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IN THE COURT OF COMMON PLEAS

CUYAHOGA COUNTY, OHIO

ASBESTOS LITIGATION DOCKET

IN RE:
NORTHERN OHIO TIREWORKER CASES
BEVAN GROUP 2

DONNA GRAMLEY, Executrix, — CASE NO. 291275

Plaintiff. — JUDGE HANNA

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Continued videotaped deposition of WILLIAM McCORMICK, taken as if upon cross-examination before Jodi L. Bragg, a Notary Public within and for the State of Ohio, at Bevan & Economus, 10360 Northfield Road, Northfield Ohio, at 10:00 a.m. on Thursday, February 26, 1998, pursuant to notice and/or stipulations of counsel, on behalf of the Defendants in this cause.

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MEHLER & HAGESTROM
Court Reporters
1015 Key Building
Akron, Ohio 44308
330.535.7300
FAX 535.0050
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regarding asbestos in that particular department?

A. I'm looking for results that he -- apparently they aren't here, so I don't know what the results were.

Q. Well, I'm not asking you that. I'm asking you what the memo says.

A. Well, the memo says there were, but I, again, I don't know what, what he sampled or found.

Q. Okay. Well, I mean, he did work for you, didn't he?

A. Yes.

Q. Do you have any reason to believe that the work that he did in this case was inaccurate?

A. No, except I would want to know specifically what the findings were.

Q. Uh-huh.

A. I don't see that in the memo.

Q. Well, let's assume that the findings were consistent with his conclusions, can we, or, or is that a problem for you?

A. Well, I don't know that you can.

Q. Okay.

MR. SCHUSTER: Object.

Q. Well, I'm going to do that because it's on the

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face of this memo.

MR. SCHUSTER: Object.

Q. To your knowledge, did your department directly inform the employees in that department that they were or may have been exposed to serious violations of asbestos in the ambient air?

A. No, that was not done.

Q. Thank you.

To your knowledge, does tremolite form asbestos-like particles?

A. I, I do not know that.

Q. Okay. Are you aware of any undisputed medical evidence of the quantitative differences in potency in fiber type or size as it, as it relates to the health effects of asbestos on human beings?

A. Repeat the question.

Q. Are you aware of any medical evidence of the quantitative differences in potency in fiber type or size as it relates to the health effects of asbestos on human beings -- fiber type or size?

A. Only to the extent that whether or not the fibers are inhaled. Larger fibers don't get into the lungs.

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A. Again, I'm not sure. I'm not sure how to answer that.
Q. Okay. Do you know whether or not the release of asbestos fibers occur in the use and maintenance of asbestos products such as pipe insulation, gaskets, sheet asbestos, and platen insulators?
MR. SCHUSTER: Objection, compound question.
Q. Well, I'll take one at a time. Do you know whether or not the release of asbestos fibers occur in the use and maintenance of asbestos-containing pipe insulation?
A. Only if it's present in the insulation.
Q. Okay. And to your knowledge there was no asbestos-containing pipe insulation at Goodrich while you were there, correct?
A. My knowledge, there -- let me answer it this way: To my knowledge, I'm not aware that it was present.
Q. Okay. And I think you indicated that you had never done a test to determine whether or not it was present?
A. That's correct.
Q. Okay. Now the same question I have deposed to you regarding gaskets that were used at

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there until the time you left?
A. Only in the reclaim plant.
Q. Only in the reclaim?
A. Yes.
Q. Okay. Did your department at any time while you were there provide any warnings to the workers concerning the, the use of or exposure to pipe insulation?
A. No.
Q. Was pipe insula -- insulation used throughout the Akron plants?
A. If necessary wherever hot, wherever hot lines were carried.
Q. And were hot lines carried almost everywhere in the plant?
MR. SCHUSTER: Objection.
A. Well, I wouldn't say -- not everywhere. There were specific areas, specific departments, where heat was required.
Q. Uh-huh. Which were?
A. I don't know.
Q. Okay. Have you ever done a study or read any studies concerning the release of asbestos fibers into the air during different stages of the commercial life of asbestos-containing

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products?
A. Repeat it.
Q. Have you --
A. You lost me.
Q. Have you ever read or been involved in studies having to do with the release of asbestos fibers into the ambient air during different stages of the commercial life of asbestos-containing products?
A. I can't answer that.
Q. Well, did you ever read anything about that?
A. I don't know.
Q. Okay.
A. That question is so broad I, I can't answer it.
Q. In, in your travels through the plants in Akron during the time that you were there, did you ever have occasion to see pipe insulation that you considered to be in poor condition, damaged, or disrupted?
A. Only temporarily and then the repairs were made rapidly.
Q. Who made those repairs?
A. I can only answer generally. I guess pipe fitters who were assigned to that job.
Q. Okay. When you saw that occur, were you

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for one thing.
Q. Okay. Did you ever involve yourself or your department in the education of employees at Goodrich in the use and handling of asbestos materials?
A. I don't believe so.
Q. Did you ever involve, or your department ever involve itself in the education of employees in the disposal of any containers containing asbestos or asbestos-containing materials?
A. No, I don't believe so.
Q. And the same question as it relates to the transportation, storage, or handling of asbestos fiber in the plant.
A. Same answer.
Q. And the same question as it relates to the removal of asbestos fibers from the clothing of persons who were exposed to and used asbestos in their jobs.
A. Same answer.
Q. Okay. Did you have anything to do or your department have anything to do with the discontinuance of the use of talc containing asbestos at Goodrich?
A. I think I answered that earlier.

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for asbestos-free talc, or any other specifications, were generally followed by the purchasing department?

A. To the best of my knowledge, they were.

Q. Okay. Can I see -- thank you very much.

I meant to ask you this question regarding Plaintiff's Exhibit 20: At the top left corner it says, "Company confidential." Do you see that?

A. Yes.

Q. What does that mean?

A. I think just what it says.

Q. I don't understand it.

A. Well, that's all I can tell you.

Q. Well, does it mean that it's only for company people to read?

A. I assume so, and only those receiving copies.

Q. And does it mean that, for example, employees who were referred to in that memo are not to receive copies of that?

A. That's correct.

Q. Okay. Who is John Codrea, C-o-d-r-e-a?

A. I believe he was a foreman in one of the departments and I don't recall where.

Q. He never worked in your department?

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recall, did that discharge dust fumes?
A. It may have.
Q. Okay.
A. Yes.
Q. All right. And do you recall any circumstances where, because of the use of steam heat and pressure, certain parts of the building may have shaken or equipment shook or piping shook or anything like that?
A. No, I don't.
Q. Okay. If you know, was soapstone used extensively in Department 7517?
A. I don't know.
Q. Do you know about, anything about 7517 --
A. I don't.
Q. -- while you worked there?
A. I don't.
Q. Okay. Did Goodrich have a written policy while you were there concerning such subjects of, as protective clothing, respirator use? I think you talked about respirator use.
A. Yes.
Q. Okay. But was there a written policy on respirator use?
A. No.

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during the time you were there?
A. I don't know.
Q. In what departments at Goodrich were there known heavy talc dust environments?
A. Again, I don't know.
Q. And I ask this question again because I want to make sure I know that, what your position is.

Did any of the talcs used at Goodrich during the time that you worked there contain asbestos or tremolite?
A. To the best of my knowledge, no.
Q. Okay. What do you base that on?
A. General information, my knowledge of this, the requirement that we established for purchase of talcs.
Q. But, Mr. McCormick, with all due respect, I could not find in any of the documents I reviewed a specification earlier than 1978 that indicated zero percent asbestos in talc.
A. Well, it may not have been written into these specifications, but it existed.
Q. But if it existed, wouldn't a prudent industrial hygienist have made sure that the specifications indicated that the talc would be asbestos-free so that the purchasing department would know

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that?
A. Well, not necessarily.
Q. Would you have relied on, on word of mouth to the purchasing department so they wouldn't purchase asb -- asbestos-containing talcs without having made sure that there was a written spec about that?
A. Because I know these were evaluated from time to time.
Q. Well, then how do you explain that the first indication of a zero percent asbestos-containing talc shows in 1978 by those records?
A. I don't know. I, I can only explain it that for some reason it was not made a part of these specifications. I don't know the reason for it.
Q. Okay. But that's why I showed you those two exhibits and asked you to put them side by side --
A. Uh-huh, uh-huh.
Q. -- to indicate that the very same product in June of 1978 did not have an asbestos-free spec, but in November of '78 it did. And I'd like to know from you how you can explain that to me.
MR. SCHUSTER: Objection. You know, this is years after he left the plant. You

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are asking him to speculate at what other people did? If you can --

THE WITNESS: No.

MR. SCHUSTER: -- speculate as to --

THE WITNESS: No.

MR. SCHUSTER: -- why those people did that, you can answer --

THE WITNESS: I can't.

MR. SCHUSTER: -- otherwise, don't.

THE WITNESS: I can't.

Q. You can't what? You can't tell me?

A. No.

Q. All right. But you also can't show me a written specification that you say you generated that indicates that talc should have no asbestos.

A. True.

Q. Okay. Do you agree that inha, inhalation of talc dust by definition means inhalation of asbestos?

A. No.

Q. Do you agree that -- strike that.

Why don't you agree with that?

A. Because it doesn't contain asbestos, normally.

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A. I don't know.
Q. And I think it was your testimony that you did not know whether or not anybody in your department ever monitored for asbestos in the ambient air at Goodrich in the '40s and '50s; is that correct?
A. Well, I'm not sure when the usage in the reclaim unit came into being, so I don't know whether it could have been in the '50s. I'm not sure.
Q. And again, just so we're, we're square on this, your testimony is now and has been throughout this deposition that the only place at Goodrich that used asbestos was in the reclaim unit?
A. That's correct.
Q. Okay.
A. In manufacture.
Q. In manufacture. And we're talking now about either asbestos-containing insulation material or asbestos, raw asbestos fiber.
A. Well, I haven't admitted that I knew there was any asbestos in the insulation of material.
Q. Right. Then it's still your position that, as far as you know, there was not?
A. That's correct.
Q. Okay. And that's throughout the plant?

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Q. Can you date that for me?
A. I can't.
Q. Okay. That's all I wanted to know.
Who was R.G. Jeter, J-e-t-e-r?
A. He was head of the law department.
Q. While, while you were there?
A. Yes.
Q. Okay.

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(Thereupon, Plaintiff's Exhibit 45 was marked for purposes of identification.)

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Q. 45? What you have in your hand is a letter or memo from Mr. R. Jeter dated 1963, correct?
A. Yes.
Q. And that talks about a manual, does it not?
A. Yes.
Q. What is that? What type of manual is that?
A. This was a medical policies and procedures manual that went only to the plant physicians.
Q. Okay. You didn't get a copy of it?
A. Oh, I probably did. I may have helped write it. I don't know.
Q. Okay. Do you know whether or not in that particular document there was any reference to

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asbestos or asbestos inhalation or exposure to the workers at the plant during --

A. I don't, I don't know that.

Q. Okay. Was that document available for review to the ordinary union plant worker working at the plant at the time?

A. No, it would not have been.

Q. Why not?

A. It was, it was intended, as I said, for the plant physician.

Q. Was that another company confidential-type document?

A. Well, essentially, yes.

Q. Okay. And while I was on the subject of, of distributors of asbestos-containing products to B.F. Goodrich Company during the time that you worked there, do you recognize the name Carey, Canada as being a supplier?

A. I don't.

Q. C-a-r-e-y, Canada?

A. I don't.

Q. What about Cincinnati Gasket?

A. I don't.

Q. American Cyanamid, C-y-a-n-a-m-i-d?

A. American Cyanamid supplied numerous chemicals --

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fine.

Q. Do you have any knowledge as to the asbestos content, if any, of the materials which were abated from the Goodyear plants?

A. No, I do not.

Q. Okay. Did you return to the B.F. Goodrich Akron plants after April 1973?

A. Official?

Q. Either way.

A. I don't recall that I did, but I can't say categorically that I did not because I just don't know. I don't believe I did.

Q. Okay. To your knowledge when you were working at Goodrich and before you left the company, was there any policy in existence concerning asbestos-containing insulation material in place either on pipe equipment or on operating equipment and how to deal with it?

A. No.

Q. All right. What were the Hills buildings, H-i-l-l-s? Was there such a thing as the Hills buildings?

A. Not, not to my knowledge.

Q. Not to your knowledge.

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insulation was used in the hycar operation while you were there at Goodrich?

A. I do not know.

Q. I may have asked this question in a little different way before, but I want to ask it now.

Did your department ever take samples of insulation materials and send them to Brecksville to be analyzed for asbestos content --

A. No.

Q. -- while you were there?

A. No.

Q. No, okay. I thought that was the answer. I wanted to make sure.

And, and its, you also had, you had a lab in indus -- in your department, but the same answer applies, correct?

A. Correct.

Q. Okay. Did, while you were at Goodrich, did the company use asbestos fiber as a pigment as a reinforcing agent for anything, that you know of?

A. So far as I know, not.

Q. Okay.

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A. No, I have no interest in those specifications.
Q. Okay. How was asbestos fiber used as a filler in some specialty products at Goodrich while you were there?
A. I have no knowledge.
Q. You don't know?
A. I don't know.
Q. Okay. What information and/or education did your department give to B.F. Goodrich plant employees regarding the dangers of asbestos in the 1940's?
A. We didn't.
Q. 1950's?
A. None.
Q. 1960's?
A. None.
Q. 1970's?
A. None.
Q. And if I use the word floatability as it relates to asbestos fibers, does that mean anything to you?
A. It means ability to remain in the air.
Q. At some point in time during your tenure at Goodrich, did you learn about the increased health hazard to people, risk to people, using

tremolitic talc?
A. I think I testified earlier that I was well aware before I came to B.F. Goodrich of the hazards of tremolite talc.
Q. You also testified that when Mr. Modrell came to the company he had no specific training, education, or experience in industrial hygiene?
A. That's, that's true.
Q. Okay. Did you inform him of, of the health hazards and risks to employees using tremolitic talc?
A. I'm sure I did.
Q. Did you inform Mr. Willson?
A. I'm sure I did.
Q. And what about Mr. Katzenmeyer?
A. I would think Mr. Willson already had that knowledge.
Q. Okay. How about Mr. Katzenmeyer?
A. He was so informed.
Q. Okay. Who is Mrs. Jordan?
A. She's my wife now.
Q. Mrs. Jordan is your wife now?
A. Yes.
Q. She wasn't the last time I took your deposition.

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