FILE NAME: .C D22ŘNJĂŎK ó.CDú

DATE: ллллл

DOC#: .CDмлм

DOCUMENT DESCRIPTION: wŜLJ2NJú 2Ŧ .l·NJNJè /l·ăűtŜY˝l·y˝

BF Goodrich

Goodrich produced and sold a number of asbestos-containing products. Beginning in at least 1939 (some sources indicate as early as 1910) and continuing until at least 1950 (some sources indicate as late as 1960), it manufactured high-temperature compressed-asbestos sheet packing. After it discontinued production of asbestos-containing sheet packing, Goodrich purchased that material from other manufacturers for resale. Goodrich manufactured asbestos-containing aircraft brakes from at least the mid-1940s through approximately 1985, and sold and installed asbestos-containing automobile brakes through its Goodrich Tire Centers from 1930 through 1985. Over time it also produced and sold asbestos-containing brakes for off-highway equipment, furnace door hoses, floor tile, and a variety of adhesives. In short, Goodrich manufactured and sold a variety of asbestos-containing products and materials for more than 50 years.

Goodrich was a member of the National Safety Council beginning in 1914 and continuing through at least 1975. The NSC was well known in the industrial community and published many reports about dust hazards including asbestosis starting in 1929, including its monthly National Safety News, annual meetings (National Safety Congresses), and various other reports. *See, e.g.,* "Industrial Dust: Health Practices Pamphlet No. 4," *National Safety Council, Inc.*, 1939. As early as the 1930s, NSC had a "Rubber Section" that published a number of reports in which the hazards of asbestos were discussed. *See, e.g.* "Dusts in the Rubber Industry," *National Safety Congress*, P.A. Davis, M.D., 1939 .

In 1938, W.L. Schneider, a Goodrich safety engineer, represented the company at the Industrial Commission of Ohio's annual Safety Congress, during which the topic of asbestosis was discussed. That same year, NSC published recommendations on industrial respiratory equipment, including for protection against asbestos. ["Respiratory Protective Equipment: Safe Practices Pamphlet No. 64," and "Compounding Materials Used in the Rubber Industry" 1938].

Goodrich created an industrial hygiene department by 1946. William McCormick, manager of the department from 1946-1973, had been employed in the field of industrial hygiene by the U.S. Public Health Service (1942-46) and the Georgia State Health Department (1946) prior to his employment at Goodrich. Mr. McCormick had also previously worked as a chemist and director of industrial research for Willson Products, Inc., a manufacturer of respiratory protective devices in Reading, Pennsylvania, from 1937-1942. Goodrich also manufactured its own line of respirators for protection against industrial dusts.

Even before his employment at Goodrich, Mr. McCormick authored an article discussing dust hazards in industry, including asbestos. ["Dust Hazards in Industry," *Bulletin of the Virginia Polytechnic Institute: Proceedings of Industrial Safety Conference, November 8, 1940,* W.E. McCormick, January 1941]. Indeed, by the late 1930s he was personally aware that asbestos exposure could cause disease in humans. [Deposition of William McCormick, October 25, 1991, at 44:2-7]. He was also aware of the hazards of exposure to tremolite through talc – of

particular importance in the rubber industry – by the mid-1940s. [Deposition of William E. McCormick, September 25, 1989, at 103:11-16].

The state of Ohio, where Goodrich was headquartered, implemented maximum allowable concentrations for occupational exposure to harmful substances including asbestos in 1947. That same year, Goodrich became a member of the Industrial Hygiene Foundation (IHF), which published the Industrial Hygiene Digest as a service to member companies. This publication included numerous abstracts, or summaries of recently published articles, from several hundred scientific journals. Many of these abstracts, which were delivered monthly to IHF member companies, discussed the lethality of asbestos. For example, the August 1949 edition of the Digest included an abstract on an editorial in the Journal of the American Medical Association entitled "Asbestosis and Cancer of the Lung."

Mr. McCormick, manager of Goodrich's industrial hygiene department, attended the Seventh Saranac Symposium in 1952, where leading world authorities discussed pneumoconiosis and cancer of the lung. By late 1965, Rex Wilson, director of Goodrich's medical department, was aware of a potential connection between asbestos exposures and malignant pleural mesothelioma. [Letter from Rex Wilson, M.D. to Dr. Kenneth W. Smith dated February 22, 1966]

Goodrich acknowledges it did not engage in regular air sampling to measure asbestos exposures at its plants. [Answers, Responses and Objections of Defendant, The B.F. Goodrich Company, to Plaintiff's Interrogatories, November 17, 1989, at Answer to Interrogatory No. 9; Deposition of William McCormick, October 25, 1991, at 29:9-30:8.] However, it noted excessive levels of asbestos exposures in areas of its Akron plant in December 1972, with a need for "prompt engineering and administrative steps" necessary to "correct the hazardous conditions." [Correspondence to John H. Field from John W. Born, March 2, 1973]. Internal correspondence indicates bags of raw asbestos were still not being properly labeled and industrial hygiene measures remained inadequate at the Akron plant in mid-1977. [Correspondence to Ray Heffner from T.S. Bialke dated May 12, 1977]. Goodrich was cited for failing to collect ceiling concentrations of asbestos fibers at its main Akron plant, in violation of OSHA regulations, in March 1986.