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**AFFIDAVIT OF RICHARD SLATE**

STATE OF NEW YORK

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COUNTY OF WAYNE

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Before me, the undersigned notary, on this day personally appeared Richard, Slate, a person whose identity is known to me. After I administered an oath to him, upon his oath, he said:

- 1) "My name is Richard Slate. I am over the age of 18 years, of sound mind, have never been convicted of a felony, and am capable of making this affidavit. The facts stated in this affidavit are based on personal knowledge and are true and correct.
- 2) From approximately 1967 to 1971 I was employed by the Garlock Company at its asbestos product manufacturing facility in Palmyra, NY. My position was either in maintenance, Mixer Operator, or Floor Worker. In these jobs, part of my duties included the manufacture of asbestos-containing compressed sheet gaskets.
- 3) Part of my job required me to mix the ingredients of each type of asbestos sheet gasket we were making. During the years I was employed by Garlock at Palmyra we manufactured asbestos sheet gaskets from two different types of asbestos, chrysotile or "white asbestos," and crocidolite, or what we referred to as "blue asbestos." In addition to being very familiar with the specifications of each gasket type, the type of asbestos we were using at any time was easily distinguishable based on the physical appearance of the asbestos used. The chrysotile asbestos was a lighter colored asbestos and the crocidolite asbestos was darker, the two asbestos types could not be confused for one another.
- 4) The asbestos gaskets were manufactured, in part, in mixing machines that mixed up a gasket dough and the rolled out on a "Sheetter." In the mixer and the Sheetter, all the ingredients of a sheet gasket were combined, then rolled out and compressed into a sheet.
- 5) The same mixers and sheeters were used to manufacture all gaskets in the plant—including chrysotile gaskets and crocidolite sheet gaskets. This meant that when chrysotile gaskets were being made, bags of raw chrysotile asbestos fiber was poured into the mixers and pressed in the sheetter. Similarly, when crocidolite gaskets were made, raw blue asbestos was poured into the mixers and pressed in the sheeters. The mixers and the sheeters were not cleaned between runs of different styles gaskets. This meant that invariably, that the fibers for all types of gaskets would become part of the dough of all other types of gaskets, meaning white and blue asbestos would become part of both white and blue gaskets.
- 6) This cross-mixing of asbestos fiber types was known to Garlock at the time we were manufacturing the different types of asbestos sheet gaskets. The choice not to clean the mixers or sheeters between runs was one we considered and rejected due to time concerns and production needs. To decontaminate the mixers and sheeters of all the crocidolite asbestos was too time consuming when weighed against simply starting the next style gasket

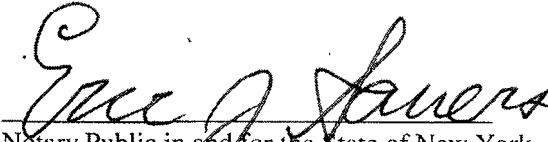
run with a different recipe and type of asbestos.

- 7) Additionally, chrysotile gaskets had crocidolite asbestos deliberately added to them when crocidolite gaskets failed quality control inspection. This happened when crocidolite gaskets would come off the sheeters damaged or for some other reason failed quality control guidelines. When a run, or part of a run, of crocidolite gaskets would fail inspection the compressed sheets would be ground up into a powder or fiber-like filler material and was added to the next run of gasket as filler. Remnants or unused portions of the run were also shredded in the hammer mill. The shredded material was then dumped into a hopper wagon which, was pushed to the mixing room and dumped in the next batch of gasket, without regard to which recipe or gasket type was involved in the next run. We did not limit the filler material from only going into gaskets of similar asbestos type. Because of this, chrysotile gaskets had crocidolite filler added to them, and crocidolite gaskets had chrysotile filler added to them. The result would still be that most of asbestos in any gasket would be the specific asbestos fiber type specified in the recipe, but it would also include a percentage of different asbestos types as a filler.
- 8) Using prior unacceptable runs of crocidolite asbestos as filler in the manufacturing runs of chrysotile gaskets was the policy and practice of Garlock during at least the years I was employed at the Palmyra plant. It was done in full view of management at the plant and at their instruction. The idea to "recycle" and not to be wasteful in order to lower production costs, as well as costs related to disposal of remnant or rejected sheet gaskets. Each gasket run had a portion that was rejected or left over that was shredded and used in the next run. The use of shredded rejected and remnant material occurred on every run that I personally witnessed.
- 9) During my years of employment I was never informed of the hazards of asbestos. The possibility that asbestos could cause disease, including asbestosis or cancer, was never told to us by anyone from Garlock. Additionally, the use of respirators was not required or encouraged. I was never informed of the need to reduce asbestos exposure or control it in any way. Housekeeping methods to reduce potential exposures were never mentioned to me and were not the policy and practice of Garlock during my years of employment. The pouring of raw asbestos into the mixers and the shredding in the hammer mill created visible clouds of asbestos dust that we could see under normal lighting conditions and left asbestos dust in the working environment throughout the day. At the end of a shift our clothes would be covered with raw asbestos. We were never told of the need to leave our asbestos-covered clothes at work or to isolate them from our families. I personally left work in my asbestos-covered clothes on a daily basis and I observed most of my co-workers doing the same.

FURTHER AFFIANT SAYETH NOT."

  
Richard Slate

SWORN TO and SUBSCRIBED before me by Richard Slate, on the 5th day of May,  
2010.

  
Notary Public in and for the State of New York  
My Commission Expires: 05/19/2011

**ERIC J. SAUERS**  
NOTARY PUBLIC, STATE OF NEW YORK  
No. 01SA6092497  
QUALIFIED IN MONROE COUNTY  
MY COMMISSION EXPIRES MAY 19, 2011