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FILE: Wells 684
PAGE: 119 I
OTHER: 466906

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UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS Civil #82-1672-S

ANNE ANDERSON, for herself, and as parent and next friend of CHARLES ANDERSON, and as Administratrix of the estate of JAMES ANDERSON; CHRISTINE ANDERSON; RICHARD AUFIERO, for himself, and as parent and next friend of ERIC AUFIERO, and as Administrator of the estate of JARROD AUFIERO; LAUREN AUFIERO; DIANE AUFIERO, for herself, and as parent and next friend of JESSICA AUFIERO; ROBERT AUFIERO; KATHRYN GAMACHE, for herself, and as parent and next friend of AMY GAMACHE; TODD L. GAMACHE; ROLAND GAMACHE; PATRICIA KANE, for herself, and as parent and next friend of MARGARET KANE; KATHLEEN KANE; TIMOTHY KANE and KEVIN KANE, Jr.; KEVIN KANE; DONNA L. ROBBINS, for herself and as parent and next friend of KEVIN ROBBINS, and as Administratrix of the estate of CARL L. ROBBINS, III; MARY J. TOOMEY, for herself and as next friend of MARY EILEEN TOOMEY, and as Administratrix of the estate of PATRICK TOOMEY; RICHARD J. TOOMEY; JOAN ZONA, for herself, and as Administratrix of the estate of MICHAEL ZONA; RONALD ZONA; ANN ZONA; JOHN ZONA; and PAT ZONA, Plaintiffs

v.

CRYOVAC, Division of W. R. GRACE & CO.; W. R. GRACE & CO.; JOHN J. RILEY COMPANY, Division of BEATRICE FOODS CO.; BEATRICE FOODS CO.; and XYZ Company(ies), Defendants

Deposition of JAMES WARREN WATKINS, taken on behalf of the Plaintiffs pursuant to the applicable provisions of the Federal Rules of Civil Procedure, before Nancy L. Eaton, Notary Public in and for the Commonwealth of Massachusetts, at the Sheraton-Regal Inn of Hyannis, Route 132, Hyannis, Massachusetts, on Thursday, April 18, 1985, commencing at 11:30 a.m.

1 APPEARANCES:

2 SCHLICHTMANN, CONWAY & CROWLEY,
3 by JAN SCHLICHTMANN, Esquire, and
4 KEVIN CONWAY, Esquire, 171 Milk Street,
5 Boston, MA 02109, for the Plaintiffs.

6 HALE & DORR,
7 by DONALD FREDERICO, Esquire,
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9 For Beatrice Foods.

10 FOLEY, HOAG & ELIOT,
11 by WILLIAM J. CHEESEMAN, Esquire,
12 One Post Office Square, Boston, MA 02109,
13 and MARK STOLER, Assistant Counsel,
14 for W. R. Grace & Co. and Cryovac,
15 Division of W. R. Grace & Co.

16 GOODWIN, PROCTER & HOAR,
17 by ROBERTA K. SCHNOOR, Esquire,
18 28 State Street, Boston, MA 02109,
19 For UniFirst Corporation.
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I N D E X

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<u>Witness</u>	<u>Direct</u>	<u>Cross</u>
James Warren Watkins	4	

Exhibits

<u>No.</u>		<u>Page</u>
1	Letter of 3-9-65 with 3 attachments	162

1 MR. SCHLICTMANN: The same
2 stipulations we have had in all the other
3 depositions.

4 JAMES WARREN WATKINS,
5 having been duly sworn, testified as follows
6 in answer to direct interrogatories:

7 Q. (BY MR. SCHLICTMANN) Would you please
8 state your name for the record?

9 A. Full name is James Warren Watkins.

10 Q. And Mr. Watkins, you are retired now?

11 A. Yes.

12 Q. And how long have you been retired?

13 A. Since August 1981.

14 Q. And prior to your retirement, where did
15 you work?

16 A. I worked for High Voltage Engineering in
17 Burlington, Massachusetts.

18 Q. How long did you work for them?

19 A. A little over ten years.

20 Q. And prior to your working for High Voltage,
21 who did you work for?

22 A. I worked for what was then known as Hersey
23 Sparling. It is now Hersey Products in Dedham.
24 They sold the Sparling Division in California.

1 Q. Where was that located?

2 A. Dedham, Massachusetts.

3 Q. How long did you work there?

4 A. About two years.

5 Q. And prior to your working for Hersey,
6 where did you work?

7 A. I worked for W. R. Grace.

8 Q. And how long did you work for W. R. Grace?

9 A. As I remember it was from June '62 to
10 November '69, so say what, seven and a half years,
11 something.

12 Q. What was your position at High Voltage?

13 A. At High Voltage Engineering I was
14 operations manager and manufacturing manager. The
15 titles would be interchangeable.

16 Q. And essentially what were your duties?

17 A. Director of operations rather and then
18 manufacturing manager. Essentially my duties were
19 comprehensive. The organization, that was the
20 headquarters part of it. They owned other places,
21 subsidiaries and what not. In those front offices
22 where I was one of the members, that was the top of
23 the corporation. The president, the chairman of
24 the board -- the president is now also the chairman

1 of the board -- the senior members of the
2 organization who had found it, the two remaining
3 ones, Dr. Robinson and Doctor John Trump, the vice
4 president of finance, the corporate counsel, the
5 vice president of industrial relations for the
6 entire corporation, Gordon Hamilton. Let me see.
7 Who else?

8 Q. Maybe you misunderstood my question. What
9 were your duties, just generally what were you
10 responsible for?

11 A. I was responsible for anything that had to
12 do directly with the formulations of methods,
13 techniques and the the administration of
14 manufacturing. Under me I had a management staff.
15 I had several departments. I had the manufacturing,
16 engineering, I had the purchasing department, I had
17 production control department. Each had a head. I
18 had the plant engineering department and I had the
19 plant superintendent under whom came the foremen of
20 the various departments. All together we're
21 talking maximum a hundred and thirty people.

22 Q. Now, when you worked with High Voltage,
23 did that concern any use of chemicals?

24 A. Yes.

1 Q. Did it involve the use of solvents?

2 A. Yes.

3 Q. And do you know what kinds of solvents it
4 involved?

5 A. Perchloroethylene in the degreasing tank.
6 That was the principal thing. Let me think. In
7 the cleaning room and so forth, there were very
8 finicky methods. We manufactured, try to visualize
9 what we were manufacturing. Actually what
10 originally would have been called an atom smasher,
11 something that looked like a baby submarine, eighty
12 to a hundred feet long with various components in
13 it, you know you are talking here, 10, 16 million
14 electron volts, so the manufacturer of tubes, when
15 I say tubes, you think of some kind of tube,
16 smaller thing. Tubes were the length of this table
17 and about so big in diameter and laminations of
18 particular type of glass and stainless steel.

19 Now, they were bonded together so
20 there was bonding material and specifically what
21 the name of it was, I don't know, but this was done
22 in a clean room and very meticulous operation,
23 because when you're dealing with electrons, you're
24 dealing with what Doctor van der Graff, the

1 inventor, called his little bullets, it is the
2 smallest element of nature we know about. No one
3 has ever seen one, but they have a tendency if
4 there is any imperfection in design to go in all
5 directions. They don't bounce like billiard balls.
6 In order to effect that control beyond the high
7 voltage electronics of the matter, it is necessary
8 to keep these tubes perfectly aligned, clean, and
9 the solvents involved, I cannot recall the trade
10 name of the particular solvents because that was
11 not anything I had to. I had many people around me
12 who were swabbing this stuff on.

13 Q. But you remember one was perchloroethylene?

14 A. That was degreaser. That is outside the
15 clean room. That's degreasing anything that has
16 been machined and has oil on it.

17 Q. Other than perchloroethylene, do you
18 remember any other chemicals that were used that
19 were solvents?

20 MR. CHEESEMAN: At High Voltage
21 Engineering?

22 Q. At High Voltage Engineering.

23 A. Well, I could begin to speculate on
24 certain things.

1 Q. No, no, I don't want you to speculate.

2 A. I won't. Then I'll say no.

3 Q. Now, at Hersey, did you deal with
4 chemicals there as well?

5 A. There was -- one of the principal areas
6 was the painting area which was very large and
7 again it would be a matter of solvents and the
8 degreasing of machined parts, but about the same
9 situation. In this case I imagine it was
10 perchloroethylene because years ago industry had
11 gotten away from trichloroethylene. It was a
12 narcotic and had objectionable fumes. Back quite a
13 while ago people came on the market with
14 perchloroethylene which was supposed to overcome
15 these objection, and if I may say so, at this time,
16 my particular concern, you see, I had plant
17 engineers who dealt with the towns and the
18 effluents and the pH factors and so forth and so
19 forth. I was not -- I was at least once removed
20 from that as my daily thinking or concern unless
21 there was some large event that would cause me to
22 want to look into this type of thing.

23 Q. Is that when you were working for Hersey
24 now?

1 A. Any company, any of the three companies.

2 Q. Any of the three companies, all right.

3 Let me just make sure because you are
4 liable to give an answer because it won't be to a
5 question so let me give you a question before you
6 give me an answer.

7 MR. FREDERICO: Motions to strike are
8 reserved?

9 MR. SCHLICHTMANN: Yes.

10 A. What you mean is I shouldn't give you the
11 answers before you give me the question?

12 Q. I have to give you the question first or I
13 won't be able to use it.

14 A. It takes all the fun out of it.

15 Q. Exactly. Now, you worked for W. R. Grace
16 from June 1962 to November of 1969?

17 A. Yup. The November thing I am not
18 positively sure of as an effective date. It might
19 have been October but I think it was November.
20 There was a hell of a snowstorm I remember.

21 Q. Now, in working for W. R. Grace, you were
22 aware that W. R. Grace used chemicals?

23 A. Yup.

24 Q. And what chemicals were you aware they

1 used during the time you were associated with the
2 plant?

3 A. Again, we're back to the thing I remember
4 the most because it is a degreasing operation and
5 W. R. Grace by the way, its degreasing tank was no
6 where near the size of the High Voltage tank in
7 size, activity or anything else. I remember it was
8 a rather small tank and I do remember the
9 transition from trichloroethylene to
10 perchloroethylene, then that was for degreasing,
11 but remember the machine soluble oil was used as
12 much as other types of -- much more than other
13 types of cutting oil, and didn't require this
14 amount of degreasing, but, you know, it had to be
15 somewhat washed off. The reason for degreasing is
16 when you use machine oil, it really sticks on there,
17 very nicely, and you have to get rid of it, and the
18 tank, the heat, and there are hoods and that.

19 Now at Grace, I'd like to take just a
20 moment of time to repeat something I said and it is
21 neither here nor there, but it will help you. I
22 have been trying very hard to think this thing over
23 and try to remember things, but remember you are
24 talking a period of 1962, that's 23 years ago up to

1 today and there have been many and larger
2 experiences in two companies since and I have truly
3 tried to either remember specifically or find a
4 mnemonic means of making me remember, and one of
5 the things I commented on, that documents where the
6 wording might lead me to remember are all blanked
7 out and all I see is one sentence. I can't
8 recreate the thought process that might be in there,
9 something I'd seen before or heard that reminded me
10 of a conversation.

11 Q. Are these documents you are referring to,
12 these are documents your attorney has shown you?

13 A. Yes.

14 These documents have had various
15 sentences blacked out and the ones I ascertained
16 over the phone that you had because I asked at some
17 point in time will the blank lines be lifted, and
18 that's possible, but I have only seen blacked-lined
19 documents.

20 Q. Why don't we stop right there, Mr. Watkins,
21 if you would.

22 (Off the record discussion).

23 Q. Let's go back on the record.

24 A. I'm telling you this just so you get it

1 straight, I have seen blacked-lined documents. No
2 way that I could tell you that I have seen all the
3 documents that are appropriate to this case. I
4 have just seen the ones that were shown to me in my
5 living room.

6 Q. Do you think that there are others?

7 A. I don't know. I have no idea.

8 Q. Well, Mr. Watkins, do I understand you
9 correctly then, you do remember that during the
10 time that you were associated with W. R. Grace, you
11 remember that they did use trichloroethylene and
12 that that was later replaced with their use of
13 perchloroethylene?

14 A. Umm.

15 Q. Is that right?

16 A. Uh-huh.

17 Q. Now, other than trichloroethylene and
18 perchloroethylene, do you remember --

19 A. I don't -- all right. Finish.

20 Q. Do you remember any other chemicals which
21 were used by the W. R. Grace plant in Woburn during
22 the time you were associated with the plant?

23 A. See, my mind now switches over to the
24 painting department which was being developed.

1 Q. Yes.

2 A. I'd like to say at this point that this
3 plant was, Vin Forte was my general manager, and
4 matters of this type he was very anxious to create
5 a model plant. He sent me to Chicago, carte
6 blanche practically, to select about two hundred
7 thousand dollars of automatic and semi-automatic
8 machinery. 1965 was known as the second industrial
9 revolution in this country, and in matters of this
10 type, Vinny was very interested, being general
11 manager, in having a real good plant, and I got
12 complete cooperation on that; but our principal
13 person, you know, you asked specific questions and
14 answers to your question, I don't remember any
15 other specifically. I am not going to speculate.
16 I have names in my mind, but I don't know
17 specifically, commonly used things.

18 Q. What are the names you have in your mind?

19 MR. CHEESEMAN: I'll object to that
20 question.

21 MR. SCHLICTMANN: I'd like to know
22 what the names are he has in his mind.

23 MR. CHEESEMAN: Recite a dictionary
24 of medical names?

1 Q. You have some names of chemicals in your
2 mind?

3 MR. CHEESEMAN: I believe he
4 indicated that he had names of chemicals in mind in
5 the dictionary sense, not that he had names in mind
6 of chemicals that were used at the plant.

7 A. Yeah, names that are commonly used or
8 might be used in industry generally, but I can't
9 pick those names and pin it right to --

10 Q. Why don't you tell me what the names you
11 are familiar with though of the chemicals. What
12 names are you familiar with?

13 MR. CHEESEMAN: I will object. Go
14 ahead.

15 A. I don't want to answer that question
16 because I think I should answer questions that have
17 to do specifically and only with what I actually
18 know.

19 Q. I understand that, Mr. Watkins.

20 A. As applied to this situation in that plant.

21 Q. I do have a right to ask you questions.

22 A. Yes, sir.

23 Q. And the question I do want to ask you is
24 what chemicals are you familiar with that were used

1 by industry during that period of time?

2 MR. CHEESEMAN: Objection.

3 A. What's the point?

4 Q. Do you have such a memory of chemicals
5 that were used?

6 A. Everybody has that's been anywhere near
7 industry. They could sit down and probably rattle
8 off a dozen of them if you have to, any man that's
9 worked in a factory anywhere.

10 Q. How many chemicals can you describe that
11 were in use by industry in the 1960's?

12 MR. FREDERICO: Objection.

13 A. Describe?

14 MR. CHEESEMAN: Objection.

15 A. I can't describe them.

16 Q. Are there any chemicals that you can
17 identify that you knew were used by industry in the
18 1960's?

19 MR. FREDERICO: Objection.

20 MR. CHEESEMAN: Objection.

21 A. None that I can specifically place at the
22 Woburn plant of W. R. Grace.

23 Q. All right. I understand but what I'd like
24 to know is which ones can you identify, and then

1 I'll ask you whether you can describe those,
2 whether you can identify them as being used at the
3 plant. First I want to know which ones you can
4 identify.

5 MR. CHEESEMAN: What do you mean by
6 identify?

7 Q. He said industry used. Let me ask you,
8 Mr. Watkins, you're familiar, you have knowledge as
9 to various chemicals that were used by industry in
10 the 1960's?

11 MR. FREDERICO: Objection.

12 MR. CHEESEMAN: Objection.

13 Q. Is that right?

14 A. Everybody worked in industry had that
15 general type of knowledge.

16 Q. All right. What I'd like to know right
17 now is your general type of knowledge concerning
18 the types of chemicals that were used in the 1960's
19 by industry.

20 MR. FREDERICO: Objection.

21 MR. CHEESEMAN: Objection.

22 A. I want to repeat for the record that my
23 testimony will not be in any way speculative. I
24 will only answer questions concerning what I

1 actually remember and know concerning that specific
2 plant in Woburn, Massachusetts, and what I'm
3 telling you is beyond this perchloroethylene thing.
4 I would be speculating.

5 Q. All right.

6 A. I don't actually know. That's my answer
7 to you.

8 Q. I understand, Mr. Watkins, but my question
9 is a very simple one. Would you please identify
10 for me those chemicals that you are aware of which
11 were in use by industry in the 1960's?

12 MR. FREDERICO: Objection.

13 MR. CHEESEMAN: Objection.

14 A. I won't answer that question.

15 Q. Why?

16 A. It could be used in Wyoming or Los Angeles.
17 How do I know they were used in the Woburn plant?

18 Q. I'm not asking whether if they were used
19 in the Woburn plant. All I'm asking you to
20 identify those chemicals that you understand were
21 in use in industry in the 1960's.

22 MR. FREDERICO: Objection.

23 MR. CHEESEMAN: Objection.

24 A. I won't answer the question. It is not an

1 appropriate question. It has nothing to do with
2 this case.

3 Q. But you are aware of other chemicals?

4 MR. FREDERICO: Objection.

5 MR. CHEESEMAN: Objection.

6 A. My wife is aware of other chemicals. She's
7 got them under the kitchen sink. She doesn't know
8 what they are.

9 Q. You're aware of other chemicals other than
10 trichloroethylene and perchloroethylene being used
11 by industry in the 1960's?

12 MR. FREDERICO: Objection.

13 MR. CHEESEMAN: Objection.

14 A. Wrong question. It is the wrong question,
15 inappropriate question.

16 Q. I understand that you believe it is the
17 wrong question. I understand that you believe it
18 is an inappropriate question, but I am, I have the
19 right to ask you these questions.

20 A. You have the right to ask me.

21 Q. And you have the obligation --

22 A. I am telling you under oath I am not going
23 to answer that question because I consider it
24 inappropriate and my memory would be totally flawed.

1 Q. So you're refusing to answer that question;
2 is that correct?

3 A. That is correct.

4 A. Good, you got me on the rack. Later in
5 court I still couldn't answer the question.

6 Q. And how long a period do you remember
7 W. R. Grace using trichloroethylene?

8 A. It seems to me there was a small tank --
9 Vinny and I and Paul Shalline were very much
10 concerned with working conditions. After all, we
11 were W. R. Grace even though we were a little plant
12 remotely in Woburn, Massachusetts.

13 I would say that -- rather primitive
14 machine shop in the beginning now, but we must have
15 degreased, not even sure it was heated, maybe just
16 dipped. It would seem to me that about 1963 or 4
17 there might have been some objection, and here I
18 will answer an industry-wide question as well as
19 Woburn. There was widespread objection to
20 trichloroethylene because it was detectable as a
21 narcotic. It was an objectionable smell. People
22 didn't like to work over it or near it unless they
23 were narcotized and didn't know it. I forget which
24 chemical company saw this problem and came out with

1 a product called perchloroethylene and in effect
2 said to us: If you use this, you will be much
3 better off regarding those objections, both health
4 wise, atmosphere wise, and it will clean just as
5 well and so forth, so I would have to speculate
6 that, and I am speculating now, I cannot answer
7 accurately although I know of perchloroethylene and
8 its existence and the reasons why accurately. The
9 particular year it would seem to me in the normal
10 course of that company must have been around
11 '63-64 period that that transition would have
12 occurred.

13 MR. FREDERICO: I reserve a motion to
14 strike.

15 MR. CHEESEMAN: I do also.

16 A. Do what?

17 MR. SCHLICHTMANN: They want to strike
18 your answer as not being responsive to the question.
19 You have provided information but they believe it
20 is not responsive to my question so they are going
21 to wipe it off the transcript or attempt to. Wipe
22 it off the transcript so the jury can't hear it.

23 MR. CHEESEMAN: This is lawyer's talk
24 you can just ignore.

1 A. I think I can appreciate it, looking down
2 the center of this table, do I, regarding that
3 answer, I hope, because my intent, do I appear to
4 both parties as having answered the best I could?

5 Q. Well, I guess I think --

6 A. That's what I'm trying to do here.

7 Q. Right. So let me ask a question. Am I
8 correct, sir, in understanding your testimony that
9 you believe that perchloroethylene was at some
10 point during your association with W. R. Grace used
11 as a substitute to trichloroethylene?

12 A. Yes.

13 Q. To replace trichloroethylene?

14 A. Yes.

15 Q. About approximately how many years do you
16 think, do you remember the W. R. Grace plant using
17 trichloroethylene during the time that you were
18 associated with the plant, approximately how many
19 years?

20 A. Two. I'm not sure of that but I think so.

21 Q. And how many years during the time that
22 you were associated with the Woburn plant do you
23 remember W. R. Grace using tetrachloroethylene?

24 A. Doesn't ring a bell. It doesn't ring a

1 bell.

2 Q. When you say doesn't ring a bell, you
3 don't know how many years?

4 A. No, I don't recognize it as something that
5 was used there. It may have been.

6 Q. Well, let me see if I understand you. I
7 believe you testified that the perchloroethylene
8 replaced the trichloroethylene; is that right?

9 A. I have a pretty distinct memory of that,
10 yes, and the reasons why.

11 Q. Do you know, do you understand that
12 perchloroethylene is the same as tetra-
13 chloroethylene or do you see them as different
14 chemicals?

15 A. Tetrachloroethylene doesn't ring any bells
16 in my mind. You might as well say iodine, it is
17 like iodine.

18 Q. Very well. I understand. My question
19 then is as to perchloroethylene, approximately how
20 many years do you remember the Woburn plant using
21 perchloroethylene?

22 A. Okay. You're saying approximately and
23 that could, in my attempt to place time periods on
24 these two solvents, if I think that

1 trichloroethylene was replaced in two years time,
2 it means that they must have used perchloroethylene
3 for seven years time during my time there, but
4 neither of those answers is dead accurate. I just
5 cannot remember that well.

6 Q. But you do, it is your memory that
7 perchloroethylene was used for many more years than
8 trichloroethylene was used during the time you were
9 associated with the Woburn plant; is that right?

10 MR. FREDERICO: Objection.

11 A. I think I have just answered that question.

12 Q. Is that correct, what I asked you?

13 A. To the best of my memory, correct.

14 Absolute gospel truth, I don't know.

15 Q. Mr. Shalline --

16 MR. CHEESEMAN: This is Mr. Watkins.

17 Q. How do you like that.

18 A. I am sure Paul was much more helpful to
19 you because he was the guy, he was the guy, he
20 superseded me. He was the fellow that Vinny and I
21 both depended upon. He was the --

22 Q. Let me, so there is a question for your
23 answer, Mr. Watkins, who is Mr. Shalline?

24 A. What?

1 Q. Who is Mr. Shalline?

2 A. He was my plant superintendent and head of
3 maintenance and those type of functions.

4 Q. What was your understanding as to Mr.
5 Shalline's responsibilities during the time you
6 were associated with the Woburn plant?

7 A. Well, as manufacturing manager, I had
8 methods engineering under me and I had to some
9 degree labor relations under me although there was
10 another man -- Eric someone.

11 Q. Eric Myers?

12 A. Eric Myers who was closer to Vinny in
13 those direct functions of labor relation and the
14 record keeping and whatever and dealing with Duncan.
15 Paul Shalline was a comprehensively capable person
16 right from the beginning that was perceptible, so
17 in choosing someone to call plant superintendent
18 and to put over the foremen and to service and
19 provide the foremen with maintenance and to take
20 care of the peripherals of manufacturing, because
21 each department had capable foremen, very capable
22 foremen, servicing the foremen, that would be in
23 terms of keeping the plant clean, getting garbage
24 out, scrap out, new supplies in and so forth, he

1 would be the principal person. The stock room
2 person would be the person to requisition through
3 the purchasing department, you know, the things you
4 need for purchasing, screws, cotter pins, that sort
5 of thing.

6 Paul wouldn't have had to have much
7 to do with that. That's just direct front stock
8 supplies, but concerning the wider scope, here is a
9 plant operating, are the windows open or shut, the
10 venting, the barrels, deal with the town, the state
11 and the pH factor and so forth, get the electrical
12 wiring dropped to the new machinery, do it safely,
13 this type of thing. That was Paul Shalline.

14 Q. Those were Paul Shalline's duties, the
15 ones you have just described?

16 A. Umm.

17 Q. Is it your understanding Mr. Shalline was
18 responsible for obtaining chemicals for use at the
19 plant and disposing of chemicals which were used at
20 the plant during the time you were associated with
21 the plant in Woburn?

22 A. Obtaining chemicals? Let me think about
23 that a minute.

24 He would certainly have a hand in

1 requisitioning them so they could be purchased.

2 Q. And his responsibilities concerning
3 disposal of these chemicals or chemical waste, was
4 it your understand he was responsible for those
5 matters during the time you were associated with
6 the Woburn plant?

7 A. Yeah, yes. I remember Frank Sarno, who I
8 met later at other companies, he was the guy, the
9 scrap remover person and remember most of our metal
10 was stainless steel, aluminum, and I believe the
11 legs of the hot water tunnels and such were
12 galvanized for sanitation purposes. The thing that,
13 a little off the course here, is it was during this
14 period of time that the FDA required of the major
15 meat packers, and we had big customers: Armour,
16 Morrill and so forth, that they get rid of the
17 parogen-collecting unsanitary methods of processing
18 our food.

19 Q. Let me just, so again there will be a
20 question to your answer, let me just make sure that --

21 A. All I am saying, let me say the rest of it.
22 There is a big flurry of stainless steel because
23 that's what the food industry required. They got
24 rid of their old dirty chopping tables and bloody

1 aprons and so forth.

2 Q. My question, was it your understanding Mr.
3 Shalline during the time you were associated with
4 the plant was responsible for disposal of chemical
5 waste?

6 A. Yes.

7 Q. Would you please review for us your duties
8 and responsibilities during the time that you were
9 associated with the Woburn plant?

10 A. Woburn plant. First of all I was hired by
11 Bill Rothfuss over in an office -- and he was then
12 general manager of that plant that he had before
13 Grace had bought it. It was a semi-completed plant
14 started by some other company, and this was before
15 my time, but it had just happened, to be completed
16 by contractors under the aegis of Grace and
17 principally Bill Rothfuss, maybe George McElhiney
18 aided in that.

19 Bill Rothfuss was general manager
20 there and Vinny became general manager and Bill
21 Rothfuss went south as vice president of
22 manufacturing for all of Cryovac. But I was
23 interviewed and, you know, Vinny was kind of new
24 then, I think, and I was interviewed by Bill in the

1 Cambridge offices and sent over to Grace, and I was
2 obviously hired already before I got there.

3 Q. Hired to do what?

4 A. I was hired as manufacturing manager, and
5 remember at that time a plant is just in the
6 process of being built. The machinery is old. It
7 is not particularly laid out, new employees, new
8 products, new designs and the designing was
9 practically all done in Duncan engineering offices;
10 and I came at that stage and the reason I was hired
11 is because, okay, they were going to get into this
12 activity and they needed somebody experienced to
13 manage and guide that type of activity because I
14 don't think anyone else there was considered to
15 have that comprehensive a background.

16 Remember, I didn't finish my college
17 degrees until '56 and '60, Bachelor's '56 and
18 Master's in '60. I came up the route of
19 manufacturing. I'm a hands-on guy, tool maker, all
20 the arts of manufacturing, very good at it. The
21 natural engineers, good ones, don't have that
22 experience, MIT or anywhere else, they come on as
23 engineers. They have never made anything. I came
24 up the tool-making route. The next natural step is

1 to become a methods engineer, to write down and
2 describe the tooling and so forth that will go out
3 into the shop so that the workers can take this
4 material, read it, use it and make a product. That
5 was the ability they needed because they didn't
6 have it, and that's why I was hired; so I started
7 then as manager of manufacturing and that's what it
8 means.

9 Q. How long were you manager of manufacturing?

10 A. Up until about the last year there, then I
11 was -- Bob Conkel, who was a customer service
12 manager, he went off to other duties and I was
13 asked to take over the customer service desk and
14 that's what I did for the last year I was there.

15 Q. Last year you were associated with the
16 Woburn plant?

17 A. Umm. And not a full year I don't think
18 either.

19 Q. You were also, during the times you were
20 associated with the Woburn plant, you were a
21 permanent member of the Safety Committee; is that
22 correct?

23 A. Yes, as a matter of fact I think I created
24 it.

1 Q. You created the Safety Committee?

2 A. I think so.

3 Q. Why did you create the Safety Committee?

4 A. Because that's how you run a plant. Well,
5 among many other things you do, you have a safety
6 committee, you formalize the -- whether your
7 workers are safe and whether they have the right
8 guards on their machines, the floor is free of
9 slick oil and the aisles are wide enough, they are
10 not boxed in to an unsanitary situation in a corner.
11 That's safety.

12 Q. All right. Mr. Watkins, did you also, was
13 it also the responsibility of the Safety Committee
14 to educate the employees as to the safe handling of
15 chemicals and the safe disposal of chemicals that
16 were used at the plant?

17 MR. CHEESEMAN: Objection to the form.
18 It is two questions.

19 Q. All right. You want me to uncompound it.
20 Mr. Watkins, I'm going to withdraw the question.
21 Mr. Watkins, was it your understanding the Safety
22 Committee had responsibility for educating
23 employees concerning the safe handling of chemicals
24 used at the plant?

1 A. Safety Committee had responsibility.
2 Remember, workers were represented by rotation on
3 the Safety Committee, so that what was learned
4 could be promulgated to the shop and the employees
5 would want to do it because they were one of the
6 Safety Committee themselves. Not only chemicals,
7 you include anything, work gloves, guards, floors,
8 anything that would challenge a worker's well being
9 was discussed as the subjects revealed themselves
10 in that meeting.

11 Q. Now, was it -- my understanding, is my
12 understanding correct then that one of the
13 responsibilities of the Safety Committee was to
14 educate employees concerning the safe handling of
15 chemicals used at the plant?

16 A. Naturally.

17 Q. Was it also your understanding that one of
18 the responsibilities of the Safety Committee was to
19 determine the safe disposal practices of chemicals
20 used at the plant?

21 A. No.

22 Q. That was not your understanding?

23 A. No, workers around the shop were not
24 involved in this. Paul Shalline's job. He may

1 have had people helping him, you know, but that
2 part is not what -- you didn't say, if this were
3 Safety Meeting, you wouldn't say: All you guys are
4 going to dispose or participate. They did -- That
5 stuff was just taken from them. They put their
6 chips and scrap stock in a barrel and --

7 Q. That was Mr. Shalline's responsibilities
8 to determine how chemicals that were used at the
9 plant should be disposed of; is that correct?

10 A. The worker wouldn't --

11 Q. Is that correct?

12 A. That's correct and even I wouldn't have
13 that chemical knowledge, you know, I would see that
14 Paul through the Safety Committee that I had
15 somebody responsible for it and that this was
16 happening, but the workers, you asked two questions,
17 a two-part question, whether responsible for
18 participating in their overall safe being and their
19 fellow workers' safe being, yes. Now, that well
20 being has to do with, did they all scurry around
21 and collect all the chemicals and dispose of them?
22 No, that would be channelized into pinpointing
23 situation.

24 Q. What was Mr. Shalline's qualifications as

1 you understood them to be in determining how
2 chemicals should be disposed of at the plant?

3 MR. FREDERICO: Objection.

4 MR. CHEESEMAN: Objection. Go ahead.

5 A. Well, I am not so sure I would object to
6 answering that because I know what kind of a person
7 that careful Swede was.

8 His method of determining what was
9 permissible or what was not would naturally follow
10 the path of being in touch with state and town
11 agencies. I know he was much concerned with the pH
12 factor which was inspected periodically to
13 determine at what level the chemicals were
14 considered -- at that time noxious, objectionable
15 or whatever. I think that Paul didn't sit in a
16 corner. I think he had manuals and so forth. Paul
17 is an informed guy, but I don't think he sat over
18 in the corner trying to read manuals and depending
19 upon it. He called people. He had them in. We
20 had one occurrence where I had a state inspector in --
21 you have it on record there and so forth, because --
22 and it was typical of not drainage, but what could
23 happen in a shop that would cause me to react
24 immediately, and Paul also, and that has to do with

1 a rumor a man started in the plant one time because
2 his father had been in first world war concerning
3 phosphine gas and he thought that our use of
4 aluminum welding was getting to be more extensive
5 in the presence probably of chemicals, although I'm
6 not sure of that, would cause in this rather small
7 plant without workers being aware of it the air to
8 become permeated with something you couldn't smell
9 and it was deadly nevertheless. You drop dead on
10 the spot. It was quite dramatic. Now, you're
11 answering how I involved operating. My memory is --

12 Q. Let me ask you. How did you and Mr.
13 Shalline operate during the time that you were
14 associated with the Woburn plant?

15 A. Very well.

16 MR. FREDERICO: Objection.

17 MR. CHEESEMAN: Objection.

18 Q. How did you operate together? How did you
19 work together during that time?

20 A. You talking how we got along or how we
21 operated?

22 Q. No, how did you share responsibilities at
23 the plant?

24 A. Hand in glove appropriately as I have

1 described the sequence of the organization. My job,
2 his job, together, what's it all about, Paul.
3 Let's get to it. That's how we operated.

4 Q. Did you, were you ever involved with Mr.
5 Shalline in determining how chemical waste should
6 be disposed of at the Woburn plant?

7 A. Can you reword the question? I'm not sure
8 you have enough. Sharpen your clauses a little bit.
9 What is your question?

10 Q. All right. See if I can have very sharp
11 clauses in my question.

12 Did you at any time work with Mr.
13 Shalline concerning how chemical waste should be
14 disposed of at the Woburn plant?

15 A. Work with?

16 I was aware of how some chemical
17 waste was disposed of that went into the town
18 sewerage system, some of it. I didn't know
19 specifically which and that was what I told you
20 about. That's where this pH factor testing was
21 always done and Paul wouldn't decide himself what a
22 proper pH factor was. He would be in touch with
23 the town engineers, the state engineers or whatever
24 to determine that we were not exceeding what we

1 were allowed to do. Now remember, you're talking a
2 long time ago. Had there been an objection from
3 the town, W. R. Grace is the type of company, and
4 I'm not flag waving, they would have honored it,
5 Forte would have been all over that damn situation
6 because he would have concerned himself. He was a
7 thousand or nine hundred miles remote from
8 headquarters. They expected him to run a plant
9 properly.

10 Yes, if there had been a known
11 objection, a harm that was seen, it would have
12 become a very prominent affair, but back in my day
13 there, there was none of this stuff I read in the
14 newspapers in Woburn and alleged results of
15 chemicals coming from the Woburn plant. Remember,
16 the Woburn plant is only one small plant in that
17 whole damn town and I am sure from what I'm reading
18 I have never seen the Woburn plant mentioned except
19 as a name in class action, but the specific
20 articles in the Globe have to do with other
21 dumpings and larger disposals, but I can tell you
22 W. R. Grace and Vin Forte and myself and Paul
23 Shalline would have been alarmed and all over any
24 situation where the state or the town came to us

1 and says: You've got to stop what you're doing.
2 It's killing people and stuff like that. We would
3 not ignore such a thing. That was not W. R. Grace
4 Company.

5 MR. FREDERICO: Reserve a motion to
6 strike.

7 MR. CHEESEMAN: Reserve a motion to
8 strike as well.

9 MR. SCHLICTMANN: He is your witness.

10 MR. CHEESEMAN: I believe he is the
11 one --

12 MR. SCHLICTMANN: You going to strike
13 Mr. Watkins' answer? I think it was a perfectly
14 fine answer, Mr. Watkins. I don't think you should
15 be insulted at all that your attorney wants to
16 strike that from the record.

17 MR. FREDERICO: Let the record
18 reflect no one is trying to insult Mr. Watkins.

19 A. What I'm trying to remove here is any
20 possible insinuation that W. R. Grace would have
21 avoided the hazard of a population, its
22 responsibilities in that area in Woburn.

23 Q. Mr. Watkins, you're very familiar with W.
24 R. Grace, the corporation; is that right?

1 A. Quite. At that time because, you know,
2 there was a lot of evolution there. There was a
3 change, three changes of presidents and you know,
4 first of all, Brad Dewey, Junior, a hell of a guy,
5 but not for that job I guess, president. And
6 Manley Morrow and then Miller whom I understand has
7 since retired.

8 Q. Well, Mr. Watkins, you are familiar with --

9 A. I knew them all.

10 Q. With W. R. Grace, the corporation as it
11 existed during the time that you were associated
12 with its Woburn plant; is that correct?

13 A. When you say Grace Corporation, I notice
14 in the summons it says Cryovac Corporation.
15 Cryovac is not a corporation.

16 Q. I understand that.

17 A. It is a subsidiary.

18 Q. I'm asking as to W. R. Grace. I'm asking
19 you --

20 A. Just generally now, you know.

21 Q. Mr. Watkins, one question at a time. You
22 are familiar or you were familiar with W. R. Grace,
23 the corporation, during the time that you were
24 associated with the Woburn plant; is that right?

1 A. I was familiar with General Motors. What
2 question are you asking?

3 Q. Were you generally familiar with the size
4 of the corporation and the kinds of activities that
5 the corporation engaged in?

6 A. Very general from their annual reports. A
7 lot of those divisions, big ones I was never
8 anywheres near. I didn't know the managers, the
9 administrators and so forth.

10 Q. Mr. Watkins, to your knowledge during that
11 period of time was W. R. Grace --

12 A. For instance, Hadco, I have no idea what
13 Hadco is.

14 Q. I understand. During the time you were
15 associated with the Woburn plant was it your
16 understanding W. R. Grace was engaged in one of its
17 divisions in the area of chemical production?

18 MR. CHEESEMAN: Objection. Go ahead.

19 A. Peter Grace graduated from Yale with a
20 gentleman's C and the company was dying. It was a
21 shipping company. He built, gentleman C in
22 chemistry, and he rebuilt W. R. Grace in the
23 chemical industry. He thought that's what was
24 coming and then plastics after that which involves

1 chemicals. Dewey and Almy is a chemical company.

2 Q. So to your understanding then that during
3 the time that you were associated with the Woburn
4 plant that the W. R. Grace Corporation had had a
5 tremendous amount of experience in the development
6 and research and use of various chemical products,
7 isn't that right?

8 MR. FREDERICO: Objection.

9 MR. CHEESEMAN: Objection. Go ahead.

10 A. You're talking W. R. Grace. You're not
11 talking about Cryovac.

12 Q. No, I am talking about W. R. Grace, the
13 corporation.

14 A. That would have to be only a supposition
15 on my part. I was not aware in the Grace empire
16 concerning the production, manufacture of chemicals.

17 Q. Was it your understanding that W. R. Grace
18 Corporation had various resources which you could
19 consult from time to time concerning the nature of
20 chemicals and how these chemicals should be used
21 and disposed of at the Woburn plant?

22 MR. FREDERICO: Objection.

23 MR. CHEESEMAN: Objection.

24 A. Well, I will answer the question of course

1 they had chemists in their widespread empire and
2 would these have been available on a formal basis?
3 Yeah, but we didn't need that. What we needed was
4 for the town and state engineers to tell us
5 specifically regarding the few chemicals we were
6 using whether it was safe to use them and how to
7 dispose of them, so I wouldn't go to Peter Grace
8 and neither would Paul Shalline to find that out.

9 Q. So to your knowledge then neither you nor
10 anyone you know at the Woburn plant ever consulted
11 with any individual or department of the W. R.
12 Grace Corporation concerning how chemical waste
13 should be disposed of at the Woburn plant?

14 A. At the Woburn plant?

15 I have no direct knowledge of that.

16 Q. Do you have indirect knowledge?

17 A. I have only a supposition that Paul was
18 the type of guy who would get information from
19 where he needed it. He may have had friends at
20 Dewey and Almy. Vinny certainly had connections in
21 South Carolina. Had it become any type of
22 apparently serious matter, I can positively assure
23 you that Vinny would have done his job and with
24 Paul Shalline, the three of us, we would be out and

1 after all the knowledge we needed because none of
2 us, you know, felt that we were the be all and end
3 all of this type of thing.

4 Our concern was to listen to the town
5 and the state. They knew what chemicals were being
6 used. They knew how they were being disposed of --
7 during my time anyway -- which ends in '69, late '69,
8 our whole attitude was, you know, are we doing the
9 right thing? Are we allowed to do this? Is it all
10 right to do this? And I expect people in the
11 locality to bounce on us if we didn't do it right.

12 Q. When you say allowed to do this, allowed
13 to do what?

14 A. Dispose of any material or chemicals, you
15 know, and proper to do it this way.

16 Q. Which way, dispose of them which way?

17 A. Well, for one --

18 MR. FREDERICO: Well, I object
19 because I'm not sure I understand the question but
20 go ahead.

21 MR. CHEESEMAN: I object as well. Go
22 ahead.

23 A. Well, I understand the question.

24 Q. I do, too. I think everybody else, does.

1 Two attorneys don't, but that's all right. How did
2 you dispose of them?

3 A. Let them hear the question again. I'm not
4 taking sides. I think I know a truthful way to
5 answer it and that's as far as I can go, which
6 isn't much. Ask the question again, please.

7 Q. When you stated earlier that you used the
8 phrase allowed to dispose of them in certain ways?

9 A. Permitted would be better. That would be
10 a better word.

11 Q. How were, how did you, to your knowledge
12 how was disposal of chemical waste taking place at
13 the Woburn plant during the time you were
14 associated with it?

15 A. Certain of them, and I can't say exactly
16 which, went into the town sewerage system.

17 Q. Other than going into the town sewerage
18 system?

19 A. Paul would have had a disposal person, a
20 company, a service, take away things that couldn't
21 be just left out on the road so to speak. What
22 those services were, I don't know whether Frank
23 Sarno as an adjunct of his waste and rubbish
24 removal also provided that service or not.

1 Q. Mr. Watkins, to your knowledge during the
2 time that you were associated with the Woburn plant,
3 was a company hired to remove chemical waste
4 products from the Woburn plant?

5 A. I don't know because I wouldn't have seen
6 the purchase order or paid the bill.

7 Q. So to your knowledge or you have no
8 knowledge as to whether --

9 A. I have no memory of that. That would be
10 outside. I just don't know.

11 Q. All right. Would it have been proper
12 practice to have hired a company to haul away
13 chemical waste at the Woburn plant during the time
14 that you were associated with the Woburn plant?

15 MR. FREDERICO: Objection.

16 MR. CHEESEMAN: Objection.

17 A. I object, too. Proper practice. I don't
18 think I'm really reminding you of anything but all
19 of the publicity and the alleged damage and the
20 renewed concentration of these things came
21 coincidental with the institution of OSHA. I was
22 pre-OSHA. In other plants it became a big thing
23 with me. OSHA, I read myself blind on this stuff
24 and we also had a semi-retired person in High

1 Voltage John Scotney who had a little office by
2 himself --

3 Q. Mr. Watkins.

4 MR. FREDERICO: A motion to strike.

5 Q. Mr. Watkins.

6 MR. CHEESEMAN: Move to strike as
7 well.

8 Q. Mr. Watkins, they are going to strike all
9 this, so it isn't going to do me any good, so I
10 have to ask you a question.

11 A. All right.

12 Q. Mr. Watkins.

13 A. You understand I am trying to answer
14 questions. I don't know what is stricken or not.
15 I am just answering questions.

16 Q. I understand that. I'm trying to educate
17 you as to what it means.

18 The question is --

19 A. You know why they call Philadelphia
20 lawyers Philadelphia lawyers?

21 MR. SCHLICTMANN: No.

22 A. Well, I'd add to your education. It is
23 because they were the best educated lawyers before
24 we had law schools in this country. They were sent

1 to the Inns of Court in London, so they weren't
2 tricky and devious, they were damn good lawyers.
3 What's that got to do with the price of potatoes?
4 It has to do a lot with how I look at a lawyer. I
5 have a lot of experience with lawyers.

6 Q. Is that right? You're about to have some
7 more experience with lawyers.

8 A. Good, good.

9 Q. Mr. Watkins, during the time that you were
10 associated with the Woburn plant, were you familiar
11 with the company practices concerning the disposal
12 of chemical waste at the plant?

13 A. Not directly.

14 Q. You have knowledge --

15 A. Other than this drainage of some chemicals
16 into the town sewerage system, as governed by a pH
17 factor which was inspected and I was assured that
18 the town was in thorough agreement, that we were
19 permitted to do what we did, not their agreement,
20 but we were permitted, we were within the
21 regulation.

22 Q. Did you consider it, during the time you
23 were associated with the Woburn plant, did you
24 consider it appropriate that whatever chemical

1 waste didn't go down to the sewer should be hauled
2 away by a company?

3 MR. FREDERICO: Objection.

4 MR. CHEESEMAN: Objection.

5 A. I certainly would have assumed that we
6 couldn't dump it in the parking lot or something
7 like that, that it would have to be contained and
8 go somewhere.

9 Q. Why should it not be dumped in the parking
10 lot and why should it be contained and go somewhere?

11 MR. FREDERICO: Objection.

12 MR. CHEESEMAN: Objection.

13 A. I'll answer that question. Every solvent
14 chemical you get has a label on it that tells
15 what's in it and I can't understand most of that
16 language. Paul Shalline could. It also had
17 warning signs on it. You don't agree with it. It
18 gets on your hands, you use water and not something
19 else immediately in your eyes. I would naturally
20 assume, and I think you would, too, if you get a
21 can of something and it says: Be careful, don't
22 get it in your eyes, don't breathe it, that that is
23 not the type of milk shake you would just dump out
24 in the parking lot. That's just natural conclusion.

1 MR. FREDERICO: Reserve a motion to
2 strike.

3 MR. CHEESEMAN: Move to strike the
4 question as well.

5 Q. And the answer?

6 A. I don't know how else to answer that
7 question.

8 Q. You answered it just fine, Mr. Watkins.
9 In your opinion, sir, during the time you were
10 associated with the Woburn plant, would it have
11 been an improper practice to have disposed of
12 chemical waste produced at the plant by pouring it
13 on the ground to the rear of the plant?

14 MR. FREDERICO: Objection.

15 MR. CHEESEMAN: Objection.

16 A. I have no knowledge that such a thing ever
17 happened or that that would be any way that our
18 people would want to dispose of anything. You know,
19 you can't be walking out there and throwing stuff
20 over the fence. You have to have some orderly
21 manufacturing way of doing things. I'll answer you
22 that way. I don't think we threw anything on the
23 ground anywhere.

24 MR. CHEESEMAN: I will move to strike.

1 MR. FREDERICO: Reserve a motion to
2 strike.

3 Q. I'm asking you to assume, Mr. Watkins,
4 that chemical waste products were disposed of on
5 the ground to the rear of the plant by W. R. Grace
6 employees.

7 A. You're asking me to assume?

8 Q. I'm asking you to assume that. If that
9 assumption is correct, would you have considered,
10 do you consider that practice to be improper?

11 MR. FREDERICO: Objection.

12 MR. CHEESEMAN: Objection.

13 A. I don't consider that a good question. As
14 far as I'm concerned the people wouldn't have done
15 it, never happened.

16 MR. CHEESEMAN: Move to strike that
17 answer.

18 Q. Would that have been improper?

19 MR. CHEESEMAN: Objection.

20 MR. FREDERICO: Objection.

21 A. Improper how?

22 Q. Well, I'm asking. If W. R. Grace
23 employees --

24 A. Improper, table etiquette, hazard? Air,

1 smell? What do you mean by improper?

2 Q. Would you have considered it as --

3 A. It would have been an untidy practice from
4 my point of view, you know, and Paul's. We just
5 wouldn't have done it anyway.

6 Q. Now I'm asking --

7 A. It would be like washing the floor with a
8 pail and mud rather than pail and soap and water.

9 Q. It would have been wrong; is that right,
10 Mr. Watkins?

11 MR. FREDERICO: Objection.

12 MR. CHEESEMAN: Objection.

13 A. I won't use right or wrong it would have
14 been untidy. It wouldn't have been the way we ran
15 our plant.

16 Q. Would it have been improper? Would it
17 have been an improper practice at the plant to have
18 disposed of chemical waste by pouring it on the
19 ground to the rear of the plant?

20 MR. FREDERICO: Objection.

21 MR. CHEESEMAN: Objection.

22 A. You have got to define improper. Improper
23 in the sense I have described it, just bad plant
24 maintenance, neatness, your workers don't walk

1 around with buckets and throw them out in the woods.
2 That's not how a good manufacturing plant operates.

3 MR. CHEESEMAN: I'll move to strike
4 the answer.

5 MR. FREDERICO: Move to strike.

6 Q. Would that have been an unacceptable
7 practice in your opinion?

8 MR. CHEESEMAN: Objection.

9 MR. FREDERICO: Objection.

10 A. We just wouldn't have done it.

11 MR. CHEESEMAN: Move to strike the
12 answer.

13 Q. Mr. Watkins, would you, do you consider
14 that pouring chemical waste on the ground
15 constitutes a hazard to the community's health?

16 MR. CHEESEMAN: Objection.

17 MR. FREDERICO: Objection.

18 A. Ask me the question another way. Would I
19 have considered at that time in those early times?

20 Q. I'm asking you now.

21 A. Now I know. I know OSHA but OSHA didn't
22 exist when I was at Cryovac.

23 Q. All right. So I'm asking now in your
24 opinion.

1 A. No, I'm not going to answer now. That
2 can't be made retroactive. I'm answering your
3 questions specifically as to the time period I
4 worked at Woburn and what I know, what I don't know,
5 what I can remember, what I can't remember and,
6 excuse me, now what's my great developed knowledge
7 through subsequent years about would this be a good
8 practice, I don't think that's an appropriate
9 question, and I'm simply not going to answer it.
10 I'm only going to answer you specifically for what
11 I knew and did and knew about with skill or without
12 skill or whatever in my particular position in the
13 period of June '62 until November '69. Don't take
14 me further on in the world as to what do I know now.

15 Q. Mr. Watkins, is it your opinion now that
16 pouring chemical waste on the ground poses a hazard
17 to the community?

18 MR. FREDERICO: Objection.

19 MR. CHEESEMAN: Objection.

20 A. I won't answer. It is just an improper.
21 Don't put down I refuse to answer. Put down he
22 said it is an improper question. It is
23 inappropriate to this deposition.

24 Q. Are you refusing to answer the question?

1 A. On that basis, on that basis, yes.

2 Q. Now, during the time that you were
3 associated with the Woburn plant, did you consider
4 that pouring chemical waste on the ground posed a
5 potential hazard to the community?

6 MR. FREDERICO: Objection.

7 MR. CHEESEMAN: Objection.

8 A. Never had to consider it. We just didn't
9 do it. It was an untidy way of people behaving in
10 that company.

11 MR. CHEESEMAN: I'll have to move to
12 strike.

13 MR. FREDERICO: Reserve a motion to
14 strike.

15 Q. Mr. Watkins, during the time you were
16 associated with the plant, if such a practice had
17 taken place, if chemical waste had been disposed of --

18 A. Uh-huh.

19 Q. On the ground to the rear of the plant --

20 A. Yeah.

21 Q. Would you have considered that to be an
22 unacceptable practice?

23 MR. CHEESEMAN: Objection.

24 MR. FREDERICO: Objection.

1 A. Yes, but from the housekeeping point of
2 view, not any knowledge, not any thoughts having to
3 do with known pollution.

4 Q. Would you have stopped such a practice?

5 A. Yes.

6 MR. FREDERICO: Objection.

7 MR. CHEESEMAN: Objection.

8 Q. Why would you have stopped such a practice?

9 MR. FREDERICO: Objection.

10 MR. CHEESEMAN: Objection.

11 A. Because I didn't want my people going
12 around dumping things all over the ground whether
13 it was milk or potatoes or cider or anything else.
14 It wasn't a proper way to run a plant.

15 Q. During the time you were associated with
16 the Woburn plant, were you aware at any time of any
17 employees at the Woburn plant disposing of chemical
18 waste products by pouring them on the ground to the
19 rear of the plant?

20 A. No.

21 Q. Are you aware --

22 A. Finally able to give you a yes or no
23 answer.

24 Q. Were you aware during the time that you

1 were associated with the Woburn plant at any time
2 that Mr. Barbas at one time or another had disposed
3 of chemical waste products to the rear of the plant
4 by pouring them on the ground?

5 A. No.

6 Tommy Barbas. I tried to recall the
7 name. I can see them. I guess he was my painter
8 when we finally got it set up down there. If I
9 remember, that was in the -- walking into the plant,
10 it was in the left rear of the plant.

11 Q. Yes, but I'm asking you, during the time
12 you were associated with the plant, did you ever
13 become aware from whatever source that Mr. Barbas
14 at one time or another had disposed of products
15 containing chemicals to the rear of the plant by
16 pouring them on the ground?

17 A. No.

18 MR. CHEESEMAN: Objection. It has
19 been asked and answered.

20 Q. Mr. Watkins, you stated that the drums of
21 chemicals that came to the plant had warning signs
22 on them; is that correct?

23 A. The conventional signs, you know, chemical
24 companies want you to know what's in them.

1 Q. And you said that this was every solvent
2 that came into the plant had warnings on them?

3 A. Every solvent. Before OSHA was in effect,
4 I would say that very probably chemical companies
5 weren't under the whip to label specifically as
6 OSHA later required that they label --

7 Q. I'm asking --

8 A. Just like things in your medicine cabinet
9 and so forth.

10 MR. FREDERICO: Reserve a motion to
11 strike.

12 MR. CHEESEMAN: Move to strike as
13 well. Jan, please, give us a chance to speak. I
14 reserve a motion to strike that answer as well.

15 A. Incidentally, will you lawyers inform me
16 what this lawyer talk is about? Am I allowed to
17 know why a lawyer --

18 MR. SCHLICHTMANN: I'll tell you, when
19 they say motion to strike, they are reserving their
20 right that later they can go to a judge and say:
21 Look, the question was asked but the answer given
22 had no relation to the question and therefore I
23 strike the answer so it can't be used in a court of
24 law.

1 A. You will have to judge from your other
2 knowledge as to whether the answer was appropriate
3 to the question. I'm just off the top of my head,
4 and believe me, I've given two or three weeks of
5 very deep thought and I'm trying to answer you the
6 best I can.

7 Q. Mr. Watkins --

8 A. You're asking me to be a chemist. I'm not
9 a chemist. I never was.

10 Q. Mr. Watkins.

11 A. I can tell you about my administrative
12 abilities and practices as to how people operate.

13 Q. All right. During the time you were
14 associated with the Woburn plant, did you ever
15 issue an order in any form as to how chemical waste
16 material should be disposed of at the plant?

17 A. I don't think so. I have no memory of
18 issuing any direct instruction or order sui generis,
19 out of me. This would have to confirm something
20 Paul Shalline wanted done and I would ask him why
21 he wanted it done, and if it required a bulletin
22 board authority of mine, normally it wouldn't have.
23 Paul Shalline was well respected by the workers.
24 They knew. His signature probably would have been

1 sufficient.

2 Q. Now, during the time you were associated
3 with the Woburn plant, are you aware at any time of
4 any order in whatever form ever being issued
5 concerning how chemical waste should be disposed of
6 at the Woburn plant?

7 A. Order or practice?

8 Q. However, order or practice?

9 MR. FREDERICO: Objection.

10 A. Other than the town drains for certain
11 disposals, and I do not recall specifically which,
12 if more than one, and even that one I'm rather
13 assuming, a fiat, an order, from something that the
14 town or state had directed us to do and told us we
15 were not in compliance with, I don't remember it
16 that way. We just had good practices that were
17 arrived at through consultation with the proper
18 authorities and we would have conformed to any of
19 those requirements.

20 Q. Mr. Watkins, from time to time did you
21 ever go to the rear of the plant?

22 A. Oh, yes.

23 Q. Did you ever view the area to the rear of
24 the plant?

1 A. Which way they put, you know, by the way,
2 I might mention, I don't think it is appropriate,
3 that warehouse and new addition hadn't occurred in
4 my time. I have seen it from the road passing by.
5 That's all.

6 Did I ever go to the rear of the
7 plant? Well, you would be surprised to know I once
8 invented a football throwing machine which is
9 better than anything that's ever been worked out.
10 I had the patent rights transferred to High Voltage
11 Engineering and then OSHA came into effect and I
12 realized I had invented something with 8800 pounds
13 of spring pressure that would probably have taken
14 somebody's arm off in trying to maintain it locally
15 throughout the country, and so I advised the
16 president of High Voltage to drop the whole machine.
17 OSHA scared the living daylights out of me.

18 Now, how does it apply to your
19 question? I used to be in the rear of the plant.
20 I'd go out there on Sundays, and by the way, I
21 certainly would have observed anything being dumped
22 or left out there. Those grounds were spotless.

23 Q. All right.

24 A. And I went out there to judge distances.

1 At noontime I used to have a strong arm boy throw a
2 football which I had marked and we had a high speed
3 camera taking elevation, the nose up, the number of
4 rotations per minute, so forth. If you're
5 interested, a football rotates about 155 RPM, but
6 I'd be in the back of the plant with those people
7 at lunchtime watching the ball being thrown. I
8 would be out there on Sunday by myself judging
9 distances. This gizmo of mine, you'd be surprised,
10 would throw a football a hundred yards, so I was
11 there.

12 Q. Were you ever --

13 A. And I want to confirm to you if I was
14 there and I saw evidences of dumpage and scrap,
15 next morning there would have been sheer hell in
16 that plant because that isn't what the safety
17 committee said should be done.

18 MR. FREDERICO: Reserve a motion to
19 strike.

20 MR. CHEESEMAN: Move to strike.

21 Q. What did the Safety Committee say should
22 be done?

23 A. That --

24 MR. FREDERICO: Objection.

1 A. That all materials should be first of all
2 carefully swept up, removed from the beds of the
3 machines, put in barrels and the barrels put in
4 proper places waiting for disposal by whatever
5 means Paul Shalline had arrived at with Frank Sarno
6 and that's the only one I remember.

7 Q. Who is Frank Sarno?

8 A. Frank Sarno is a contractor. He is, I
9 imagine he is still alive, rather remarkable man.
10 He drives a truck around and he is probably a very
11 wealthy man and I experienced him again at High
12 Voltage Engineering, and come around with a big
13 truck, pick up waste, garbage, old wood and so
14 forth.

15 Q. Did you ever see Mr. Sarno ever pick up
16 any drums, 55 gallon drums?

17 A. I can honestly say I never saw Mr. Sarno
18 in action. I would see him in the front office or --

19 Q. During the time that you were at the rear
20 of the plant, did you ever recognize Mr. Love at
21 the rear of the plant?

22 A. Mr. Love?

23 Q. Al Love?

24 A. Al Love, now the name rings a bell. You'd

1 have to --

2 Q. Did you ever see a man out there --

3 A. Who is Al Love?

4 Q. Practicing his golf shots? He was in the
5 purchasing department or in the receiving
6 department.

7 A. Al Love. The name rings a bell. I can't
8 visualize him. Practicing golf shots?

9 Q. Yeah. Do you remember any employee used
10 to practice his golf shot to the rear of the plant?

11 A. No.

12 Q. Now, during the time that you viewed the
13 rear of the plant --

14 A. You'd lose your ball out there if you
15 tried it. That wouldn't make any sense.

16 Q. During the time that you were to the rear
17 of the plant --

18 A. You don't lose a football.

19 Q. During the time that you were at the rear
20 of the plant, did you ever notice 55 gallon drums
21 to the rear of the plant?

22 A. They would have been incoming drums if
23 anything because sometimes you get shipments, you
24 know, you didn't have anyplace to put them that

1 particular day. They are not left there forever.

2 Q. What did these drums contain to your
3 knowledge?

4 MR. FREDERICO: Objection.

5 A. I really don't know.

6 Q. Were these drums containing chemicals?

7 A. Trying to think of what else they might
8 contain.

9 Q. Did you see any markings on them?

10 A. You consider paint a chemical?

11 Q. Yes.

12 A. I don't, I probably looked at them but I
13 don't have, honestly, any memory of what it said.

14 Q. Do you remember seeing drums? You do
15 remember seeing 55 gallon metal drums to the rear
16 of the plant on various occasions; is that right?

17 A. Pretty foggy memory. I think I must have
18 seen some drums up against the building or
19 something on the way in or out. If you're asking
20 me to recreate a mental photograph I'm seeing drums
21 now, no, I'm not. I would have to assume that for
22 the brief period that they would have been
23 delivered and maybe the people in the plant weren't
24 ready to take them and put them somewhere that they

1 might have been.

2 Q. Do you remember the color of these drums?

3 A. Hum.

4 Black I guess.

5 Q. Did you ever, how many, approximately what
6 is the most amount of drums you have seen to the
7 rear of the plant or at any place outside the plant
8 itself?

9 A. Two, four, some number like that, never a
10 line of them or a bunch of them all together.

11 Q. But two, four? Any more than four?

12 A. I don't even remember the two or the four.
13 I seem to have, as if you dream something, yeah, I
14 knew, I think I remember that they would have been
15 there only for a brief period of time because they
16 were delivered and the guy inside wasn't ready to
17 take them and put them anywhere.

18 Q. But these are drums that you remembered
19 seeing that were new drums, incoming drums?

20 A. Except for open drums where there would
21 have been scrap metal, you know, sheet metal strips
22 that were folded up and stainless and milled steel,
23 left over ends of rods for material to be used in
24 lathes, things of that nature. I certainly can

1 remember or think I can remember because it was, in
2 this regard, there would be wood, paper, bags, junk
3 of that type, old lunch bags, things of that nature.
4 I don't have that real sharp picture in my mind,
5 but around the plant it is normal that the end of
6 the aisles in the machine area and the sheet metal,
7 the guy has a piece of scrap, what's he going to do
8 with it? He is not going to throw it on the floor.
9 He puts it in a barrel or bends it up and puts it
10 in the barrel and this stuff has to be taken away
11 and that was Frank Sarno's job as far as I knew.

12 Q. Now, did you during the time you were
13 associated with the plant, approximately how many
14 days a week did you have occasion to go to the rear
15 of the plant?

16 A. Within --

17 Q. On a weekly basis?

18 A. Within the plant or outside of it? I was
19 in the rear of the plant all the time.

20 Q. I mean outside the plant to the rear of
21 the building.

22 A. In the wintertime, practically none. I
23 would be out there once in a while. Summertime,
24 doors were open, go to the door and look out, you

1 know. There would be cars parked or whatever.

2 Q. Did you ever notice that there was an area
3 to the rear of the building which was used to store
4 55 gallon drums?

5 A. No.

6 Q. Are you familiar with whether there was a
7 chain link fence to the rear of the building?

8 A. Seems to me the only chain link fence
9 there would have been, and I can't swear to this,
10 would have been confining the property on the far
11 sides, in other words if you walked through the
12 building and out the back to a hard top area, it
13 may very well have been that on the far side of our
14 property there would be a chain link fence. Around
15 the back, no, I don't remember any chain link fence.

16 Q. All right, the chain link fence that you
17 remember --

18 A. However, let me wonder for a minute. If I
19 walked into the building on the left side and this
20 is one of the areas we used to do our throwing
21 because I had measured the building, down that left
22 side, whether or not there was a chain link fence
23 or not bounding that side of our property, I don't
24 remember. Chain link fence I can honestly tell you,

1 I have no picture of chain link fence, and so the
2 way I'll answer the question is no, I just don't.

3 Q. Now, the chain link fence that you do
4 remember, do you --

5 A. Wait a minute. I just told you, I don't
6 remember a chain link fence.

7 Q. I believe you described a chain link fence
8 as being near the parking lot.

9 A. I said possible that if there were one --

10 Q. I see.

11 A. That's where it would be.

12 Q. So you have no memory?

13 A. No memory.

14 Q. At any time being associated --

15 A. I don't see a chain link fence.

16 Q. All right. At any time that you were
17 associated with the Woburn plant, do you ever
18 recall seeing drums lined up by twos anywhere
19 around the plant?

20 A. No.

21 Q. Never?

22 A. My memory would have been right outside of
23 the end of the building there may have been, as I
24 say, two or four drums. The whole line or array of

1 drums, no.

2 Q. At any time that you were associated with
3 the plant, you never saw a whole line or array of
4 drums?

5 A. It may very well be during my time
6 associated with the plant hadn't grown to that
7 extent that there could or would be. I don't know.
8 During my time, that's your question to me, the
9 answer is no. Did I remember you're asking me?

10 Q. I am going to show you a diagram, Love
11 Exhibit No. 1, and ask that you examine that.

12 A. Al Love. Who the hell is Al Love? The
13 name is familiar. This lady looks tired. You want
14 a breather?

15 MR. SCHLICHTMANN: We'll break for
16 lunch first.

17 A. Are you a Bostonian?

18 MS. SCHNOOR: No.

19 A. Back Bay?

20 MS. SCHNOOR: No.

21 A. A yuppie?

22 MS. SCHNOOR: I don't consider myself
23 one.

24 A. Aren't you all yuppies?

1 You're not a yuppie.

2 Q. Now, you see that drawing? Do you
3 recognize, is that a drawing of the plant?

4 A. Washington Street, main building, drainage
5 ditch, I don't remember that. Route 93 was quite
6 far back. It points toward it. That's cross
7 country.

8 MR. FREDERICO: Jan, do you recall as
9 of what year Mr. Love was drawing this?

10 A. It has a date on it says '85, April 11th.

11 Q. That's because it was drawn just recently.

12 A. Oh.

13 MR. CHEESEMAN: I believe Mr. Love
14 was drawing that as a representation of the plant
15 at a later period of time than Mr. Watkins.

16 A. Certainly. What's this warehouse? There
17 was no warehouse. What's this covered area? I
18 never saw any such area as that.

19 Q. Let me ask you, in looking at that drawing,
20 you see the main building? It says M B?

21 A. That's all that was there in my time.

22 Q. Was that the general shape of the main
23 building during the time that you were there?

24 A. This indents a little bit. Let me try to

1 remember. I guess you got down the back it
2 indented. If I hadn't seen this, I would have said
3 that was straight all the way down, but it is
4 conceivable that when you got down, this is drawn
5 out of proportion if that is so. These are offices
6 and so forth.

7 Q. I want you to assume that that drawing is
8 a drawing of the plant.

9 A. Just this.

10 Q. Yes, the main building, and that
11 Washington Street is as indicated on that drawing.

12 A. Right.

13 Q. Now, just for purposes of orientation, Mr.
14 Watkins, in looking at that drawing, would you be
15 able to indicate on that drawing the areas that you
16 would view to the rear of the plant from time to
17 time?

18 MR. CHEESEMAN: I'm going to object
19 to the question because you have asked him to
20 assume that is a drawing of the plant. You haven't
21 specified a time period, but as I have indicated, I
22 think Mr. Love drew that for a later period of time.

23 Q. I'm not --

24 A. When?

1 Q. I'm not asking him to confirm the accuracy
2 of the drawing. I'm just --

3 A. Did they modify the main building?

4 MR. CHEESEMAN: Wait a minute.
5 Please let me finish, Jan. This was done as of a
6 period of time when additions, one or more
7 additions had been built onto the back of the plant
8 and therefore it is not an accurate and was not
9 intended to be an accurate portrayal of the plant
10 as it existed at a period of time when the witness
11 worked there and was familiar with it, so I object
12 to the question as matter of form.

13 Q. Let me have the drawing back.

14 A. I have one question of my own in trying to
15 respond to -- this is all I know of Cryovac. I
16 don't know anything about that.

17 Q. All right. Let me see the drawing back.

18 A. Let me ask a question. Was this building
19 modified in any way?

20 Q. Unfortunately, Mr. Watkins, you can't ask
21 questions here, but yes, it was modified.

22 A. Then I don't know anything about it.

23 Q. All right. Would you be able to draw on a
24 piece of paper essentially what the plant looked

1 like during the time you were associated with it?

2 A. Yeah, roughly.

3 Q. All right.

4 Have to get a a plain piece of paper.
5 Why don't we break for lunch and find you a plain
6 piece of paper to make your drawing.

7 (Luncheon Recess).

8 AFTERNOON SESSION

9 A. I'm under oath.

10 Q. (BY MR. SCHLICTMANN) You are. Mr. Watkins,
11 are you represented today?

12 A. No. I have no lawyer, no need for lawyers
13 as I see it. If what you're asking, these two
14 Grace gentlemen represented me, absolutely,
15 positively no at this time.

16 Q. So you're appearing today without
17 representation?

18 A. Without counsel, just with the aid of my
19 own superior brains.

20 Q. Has W. R. Grace ever represented you since
21 the time that you left the employ of W. R. Grace?

22 A. No.

23 I'd like to mention at this time, too,
24 because I resigned from Grace to go on to advanced

1 opportunities, I was never a pensioner and I am not
2 receiving a pension, and as I recall, no big
3 severance pay. I think what I got was three
4 thousand dollars, my contribution to the life
5 insurance policy was retained, so I'm under no
6 influence by Grace if that will be pertinent to
7 this testimony.

8 Q. All right.

9 MR. CHEESEMAN: You're an excellent
10 questioner, Jan.

11 Q. Mr. Watkins, prior to coming here today,
12 you met with Mr. Cheeseman and Mr. Stoler; is that
13 right?

14 A. Not Mr. Cheeseman.

15 Q. Mr. Stoler?

16 A. Mr. Stoler and am I supposed to say who
17 else I met?

18 MR. CHEESEMAN: Also met with Brandon
19 White and I believe at the same time with a private
20 investigator retained by your office.

21 A. Yeah, I met your gentleman who identified
22 himself as connected with you and as a detective
23 and --

24 Q. His name is Ernest Pannerton.

1 A. And he was very nice and polite, but he
2 evidently, he was at my house with these gentlemen.

3 Q. Let me ask a question. I'm saying about
4 this morning now, Mr. Watkins, this morning did you
5 meet with Mr. Cheeseman prior to your appearing in
6 today's deposition?

7 A. Mr. Cheeseman? I shook hands with him
8 prior to coming into this room.

9 Q. Did you have any discussions with him?

10 A. No.

11 Q. And prior to, I mean this morning now, did
12 you have any meetings with Mr. Stoler?

13 MR. CHEESEMAN: Prior to this morning?

14 Q. Prior to your appearing in this room?

15 A. Meetings, no. He had to come and get me
16 because I don't drive any more.

17 Q. What time did he pick you up?

18 A. Oh, 11:30.

19 Q. The deposition was scheduled for eleven
20 o'clock, do you remember if it was prior to eleven
21 o'clock that he picked you up?

22 A. No, I was waiting for him prior. I was
23 expecting him frankly at around ten. That's what
24 we'd said on the phone, but there was some delay or

1 he lost the route or something.

2 MR. CHEESEMAN: We lost the route as
3 a matter of fact.

4 A. So then I began to really doubt myself
5 although I had it marked on the calendar, I'm all
6 dressed up, but have I got the right day? So I
7 called your office, Mark, and I asked your girl to
8 check the agenda, and she confirmed that you were
9 supposed to be here, so I simply waited for you, so
10 I don't know what the point is, but I would say it
11 was more like 11 by the time you got there, wasn't
12 it, Mark?

13 Q. He can't answer unfortunately.

14 A. I don't know. This seems to be a question
15 of time. No one is going to be hung on the basis
16 of where the hour hand was at that particular time
17 of day.

18 MR. CHEESEMAN: I'll just notice for
19 the record that Mr. Watkins' watch had stopped so
20 I'm not sure.

21 A. Yes, it does. It is not a good watch.

22 Q. Well, Mr. Watkins, prior to your arriving
23 here this morning for your deposition, you were
24 picked up by Mr. Stoler; is that right, at your

1 home?

2 A. Yes.

3 Q. And Mr. Cheeseman was with him?

4 A. No.

5 Q. Just Mr. Stoler?

6 A. Yes, he was. He came in a separate car
7 which is parked in the front of my house.

8 Q. So Mr. Cheeseman and Mr. Stoler both
9 arrived at your home this morning prior to your
10 coming here; is that right?

11 A. That's true, that's true. I forgot.

12 Q. And did you have a conversation with
13 either Mr. Stoler or Mr. Cheeseman at your home
14 prior to your coming here this morning?

15 A. Not concerning this case.

16 Q. Did you have a conversation with them?

17 A. Yeah, how are you, where were you, who's
18 this? I never met him before.

19 Q. This is the first time, this morning was
20 the first time you met Mr. Cheeseman?

21 A. Right.

22 Q. And did you talk with Mr. Cheeseman or Mr.
23 Stoler in your home prior to your --

24 A. They weren't in my home.

1 Q. Where did they meet you?

2 A. Neither one of them were in my house today.

3 Q. Where did they meet you?

4 A. In the driveway in the front of the house.

5 Mr. Stoler drove into the driveway and Mr.

6 Cheeseman came along a couple of minutes later and

7 I directed him as to where to park his car.

8 Q. And did you have a conversation with them
9 in the driveway?

10 A. No, just the general introductions and
11 let's get going.

12 Q. Whose car did you come here in?

13 A. Mr. Stoler's car. I assume it is his car.

14 Q. Mr. Stoler drove you here?

15 A. Uh-huh.

16 Q. Did you have a conversation with Mr.
17 Stoler on your way over here this morning?

18 A. Not pertaining to this case other than his
19 saying, explaining that this was a deposition and
20 that I should just answer what I know and I
21 wouldn't be expected to guess at things or whatever.

22 Q. Did he say --

23 A. Nature of how the testimony goes and such
24 things but with no specifics as to subject matter

1 in any respect whatsoever.

2 Q. Mr. Stoler ask you any questions about
3 what you knew?

4 A. He has already asked me those questions.

5 Q. Prior to today?

6 A. Yes, he has seen me before.

7 Q. Talking about this morning.

8 A. No.

9 Q. Now, did you have any conversations with
10 Mr. Cheeseman prior to your arriving here this
11 morning?

12 A. In fact I was in the back seat. They were
13 talking to each other.

14 Q. So Mr. Cheeseman and Mr. Stoler rode in
15 the front seat and you were in the back seat?

16 A. That's true, isn't it? Yes, I guess it is.

17 Q. Did you have a conversation with Mr.
18 Cheeseman and Mr. Stoler on your way over here this
19 morning?

20 A. Not about this case.

21 Q. Did you have a conversation with them?

22 A. Yeah, just about the Cape and the weather.

23 Q. Did Mr. Cheeseman ask you any questions
24 about any of your knowledge concerning activities

1 at the Woburn plant?

2 A. Absolutely not.

3 Q. Did Mr. Stoler ask you any questions about
4 your knowledge about activities at the Woburn plant
5 at any time this morning prior to your arriving?

6 A. Not this morning. Prior to that he had.

7 Q. But Mr. Cheeseman didn't ask you any
8 questions?

9 A. No.

10 Q. Did either Mr. Stoler or Mr. Cheeseman
11 show you any documents this morning?

12 A. No.

13 Q. At no time?

14 A. At no time. As a matter of fact I
15 commented I hope the documents would be less black
16 lined so I might be able by a sequential type of
17 reading be prompted recall things that I have been
18 trying very hard to recall.

19 Q. You did discuss the blacked out documents
20 with Mr. Stoler and Mr. Cheeseman?

21 A. Just in that way. I commented on my
22 difficulty previously in dealing with Mr. Stoler in
23 answering him completely. I felt a little blocked
24 out by the black lines, but I don't know about that.

1 It is just that when the -- if I may digress for a
2 moment -- the simile I gave was one I have used ad
3 naseum before, but it is appropriate. If I were a
4 very competent concert violinist, that I hadn't
5 played a particular piece for ten years or more and
6 suddenly I find, I'm sure if I have the score in
7 front of me that I can play and recall and do well,
8 so I'm there and the audience is there and the
9 orchestra is in the pit and the baton goes up and I
10 flip over the score and all I see is one bar at the
11 bottom of the page.

12 That is the condition I find myself
13 in. That's pretty exact. I can't read enough to
14 help me recall things. Your questioning and his
15 questioning are my only method. I do recall in one
16 of the -- well, the hell with it. Let's go on.

17 Q. You do recall what?

18 A. I do recall that in one of the documents
19 which causes me to say something that I wouldn't
20 otherwise have said, as an example of recall, I
21 think the document was signed by Forte sent to
22 somebody else, not posted on the bulletin board, to
23 confirm that, had to do I guess with questions and
24 maybe from the town as to how we dispose of, how we

1 disposed of effluents; and one sentence in there
2 the fact that under direction the town sewage
3 system was used for some disposals; but even that,
4 if I remember correctly, didn't specify what or how
5 much. You see, my memory of this is kind of small
6 company and the tanks weren't big and there really
7 wasn't a hell of a lot of disposal.

8 Q. Mr. Watkins, prior to your -- after your
9 leaving the plant, were you ever contacted by
10 anybody from W. R. Grace or representing W. R.
11 Grace for any reason?

12 A. Yes.

13 Q. Who contacted you?

14 A. Very strange. Had nothing to do with this.
15 I had been instrumental in installing a burglar
16 system which was a magnetic lock on all the doors
17 and continuous wiring and a box down in the police
18 station which would go off if anybody pulled the
19 door open and broke the magnetic. I must have been
20 retired two or three years and I got a call one
21 night from a policeman in Woburn. Now I was the
22 guy who used to, at the last moment when everyone
23 had left, check all the doors and we had a way in
24 the lobby, we had a little box of flipping it on

1 and off and you could flip it on and hear it ring
2 and close right off because a split second ring
3 would not reach the police department, see, so you
4 knew the system was working, and then I'd lock the
5 front door. We had a special key.

6 It must have been two or three years
7 later I got a call from a policeman and he said:
8 There's something wrong with your alarm system; and
9 I said: Well, I haven't worked for the company for
10 three or four years or whatever the time was. Oh,
11 my God. Where am I calling? This telephone. He
12 didn't realize he was calling Chatham and that was
13 now, that's the only contact that comes right off
14 the top of my head, had nothing to do with it, with
15 our matter.

16 Q. Other than that time that you just
17 described, have you been contacted at any other
18 time after your leaving the Woburn plant by anybody
19 connected with the W. R. Grace corporation?

20 A. When I was at High Voltage Engineering --
21 well, let's put it this way. When we were at Grace,
22 I had a moonlight shift going and I hired good
23 people from local plants who were trying to pay off
24 the mortgage and send their kids through college,

1 good machinists. Now a couple of these came from
2 the company that I then later went to manage, High
3 Voltage Engineering. A couple of times people in
4 the shop just came over to see me. I was sort of
5 well liked by the people because it was a local
6 town, local area, they lived there and they'd drop
7 in to see me and see if there were any good jobs
8 open and tell me about old times and the fact, I
9 flatter myself here, but they said I was missed and
10 that type of thing. It had nothing to do with who
11 was doing what and how. It was just a general.

12 Q. Where were you living after you left the
13 Woburn plant? Were you living in Woburn?

14 A. While I was with Cryovac, I lived in a
15 rooming house, a woman who owned the building and
16 rented a room to me in Woburn.

17 Q. What part of Woburn?

18 A. Well, let's say if you leave the Woburn
19 plant and you start toward Winchester, you haven't
20 gone more than about three quarters of a mile down
21 that road where on the left-hand side there is a
22 corner lot and a house sitting back up there.

23 Q. Is that before Salem Street?

24 A. And her name I believe was Farlow which

1 came from the Leavitt family. She was a
2 genealogist and an interesting one.

3 Q. Was this before Salem Street?

4 A. Geezus, I don't know.

5 Q. What was the street the rooming house was
6 on?

7 A. I don't know.

8 Q. How far away from the Woburn plant was it?

9 A. I just told you.

10 Q. Three quarter of a mile?

11 A. Three quarters to a mile.

12 Q. Is it in East Woburn?

13 A. Going toward Winchester.

14 Q. How long did you live there?

15 A. For quite a while.

16 Q. How many years?

17 A. Five, six years, then she was going to
18 sell that house or move somewhere.

19 Q. After living there for five or six years,
20 where did you live?

21 A. Another place in Woburn that she found for
22 me and I --

23 Q. What was the address?

24 A. I really don't know. I'd have to go look.

1 Q. How far away was it from the house you
2 stayed in with her?

3 A. Not too far. It was within easy driving
4 distance of the plant.

5 Q. Still East Woburn?

6 A. I should think so.

7 Q. How long did you live there?

8 A. The rest of my time at the plant, so let's
9 say, memory, it was a big house owned by nonresidents,
10 by a man who owned property. I just took a room
11 there.

12 Q. All right. Then from there?

13 A. You understand the reason for that is that
14 from Chatham --

15 Q. I don't want to know the reason. How long
16 did you live there? After you lived there where
17 did you move?

18 A. I would say a year or less.

19 Q. And then where did you go from there?

20 A. That was it.

21 Q. Then you went to Chatham, is that right?

22 A. Then I went to work for another company.
23 I moved down to Dedham and I took a room in that
24 area.

1 Q. So you took a room and you lived in Dedham
2 after that?

3 A. Yes.

4 Q. During the time you were associated with
5 W. R. Grace, you lived in East Woburn?

6 A. The word east doesn't mean anything to me.
7 I lived in Woburn and the first time was down that
8 road.

9 Q. You lived within a mile of the plant?

10 A. Yes.

11 Q. Throughout the period that you were
12 associated with the plant?

13 A. Yes, I would say so. I wouldn't swear to
14 that but yes is a pretty good answer.

15 Q. Now, after you left the Woburn plant at
16 any time did anybody from the W. R. Grace
17 corporation contact you to ask you questions about
18 the time that you were associated with the plant?

19 A. Let me think a minute. There was that
20 call from the police several years later.

21 Q. No, that's not from W. R. Grace. I want
22 people associated with W. R. Grace.

23 A. And then there were a few workers.

24 Q. You said some workers would come?

1 A. Sam DeMilleo and so forth.

2 Q. The workers who came to visit you after
3 you left the plant, would they visit you at the
4 plant?

5 A. No, they came to the High Voltage plant in
6 Burlington.

7 Q. Visit you at the plant.

8 A. They were job hunting.

9 Q. What were the names of these employees?

10 A. I believe one of them was Dave Neal and I
11 believe another one was Sam DeMilleo.

12 Q. Any others?

13 A. I don't think so.

14 Q. During your conversations that you had
15 with these employees who came to visit you, did
16 they ever talk to you or discuss with you the
17 disposal of chemicals at the plant?

18 A. No, they wouldn't have been at all
19 involved or concerned the way you're covering the
20 subject here.

21 Q. All right. What I'm saying, at any time
22 that you had contact with them did they ever
23 mention to you that at any time that drums
24 containing chemicals or waste material was poured

1 into a pit to the rear of the plant at any time?

2 A. No, the conversation didn't go that way at
3 all. This was personal stuff.

4 Q. After you left the plant, at any time did
5 anyone from the plant or anybody associated with
6 W. R. Grace call you to ask you questions about
7 things you might have remembered during the time
8 that you were at the Grace plant?

9 A. Let me think for a minute. I think the
10 answer is no, but let me comb over it a bit.
11 Anybody, anybody, anybody?

12 No, I had one further contact with
13 the plant that was a fellow Russell Gunnard who
14 succeeded me, and then he went into the plant
15 manager's office and function; and I while I was at
16 Grace, I told you, I had gone to Chicago and bought
17 a lot of expensive modern machinery. One of these
18 machines was a 90 thousand dollar Burgmaster
19 drilling and milling machine which probably cost
20 four times that now, very sophisticated machine,
21 tight control console, whatnot, but in order to use
22 it properly, I searched industrial magazines for
23 months trying to find -- the problem was what kind
24 of a sub plate to put on the machine so you could

1 easily adapt it to various pieces of shapes of work.

2 Q. Mr. Watkins, other than this contact by
3 Mr. Gunnard --

4 A. The subject was, I asked Russ, we designed
5 it, and I asked Russ if I had bought another
6 Burgmaster, and I was going to go through this same
7 tortuous problem, and I asked him if I could have a
8 sepia of that design so that I could get another
9 sub plate made, and he forwarded this as a courtesy
10 and I -- I'm just trying to, you are bringing --

11 Q. Other than that contact did anyone else?

12 A. Well, I wouldn't have remembered that if
13 you hadn't asked me.

14 Q. We're going to try to help you remember as
15 much as you can.

16 A. Help me some more.

17 Q. Do you ever remember Mr. Forte calling you
18 at any time and asking you some questions?

19 A. No.

20 Q. Never?

21 Do you ever remember Mr. Dick Stewart
22 calling you at any time and asking you questions?

23 A. No, but Dick Stewart had visited me at
24 Chatham in my home.

1 Q. Visited you?

2 A. Yeah, but that was, he was down here with
3 his new wife and child and he came over to see me.

4 Q. What year was this?

5 A. Quite a while back.

6 Q. In the seventies?

7 A. Yeah, sometime in the seventies, early
8 seventies.

9 Q. Did Mr. Stewart indicate to you why he was
10 up in this area?

11 A. Was on vacation. He had a place in, you
12 know, Yarmouthport or Dennisport. I think it was
13 Dennisport, so he decided to drive over and see me.

14 Q. Did you ever remember Mr. Stewart ever
15 visiting you or ever contacting you and indicating
16 during his visit or his contact that he was doing
17 some investigation at the Woburn plant in order to
18 answer some questions of the EPA?

19 A. No, and it would kind of surprise me if he
20 had been assigned that way, but it certainly didn't
21 occur in my time.

22 Q. What do you mean?

23 A. He was a methods engineer and I can see
24 where it might have developed later that they asked

1 him to look into department layouts or facilities
2 or what was used. He didn't discuss it with me.

3 Q. You don't know if Mr. Stewart has any
4 qualifications in the environmental area?

5 A. I wouldn't think so.

6 Q. Now, has any attorney for W. R. Grace or
7 any other individual contacted you after you left
8 the plant to ask you questions about what you
9 remembered during the time that you were at the
10 Woburn plant?

11 A. No, the only contact from a lawyer was
12 John Tony and it had to do with that football
13 machine patent. I used to get a letter every year
14 to make sure we hadn't produced any.

15 Q. Do you remember a contact --

16 A. Is John Tony still with the company, may I
17 ask? That name mean anything to you?

18 MR. STOLER: Yes.

19 A. Sorry, judge.

20 Q. Mr. Watkins, at any time after you left
21 the plant, did Mr. Stoler ever contact you prior to
22 his picking you up this morning?

23 A. Yes.

24 Q. How many times has he contacted you?

1 A. Once. Well, wait a minute. About maybe
2 twice, about a year, a period like ten months ago,
3 a year and a half ago I got a call from Mark and he
4 explained who he was and what the subject matter
5 was.

6 Q. What did he say?

7 A. And --

8 Q. What did he say?

9 A. Well, let me answer you.

10 Q. He said what the subject matter was?

11 A. Wait a minute, which one of us is asking?

12 Q. Me right now.

13 MR. CHEESEMAN: You are interrupting the
14 witness.

15 Q. It is not your witness. It is my witness.

16 MR. CHEESEMAN: Just want the record
17 to --

18 MR. SCHLICHTMANN: The record is
19 showing who is interrupting. You don't have to
20 remind it.

21 A. When you are through interrupting yourself,
22 let me into the thing.

23 Q. Mr. Watkins, I want you to tell me in as
24 much detail as you can exactly what Mr. Stoler said

1 to you and what you said to him.

2 A. I'm trying to recall. Now, just, please,
3 slow down. I'm trying. I honestly am trying to
4 recall. First of all, that job that I had what had
5 been my responsibilities, that general type of
6 thing, then he asked me about the degreaser tank.

7 After having explained who he was and
8 what this was all about, he asked me about the
9 degreaser tank, he asked me about the same type of
10 inquiries you're asking me about barrels and who
11 did what, where and it was rather brief. I got the
12 impression that I had rendered all the service I
13 was ever going to be required for because I didn't
14 know much. I didn't remember much. I didn't have
15 a feeling at the end of the conversation I had been
16 very useful to him.

17 I would say that there were two calls.
18 Mark would have to confirm in his records. I'm not
19 sure, but I think about a year and a half ago and
20 then I think eight or ten months ago and then
21 recently.

22 Q. You said Mr. Stoler asked you questions.
23 What exactly did he ask you?

24 A. I just told you.

1 Q. Can you remember any better than you just
2 stated?

3 A. No, that's the general --

4 Q. What did you tell Mr. Stoler?

5 A. I told him that just exactly what I've
6 said here, that it was so long ago, pre OSHA, I had
7 no distinct memory. There had been so many
8 superseding experiences elsewhere and I couldn't
9 sort that one out very well. I remember confirming
10 with him that they were pre OSHA times and he
11 agreed to that. I told him that it was a rather
12 beginning early type of operation and it had
13 developed during those years and it probably
14 developed further. I do remember that the
15 conversation, if it had to do with anything at all,
16 had to do with the degreasing tank, the
17 trichloroethylene, the perchloroethylene.

18 I think he must have asked me
19 something about paint spray area, what was used
20 there and then -- now that I am beginning to
21 remember something of the tenor of the conversation,
22 I referred them to Paul Shalline for all further
23 questions. I said: Your best source -- that's
24 before we got to the intensity, this was a general

1 survey type of thing to me, so you know, I felt it
2 my duty if you can't tell a man anything, tell him
3 who probably can, so I referred him to Paul
4 Shalline.

5 Q. Now the second time that he called you --

6 A. Same thing.

7 Q. What did he say to you?

8 A. Well, about the same thing. I think he
9 indicated at that time that this might be coming
10 closer to a deposition or something like that. In
11 my mind there isn't a hell of a lot of difference
12 between the first conversation and the second one
13 back then, and I'm not absolutely sure that there
14 were two conversations, but I think there were and
15 I'm trying to space them. I'd say -- that's not
16 counting currently of course -- I think one would
17 be about ten months ago and the other one would be
18 about a year and a half ago, but I'm not dead
19 certain that there were two but I think there were.

20 Q. Okay, what did you say?

21 A. And the conversations were very similar
22 and if anything the second conversation, he
23 probably called me to see if I, if he jogged my
24 memory, if I could remember any more, and he hadn't

1 and I couldn't, but I think that the second time he
2 called me that there was some indication that, you
3 know, the first time, my not knowing anything about
4 it, I might have never heard from him again and
5 assumed that was a drop situation and forget about
6 it and so forth. The second time was probably more
7 of the nature of telling me it was a continuing
8 situation and could develop into further need for
9 me, and that need did develop recently and here we
10 are.

11 Q. What did you say to him?

12 A. Well, the questions were generally
13 repeated and he got the same answers as you're
14 getting because there wasn't anything to add to it.

15 Q. Now, after those two contacts, when was
16 the next time Mr. Stoler contacted you?

17 A. Now we're up to modern times here,
18 something current.

19 See if I've got this right. I would
20 say it was a couple of weeks ago. I'm trying to
21 recall whether this was before or after the
22 subpoena. I think it was -- yeah, I think it was a
23 couple of weeks ago, three weeks ago that he called
24 me and he informed me that, he said he'd like to

1 visit me, you know, like to probably had in mind
2 the documents he brought, these things that you're
3 talking about here, and wanted to know if he could
4 visit me and said he was bringing Brandon White
5 with him and so I, my attitude, why not? I have
6 nothing to hide. If you want to come, come. I
7 think that was it. I did see him again other than
8 this morning.

9 Q. He said he was going to come with
10 documents; is that right? Did he come?

11 A. Yes, he came.

12 Q. With Mr. White?

13 A. He wasn't helpful on the documents because
14 that wouldn't have made much sense to me except he
15 had some added material.

16 Q. Did he come and visit you?

17 A. Yes.

18 Q. At your home?

19 A. Yes.

20 Q. And did he bring, did he ask you to look
21 over some documents?

22 A. Yes.

23 Q. What took place at that meeting, the one
24 he asked you to look over these documents, what

1 happened?

2 A. Let me think for a minute.

3 When your detective arrived --

4 Q. Mr. Pannerton?

5 A. Yes, it seems to me that that's when I saw
6 the documents because these people were ahead of
7 Mr. Pannerton by a couple of hours and I'm trying
8 to recall Mark being at my house before that,
9 serving coffee or Nancy getting things ready,
10 looking at the library.

11 I'm a little confused. I don't think
12 now that was at my house. I don't think he visited
13 me. I don't recall him in my living room twice, so
14 where I have said that he maybe made two visits, I
15 think what I was thinking of is the first visit was
16 a phone call, probably that one -- it is a little
17 complicated right in there.

18 Q. All right. Tell me about that time that
19 he visited you at your home.

20 MR. FREDERICO: Objection.

21 A. Let me straighten this thing out.

22 MR. CHEESEMAN: I'll object to that
23 one as well. Thank you.

24 Q. Let's get it so they won't object.

1 A. I realize but --

2 Q. What took place at your home when Mr.
3 Stoler visited you there?

4 A. I want to get the sequence of things
5 straight. Two phone calls sort of far back,
6 another phone call and a visit. There was only one
7 visit inside of my house. The other approach to my
8 house was this morning which he was not inside.
9 When he visited me, brought Brandon White with him
10 because I never saw him individually in my house.

11 Q. Brandon White is from which office?

12 A. From Grace -- no, a law firm that is Hoag
13 and somebody used by Grace.

14 Q. Foley, Hoag and Eliot?

15 A. Yes, I think so.

16 Q. What took place at this meeting which Mr.
17 Brandon White and Foley, Hoag and Eliot was there?

18 A. Let's get that straight. The first time
19 he was in my home he was with Brandon and it had
20 resulted from a phone call not a previous visit.
21 If I'm recalling correctly with all the shuffling
22 of cards, I do not see Brandon sitting on my sofa
23 more than once, so what I was thinking of, so
24 please correct the record. What I was thinking of

1 as the first visit to my house was a phone call
2 that resulted in a visit.

3 Q. All right. What happened at this visit in
4 which Mr. Stoler and Mr. White visited you at your
5 home?

6 A. Think of something. Give me a moment
7 before I answer that because I'm straightening
8 something out here.

9 That's right. What I have told you
10 is correct I'm sure. All right. Now, what is your
11 question? Pardon me.

12 Q. What happened in your home when Mr. Stoler
13 and Mr. White visited you?

14 A. Well, they arrived about nine o'clock in
15 the morning with permission and I was always
16 advised by both sides including the detective that
17 you employed, I was always advised over the phone
18 before a visit and during the visit that I really
19 didn't have to answer questions, I didn't have to
20 say a damn thing if I didn't want to, that I wasn't
21 under oath and so forth. My position is that that
22 would have been prejudicial to me. Why would I
23 hide anything, why later would I have ever given
24 the appearance of not wanting talk to people, so my

1 house was open, come ahead and talk. Okay. Now,
2 they arrived. As here, I talked the ear off them.
3 I was trying to wear them out.

4 Q. When you say they, you are referring to
5 Mr. Stoler and Mr. White?

6 A. Mr. Stoler and Mr. White.

7 Q. They arrived about nine o'clock in the
8 morning?

9 A. Yes.

10 Q. What took place when they arrived at nine
11 o'clock in the morning?

12 A. Well, they wanted to sit down and talk to
13 me and show me these documents one after another
14 after another.

15 Q. When you say these documents, I will have
16 to use -- Is there something you can refer to now,
17 is there a package?

18 A. I haven't indexed them, kept any record.

19 Q. You are pointing to something on the table.
20 You are pointing to a document?

21 A. Well, I saw something here a moment ago
22 that's very similar to what I was looking at and I
23 haven't read this one. I saw that type of thing.
24 Now how many of that type of thing or if that's the

1 exact one of one of them, I don't know. I saw
2 things that looked like that.

3 MR. FREDERICO: He is pointing at a
4 copy of Shalline Deposition Exhibit 1.

5 Q. I am going to show him what has been
6 previously marked as Shalline exhibits.

7 A. Oh, boy. I don't think I read all these.
8 I don't think I saw anything as much as this.

9 Q. There weren't as many documents as that?

10 A. I don't know.

11 There may be because Mark handed them
12 to me across the room one after another and we were
13 there quite a while. I suppose it is possible that
14 I would have seen those.

15 MR. CHEESEMAN: For the record, Mr.
16 Schlichtmann is just referring to Shalline Exhibits
17 1 through 21 which he has just handed to the
18 witness.

19 Q. Right.

20 A. Well, let's see. There is the Safety
21 Committee, the permanent members, the rotating,
22 temporary.

23 Q. Before we go into those exhibits --

24 A. Trichloroethylene is to be used for

1 cleaning purposes instead of Toluol which is much
2 more inflammable, so here we're concerned with
3 flammability. The solvent will be available in the
4 paint shop area.

5 Q. Mr. Watkins before we start going document
6 by document, would you please just tell me before
7 referring to those documents what took place at
8 that meeting with Mr. Stoler and Mr. White?

9 A. I told you. Sat down, talked, reminded me
10 of sort of previous conversations as to he did ask
11 me when I went to work for Cryovac, asked me that
12 again and when I left, what year, we established
13 the time period, what was my job, we went over the
14 previous material, what were my responsibilities
15 and how was the place organized and so forth and so
16 forth and so forth. Then one by one he would show
17 me things and I don't know whether these are the
18 same things or not.

19 Q. Documents?

20 A. Documents.

21 Q. Documents he is showing you.

22 A. I'm trying to impress upon you this type
23 of this thing.

24 Q. When you say this type of thing?

1 A. You may have five hundred of those and I
2 can't tell whether you these are the same ones or
3 not.

4 Q. You are pointing to Shalline document one.
5 Did every document you were shown, was it blacked
6 out, were there portions of the document which were
7 blacked out?

8 A. If I run across one that's a memo form and
9 it isn't blacked out, I will probably tell you that
10 was one of them, too, so let me look.

11 Q. Well, let's go through them one by one,
12 but prior to doing that --

13 A. You got the same ones I've got in that
14 order?

15 Q. Right in the order, but before we go
16 through that document by document, approximately
17 how long did you spend with Mr. White and Mr.
18 Stoler?

19 A. From nine to 11:30 at which time your
20 gentleman arrived and --

21 Q. Mr. Pannerton?

22 A. Mr. Pannerton?

23 A. Pannerton, whatever, and Mark and Mr.
24 White remained there. We were all three there.

1 Now, about this time I decided that the best
2 attitude for me to take was -- oh, yes, Mr.
3 Pannerton commented as if, when are these people
4 going to leave? When I can have you by myself?
5 And these gentlemen showed no tendency to leave and
6 I said: Look, I said at this point, I don't want
7 to talk to either side unless you are both present
8 at the same time. I'm not going to talk any
9 further and I said that this morning, you know, in
10 the conversation in the car. I just headed off
11 anything that might have occurred and I said:
12 That's off limits as far as I'm concerned. I'm
13 telling you the same thing. Now here we are where
14 both sides are present but --

15 Q. All right. Now after, did Mr. Pannerton
16 leave?

17 A. He left after a while and then they all
18 left.

19 Q. Did Mr. Pannerton leave?

20 A. Mr. Pannerton asked me to use a phone.

21 Q. No, no, Mr. Watkins I'm asking you, did
22 Mr. Pannerton leave?

23 A. Eventually. He is not there now.

24 Q. All right. After Mr. Pannerton left, did

1 Mr. Stoler and Mr. White stay for a while after Mr.
2 Pannerton left?

3 A. About a split second. Mr. Pannerton
4 hesitated at the door. I said I'm just going to
5 talk to them about personal things, say hello to
6 somebody for me, purely social. Mr. Pannerton
7 lingered on the porch. I allowed him to. I didn't
8 want you to think: You get out, now I'm going to
9 talk to these people, and I explained to him I was
10 going to say give my regards to Vin Forte or
11 whatever.

12 Q. Now, after Mr. Pannerton left, Mr. White
13 and Mr. Stoler left; is that right?

14 A. Just about the same time.

15 Q. All right. Now after they left, did Mr.
16 Stoler ever call you again?

17 A. Let me think.

18 A. He would have to do with this meeting.
19 Yes. It was to establish the time of this meeting
20 and yesterday to confirm it.

21 Q. He talked to you on the phone?

22 A. Only on the phone. Didn't talk about
23 content at all.

24 Q. He did talk to you?

1 A. Just to confirm to make the meeting and to
2 confirm the meeting. For one thing he had to be in
3 touch with you to find out if you people would be
4 available. He had to establish when, and then he
5 called me and asked me if that would be agreeable,
6 and I said yes, and then he called yesterday simply
7 to confirm, brief conversation that he would be
8 down to get me.

9 Q. And the next time you saw him was this
10 morning?

11 A. This morning.

12 Q. Now, after Mr. Pannerton called you, you
13 called Mr. Forte, isn't that right?

14 A. After Mr. Pannerton called me?

15 Now, I think you've got that in
16 reverse. What happened, I told you, that Mark had
17 called me say, get this straight because this will
18 be accurate. I can remember this. I told you,
19 Mark had contacted me several months ago and then
20 as far back as a year and a half ago: what was my
21 job and so forth and general things.

22 Now, when Mr. Pannerton called me to
23 make the appointment, I had not at that moment made
24 any contact or arrangements for Mark and Brandon to

1 visit. I have heard from Grace people only in the
2 general way in which this case is being questioned
3 regarding my term of employment there and okay.

4 Now what happens is this. Your man contacts me.

5 Q. Mr. Pannerton.

6 A. Mr. Pannerton contacts me and wants to
7 know if he can come see me, so I said: Sure. I
8 asked him to identify himself as he was employed or
9 requisitioned by you in one way or another on the
10 plaintiff's side of the case. So far I have only
11 talked to defendants, not talking about these as
12 hostile situations, just one side against the other,
13 so I reached for the phone and my intent was, I
14 didn't know Vin Forte was no longer general manager,
15 that he had been moved south, October last year, so
16 I reached the phone and now Mr. Pannerton asked me
17 did I contact, did I immediately go for Mark, and
18 the answer is no.

19 I said: I'll tell you exactly what I
20 was going to say. I reached for the phone to get
21 Vin Forte and what I was going to say is: Vinny,
22 all I have heard, I don't know much about this case.
23 I read a lot about it in the papers. Grace lawyers
24 have been in touch with me and now I am getting a

1 call from the other side and a detective is going
2 to visit me. Can you tell me what the hell is
3 going on? That's exactly what I would have said to
4 Vin Forte, but Vinny was tied up in a deposition
5 and the next person on the phone was Mark, so
6 that's how that happened.

7 Q. What was the conversation you had with
8 Mark?

9 A. Conversation. Then I told him Mr.
10 Pannerton had contacted me. They wanted to know if
11 they could come down again and I said sure, so they
12 came.

13 Q. They asked if they could come and visit
14 you before Mr. Pannerton arrived?

15 A. They asked me what time Mr. Pannerton
16 would be there and he said between eleven and
17 twelve.

18 Q. And so they asked if they could come
19 before Mr. Pannerton arrived?

20 A. Yes, they did.

21 Q. And they did arrive before?

22 A. Yes, they did.

23 Q. And they were there with you approximately
24 two hours?

1 A. Yes.

2 Q. And they went over documents with you?

3 A. Yes.

4 Q. And they had conversations with you?

5 A. Yes. Those are the first yeses I said in
6 an hour and a half. I will keep you happy up there.
7 Throw you a yes or no now and then.

8 Q. Now, Shalline document one, have you ever
9 seen that document before?

10 (Witness looked at document).

11 A. I don't think so because the sentence I'm
12 looking for is one -- I probably did. I don't
13 remember. The sentence I keep looking for is the
14 one that says the effluent will go through the --

15 Q. All right. You have had a chance to look
16 at Shalline document 1?

17 A. I have.

18 Q. Do you recognize this as one of the
19 documents that Mr. Stoler showed you at the time he
20 came to visit you at your home?

21 A. The reason, the only reason I would say no,
22 I have a tendency to say very properly, the only
23 reason I say no because this business of Toluol, it
24 rings faint bells. I can hear Paul Shalline

1 talking about Toluol, but Toluol if you'd hit me
2 all of a sudden with discussions about solvents,
3 Toluol, Toluene and such that I can hear the echos
4 of which not have stood out sharply in my mind, I
5 would have been looking for trichloroethylene and
6 perchloroethylene, so when I saw this, did I read
7 before about Toluol? I guess I'd have to answer
8 you probably I did, but I have no, you know, there
9 are several documents here.

10 Q. Mr. Watkins, what I'm asking you, do you
11 remember Mr. Stoler showing you this document,
12 Shalline Exhibit No. 1, at the time that he came to
13 visit you? Do you remember him showing it to you?

14 A. I remember him showing me documents.
15 Whether this was specifically one of them or not, I
16 don't know.

17 Q. You can't remember if he showed you this
18 document; is that right?

19 A. I should think I would but I can't look at
20 this thing and say honestly say I've seen it before.

21 Q. So prior to today, this is the first time
22 that you have -- forget that. This is the first
23 time you have seen this document today, Shalline
24 Exhibit 1?

1 MR. CHEESEMAN: I don't think that
2 follows from what --

3 Q. I'm asking him. Is today the first time
4 you have seen Shalline Exhibit No. 1?

5 A. I don't know.

6 Q. You could have seen it before?

7 A. Possibly.

8 Q. Do you know when you could have seen it
9 before?

10 MR. FREDERICO: Objection.

11 A. When Mark visited me with documents. His
12 visit was the first documents I ever, you know.

13 Q. Other than the visit with Mr. Stoler, was
14 there any other time that you viewed documents in
15 this case?

16 A. No. All I'm thinking of that they
17 wouldn't have been left when I cleaned out my files.
18 After I leave a job, I probably had memos in my
19 files at home and things like that which I disposed
20 of, so there may have been correspondence and
21 things that I burnt, got rid of, but I don't think
22 of anything of these things as distinctly related
23 to the subject at hand here.

24 Q. Do you have any documents at home now?

1 A. No, absolutely not.

2 Q. When did you destroy those documents that
3 you had?

4 A. Several years ago. I enjoy getting rid of
5 all documents from all companies. I just don't
6 want them.

7 Q. Shalline Exhibit No. 1 lists permanent
8 committee members Jim Watkins, is that you?

9 A. Yeah.

10 Q. Do you know --

11 A. By the way, there was another Jim Watkins
12 in the history of the Woburn plant that I learned
13 about later and he must have been quite a character.
14 I think his main problem was that he was black but
15 evidently --

16 Q. Is this the Jim Watkins referring to you?

17 A. This refers, if I look at it, I'll check
18 your date again.

19 Q. February 1964.

20 A. Yes, yes. This is the Jim Watkins, yes.

21 Q. That's you?

22 A. You're looking at him.

23 Q. The second page of the document under 6 J
24 makes a statement there that's not blacked out; is

1 that right?

2 A. Yup.

3 Q. Now, you have had of a chance to read that
4 sentence?

5 A. Several times.

6 Q. Do you have any knowledge of what that
7 sentence is referring to?

8 A. I know why we would have been talking
9 about trichloroethylene.

10 Q. Why?

11 A. It is a degreasing solvent.

12 Q. And you used degreasing solvents at the
13 plant in the early sixties?

14 A. We had to.

15 Q. Did trichloroethylene, was it used as a
16 substitute for Toluol?

17 A. See the Toluol thing I can't actually
18 respond to. My mind goes between trichloroethylene
19 superseded by perchloroethylene. Toluol is some
20 star floating in the middle of the firmament here
21 and I don't react to it as a substitute, as a
22 transition point, as anything. I do react to the
23 sound of the word.

24 Q. Why was this memo produced? Do you have

1 any idea?

2 A. It is minutes of a safety meeting.

3 Q. And at the end of each safety meeting,
4 would minutes be produced?

5 A. Yes, and posted.

6 Q. Do you have any knowledge as to what else
7 this memo refers to that has been blacked out?

8 A. Hell, no. What date is this? February '64?
9 That's over 21 years ago.

10 Q. All right. Shalline Exhibit No. 2. Let
11 me ask you, Mr. Watkins, did you ever see any drums
12 that identify it as containing trichloroethylene
13 during the time that you were associated with W. R.
14 Grace?

15 A. I don't have any distinct memory of it. I
16 must have, but you know, I can't visualize a drum
17 or a can with the word trichloroethylene on it.

18 Q. Do you know what the product name was that
19 contained the trichloroethylene that was used at
20 the Woburn plant?

21 A. You mean the manufacturer's name?

22 Q. Yes, or the product name?

23 A. No.

24 Q. Was it a Dow company?

1 A. Could be. It is a principal producer.

2 Q. Principal producer of trichloroethylene?

3 A. Of chemicals and solvents and plastics.

4 Q. Did you know that the Woburn plant from
5 time to time received 55 gallon drums from the Dow
6 Chemical Company?

7 A. Not specifically.

8 Q. Do you ever remember seeing any 55 gallon
9 drums from the Dow Chemical Company at the Woburn
10 plant?

11 A. I just answered you. Same answer, same
12 question.

13 Q. The answer?

14 A. Not specifically.

15 Q. Were you ever a member -- do you know how
16 many drums of trichloroethylene were used at the
17 Woburn plant on a yearly basis?

18 A. Oh, on a yearly base in my time it would
19 be very few because we weren't that active. You
20 know, I think of usage in the hundreds of, you know,
21 talking industrial usage, I visualize trucks and
22 trailers, and I don't remember anything like that
23 at all.

24 Q. I understand. How many drums a year do

1 you remember were used at the Woburn plant of
2 trichloroethylene?

3 A. I don't know.

4 Q. Do you have any idea?

5 A. It wouldn't be a good idea. I don't know.

6 Q. What's your best memory?

7 A. I have no memory. I don't remember.

8 Q. Do you know how many drums of
9 trichloroethylene were used at the Woburn plant
10 during the time you were associated with the Woburn
11 plant?

12 A. Holy Mackerel, you're talking seven and a
13 half years.

14 Q. That's right, seven and a half years.

15 A. How many quarters have you had in your
16 pocket during that period of time?

17 Q. Would it have been the same number of
18 drums that I have quarters in my pocket during that
19 period of time?

20 MR. FREDERICO: Objection.

21 MR. CHEESEMAN: Objection. Withdraw
22 the question.

23 Q. I won't withdraw the question.

24 A. He wants to play. Go ahead.

1 MR. FREDERICO: I object.

2 Q. How many drums do you remember of
3 trichloroethylene that the Woburn plant used during
4 the time you were associated with it?

5 A. A suitable quantity for whatever needs we
6 had during those years at any particular time.

7 Q. What do you remember to be a suitable
8 quantity?

9 A. I have no idea but a small quantify.

10 Q. When you say small --

11 A. I can't answer you with numbers but small
12 against large, small volume against voluminous.
13 I'll answer you small volumes.

14 That's as close as I can come.

15 Q. What is your definition of small volume?

16 MR. CHEESEMAN: Objection.

17 A. I think I have given that in the past, so
18 no trailer trucks and big vans and dozens or
19 hundreds of barrels of anything come into the plant.
20 They would come in in -- they would have to have
21 come in or we couldn't use them because you don't
22 carry them in a paper bag, but they would be just a
23 couple of barrels here and there. We didn't during
24 my time pour the stuff all over the place. We

1 didn't have big usage.

2 Q. From time to time you'd see drums with the
3 manufacturer's name Dow on the drum?

4 A. I should tell you about that product. It
5 is labor intensive. You can put an awful lot of
6 work into a very few items and it is very few items
7 that get made and degreased.

8 Q. Do you know what divisions of the Woburn
9 plant were using trichloroethylene? Do you know
10 what it was used for?

11 A. Divisions of the Woburn plant? That was
12 the division. There was only one division.

13 Q. Did you know what the trichloroethylene
14 was used for at the Woburn plant?

15 A. Yes, degreasing machine parts.

16 Q. Was it used for anything else?

17 A. I don't think it had any other use.

18 Q. Do you know how it was used?

19 A. Yeah, contained in a tank and parts dipped
20 into the tank in a wire basket and swoosh, swoosh,
21 swoosh (indicating).

22 Q. How big was the tank?

23 A. Very small. We'd have no occasion for a
24 big tank.

1 Q. How big was the tank?

2 A. Probably half the size of this table if
3 that.

4 Q. Approximately what would be the dimensions
5 of the tank?

6 A. Half the size of this table, whatever it
7 is. You've got four feet up there, have you? Four
8 by four but not in a square shape.

9 Q. How deep?

10 A. Probably the top of it is where your
11 elbows are but the bottom of it would not have
12 reached the floor, I don't think. I think it would
13 have been framed on legs and so forth.

14 Q. About as deep as the distance of a table
15 from the floor?

16 A. No, I just told you the table to the floor,
17 I don't think it reached the floor necessarily. I
18 think because there were supports and legs. I
19 really don't know. I couldn't draw that thing for
20 you or come even close to it.

21 Q. Was trichloroethylene poured into the tank?

22 A. Rather than pumped in or --

23 Q. Or pumped in?

24 A. If the barrel had a pump on it, a goose

1 neck pump that you could attach to it, take the cap
2 off, put the pump on, it probably would have been
3 pumped in because there was no material handling
4 equipment that I can remember that would have
5 picked up an entire barrel, and people wouldn't, we
6 wouldn't have allowed it safetywise for people to
7 pick up. 55 gallon drum loaded with liquid, you
8 know, that's 83 pounds a cubic foot or something of
9 water. That would have been hazardous. We
10 wouldn't have allowed it, so there must have been --
11 there are trucks in plants where you put something
12 into sort of a cradle and jack it into position and
13 tip it over. Just how it was done, I don't
14 remember. I honestly don't. I assume that two
15 guys didn't pick it up and juggle it and pour it in.

16 Q. All right. But you know that the contents
17 of the 55 gallon drum were put into the tank; is
18 that right?

19 A. Yeah, and it also could have come out of
20 the goose neck into some smaller container and that
21 poured into the tank.

22 Q. But the tank was filled with the material?

23 A. They never filled it completely to the top.
24 I think you're down there quite a bit because you

1 don't want splash and you don't want fumes that
2 close to you.

3 Q. How many inches from the top would it fill
4 to?

5 A. Eight inches, something like that.

6 Q. So the tank was about four feet long, four
7 feet wide, about?

8 A. Well, you're trying to determine the
9 volume quantity, and you can do that from what I've
10 told you, and I think I'm close to it. I really
11 don't know.

12 Q. All right. That's what I'm trying to do.
13 As best you remember it, Mr. Watkins, the tank was
14 four feet wide and four feet long and approximately
15 three feet deep; is that right?

16 A. Don't use the word right. I don't know.
17 That's my general impression of my memory of a
18 situation that existed.

19 Q. That's your best memory?

20 A. Memory, yes. Fact, no. That's my best
21 memory, but the answer is when you come right down
22 to it, you know, hand on the Bible, the true answer
23 is I don't know.

24 Q. Now also your best memory is that the

1 liquid from the 55 gallon drum would be either
2 pumped or somehow would be poured into the tank?

3 A. Umm.

4 Q. Within about eight inches of the top; is
5 that right?

6 A. Seems likely. I don't really know.

7 Q. That's about right? Best memory?

8 A. Don't use the word right. I keep telling
9 you. I don't know.

10 Q. Well, is it your best memory?

11 A. If you classify the type of memory I'd
12 have after 15 or 20 years, it is the best of a very
13 inaccurate memory trying to sincerely to tell you
14 something because we did have trichloroethylene and
15 we did have a tank and we did degrease and we did
16 use it, but the details of where, how and all of
17 that, volume, get it in big capital letters, I
18 don't know.

19 Q. Now, this tank that you have been
20 referring to, this was the degreasing tank; is that
21 right?

22 A. Yes.

23 Q. And metal parts would be placed into this
24 tank, submerged within the trichloroethylene to

1 remove the gross; is that right?

2 A. Uh-huh, probably be moved up and down.

3 Q. And this was done on a daily basis; is
4 that right?

5 A. Unless we got ahead in production and ran
6 out of parts, I would say yes.

7 Q. At the end of the day, would the liquid
8 from the tank be drained into another tank?

9 A. At the end of the day, no. There would be
10 no need. You'd leave your degreaser tank there
11 until it got, you know, used up, too dirty to use
12 because things are coming off your parts and you
13 get scum on the bottom and you have to change your
14 solvent and clean the tank and things, so forth.

15 Q. How often did that take place?

16 A. I would think once a week.

17 Q. That you'd clean the tank out, clean the
18 scum off?

19 A. That's not an actual factual statement but
20 I would think just from general experience in
21 industry concerning what we would do in there that
22 we would have had to clean the tank once a week.

23 Q. And you have seen them clean the tank on
24 occasion, didn't you?

1 A. Scrub it out. I didn't stand there and
2 watch them.

3 Q. But during the time you were associated
4 with the plant you'd see them cleaning the tank
5 every so often?

6 A. I didn't stand there and watch them doing
7 it.

8 Q. Every so often you'd see it, didn't you?

9 A. See it from some distance, know that it
10 was happening or that it had happened.

11 Q. And what did they do to clean it out, what
12 do you remember them doing?

13 A. Probably for one thing pour some hot water
14 in it and use a mop or a broom or stiff thing,
15 scrape around and get the scum, scrape the scum and
16 sediment up, either with or without water, hot
17 water or something and just clean the tank.

18 Q. How about the dirty liquid?

19 A. I don't know what happned to the dirty
20 liquid. I should think from whatever memory I have
21 of it that that was allowed to go into the town
22 drainage into the sewerage but I'm not sure.

23 Q. Did you ever see them take liquid out of
24 the tank and put it in drums?

1 A. No.

2 Q. Ever?

3 A. No.

4 Q. Did you ever see anybody take liquid out
5 of the tank at any time?

6 A. No.

7 Q. Never?

8 A. Never.

9 Q. And you don't know what happened to that
10 liquid?

11 A. Except in one of these memos it appears
12 that we were permitted to put it into the sewage
13 system which I have related to you was then
14 monitored and controlled by the town and the pH
15 factor was a big thing on Paul Shalline's mind. I
16 can remember that specifically.

17 Q. Did you ever inform the town or are you
18 aware of anybody ever informing the town that
19 trichloroethylene was being poured into the sewer?

20 A. I didn't. Paul Shalline might have.

21 Q. Do you know if he did?

22 A. No.

23 Q. And you can't ever remember at any time
24 anyone ever removing the liquid that was in that

1 degreasing tank during the time --

2 A. I never saw them do it. I have no picture
3 of that in my mind at all. All I know is it had to
4 happen.

5 Q. And it had to happen on approximately a
6 weekly basis?

7 A. Because that first tank of
8 trichloroethylene would still be there if it hadn't.

9 Q. And it is not there?

10 A. Obviously.

11 Q. This would be done, this degreasing tank
12 would be cleaned on a weekly basis, is that right?

13 A. I told you that it is probable that it was.
14 I cannot answer you truthfully yes or no: five
15 days, six days, three days or whatever. But when
16 you use it, it depends on use. If you don't use it
17 much during the week, that hasn't gotten dirty and
18 there isn't any particular sediment in the bottom.
19 If you have a concentrated load of production,
20 Christ, it might have to be cleaned out every two
21 days for all I know. It depends on usage.

22 Q. Is it fair to say then based on your
23 knowledge and experience and your association with
24 the Woburn plant that that tank was cleaned out

1 anywhere from every couple of days to every six or
2 seven days?

3 A. I have told you before, my guess is that
4 it averaged a week because it was a small tank and
5 it would have collected grease and chips and things
6 that had to be gotten out of there.

7 Q. Now, you said that you do remember seeing
8 employees removing the sludge at the bottom; is
9 that right?

10 A. No, I didn't say that.

11 Q. You do remember seeing employees remove
12 the scum at the bottom?

13 A. I didn't say that.

14 Q. Did you ever remember seeing any employees
15 ever clean out any material from the tank?

16 A. I knew that it was done. I didn't see
17 them do it.

18 Q. You never saw any employee ever clean out
19 the tank?

20 A. I have no distinct remembrance of passing
21 by and seeing this happening. That was Paul
22 Shalline's and the local leading man's job and
23 foreman's job and whatever under Paul's direction.

24 Q. All right. You said that there was some --

1 how would you describe the material?

2 A. I never saw anybody clean out the latrines
3 either.

4 Q. Did you have latrines at the Grace plant?

5 A. Yes.

6 Q. Where were those latrines located?

7 A. The office ones were the only ones I
8 distinctly remember. They were in the front part
9 of the building.

10 Q. You had bathrooms, didn't you?

11 A. Bathrooms.

12 Q. They weren't latrines, were they?

13 A. The men's room has latrines in it.

14 Q. It goes to the sewer system; is that right?

15 A. Well, I don't think we collected that
16 material in barrels.

17 Q. The material that collected at the bottom
18 of the tank, how would you describe that material?

19 A. I would describe it by how I have seen it
20 subsequently in other companies I have worked for
21 where I have been closer to the situation.

22 Q. How would you describe it?

23 A. It is scummy. It is black.

24 MR. CHEESEMAN: I'll move to strike

1 the answer.

2 Q. Do you ever remember seeing any employees
3 ever removing any of that scummy black material
4 from the tank?

5 A. I did not see it happen, not at Grace.

6 Q. Did you ever know or have any indication
7 as to what was done with that scummy material that
8 collected at the bottom of the tank?

9 A. It would have to be put in probably small
10 cans and tub like things.

11 Q. Was it?

12 A. I would say it would have to be. I don't
13 know what else I would do with it.

14 Q. What happened to it once it was put into
15 these containers?

16 A. I don't know.

17 Q. You don't know where it went?

18 A. I don't know where it went.

19 Q. You don't know if it was poured in the
20 ground on the back?

21 A. Come on, now. During my time there no one
22 poured anything on the ground. They didn't even
23 urinate out there. It just, that wasn't the
24 practice in running that plant. Nobody did

1 anything to the ground so they would have been
2 talked to about it. It doesn't make any difference,
3 orange peels or whatever you want to name. We just
4 didn't have those kind of drains.

5 Q. What happened to the scum in the bottom of
6 the degreasing tank? Where did that go?

7 A. I haven't any idea.

8 Q. Don't have any idea?

9 A. I don't know where it went.

10 Q. You don't know if it was hauled away?

11 A. No, not specifically.

12 Q. Do you know if it was put in 55 gallon
13 drums?

14 A. No.

15 Q. Don't know if it was poured down the sewer?

16 A. No.

17 Q. Don't know if it was put in the trash?

18 A. I think it is very unlikely to be put in
19 the trash.

20 Q. And you don't know?

21 A. It would have made the trash very hard to
22 handle.

23 Q. Why would it have made the trash hard to
24 handle?

1 A. Well, you have got garbage and you want to
2 pour old scummy, oily chippy stuff in there? I
3 doubt it.

4 Q. So you know it wasn't put in the trash for
5 that reason; is that right?

6 A. My best remembrance is that it would not
7 be put in the trash. Do I know? No, I don't know.

8 Q. But your belief is it that it was not put
9 in the trash; is that right?

10 A. My judgment is that it would not have been
11 put in the trash.

12 Q. Now, in the paint shop they also use
13 trichloroethylene; is that right?

14 A. Uh-huh.

15 Q. They use trichloroethylene to clean metal
16 parts in the paint shop?

17 A. Yeah.

18 Q. And what did they use in the paint shop to
19 clean metal parts with the trichloroethylene, did
20 they use a degreasing tank there?

21 A. Yeah, they would have to. Now that tank,
22 you see the one in the machine shop I have a vague
23 memory of that layout situation. In the -- it is
24 possible that they would have for a while at least

1 brought the sheet metal parts over on a truck, a
2 tote truck, a shop truck to be cleaned in the
3 degreaser tank, if that was the only one we had.
4 Otherwise there would be some similar facility in
5 the sheet metal shop and I can't visualize it. The
6 answer to that is I don't remember. I really don't.

7 Q. You do remember there being a degreasing
8 tank in the machine shop?

9 A. Yes. I remember that there was one. I
10 can see it now.

11 Q. Do you remember if there was a degreasing
12 tank in the paint shop?

13 A. That I can't seem to see in my mind as
14 actually existing. It seems to me they would have
15 to be because as the business grew, I shouldn't
16 think they would want to carry everything across
17 the shop.

18 Q. So your --

19 A. Also I think that there would be somewhat
20 of a tendency not to mix shop productions. Machine
21 parts or even when soluble oil is used, which is
22 most often, the chips and parts stick and there
23 would be some tendency to want to keep the type of
24 chips separated. This was some reclaim value,

1 brass, barrel brass chips is worth a good chunk of
2 money and stainless steel is worth quite a bit.

3 Q. Your best memory then is there was a
4 degreasing tank in the machine shop and a
5 degreasing tank in the paint shop; is that right?

6 A. I didn't say that. My best memory is
7 there was one in the machine shop and my
8 supposition is that there must have been one
9 available to sheet metal workers.

10 Q. In the paint shop?

11 A. Not necessarily in the paint shop proper
12 but in that general area.

13 Q. To be used by the people in the paint shop?

14 A. Among other sheet metal workers.

15 Q. So your best memory is that there was a
16 degreasing tank in the machine shop and your
17 supposition that there was a decreasing tank in the
18 sheet metal shop to be used by the sheet metal
19 people as well as the people in the paint shop?

20 MR. CHEESEMAN: Objection.

21 A. I believe -- I really don't know. I am
22 kind of supposing as we went along and the business
23 grew that that would have been a logical thing to
24 do.

1 Q. Now, other than use in the degreasing tank,
2 are you aware of trichloroethylene or any other
3 solvents being used at the Woburn plant aside from
4 degreasing metal parts?

5 A. I'm aware that we had more than one type
6 of solvent. How many more and what type, I don't
7 know.

8 I'm going to tell you again and again
9 that way back when trichloroethylene,
10 perchloroethylene, those were the names that ring
11 in my mind.

12 Q. How about Toluene?

13 A. Here we go again. I told you, I just
14 don't react to that name.

15 Q. Acetone?

16 A. Acetone. Yeah, acetone is commonly used
17 because I'll tell you when it is like a typical
18 application, when you mask a piece and you put the
19 masking tape on it, sticky stuff and the quickest
20 way to get it off is to have a cloth or a brush or
21 whatever is necessary and that, you'll do it at
22 home, too. That will take that scummy stuff off.

23 Q. You remember acetone was in use in the
24 Woburn plant during the time you were associated

1 with it; is that right?

2 A. I'm pretty sure it was. My memory is
3 pretty good on that. We must have used acetone.
4 Acetone is a common or was a common material
5 throughout industry. But specifically for that
6 type of gummy, small, get in the corners, get rid
7 of that residue type of thing.

8 Q. How about Benzene?

9 A. I respond to the name but I have no memory
10 of if it was used and on what it was used if at all.

11 Q. What's your best memory?

12 A. My best -- my only memory is that during
13 that time of my employment I heard the word Benzene
14 and it might not have even been within the plant.
15 Kind of a common thing, Benzene. They use it in
16 garages where you have your car cleaned and
17 repaired. But I don't know, I really don't, not
18 regarding the Grace plant.

19 Q. Do you know if Benzene was in the paint
20 strippers that the plant was using?

21 A. Same answer. I don't know. There is no
22 use leading me all through the probable places
23 because if I don't know overall, I don't know
24 specific.

1 Q. How about 1,2-transdichloroethylene?

2 A. What?

3 Q. 1,2-transdichloroethylene?

4 A. I draw a complete blank on that.

5 Q. Chloroform?

6 A. That wasn't an operating room. I doubt if
7 we would have used that. I don't have a memory of
8 it.

9 Q. 1,1,1-trichloroethane?

10 A. No.

11 Q. Methylene chloride?

12 A. No.

13 Q. 1,1-dichloroethylene?

14 A. No.

15 Q. Methyl isopropyl ketone?

16 A. Methyl isopropyl ketone?

17 Either I'm reacting to the ketone
18 thing but not in specifically -- what's rubbing
19 alcohol? Isn't that one of those fancy sounding
20 things when you spread it out? I don't know.
21 Regarding the Woburn plant, I simply don't know.

22 Q. Chlorobenzene?

23 A. No.

24 Q. Ethyl Benzene?

1 A. No.

2 Q. Xylene?

3 A. No.

4 See, the problem is I have heard all
5 of these words or most of them at one time or
6 another in my work life.

7 Q. I'm asking what your memory is about your
8 association with the Woburn plant.

9 A. Association with the Woburn plant, I
10 simply don't know.

11 Q. Mr. Watkins, in Shalline Exhibit No. 2,
12 would you look at that?

13 (Witness looked at document).

14 Q. Have you had a chance to look at Shalline
15 Exhibit 2?

16 A. I'm looking.

17 (Witness looked at exhibit).

18 I remember this situation quite well
19 because I went into action on it. This is typical
20 of what I told you earlier in the day. Something
21 like this pops up, you really go after it.

22 Q. In other words when you say something like
23 this, you mean when an employee brings to the
24 management's attention of a potential problem or a

1 problem involving the use of chemicals, that's
2 something that you would jump on right away and get
3 information about; is that right?

4 A. This was an employee unrest situation
5 which was my prime interest in this. We had a shop
6 suddenly full of rumors from a man who didn't
7 really know what he was talking about as it turned
8 out, but he was pretty impressive. He was an Elton
9 Mayo and former leader type guy. People paid
10 attention to him, and what I had on my hands was a
11 very upset shop. What can happen to us here? A
12 small plant.

13 And so my memory of this is that I
14 got in touch immediately with the state department
15 of hygiene or whatever and that they, my memory is
16 that they immediately sent out a man. I can kind
17 of visualize him a little bit, middle height,
18 Italian man, pleasant, competent, dark hair and the
19 result of that was that he, I guess, took it back
20 to the office and communicated with us that this
21 couldn't happen, that there would be no bad results,
22 nothing to worry about. It seems as though, now
23 this is a document that I have seen before, you
24 asked me, it seems as though, and I respond to the

1 name Tom Hampton, it seems as though rather than
2 contact the state agency, which is the way I feel
3 about it, that instead of that I contacted Tom
4 Hampton or both. I haven't seen the document here
5 where I am writing to the state and I don't think I
6 wrote to the state. I think I called the state, it
7 was that urgent. I recall this situation. And I
8 know that it was put to rest.

9 You see I have a note. What safety
10 regulations must be specified? Now this is 21
11 years ago. I'm surprised to see my name there even.
12 Something from another world.

13 Q. Mr. Tom Hampton worked for the Maryland
14 Casualty Insurance Company.

15 A. If he walked into the room way he was
16 twenty-one years ago, if you lined up six people
17 and said pick him out, I undoubtedly could.

18 Q. Mr. Watkins, is this the only time that
19 you ever contacted any individual, company,
20 corporation or agency concerning hazards associated
21 with the use of chemicals at the Woburn plant?

22 A. Contacted what sorts of people, outside
23 companies?

24 Q. Yes, anybody.

1 A. Not within the Grace organization?

2 Q. I'm saying other than this.

3 A. Outside of the Woburn plant?

4 Q. Other than this incident involving this
5 complaint of the dangerousness of trichloroethylene,
6 did you ever contact any agency, any corporation,
7 any division of W. R. Grace or any individual
8 concerning the hazards posed by the use of certain
9 chemicals at the Woburn plant?

10 MR. FREDERICO: Objection.

11 A. Well.

12 MR. CHEESEMAN: I will object, too.

13 A. I have no remembrance of having done so.
14 What would have happened in those instances that
15 Paul Shalline would have been the person who would
16 normally have taken care of those matters and if
17 necessary advise me.

18 Q. But in this case you took control; is that
19 right?

20 A. No, I remember this one. This was a hot
21 one.

22 Q. This was a hot one because the employees
23 were very upset about some dangers associated --

24 MR. FREDERICO: Objection.

1 MR. CHEESEMAN: Objection.

2 A. I won't say, well, okay. Let's say there
3 must have been, I don't know, 40-50-60 employees in
4 that small plant. Were they all running around and
5 climbing the walls in a mad scene? No.

6 Q. How many were running around in a mad
7 scene climbing the wall?

8 MR. FREDERICO: Objection.

9 MR. CHEESEMAN: Objection.

10 A. Nobody.

11 Q. How many people were upset?

12 MR. FREDERICO: Objection.

13 MR. CHEESEMAN: Objection.

14 A. Upset? Nobody. But wanting to know, and
15 expecting me to find out about it as a good Grace
16 manager, and having perfect confidence in me
17 because that was my reputation that I would, you
18 know: Bring this to Jim's attention and sit back.
19 You'll get an answer. Because I always did get
20 answers on these safety things.

21 Yeah, now, there is no wild scene and
22 people running out the doors, jumping out windows
23 or whatever, but I was, I was very doubtful about
24 the truth of this because it seems as though we all

1 would have been dead a long time ago, there and
2 every other plant in the United States where
3 welding is going on. But was there anything
4 insidious about it? Was there any practice that we
5 should modify? Was there anything we could do
6 necessary or not that would make the employee feel
7 more at ease in work in that company? Yeah, I
8 looked into those things and I hopped on this one
9 immediately.

10 Q. All right. But other than this time, did
11 you ever contact any individual, corporation,
12 agency or any other entity to find out additional
13 information or to find out information about
14 hazards posed by the use of chemicals at the Woburn
15 plant?

16 A. Personally, I'm quite sure I didn't, but
17 I'm quite sure that I would have discussed it with
18 Mr. Shalline and that he definitely would have.

19 Q. To your knowledge, do you know whether Mr.
20 Shalline at any time ever contacted any person,
21 agency, corporation or entity of any kind
22 concerning the hazards posed by the use of
23 chemicals --

24 A. I have no knowledge.

1 Q. Of chemicals at the Woburn plant?

2 A. I have no recall of specific instances,
3 but Paul was not the type of guy who would sit home
4 and he was a learner. We was a pursuer. He was
5 not the type of guy to sit home and invent his own
6 information and say that's good enough. He would
7 have made the necessary contacts.

8 Q. Now, Shalline Exhibit No. 3, you recognize
9 that as the response that you received from the
10 Maryland Casualty Company to your request for
11 information concerning trichloroethylene?

12 A. Who's this coming from? I can't even read
13 it for one thing.

14 Good Lord.

15 A little wonderment there.

16 This is Mr. Park. Who is Mr. Park?

17 Where is this coming from? There is
18 no letterhead here. This is to my attention to Mr.
19 Hampton, this is internal to what, the insurance
20 company? Who is Mr. Park?

21 Q. I'm asking you?

22 A. Where did this letter come from?

23 Q. I'm asking you --

24 A. How would I know?

1 Q. If you recognize Shalline Exhibit No. 3 as
2 the response you received from the Maryland
3 Casualty Company concerning your request for
4 information of the hazards of trichloroethylene?

5 A. I must have received it. It is addressed
6 to me. I don't recall this letter specifically.
7 You will notice, however, that there are copies
8 there to -- one of them is Shalline, the other is
9 George McElhiney and Vin Forte himself is advised.

10 Q. Mr. Watkins, at any time did you ever --

11 A. I have no feeling that I ever, it isn't
12 like anything I have ever held in my hand before
13 except that it is addressed to me and obviously if
14 I was present in 1964, I must have read it.

15 Q. But you don't remember it?

16 A. I don't remember it.

17 Q. Now, Mr. Watkins, do you ever remember
18 discussing with Mr. Forte at any time the fact that
19 the company used, the Woburn plant used
20 trichloroethylene?

21 A. I don't recall specifically, but as I told
22 you, the three of us were quite interested in
23 having a good plant, and if we changed a degreasing
24 solvent is sort of different than a can of this or

1 that, he would have been so advised, I'm sure,
2 because there were objections to carbon tetrachloride
3 and trichloroethylene and such, and this came to us --
4 I don't know how it came to us, the
5 perchloroethylene -- but that was what industry had
6 found, chemical companies, is the thing to use.

7 It is normal to expect in the course
8 of some conversation or other that I would have
9 mentioned this to Vin Forte and that he would have
10 checked it out with Paul Shalline who was more
11 expert than myself, in other words, in terms of
12 okay, we're going from that to this. Is this all
13 right? Forte was that way. He would have followed
14 it up and I'm sure that he and I had some kind of
15 conversation, but I don't recall either what
16 baseball game we talked about in that year.

17 MR. FREDERICO: Reserve a motion to
18 strike.

19 MR. CHEESEMAN: Move to strike.

20 A. Hum.

21 Q. Mr. Watkins, you and Mr. Forte and Mr.
22 Shalline were essentially the management team of
23 the Woburn plant during the time that you were
24 associated with the plant; is that right?

1 A. Well, functional in that way, Vinnie
2 wanted a couple of -- he had customer service, Bob
3 Conkel, he had outside contracts, many other
4 activities that had to do with the business of
5 Cryovac and its relationship to W. R. Grace that I
6 wouldn't be concerned with at all.

7 Q. I understand, but you and Mr. Shalline and
8 Mr. Forte however would be the management team, the
9 people responsible for matters such as what
10 chemicals were to be used at the plant and whether
11 there should be substitutes for those chemicals or
12 not. Is that right?

13 A. Vinnie is sort of once removed. Ex
14 cathedra or whatever you want to call it. Paul
15 Shalline, the most functionally dependable and
16 knowledgeable, myself as head of manufacturing with
17 this man in my cabinet, and therefore: What about
18 it, Paul? Vinnie over in the corner office or
19 perhaps Duncan or off on business somewhere in the
20 rest of the country. Vinnie wouldn't have even the
21 memories I have of this. You know, this was my job,
22 not these matters you're talking about. I was
23 concerned with machinery, people. I introduced the
24 job evaluation system.

1 Q. Mr. Watkins, that's not my question.

2 A. Okay.

3 Q. Mr. Watkins, my question is were you, Mr.
4 Shalline and Mr. Forte essentially the management
5 team?

6 A. Essentially.

7 Q. When it came to what chemicals were to be
8 used at the plant and whether those chemicals
9 should be replaced with other chemicals?

10 A. Yeah.

11 Q. And to your knowledge, sir, was Mr. Forte
12 kept informed by you or Mr. Shalline or by anybody
13 else concerning the chemicals that were being used
14 at the plant and whether substitution of those
15 chemicals should be made and what those
16 substitutions should be?

17 A. Vin Forte was -- it was a small company --
18 paid attention to every closet in that place and
19 was a responsible manager. In going around the
20 floor he probably would talk to Paul Shalline more
21 than he would talk to me about things he saw right
22 under his nose. Would he have been advised through
23 me or by me? He certainly was in this case of
24 phosphine gas type of thing.

1 Would he have been advised by me if
2 we were making a dramatic change for a specific
3 purpose? Oh, gee, if it were that far out of the
4 routine of manufacturing, yes. You know, in
5 cutting oils for instance, you have salesmen from
6 all oil companies on you all the time and you
7 change these oils and you're concerned with the
8 lubricity and the sulphur factor and all those
9 things. Would I have advised Vinnie, well, on
10 occasion I'm going to buy from Shell Oil a new
11 compound that doesn't wear out tool bits as fast
12 and cut 4044 stainless easier. Would I have
13 advised him on all of those little matters? No.
14 He wouldn't want to have heard from me on what tool
15 bits I was using for instance.

16 Q. Cutting oils contain solvents to your
17 knowledge?

18 A. Hum.

19 Q. Do cutting oils contain solvents to your
20 knowledge?

21 A. Well, cutting oils contain an awful lot of
22 things, and there are an awful lot of mixtures
23 depending on what it is going to be used for. Some
24 cutting oils are used for grinding, production

1 grinding, and you're concerned with a factor that
2 doesn't sound like much at this table, wetness,
3 which means something specific in an oil, sulphur,
4 chlorine content, all kinds of things; but I think
5 your question was did I keep Vinnie --

6 Q. I'm not asking that right now. I'm asking
7 do cutting oils contain solvents that the Woburn
8 plant used to your knowledge?

9 A. They contained chemical elements, whether
10 you would describe them as solvents or not. A
11 solvent is something for -- that's a functional
12 thing. It does something.

13 Q. Did you on any occasion, do you ever
14 remember Mr. Forte being present and Mr. Shalline
15 or just with you in which you discussed the
16 chemicals that are used at the plant?

17 A. No.

18 Q. You can't remember any time that took
19 place?

20 A. He would probably in circling through a
21 small shop have either been told by Paul or he
22 would ask Paul.

23 Q. You kept Mr. Forte informed as to the
24 results of your investigation about the hazards of

1 trichloroethylene, isn't that right?

2 MR. FREDERICO: Objection.

3 A. Wait a minute. Now you switched the
4 subject from phosphine gas to trichloroethylene.
5 No, I did not because, I didn't do any of that kind
6 of investigating.

7 Q. You made a request to the insurance
8 company to send you information they had about
9 trichloroethylene; is that right?

10 A. That would be among many other things and
11 probably did as long as we were dealing with them.

12 Q. Do you refer --

13 A. Wait a minute, wait a minute.

14 Q. Discussing with --

15 A. Wait a minute. This would be a proof, an
16 indication of what I have told you that as subjects
17 came up under our noses, we would try to learn
18 every thing we could about them.

19 Q. When you say we, who are you referring to?

20 A. Management.

21 Q. Who is management?

22 A. You just told me yourself.

23 Q. Who?

24 A. Myself.

1 Q. Name them.

2 A. Paul Shalline, the foremen, Vin Forte once
3 or twice removed as nominal head of the plant as
4 general manager in the corner office. Vin Forte's
5 job was not to roll up his sleeves and pick up a
6 monkey wrench and live with the workers.

7 Q. Do you ever remember receiving anything
8 from the Maryland Casualty Insurance Company
9 concerning your request to receive information
10 about trichloroethylene?

11 A. That's this letter here. It must be
12 included in it. This one here.

13 Q. Do you remember, do you have knowledge?

14 A. No, I don't. I don't remember this letter.
15 I must have gotten it but I don't remember.

16 MR. CHEESEMAN: Can we go off the
17 record a minute?

18 (Recess).

19 Q. Shalline Exhibit No. 4, would you examine
20 that?

21 A. I'm sorry on that one. It is certainly
22 something --

23 Q. Mr. Watkins, would you just examine
24 Shalline No. 4?

1 A. I have seen a million memos in my life.
2 (Indicated).

3 A. Now, let me see. This is from good old
4 James here. This is talking to Vinnie.

5 (Witness read document).

6 That's just what I have said and
7 that's just how we behaved and that's just what I
8 did and that gives you the atmosphere --

9 Q. Mr. Watkins, do you recognize --

10 A. Of course I recognize.

11 Q. Exhibit --

12 Do you?

13 A. Oh, I have --

14 Q. You have a memory of it?

15 A. Yes.

16 Q. You saw it before you were here today?

17 A. No.

18 Q. Never saw this document before today?

19 A. I don't think so.

20 Q. But you have a memory of it?

21 A. I remember this event.

22 Q. Do you remember this document, Shalline
23 Exhibit No. 4?

24 A. Yeah, because there are certain words in

1 the middle that we don't drink or deliberately
2 breathe. Yeah, okay.

3 Q. It says there in the last sense the if we
4 don't have the answer, we'll be certain to get them
5 from certified authorities?

6 A. Hum.

7 Q. Is that a true practice in the Woburn
8 plant, if you didn't have answers --

9 A. Sure as hell was in my --

10 Q. Concerning chemicals in use at the plant
11 that you would get them from certified authorities?

12 MR. CHEESEMAN: I object.

13 A. Yes, you're not asking the same question.

14 Q. Right. I'm asking another question.

15 A. Repeat this question. You left the field.
16 I'm on the sidelines with you now.

17 Q. Let's get back in the game.

18 A. That's where we're going to stay on the
19 sidelines. It is not the same question. Go ahead.

20 Q. Mr. Watkins, was it the practice of the
21 Woburn plant that if you didn't have answers
22 concerning the hazards of chemicals in use at the
23 plant that you would get them from certified
24 authorities?

1 MR. FREDERICO: Objection.

2 MR. CHEESEMAN: Objection.

3 A. First of all there has to be in such
4 situations a question, a concern that would require
5 an answer. In all cases where a concern was voiced,
6 in all cases where a concern was voiced, it would
7 becomes a subject of the safety meeting. In such
8 cases either myself or Paul Shalline would get the
9 answer and it might be in a fairly informal basis.
10 Paul would call maybe a chemist somewhere in Grace
11 or Dewey and Almy or another company but relative
12 to those times and these situations they would have
13 been considered in their then context not their now
14 context with people dying of cancer supposedly and
15 OSHA and widespread concern about the environment
16 and everything in it, a lot of talk about chemical
17 dumps. I never heard of a chemical dump in those
18 days. It wasn't in the air. It wasn't talked
19 about.

20 So, the answer to your question was
21 this is consistent with the phosphine thing. If it
22 came forward, everyone concerned should feel reason,
23 to raise reasonable, with what was known at that
24 time, questions regarding safety practices. If we

1 don't have the answer, we'll be sure to get them
2 from certified authorities. What we're talking to
3 the employees is this is a correct type of
4 management. If you've got a concern, if you'd had
5 an experience, please bring it forward and we'll
6 get answers if we don't have them.

7 MR. CHEESEMAN: I'll move to strike
8 the central part of the answer as not responsive.

9 MR. FREDERICO: Reserve a motion to
10 strike.

11 MR. SCHLICHTMANN: I think it was all
12 responsive.

13 Q. Mr. Watkins, at any time you were
14 associated with the plant, did any employee ever
15 complain or ever bring to anybody's attention to
16 your knowledge the disposal practices at the plant
17 of chemical waste?

18 A. No.

19 Q. Did you, Mr. Forte or Mr. Shalline at any
20 time ever discuss what the waste disposal practices
21 should be at the Woburn plant?

22 A. Only in one regard. There is a memo in
23 here somewhere signed by Forte that I have
24 previously seen. I haven't come to it yet in which

1 he does discuss, he does say somewhere approved
2 disposal of certain things through the town sewage
3 system. That would have been a subject. I don't
4 recall a specific meeting, a specific day who said
5 what at what time or wherever. But that type of
6 thing Paul, again the pH factor, the town people
7 and so forth, would have been the prime mover of as
8 far as our compliance, and Mr. Forte would have
9 been involved, and for some reason or other Mr.
10 Forte decide it was a good time to issue a memo on
11 that subject to somebody, and I haven't come to it
12 yet but I have seen it before.

13 Q. All right, Mr. Watkins, would you examine
14 Shalline Exhibit No. 5?

15 A. Is this March 22nd?

16 Q. Yes.

17 A. Dave Taylor.

18 At this time we don't have any
19 pollution control problems at the Woburn plant.
20 This is '67. This is roughly two and a half years
21 prior to my leaving and I had already been there
22 five years. Okay. At this point we didn't have
23 any pollution control problems in the Woburn plant
24 and we certainly didn't that we were aware of.

1 Hazards and chemicals used in the passivating
2 painting areas are neutralized so that this element
3 will not become a problem in the future. Now the
4 neutralization I recognize there is a process. I
5 don't remember it being done, but it means that
6 something was poured into it to neutralize it.

7 We will so advise the Pollution
8 Control Officer when appointed by Bill Baird. Bill
9 Baird was then Vice President of Engineering in
10 Duncan for all of Cryovac. We will so advise the
11 pollution control officer, but I'm not on
12 distribution to this.

13 Q. Mr. Watkins.

14 MR. CHEESEMAN: Move to strike the
15 answer.

16 MR. FREDERICO: Move to strike.

17 Q. Do you remember?

18 A. All I'm saying --

19 Q. Do you have any knowledge of this document
20 Shalline Exhibit 5?

21 A. All I'm saying this is typical of Vinnie's
22 doing and I didn't get a copy and he didn't find it
23 necessary.

24 Q. You don't have any knowledge about this

1 document?

2 A. No, I don't.

3 Q. To your knowledge was a Pollution Control
4 Officer ever appointed at the Woburn plant by
5 anybody?

6 A. A pollution control officer? Not
7 specifically. Again, this is Paul Shalline
8 coalescing with somebody perhaps like George
9 McElhiney. I think that Bill Baird might have
10 appointed George McElhiney to, he visited the
11 plants frequently, and he would have come with a
12 notebook in his arm to review this. He would have
13 sat down and talked to Paul Shalline about it and
14 what happened then? Now, that's not to my
15 knowledge. It seems to me that that's the sequence.

16 MR. CHEESEMAN: I move to strike the
17 answer.

18 Q. To your knowledge was Mr. Shalline ever
19 appointed Pollution Control Officer at the plant?

20 A. To my knowledge, no.

21 Q. To your knowledge was Mr. Shalline ever
22 given responsibilities for pollution control
23 matters at the plant?

24 A. Yes.

1 Q. He was?

2 A. In his job as plant superintendent I told
3 you he would, he was concerned with pH factors and
4 vents and things like. It was part of his job.

5 Q. Would you look at Plaintiff's Shalline
6 Exhibit No. 13?

7 A. Thirteen. What day, what subject? You're
8 skipping something here.

9 Q. Yes.

10 THE REPORTER: Each one has a little
11 sticker.

12 Q. As a matter of fact, rather than looking
13 at that exhibit, would you look at this document as
14 a matter of fact, several copies?

15 A. You don't want me to look here?

16 Q. No, it is contained in these documents.

17 Would you examine these documents?
18 There are four pages stapled together.

19 A. When I get them I will.

20 Q. I gave him two copies.

21 A. I haven't received anything yet.

22 All right.

23 Harvey Elkins. Who is he? I wrote
24 to the Commonwealth of Massachusetts. Department

1 of Labor & Industries, Division of Occupational
2 Hygiene.

3 That's Mr. Comproni from the state
4 department. This is the man I remembered and
5 thought I contacted almost directly or contacted
6 this area in such a way that Mr. Comproni was
7 assigned. Greatly appreciate such information from
8 qualified specialists as our active policy is to
9 protect our employees from health hazards. Your
10 requirement concerning the ventilation at the
11 buffing wheels will be taken care of.

12 Well within safe limits.

13 This is an instance where I begin to
14 remember things I wouldn't otherwise have even
15 thought of today. Shielded inert gas welding
16 operation. Helium and argon used.

17 Q. Do you recognize those documents, Mr.
18 Watkins?

19 A. Not really. Not really.

20 Q. May I have that marked as an exhibit,
21 Watkins Exhibit No. 1, consisting of four pages.

22 (Letter of March 9, 1965 with three
23 pages attached was marked Watkins
24 Exhibit No. 1).

1 A. Now, if you put this on a table in front
2 of me without any attachment to me personally, I
3 would have wondered what it was. If you removed
4 Cryovac from it, I guess none of this material
5 after all these years rings any bell at all.

6 Q. All right.

7 Do you ever remember, Mr. Watkins,
8 that --

9 A. And believe me, I'm not having a massive
10 memory loss. I'm trying very hard here.

11 Q. Do you ever remember, Mr. Watkins, that
12 the Department of Industrial Safety came and
13 inspected the plant because of a problem of an
14 employee who had become overcome by fumes?

15 A. Overcome by fumes?

16 Q. Yes.

17 A. Who came?

18 Q. Division of Industrial Safety.

19 A. What do you mean overcome, fainted or
20 didn't feel well or thought he smelled something?

21 Q. Or whatever.

22 A. What do you mean by overcome?

23 Q. I mean he fainted.

24 A. Fainted, no.

1 Q. You don't remember the Division of
2 Industrial Safety coming to investigate the plant,
3 inspecting the plant?

4 A. What year was this they came?

5 Q. 1965.

6 A. I certainly don't recall anybody fainting
7 and somebody coming to see what happened.

8 Q. Do you remember the Division of
9 Occupational Hygiene of the Commonwealth of
10 Massachusetts, Department of Labor and Industries
11 coming to inspect the plant in the mid sixties
12 during the time you were associated with the plant?

13 A. Not specific. I remember Mr. Comproni.

14 Q. You remember him inspecting the plant?

15 A. I remember him specifically reacting to
16 the phosphine gas thing. What other inspections he
17 conducted, like the ones cited here, I don't
18 remember specifically. I seem to remember a little
19 bit about roof fins, you know, the 36 inch in
20 diameter and so forth. The rest of this, we'll see.
21 Spray booth is also utilized for the spraying of
22 enamel thinned with xylene. I don't remember that.

23 Spraying equipment is cleaned with
24 small quantities of trichloroethylene. Pointed out

1 that the cleaning operation should be carried out
2 in front of the spray booth --

3 Q. Let me ask you this, Mr. Watkins.

4 A. No, if you just put these naked paragraphs
5 in front of me, they would mean nothing to me now
6 after twenty years.

7 Q. It says on the third page of this Watkins
8 Exhibit 1 on the last paragraph: The large spray
9 booth is also utilized for the spraying of enamel
10 thinned with xylene. Do you have any knowledge
11 whether that's a true statement or not?

12 MR. FREDERICO: Objection.

13 A. Spray booth is also, you're talk about --
14 wait a minute, what page? You talking about this?

15 Q. Yes, last paragraph. You just read it.

16 A. I just read it.

17 Q. Any knowledge of whether there was a large
18 spray booth that was utilized for spraying of
19 enamel thinned with xylene?

20 A. No, I have no specific recall.

21 Q. Do you have any knowledge whether the
22 Woburn plant used xylene during the time you were
23 associated with the Woburn plant?

24 A. You asked me that question before and I

1 don't. You asked me about xylene and I said it is
2 mixed up in my mind with an awful lot of other "enes".

3 Q. There were a lot of "enes" at the plant?

4 A. A lot of "enes" in industry that I have
5 heard about or read about or had said in front of
6 me.

7 Q. Well, were there a lot of "enes" to your
8 knowledge at the Woburn plant during the time you
9 were associated with the plant?

10 A. They were not --

11 You're asking such senseless
12 questions. There are no such things as an "ene".
13 What are you asking me about things that don't even
14 exist for? Come on, judge, off the pedestal and
15 back to the data.

16 (Off the record comments).

17 Q. Would you look at Shalline Exhibit No. 11?

18 A. Why don't you open the door.

19 Q. He is free to leave and go out and take a
20 walk.

21 A. That's confinement. You know he doesn't
22 want to leave and why --

23 Q. You want to move your deposition out to
24 the parking lot so Mr. Cheeseman can get some air?

1 MR. CHEESEMAN: Just finish it up as
2 quickly as you can.

3 A. Human interest. Crack the door open a few
4 inches.

5 Q. Mr. Cheeseman is all right. Shalline
6 Exhibit 11.

7 A. Can we go by these?

8 Q. You can go by these. Shalline Exhibit 11.

9 A. Come on.

10 Q. I didn't black it out, Mr. Watkins.

11 A. What am I supposed to recall? You show me
12 a piece of paper. This doesn't even make sense.

13 Q. It doesn't make sense to me but this is
14 how it was given to me by the attorney of W. R.
15 Grace. I think it is absurd. You think it is
16 absurd?

17 A. I didn't say that for the record.

18 Q. You didn't say that. What did you say?

19 A. I said it doesn't make sense to expect me
20 to recall anything from a piece of paper that's all
21 blanked out.

22 Q. That's quite --

23 A. Quod erat demonstrandum.

24 Q. Absolutely. Mr. Watkins, would you

1 examine Shalline Exhibit 11?

2 A. I have it in my hand.

3 Q. You recognize this document at all?

4 A. Absolutely not.

5 MR. CHEESEMAN: The witness hasn't
6 looked at the second page yet.

7 A. Well. Who is Stephen Rogers? P O what?
8 This is part of a purchase order. It must be or it
9 is a requisition. It says trichloroethylene. One
10 55-gallon drum. What am I supposed to make of this?

11 Q. It says Stephen Rogers. Do you recognize
12 on the second page, do you recognize Stephen Rogers
13 as a company that the W. R. Grace plant did
14 business with in the 1960's?

15 A. No, I did not. I thought it was an
16 individual's name.

17 Q. So you have no knowledge of what company
18 the W. R. Grace Woburn plant did business with in
19 1960's concerning purchasing of trichloroethylene?

20 A. No, I don't.

21 Q. Exhibit, Shalline Exhibit No. 12. Do you
22 recognize that document?

23 (Witness looked at document).

24 A. Here it is. All chemicals are disposed of

1 through the town of Woburn sewage system. I don't
2 remember that. You know, I don't react to all
3 chemicals, but I really don't know what became of
4 them.

5 Q. Let me show you Shalline Exhibit 12. Do
6 you recognize that document?

7 A. No.

8 Q. Never seen it before?

9 A. Probably. It's got my name on it.

10 Q. But you don't remember seeing it before?

11 A. No, I don't.

12 Q. You don't remember Mr. Stoler showing it
13 to you?

14 A. If this sentence or the substance of it is
15 repeated in another memo, I would be confused as to
16 whether I show you this piece of paper or the other
17 piece of paper, but I seem to remember only seeing
18 it once. Now this sentence in the middle: All
19 chemicals are disposed of through the town of
20 Woburn sewage system. Mark showed me something
21 that had that kind of a sentence in it.

22 Q. Let me ask you, and according to your
23 knowledge when you were associated with the Woburn
24 plant, were all chemicals disposed of through the

1 town of Woburn sewage system?

2 A. Do I know that all chemicals were disposed
3 of?

4 Q. Yes.

5 A. No, I did not know that.

6 Q. And you don't have any other memory or
7 recollection of this document?

8 A. No.

9 Q. And Shalline Exhibit No. 14.

10 (Witness looked at document).

11 A. This is 14. That's another beauty. How
12 do I play the violin on the first page? Or the
13 second page? That's a great score. Or the third
14 page?

15 Q. Shalline Exhibit 14, do you recognize that
16 document?

17 A. Of course not. How could I? There is
18 nothing visible.

19 Q. Because it is all blacked out?

20 A. Most of it. Wait a minute. We're on page
21 five: Picked up daily by Frank Sarno Disposal
22 Company. Woburn plant rubbish is picked up daily.
23 Then we go on here. Who is this to? And it is
24 from Shalline and it evidently asked him for a

1 summary report as to how we dealt with all our
2 matters, electrical, gas. This would be typical.
3 This is a time of the year to do such a thing,
4 summarize it all, snow removal, who was coming into
5 the picture, office cleaning, plant protection.
6 Now this indicates to you that Paul was the person
7 to give these type of answers regarding --

8 Q. Use of chemicals?

9 A. Housekeeping -- use of chemicals.

10 Q. Yes?

11 A. Well, he had two functions. He was plant
12 superintendent in charge of the foremen in matters
13 of production, therefore involved in the
14 application. Why you would purchase certain
15 chemicals, because you wanted to use them, and also
16 the other end of his job as plant maintenance type
17 of person where he would be concerned with
18 disposing of the same chemicals. But you know, you
19 have several things, I see Hartford Steam Boiler
20 and Fire Extinguishers, those require now and
21 probably required then yearly inspections by proper
22 outside agencies.

23 Q. Do you remember receiving a memo from Mr.
24 Shalline concerning -- which listed the chemicals

1 which were used or projected for use at the Woburn
2 plant?

3 A. Specifically, no.

4 Q. Do you remember ever receiving this
5 document, Shalline Exhibit No. 14, from Mr.
6 Shalline at any time?

7 A. Specifically, no. Such practices in this
8 and other plants is very customary. Summary
9 information at a certain time of year regarding all
10 such activities. Do I specifically remember this
11 particular document? No, I do not.

12 Q. Mr. Watkins, to your knowledge at any time
13 were any trenches or pits dug to the rear of the
14 Woburn plant in which chemical waste products were
15 dumped?

16 A. Absolutely not.

17 Q. To your knowledge at any time during the
18 time you were associated with the Woburn plant were
19 chemical waste products disposed of in any drainage
20 ditches?

21 A. Drainage ditch? You mean gutters, open
22 gutters out on the road or something like that?

23 Q. Drainage ditches on the ground to the rear
24 of the plant?

1 A. Not unless they went into the town
2 sewerage system.

3 Q. But do you have any knowledge at any time
4 whether --

5 A. Specificallyly went over to a certain
6 place and dumped something?

7 Q. Yes.

8 A. No. In fact I didn't know where they did
9 do this into the town sewerage system. You know, I
10 don't know which, obviously there was an effluent
11 passage. I always thought it was within the
12 building somewhere.

13 Q. But you don't know where?

14 A. No. I never saw it done outside.

15 Q. Do you know, Mr. Watkins, that paint
16 sludge was one of the byproducts of the
17 manufacturing process at the Woburn plant?

18 A. Paint sludge? You mean as a result of
19 scraping off paint or that kind?

20 Q. Using the spray booth?

21 A. You'd have to clean the spray booth, you
22 know, there is a back drop and so forth.

23 Q. How often would you have to clean the
24 spray booth?

1 A. How often?

2 MR. CHEESEMAN: Object to the
3 question.

4 A. Often enough to keep it clean.

5 Q. How often would that be?

6 MR. CHEESEMAN: Objection.

7 A. As much as necessary to keep the thing
8 functioning.

9 Q. I understand. During the time you were
10 associated with the Woburn plant, how many times to
11 your memory on a weekly basis was the spray booth
12 cleaned?

13 A. Wait a minute. You just put some words in
14 my mouth. How many times on a weekly basis? I
15 didn't say anything about a weekly basis.

16 Q. I'm asking. How many?

17 A. I said as often as necessary to keep the
18 thing clean and functioning and under heavy work
19 load conditions, who knows, that might be every day.
20 Under other conditions it might be once in three
21 weeks.

22 Q. To your knowledge, then, sir, best of your
23 memory, from the time you were associated with the
24 Woburn plant --

1 A. Is that the sludge you're talking about?

2 Q. The spray booth was cleaned anywhere from
3 a daily basis to three weeks; is that right?

4 A. I think three weeks is really stretching
5 it because it wouldn't function that long, unless
6 we had a period of time where nothing was being
7 done.

8 Q. So what would be the range to the best of
9 your memory when it was cleaned?

10 A. Weekly on the average.

11 Q. Cleaned on a weekly basis. Now when you
12 say cleaned, how was it cleaned?

13 A. Well, I think it would have to be scraped
14 down, literally. I'm trying to recall whether any
15 steam cleaning was used. I don't think we had the
16 facilities for that. I think it was a matter of
17 scraping and squeegee and maybe some solvent to
18 thin the stuff out a bit so you could work it.

19 Q. So solvents to your knowledge were used to
20 thin, to clean the spray booth?

21 A. I would say my experience with paint
22 anywhere is that you have to use something to thin
23 it out so you could scrape it and work it.

24 Q. And these scrapings, this residue that was

1 left over, this material was collected in some
2 container?

3 A. Oh, yes.

4 Q. What container was it, a 55-gallon drum?

5 A. I don't know.

6 Q. Don't know?

7 A. Certainly wasn't left on the floor in a
8 waste paper basket, so it must be in some container.

9 Q. What happened to this container?

10 A. Be disposed of. It would be by whatever
11 means Paul had. It was, that sort of thing would
12 be no longer any use to us. It would be put in
13 some kind of a container and taken away by whatever
14 authority Paul had arrived at as proper for the
15 performance of such things by industry in that town
16 at that time.

17 Q. All right. Well, to your knowledge at
18 that time in that industry at that time, what was
19 the proper means of disposing of the paint sludge
20 material?

21 MR. FREDERICO: Objection.

22 MR. CHEESEMAN: Objection.

23 A. I just answered that the best I can. I
24 don't know.

1 Q. You don't know what the practice was?

2 A. Specifically, no. I couldn't take you
3 through it.

4 Q. You don't know what happened to the sludge
5 material?

6 A. No, I don't.

7 Q. Do you ever know if the sludge material,
8 the paint sludge material, was ever disposed of on
9 the ground to the rear of the plant?

10 A. I doubt it very much.

11 Q. Why do you doubt it?

12 A. Very, very much.

13 Q. Why do you doubt it so much?

14 MR. CHEESEMAN: Objection.

15 MR. FREDERICO: Objection.

16 Q. Why do you?

17 A. I go back to performance on housekeeping
18 and neatness. People were not taking stuff out and
19 dumping it all over the ground. No way.

20 Q. No way. Did you ever give order that that
21 shouldn't be done?

22 A. Orders as far as, you know, pounding
23 somebody in the nose, no, but it was the
24 administrative atmosphere and safety meetings. It

1 is the way foremen meet. It is the way people
2 expected themselves to behave. You know, you don't
3 probably have to give your wife orders that you'd
4 like to have the house clean all the time or
5 cleaned once a year at least. It gets done.

6 Q. In your opinion, then, sir, would the
7 disposal of sludge material during the 1960's on
8 the ground to the rear of the plant have been
9 contrary to company policy as you understood it to
10 be?

11 A. Yes.

12 MR. CHEESEMAN: Objection.

13 MR. FREDERICO: Objection.

14 A. Policy was never produced as such. You
15 know. We didn't get any edict from on high, but we
16 were very conscious and we were part of a rather
17 elite organization and we were neat people and we
18 didn't do things like that.

19 MR. CHEESEMAN: Move to strike.

20 (Off the record discussion).

21 A. Who says I'm not telling you the truth?

22 What was the meaning of that remark?
23 My back is a little up here. I'm a truthful person.
24 That's what I'm trying to do here and you say we

1 have to come back until you get the truth. Now put
2 that on the record. I strongly object to that
3 statement. I hope some judge reads it.

4 Q. It is right there in the record, Mr.
5 Watkins. Whatever you say is on the record.

6 A. You just be careful what you say.

7 Q. And you be very careful what you say. Now,
8 Mr. Watkins, today when we took a break for lunch,
9 you had lunch with Mr. Stoler and Mr. Cheeseman; is
10 that right?

11 A. Uh-huh.

12 Q. And you discussed things with them; is
13 that right?

14 A. Yeah, I discussed books, libraries, Latin
15 and Greek literature, the editorial writer in the
16 Boston Globe whom I once knew and the article in
17 the Globe yesterday, a very good one concerning the
18 larger meaning of the fight that was recently held
19 for the middle weight championship.

20 Q. Mr. Watkins, will you discuss with me
21 without the presence of anybody else your memory of
22 what took place during the time you were associated
23 with the Woburn plant?

24 A. Would I?

1 MR. FREDERICO: Objection.

2 Q. Yes.

3 MR. FREDERICO: I'm not sure if I
4 understand.

5 MR. CHEESEMAN: He wanted to know if
6 he can have a private conference with the witness
7 at some point to talk about this case.

8 A. I'm under oath now. I had said previously
9 to all parties that I would not discuss with either
10 side unless the other side was present. You'll
11 have to instruct me and you'll have to instruct me
12 now that I'm under oath, is that something I cannot
13 insist upon any longer?

14 MR. CHEESEMAN: You have no
15 obligation to talk to anyone in this case except
16 according to a subpoena. In the case I have spoken
17 about, we're all entitled to be present.

18 A. I've been subpoenaed.

19 MR. CHEESEMAN: That's right.

20 A. Okay. Now, I really need instruction here.
21 I don't know.

22 Q. I'm just asking. You are free to, you are
23 free not to. I'm asking you, Mr. Watkins.

24 A. Wait a minute. I am free not to at what

1 hazard?

2 Q. No hazard. You are perfectly within your
3 rights, your own choice, sir.

4 A. Then I'll stick to my previous statement,
5 be perfectly willing to discuss with any of you in
6 the presence of the other side anything you want to
7 discuss. I have absolutely nothing to hide. I'll
8 do the best I can for you. Would I discuss with
9 you privately? Only if the subpoena, which I don't
10 understand, required that I not say no. So I'm
11 asking legal minds here. Do I have to talk to him
12 privately now that I'm under oath?

13 Q. No, absolutely not.

14 A. All right. Then I won't talk to you
15 privately. I'll talk to you all together or nobody.

16 Q. Have you been shown, Mr. Watkin, have you
17 been shown any depositions that have taken place in
18 this case?

19 A. No, no depositions.

20 I know of depositions that have
21 happened, but I haven't seen the material of any
22 depositions or the report out or the results of
23 them or whatever happened.

24 MR. SCHLICTMANN: It is four o'clock.

1 We're going to suspend the deposition and it will
2 be continued at another time convenient to the
3 parties. Thank you very much, Mr. Watkins.

4 (Deposition recessed at 4:05 PM).
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1 Excerpt from Rule 30 (e):

2 Submission to Witness; Changes;
3 Signing. When the testimony is fully transcribed
4 the deposition shall be submitted to the witness
5 for examination and shall be read to or by him,
6 unless such examination and reading are waived by
7 the witness and by the parties. Any changes in
8 form or substance which the witness desires to
9 make shall be entered upon the deposition by the
10 officer with a statement of the reasons given by
11 the witness for making them.

12 * * * * *

13 I, JAMES WARREN WATKINS, have read
14 the foregoing transcript of my testimony and it is
15 true and correct to the best of my knowledge,
16 information and belief.

17 _____
18 Deponent's Signature

19 That on _____, 1985, the
20 foregoing deposition was submitted to JAMES WARREN
21 WATKINS, the witness, for examination and was read
22 by the witness, at which time any changes desired
23 were entered upon the deposition, and that
24 thereafter the deposition was signed by the witness
before me.

Notary Public in and for the
Commonwealth of Massachusetts.

My Commission expires

W. R. GRACE & CO.

CRYOVAC DIVISION

MAIN FILE

369 WASHINGTON STREET • WOBURN, MASSACHUSETTS • TELEPHONE: WELLS 3-7500

March 9, 1965

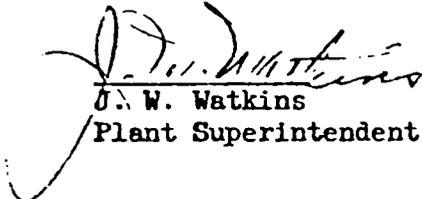
Mr. Hervey B. Elkins, Director
Commonwealth of Massachusetts Department
of Labor & Industries
Division of Occupational Hygiene
286 Congress Street
Boston 10, Massachusetts

Dear Sir:

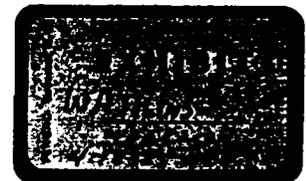
We are in receipt of your Mar. 4 letter with Mr. Comproni's excellent Report attached. We greatly appreciate such information from qualified specialists as our active policy is to protect our employees from health hazards.

Your requirement concerning the ventilation at the buffing wheels will be taken care of.

Very truly yours,


J. W. Watkins
Plant Superintendent

JWW/sg



65-272

March 6, 1965

Mr. Eric Myers, Personnel Manager
W. R. Grace & Company, Cryovac Division
369 Washington Street
Woburn, Massachusetts

Dear Mr. Myers:

Enclosed is a report by our Industrial Hygienist, Mr. E.M. Compton on a visit made to your plant on February 17th.

The air tests taken at the stainless-steel welding operation revealed concentrations of nickel and chromium well within safe limits.

Ventilation measurements at the buffing wheels, however, revealed airflow far below standard in requirements and it is recommended that ventilation of these units be increased. A copy of our bulletin on ventilation of buffing wheels is enclosed.

Very truly yours,

Harvey B. Elkins
Director

HBE/LL
Encl:

main 15,271

65.271

February 23, 1965
OCEANVILLE

No. 2578

TO: Dr. Elkins
FROM: Mr. Compton
SUBJECT: W. R. Grace & Company, Cryovac Division, 369 Washington Street, Webu
PERSONS: Mr. J. W. Watkins, Superintendent
INTERVIEWED: Mr. Paul Shalline, Safety Chairman
Mr. Eric Myers, Personnel Manager
DATE OF VISIT: February 17, 1965

369 Washington Street, Webu
OCEANVILLE

No.

A visit was made to this plant to check the ventilation at the various operations.

During the visit it was learned that this company fabricates stainless-steel meat-packing equipment. Two stainless-steel welding operations are carried on in one corner of the plant. Uncoated stainless-steel welding rod is utilized in a shielded inert-gas welding operation. Helium or argon are used as the inert gas.

Three roof fans, 36 inches in diameter, are located near this area. Each fan is rated at approximately 25,000 c.f.m. A 24" wall fan rotating at 800 rpm and rated at 5000 c.f.m. is located in the wall adjacent to the welding enclosures.

The two welding areas (20'x20') are provided with 7-foot curtains, to shield the ultraviolet light. A small Buffalo forge exhaustor with a 6" inlet is located in a wall adjacent to this area, and was formerly used when aluminum was being welded. The flexible extension with a hood has not been utilized for stainless steel because the workers do not feel that local exhaust ventilation is necessary. This exhaustor is capable of ventilating at a rate of approximately 400 c.f.m. at one inch of static pressure.

Two 12" buffing wheels are located in an adjacent area, and are provided with a self-contained ventilation system with 3" branch ducts. The system has a bag-type collector and recirculates the exhaust to the room atmosphere. An analysis by this laboratory of the Lea Buffing Compound (sample number 2578) disclosed that this material contains aluminum oxide as the abrasive.

2578

A large spray booth is also utilized for the spraying of enamel thinned with xylene. The spraying equipment is cleaned with small quantities of trichloroethylene. It was pointed out that the cleaning operation should be carried out in front of the spray booth so that the trichloroethylene vapors will be discharged to the outside atmosphere.

A small amount of zinc plating is also carried out at this plant. The hot-water rinse tank and the caustic tank are provided with local exhaust ventilation. Measurements taken at the center of the tanks indicated an airflow of approximately 50-75 l.f.m. The ductwork for this system had several 90° connections and was in poor condition. It was suggested that the elbows be made less than 45° when this system is repaired, to fully utilize the ventilation. It is estimated that this system is capable of exhausting at a rate of approximately 800 c.f. m.

Atmospheric tests were obtained at the stainless-steel welding operation with the Staplex high-volume air sampler at a rate of 22 d.f.m.

<u>SAM- PLE #</u>	<u>TIME IN MINUTES</u>	<u>NICKEL mg per cu- bic meter of air</u>
1	15	0.01

MAXIMUM ALLOWABLE CONCENTRATION 1.0

<u>SAM- PLE #</u>	<u>TIME IN MINUTES</u>	<u>CHROMIUM mg per cubic meter of air</u>
1	15	0.005

MAXIMUM ALLOWABLE CONCENTRATION 0.1

It can be seen from the above tables that the atmospheric concentrations of nickel and chromium did not exceed the maximum allowable limit.

Ventilation measurements were made at the various units, and the results are tabulated below.

<u>LOCATION</u>	<u>DUCT DIAM. (IN.)</u>	<u>STATIC PRESSURE (IN. W.G.)</u>	<u>CALCULATED AIRFLOW (C.F.M.)</u>	<u>REQUIRED AIRFLOW (C.F.M.)</u>	<u>REMARKS</u>
<u>12" BUFFER</u>					
LEFT	3	.2	80	500	INADEQUATE USE 5" BRANCH DUCT
RIGHT	3	.1	55	500	" " " " " "
SPRAY BOOTH			300	150 (L.F.M.)	ADEQUATE

It can be seen from the above table that the ventilation for the buffers was far below the minimum required. The 3" branch ducts should be enlarged to a 5" branch duct, and each wheel should be exhausted at a rate of 500 c.f.m. The spray booth is being exhausted adequately.

In view of the above it is recommended that the ventilation for the two buffing wheels be brought up to a minimum of 500 c.f.m. each, and a 5" branch duct be provided for each wheel. Bulletin #617 is enclosed.