

CERTIFIED QUESTION

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QUESTION: And as far as you knew back in 1985 when you retired, Westinghouse had not identified asbestos as a health hazard for Westinghouse workers or anyone else?

I N D E X

DEPONENT		PAGE
JOHN MORYKON	By Mr. Waters	4
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E X H I B I T S

NO.	DESCRIPTION	PAGE
1	Copy of page 10 of Westinghouse Large Induction Motors Book	35
2	Copy of picture of page 11	43
3	Picture of 3,000 horsepower steel mill motor	43
4	Picture of 7,000 horsepower motor	49
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1 Deposition upon oral examination of JOHN
2 MORYKON, taken on behalf of the Plaintiffs, before Sharon
3 B. Gregory, RPR, a Notary Public for the Commonwealth of
4 Virginia at large, taken pursuant to notice, commencing at
5 10:00 a.m. on the 19th day of March, 1992, at the law
6 offices of McGuire, Woods, Battle & Boothe, Norfolk,
7 Virginia, and this in accordance with the Federal Rules of
8 Civil Procedure.

9 JOHN MORYKON, was sworn and deposed on
10 behalf of the Plaintiffs as follows:

11 EXAMINATION

12 BY MR. WATERS:

13 Q. State your full name.

14 A. John Morykon.

15 MR. THACKSTON: Let me put a preliminary
16 objection on the record before we get started based on the
17 deposition notice that we received for this deposition.
18 Westinghouse originally received a Rule 200 notice for a
19 deposition in January of this year. The notice included
20 13 categories of information to which the deponent was
21 supposed to be able to testify, along with 37 categories
22 of documents that were to be produced at the deposition.

23 Westinghouse filed a motion for a protective
24 order objecting to these requests based on overbreadth,
25 that their information request was not material or

1 relevant to the case as pending in Dallas County, that the
2 requests sought to invade the attorney/client privilege
3 and the Attorney Work Product Doctrine.

4 A hearing was held on that motion for
5 protective order along with the plaintiff's motion to
6 compel on February 14. And at that hearing, the judge
7 ruled that the plaintiffs were entitled to conduct some
8 discovery, but that the requests as framed were overly
9 broad and overly burdensome, but he did not rule on each
10 particular request.

11 Westinghouse offered a witness to testify
12 about products that Westinghouse manufactured. Mr.
13 Morykon is here to testify about products that they
14 manufactured. That is the category and the broad notice
15 that plaintiffs have given us as to category of
16 information that Mr. Morykon is here to testify about. He
17 is not here to testify about the other 13 or 12
18 categories.

19 Westinghouse objects to the notice that the
20 plaintiffs sent after the hearing. It was substantially
21 similar if not the same as the original notice that
22 Westinghouse moved for a protective order and the court
23 ruled on.

24 At this deposition I reincorporate all the
25 arguments Westinghouse made in its motion for protective

1 order, including the latest notice that's been sent to
2 Westinghouse seeks information that's immaterial and
3 irrelevant. The requests themselves are overly broad and
4 unduly burdensome and seek information protected by the
5 Attorney Work Product Doctrine and attorney/client
6 privilege.

7 With that said, he is here to answer
8 questions this morning.

9 MR. WATERS: Let me make one brief response,
10 and that is to say I believe what Judge Woodington ordered
11 was for the Westinghouse individual most knowledgeable
12 about asbestos matters generally, which would include what
13 asbestos products were manufactured, and I think that the
14 deposition notice is framed in accordance with that
15 order.

16 BY MR. WATERS:

17 Q. You had stated your name for the record.
18 Spell your last name.

19 A. M-o-r-y-k-o-n.

20 Q. What's your date of birth?

21 A. September 27, 1927.

22 Q. Where do you presently reside?

23 A. 1929 Rosemary Lane, Chesapeake, Virginia.

24 Q. How are you presently employed?

25 A. I'm retired.

1 Q. When were you most recently employed?

2 A. 1986.

3 Q. And by whom were you employed at that time?

4 A. American Coastal Industries.

5 Q. Did you ever work for Westinghouse?

6 A. Yes, I did.

7 Q. When did you most recently work for
8 Westinghouse?

9 A. Retired in 1985.

10 Q. What was your position at that time?

11 A. Regional manager.

12 Q. In what region?

13 A. Northeast region.

14 Q. Have you ever given your deposition before?

15 A. Yes.

16 Q. Have you ever given your deposition in an
17 asbestos-related case or cases before?

18 A. Yes.

19 Q. Can you tell me how many times that took
20 place?

21 A. I believe twice.

22 Q. Where did those two times, two depositions,
23 take place?

24 A. One was in Philadelphia and the other in San
25 Francisco.

1 Q. When was the Philadelphia deposition,
2 approximately?

3 A. A little over a year ago. 1990 I believe.

4 Q. And the San Francisco deposition?

5 A. A couple months ago. Two or three months
6 ago.

7 Q. So sometime in 1992?

8 A. Yes. January I believe.

9 Q. In what way was your testimony related to
10 asbestos? Were you asked questions about asbestos
11 products in these two depositions?

12 A. Yes.

13 Q. Were you asked questions about
14 Westinghouse's knowledge about asbestos at given points in
15 time?

16 A. I was asked about my knowledge, yes.

17 Q. How long were you with Westinghouse?

18 A. 35 years.

19 Q. Okay. Have you reviewed the deposition
20 transcripts from either of those two depositions?

21 A. Yes. I went over them.

22 Q. When did you go over them most recently?

23 A. The one from San Francisco I reviewed about
24 three or four weeks ago.

25 Q. And the one from Philadelphia, sometime

1 closer in time to when you gave it?

2 A. Closer to when I took it, right.

3 Q. When you reviewed the San Francisco
4 deposition three or four weeks ago, was that in
5 anticipation of this deposition?

6 A. No.

7 Q. Was it just to review it to sign it?

8 A. Correct.

9 Q. Have you reviewed any documents in
10 preparation for your testimony today?

11 A. Not really. I haven't looked at anything
12 specifically for this deposition. Let me put it that way.

13 Q. Well, in the last 48 hours, have you looked
14 at any documents related to Westinghouse?

15 A. Yes.

16 Q. Was that not in preparation for this
17 deposition?

18 A. No.

19 Q. So your testimony is you have not reviewed
20 any documents in preparation for your deposition testimony
21 today? I just want to make sure I understand.

22 A. I'm saying I have not reviewed any documents
23 specifically for this deposition, no, I have not.

24 Q. Well, why don't you tell me for what purpose
25 you have reviewed Westinghouse documents within the last

1 48 hours?

2 A. I dug up an awful lot of old brochures I had
3 highlighting pictures of rotating equipment so that I
4 could consult, if you will, when I'm talking about
5 something. Looking at a picture, it makes things a lot
6 clearer. That's what I did, dug up a lot of old
7 photographs I had. When I'm talking about this or that
8 one, looking at the picture makes it clearer. That's what
9 I was doing.

10 MR. THACKSTON: For the sake of
11 clarification, I think he's talking about the personal
12 materials he had at home as opposed to anything any
13 lawyers might have collected for him. And he has those
14 with him if you want to see them.

15 BY MR. WATERS:

16 Q. Since you have been deposed before, you
17 understand that the oath you've taken here is the same one
18 you would take in a court of law?

19 A. Yes.

20 Q. The purpose of this deposition from my
21 standpoint is to find out what you know about products
22 Westinghouse made that contained asbestos first and
23 foremost. And secondarily I want to inquire into what you
24 and/or Westinghouse knew about asbestos and various
25 aspects about asbestos.

1 We will cover a lot of ground today, and I
2 anticipate we will run into things you know nothing
3 about. If you don't know anything about my question, I
4 don't want you to guess or speculate. If it's something
5 you are not familiar with, tell me that. I'll ask if you
6 know who might know, and we'll make pretty good progress
7 today.

8 If for some reason you don't understand one
9 of my questions, feel free to ask me to rephrase it. This
10 is not a mind game. I need to move through this and get
11 it over with as soon as possible.

12 I need you to be sure to give a verbal
13 response to my questions. She can't take down a shake or
14 nod of the head.

15 A. I understand.

16 Q. When you left Westinghouse, you were
17 regional manager for the northeast region you stated?

18 A. Correct.

19 Q. Where were you posted?

20 A. I was headquartered in Bala Cynwyd,
21 Pennsylvania, which is right outside of Philadelphia.

22 Q. How long had you been in that position?

23 A. 1979 until 1985.

24 Q. Okay. Tell me what position you were in
25 prior to that time.

1 A. I was plant manager at the Philadelphia
2 apparatus repair plant from 1976 to 1979.

3 Q. Okay. And prior to that?

4 A. I was an area manager in St. Louis, Missouri
5 for one year, 1975.

6 Q. Okay. Prior to that?

7 A. You are backtracking me now. I was plant
8 manager in Richmond, Virginia, in the Richmond apparatus
9 repair plant from 1968 to 1975/'74.

10 Q. All right. We've covered about 20 years so
11 far.

12 What were you doing before -- we've covered
13 more than that. What were you doing before '68?

14 A. From 19 -- backtracking from 19 -- let's
15 see. It's a lot easier for me if I start from 1950 and
16 come forward.

17 Q. Let's do it that way.

18 A. 1950 I started in Westinghouse in the Wilkes
19 Barre apparatus repair plant.

20 Q. Where is Wilkes Barre?

21 A. Pennsylvania.

22 Q. Okay.

23 A. I stayed there for one year, and in '51 I
24 moved to the Hillside Westinghouse apparatus repair plant.

25 Q. Where is that located?

1 A. Hillside, New Jersey. And I was there from
2 1951 to 1960.

3 Q. Okay.

4 A. And from 1960 to '62 I moved back to Wilkes
5 Barre, which is the apparatus repair plant there. And
6 from 1962 to 1968 I was at Hillside, and that brings me
7 right up to date from where you were. I lost track of the
8 date.

9 Q. It's easier to go forward.

10 Tell me what your responsibilities were in a
11 general sense when you were the regional manager for the
12 northeast region.

13 A. I had the overall responsibility for 17
14 apparatus repair plants along the northeast quarter from
15 Pittsburgh to West Virginia to Buffalo, New York to
16 Roanoke and Richmond, Virginia. And in this whole
17 northeast region, there are 17 repair plants.

18 Q. When you had overall responsibility, did you
19 supervise individual plant managers?

20 A. Yes. I had 17 plant managers reporting to
21 me.

22 Q. Did you travel from place to place a lot?

23 A. Yes, I did.

24 Q. In a general sense, what sort of work is
25 done at the apparatus repair plants other than repair of

1 apparatus? Explain to me what it is that those plants
2 did.

3 A. Three basic plants is what we call a small,
4 medium and large plant. And they would go out and
5 solicit, if you will, or the customer would send in
6 electrical equipment from all of the major industry,
7 including general industry, which encompasses chemical and
8 food and steel, marine and transportation; just about any
9 conceivable industry you can think of that had electrical
10 equipment that needed a problem corrected. And if it had
11 to come into a plant, it would come into these repair
12 facilities, both electrical and mechanical, and they would
13 repair them and send them back.

14 Q. Well, just to give me an idea of the range,
15 what is the biggest type of item that would be brought in
16 for repair?

17 A. We could go from a quarter horsepower, small
18 electrical motor, up to a 10,000 horsepower, which maybe
19 is one and a half times the size of this room, if you
20 will, to give you some kind of idea.

21 Q. All right. You were in that position from
22 '79 to '85, and tell me what -- I presume from your
23 earlier description, as a plant manager from '76 to '79
24 you would have been responsible for one of those 17
25 plants?

1 A. Right. It was the largest plant in my
2 region.

3 Q. And that was which plant again? I think you
4 told me.

5 A. Philadelphia.

6 Q. When did you first become aware of a problem
7 or potential problem involving the use of asbestos in
8 products?

9 MR. THACKSTON: I object to the term problem
10 as overly vague, but he if he can testify about that,
11 that's fine.

12 A. In the mid Seventies they began to phase out
13 using asbestos, what little of it we did use, and that's
14 when I became aware of it.

15 BY MR. WATERS:

16 Q. Okay.

17 MR. THACKSTON: For clarification, you are
18 saying when you personally became aware of any programs
19 related to asbestos?

20 THE DEPONENT: That's right.

21 BY MR. WATERS:

22 Q. Just for clarification as well, I'm just
23 asking you about your personal knowledge. If I'm going to
24 ask you in terms of what somebody else knew or what the
25 company knew or company policy, I'll put my question to

1 you that way; but otherwise assume I'm asking you for your
2 personal recollection.

3 A. That's what I understand.

4 MR. THACKSTON: Thank you, Andy. I think
5 that will save time.

6 BY MR. WATERS:

7 Q. How did you become aware that the company
8 was going to phase out asbestos? Did somebody tell you,
9 was there a memo you received? How did you become aware
10 of that?

11 A. We had some asbestos products in the plants
12 in the mid Seventies. And being a regional manager, it
13 was conveyed to me that all of these products were going
14 to be removed from the plants and disposed of and they
15 were not going to be used anymore.

16 Q. Who conveyed that to you, if you can recall?

17 A. It came from our headquarters.

18 Q. Would it have come from whoever the
19 northeast regional manager was at the time?

20 A. No. I was the northeast regional manager at
21 the time -- no. Plant manager. I'm sorry.

22 Q. What you have told me I believe is in '74
23 you would have been at Richmond plant, 1975 you were an
24 area manager and in 1986 you would have been a plant
25 manager. And you said it was in the mid Seventies?

1 A. The first time I heard of it was when I was
2 a plant manager in Philadelphia. Somewhere around '76.

3 Q. Okay. And going back to where I was, where
4 I just was, from whom do you think this was conveyed to
5 you?

6 A. Probably came to us through our regional
7 headquarters or directly from headquarters through the
8 regional office.

9 Q. Okay.

10 A. I want to go back to '76. I'm not quite
11 sure when I said mid Seventies -- it conceivably could
12 have been in St. Louis or Philadelphia. I'm really not
13 sure, to be honest, but somewhere in the mid Seventies.

14 Q. Saint Louis was when you were an area
15 manager?

16 A. Right.

17 Q. '75. All right. Fair enough. I think
18 that's clarified.

19 Did you receive a memo or something in
20 writing that laid out a policy statement on this?

21 A. There is something out there that I recall.
22 There was a memorandum that came out.

23 Q. But this would have been a fairly
24 significant change? I mean, something --

25 A. I didn't consider it significant.

1 Q. Okay. Prior to the mid 1970s, you were
2 aware surely of what asbestos was, correct?

3 A. I knew what asbestos was back in the early
4 1950s.

5 Q. And it was used or incorporated in some of
6 your products as an insulating material; is that fair to
7 say?

8 A. It was used in a very small amount of cases,
9 if you will, very minimal amounts when it was used. I
10 never considered it as a major insulating factor in all of
11 the years that I was with Westinghouse and the equipment
12 we worked on.

13 Q. Your time with Westinghouse, it sounds to me
14 like you worked with -- you worked with or were involved
15 with repairs from very large to very small items, correct?

16 A. Correct.

17 Q. And some of those items contained asbestos
18 insulation, correct?

19 A. Some of them.

20 Q. Now, did you do work on turbines?

21 A. Yes.

22 Q. And presumably then you are aware that some
23 of the turbines had used asbestos insulation?

24 A. Some of the turbines.

25 Q. And then I assume you are aware that the

1 specifications for insulation for some of the turbines
2 made by Westinghouse called for asbestos insulation?

3 A. I never saw the turbine specifications, so I
4 can't answer that.

5 Q. Okay. You never saw them, but that's not
6 really my question.

7 Are you aware that they called for use of
8 asbestos insulation?

9 A. I'm aware that the outside covering of
10 turbines had asbestos on it.

11 Q. Okay. What policies did you put in place or
12 did you see put in place with regard to asbestos after
13 this word came down that it was no longer going to be
14 used, going to be phased out in the mid Seventies?

15 A. We simply didn't use it.

16 Q. What did you do about replacing asbestos
17 insulation in machinery that your shops or your plants
18 were working on, repairing?

19 A. We were using materials other than asbestos
20 as far back as the Fifties even though we had some
21 asbestos in the storerooms. It was not an easy product to
22 work with, and we shied away from it because of various
23 reasons.

24 Q. Well, going back to the mid Seventies, are
25 you saying then that you were just immediately able to

1 replace asbestos that had been used with something else?

2 A. Yes. There were materials already on the
3 market.

4 Q. At the time you received this memorandum or
5 communication or whatever, did you still have some
6 asbestos replacement parts, if you will, in stock?

7 A. Yes.

8 Q. Did you use those out, finish those off
9 before you started using nonasbestos? Did you get rid of
10 them that way?

11 A. No.

12 Q. At that time, you immediately stopped using
13 asbestos; is that fair to say?

14 MR. THACKSTON: Let me interpose an
15 objection, because I think the questions as are being
16 framed are overly broad and nonspecific. Because I assume
17 you are talking about every conceivable piece of equipment
18 or product that they worked on in these apparatus repair
19 divisions, and I'm not sure that John is understanding
20 them that way and that he can respond to your question
21 based on the categorical manner in which they are framed
22 that he can respond to every single product that they may
23 have been working on there. And I don't know whether it's
24 possible to ask for each particular kind of product, but I
25 think he's speaking in generalities and you are speaking

1 in terms of covering every product they had in their
2 plants.

3 BY MR. WATERS:

4 Q. Let me make sure that's clear. It sounds to
5 me that suddenly policy was put into place, and it was
6 your job to implement the policy or make sure it was
7 carried out. Tell me if there is a difference between
8 specific products, but I'm understanding you to say that
9 in general you were in a position to stop using asbestos;
10 you had some asbestos in stock and you stopped using it.
11 You stopped using those asbestos-containing products or
12 components; is that correct?

13 A. We had stopped using a lot of it prior to
14 this memorandum coming down. In fact, it was collecting
15 dust in the storeroom.

16 Q. All right. So is it fair to say then when
17 the edict came down, you definitely stopped using it
18 before it came down?

19 A. No. Edict came down, and we got rid of it.

20 Q. You understand that to mean to get rid of
21 what you had in stock?

22 A. Physically get rid of it.

23 Q. What did you do to get rid of it?

24 A. When I was in Philadelphia, instead of
25 throwing it out, I took it home with me.

1 Q. What did you do with it at home?

2 A. Insulated my attic.

3 Q. What did you do -- as your repaired
4 equipment at your plants, did you replace the
5 asbestos-containing components on that equipment with
6 nonasbestos-containing components?

7 A. At that time, the materials that you would
8 use other than asbestos were already in place, and we were
9 using those other materials. They were already on the
10 market and in place.

11 Q. Okay. Let me put it to you this way: If a
12 turbine or some other large piece of equipment would have
13 been brought in to be worked on or repaired and if you had
14 to remove insulation that contained asbestos as part of
15 the repair, I would presume that you would replace that
16 insulation but you would do so with nonasbestos-containing
17 insulation; is that correct?

18 A. Whenever we received a turbine into the
19 plant to be repaired, there was no asbestos on it.

20 Q. All the insulation had been stripped away?

21 A. Correct.

22 Q. Okay. Presumably that was done wherever the
23 equipment was located?

24 A. Presumably.

25 MR. THACKSTON: If you know.

1 THE DEPONENT: I don't know where it was
2 removed.

3 BY MR. WATERS:

4 Q. But it's your testimony by the time it got
5 to you, it was all gone?

6 A. Correct.

7 Q. And your plant or plants would have -- would
8 they have done the reinsulation work after the repair work
9 had been completed, or would that be done elsewhere?

10 A. No. We did the shop work in the shop and
11 shipped the turbine, and from there we don't know what
12 happened to it.

13 Q. What about other asbestos-containing
14 components besides insulation, would you have had to strip
15 those?

16 A. I don't know. I really don't understand
17 your question. What other insulations besides --

18 Q. What other components besides insulation
19 might you have had to deal with in the course of repairs
20 around about the mid Seventies?

21 A. We used asbestos, when it was used, which
22 was very limited, for one reason and one reason only: And
23 that's for insulation.

24 Q. Well, then, is it your testimony that all
25 the asbestos would be gone from the equipment or the piece

1 of equipment when it came to you?

2 A. No. I think you have to understand
3 something. When a piece of equipment came in, it was a
4 rarity -- it was a rarity, as a winder anyway, to use
5 asbestos or to see asbestos in that particular motor
6 unless it was a very odd, extraordinary circumstances for
7 that particular motor. It was not a common ordinary thing
8 to deal with asbestos.

9 Q. And I presume that's the case because, in
10 large part, the insulation would have already been
11 stripped by the time it came to you?

12 A. No. That's not the reason. The only time
13 asbestos was used was where extreme high temperatures
14 existed, and that's the reason asbestos was used at that
15 point in time.

16 Q. Why don't I take a quick look at the
17 photographs that you reviewed that you were talking
18 about. Do you have those handy?

19 A. You were talking about size. This happens
20 to be a large steel mill, reversing mill armature to give
21 you an idea of the size.

22 Q. Are you in this picture?

23 A. No.

24 MR. THACKSTON: That's him right there.

25 THE DEPONENT: But I am in this picture.

1 That goes back to the early Fifties.

2 BY MR. WATERS:

3 Q. And you really wore the bow tie at work?

4 A. Yes. Everybody looks at the bow tie.

5 Q. You look pretty clean. Looking good.

6 A. We ran good operations. We were very
7 proficient when it came to housekeeping.

8 MR. THACKSTON: Let the record reflect he's
9 wearing a white shirt and bow tie, and he's clean. In the
10 photograph. Not here.

11 BY MR. WATERS:

12 Q. When would this picture have been taken?

13 A. In the mid Fifties.

14 Q. When you were at Hillside?

15 A. Yes.

16 Q. Okay. What else have you got over there?

17 A. This. Just those. A variety of equipment,
18 different sizes of motors and generators. We were putting
19 a brochure together, and I still retain that.

20 Q. Yes. You managed to get your picture in it,
21 as well.

22 A. Well, I was doing it, so, you know --

23 Q. What else have you got?

24 A. This is one plant just showing some pictures
25 of a turbine rotor. It's a generator rotor. And these

1 are just books of large synchronous and adduction motors,
2 to give you an idea of what they look like pictorially,
3 trying to explain something.

4 Q. I could probably use that.

5 A. Yes. But you are not going to get those.

6 MR. THACKSTON: We might copy them if you
7 want to have them marked and copied as exhibits.

8 MR. WATERS: Well, I don't want to mark his
9 personal --

10 THE DEPONENT: This is the same type --
11 different type of motor. One happened to be a synchronous
12 motor and one was a squirrel cage alternating motor.

13 BY MR. WATERS:

14 Q. Okay.

15 A. This happens to be a picture of a turbine
16 motor, which is the inside motor of the rotating motor.

17 Q. Okay.

18 A. This is just an article about a high speed
19 rapid traction motor contract that we received in
20 Philadelphia that I was very heavily involved in.

21 Q. All right.

22 A. Inside views of why alternating current
23 through phase motors fail and what they look like. That's
24 the stationary part of the motor.

25 Some more pictures of rotating equipment and

1 what they are doing and what they look like. This is what
2 a striped armature looks like. How many plants we had in
3 the country in 1940.

4 Q. Okay.

5 A. And this is what the organization looked
6 like when I retired. And this is just another picture,
7 and that's about it.

8 Q. Is this you again?

9 A. Yes. Same picture.

10 Q. Maybe what we can do is make just a few
11 copies of the selected photographs that will be kind of
12 helpful in terms of him illustrating what's where and a
13 copy of this too, maybe.

14 Let's see if I can find you on this chart.
15 There you are. Okay. It says here you are manager of the
16 eastern region. I thought you said northeastern region?

17 A. It's one of the same.

18 Q. Most of the operations are in the north part
19 of the eastern seaboard?

20 A. Right.

21 MR. THACKSTON: John, I want to clarify one
22 thing I'm not sure Andy is clear on. That chart that he's
23 referring to, which maybe we should get marked and made an
24 exhibit, refers to the apparatus repair division of
25 Westinghouse?

1 THE DEPONENT: That's correct.

2 MR. THACKSTON: And not the entire
3 corporation?

4 THE DEPONENT: No. Just the apparatus
5 repair division.

6 MR. THACKSTON: All right.

7 BY MR. WATERS:

8 Q. Do you have any knowledge about the
9 corporate structure of Westinghouse as far as where the
10 division -- your division fits into the parent company,
11 that sort of thing?

12 A. At what time?

13 Q. From any time from the time you worked there
14 through the Eighties?

15 A. It was industry service divisions. There
16 was more divisions, and the apparatus repair division was
17 sort of the industry's service divisions. We had the
18 apparatus repair division, the engineering service
19 division, mechanical division. These are all service
20 division within this division of the industry's service
21 divisions, and we were part of that. It's a separate
22 entity within the corporate structure.

23 Q. Is there another separate industry that
24 would be called the manufacture division or something
25 similar?

1 A. Yes.

2 Q. That would be a manufacture division?

3 A. The the turbine division would be called the
4 power generation division.

5 Q. Would that have remained -- would that
6 division have remained a constant from the Fifties through
7 the Eighties?

8 A. Yes.

9 Q. Where is that division headquartered, if you
10 know? And if it's changed, go ahead and explain it.

11 A. It's either in Orlando, Florida -- I believe
12 it's in Orlando, Florida.

13 Q. Do you know how long it's been in Orlando?

14 A. I believe they moved to Orlando since I
15 retired.

16 Q. Since '85?

17 A. Yes.

18 Q. Working for the appliance -- excuse me,
19 apparatus repair division, did you have much interaction,
20 if any, with the power generation division?

21 A. Some.

22 Q. And explain to me what that would have been
23 -- what the nature of those sort of communications would
24 have been.

25 A. The power generation service division had

1 the overall responsibility for any turbine repair work or
2 any turbine works. They would come to us as kind of a
3 subcontractor if they needed assistance or help, but they
4 had the prime overall responsibility.

5 Q. Would they have been the division that
6 provided, for instance, specifications for what types of
7 insulation were to be used with the turbines?

8 A. Yes.

9 Q. Would they have been the people that would
10 be responsible for installation of new turbines?

11 A. Yes.

12 MR. THACKSTON: Let me object to that and
13 ask for a clarification. Do you mean to the extent that
14 any Westinghouse unit was responsible for the installation
15 of the turbine would it have been the power generation
16 service division as opposed to was it the power generation
17 service division that always had the responsibilities for
18 installing the turbine as opposed to any other type of
19 outside entity?

20 I think John is saying within Westinghouse,
21 if Westinghouse installed it, it would have been the power
22 generation service division, but not that that division
23 always necessarily installed the turbine that it sold.
24 But I think you maybe are getting afield of what
25 Mr. Morykon knows about, because that's not his division.

1 BY MR. WATERS:

2 Q. Let me say again I don't want you to
3 speculate about something. If you don't know or if there
4 is someone better situated who we should ask, let me
5 know. Because I recognize your involvement with this
6 other division will be obviously somewhat limited.

7 Do you have any knowledge or any
8 recollection of the structure within the power generation
9 division, I mean, as to who was in a particular position
10 at any time Fifties through the Eighties?

11 A. I couldn't be specific on that. It varied a
12 whole lot.

13 Q. Is it fair to say you at given times knew
14 individuals who worked in that division but that you don't
15 have a general sense of the structure of the division?

16 A. Correct.

17 MR. WATERS: Should I go ahead and mark
18 these? I don't think I should, because they've got these
19 little stick things on them. I don't want to mess up the
20 program.

21 MR. THACKSTON: If they are particular ones
22 you want to use during the deposition, we'll put them
23 aside and get somebody to copy them now.

24 MR. WATERS: Maybe we should do that and use
25 them after lunch.

1 MR. THACKSTON: Anytime you want to take a
2 break and separate the ones that you want copied, we'll do
3 that.

4 MR. WATERS: Let's leave that for the time
5 being.

6 BY MR. WATERS:

7 Q. Going back to talking about asbestos a
8 little bit, prior to the mid 1970s, did you as a
9 Westinghouse employee have any knowledge that asbestos
10 could be harmful to the health of workers or individuals?

11 A. No.

12 Q. So it's your testimony that you first became
13 aware of that fact when this edict came down from on high?

14 MR. THACKSTON: I object to asking him to
15 correlate some statement he got from the corporation with
16 the medical statement that you just made. I don't think
17 that's within his ability to testify here.

18 A. I'm a very heavy reader. I read anything I
19 lay my hands on as long as it's not immoral, if you will.
20 So I could have heard it, I could have read it somewhere.

21 Somewhere in the Seventies is the first time I heard
22 asbestos may be a problem. That's as honest as I can be.

23 BY MR. WATERS:

24 Q. As I understand your testimony, you may have
25 heard about it from some outside source prior to hearing

1 about it from within the company, but you can't recall for
2 sure?

3 A. That's possible.

4 Q. That's fair enough.

5 What branch or division of Westinghouse, if
6 you will, would have been responsible for acquiring
7 asbestos for use in products or for specifying asbestos in
8 the use of products? Is that going to vary depending on
9 the product?

10 A. It will vary depending on the product and
11 vary depending on the division.

12 Q. Speaking about the power generation division
13 -- and, again, if these questions are better directed to
14 somebody else, we'll do that; so I want you to pass on
15 these if you don't have any knowledge of them -- what
16 subdivision or what group within that division would have
17 been responsible for acquiring asbestos insulation or
18 asbestos components or asbestos to be used in those
19 products?

20 A. I really don't know within the structure of
21 that intrastructure of that particular division. I would
22 not know.

23 Q. Within your own division was there a
24 subdivision or a subgroup that was responsible for
25 stocking, acquiring component parts, that sort of thing,

1 in general, not just asbestos?

2 A. Yes.

3 Q. What was that called?

4 A. It changed over the years. Back in the
5 Fifties and 1960s and early Seventies, each plant manager
6 controlled just about everything that came in or out of
7 that plant. So it varied a whole lot with regard to what
8 was purchased locally, what was purchased from the
9 headquarters. Then they began an awful lot of heavy
10 standardization of materials.

11 Q. When would that have been, approximately?

12 A. In the early Seventies; whereas our
13 headquarters would do all of our purchasing for us.

14 Q. All right. So prior to the early Seventies,
15 as I understand your testimony, each individual plant
16 manager would be responsible for acquisition of those
17 sorts of things?

18 A. That's correct.

19 Q. And as a plant manager, would you have been
20 responsible for that as well?

21 A. Yes.

22 Q. You mentioned earlier -- we talked about
23 having asbestos-containing components or products in stock
24 and the fact that you had to a large extent stopped using
25 those by the time you received the edict, can you tell me

1 what sorts of component products or replacement products
2 those would have been that you would have had in stock
3 that we discussed earlier?

4 A. Other than the asbestos?

5 Q. No. I'm specifically referring to the
6 asbestos, just the asbestos. I'm sorry.

7 A. We had asbestos Micarta, we had asbestos
8 sheet and treated glass with asbestos and some treated
9 asbestos tapes. Other than that, that was it.

10 Q. What is asbestos Micarta?

11 A. It's a laminate held -- compressed together
12 with glass fiber and some other phenolic materials, if you
13 will, and all compressed in a solid sheet.

14 Q. What is it used for?

15 A. We used it for wedges.

16 Q. Okay. I've seen that term in some of the
17 documents I've looked at.

18 Can you explain to me very briefly what
19 wedges are and how they are used.

20 A. Yes. If I could show you in the --

21 Q. Would it be on the big pictures?

22 A. Let me have one of those over there. This
23 is the coil that's embedded in the slot.

24 MR. WATERS: Let's let the record reflect we
25 are referring to page 10, and we'll mark that Exhibit

1 Number 1, and it's from the Westinghouse large Induction
2 Motors Publication.

3 (Page 10 of the Westinghouse
4 large induction motors book was marked
5 as Morykon Exhibit No. 1.)

6 THE DEPONENT: This is the coil that sits in
7 the slot, and these are iron laminations here, and this
8 piece is the wedge.

9 BY MR. WATERS:

10 Q. Okay.

11 A. Now depending on the length of the slot
12 would determine how many of those pieces you would need.
13 Here's a good picture of the wedge right here.

14 Q. That's on page 11; the upper picture, right?

15 A. Right

16 Q. Are wedges something you are going to find
17 in most turbines, if not all turbines? You have to
18 forgive me. My knowledge of such things is very limited,
19 so I'm going to ask you some questions.

20 A. We have to be careful what we are talking
21 about. You keep talking about turbines. There are no
22 wedges in turbines like this. That's the mechanical part
23 of the turbine. It's in the generator part where you
24 would find these wedges.

25 Q. All right. Is that something you are going

1 to find in the generators, generally?

2 A. Yes. You will find wedges in the generator.

3 Q. And those wedges, again during the time
4 frame you worked with Westinghouse, were they often made
5 of this laminate that you described; the asbestos Micarta?

6 A. Yes, in the early Forties and Fifties.

7 Q. When, if ever, did they change and start
8 using something else?

9 A. Probably after the -- I shouldn't say that.
10 I know they changed somewhere in the Seventies, somewhere
11 in mid Seventies.

12 Q. Is the wedge a component that needs to be
13 changed out periodically? Does it wear out, does it have
14 to be replaced?

15 A. No. It's something that occurs far and wide
16 in between. If the generator fails and it has to be
17 rebuilt, obviously you would change the wedges. But it's
18 not something you do on a regular basis.

19 Q. Tell me about how the asbestos sheet was
20 used?

21 A. When the coils were put into either the
22 stationary or the rotating member arch, it was all wedged,
23 if you will. You have all these wires coming out, and
24 then you have to make the connection. This is the
25 connection. You would have a group of wires coming out

1 here and here to connect the coils in series; so
2 connecting this coil to that coil.

3 Q. Referring again to Exhibit 1.

4 A. And before this insulation was applied,
5 these joints have to be brazed or soldered. When you are
6 brazing, because of the high temperature, the torch you
7 are using with silver solder, you want to prevent the heat
8 from traversing back into the coil so it does not burn or
9 char the insulation. Therefore, with the sheet of
10 asbestos, you would take it and immerse it in a five
11 gallon bucket of water, kind of make a putty out of it,
12 and you would pack it around this to keep the heat from
13 traversing back in here. And when you were through, you
14 would pick it up and throw it away. That's the only time
15 we ever used asbestos sheets.

16 Q. You say when you are done, you pick it up
17 and throw it away. So it's only on there a short time?

18 A. Yes.

19 Q. It's not on there, for instance, in this
20 photograph number 10?

21 A. No, there is not.

22 Q. But there is some other insulation that
23 looks like -- is that a tape?

24 A. Right. This is the coil, and underneath
25 this coil is the insulation tape that is put around this

1 coil to prevent it from going to ground to the iron.
2 Okay. It's glass and it's Micarta, which are the main
3 component parts of the insulation system, glass and
4 Micarta.

5 Q. Lastly you mentioned the treated glass with
6 the asbestos and the treated asbestos tape. Looking at
7 what's been marked as Exhibit Number 1, would that be
8 insulation that is on the coils as we look at the
9 photograph?

10 A. Not on those particular coils.

11 Q. No?

12 A. The only time, to the best of my knowledge,
13 that I can ever recall using asbestos tape was back in the
14 early Fifties when there was an unusual product that would
15 come in that was exposed to extreme high temperatures. We
16 used it only when we had to use it for various reasons. I
17 had nothing to do with any exposure to anything. It was a
18 very poor insulator.

19 Q. Okay. You have told me about four products
20 or types of products that would have been in stock around
21 about the mid Seventies?

22 A. Yes.

23 Q. Tell me what other asbestos-containing
24 products you have knowledge of that not necessarily were
25 in stock in the mid Seventies, but you have knowledge of

1 working with throughout the entire time frame of your
2 career with Westinghouse.

3 A. Those are the only four that I can -- I
4 believe I said asbestos-treated tape.

5 Q. You did.

6 A. Asbestos Micarta.

7 Q. Yes, sir.

8 A. Asbestos sheet and treated glass asbestos.

9 Q. Okay.

10 A. There was some asbestos cable, treated
11 asbestos cable.

12 MR. THACKSTON: Let me ask for a
13 clarification. You are talking about any of the products
14 that came through your repair facility as opposed to
15 something that Westinghouse necessarily manufactured? You
16 are talking about anything that was in the facility?

17 THE DEPONENT: That's right, that came
18 through the repair facilities. We didn't manufacture
19 anything. That just about covers it.

20 BY MR. WATERS:

21 Q. What did you use the asbestos cable for?

22 A. On rare occasions when the application of a
23 particular motor that came in was used under extreme high
24 operating temperatures, then and only then would we use
25 treated asbestos cable.

1 Q. Then the five things we have discussed so
2 far are products that you are familiar with because they
3 were used to greater or lesser extent in terms of the
4 repair work?

5 A. Correct.

6 Q. What other products do you know about or
7 have knowledge of that Westinghouse made or used that you
8 have knowledge about for some other reason; that is to
9 say, they are not things that you used in your repair
10 process but you are familiar with them for some other
11 reason? What other types of products would those be?

12 A. I believe there are some compounds that may
13 or may not have had some asbestos embedded within the
14 compound. Other than that, I don't know of any.

15 Q. I take it from what we discussed earlier
16 that you have limited knowledge related to thermal
17 insulation on the heavy equipment itself?

18 A. You have to clarify that. When you say
19 limited knowledge on equipment, what are you specifically
20 referring to?

21 Q. Okay. You mentioned earlier that when the
22 heavy equipment, which I think we can assume at least for
23 this part of the discussion is related to generators and
24 turbines, that when those came to be repaired, they would
25 have already been stripped of insulation?

1 A. The turbine?

2 Q. Right. Okay.

3 MR. THACKSTON: Andy, and I'm trying to get
4 this clarified, when you talk about heavy equipment, I
5 assume that includes the 10,000 horsepower motors and the
6 large equipment they repaired and not just the turbines
7 and generators?

8 MR. WATERS: It does. That's right.

9 MR. THACKSTON: And I don't believe -- he
10 testified he did not have knowledge of whatever kind of
11 insulation was used on that type of equipment, just the
12 turbines.

13 MR. WATERS: Right.

14 BY MR. WATERS:

15 Q. Specifically having to do with the
16 insulation on the turbines that would have been stripped
17 before they came to you for repair, what knowledge do you
18 have about that insulation?

19 A. All I knew is it was covered with asbestos,
20 the outside casing only.

21 Q. And your knowledge beyond that is limited,
22 because you didn't replace that insulation; is that
23 correct?

24 A. That's correct.

25 MR. THACKSTON: I also want to object to

1 asking about turbines in general, because we are talking
2 about a 30 something year period. And I assume we are
3 talking about turbines in lot of geographical locations,
4 and I don't believe John has testified that he has
5 firsthand knowledge about how each one of those turbines
6 were insulated. They may have been insulated differently.

7 THE DEPONENT: That's correct.

8 BY MR. WATERS:

9 Q. I don't want you to speculate about
10 something. If you want to limit your response, feel free
11 to do so for any particular question.

12 A. In addition I have to add that not all
13 turbines had any outside insulation on them.

14 BY MR. WATERS:

15 Q. Let's talk about other types of equipment
16 that were repaired that would have had asbestos insulation
17 on them either prior to the time they came to you or the
18 time they came to you for work, can you tell me what other
19 types of equipment would come to you for repair that would
20 have had at one time or another asbestos insulation?

21 A. Other than alternating current and direct
22 current motors or generators and some control equipment
23 that was specifically used where high temperature
24 operating temperatures were required, it may or may not
25 have had asbestos in it. And when it did, then we would

1 -- could come into the plant intact the way it was
2 originally built or repaired at some point in time.

3 Q. If that was the situation, would it have
4 been necessary from time to time to remove asbestos
5 insulation to do your repair work?

6 A. If they were asbestos wedges, Micarta
7 wedges, yes, you would have to remove them.

8 Q. What about outside insulation, insulation
9 surrounding the piece of equipment, did you ever have
10 to --

11 A. There wasn't any on there.

12 Q. And was there none on there because there
13 was never any on there or because it would have been
14 removed before it came to you?

15 A. Because it was never on there.

16 (Xeroxed picture of page 11
17 regarding high voltage applications was
18 marked as Morykon Exhibit No. 2.)

19 (Xeroxed picture of 3,000
20 horsepower steel mill motor was marked
21 as Morykon Exhibit No. 3.)

22 BY MR. WATERS:

23 Q. There is one picture in particular, we'll
24 have this be Exhibit 3 once we get a Xerox of it, tell me
25 what that photograph is.

1 A. This is a 3,000 horsepower steel mill
2 reversing mill motor which we are in the process -- it's
3 already been stripped, it's already been cleaned, and the
4 coils have already been manufactured. And we are in the
5 process of winding, putting in a new winding on this
6 armature and returning it back to the customer. That's
7 what the photograph is.

8 Q. Now, at one time would there have been
9 insulation around this piece?

10 A. There is insulation in that, incorporated in
11 the winding.

12 (Discussion off the record)

13 BY MR. THACKSTON:

14 Q. Mr. Morykon, with respect to what's been
15 marked as Exhibit 3, this is a motor that has no
16 application in conjunction with a turbine and generator;
17 is that correct?

18 A. That's correct.

19 Q. And you have testified that there is some
20 insulation incorporated inside of this motor; is that
21 correct?

22 A. That's correct.

23 Q. And what is that insulation made out of?

24 A. Micarta and glass.

25 Q. Is there any type of outer cover or

1 insulation on this motor?

2 A. No.

3 Q. Was it ever -- was the motor designed to
4 have any type of outside insulation?

5 A. No.

6 Q. So when you testified in response to
7 Mr. Waters' questions about the type of insulation that
8 this motor contained, you were talking about internal
9 glass and Micarta insulation?

10 A. That's correct.

11 Q. Is there a difference in your mind -- in
12 your testimony, is there a difference between thermal
13 insulation and dielectric or any other type of insulation?

14 A. No. It's the same thing to you when you
15 analyze it.

16 MR. THACKSTON: And the equipment that Mr.
17 Waters has asked you about, perhaps it would be helpful in
18 the future if you just -- when he asked you whether the
19 equipment contained insulation, tell me whether it was
20 outer covering insulation or some type of internal
21 insulation that was used within some component of motor or
22 other piece of electrical equipment.

23 He's coming from the viewpoint of thinking
24 in terms of a turbine that may have had something on the
25 outer shell of it and expecting that there is some type of

1 insulation like that on most of this electrical
2 equipment. If that's not the case, you may want to
3 clarify that to begin with so we don't have to waste
4 time.

5 BY MR. WATERS:

6 Q. Among these photographs I'm sure there is a
7 picture of a turbine. If you can pull one out for me,
8 maybe we can work from that.

9 A. Let me go back to something you said
10 earlier. There are two reasons for insulation, any kind
11 of insulation: One is for thermal insulation to retain
12 heat, if you will, and the other is to isolate -- insulate
13 for electrical purposes. There is no other.

14 I'm not sure I have a picture of the outside
15 casing of the turbine. Maybe I can show you the one
16 picture that I have here. Let me have that over there.

17 Q. This stack?

18 A. Yes.

19 This is the rotating or rotor part which has
20 a shaft that rotates on bearings. That's the rotor of the
21 turbine that actually spins, and that's coupled, the
22 generator. That fits into a stationary part which looks
23 like this, if you will. It doesn't quite look like that,
24 but it's something that goes inside of something else, and
25 it's completely encased in two halves so you have the

1 rotating member. There is no insulation on this
2 whatsoever.

3 And then you have the stationary member,
4 which is two halves coupled together, and inside that part
5 fits and rotates. Inside of this outside stationary part
6 there is no insulation. It's all steel turbine blades, if
7 you will. It's the outside casing of that that is covered
8 with this insulation to keep the heat retained. As the
9 steam pressure comes in, it turns this -- hits these rotor
10 blades and makes that thing turn. There is an awful lot
11 of heat generated within that turbine. So therefore the
12 insulation is put externally on the outside of the
13 stationary member to retain the heat.

14 Q. You did a very good job of that, actually.
15 Is there a photograph that would show the
16 outer casing either insulated or uninsulated so I could
17 just get a feel for that?

18 A. I had a picture of a complete turbine, and I
19 don't know if it's in the book or not. Whether I brought
20 that one, I'm not sure.

21 Q. I think you did a good job of describing
22 it. It would just be helpful for me to have it if you
23 have it handy.

24 A. There is a photograph -- I don't know if I
25 brought it or not -- of a complete turbine. It wouldn't

1 be in those books. It would probably be in one of these.

2 Q. What is this photograph of?

3 A. That's a synchronous motor.

4 Q. All right. Bear with me. I think I will
5 find it here. Sure. I think it will save us time if you
6 do find one.

7 A. I guess I don't have it.

8 Q. That's fine. I think you did a pretty good
9 job of explaining it to me.

10 A. Let me see. It might be in this book here.

11 This is a little different, but basically
12 the same identical thing, if you will. This happens to be
13 a 7,000 horsepower used for a wind tunnel. But if you
14 look at this, that's what an outside part of a turbine
15 looks like. The rotor that I showed you earlier fits
16 inside that, so therefore this outside casing would be
17 encapsulated with insulation to retain the heat. They
18 come in all different sizes and shaped, but basically
19 that's what it looks like.

20 Q. To do repairs on the turbine itself -- let
21 me go ahead and say we are going to mark this as Exhibit
22 Number 4.

23 MR. THACKSTON: For clarification, is that
24 -- that's not a Westinghouse turbine, is it?

25 THE DEPONENT: This is not a turbine.

1 MR. THACKSTON: Referring to Exhibit Number
2 4, this is part of a supersonic wind tunnel to generate
3 high rates of wind, if you will. This is not a turbine.
4 But I'm referring to this to try and explain to you this
5 is what a turbine looks like.

6 (Xeroxed page with picture of
7 7,000 horsepower motor was marked as
8 Morykon Exhibit No. 4.)

9 BY MR. WATERS:

10 Q. With the insulation around it?

11 A. With the insulation only on the outside of
12 this thing to retain the heat. You wouldn't find it
13 anywhere else.

14 MR. THACKSTON: But that photograph shows
15 neither the insulation nor the outer covering that's on
16 top of the insulation.

17 THE DEPONENT: Right. There is none on
18 here.

19 BY MR. WATERS:

20 Q. If repairs had to be made to a turbine,
21 would it be necessary in many cases to remove the
22 insulation around the turbine?

23 A. Sometimes yes and sometimes no.

24 Q. It would depend on the extent of the
25 repairs?

1 A. Right. You can see where all this is bolted
2 together here. All these bolts would come off, and the
3 top half lifted out. If there wasn't any damage to this
4 external insulation that's on there, you wouldn't have to
5 remove it.

6 Q. Let me show you page eight of this
7 Westinghouse publication and ask you if that is a
8 photograph of either an asbestos tape or
9 asbestos-containing tape or something like
10 asbestos-containing tape?

11 A. There is no asbestos anywhere in any of
12 these photographs. You are either looking at combined
13 glass and Micarta tape or the individual wire is being
14 insulated.

15 Q. And how is it you know in this publication
16 there is no -- we'll mark this Exhibit 5 -- photographs of
17 any asbestos-containing products?

18 A. Well, I know that's not asbestos tape.

19 (Xeroxed copy of thermalastic
20 insulation systems was marked as
21 Morykon Exhibit No. 5.)

22 BY MR. WATERS:

23 Q. Do you know that from looking at it or
24 from --

25 A. From looking at it and what's written in

1 there.

2 Q. This is described as Micarta conductor
3 insulation?

4 A. Right.

5 Q. Well, if you will, can you tell me in what
6 way from the standpoint of appearance this looks different
7 from an asbestos-containing tape product, if it does?

8 A. Let me backtrack just a little bit. Okay.
9 Micarta and glass are the predominant insulation tapes
10 used on electric motors and generators as far back as I
11 remember. I personally have never seen a motor or
12 generator wound where the individual conductors were
13 insulated with asbestos tape. I have never seen one, and
14 I've seen thousands and thousands of them.

15 Q. You have, however, seen asbestos tape?

16 A. I have seen asbestos tape.

17 Q. And why don't you just describe that for me,
18 if you can, in your own words --

19 A. Asbestos tape is -- comes in 36 yard rolls,
20 three quarter inch wide, some one inch wide. That's about
21 the two basic sizes they would come in; three quarter inch
22 or one inch wide. And it feels like or looks like a linen
23 cloth, if you will, impregnated in a varnish and baked at
24 very low temperature to add some mechanical strength to
25 it.

1 Q. Is it stiff?

2 A. No. It's pliable.

3 Q. It's flexible.

4 Is it dry or dusty?

5 A. It's not dusty because, to add some
6 mechanical strength to it, that is why we impregnated it
7 in a varnish, if you will, and bake it at low temperatures
8 so that when you are taping it, you do have some form of
9 continuing rigidity to it while you are taping it and
10 consistency in the spacing of the tape. It's used
11 primarily far and wide in between, if you will, on high
12 temperature exposed direct current field coils where the
13 spacing was not that critical to add a high temperature
14 insulation to it.

15 Q. What, if any -- well, let me ask it this
16 way: Once the tape is put into place, it is presumably
17 subjected to high temperatures?

18 A. That's the only time it would ever be used
19 is for that specific purpose. But once it's put into the
20 field coil and the whole thing is thoroughly impregnated
21 in varnish, it's one complete homogenous mass.

22 Q. As part of that homogenous mass, is it
23 subjected to high heat?

24 A. Yes. If that's what the application called
25 for.

1 Q. And over the course in time, if you know,
2 what affect does the heat have on the tape itself?

3 A. The heat would have no affect on the tape.
4 It would have affect on the varnish if the heat did not
5 exceed what temperature it was designed for.

6 Q. If it did exceed what it was designed for,
7 what affect would it have on the varnish?

8 A. Lose it's insulating qualities and begin to
9 deteriorate and leave the tape exposed, which asbestos
10 will not burn.

11 Q. Have you personally seen asbestos tape that
12 has been in use for some period of time?

13 A. Yes.

14 Q. And as a result of its exposure to heat, is
15 it drier or crackly, anything like that?

16 A. It goes back to its original state as the
17 asbestos tape with no varnish on it, because the varnish
18 is gone.

19 Q. And that would be that linen cloth
20 description you gave earlier?

21 A. Yes, yes.

22 Q. If you know, what Westinghouse subsidiary or
23 -- strike that.

24 The five products that we've already
25 discussed, the Micarta, the sheet, the treated glass and

1 the treated tapes that were used in your operations, were
2 those all manufactured by Westinghouse?

3 A. No.

4 Q. Some of them were specified for use by
5 Westinghouse, but they were manufactured by somebody else?

6 A. That's correct.

7 Q. Do you know which were and which weren't?

8 A. I really don't. I really can't answer
9 that. I really cannot answer that, because I don't know.

10 Q. Do you know someone who would know?

11 MR. THACKSTON: Let me ask for a
12 clarification know what? I think you have two questions
13 in there; specified versus manufactured. Could you
14 clarify the question, please?

15 BY MR. WATERS:

16 Q. What I wanted to know initially was which,
17 if any, of these were not manufactured by Westinghouse.

18 A. The one that was manufactured by
19 Westinghouse was Micarta, but there is all different types
20 of Micarta; some with asbestos, some totally without
21 asbestos. They did make Micarta, yes. Other than that,
22 any time we purchased tapes or whatever, it just came in.
23 I have no idea where it came from. I'm sure they came
24 from outside suppliers, but I can't be positive.

25 Q. Is it your testimony that Westinghouse did

1 not make asbestos tapes?

2 A. We bought all our tapes from outside
3 suppliers. I don't believe we manufactured anything other
4 than Micarta.

5 Q. What about thermal insulation that would be
6 placed on the exterior of turbines?

7 A. Come from outside.

8 Q. In accordance with Westinghouse
9 specifications?

10 MR. THACKSTON: I object to that unless he
11 knows firsthand. I think he testified earlier he doesn't
12 have firsthand knowledge of turbine specifications.

13 Was that your earlier testimony?

14 THE DEPONENT: To my knowledge, Westinghouse
15 never manufactured asbestos of any kind.

16 BY MR. WATERS:

17 Q. To make sure I understand then, the asbestos
18 that we find on or in Westinghouse products would have
19 been not manufactured by Westinghouse but incorporated
20 into the products by Westinghouse specifications?

21 MR. THACKSTON: I object unless you can
22 narrow that question to particular product.

23 MR. WATERS: Well, he stated it's his
24 understanding that they didn't make any. And if they
25 didn't make any, presumably the only involvement would be

1 by specification.

2 MR. THACKSTON: Well, two problems with that
3 question: One is presumably, and the other is -- three
4 problems. The other is problem and the other is
5 specification. Mr. Morykon only has personal knowledge
6 about certain Westinghouse products. And if you want to
7 take it product by product and say one, did you specify
8 it; two, did you manufacture it; three, do you know where
9 it came from, then that's fine. I think your questions
10 are so broad now that he can't possibly answer them.

11 BY MR. WATERS:

12 Q. You told us you don't believe Westinghouse
13 made any of these things except the one, and we've already
14 gotten through that. So my only question to you now is:
15 Of these products we've discussed, which are relatively
16 limited in number, would those have been used in
17 conjunction with Westinghouse machinery because they were
18 specified to be used? If you don't know the answer,
19 that's fine.

20 MR. THACKSTON: I object unless you say
21 which products and which specifications. There is no
22 foundation for this. You have not established that for
23 all the Westinghouse equipment that Mr. Morykon's talked
24 about that there even exists such a thing as a
25 specification for the use of asbestos insulation or

1 anything else. So the manner in which the question is
2 framed is unanswerable, and that's why I've objected to
3 it.

4 BY MR. WATERS:

5 Q. Can you answer?

6 MR. THACKSTON: He can't answer it, because
7 I'm objecting to it.

8 MR. WATERS: Are you instructing him not to
9 answer the question?

10 MR. THACKSTON: I'm objecting to the
11 question and ask you to reframe the question so it makes
12 some sense.

13 MR. WATERS: I think he understands the
14 question.

15 A. I kind of lost track. You would have to
16 repeat it.

17 BY MR. WATERS:

18 Q. All right. You have told us that you
19 believe that the only asbestos-containing product that you
20 are aware of that Westinghouse made was the Micarta,
21 correct?

22 A. Correct.

23 Q. We have discussed four or five or maybe six
24 other types of asbestos products that are used in
25 conjunction with your work with the repair of heavy

1 equipment, some of those include the external thermal
2 insulation, the tapes and some other things. My question
3 to you simply put is of the asbestos-containing products
4 that you are aware of that are not, you believe,
5 manufactured by Westinghouse, were they used because they
6 were specified to be used by Westinghouse?

7 MR. THACKSTON: Let me object to that,
8 because I don't believe the foundation you've laid is an
9 appropriate recitation of what he testified about. I
10 don't think that external thermal insulation was one of
11 the products that he testified that they used in their
12 division in the repair of any of the products, but that
13 was in your question.

14 BY MR. WATERS:

15 Q. I think that's correct. I'll further
16 clarify the question.

17 Just put it to you this way: Of the
18 products that you've testified that your division used and
19 that you are familiar with, were those used because they
20 were specified to be used by Westinghouse?

21 A. Let me see if I can answer it this way. I
22 can't just give you a flat yes or no.

23 Q. Fair enough.

24 A. Most, if not all, of those materials were
25 standard purchasable items that were out there in the

1 suppliers' hands, did not necessarily have to be ordered
2 by specification. They were just standard stockable items
3 that were held in the suppliers' hands. And speaking from
4 my own personal experience when I was a plant manager, if
5 we needed Blastape, we would simply go to the insulation
6 supply house, whomever that supplier may be, and order the
7 Blastape. Same thing with these other products. I'm sure
8 they were all purchasable externally.

9 Q. Do you know one way or the other if
10 Westinghouse specifications for turbines called for use of
11 a specific kind or kinds of thermal insulation to be used
12 on the exterior?

13 A. I don't know.

14 MR. THACKSTON: I object. Asked and
15 answered. He said he doesn't know what the specifications
16 are for turbines.

17 BY MR. WATERS:

18 Q. Is there anyone in your division who would
19 have known that?

20 A. No.

21 Q. Would that be someone in the power
22 generation division who would know that?

23 A. Yes.

24 Q. And you I presume -- do you know who that
25 would be?

1 A. Not offhand. There are a lot of people --

2 Q. Who would have that knowledge?

3 A. -- who would have that knowledge, yes.

4 Q. Sitting here today, you are not able to
5 identify each product or component product that
6 Westinghouse may have made within the last 30 years that
7 contained asbestos fibers; is that correct?

8 MR. THACKSTON: You mean every product that
9 Westinghouse ever made that contained asbestos?

10 MR. WATERS: Yes.

11 A. Gosh. I don't think anybody can list all
12 the products that were manufactured in the time period you
13 are talking about.

14 BY MR. WATERS:

15 Q. Do you know anyone who is now with
16 Westinghouse or who has been with Westinghouse who would
17 have more knowledge than you on that particular subject?

18 A. On that broad general question you just
19 asked me?

20 Q. Yes.

21 A. I can't think of one, and I don't say that
22 to be egotistical. That's not the intent.

23 Q. I'm sure it's not.

24 A. I can clarify that if you want.

25 Q. No. That's fine.

1 Since the mid 1970s, have you been involved
2 with asbestos litigation generally in terms of being on
3 committees or having to attend any particular meetings, or
4 have you had any involvements like that that is a result
5 of asbestos being a health hazard?

6 A. You say since the mid Seventies?

7 Q. Since you first became aware --

8 A. No. No.

9 Q. Do you know anyone who has been so involved?

10 MR. THACKSTON: I object to that and ask for
11 a clarification. That's an awfully long question, and I
12 don't know what so involved means.

13 BY MR. WATERS:

14 Q. Do you understand?

15 A. You have to ask me that question again.

16 Q. You have told me that you personally since
17 the mid 1970s have not been involved with any meetings or
18 discussions related to asbestos as a health hazard,
19 correct?

20 A. That's correct.

21 Q. And my next question to you, which I thought
22 was relatively straightforward, was do you know anyone who
23 has been?

24 A. No.

25 Q. Do you have any knowledge that there have

1 been any such meetings or committees or anything of that
2 nature?

3 A. Let me answer you this way, and I think it
4 will probably sum up the whole thing: In all my years
5 with Westinghouse up until the time I retired, if you
6 will, I never got involved with or ever heard of anybody
7 in any manner, shape or form getting involved or having
8 any problems relative to asbestos.

9 Q. As far as you knew at the time you retired
10 in 1985, asbestos was not a problem; asbestos was not a
11 problem for Westinghouse?

12 A. That is correct.

13 Q. And as far as you knew back in 1985 when you
14 retired, Westinghouse had not identified asbestos as a
15 health hazard for Westinghouse workers or for anyone
16 else?

17 A. Well, I --

18 MR. THACKSTON: I object to that as outside
19 the scope of what Mr. Morykon has been identified to
20 testify about. He's here to testify about Westinghouse
21 products, not about what Westinghouse as a corporation may
22 have known at any particular time, and that's simply
23 outside the scope of his designation.

24 BY MR. WATERS:

25 Q. Do you recall the question, or would you

1 like to have it read back?

2 A. Read it back.

3 (The previous question was read back by the
4 court reporter.)

5 MR. THACKSTON: I object to that question.
6 If you want to ask him a question about the division he
7 worked in and his personal knowledge, but he is not here
8 as a Rule 200 Westinghouse witness to testify about what
9 the corporation knew at a particular time, and that's just
10 simply outside the scope. That's like asking him about
11 another lawsuit or something. He's not here to testify
12 about that.

13 MR. WATERS: Are you instructing him not to
14 answer?

15 MR. THACKSTON: Yes.

16 MR. WATERS: I need to certify that
17 question.

18 The scope of the inquiry for this witness is
19 to include in a general sense the company's knowledge and
20 position concerning asbestos. It is not limited to
21 products only, and I think that the order is clear in that
22 regard as well as the transcript in front of the Court.

23 I anticipate asking a lot of questions about
24 Westinghouse's knowledge at various times to the extent
25 this witness can answer those questions. And he clearly

1 can answer this question, because he had an answer and he
2 attempted to formulate an answer.

3 If you are going to order him not to answer
4 the questions and we're going to have to certify a lot of
5 questions, then I need to tell you now that we'll go and
6 have a hearing with Judge Wittington next week. And I
7 feel fairly confident that he's going to order the same
8 thing as before. And I'm going to have to ask him for,
9 you know, some degree of sanctions or fees or costs
10 related to having to come down here and take this man's
11 deposition again.

12 It seems to me that the purpose of this
13 deposition is to learn what your person most knowledgeable
14 knows so we don't have to depose him again or bother him
15 again, and we can move onto other people and other
16 things. But if you are going to limit the scope of the
17 deposition to products only, which I don't think is called
18 for by either the transcript or the Court's order or my
19 deposition notice, then I just want to let you know that's
20 going to be a problem.

21 MR. THACKSTON: I understand that. You have
22 the right to go to Judge Wittington with any question you
23 want to.

24 At the hearing on the 14th I brought up to
25 the Court that you had asked for someone to testify about

1 13 different broad categories of knowledge, and the Court
2 said at the time, "I think it's overly broad. Let's find
3 a starting point." The starting point, as you framed it
4 to the Court, was what kind of products did they make that
5 contained asbestos. The Court asked me whether I could
6 find somebody to testify about that. You further refused
7 to tell me what kind of products. You said as many
8 products as they have someone to testify about.

9 I brought you one witness who can testify
10 about products. There is no one person with knowledge of
11 all 13 areas of inquiry. The judge said it would be a
12 piecemeal process, that we would take one witness at a
13 time, and I am not, simply because it's more convenient to
14 you, going to allow you to turn Mr. Morykon into someone
15 who knows all 13 of those issues and ask him about those
16 13 issues.

17 We have the right to designate more than one
18 witness to testify about these areas of inquiry. We
19 identified one to testify about products, and we'll
20 designate others to testify about the other areas. It's
21 your notice, so you have to take them one witness at a
22 time. I will limit it to products that Westinghouse
23 manufactured except to the extent that Mr. Morykon may
24 have personal knowledge of material that came down from
25 whatever source during the time he was employed by

1 Westinghouse. And you can go through them question by
2 question, and I'll object question by question, or we can
3 reach some kind of agreement on what the proper scope of
4 this deposition is to be.

5 MR. WATERS: I tell you what, there are 13
6 areas listed in the deposition notice. And if you are
7 telling me that you are limit -- you are going to limit
8 this witness' testimony to one of those areas and he's not
9 going to respond to any others, then we can shortcut this
10 by just getting it on the record to that effect, and I
11 won't waste time going through hundreds of questions on
12 these other areas, and we'll just reserve our right to do
13 that at a later time or after we talk to Judge
14 Wittington.

15 If you are telling me you are going to
16 instruct him not to answer any of these questions related
17 to any of these issues, and if you have the notice in
18 front of you, on page two it states that Westinghouse
19 Electric Corporation must designate the person or persons
20 most knowledgeable as to, quote, Westinghouse's involvement
21 with asbestos use of asbestos in products, knowledge about
22 asbestos and asbestos claims and/or litigation. Are you
23 going to order him -- tell him not to answer any questions
24 beyond that scope, or is it one of the other 12 areas that
25 you are going to limit it? I want to understand what you

1 think you are limiting his response to.

2 MR. THACKSTON: All of this debate over the
3 proper scope of this deposition has occurred in front of
4 the judge who has made a number of rulings about what the
5 proper scope being and what the process should be. And
6 you are sending me the exact same notice we moved for a
7 protective order on which we had a hearing and subsequent
8 order. It completely ignores the fact the Court said, "I
9 think it's overly broad. Let's take it one step at a
10 time. Start with a witness that knows about asbestos
11 products or products that Westinghouse generally
12 manufactured."

13 I am doing exactly what the Court said,
14 which is finding someone to testify about products. We
15 have said there is no one person that knows about all 13
16 categories of this information.

17 If you are going to sit here and ask this
18 witness whether he knows from 1930 to the present about
19 Westinghouse's research department medical department,
20 membership in or participation or involvement with any
21 organizations or associations, either national or
22 international, the distribution and sale of equipment from
23 departments other than where Mr. Morykon worked for 35
24 years testing programs, its litigation, its Worker's Comp
25 claims, yes, I'm going to object. Yes, I'm instructing

1 him not to answer.

2 Yes, sir, you can go back to the judge and
3 repeat all the arguments that you've already made to him,
4 and I suspect -- although I never predict with any
5 certainty what a judge will rule, but I suspect he'll rule
6 the same as the before, which was let's take it a step and
7 witness at a time.

8 And the first witness is here to testify
9 about products. We certainly have a right to produce more
10 than one witness to testify about all of these 13
11 categories of information that basically could be
12 construed to discover every bit of knowledge and every
13 document that the corporation has ever amass in over its
14 hundred years of existence. He's here to answer questions
15 on his firsthand knowledge within his particular
16 department in the corporation, and that's all he's
17 prepared to testify about it.

18 MR. WATERS: I asked the witness a question
19 about Westinghouse's policy concerning asbestos in the mid
20 1970s or from the mid 1970s until the time he retired.
21 You instructed the witness not to answer the question. I
22 think that that question specifically falls within area
23 number one as listed in the first paragraph of page two of
24 the deposition notice. What I would like to do is go
25 through the -- all three areas with you, and you tell me

1 if he's not going to answer any questions concerning that
2 area.

3 MR. THACKSTON: Let's hear the question you
4 asked, because I don't think that's the question you asked
5 about the policies he was aware of Westinghouse made with
6 respect to the use of asbestos in the mid Seventies. I
7 believe you asked that question, and he answered it. I
8 believe the question which I understood was different from
9 that, and let's get the reporter to read it back.

10 (Discussion off the record)

11 BY MR. WATERS:

12 Q. Do you now or did you at the time have any
13 personal knowledge as to what Westinghouse's policy would
14 have been concerning asbestos or asbestos-containing
15 products, asbestos hazards, from '75 until the time you
16 retired?

17 A. Yes.

18 Q. Tell me what that personal knowledge that
19 you have is, and I stress I'm only interested in what you
20 know.

21 A. Okay. Before I answer that part of it, I
22 need to expound on something else. Okay.

23 Prior to the knowledge that there may or may
24 not be a problem with asbestos, if you will, Westinghouse
25 had a very firm policy relative to safe data practice

1 sheets and safe data housekeeping cleanliness, what have
2 you. So regardless of what circumstances may be within a
3 given plant, dust and dirt is an inherent enemy of
4 electrical insulation, so therefore the plants were kept
5 as clean as they possibly could. And where dust, dirt,
6 whatever the case may be, respirators were a commonplace,
7 face masks, as far back as I can remember.

8 When we first began to hear the word about
9 asbestos, there were already materials in place to
10 substitute, if you will. So for us, we just -- we just
11 ceased using it. We ceased using it -- I can't say 100
12 percent completely, but I know, as far as I'm concerned,
13 we ceased using it. If there were occasions where it was
14 used, regardless of what the use would be, okay, extra
15 safety precautions were taken. That I would sum up in a
16 nutshell.

17 Q. And could you tell me what those extra
18 precautions would have been to the extent you have
19 knowledge?

20 A. Even though there may or may not be any
21 dust, just the word asbestos, okay, you had to make
22 absolutely certain that your face was protected.

23 Q. Anything else that you are aware of?

24 A. Not really.

25 Q. It sounds like this would have been a

1 relatively rare occurrence, because you weren't using
2 asbestos very frequently?

3 A. That's correct.

4 Q. Do you have any personal knowledge from your
5 time at Westinghouse about asbestos claims or asbestos
6 litigation?

7 A. Not one.

8 (Discussion off the record)

9 MR. WATERS: Why don't we mark this Xerox,
10 as well. This will be Exhibit Number 6.

11 (Xeroxed picture was marked as
12 Morykon Exhibit No. 6.)

13 BY MR. WATERS:

14 Q. What I've marked as Exhibit 6 is a
15 photograph. Could you just describe what that
16 demonstrates?

17 A. It would be an inside picture of a main
18 aisle of a typical apparatus repair plant in Westinghouse.

19 Q. Okay. Thank you.

20 The five asbestos-containing products we've
21 discussed earlier that you are familiar with with regard
22 to the repair work -- and if you need me to go through
23 those individually I will, but I hope it's not necessary
24 -- were those in use the entire time that you were working
25 at Westinghouse, or were they in use from the time you

1 started at Westinghouse until 1975?

2 A. Let me answer it this way: They were in
3 existence.

4 Q. For which time frame?

5 A. From the time period you just talked about.

6 Q. Well, I mentioned two. I mentioned from
7 when you started until '75 or when you started until when
8 you retired?

9 A. From when I started until the mid Seventies.

10 Q. Besides those five products, are you
11 familiar with any other Westinghouse products
12 manufactured, distributed or sold by Westinghouse that
13 contained asbestos or component parts that contained
14 asbestos?

15 A. No.

16 Q. Are you aware of the trade or brand names of
17 the five products that we've just discussed?

18 A. The only one is Micarta, which is a
19 Westinghouse trade name.

20 Q. And how is that spelled?

21 A. M-i-c-a-r-t-a.

22 MR. THACKSTON: Let me ask for the products
23 he used he testified they bought from other people, are
24 you asking him is he aware of the names or the
25 manufacturer name or trade name of those kinds of products

1 that they used?

2 MR. WATERS: Right, that were incorporated
3 or used in the four products.

4 BY MR. WATERS:

5 Q. I take it your answer is the same; no except
6 for Micarta?

7 A. You know who manufactured them?

8 Q. Yes.

9 A. I know for a fact that tape was purchased
10 from Johns-Manville as certain asbestos products were
11 purchased from either Raybestos rings a bell,
12 Johns-Manville rings a bell. They are about the two main
13 ones that I can think of.

14 Q. Do you have any personal knowledge as to
15 whether any Westinghouse asbestos-containing products were
16 ever tested to determine the dust levels or anything of
17 that nature?

18 A. When I was plant manager in Philadelphia
19 from 1976 to 1979, we had people come in and test not just
20 for asbestos, if you will, but other types to determine
21 the cleanliness of the plant, if you will. And we've had
22 it tested on a few occasions where it was totally
23 negative. Couldn't find anything.

24 Q. That was for dust levels?

25 A. Yes.

1 Q. And that would have been post -- after the
2 mid Seventies?

3 A. That was from 1976 to 1979.

4 Q. Okay. In your -- during your prior
5 experience working at various plants being in charge of
6 some plants, had similar testing taken place?

7 A. Yes. We had some tests made in other
8 facilities.

9 Q. Prior to the mid 1970s?

10 A. Yes.

11 Q. Do you recall --

12 MR. THACKSTON: You are talking about the
13 same context he just said; that is, for any kind of dust?

14 MR. WATERS: Yes.

15 BY MR. WATERS:

16 Q. I take it there weren't any tests that were
17 specifically related to asbestos before the mid Seventies
18 that you are aware of?

19 A. No. The main reason for that was 50 percent
20 of our plants were unionized and 50 percent were not
21 unionized. And this was something we took as an
22 initiative, if you will, as part of an ongoing safety kind
23 of a program. We had, in fact, a portable mobile health
24 unit come in and just test random employees, if you will,
25 or test them all just to give them some assurance that

1 whatever we are doing, we are doing right. And we can't
2 think of any single, solitary area where we had a problem.

3 Q. Did you have dust level tests in the 1950s
4 at Westinghouse plants that you can recall?

5 A. Not to my knowledge, but we did have face
6 masks, which was just standard common process.

7 Q. Dust respirator --

8 A. Yes.

9 Q. And the various equipment used at the plants
10 you worked at would have been to eliminate the dust that
11 the workers might --

12 A. To eliminate dust; if you were sweeping the
13 floor, whatever you were doing to keep the dust away from
14 the electrical equipment.

15 Q. To keep the dust away from the electrical
16 workers?

17 A. To keep the dust down in the plant, period.

18 Q. But the use of respiratory equipment, for
19 instance, that was presumably as a safety measure?

20 A. That's correct.

21 Q. And you started in '55?

22 A. 1950.

23 Q. So is it your testimony that respiratory
24 safety equipment was in use starting at least in 1950 when
25 you began?

1 A. I'll go back further than that. When I was
2 in the Navy -- I was an electrician in the Navy from '45
3 to 1948 -- and I can recall aboard ship where I used
4 respirators.

5 Q. But specifically concerning what
6 Westinghouse was doing, your knowledge would only be from
7 '50 onward?

8 A. That's correct.

9 Q. And it's your testimony that when you
10 started at Westinghouse in 1950, they were already taking
11 measures?

12 Just to clarify, when you started with
13 Westinghouse in 1950, they were already using respiratory
14 safety equipment to take precautions against dust; is that
15 correct?

16 A. That's correct.

17 Q. You don't know if one of the reasons for
18 doing that was concern about asbestos dust or not,
19 correct?

20 A. Correct. That had nothing to do with it.

21 Q. Do you think that, or is that the case?

22 A. I know that as a fact.

23 Q. Is it your testimony that there wasn't any
24 concern -- strike that.

25 How do you know as a fact that

1 Westinghouse's policy for people to wear respiratory
2 safety equipment was in no way related to asbestos in
3 1950?

4 A. Well, the safety precautions that were in
5 place that were being taken would be no different than if
6 you were in a -- I don't know how to put it -- dust storm
7 trying to protect your face. Regardless of what the
8 circumstances would be, if there was a possibility of
9 dust, regardless of where it came from, being inherent,
10 the precaution was taken.

11 Q. And presumably the caution that was taken
12 would have affected or reduced all kinds of dust I should
13 say?

14 A. All kinds of dust.

15 Q. Which could include asbestos dust?

16 A. No. I have to disagree with you there. I
17 was a winder myself. I worked on the floor for six years
18 and I wound just about every single type of rotating
19 electrical equipment you can come up with and have been
20 exposed to it. And I just could not see for the small
21 limited amount of asbestos, whatever little bit we did
22 use, where dust was ever considered -- it was a generator
23 of dust. I just can't see it; for the life of me, I
24 can't.

25 Q. Was the respirator safety equipment, the use

1 of that, was that a standard requirement, Westinghouse
2 requirement, as far as you know?

3 A. Yes. Not only for dust people. If they
4 were cleaning or blowing out a motor or for painters, it
5 was a standard safety practice.

6 Q. You don't know, I presume -- and this is
7 personal knowledge I need to find out. I'm presuming that
8 you don't know what Westinghouse as a corporation knew
9 about asbestos in 1950?

10 A. No.

11 Q. As far as you know, they may have known that
12 asbestos was a health hazard in 1950 or may not have
13 known; you just don't know?

14 A. I don't know, but I doubt it.

15 Q. And why is it that you doubt it? What makes
16 you doubt it?

17 A. Just like everything else back in the
18 Fifties, you are using a product just like, you know,
19 motor oil in a car or gasoline or whatever the case may
20 be, you know, just beginning to find out not too long ago
21 that pumping gas in the automobile that the fumes may be
22 harmful to you. Did you know that ten years ago? I
23 didn't know that.

24 Q. And I take it then from your earlier
25 testimony that it is your personal belief that

1 Westinghouse did not know about the harmful affects of
2 asbestos because it wasn't communicated to you; is that
3 far to say?

4 A. No. I firmly believe that nobody knew, not
5 only Westinghouse.

6 Q. Fair enough. But did Westinghouse know?

7 MR. THACKSTON: Let me object to that, his
8 personal belief about what he thinks someone else in the
9 corporation may have known. Seems to me that's asking him
10 to speculate. If you want to have him testify as to what
11 he knew of anything or whether he received any information
12 from anyone that led him to conclude such and such, I
13 think that's permissible. But you are in effect inviting
14 him to guess about something right now.

15 BY MR. WATERS:

16 Q. Why is it that you believe that Westinghouse
17 didn't know?

18 A. Didn't know about what?

19 Q. I'm sorry. Let me finish the question.

20 About the danger of asbestos prior to the
21 mid Seventies? I mean, is it because if they had known,
22 you would have heard about it? I'm curious why.

23 A. Westinghouse was very strict inhouse in
24 keeping safe data practice procedures from the time I was
25 an hourly employee. The overall aspect of this from a

1 corporation point of view filtered down to people like
2 me. So I firmly believe, regardless of what the product
3 may have been, if there was an inherent danger to an
4 individual, it would have been communicated immediately.
5 I feel that very strongly.

6 Q. And the fact that there was no such
7 communication made leads you to assume or believe that
8 there was no knowledge on the part of the company,
9 correct?

10 A. That's correct.

11 Q. And I believe you told me you don't have any
12 personal knowledge related to testing of specific products
13 concerning asbestos fibers?

14 A. No.

15 Q. Do you have any knowledge concerning printed
16 or posted warnings about asbestos? And let me ask you
17 first in the sense of printed or posted warnings at any of
18 the plants you worked at at any time?

19 A. No.

20 Q. Do you have any knowledge of warnings
21 printed on packaging of particular products?

22 MR. THACKSTON: Let me ask for
23 clarification. You are talking about products that came
24 to Westinghouse for use in their plant or products that
25 went out from Westinghouse?

1 BY MR. WATERS:

2 Q. Actually I guess we could break it down. I
3 was including both groups, because I understand the answer
4 is probably going to be the same.

5 A. I have not seen either.

6 Q. As far as you know, there are no such
7 warnings?

8 MR. THACKSTON: I object to that. He said
9 he hadn't seen any, but he can't testify about what he
10 hasn't seen.

11 BY MR. WATERS:

12 Q. If such warnings do exist, you are not aware
13 of them?

14 A. Are you talking within Westinghouse?

15 Q. Yes.

16 A. I haven't seen any warnings, no.

17 Q. Do you have any knowledge, any personal
18 knowledge, of claims made by any individual or individuals
19 against Westinghouse, people who had worked at
20 Westinghouse with regard to asbestos exposure?

21 A. No.

22 MR. THACKSTON: You are not aware of such
23 claims, or you don't have any knowledge whatsoever about
24 claims?

25 THE DEPONENT: I have no knowledge

1 anywhere. Never heard of any, never been exposed to any.

2 BY MR. WATERS:

3 Q. I saw the map earlier which indicates the
4 repair facilities in 1940, and I don't recall what I've
5 done with it.

6 A. Here it is.

7 Q. At any time during the time frame that you
8 worked for Westinghouse, were repair facilities
9 established in the state of Alabama?

10 A. Yes.

11 Q. Where were those, if you can recall? Where
12 in Alabama?

13 A. Namely the ones that are in Alabama on that
14 sheet.

15 Q. Well, there are none on the map, but I see a
16 listing at the bottom called Birmingham --

17 A. Birmingham and Alabama.

18 Q. And were those in operation the entire time
19 frame that you worked?

20 A. No. Mobile came on board -- Mobile came on
21 board in the mid Seventies.

22 Q. And Birmingham?

23 A. They were on board before that, although I
24 don't know the exact time. Birmingham was there a lot
25 longer.

1 Q. Were they both still on line when you
2 retired in '85?

3 A. Yes.

4 Q. What about the State of Texas, when you came
5 on board, did you have repair facilities in Houston,
6 Dallas and Fort Worth?

7 A. Yes.

8 Q. And San Antonio?

9 A. None in San Antonio. Houston, Dallas, Fort
10 Worth, and I believe that's it.

11 Q. Was that the case in '85 when you quit?

12 A. I believe so.

13 Q. Okay.

14 A. Houston and Fort Worth. We don't have a
15 facility in Dallas.

16 Q. Is that right?

17 A. You mentioned Dallas, and I think that's
18 incorrect.

19 Q. Do you have any knowledge about Westinghouse
20 having a medical department?

21 A. We used to have medical department within
22 our own plant, some of the larger plants.

23 Q. What did those consist of?

24 A. We had a full-time nurse and a doctor that
25 was on call immediately if the occasion arose. In other

1 words, we had a company doctor assigned to Westinghouse
2 off premises, but a full time registered nurse. This was
3 back in the Fifties.

4 Q. Would that have been part and parcel of your
5 safety program?

6 A. Yes.

7 Q. Do you know if Westinghouse, big
8 Westinghouse as opposed to the repair division, has a
9 medical department?

10 A. I don't know.

11 MR. THACKSTON: I was just going to ask you
12 to specify a time period, but I guess that means he's not
13 aware of one at any time period.

14 BY MR. WATERS:

15 Q. Did you ever receive any publications that
16 indicated that asbestos fibers could be hazardous to the
17 health of human beings?

18 A. I personally have never received any.

19 Q. Do you still have a copy of the memoranda or
20 communication that you received in the mid 1970s that we
21 discussed earlier that indicated that asbestos was not to
22 be used anymore?

23 A. No. I never took any copies relating to
24 work when I left Westinghouse; just personal things like
25 you see here.

1 Q. Would that be a document that would
2 presumably be in the files of whatever plant you worked at
3 the time?

4 A. I doubt it, a particular plant.
5 Westinghouse sold many of the plants in 1986.

6 Q. Let's talk about that for a second.
7 Of the plants that we have discussed, the
8 Philadelphia plant sold?

9 A. It's no longer in operation.

10 Q. Richmond?

11 A. Sold.

12 Q. St. Louis?

13 A. Sold.

14 Q. Hillside?

15 A. No longer in operation.

16 Q. Wilkes Barre?

17 A. Sold.

18 Q. Outside of -- well, as part of work for
19 Westinghouse, did you personally belong to any
20 professional or trade organizations?

21 A. Yes.

22 Q. And I didn't ask you before, and I should do
23 this now: What is your academic background prior to going
24 to work --

25 A. I'm not a degreed engineer. I graduated

1 high school, took many, many, many courses, hell of a lot
2 of home study. And for one reason or another, I always
3 thought of myself, and not to be egotistical, that I had
4 the equivalent of two degrees to be honest with you. And
5 unfortunately, for whatever the reason is, I never got
6 it. I won't go into the details.

7 Q. Well, you probably learned more by
8 experience than most people do at school anyway.

9 A. I did, because I didn't have it. I had to
10 work twice as hard to get where I got, therefore I laid my
11 hands on the right materials and studied twice as hard as
12 I thought that most engineering students would, and so I
13 had no problem there whatsoever.

14 Q. Going back to my question to you about
15 outside organizations, what professional organizations
16 have you been a member of in connection with your work?

17 A. Well, when I was in Richmond, I belonged to
18 the Engineers Club. When I was in St. Louis, I belonged
19 to the Engineers Club. When I was in Philadelphia, I
20 belonged to the Engineering Railroad Club. A number of
21 associations like that I was involved with and I belonged
22 to. I was a member of the union from 1950 to 1956,
23 International Brotherhood of Electrical Workers.

24 Q. I asked you a question earlier about whether
25 you had received any or seen any publications or materials

1 about asbestos hazards, and I think you said no.

2 My question to you now is: Did you from any
3 outside source have any knowledge about the hazards or
4 dangers of asbestos at any time from '50 to '85?

5 A. Let me clarify something. From 1950 up
6 until the mid point of the 1970s, if you will, okay, I had
7 no knowledge of anything relative to there may be some
8 inherent dangers relating to asbestos. From that time
9 when it first come out in 19 -- in the mid Seventies, I
10 was very well aware of what asbestos was.

11 Q. Prior to '75, that would not have been the
12 case?

13 A. Don't pin me down on the year exactly.

14 Q. Mid Seventies?

15 A. That's exactly right. Asbestos to me was
16 asbestos. I knew it as one thing: It was a very poor
17 insulator.

18 Q. You don't know if Westinghouse made its own
19 thermal insulation to go on the exterior of turbines?

20 A. No. I'm sure they didn't, but my answer is
21 no, I really don't know.

22 Q. Okay. Fair enough.

23 The mid 1970s document concerning asbestos
24 that we've discussed previously, did that include or
25 contain any instructions or cautions as to how asbestos

1 should be used if it was used or how it should be dealt
2 with?

3 A. Yes. If my memory serves me right, even to
4 the point of when we began to dispose of it, extra
5 precautions were taken. So from the time it became
6 knowledgable that there was a problem of asbestos above
7 and beyond extra precautionary measures were taken.

8 Q. Do you know if such instructions or cautions
9 were passed along or were sent to any of Westinghouse's
10 outside customers; that is to say power plants or anyone
11 else who had Westinghouse equipment that they had
12 purchased and were using?

13 A. There would be no need from my point of view
14 for the businesses that I was involved in. It's a
15 possibility -- and I don't know this -- it may have been
16 done with other divisions. I don't know.

17 Q. So for instance if someone was going to send
18 you a turbine to be worked on, for whatever reason sent it
19 to one of your repair facilities and this was in the
20 process of being arranged -- again, after the mid 1970s --
21 would Westinghouse have said to that customer, "By the
22 way, when you are bringing this thing to us or cleaning it
23 up to bring to us, be careful with the asbestos insulation
24 that surrounds it"?

25 MR. THACKSTON: Let me object to that,

1 because I think you have several different assumptions in
2 there that don't reflect what he said earlier. When you
3 say would Westinghouse have said that, do you mean someone
4 from another division, or do you mean someone from his
5 division that's receiving? What he said before was they
6 worked as a subcontractor on parts of the rebuilding of
7 turbines. So do you mean would their division have sent
8 some kind of warning out to the people that were sending
9 it to him, or do you mean some other division which he
10 testified he doesn't have firsthand knowledge of? There
11 are a number of multiple questions in there. I'm asking
12 for a clarification.

13 BY MR. WATERS:

14 Q. I'm speaking specifically of your division.
15 Would your division have told the customer or the entity
16 sending the thing in to get fixed, whoever that might be,
17 "Look, when you clean that up to bring it in here and when
18 you remove the external insulation, be careful because it
19 contains asbestos"? Do you have any recollection of ever
20 doing that?

21 A. No.

22 Q. When you received your instructions from up
23 the corporate ladder concerning asbestos in the mid 1970s,
24 I take it they didn't include any instructions like that,
25 that customers should be advised in that respect?

1 A. I don't know what they transmitted out to
2 the general industry.

3 Q. I'm just asking what the instructions that
4 you received contained. I take it from what you said
5 there weren't any instructions to that effect? I want to
6 make sure of that.

7 MR. THACKSTON: He said there would be no
8 need for that, and he doesn't know what went on for the
9 other divisions. You didn't ask him why there wouldn't be
10 a need for it, but that was his answer.

11 BY MR. WATERS:

12 Q. Why wouldn't there be a need for it?

13 A. Because we would never send anything out to
14 a customer where there was any asbestos to be exposed to.

15 Q. But you would receive for work, for repair
16 work, equipment that at some stage may have been covered
17 by asbestos insulation, correct?

18 A. You are talking about something -- you are
19 assuming something which I have to correct you on, okay.

20 Q. Please do.

21 A. The power generation service division rarely
22 sent turbines to us to get repaired. It was not a common,
23 everyday occurrence, although we did repair them under
24 their supervision and direction because they were the
25 experts with it. Most turbines, if they didn't need

1 repairing -- if they did not need any extensive repairs,
2 they were done right there in the field. They were not
3 moved out. So to answer you, to clear things up, 98 to 99
4 percent of all turbines are done and repaired in the
5 field. Just a small percentage are ever sent out.

6 Q. And as far as the vast majority of the ones
7 that are repaired in the field I guess are repaired at the
8 place they are located?

9 A. That's correct.

10 Q. You don't have any knowledge one way or the
11 other if warnings were given to the people who would be
12 working on those with regard to asbestos?

13 A. You would have to get that from the power
14 generation service people.

15 Q. I presume you are not going to know anything
16 about Westinghouse's insurance that would cover asbestos
17 claims?

18 A. No.

19 MR. WATERS: I'm going to suggest we take a
20 lunch break.

21 MR. THACKSTON: That's fine with me. Any
22 notion as to how long we might be after lunch, just for
23 planning purposes?

24 MR. WATERS: If we take an hour for lunch,
25 hour and five minutes, we should start again at 1:30.

1 Barring some unforeseen circumstances, I would think we
2 would be done at 4:00 or 4:30 at the latest.

3 MR. THACKSTON: Let's take a break until
4 1:30. And, if you want, I'll get these things copied. If
5 you want to designate any of those other things you need
6 copied to use this afternoon, let me know and I'll take
7 care of it.

8 (Recess)

9 BY MR. WATERS:

10 Q. There was -- your division, was there a
11 safety department within your division?

12 A. We had a headquarters safety department
13 which was incorporated in with part of the general
14 headquarters safety department.

15 Q. Where would they have been located?

16 A. Our lead quarters -- I don't know what
17 period of time you are talking about.

18 Q. Did it change throughout the time you worked
19 there?

20 A. It changed.

21 Our head security at one time was at Morris,
22 Pennsylvania which is outside of Pittsburgh, and then in
23 Atlanta, and then in Greentree, Pennsylvania, which is
24 right outside of Pittsburgh right at the airport. The
25 general headquarters of Westinghouse was always in

1 Pittsburgh, the overall headquarters.

2 Q. And how was your safety department
3 interconnected with Westinghouse's?

4 A. Our safety department on a headquarters
5 level reported directly to the department to the powers up
6 there on a straight line, if you will, and in turn on a
7 dotted line to the headquarters safety department. So
8 whatever happened in one part of Westinghouse that would
9 have a negative effect on anything was disseminated
10 throughout the headquarters. It was not kept in one
11 little division. It was spread out.

12 Q. So, for example, if the safety headquarters
13 for the entire organization was aware of a safety hazard
14 or problem, they would distribute that information about
15 that to the safety departments for all of the divisions?

16 A. That's correct.

17 Q. And so you would have expected your safety
18 department, that is for the division that you worked for,
19 to receive information from the overall safety department?

20 A. That's correct.

21 Q. Who was the -- at the time you retired, who
22 was the head of the safety department for your division?

23 A. Larry Rudolph.

24 Q. And can you tell me how long had he been in
25 that position?

1 A. Gosh, quite some time, to the best of my
2 knowledge. I can't give you the exact years. He was
3 there as long as I can remember.

4 Q. As the head of your division's safety
5 department?

6 A. Yes.

7 Q. Is he still there?

8 A. I believe he's retired. I'm not saying he
9 was there during that whole 30 years, but I know the
10 latter ten years. And to the best of my recollection, I
11 know he was there.

12 Q. And so he would have been -- he would have
13 been in Atlanta at one time and Ardmore at another time,
14 assuming he was in that position?

15 A. I think he started in Greentree. I may be
16 wrong, but I think he did.

17 Q. And, if you know, would he have reported to
18 the overall safety department for Westinghouse?

19 A. He would report to an engineering manager on
20 a straight line, and on a dotted line to the headquarters
21 safety.

22 Q. Do you know who was the head of the
23 headquarters safety?

24 A. No.

25 Q. Do you know who the head of the headquarters

1 safety was at any time you worked for Westinghouse?

2 A. For the corporation?

3 Q. Yes, sir.

4 A. I'm not sure it was called a safety
5 department as such. There was a name of it which
6 incorporated safety.

7 Q. Industrial hygiene?

8 A. Industrial hygiene. Probably the correct
9 name would have been the industrial hygiene department,
10 but I can't remember and recall, because I would never
11 have any personal contact with him or her.

12 Q. I take it from your earlier testimony that
13 you weren't involved in any way with marketing or
14 distribution or sale of any new products, correct?

15 A. That's not correct. I was a sales engineer
16 for roughly three and a half years.

17 Q. And when would that have been?

18 A. That was in Hillside.

19 Q. That was back in the --

20 A. From 1962 to 1968. I held a variety of
21 positions.

22 Q. Tell me -- let's talk about your involvement
23 with sales.

24 You said you were a sales engineer?

25 A. Yes. I sold apparatus repairing business,

1 the types of work we did repairing all types of mechanical
2 equipment; and if the need arose where I had so sell a new
3 piece of equipment, I would do that or work in conjunction
4 with our other sales organizations.

5 Q. Were you selling in general a service or --

6 A. Service.

7 Q. Were you also selling products?

8 A. If a customer needed -- if we had a motor
9 that came in that was beyond economical repair, I would
10 sell them a new motor.

11 Q. In that capacity, were you involved with the
12 sale of any products that to your knowledge contained
13 asbestos for that three-year period?

14 A. To my knowledge, no.

15 MR. THACKSTON: Let me ask for a
16 clarification based on your earlier testimony.

17 You said that you were involved in the sale
18 of motors. You talked some earlier about some of the
19 motors -- components of motors that contained something
20 that would have been asbestos.

21 THE DEPONENT: He said new motors.

22 MR. THACKSTON: Have you ever sold new
23 motors that contained any --

24 THE DEPONENT: No.

25 MR. THACKSTON: I'm sorry.

1 BY MR. WATERS:

2 Q. Do you have any idea where Westinghouse or
3 any of its divisions or subsidiaries got the asbestos they
4 incorporated in some of their products?

5 A. Where it was purchased from?

6 Q. Or from where it came.

7 A. I don't know where they purchased it.

8 Q. And I think you told us before you don't
9 have any knowledge of any Worker's Compensation claims
10 involving asbestos filed against --

11 A. That's correct.

12 Q. Okay. Do you know if Westinghouse at the
13 time you left in 1985 manufactured any products containing
14 asbestos?

15 A. Do I know that as an actual fact?

16 Q. Do you know they did --

17 A. I'm pretty sure they didn't --

18 Q. -- in 1985?

19 A. I can't believe that they did.

20 Q. The asbestos-containing products that we've
21 talked about today that you recall, was it foreseeable or
22 understandable that those might necessarily be removed or
23 replaced or stripped at some time after their
24 installation?

25 MR. THACKSTON: Let me ask for a

1 clarification, Andy. You're talking about the kinds of
2 products that he's talked about this morning had some type
3 of component in them that contained asbestos that came out
4 of the Westinghouse apparatus repair division?

5 MR. WATERS: The five specific types of
6 products he talked about.

7 MR. THACKSTON: Well, I guess the question
8 I'm asking -- I'm not sure that question is clear -- is
9 you are talking about five components, small component
10 parts, that went into various electrical devices, and I'm
11 not sure that the question that you just framed is
12 answerable because it doesn't account for all these
13 different types of electrical devices. It just talks
14 about these five components, five pieces, that could be in
15 any number of products.

16 BY MR. WATERS:

17 Q. Let's talk about it in terms of components
18 or pieces. You recall the five components we've talked
19 about?

20 A. Yes.

21 Q. Was it foreseeable at the time those were
22 installed that they might need to be stripped or repaired
23 or refurbished at some later point in time?

24 A. Depending on the anticipated life of the
25 equipment when it was rehabilitated. Okay. It varied a

1 whole lot. It all depended upon the element user, how
2 well he maintained the equipment. And some motors last
3 for 30 years if you maintain it properly, other motors
4 don't last that long. And if you don't overload it and
5 don't maintain it, so -- but at some point in time, to
6 answer your question, yes.

7 Q. Did you ever see the results of any dust
8 level studies?

9 A. No.

10 Q. Did you ever have any conversations with
11 anyone about the results of dust level studies?

12 A. I shouldn't -- I have to backtrack. I
13 recall the one we had in Philadelphia I did see the
14 results. Everything came back negative.

15 Q. When was that again?

16 A. It was during the time that I was plant
17 manager in Philadelphia from 1976 to 1979.

18 Q. Do you know if your division of Westinghouse
19 has a research department?

20 A. We did.

21 Q. When did you have a research department or
22 research and development department?

23 A. Going back as far as I can remember.

24 Q. When you say --

25 A. 1950 as far as when I first started with the

1 company.

2 Q. You said we did. I assume by that that you
3 no longer do or at some point in time we you didn't --

4 A. There is a headquarters research and
5 development department, and us as a division had our own
6 little research and developmental department that worked
7 in conjunction with the headquarters. I don't believe we
8 had our division. I maybe wrong. I don't know.

9 Q. Well, is it a fact then at some point in
10 time your smaller one was incorporated into the larger
11 one, or something like that? What happened to make you
12 have -- you went from having one to not having one?

13 A. Our business was somewhat unique, because we
14 dealt in service and repair. We were constantly
15 developing our own products and our own methods of
16 procedure to do this type of work to get one jump ahead of
17 the competitor, if you will.

18 Q. Well, I guess my question is though at some
19 point in time, you stopped having one; is that correct?

20 A. That's correct.

21 Q. Okay. And do you know when that was,
22 approximately?

23 A. Probably when I retired.

24 Q. Sometime around '85?

25 A. '86 when they sold 42 of the repair plants.

1 Q. Did they sell those to one company?

2 A. Yes.

3 Q. Who was it?

4 A. Eastern Electric.

5 Q. We've talked some about the safety
6 department at both the corporate level and the division
7 level. Is that going to be the same -- did you also have
8 a medical department, or were they one in the same?

9 A. The only medical department I can recall
10 having within our division, if you want to call it a
11 medical department, which it was, we had a medical in our
12 Hillside plant in the Fifties and Sixties with a full-time
13 nurse, all necessary paraphernalia and a doctor on call
14 immediately if she needed him.

15 Q. Was it fair to say then that you had -- you
16 didn't have a separate medical department and safety
17 department? The two were one in the same within your
18 division?

19 A. No. The medical department was a separate
20 entity in itself.

21 Q. And at the headquarters or at the
22 Westinghouse Corporate level, is there also a medical
23 department and a safety department?

24 A. I'm not aware of the medical department at
25 headquarters. Maybe, but I'm not aware of it.

1 Q. Would the safety department or the
2 industrial hygiene department have been responsible for
3 doing those dust surveys or that sort of thing that we
4 talk about, testing?

5 A. It would be coordinated between that
6 department and the human resources department.

7 Q. Okay.

8 A. Because the human resource department deals
9 with the unions, and that's why they would be interacted
10 there. But the industrial hygienist department would
11 probably have set it up.

12 Q. Do you know what the term TLVs mean?

13 A. TLV?

14 Q. Yes. Does that ring a bell?

15 A. No. For a moment I thought you said TLC. I
16 know what --

17 Q. Did you -- were you ever told during the
18 time you worked with Westinghouse that there would be --
19 that there should be limits to the amounts of dust in the
20 air?

21 A. No.

22 Q. I'll ask the question this way, same
23 question basically: Were you ever told that there should
24 be limits to the amounts of asbestos dust in the air?

25 A. No.

1 Q. When turbines are initially delivered and
2 installed, wherever they happen to be installed, and they
3 are insulated, is it fair to say that everything from the
4 exhaust flange on in is Westinghouse or is actually
5 installed or prepared by Westinghouse, and everything
6 outside the exhaust flange may not be?

7 MR. THACKSTON: I object to that. Two
8 reasons: If he has firsthand knowledge about the
9 turbines, he can answer the question. But the other is
10 without specifying what type of turbines, what kind of
11 plants and even a geographical location of the turbine,
12 the question is overly broad and not subject to one
13 answer.

14 If he has firsthand knowledge about those
15 responsibilities, he is welcome to share that with you.

16 A. If it's a Westinghouse turbine, it's a
17 separate entity itself, that piece. Beyond that, what
18 else may be part of Westinghouse or -- if the turbine says
19 Westinghouse on it and the generator says Westinghouse,
20 then that is a Westinghouse turbine generator unit; and
21 that includes the rotor and the housing and whatever it
22 takes to couple the two together. Beyond that, I have no
23 way of knowing.

24 BY MR. WATERS:

25 Q. And when you say that, does that then also

1 include the insulation around the turbine?

2 A. You have to -- you would have to talk to
3 somebody like John Tabbutt for that, how that was
4 contracted for the complete total installation and start
5 up.

6 Q. How do you spell his name?

7 MR. THACKSTON: T-a-b-b-u-t-t.

8 A. One of the power service managers. They are
9 scattered through the United States. I mentioned his
10 name, because he used to sit not far from me.

11 MR. WATERS: Let me get the spelling.

12 MR. THACKSTON: T-a-b-b-u-t-t.

13 BY MR. WATERS:

14 Q. Do you know if he's still employed by
15 Westinghouse?

16 A. I really don't know.

17 Q. Where was it you worked close by with him?

18 A. In Bala Cynwyd, Pennsylvania.

19 Q. Are you familiar with EH cables?

20 A. EH cables?

21 Q. Yes, sir. Have you seen that designation?

22 Is that something you are familiar with?

23 A. EHV, but not EH.

24 Q. Okay. You wouldn't know whether
25 Westinghouse manufactured something called EH cable that

1 contained asbestos?

2 A. To my knowledge, Westinghouse never
3 manufactured any cable of any kind.

4 Q. Do you know if Westinghouse sold cable that
5 contained asbestos?

6 A. I don't know. I never sold any.

7 Q. You've not -- I take it then you haven't
8 seen any catalogs or any other materials that indicate
9 Westinghouse marketed some type of cable containing
10 asbestos?

11 A. Oh, I remember seeing some catalogs and some
12 of our West Coast supply houses, which is part of
13 Westinghouse Corporation, did sell cable, but I never
14 specifically saw anything that said asbestos cable.

15 Q. What about asbestos cloth, do you know --

16 A. I think you --

17 MR. THACKSTON: I'm not sure that's a
18 question yet. Please let him get the question out first.
19 BY MR. WATERS:

20 Q. Do you have any knowledge that Westinghouse
21 sold or marketed or distributed asbestos cloth products?

22 A. No.

23 Q. In your work, had you ever used asbestos
24 cloth products?

25 A. Yes.

1 Q. In what capacity?

2 A. That's one of the five that I told you
3 about, four or five that I told you about.

4 Q. Okay.

5 A. This was far and wide in between. If we had
6 a piece of equipment that was exposed to extreme high
7 temperature, we would use the asbestos cloth for
8 isolating, if you will, a coil support or the coil away
9 from any metal part. And that would be covered with some
10 type of Blastape, if you will. But I recall on one or two
11 occasions using that.

12 Q. The asbestos cloth that you used, do you
13 know if that was a product that was made by Westinghouse?

14 A. It was not made by Westinghouse.

15 Q. Do you know who it was made by?

16 A. I don't know who it was made by, but we got
17 it from an outside supplier.

18 Q. Did Westinghouse ever make hair dryers that
19 contained asbestos?

20 A. I don't know.

21 We used to manufacture small appliances. I
22 know they made radios, because I have one. I still have
23 one. Hair dryers, no. I don't know. I don't think so.

24 Q. Does Westinghouse no longer make small
25 appliances?

1 A. No.

2 Q. As of when?

3 A. They sold the small appliance division,
4 gosh, I don't know the exact year, but it's long before I
5 retired they sold it.

6 Q. Who did they sell it to? Do you have any
7 idea?

8 A. If I heard the name. It's on the tip of my
9 tongue, but I just can't -- you are talking small
10 appliances now, right?

11 Q. Yes.

12 A. The large appliances were sold to one -- the
13 small ones, I don't recall who they were sold to. I used
14 to know. If you mentioned it to me, it would probably
15 come to me.

16 Q. Was it an American company?

17 A. I can't answer that. I don't know.

18 Q. Do you know if Westinghouse ever
19 manufactured, sold or distributed circuit breakers that
20 contained asbestos?

21 A. Yes.

22 Q. And the next question is did they?

23 A. Well, I know that some of the circuit
24 breakers that we got in for repair that happened to be
25 Westinghouse, if you will, did have some asbestos arc

1 chutes on it. A-r-c, c-h-u-t-e-s.

2 Q. What is an arc chute?

3 A. An arc chute is a layman's term for two
4 pieces of insulation that are enclosed around two
5 contacts. That when a contact is either made or broken, a
6 spark occurs. Depending on the amount of current
7 generated, the spark could be small or it could be large.

8 So therefore the two pieces of insulation,
9 be it asbestos or glass, whichever it may be, and they
10 come in all different types of materials, the main purpose
11 of that arc chute is to suppress that arc so it does not
12 explode into a flame.

13 Q. Okay. If you are going to do some work on
14 those contacts that you mentioned, would it be necessary
15 to remove the arc chutes?

16 A. Yes.

17 Q. And how would you go about that? Would it
18 be necessary to scrape them away, or would they pull out
19 as a component?

20 A. Scrape what away?

21 Q. Insulating material itself.

22 A. No. To get out the contacts, if you had to
23 replace contacts, you simply grabbed the arc chute, it's
24 on a hinge bolt, and move it out of the way and get out
25 the contacts. And when you are done with it, move it

1 back. Some of them.

2 Q. Some of them would have been different?

3 A. Some of them are stationary. You unbolt it
4 and take it out.

5 Q. What about the bust ducts connected to the
6 circuit breakers, did those contain asbestos?

7 A. No.

8 Q. You sound pretty sure of that.

9 A. You are talking on the breaker. Now, if
10 it's on the circuit breaker, I say no.

11 Q. What about asbestos paper, are you aware of
12 Westinghouse making, selling or distributing an asbestos
13 paper product?

14 A. No. I have never heard of asbestos paper.

15 Q. Are you familiar with a gentleman by the
16 name of Haftell, H-a-f-t-e-l-l?

17 A. Haftell?

18 Q. Yes. I think his first initial is A.

19 A. No. I've never heard of him.

20 Q. An M number, tell me what an M number is.

21 A. An M number could have more than one
22 definition, if you will. M number is a number that can be
23 identified on an electrical drawing, a circuitry drawing,
24 if you will. M could be the beginning of a series of a
25 specification, M so and so forth. M has a lot of --

1 whatever you want to identify it with. I've seen the
2 letter M used in many, many, many different ways.

3 Q. Can it be used, is it used, has it been used
4 as a specification number?

5 A. Yes, it's possible. I don't know for sure,
6 but it's possible.

7 Q. Who would know that? Someone who was
8 involved with manufacturing as opposed to repair?

9 A. Yes.

10 Q. Well, when your plants were in the process
11 of repairing things, would it be necessary to check the
12 specifications in terms of replacement parts?

13 A. Yes, sometimes.

14 Q. Well, would the specification number and
15 those sometimes when that occurred, would that have been
16 in the form of an M number?

17 A. It came in the form of all different --
18 almost A through Z, and I can recall seeing the M and the
19 N and the Ps. It varied all over the lots depending on
20 what the specification was or whatever it was for.

21 Q. In terms of specifications for replacement
22 parts, does the fact that it's an M number, does that have
23 any significance over being some other letter?

24 A. No special significance to me.

25 Q. Okay. The fact that there is an M before it

1 doesn't mean, for instance, that it's something that's
2 made by Westinghouse?

3 A. No.

4 Q. Is there any specification designation or
5 code which would indicate that the replacement part was
6 made by Westinghouse?

7 A. No.

8 Q. Is there any way to tell from the
9 specification or the specification card that the product
10 is made by Westinghouse?

11 A. You are talking about material
12 specifications? Products? Are you talking about product
13 specification or material specification?

14 Q. Well, maybe you can help me with that.

15 I'm talking about either components or
16 replacements or parts or materials, I guess, so maybe I
17 need to break the question down for you.

18 MR. THACKSTON: Wait until he asks the
19 question.

20 BY MR. WATERS:

21 Q. What I've done for you now is I hope I've
22 defined what I mean by part or component.

23 A. Yes. Everything Westinghouse ever
24 manufactured, there is a part number and style number, and
25 for the whole component itself. And just like a Sears

1 product, if you will, then there is a series of other
2 inherent component parts that make up that whole part.
3 There is a style or serial number for all of those parts,
4 yes.

5 Q. If you have access to those numbers or those
6 codes, can you tell from that if the part, component,
7 material, whatever it happens to be, is something that's
8 manufactured by Westinghouse?

9 A. Very hard to tell. You don't know. It
10 could have been purchased outside and identified as a
11 Westinghouse part, or it could have been made in house.
12 It's hard to tell.

13 Q. So there is nothing about the coding system
14 that inherently would tell you one way or the other?

15 A. To my knowledge, no.

16 Q. Do you know if Westinghouse ever
17 manufactured, sold or distributed welding rods that
18 contained asbestos?

19 A. Not to my knowledge.

20 Q. How about block insulation?

21 MR. THACKSTON: Is the question did
22 Westinghouse ever manufacture, sell or distribute block
23 insulation to his knowledge?

24 MR. WATERS: Yes.

25 MR. THACKSTON: And again I object to the

1 extent you are asking him about what divisions may have
2 done that he wasn't involved with, but --

3 MR. WATERS: I'm only asking about his
4 personal knowledge.

5 A. Block insulation to me covers a wide area,
6 so you would have to be specific.

7 BY MR. WATERS:

8 Q. Well, let's -- let me ask you the question
9 first in the general sense, because I may not need to
10 break it down further.

11 Do you have any personal knowledge that
12 Westinghouse sold, manufactured or distributed what you
13 would call block insulation?

14 A. No.

15 Q. So you saved me from a bunch of extra
16 questions.

17 A. I'm sorry.

18 Q. That's all right.

19 How about plastic insulation?

20 A. Not to my knowledge.

21 Q. We talked about asbestos paper. How about
22 molded insulation?

23 A. Within Westinghouse?

24 Q. I'm sorry. Perhaps I should repeat the
25 question.

1 Do you have any personal knowledge one way
2 or the other as to whether or not Westinghouse
3 manufactured, sold or distributed molded insulation?

4 A. Within Westinghouse?

5 Q. Yes.

6 A. Only within Westinghouse.

7 Q. Okay.

8 And by your answer, then I take that to mean
9 you believe Westinghouse would have distributed or sold
10 molded insulation but only within to other Westinghouse
11 divisions or something like that?

12 A. That's correct.

13 Q. And what time frame would that have been?

14 A. Oh, gosh. From the Fifties on through I
15 guess up until I retired.

16 MR. THACKSTON: Let me ask you for a
17 clarification, or maybe you can ask Mr. Morykon for a
18 clarification. I'm not sure you are talking about the
19 same thing, and I would ask for some kind of definition of
20 molded insulation. Because it seems to me that could mean
21 just about an infinite number of things.

22 If you mean molded -- something like molded
23 asbestos-containing pipe insulation or something like
24 that, that would be helpful. As it stands now, it's
25 pretty unclear.

1 THE DEPONENT: I may be thinking about
2 something different.

3 BY MR. WATERS:

4 Q. What do you mean by molded insulation?

5 A. I think of a piece of molded insulation as
6 something that is preshaped, preformed and molded to fit
7 over a specific object.

8 Q. I think we are on the same track.

9 Did you understand that molded insulation
10 manufactured by Westinghouse any time during that time
11 frame you just raised contained asbestos?

12 A. Some of it I believe did on certain
13 applications. The majority did not, but I believe some of
14 it did.

15 Q. What applications would those have been for
16 which it would have included asbestos?

17 A. Well, some high speed rapid traction motors
18 where the field coil slips over the pole piece, those were
19 asbestos-treated premolded prefabricated washers that slid
20 over the pole piece.

21 Q. Was there any use of molded asbestos
22 insulation with respect to turbines?

23 A. No.

24 Q. What about with respect to generators?

25 A. No.

1 Q. How about asbestos-containing packing, and
2 this may relate to something we talked about earlier?

3 A. Packing? What kind of packing?

4 Q. Well, it may be similar to what you called
5 sheets in terms of its use.

6 Have you ever heard that term used; packing?

7 A. Yes.

8 Q. Tell me what that means to you.

9 A. Packing. To me that means two things:
10 Packing means if you want to ship a glass jar to your aunt
11 in Tombouctou, you pack it in something so it don't
12 break. That's one packing.

13 The other packing is a cord type, maybe the
14 size of a pencil up to the size of my finger, if you
15 will. Okay. If you will, kind of a rope where it's made
16 up of glass or fiber or some other kind of insulation,
17 asbestos, whatever it may be, okay, that is put between
18 two pieces of metal and compressed to form a seal or a
19 packing. That's another form of packing.

20 Q. Okay.

21 A. And the other packing is when your wife
22 tells you to pack up and go, you go.

23 Q. Do you know if Westinghouse ever
24 manufactured, sold or distributed asbestos-containing
25 packing as you have described? I think the second of your

1 three definitions.

2 A. No. I firmly believe that was all purchased
3 outside.

4 Q. Do you have any knowledge about Westinghouse
5 manufacturing, selling or marketing asbestos-containing
6 steel wire?

7 A. No.

8 Q. And have I already asked you about asbestos
9 cloth. We talked about that.

10 A. Yes.

11 Q. How about same question with regard to
12 asbestos-containing cement; do you know if Westinghouse
13 ever manufactured, sold or distributed asbestos-containing
14 cement?

15 A. To my knowledge, whatever cement that
16 contained any asbestos was used in house.

17 Q. So when you say that, what you mean is
18 Westinghouse would not have distributed
19 asbestos-containing cement to the world at large but would
20 have done so within Westinghouse operations?

21 A. That's correct.

22 Q. And that would have been for incorporation
23 into presumably Westinghouse products?

24 A. That's correct.

25 Q. How about Westinghouse refractory cement?

1 Did Westinghouse ever manufacture, sell or distribute
2 refractory cement?

3 A. To my knowledge, no.

4 Q. How about gaskets, did Westinghouse ever
5 manufacture, sell or distribute either within or
6 throughout the corporation gaskets containing asbestos?

7 A. Inhouse we used some asbestos gaskets. And
8 if it had to be sold as a renewal part where a gasket
9 would be required, that's the only way to my knowledge.

10 Q. When you say sold as a renewable part, I
11 assume if a Westinghouse piece of equipment needed a
12 replacement gasket, you might sell it in that context to
13 the customer?

14 A. Yes.

15 Q. How about brake shoes, are you aware as to
16 whether Westinghouse manufactured, sold or distributed
17 brake shoes containing asbestos?

18 A. I don't believe Westinghouse manufactured
19 them. We did use them inhouse, but other than that, I
20 can't answer that.

21 Q. Now, I asked you before about asbestos tape,
22 and I believe you told me that you thought whenever
23 asbestos tape was used it was purchased from
24 Johns-Manville?

25 A. I don't know who it was purchased from. I

1 just happened to mention Johns-Manville because you
2 associate asbestos with Johns-Manville, you know.

3 Q. Indeed.

4 Are you familiar with an asbestos tape
5 product called Thermalastic?

6 A. That's not an asbestos tape.

7 Q. It is not?

8 A. It is not, no.

9 Q. How do you know that? What makes you think
10 that?

11 A. I know what Thermalastic is.

12 Q. Tell me what Thermalastic is.

13 A. It's an insulation system designed and
14 developed by Westinghouse, which is primarily used in
15 large power generators, if you will, which has the same
16 coefficient of expansion as copper. And the reason for
17 that is the copper expands heat internally, and it expands
18 -- as it expands, the insulation expands with it. It will
19 contract as it cools down and maintain a void freeze solid
20 homogenous mass around that coil. That's the significance
21 of Thermalastic.

22 And you don't have asbestos in it. It's
23 made up of glass and Micarta, and the Thermalastic
24 impregnate that it's used with.

25 Q. Well, it sounds like you are relatively

1 certain, at least during the time frame you worked at
2 Westinghouse, Thermalastic did not contain any asbestos?

3 A. That's correct.

4 Q. Do you have the same opinion or belief with
5 regard to the time frame prior to when you worked for
6 Westinghouse?

7 A. Thermalastic is a new innovative insulation
8 process that came out during my time with Westinghouse,
9 and it was not in existence back in the early Fifties or
10 what have you.

11 Q. So if someone else testified or if there
12 were records stating that Thermalastic did contain
13 asbestos, those would be incorrect as far as you know?

14 A. No. That's not correct. I've seen
15 Thermalastic windings. I've cut open Thermalastic
16 windings. And if there is a Thermalastic system out there
17 where asbestos was incorporated, it's beyond my knowledge.

18 Q. It may exist, you don't know if it does?

19 A. That's right. But I have never seen it.

20 Q. Are you familiar with a product called
21 rheostat cable?

22 A. Well, I know what a rheostat is. Unless
23 it's a name of a manufacturer, no, I've never heard of it.

24 Q. How about something called Rockbestos
25 asbestos range wire?

1 A. I've heard of Rockbestos. The range wire is
2 not significant to me.

3 Q. Rockbestos was a product manufactured by
4 Westinghouse?

5 A. No. We never manufactured asbestos.

6 Q. What does the word Rockbestos mean to you?

7 A. I think it's the trade name of some asbestos
8 company. I don't know what the company's name is. I've
9 seen it before. I may be wrong, I don't know, but that's
10 what it means to me.

11 Q. If there was a product or product line
12 called Rockbestos, do you have any knowledge as to whether
13 Westinghouse either manufactured, sold or distributed that
14 product?

15 A. No.

16 Q. Or those products?

17 A. No.

18 MR. THACKSTON: Let's go off the record.

19 (Discussion off the record)

20 BY MR. WATERS:

21 Q. The reason I'm asking this is because we've
22 seen some Westinghouse catalogs that contain Rockbestos, a
23 number of different Rockbestos products, and I was curious
24 if you were aware that Westinghouse had distributed those
25 at some point in time or cataloged them and sold them.

1 A. No. No.

2 Q. Are you familiar with a Micarta decorative
3 board that contained asbestos?

4 A. Yes.

5 Q. What was that used for?

6 A. It was applied for decorative purposes.

7 Q. In buildings?

8 A. I have never personally seen it in
9 buildings.

10 Q. Where have you seen it?

11 A. I've seen it aboard ship.

12 Q. Was there a Micarta division of
13 Westinghouse?

14 A. Yes.

15 Q. Is there still?

16 A. I can't answer that. I don't know.

17 Q. And I guess then you are aware that that
18 product, the Micarta decorative board, contained asbestos?

19 A. I know there was asbestos Micarta, yes. I
20 have some in my attic at home.

21 MR. THACKSTON: You are not saying -- you
22 are saying there is a Micarta that contained asbestos.
23 You are not saying directly in response to his question
24 you know that the decorative Micarta board necessarily
25 contained asbestos. I think you are missing each other.

1 THE DEPONENT: I know what decorative
2 Micarta is. Whether it contained asbestos or not, I
3 really don't know.

4 BY MR. WATERS:

5 Q. How about something called AVC switchboard
6 wire, are you familiar with that product?

7 A. Yes. It rang a bell. AVC switchboard
8 wire. It rings a bell.

9 Q. AVC?

10 A. Yes.

11 Q. How about AVC boiler room wire?

12 A. That one does not ring a bell.

13 Q. Motion picture cable?

14 A. No.

15 Q. Rheostat wire, we talked about that. We
16 talked about rheostat cable. How about a rheostat wire,
17 have any knowledge about that?

18 A. Yes. I can't say I've ever seen the
19 rheostat with asbestos wire in it.

20 Q. With regard to that product, you don't know
21 whether or not it contained asbestos?

22 A. No.

23 Q. How about an AVC power cable, are you
24 familiar with that product?

25 A. That I think I'm familiar with.

1 Q. Did that product contain asbestos?

2 A. I don't know.

3 Q. How about Westinghouse stove wire, does that
4 ring a bell? I'm not sure why it should.

5 A. You are talking about range and stoves?

6 Q. I believe so.

7 A. I have seen a Westinghouse range, General
8 Electric range, and every range that was manufactured back
9 in the Fifties and Sixties and what they look like, and
10 they did have asbestos wiring in them.

11 Q. Are you aware that Westinghouse manufactured
12 magnetic crane controls that contained some asbestos
13 components?

14 A. No.

15 Q. Do you understand the distinction between
16 black and brown varnished asbestos cloth?

17 MR. THACKSTON: I think we have to lay a
18 foundation for that. I think he testified earlier about
19 only what he said was the only kind of asbestos cloth he
20 was familiar with, and we haven't established that he's
21 ever heard of black or brown to the point of asking him
22 about making distinctions between the two.

23 BY MR. WATERS:

24 Q. Well, I assumed if you hadn't seen either
25 one, you would have told me. But let me ask you that

1 first.

2 A. You never asked me if I seen brown
3 asbestos. Yes, I have.

4 Q. You have?

5 A. Sure.

6 Q. How about black asbestos?

7 A. No.

8 Q. Do you know what the difference, if
9 anything, is between the brown and the black asbestos
10 cloth?

11 A. The brown asbestos cloth is a combination of
12 interwoven glass strands with asbestos and impregnated in
13 varnish. I'm sorry. It just rang a bell when you said
14 block asbestos. Yes, I have seen the black asbestos
15 cloth. The black asbestos cloth, to differentiate between
16 the two of them, is basically the same as the brown except
17 it was treated with something other than varnish. It was
18 a black-based varnish versus a brown- or tan-based
19 varnish. That's the basic difference between the two.

20 Q. Any difference that you are aware of in
21 terms of their use?

22 A. I think they were both used primarily for
23 the same purposes. And the black was gradually phased out
24 out of the picture because maybe cost or pliability, if
25 you will. But basically they were used for the same

1 purpose.

2 Q. The black and brown varnish asbestos cloth
3 that you recall, do you know if they were manufactured,
4 sold or distributed by Westinghouse?

5 A. I can't answer that. I don't know.

6 Q. You saw them in use, you were familiar with
7 their use, but you don't know if they were manufactured,
8 sold or distributed by Westinghouse, correct?

9 A. That's correct.

10 Q. Does the name Dr. Hazlett ring a bell?

11 A. I heard of the name Hazlett, but to
12 associate it with a doctor, no, I can't.

13 Q. I'm going to run down some more names, and
14 what I want you to tell me is whether or not you are
15 familiar with those names first; and if you are not, we'll
16 keep moving on.

17 Frank C. Miller?

18 A. I know a lot of Millers, but that does not
19 ring a bell.

20 Q. W. G. Lester?

21 A. No.

22 Q. James R. -- Jack R. Garrison?

23 A. No.

24 Q. Kenneth S. Schultz?

25 A. No.

1 Q. John S. Hudock?

2 A. No.

3 Q. John A. Harden?

4 A. No.

5 Q. Richard M. Johnson?

6 A. No.

7 Q. Mr. J. T. Brady?

8 A. No.

9 Q. Robert J. Werner?

10 A. No.

11 Q. I'm pretty sure I asked you this before, but
12 I'm not positive. The communication that you received at
13 some time in the mid 1970s with regard to asbestos and not
14 using asbestos anymore, who did that come from?

15 A. I'm sure it came from our headquarters.

16 Q. And when you said the headquarters, you mean
17 the Westinghouse corporate headquarters as opposed to your
18 division headquarters?

19 A. No. Our industrial hygiene department out
20 there.

21 MR. WATERS: Why don't we take about a
22 five-minute break. I want to go through some stuff. I
23 don't think I have a whole lot more, but I would need to
24 check through this, and there is no reason for you guys to
25 sit here while I reorganize myself.

1 (Recess)

2 BY MR. WATERS:

3 Q. One thing I didn't ask you about before was
4 asbestos paste. Do you have any familiarity or knowledge
5 about asbestos paste?

6 A. No.

7 Q. That's not something you've heard of?

8 A. I've never used it. I've never seen it
9 used, asbestos paste.

10 Q. You wouldn't know if Westinghouse
11 manufactured, distributed or sold asbestos paste?

12 A. No.

13 Q. Are you familiar with a gentleman by the
14 name of -- I'm not going to pronounce it --
15 G-i-u-l-i-u-c-c-i?

16 A. Giuliucci?

17 Q. I guess that's what it is.

18 A. No.

19 Q. How about R. Quinn?

20 A. No.

21 Q. Or Mr. M. L. Wolpert?

22 A. No.

23 MR. WATERS: Thank you. That's all the
24 questions I have for you. I know you wanted more.

25 THE DEPONENT: No.

1 BY MR. THACKSTON:

2 Q. Let me go back and ask you a few things by
3 way of clarification. Not that everything needs to be
4 clarified.

5 Apparatus repair division work was on
6 equipment that was not manufactured by Westinghouse?

7 A. Yes.

8 Q. And do they work on equipment manufactured
9 by most of the electrical manufacturers that you are
10 familiar with?

11 A. Yes.

12 Q. When you had -- you testified about
13 instances where you had electrical equipment that was used
14 in particularly high temperature applications. Was it the
15 purchaser of the equipment that told you the type of
16 environment which the product was going to be used?

17 A. Yes.

18 Q. And when the purchaser of the equipment or
19 the owner of the equipment told you about the application,
20 did they ever tell you to use particular kinds of
21 components in the piece of equipment based on the
22 environment that they were going to use it in?

23 A. No.

24 Q. Did the owners of the equipment ever make
25 repairs or alterations to the products themselves?

1 A. Some of them did.

2 Q. Did it depend on the types of products?
3 Were some products more likely to be worked on by the
4 manufacturer of the product and others to be worked on by
5 the electrical manufacturer?

6 A. Yes.

7 Q. For pieces of equipment like a generators,
8 would an unskilled worker have been able to disassemble
9 and work on a generator?

10 A. No.

11 Q. Was there a particular kind of trade that
12 was qualified to work on a generator?

13 A. They were broken down into different
14 categories. A disassembler, if you will, that would be
15 his primary function; take them apart and put them
16 together. That's not as easy as it sounds. You have
17 tolerances with bearings and what have you, so that's a
18 specialty in itself. And the winder who actually puts the
19 winder in the stator or the stationary part, that's a
20 skill in itself. That's separate skill trade.

21 Q. And if that was not someone's particular
22 skill trade, they were not likely to be working on that?

23 A. Unless he was a helper.

24 Q. When Mr. Waters asked you earlier about the
25 internal components of the motor that were covered in

1 varnish, he asked you whether there was some circumstances
2 under which the varnish might dissipate would the varnish
3 be put on this in a manner such that if the motor was used
4 as it was anticipated, it would not dissipate?

5 A. That's correct.

6 Q. So it would be some kind of use outside of
7 what was expected and outside of the specs for the
8 equipment that would cause the varnish to break down?

9 A. That's correct.

10 Q. When you talked about an arc chute being two
11 pieces of insulation, could you describe the consistency
12 of an arc chute and just briefly tell me what it looks
13 like.

14 A. There are different types of materials used
15 for arc chutes. Today asbestos is not used at all. And
16 back in the older days, asbestos was used along with other
17 materials also. It's a hard, very hard, compressed
18 material with asbestos in it. It's not 100 percent
19 asbestos. It's like a piece of real hard hard cardboard.
20 It's not soft. It's not as hard as steel. I'm trying to
21 define --

22 Q. Is it a phenolic material?

23 A. Phenolic material. Real hard and real solid
24 and compact.

25 Q. And that's when you talk about two pieces of

1 insulation constituting an arc chute, you are talking
2 about the hard phenolic material you have just described?

3 A. Yes. You have the contacts in between two
4 arc chutes. And when the contact is made or it's broken,
5 the arc is contained within that area by the arc chute.

6 Q. So when you talk about removing an arc chute
7 to work on a contact, you are not talking about any
8 operation that involves any scraping or stripping or
9 anything of that nature; you are talking about removing a
10 hard piece of phenolic material, taking it out?

11 A. That's correct.

12 Q. And the molded insulation that you described
13 earlier, you described a number of types of molded
14 insulation, but none of that insulation you described
15 included molded asbestos-containing pipe insulation, did
16 it?

17 A. No. Had nothing to do with pipe insulation.

18 MR. THACKSTON: I was just trying to clear
19 up a few things.

20 Do you have anything else Andy?

21 MR. WATERS: No, I don't think I do.

22 (Whereupon, the deposition was concluded.)
23
24
25

1 I hereby certify that I have read and
2 subscribe to the foregoing deposition.
3
4
5

6 -----
7
8
9 COMMONWEALTH OF VIRGINIA AT LARGE, to wit:
10
11

12 Subscribed and sworn to before me
13 this _____ day of _____ 1992.
14
15
16

17 -----
18 Notary Public
19
20

21 MY COMMISSION EXPIRES:
22
23 -----
24
25

1 COMMONWEALTH OF VIRGINIA AT LARGE, to wit:

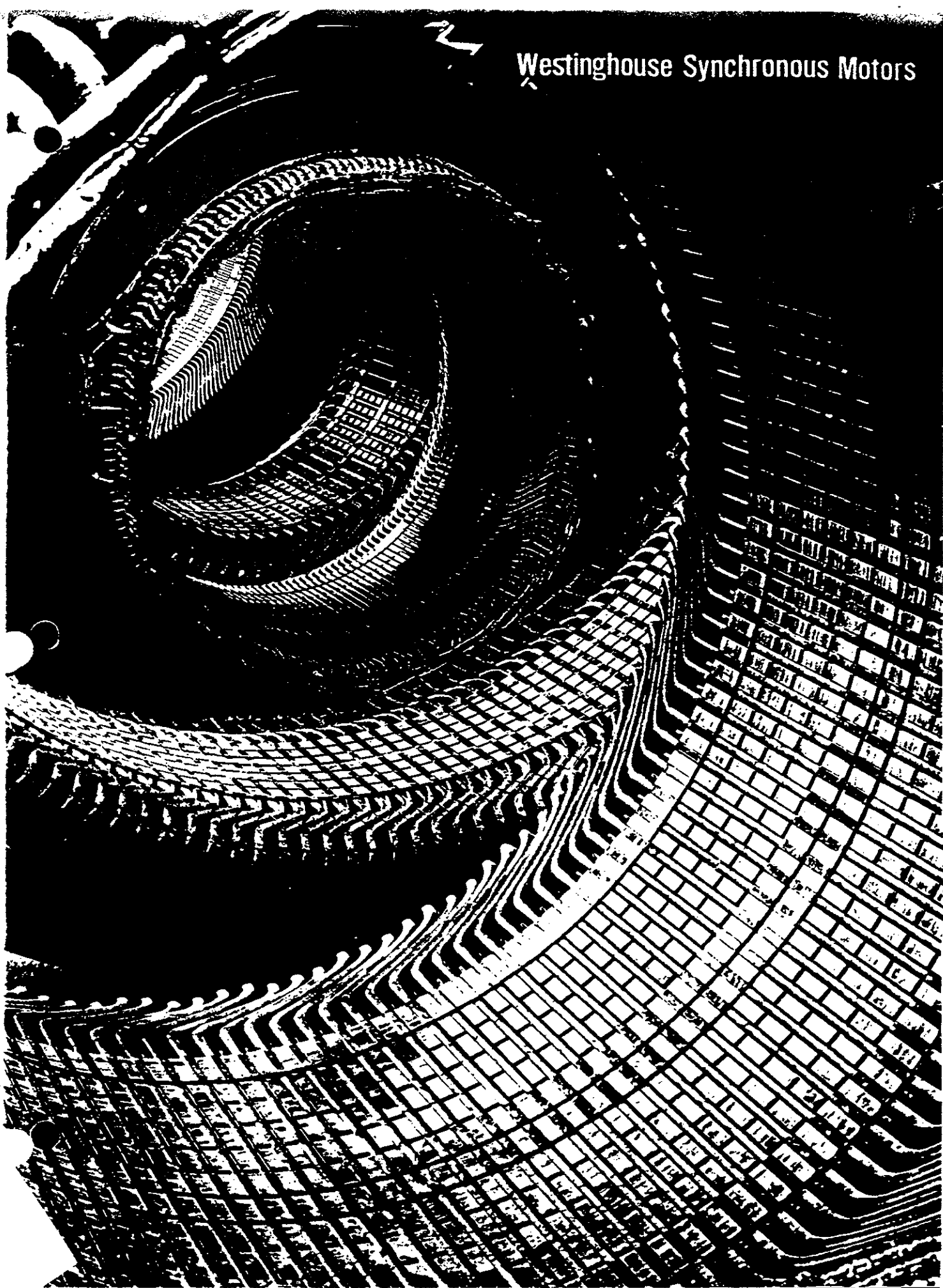
2 I, Sharon B. Gregory, RPR, a Notary Public
3 for the Commonwealth of Virginia at large, of
4 qualification in the Circuit Court of the City of Norfolk,
5 Virginia, and whose commission expires August 20, 1995, do
6 hereby certify that the within named deponent, JOHN
7 MORYKON, appeared before me at Norfolk, Virginia, as
8 hereinbefore set forth, and after being first duly sworn
9 by me, was thereupon examined upon his oath by counsel for
10 the respective parties; that his examination was recorded
11 in Stenotype by me and reduced to computer printout under
12 my direction; and that the foregoing constitutes a true,
13 accurate and complete transcript of such examination.

14 I further certify that I am not related to
15 nor otherwise associated with any counsel or party to this
16 proceeding, nor otherwise interested in the event thereof.

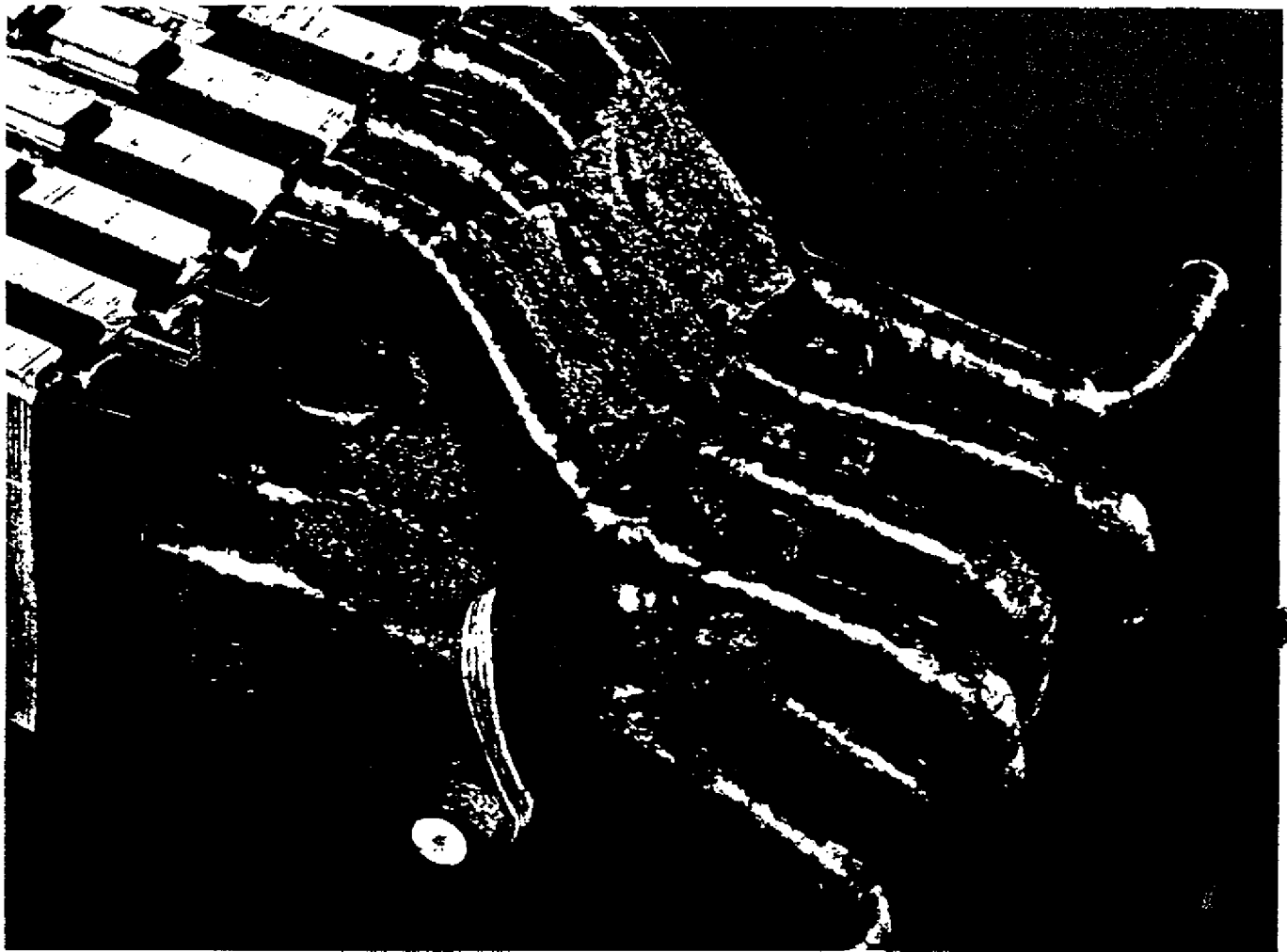
17 Given under my hand and notarial seal this
18 30 day of March , 1992, at Norfolk, Virginia.

19
20
21 Sharon B. Gregory
Notary Public
22
23
24
25

Westinghouse Synchronous Motors



Thermalastic epoxy CSI insulation system



The complete stator is thoroughly impregnated with resin to achieve complete epoxy fill of all the insulated coils and leads. The entire winding is provided with maximum resistance to moisture, dirt, carbon black, and chemicals.

The coil end turns are rigidly braced to withstand full-voltage starts, with a series of insulated metallic support rings and polyester pads which are located between the coil ends. This arrangement forms an arch-bound support at these critical points. The brace material is a highly resilient and absorbent nonwoven polyester felt which absorbs large quantities of solventless epoxy resin and thereby attains the strength characteristics of a high-quality laminate. The same

material is used between the coils and the insulated, metallic support rings to ensure a good fit and protection against lateral movement.

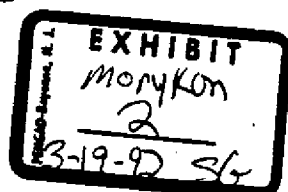
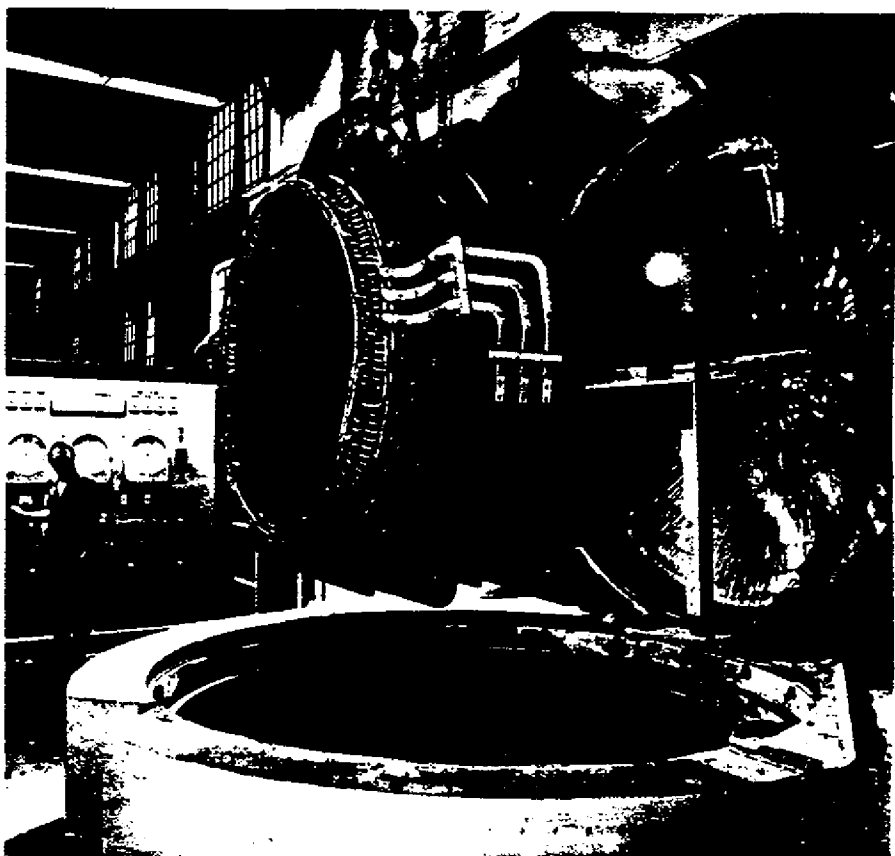
Where long coil extensions are required, the support rings are mounted on braces that are bolted or welded to the end plate. Polyester felt material is fitted between the top and bottom parts of the coil end turns and between the end plate and the extension of the bottom side of the coil.

High voltage applications

There is only one major difference with high voltage machines (i.e., those above 7000 volts). Corona suppression treatment is applied to each coil over its ground wall insulation and prior to winding the coil into the stator core. This corona-suppression treatment consists of two parts:

- 1 A conducting coating to the slot portion of the coil.
- 2 A semi-conducting (dielectric grading) coating from the slot portion of the coil for about six inches into the end turn.

After the coils are wound into the stator, the stator is completely epoxy impregnated in the usual vacuum and pressure process.



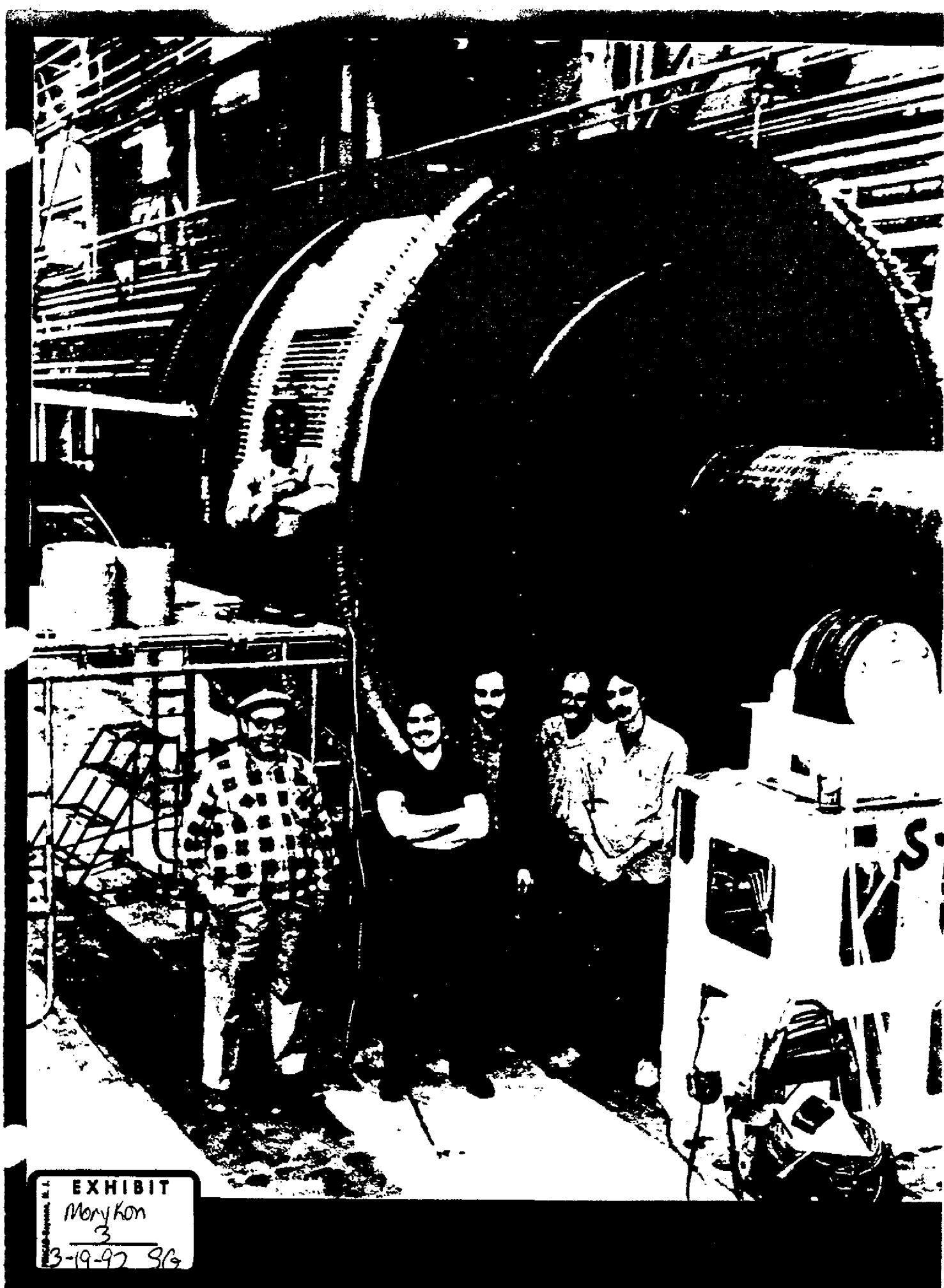


EXHIBIT
Morykon
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SPACE

WESTINGHOUSE ELECTRIC & MANUFACTURING CO.



1402 COLUMBUS 1402

COMPANY

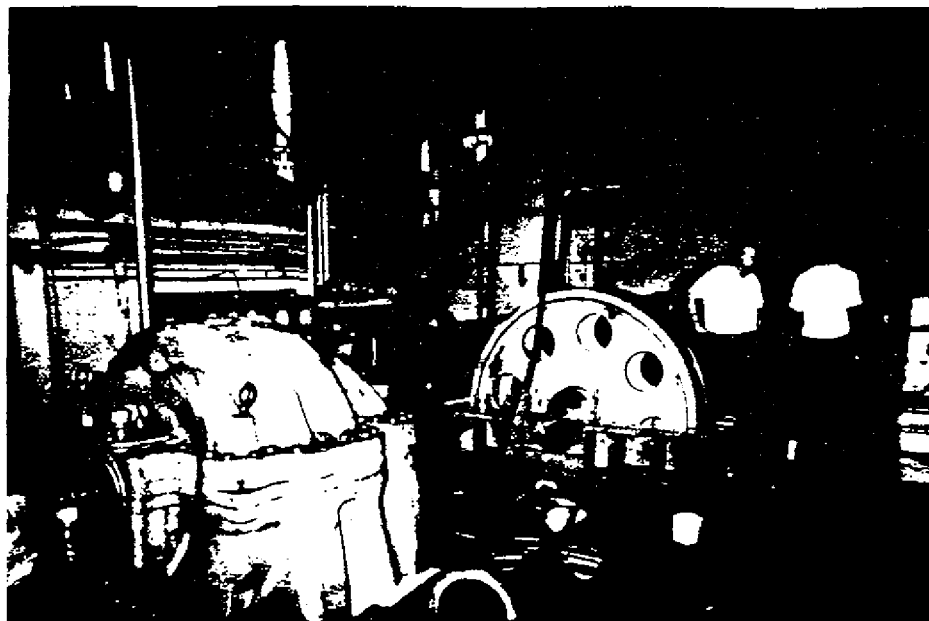
GENERAL ELECTRIC

WESTINGHOUSE
ELECTRIC
&
MANUFACTURING CO.
TESLA
POLYPHASE
SYSTEM

Volume

Number

January



Los Angeles OC services supersonic wind tunnel

LOS ANGELES OC completed a 7,000 hp motor overhaul at Lockheed's supersonic wind tunnel in Rye Canyon, Calif. Lockheed uses the wind tunnel at its fluid dynamic facility to test airplane and helicopter designs.

Project Leader Richard Junker and Field Service Engineers Ed Toy, Steve Lung, Wally Saffell, Gary Brooks, Robert Brown and Chuck Budds worked with Los Angeles Repair to remove the motor, install a spare sta-

tor, mechanically align the equipment and then provide start-up services. The project was completed well within Lockheed's time specifications, allowing the facility to meet its customer obligations.

The contract was negotiated by Business Unit Salesman Irwin Socol and Richard Junker.

Pictured are Ed Toy (second from left) and Steve Lung (right) at the site.

Bethany Medical Center commends Kansas City OC for 'extra effort'

Kansas City OC Engineer STEVE GRIFFITH went that extra mile to help a customer recently.

"Steve went to Bethany Medical Center in Kansas City, Kan., on a Sunday morning to check a transformer problem, and did his usual outstanding job," said Kansas City OC Manager Mark Smashey. "He even drew a protective device coordination curve recommending a different primary fuse for better transformer protection and coordination. Steve and other engineers like him are proving that

Kansas City OC is "making sure."

Bethany Medical Center agrees. Plant Services Manager Gary Hill sent this letter to Steve commending him for his good work.

"I sincerely express my appreciation for your assistance in transformer troubleshooting and repair over the weekend. I recognize no one enjoys working long hours on a Saturday or Sunday. Without reservation, you and Westinghouse put forth an extra effort during our time of need."

Detroit WISCO bails out city of Flint

Flint, Mich.. Mayor James Sharp sent this letter to DETROIT WISCO.

"It has been brought to my attention that your organization played a vital role in assisting the city of Flint with our recovery efforts from the heavy rains and flooding that occurred in September. As a result of your prompt response, we were able to restore the water pollution control facilities to full operation in a timely manner over a very wet weekend.

"On behalf of the citizens of Flint, I want to thank you for your special efforts."

Syracuse OC praised for work at Hartwick

Andrew Liddle, director of Purchasing, Personnel and Security for Hartwick College in Oneonta, N.Y., wrote this letter praising Syracuse OC employees BILL ROWAN and KEN ORCUTT for their professional PCB cleanup work.

"Personally and on behalf of the college, I thank you for your assistance in the cleanup of the PCB problem we encountered on campus recently.

"In particular, I would like to thank Technician Bill Rowan and Engineer Ken Orcutt for the manner in which they attended to the situation. Both men are certainly professionals in their field. They handled the cleanup process expeditiously, and, more importantly, educated our staff on how to proceed in the future.

"Their presence and professional attitudes were extremely helpful in reducing the anxieties experienced by faculty, staff and students."



Thermalastic insulation systems Continued



Exceedingly careful manufacturing procedures, which include rigorous testing at critical points in the process, assure a distinctly superior insulation system.

The mica conductor insulation—which is an integral part of Thermalastic insulation systems above 3000 volts—provides unmatched protection against turn-to-turn shorts caused by steep-front surges.

The preformed stator coils are completely insulated by taping with compatible materials. Then the coils are tested between turns, and to ground, at levels that are well above normal operating voltages.

