

Swinerton NOTES

understanding that that is what Swinerton did for  
2 Libbey-Owens-Ford?

3 MS. KELLY: Object to the extent that it  
4 assumes facts. No foundation.

5 BY MR. SATTERLEY:

6 Q. Based upon everything you've read to prepare  
7 yourself for this deposition?

8 A. Yes. I mean, with this, it did sound like we  
9 were doing a typical building, machinery, piping, which  
10 would have included ironworkers, pipefitters.

A. "Libbey-Owens-Ford, new West Coast plant, when  
6 complete, will comprise a new 'Front Glass' [sic]  
7 manufacturing facility as well as their now completed  
8 (by Swinerton & Walberg Company) bending plant for the  
9 production of automobile windshields and rear windows.

10 "Although they have no -- although we are the  
11 general contractor and are doing much of the  
12 construction work ourselves, our administrative and  
13 management personnel have been integrated with those of  
14 LOF to produce a design-build team. LOF is going -- is  
15 doing their own design.

16 "Principally, the subcontractors will be  
17 electrical, roofing, excavation, grading, sheet metal,  
18 and painting, as well as many smaller items. We were  
19 selected to perform the latest large addition  
20 (18 million) primarily due to our successful performance  
21 and initial project started in 1961.

22 "Although the details of the 'Float Glass'  
23 process are a largely-guarded industrial secret, it does  
24 involve sophisticated instrumentation, extensive process  
25 piping, complex heat, and atmospheric control. We will be  
doing all the mechanical work with our own forces as  
2 well as -- as was done in the initial plan."

Q. And then under 4108, it has section C,

14 "Sanitation Facilities. Employers. . ."

15 Swinerton was an employer in the 1960s; right?

16 A. Yes.

17 Q. "Employer shall provide a change room with  
18 adequate storage facilities for clothing, such as  
19 lockers or isolating clothing racks, shower, baths, and  
20 lavatories having hot and cold running water in every  
21 place of employment where the lack of such facilities  
22 would be detrimental to health."

23 Do you see that?

24 A. Yes.

25 Q. Did Swinerton have such facilities at Libbey-Owens-  
Ford in the 1960s?

2 MS. KELLY: I'll just object again that it  
3 assumes facts. No foundation. Overbroad as to time and  
4 scope. Argumentative.

5 Go ahead.

6 THE WITNESS: I don't know whether they did or  
7 did not. And, then again, this is a vertical standard  
8 specific to --

9 BY MR. SATTERLEY:

10 Q. I'm sorry. It's what?

11 A. This is a vertical standard specific to dust  
12 fumes and vapors if you were doing that kind of work,  
13 which I'm not aware that we were doing that kind of  
14 work.

15 Q. You guys do it -- you're a construction  
16 company; right?

17 A. Yes.

18 Q. And a construction company doesn't create dust?

19 MS. KELLY: Objection. Argumentative.

20 THE WITNESS: There can -- there can be dust  
21 generated by operations.

22 BY MR. SATTERLEY:

23 Q. Okay. So would it be fair to say -- I've never  
24 been a construction worker other than maybe summertime.  
25 But it's fair to say construction work creates dust;  
right?

2 A. Yes. But that's why you have threshold limit  
3 values. There's harmful levels, and there's background  
4 levels. I mean, you could take a sample here and come  
5 up with dust in this room, but it doesn't mean you're  
6 exposed to a harmful level.

7 Q. And so what's the earliest that you're able to

8 say that Swinerton as a construction company took  
9 measurements to figure out whether somebody's being  
10 exposed to a harmful level of dust?

11 A. I can only speak to when I came.

12 Q. Okay.

13 A. Prior to that, I never asked the question back  
14 when anybody that was around then would have been doing  
15 that because it didn't pertain to my work. So it was  
16 not an issue. There was no reason to go back and look  
17 at the historical records.

EXH 19 2 PAGES OF ASBESTOS WC CLAIMS