, including location and address, at which any
26 test and/or study was conducted;
27 B. The date of each such test and/or study;
28 C. The individual(s) or entity conducting each such test and/or study;

- 1 1. On an experimental basis;
- 2 2. On a test basis; or
- 3 3. For sale.
- 4 C. The date(s) each such ASBESTOS-CONTAINING PRODUCT:
- 5 1. Ceased to be produced; or
- 6 2. Was recalled from the market, if ever.
- 7 D. A detailed description of the chemical composition of each such
- 8 ASBESTOS-CONTAINING PRODUCT, including the type and/or grade of asbestos and/or
- 9 asbestos fiber contained in each such product and the quantitative percentage of asbestos or
- 10 asbestos fiber such product, and all non-asbestos components of the ASBESTOS-CONTAINING
- 11 PRODUCT, and if the chemical composition changed over time, the inclusive dates of each
- 12 formulation;
- 13 E. A description of the physical appearance and nature of each such
- 14 ASBESTOS-CONTAINING PRODUCT, including any color coding, distinctive marking and/or
- 15 logo, either on the product or on the packaging;
- 16 F. A detailed description of the intended use of each such ASBESTOS-
- 17 CONTAINING PRODUCT, including any temperature limits for each such use;
- 18 G. Whether any such ASBESTOS-CONTAINING PRODUCT was on the
- 19 U.S. Government's "Qualified Products List," and if so, the inclusive dates it was on such list;
- 20 H. The name and address of the supplier of the RAW ASBESTOS used in
- 21 each such product and the time period of such supply;
- 22 I. Whether any of THIS DEFENDANT's RAW ASBESTOS OR
- 23 ASBESTOS-CONTAINING PRODUCTS have, at any time, been sold, shipped, or otherwise
- 24 distributed to any COMPANY (including power company or utility), governmental agency or
- 25 entity, shipyard, distributor, refinery, contractor, supplier, manufacturer, PREMISE owner or
- 26 occupant, ship owner, or other PREMISE or site in the GEOGRAPHIC AREA. If so, state:
- 27
- 28

1 1. The names of each such COMPANY, governmental agency or
2 entity, shipyard, distributor, supplier, manufacturer, refinery, contractor, PREMISE owner or
3 occupant, ship, owner, PREMISE or site;

4 2. The inclusive dates of each such sale, shipment, distribution, use or
5 installation and the amount (volume) and the trade or brand name of each such ASBESTOS--
6 CONTAINING PRODUCT sold;

7 3. Whether you have any records indicating any such sale, shipment,
8 distribution, use or installation and, if so, the name, address and job classification of each person
9 who currently has possession of such records.

10 J. Either (1) attach all DOCUMENTS evidencing the information sought in
11 this Interrogatory and its subparts to your answers to these Interrogatories, or (2) attach disks
12 containing such data, or (3) describe such DOCUMENTS with sufficient particularity that they
13 may be made the subject of a request for production of documents.

14 **RESPONSE TO INTERROGATORY NO. 31:**

15 **A.-F ROOF COATINGS AND ROOF CEMENTS:**

16 1. Asbestos Roof Coating - First placed on the market prior to 1930.
17 Withdrawn from the market in 1982 due to economic considerations (poor profit margins). It
18 was composed of asphalt, mineral spirits and approximately 6.7% 7M chrysotile asbestos fiber.
19 It was designed for use as a coating for smooth surface asphalt roofs and was sold in 1 gallon
20 friction top steel cans, 5 gallon steel pails and 30 and 55 gallon steel drums. The CertainTeed
21 name appeared on the container. It was a viscous black liquid that could be spread with a brush
22 or sprayed and any atmospheric temperature was recommended.

23 2. Blind Nailing Cement - First placed on the market prior to 1930.
24 Withdrawn from the market in 1979 due to economic considerations (poor profit margins). It
25 was composed of asphalt, mineral spirits and approximately 13% 7m chrysotile asbestos fiber. It
26 was designed for use in sealing the laps of roll roofing applied with no exposed nails and was
27 sold in 1 gallon friction top steel cans, 5 gallon steel pails and 30 and 55 gallon steel drums. The
28

1 CertainTeed name appeared on the container. It was a viscous black liquid that could be applied
2 with a stiff brush or trowel and any atmospheric temperature was recommended.

3 3. Plastic Cement - First placed on market prior to 1930. Withdrawn from
4 the market in 1983 due to economic considerations (poor profit margins). It was composed of
5 asphalt, mineral spirits, pulverized limestone and approximately 18% 7K chrysotile asbestos
6 fiber. It was designed for flashing, caulking, heavy duty roof repairs and patching roof flashings
7 and was sold in 1 pint, 1 quart, 1/2 gallon and 1 gallon friction top steel cans, 3 and 5 gallon
8 steel pails and 30 and 55 gallon steel drums. The CertainTeed name appeared on the container.
9 It was a black mastic that could be applied with a trowel and any atmospheric temperature was
10 recommended.

11 4. Sealing Cement - First placed on the market prior to 1930. Withdrawn
12 from the market in 1976 due to economic considerations (poor profit margins). It was composed
13 of asphalt, mineral spirits and approximately 29% 7M chrysotile asbestos fiber. It was designed
14 for sealing down asphalt shingles and was sold in 1 gallon friction top steel cans, 5 gallon steel
15 pails and 30 and 55 gallon steel drums. The CertainTeed name appeared on the container. It was
16 a black mastic that could be applied with a trowel and any atmospheric temperature was
17 recommended.

18 5. Cold Process Cement - First placed on the market in approximately 1940.
19 Withdrawn from the market in 1967 (replaced by Cold Process Asphalt). It was composed of
20 asphalt, mineral spirits and approximately 6.7% 7M chrysotile asbestos fiber. It was designed
21 for use in applying rolls of smooth roofing to obtain a built-up roof and was sold in 1 gallon
22 friction top steel cans, 5 gallon steel pails and 30 and 55 gallon steel drums. The CertainTeed
23 name appeared on the container. It was a viscous black liquid that could be spread with a brush
24 or sprayed and any atmospheric temperature was recommended.

25 6. Cold Process Asphalt - First placed on the market in 1967. Withdrawn
26 from the market in 1983 due to economic considerations (poor profit margins). It was composed
27 of asphalt, mineral spirits and approximately 6.7% 7M chrysotile asbestos fiber. Cold process
28 asphalt was the name given to "cold process cement" subsequent to 1967. It was sold in 1 gallon

1 friction top steel cans, 5 gallon steel pails and 30 and 55 gallon steel drums. The CertainTeed
2 name appeared on the container. It was a viscous black liquid that could be spread with a brush
3 or sprayed and any atmospheric temperature was recommended.

4 7. Stabilized Roof Coating - First placed on the market in approximately
5 1940. Withdrawn from the market in 1983 due to economic considerations (poor profit margins).
6 It was composed of asphalt, mineral spirits and approximately 6.7% 7M chrysotile asbestos fiber.
7 It was designed for coating cold process smooth surface built-up asphalt roofs and was sold in 1
8 gallon friction top steel cans, 5 gallon steel pails and 30 and 55 gallon steel drums. The
9 CertainTeed name appeared on the container. It was a viscous black liquid that could be spread
10 with a brush or sprayed and any atmospheric temperature was recommended.

11 8. Wet Seal Plastic Cement - First placed on the market in approximately
12 1961. Withdrawn from the market in 1983 due to economic considerations (poor profit margins).
13 It was composed of asphalt, mineral spirits, an amine wetting agent, pulverized limestone and
14 approximately 18% 7K chrysotile asbestos. It was designed for use in providing adhesion to wet
15 or damp surfaces in making heavy duty repairs to wet roofs and was sold in 1 gallon friction top
16 steel cans, 5 gallon steel pails and 30 and 55 gallon steel drums. The CertainTeed name appeared
17 on the container. It was a black mastic that could be applied with a trowel and any atmospheric
18 temperature was recommended.

19 9. Asphalt Fibered Emulsion - First placed on the market some time during
20 the 1950's. Withdrawn from the market in 1983 due to economic considerations (poor profit
21 margins). It was composed of asphalt, water, clay, electrolyte and an unknown quantity of
22 asbestos fiber. It was designed for coating smooth surface asphalt roofs and was sold in 1 gallon
23 friction top steel cans, 5 gallon steel pails and 30 and 55 gallon steel drums. The CertainTeed
24 name appeared on the container. It was a viscous black liquid that could be spread with a brush
25 or sprayed and any atmospheric temperature was recommended.

26 10. Fibered Aluminum Roof Coating - First placed on the market in
27 approximately 1951. Withdrawn from the market in 1979 due to economic considerations (poor
28 profit margins). It was composed of asphalt, mineral spirits, aluminum powder and an unknown

1 quantity of asbestos fiber. It was designed for coating smooth surface asphalt roofs and was sold
2 in 1 gallon friction top steel cans, 5 gallon steel pails and 30 and 55 gallon steel drums.

3 The CertainTeed name appeared on the container. It was a viscous aluminum colored liquid that
4 could be spread with a brush or roller and any atmospheric temperature was recommended.

5 FOUNDATION COATING:

6 11. Asphalt Foundation Coating - First placed on the market in approximately
7 1940. Withdrawn from the market in 1981 due to economic considerations (poor profit margins).
8 It was composed of asphalt, mineral spirits and approximately 6.7% 7M chrysotile asbestos fiber.
9 It was designed for coating the exterior of foundations before backfilling and was sold in 1 gallon
10 friction top steel cans, 5 gallon steel pails and 30 and 55 gallon steel drums. The CertainTeed
11 name appeared on the container. It was a viscous black liquid that could be spread with a brush
12 or sprayed and any atmospheric temperature was recommended.

13 At some point CertainTeed commenced affixing its logo (C and T with the stem of the T
14 inserted sideways into the C) to the containers in which its roof coating and cements and
15 foundation coating were packaged.

16
17 BUILT-UP ROOFING PLY SHEET:

18 12. No. 15 Perforated Saturated Asbestos Felt - First placed on the market in
19 1968. Withdraw from the market in 1976 due to lack of demand for the product. It was
20 composed of asphalt, organic fiber and 58% asbestos fiber (type and grade unknown).. It was
21 designed for use as plys for built-up roofs and flashing and packaged with a kraft paper wrapper,
22 was not color coded, and contained no logo or other marking except for laying lines of aluminum
23 paint. The CertainTeed name appeared on the wrap. It was a black roll good which was nailed
24 or applied with hot asphalt and any atmospheric temperature was recommended.

25 13. Asbestos Base Sheet - First placed on the market in 1968. Withdrawn
26 from the market in 1976 due to lack of demand for the product. It was composed of asphalt,
27 organic fiber, glass fiber, pulverized limestone, pulverized talc and 20% asbestos fiber (type and
28 grade unknown). It was designed for use as the first ply in applying a built-up roof and packaged

1 with a kraft paper wrapper, was not color coded, and contained no logo or marking except for
2 laying lines of orange-red paint. The CertainTeed name appeared on the wrap. It was a black
3 roll good which applied with hot asphalt and any atmospheric temperature was recommended.

4 14. Asbestos Base Flashing - First placed on the market in 1968. Withdrawn
5 from the market in 1976 due to lack of demand for the product. It was composed of asphalt,
6 organic fiber, pulverized limestone, pulverized talc, 19% asbestos fiber (type and grade
7 unknown) and either glass, hemp or jute fiber. It was designed for use as one ply in installing
8 flashing and packaged with a kraft paper wrapper, was not color coded and contained no logo or
9 other markings. The CertainTeed name appeared on the wrap. It was a black roll good which
10 was applied with hot asphalt any atmospheric temperature was recommended.

11 15. Asbestos Cap Sheet (mineral surfaced) - First placed on the market in
12 1973. Withdrawn from the market in 1976 due to lack of demand for the product. It was
13 composed of asphalt, organic fiber, pulverized limestone, pulverized talc, coarse crushed rock
14 and 13.8% asbestos fiber (type and grade unknown). It was designed for use as the top ply on
15 built-up roofs and with a kraft paper wrapper, was not color coded, and contained no logo or
16 marking except for laying line of orange-red paint. The CertainTeed name appeared on the wrap.
17 It was a black roll good which was applied with hot asphalt and any atmospheric temperature
18 was recommended.

19
20 ASBESTOS-CEMENT SIDING SHINGLES:

21 16. Asbestos-Cement Siding Shingles (manufactured by others) - First placed
22 on the market in approximately 1950. Withdrawn from the market in approximately the early
23 1970's due to economic considerations (poor profit margins). Asbestos-cement siding shingles
24 were flat slabs which came in various colors (type, grade and amount of asbestos fiber unknown).
25 They were designed for use on the exterior of homes and were nailed to the exterior surface.
26 They were supplied in packages having a corrugated fiberboard band and sides held in place by
27 two wire ties. The CertainTeed name appeared on the band and any atmospheric temperature
28 was recommended.

1 ASBESTOS-CEMENT PIPE:

2 17. Asbestos-Cement Pipe (may have carried the brand name Fluid-Tite) -

3 First placed on the market June 1, 1962. CertainTeed ceased the manufacture of asbestos-cement
4 pipe in 1992. The asbestos fiber was bound into the asbestos-cement pipe by a combination of
5 cement, silica and water through an autoclave (high pressure steam atmosphere) curing process.

6 It contained the following amounts of asbestos by weight:

7 Pressure Pipe	15-20%
8 Sewer Pipe	10-15%
9 Irrigation Pipe	11-20%

10 Of the total asbestos content of the asbestos-cement pipe, anywhere from 0% to 24% was
11 crocidolite (blue) fiber by weight, with the remaining fiber being chrysotile (white). The ratio of
12 these fibers varied in accordance with various factors, including type of pipe and physical
13 dimensions. Asbestos-cement pipe was used for the underground transmission of water and
14 sewage. No packaging was used in connection with this product.

15 The sewer pipe contained black lettering, including the name "CertainTeed", the pressure
16 pipe contained either black or orange lettering, including the name "CertainTeed" and the
17 irrigation pipe had black lettering, including the name "CertainTeed". It was installed in the
18 form in which it was sold except to the extent that it may have required machining in order to
19 meet a specific length. Asbestos-cement pipe was cylindrical in shape, cement gray in color with
20 a smooth interior, relatively rough textured exterior, with ends machined to given dimensions.
21 Pipe lengths were connected with an asbestos-cement coupling with two rubber rings contained
22 in machine grooves. The temperature limit was 200°F.

23
24 SPECIALTY RAILROAD INSULATION PRODUCTS:

25 18. Glass Fiber Blanket Insulation Face with Asbestos Paper for Railroad Car

26 Application - First placed on the market by Gustin-Bacon Manufacturing Company in 1945.

27 Withdrawn from the market in 1947 because of poor moisture vapor transmission and as a result
28 of the determination that there was no need for an incombustible facing. It was composed of

1 nine-micron glass fiber blanket and reinforced asbestos paper facing. It was intended solely for
2 use in insulating ceilings, walls and floors of railroad passenger cars and was packaged in
3 cardboard or wrapped in heavy kraft paper. No writing is believed to have been on the product.
4 The content of any writing on the packaging is unknown and the recommended temperature
5 range is unknown.

6 19. Flexible Trainline - First placed on the market by Gustin-Bacon
7 Manufacturing Company in 1945. First manufactured and sold by CertainTeed in 1966.
8 Withdrawn from the market in 1970 due to lack of demand for the product. It was composed of
9 nine-micron glass fiber blanket, resin bonded and adhered with adhesive to neoprene coated
10 asbestos cloth. It was intended solely for use in insulating railroad passenger care steam lines. It
11 was packaged in cardboard or wrapped in heavy kraft paper, and was installed by lacing the
12 insulation onto the passenger car steam lines with copper wire affixed to hooks which were
13 fastened to the insulation jacketing. No writing is believed to have been on the product. The
14 content of any writing on the packaging is unknown and the recommended temperature limit was
15 300°F.

16 G. No.

17 H. The asbestos fibers used in roof coatings and cements were supplied by Johns-Manville
18 until the mid-1960's and by Carey-Canadian Mines form the mid-1960's through 1977.
19 Unknown as to roll roofing products, asbestos-cement siding shingles, Flexible Trainline, and
20 glass fiber blanket insulation faced with asbestos paper for railroad car application

21 The following companies have been sources of asbestos fiber which has been
22 incorporated into the asbestos-cement pipe manufactured by CertainTeed in California:

23 Cassiar Resources

24 Griqueland

25 Cape Asbestos

26 General Mining

27 Russian Fiber

28 Johns-Manville

1 Jefferson Lake

2 Pacific Asbestos

3 Calaveras Asbestos

4 Bell Asbestos Mines

5 Turner Asbestos Fibre Ltd.

6 I. CertainTeed has no sales records relating to roofing products prior to 1973. Since 1978,
7 CertainTeed roofing sales records have been maintained on computer.

8 If required, computer printouts of the pertinent sales, if any, of asbestos-bearing roofing
9 products will be made available at the law offices of CertainTeed's counsel for proper counsel's
10 review and/or copying. Invoices for all roofing sales for the years 1973-1975 are stored in
11 cartons by invoice number, by month, at CertainTeed's facility in Blue Bell, Pennsylvania.
12 Invoices for all roofing sales for the year 1976 and 1977 are on microfilm by invoice number, by
13 month, at CertainTeed's facility in Blue Bell, Pennsylvania. Thus, each invoice would have to
14 be reviewed in order to determine which invoices would be responsive to this request. If
15 required, CertainTeed will make these documents available at its facility in Blue Bell,
16 Pennsylvania, for review and copying by proper counsel at a mutually convenient time with all
17 costs attendant to this inspection and copying to be assumed by the party conducting such
18 inspection.

19 CertainTeed has no sales records for asbestos-cement pipe for the period 1962 (when
20 CertainTeed commenced the manufacture of said product) to 1966.

21 For the period of 1967 to 1979, CertainTeed has invoices for sales for June 1967, October
22 through December 1968, and 1969 through 1979, inclusive. The approximate numbers of such
23 invoices are as follows:

24	6/67, 10-12/68	2,500
25	1969	14,950
26	1970	13,900
27	1971	16,250
28	1972	15,050

1	1973	16,364
2	1974	23,000
3	1975	25,000
4	1976	25,000
5	1977	28,000
6	1978	30,800
7	1979	33,300

8 These invoices have been maintained on microfilm and are filed only by invoice number,
9 plant and year. Thus, CertainTeed would have to review each and every invoice in order to
10 provide the specific information sought by this request. Such a review would be highly
11 burdensome and oppressive. If required, CertainTeed will make available said invoices, which
12 are maintained at the headquarters of CertainTeed's Pipe Group in Valley Forge, Pennsylvania,
13 for review and copying by proper counsel at a mutually convenient time, with all costs attendant
14 to this inspection and any copying to be assumed by the party conducting such inspection.

15 For the period 1980 to 1992, CertainTeed's sales records for asbestos-cement pipe are
16 contained in computer printouts. At plaintiff's request, CertainTeed's counsel will make said
17 printouts available to proper counsel for review and/or copying at a mutually convenient time,
18 with all costs attendant to any such inspection and any copying to be assumed by the party
19 conducting such inspection.

20 CertainTeed has no sales records for asbestos-cement siding shingles, Flexible Trainline
21 and glass fiber blanket faced with asbestos paper for railroad car application (the two latter
22 products were sold exclusively to railroad companies).

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1 J. See subpart I above.

2 DATED: March 6, 1998

HAIGHT, BROWN & BONESTEEL

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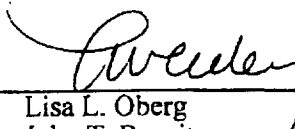
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By: Lisa L. Oberg
John T. Burnite
Attorneys for Defendant,
CERTAINTED CORPORATION

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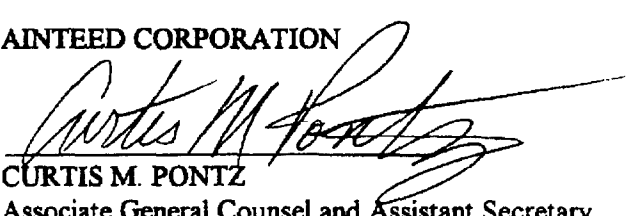
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VERIFICATION

CURTIS M. PONTZ, being duly sworn according to law, deposes and says that he is Associate General Counsel and Assistant Secretary of CertainTeed Corporation and is duly authorized to make this Verification on its behalf and that the facts set forth in the foregoing supplemental response to General Order Interrogatories No. 129 are true and correct to the best of his knowledge, information and belief.

CERTAINTEED CORPORATION

BY:


CURTIS M. PONTZ

Associate General Counsel and Assistant Secretary

DATED: April 28, 1998