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261-268

1 Reichhold product is that it did not cross-contaminate
2 other lines; is that fair?

3 MR. THOMPSON: Objection; leading.

4 THE WITNESS: Yes, and that is
5 basically what it says right in here. If
6 you read the whole article, that is
7 basically what it says, yes.

8 Q. (By Ms. Spardone) And during the years
9 that you worked for Reichhold, did you hear other
10 customers who had similar experiences with the
11 Reichhold phenolic molding compounds?

12 MR. THOMPSON: Objection; calls for
13 hearsay, leading.

14 THE WITNESS: No, the only -- I think
15 that's the only way I can respond to that
16 is that, you know, that that division was
17 doing okay, and that I did not ever hear of
18 anybody moaning and groaning about, you
19 know, quality complaints or any issues like
20 that.

21 Q. (By Ms. Spardone) Okay. You talked
22 earlier about the manufacturing process, and you
23 talked about the fact that the product -- I think you
24 used the term granular?

1 A. Yes.

2 Q. What does granular mean to you?

3 A. Granular means a hard material that is --
4 in my mind, of course -- it's being ground up, and
5 it's just -- it's a hard chunky material, and not like
6 talcum powder or anything like that, but it's
7 discernible chunks of material.

8 Q. Can you -- I mean, can you think of any
9 item that we are all familiar with that you could
10 analogize the substance or the size of the material?

11 A. Kind of in the small to medium rock, like a
12 piece of rock salt, that kind of irregular granular
13 shape. Sometimes a little bit finer than that.

14 THE VIDEOGRAPHER: Excuse me,
15 Counsel. We need to change the tape.

16 MS. SPARDONE: Okay. We need to go
17 off the record. Let's do that.

18 THE VIDEOGRAPHER: This is the end of
19 Tape No. 5 in the deposition of Thomas
20 Madden. The time is 5:14 p.m. We are off
21 the record.

22 (A recess was taken.)

23 THE VIDEOGRAPHER: This is the
24 beginning of Tape No. 6 in the deposition

1 of Thomas Madden. The time is 5:21 p.m.

2 We are on the record.

3 Q. (By Ms. Spardone) Okay, Mr. Madden. We
4 are back after a short break. Let's talk a little bit
5 more about the asbestos-containing phenolic molding
6 compounds Reichhold made.

7 You were questioned at length about Union
8 Carbide earlier today. Do you know who supplied the
9 asbestos that Reichhold used in some of its
10 asbestos-containing phenolic molding compounds?

11 A. My understanding, the primary supplier was
12 Carey.

13 Q. Okay. And what is that based on?

14 A. I'm seeing them referenced in raw material
15 specifications and referenced -- seen the bags, and I
16 think it's referenced even in the industrial hygiene
17 reports.

18 Q. Okay. And you mentioned the type of
19 asbestos that Reichhold used. What type was it?

20 A. Chrysotile. C-H-Y-R-O --
21 C-H-R-Y-S-O-T-I-L-E.

22 Q. To your knowledge, did Reichhold ever use
23 any other type of asbestos in its phenolic molding
24 compounds?

1 A. No.

2 Q. And by "other types," I mean, other brand
3 names or chemical names like crocidolite?

4 A. No, but there may have been -- JM may have
5 supplied -- may have been like at least an approved
6 supplier. But no, it was always -- it was the white
7 material.

8 Q. So it was chrysotile?

9 A. It was chrysotile.

10 Q. Reichhold never used blue asbestos to your
11 knowledge?

12 A. No.

13 Q. Did Reichhold ever use brown asbestos to
14 your knowledge?

15 A. No.

16 Q. As part of your safety and health
17 responsibilities when you started working with
18 Reichhold, did you have any hand in drafting the
19 warnings that were affixed to the products?

20 A. Yes.

21 Q. Did you have a hand in drafting the
22 warnings that were affixed to the bags of the molding
23 compounds containing asbestos?

24 A. Windsor and I probably worked on those

1 together. So yes, I had a hand in it. And that would
2 have been very early, you know, like late '71 or early
3 1972.

4 Q. And is the warning that you worked on with
5 Mr. Windsor contained in the documents that are
6 sitting in front of you?

7 A. Yes, there are actually two different
8 kinds.

9 Q. Could you turn to Page 14?

10 MS. SPARDONE: And we'll mark this as
11 Defense Exhibit 3.

12 (Defendant's Exhibit 3 was marked for
13 identification.)

14 Q. (By Ms. Spardone) Is this a warning that
15 you had a hand in drafting?

16 A. Yes.

17 Q. And what is the warning for?

18 A. The warning would be for synthetic resin
19 compounds, which phenolic molding compounds was -- fit
20 that family. And it was affixed to the -- to the
21 shipping container, if you will, for those products.

22 Q. So is this a warning that would have been
23 affixed to asbestos-containing molding compounds?

24 MR. THOMPSON: Objection; calls for

1 speculation.

2 THE WITNESS: I have seen this on
3 those -- on the bags of phenolic molding
4 compounds.

5 Q. (By Ms. Spardone) You mentioned that there
6 was another warning in these materials?

7 A. Yes, and there's -- there's another label
8 in here somewhere. Here it is. It's 000054. And
9 it's --

10 MS. SPARDONE: We'll mark that as
11 Defense Exhibit 4.

12 (Defendant's Exhibit 4 was marked for
13 identification.)

14 Q. (By Ms. Spardone) And what is this?

15 A. This was another label that was affixed to
16 the bags or other, you know, shipping containers for
17 phenolic molding compound that contained asbestos
18 fibers.

19 Q. And did you have a hand in making sure that
20 this particular label was affixed to those products?

21 A. Well, the plant was directed to do that,
22 and I've actually seen it on -- on the bags of
23 material.

24 Q. And when did that begin?

1 A. Right after I got -- Windsor had already
2 started working on this, and so this would have been
3 in the early '71 time frame.

4 Q. Okay. And flipping back to 14, the
5 synthetic resin compounds warning, do you know if that
6 particular warning was in fact affixed to the packages
7 of phenolic molding material that Reichhold sold?

8 A. Yes. Excuse me. Yes.

9 Q. And do you know when that particular
10 warning started to appear on the packaging?

11 A. These two would go hand in hand. This one
12 probably a little bit earlier. The one on 0054,
13 probably almost immediately -- remember, when I got
14 there, this is a moving target sort of thing. So
15 005- -- 00054 would have gone on -- it wasn't already
16 being affixed when I got there, it was -- it was very
17 shortly thereafter. And then within, you know, a
18 month or two the other label -- you know, a very short
19 period of time.

20 Q. Okay. You mentioned earlier when you were
21 talking about I think ensuring the compliance of the
22 various facilities of the regulations, that you
23 checked to make sure that signs were posted at
24 manufacturing facilities; is that correct?

1 A. Yeah. Any -- any required signage,
2 depending on, you know, what the raw material was of
3 concern in any given facility, yeah, we -- we would
4 definitely check to see if there were requirements for
5 that. Say for flammability, you know, were there
6 flammability warnings in the area where the material
7 was being handled and where the material was being
8 stored.

9 Q. Okay. So were there warnings posted at the
10 Carteret facility where asbestos was in use?

11 A. Not only in use, but where it was stored,
12 so there was signage in two different areas.

13 Q. And what type of warning was posted?

14 A. It was the warning that was printed in the
15 OSHA standard -- or laid out in the OSHA standard, I'm
16 sorry.

17 Q. Okay. I know I said I was jumping around,
18 and I'm really jumping around.

19 Let's jump back to the cost standards.
20 Mr. Thompson asked you about a couple of these, and I
21 wanted to kind of walk you through. Let's start at
22 Page 471. I think you were already questioned about
23 this. This is for product code 25000.

24 A. Yes.