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IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF OKLAHOMA

- - -

IN RE:	)	MASTER NO. 1417
ASBESTOS LITIGATION	)	ABS 812

- - -

Deposition of WILLIAM E. McCORMICK, a Witness herein, called by the Plaintiffs for Examination pursuant to the Federal Rules of Civil Procedure, taken before me, the undersigned, William S. Bish, an RPR/CM and Notary Public in and for the State of Ohio, at the Director's Room - Cascade Holiday Inn, 5 Cascade Plaza, Akron, Ohio, on Monday, the 25th day of September, 1989, at 9:05 o'clock a.m.

COMPUTERIZED TRANSCRIPTION BY
BISH & ASSOCIATES, INC.
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Akron, Ohio 44308
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RECEIVED OCT 10 1989

A. Oh, I'm sure I did, but I -- I don't recall.
Q. What organizations, as best you can recall, would you have been associated with through your work at the State of Georgia? I mean by that time-period-wise.
A. Well, I -- I know there were activities with the American Industrial Hygiene Association locally and nationally. I may have attended some, I don't recall.
Q. Was the American Conference of American Metal Hygienists formed in that time period?
A. Well, it was formed in 1938, so it existed, certainly.
Q. Did you have any activity with that organization while you were a Public Health Service Officer?
A. No, I did not.
Q. Or while you were at the State of Georgia?
A. No, I did not.
Q. Did you receive publications of the National Safety Council in the time period through your employment at the State of Georgia?
MR. MILLER: Objection. Excuse me, objection, vague. Which publications?
MR. HOBSON: Any. We can start there and try to narrow it, but --
THE WITNESS: I don't recall that I did.

BY MR. HOBSON:

Q. I'll try to narrow it for the gentleman. A publication of the National Safety Council called National Safety News, do you recall seeing that?

A. I don't recall. I may have, I don't recall.

Q. Do you now know of that publication, National Safety News by the National Safety Council?

A. I presume it still exists. I haven't seen it for a long time.

Q. But you are aware that it did exist?

A. It did exist, yes.

Q. Was the B. F. Goodrich Company a member of the National Safety Council, to your knowledge?

A. Yes.

Q. Were they a member when you joined in 1946, to your knowledge?

A. I believe so.

Q. Would you have any information about when B. F. Goodrich would have become a member of the National Safety Council?

A. I do not.

Q. When you were working for the Public Health Service, assigned to the North Carolina State Health Department, did any of your activities take you into shipyards?

A. I believe -- I believe so.
Q. Did any of your work in shipyards, as best you can recall, involve asbestos?
A. I don't believe so.
Q. Through your -- the time period of your employment with the State of Georgia can you ever recall doing any kind of an evaluation of how much, if any, particulate dust or asbestos in air was associated with any insulating activities?
A. I don't believe so.
Q. Through the time period that involved your work at the State of Georgia did any of your activities involve evaluating airborne concentrations of talc, that you can recall?
A. I don't recall any.
Q. Prior to joining the B. F. Goodrich Corporation in 1946 did you ever have any contact with Phil Drinker?
A. Yes.
Q. Who was that contact?
A. Oh, there were many contacts.
Q. Could you start with the earliest that you can recall and tell me what those were?
A. Well, I can't recall -- I can't tell you specifically, but Dr. Drinker was a consultant for

Willson Products in Reading, and I had many contacts with him.

Q. I take it that Willson Products Company made a line of respirators that could be used for asbestos; is that correct?

A. Yes.

Q. Do you recall what the various filter materials would have been for the Willson product line for asbestos respirators?

A. Well, that would -- that would vary. There were -- there were felt filters, there were also supplied air respirators that might have been used depending upon the circumstances.

Q. Let's talk about the air purifying respirators. Was felt the only material that you can recall Willson Products Corporation -- Company used for filters, when you were employed by them, for asbestos?

A. Well, I'm sorry, that is not an air purifying respirator, that's not the definition.

Q. All right, sir. What kinds of respirators would felt have been used on?

A. The type that is worn, they're called half masks, and they're intended to filter out dust. They're commonly referred to as dust respirators.

Q. And they would employ felt as a filtering

media?

A. Basically, yes.

Q. Were there any other half masks filter media being used by Willson for asbestos dust, to your knowledge?

A. I don't believe so.

Q. Were these felts given electrostatic charge to aid in the filtering of asbestos?

A. No.

MR. BABB: Just out of curiosity what has this got to do with the tire worker litigation and how he's been identified? You know, it's fine what he did with Willson, but I don't see the relevancy to how this man has been identified to testify in this case.

MR. HOBSON: That's fine.

MR. MILLER: Well, let -- let me say that I believe, with great affection for Mr. Hobson, that what he's doing is conducting a lot of discovery on a bunch of his cases down in Texas, and I just don't think that's the right use of our time here, although surely he might or might not be entitled to examine the witness on those subjects somewhere, but none of this has anything to do with the Oklahoma tire workers.

And previously I asked for an affirmation on the record from other counsel here whether or not it's

chrysotile. I think you said that they were the same to you. What -- what increased risk are you --

A. No, I'm sorry, I didn't say that, I didn't say that.

Q. Okay. Let me let you clarify your answer, because see, what I want to know is --

A. You ask the question the way you want me to answer it and I'll see --

Q. All right.

A. -- if I can.

Q. What health risks are you aware of, or were you aware of when you were at B. F. Goodrich, that were associated with tremolite?

A. Again, I answered that by saying that I became aware of this in the mid-40's, before I came with the company. It was published information.

MR. MILLER: Sir, counsel is asking you what hazards you were aware of, not when, but what did you know back then about the health hazards.

BY MR. HOBSON:

Q. Yes, sir.

A. The information was to the effect that there is an increased risk of some pulmonary damage through the use of the inhalation of tremolite talc. Now, I can't be more specific than that because I -- I don't know that at

that point the risks were well-defined. But there was an increased risk.

Q. Now, if you would, sir, would you answer me the same question but for chrysotile?

MR. BABB: Are you talking about just chrysotile asbestos or chrysotile asbestos containing talc or talc containing chrysotile asbestos?

MR. HOBSON: Chrysotile.

MR. MILLER: Well, counsel, I --

THE WITNESS: Well, do you mean by this --

MR. MILLER: Excuse me, pardon me. The precise question that you asked him doesn't have any meaning until we throw in about eighteen prior questions with it. I think it's confusing and I would ask that you put a question to the witness that can be answered as a question rather than as a part of a dialogue that's taken about a half an hour.

BY MR. HOBSON:

Q. What are the potential health hazards that -- for exposure inhalation of chrysotile that you're aware of, Mr. McCormick?

MR. MILLER: As he sits here today?

BY MR. HOBSON:

Q. Well, let's start with 1973 when you left the B. F. Goodrich Company.

A. Yes, I would have wanted to know.
Q. Did you know Dr. Leroy Gardner?
A. Yes.
Q. Are you familiar with his work at Saranac?
A. Yes.
Q. Do you know if he did any work involving asbestos necessarily?
A. Yes.
Q. When did you become aware of that?
A. When I was in North Carolina, let's say approximately sometime in 1944 or 1945, somewhere in that area.
Q. Did you know that Dr. Gardner did work on talcs?
A. Yes.
Q. Tell me what you know about his work on talcs.
A. Only that he did work. I don't have any specific information.
Q. Tell me what you know of his work with asbestos.
A. Well, again, I don't have any specific information, but I -- Dr. Gardner came into North Carolina when I was there and met with myself and several other people, and I became quite aware of the work that

he was doing then with asbestos, but I -- I don't have any further details on that.

Q. Do you -- are you aware that Dr. Gardner had looked at the cancer causing potential of asbestos in animals?

A. I'm not aware of that.

Q. That's not something that was discussed with you?

A. No, it was not.

Q. Do you know today whether or not Dr. Gardner ever looked at the cancer causing potential of asbestos?

A. I do not know. I have not seen published information to that effect. I do not know.

Q. Have you ever seen any information conducted at Saranac on talcs that's been published?

A. I can't recall. I'm sure there has been some, but I can't recall what it is.

Q. Tell me if you would, sir, your best recollection of when you met Dr. Gardner and who was there with you.

A. I don't know who was there with me. A number of other people. As I say, I've given you -- I've given you an approximate time frame and that's all I can give you.

Q. Would this have been closer to when you first

went to work in North Carolina or toward the end of your tenure, do you remember?

A. I've given you an approximate time frame. That's all I can tell you.

Q. Can you give me your best recollection of what Dr. Gardner reported to you about his work at Saranac in asbestos?

MR. BABB: That's assuming he reported to him about this.

MR. HOBSON: He said he did.

THE WITNESS: Well, it was discussed generally. It was without real detail, so I -- I don't know. I can't define it any further.

BY MR. HOBSON:

Q. Did he tell you that he was doing toxicological work?

A. Define what you mean by toxicological.

Q. Well, did he tell you that he was exposing animals, by inhalation, to asbestos?

A. That's what Dr. Gardner did at Saranac. They were all animal experiments.

Q. Would you call that a toxicological evaluation?

A. Not necessarily.

Q. What would you call it?

A. That's an inhalation experiment.
Q. Can you recall any of the results of his work?
A. No, I do not know what the results were.
Q. Do you know if Dr. Gardner ever obtained any results from that work?
A. I do not know.
Q. If he did, and if they demonstrated the potential for asbestos to cause cancer in animals, is that something you would like to know about?
MR. MILLER: Objection.
MR. SHUNK: Objection.
MR. MILLER: Objection, improper hypothetical.
MR. BABB: I join in the objection. You're asking him not to make just one assumption but two. If you can answer it.
THE WITNESS: I can't.
BY MR. HOBSON:
Q. Do you remember what brought Dr. Gardner to North Carolina for these discussions?
A. I don't really. I don't -- I don't quite know how the meeting came about, whether it -- it may have been at his request, it may have been at the request of the Health Department of North Carolina. I do not

know.

Q. Was it in a seminar type presentation or was --

A. Yes, pretty much so, yes. Not formal, informal.

Q. Do you recall if anyone accompanied Dr. Gardner from Saranac?

A. I do not know.

Q. In looking at your -- your resume', Exhibit 2, I noticed that one of your early publications was Harmful Industry Dusts and Protection From Them, a bulletin that was written in 1941. Can you tell me what that deals with, please?

A. No, I can't. My memory isn't that good.

Q. Was it published?

A. There's a citation there, isn't it?

Q. Well, it says the Virginia Polytechnic Institute bulletin.

A. Well, then it was published.

Q. Would you happen to have a copy of it?

A. No.

Q. How is it that you were publishing in the Virginia Polytechnic Institute's bulletin?

A. Well, as I recall the circumstances that was when I was at Willson Products. I think I was invited to

go there perhaps for some sort of a seminar type of presentation.

Q. Can you recall if any of your publications dealt with asbestos?

MR. BABB: Would you let him take a look at the document?

MR. HOBSON: Sure.

MR. BABB: That might help or be of some benefit.

THE WITNESS: They may or may not. I can't be sure. Some of those early publications may have been just, you know, a general type of description. I don't know.

BY MR. HOBSON:

Q. I see that your third publication was actually published in National Safety News. That's the National Safety Council publication?

A. Correct.

Q. You told me that you first visited the Miami plant in the early 50's. Can you give me an idea of about how many times you have visited the Miami plant?

A. I haven't the least idea.

Q. Would you say it was several times?

A. Several times, but beyond that I can't define it.