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O-I

Barry Castleman, Sc.D.
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Dear Barry -

Enclosed are copies of pages from the 1979 deposition of William Justice, a long time employee of Owens Illinois and Owens Corning.

Two matters discussed. One, the 1958 OI Berlin plant dust study I sent you and said I couldn't remember where I got it. The document is referred to in the Justice deposition as having been produced by Aetna

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
CIVIL ACTION NO. 78-2509

DOMINIC FORTE and JOSEPHINE FORTE, his wife,

Plaintiffs,

-vs-

JOHNS-MANVILLE, et als.,

Defendants.

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
CIVIL ACTION NO. 78-2207

HARRY S. COPELAND, et al.,

Plaintiffs,

-vs-

JOHNS-MANVILLE PRODUCTS CORPORATION, et als.,

Defendants.

DEPOSITION OF WILLIAM JUSTICE, witness of lawful age, taken on behalf of the Defendants in the above-entitled cause, wherein MORTON J. AUSTIN and others are the Plaintiffs, and JOHNS-MANVILLE and others are the Defendants, pending in the United States District Court for the District of New Jersey, before GERARD J. RICHARDS, a Notary Public of the State of New Jersey, on Wednesday, July 11, 1979, at the Owens-Corning Fiberglas plant, Berlin, New Jersey,

proceeding and should be treated as though you were actually testifying in a courtroom.

Do you understand all of that?

A Yes.

Q How long haveyou been employed by Owens-Corning? A I have to go back and start when I was employed by Owens-Illinois.

Q Let me rephrase the question and go back to the beginning. Let's start with Owens-Illinois, when were you employed by them?

A I can give it to you within one day, it was either 4/1/1951 or 4/2/1951, I'm not sure of the 4/1 or 4/2.

Q Either April Fool's Day or the day after?

A Yes, or the day after.

Q Where did you work before you came to work for Owens-Illinois?

A Where did I work before then?

Q If you did?

A Various and sundry places. After I got out of the service I worked for Goodyear for a while in Akron, Ohio and then I went back to Ohio State, got my degree from Ohio State and after I got out of Ohio State I interviewed with many companies, one of which was Owens-Illinois, and I went to work for Owens-Illinois

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Q What was your degree from Ohio State?

A Bachelor of Science in Industrial Management.

Q And when you went to work for Owens-Illinois, at what facility of that company were you assigned? A I went to work at the Sayreville plant, the Kaylo operation in Sayreville, New Jersey.

Q And you worked at the Sayreville plant from approximately April of '51 up to the time that Sayreville was closed down?

A Yes, approximately two years, if I remember right.

Q And the plant manager at that time there was Mr. Pfeiffer?

A Pie Pfeiffer.

Q And at that point in time he was brought to Berlin and so were you?

A Yes, I came here with Pie Pfeiffer to Berlin.

Q And have you worked here continuously ever since? A Yes.

Q And when you were working at Sayreville back in theperiod of '51 to '53, what was your job?

A Let's see, I started out in the maintenance department and I was a maintenance supervisor for a while, approximately a year. Then I was warehouse and

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shipping manager and right prior to leaving Sayreville I became the service manager there. And when I came here I was a service manager.

Q What did service manager mean, what does that mean? A That means incoming orders, shipments out of the plant, keeping track of them, making sure they are shipped on the day they are supposed to go out, the mix of goods is right, servicing customers.

Q All right. And after you came to Berlin when did your job title next change?

A I don't know whether I can give you exact dates. I can give you approximate dates.

Q Give us your best approximation.

A A year and a half and then I became a production supervisor.

Q So it would be somewhere in the vicinity of '54-'55? A That would be somewhere around '54, it was '54 I became a production supervisor.

Q And how long did you remain production supervisor? A About three years, about three and a half years. I came back in the office late '57.

Q As production supervisor what were your

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duties? A I ran a shift, a shift supervisor.

Q At the time that you were production supervisor do you recall what Mr. Grimmie's duties were, what he was doing?

A Yes, he was production superintendent.

Q What was the difference between those two jobs? A He was the bossman.

Q He was your boss?

A Yes.

Q Would you have had foremen working beneath you when you were production supervisor?

A At that time in our organization structure we did not have the luxury of having the foremen reporting to us, they do now but we didn't have it then, no. I had hourly type foremen, crew leaders and this type of thing, but no salary type.

Q And in late '57 your job changed to what, sir? A I had production planning and purchasing. Then there was, I am trying to think. '58 wasn't it when Owens-Corning took over? There was a temporary period where I had three jobs while they were looking for a personnel director. I had the personnel director's job, I think it was for about seven months.

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or the personnel department on types of respirators to buy, types of respirators for trials and this sort of thing. But the processing and the actual procuremer belongs to the purchasing area.

Q Now I am going to show you some documents which have been furnished to us by Aetna Insurance Company, some of them involve your name and I am going to ask you some questions about them.

Now first of all, let me show you an exhibit that was produced for us by Aetna which has been marked Aetna Exhibit 1 for identification on 6/12/79. It's entitled Dust Survey prepared for Owens-Illinois, Kaylo Division, Berlin, New Jersey, by Messrs. Sehl and Robinson, April 28th and May 2nd, '58, which I know were quite close to the dates of the transfer of the plant from Owens-Illinois to Owens-Corning.

And under contacts it says the following. Mr. F. W. Sehl and the writer, that would be Mr. Robinson, contacted Mr. Pfeiffer, plant manager, Mr. Justice, personnel director, Mr. Cassiaral, personnel assistant, Mr. Grimmie, production superintendent. Also present were Mr. Gardner, safety director for Owens-Illinois and Mr. Paul Shoe, Aetna safety engineering representative who services this plant.

First of all, do you have any recollection of

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was '53, I was here a year, I went on the floor in '54 and I was on the floor for three years, yes, '54 to '57.

Q What were your specific duties during that time? A I was in charge of a shift and the facilities of the factory, the production and processing and so forth during that period of time. Whenever my shift was on, I was in charge, reporting to a factory superintendent.

Q Did I understand you to say that during that time you received African asbestos and Canadian asbestos for use in the manufacturing process?

A Yes.

Q And from what companies during that time did you receive the African asbestos?

A North American.

Q Only? A Yes, to the best of my knowledge at that time.

Q From what companies did you receive Canadian asbestos? A When I was a shift supervisor on the floor?

Q Yes. If you know.

A I can't honestly say who the companies that we were receiving asbestos from at that time was. I did not really get involved in it until I got in the purchasing area.

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Q And that would have been in '57?

A Yes. I know we were getting short fiber asbestos, chrysolite and we were getting long fiber asbestos, the African, the amosite.

Q Now did I understand you to say that the Canadian asbestos was received on railroad cars?

A Railroad cars, yes.

Q And in what form of packaging was it received? A The earlier ones, and that didn't last too long after I came into the purchasing area, were in burlap bags and then they went to all multi-wall Kraft paper bags.

Q Do you know when the change took place?

A No, not exactly, no.

Q Was it during the time that you were the production, inthe production field?

A No, it was right along before I left the floor and came into the office because the change took place right along in there. Because I can remember being on the floor and part of my job responsibility was the batch mixing facility and so forth that you could always tell the amosite asbestos because it was in burlap bags and the one grade of Canadian asbestos was in a burlap and a Kraft paper bag.

Q Did those containers, let's take the