

public on our website at <http://www.MSHA.gov>. Also, the sample results will be made part of the rulemaking record if we move forward on this.

The issues surrounding asbestos exposure are important to MSHA, and we will use the information provided to us at these public meetings to help us decide how best to proceed to address these five issues. So we want to hear your views. These meetings will give mine operators, miners and their representatives and other interested parties an opportunity to present their views on these five issues that are considering for potential rulemaking action.

The format of this public meeting will be as follows -- formal rules of evidence will apply and this meeting will be conducted in an informal manner. Those of you who have notified MSHA in advance of your intent to speak, or have signed up to speak today will make your presentations first.

After all scheduled speakers have finished, others can request to speak. When the last speaker is finished, we will conclude this public meeting. If you wish to present any written statements or information today, please clearly identify your material. When you give it to me, I will identify the material by the title as submitted.

You may also submit comments following the meeting. Please submit them to MSHA by June 27, 2002, which is the close of the comment period. Comments may be submitted to MSHA by electronic mail, fax or regular mail. Please note that MSHA headquarters office in Arlington, Virginia will be moving on June 10th, and therefore, we will have a new address, telephone and fax information. We will provide this information for those of you who might want it in the back of the room.

A verbatim transcript of this public meeting will be made available upon request to the public. If you want a personal copy of the meeting transcript, please make arrangements with the court reporter, or you may view it on MSHA's website. We will put it on our website as well. It will be posted there within five days after this public meeting. The procedures will also be the same for other public meetings we will be conducting.

We will begin with persons who have registered or have requested to speak. And to ensure that we obtain an accurate record when you speak, please begin by clearly stating your name and organization for the record.

Our first speaker today is -- okay, are there any other speakers, he had requested to go later. Ms. Mary Hall, would you like to speak? Would you step forward, please.

MS. HALL: My name is Mary E. Hall, 25 Main Street, Philadelphia, New York. I'm the wife of the deceased Lynn D. Hall. He was an employee of the W.H. Loomis Talc Company, Philadelphia, New York. Also, the St. Joe's Lead Mines.

From 1941 to 1953, he was employed -- I believe those were the dates -- at the W.H. Loomis Talc Company. Somewhere around that time, he also worked in the St. Joe's Lead Mines. At that time, he fell several feet one evening caused by dynamite fumes. At that time, he couldn't go back to work. They told him the best thing he could do was to get out in the country in the fresh air, and stay out there because he had exposures. They did tell him that. So he never went back.

He tried at that time to continue to work in an

EXHIBIT 3

environment where there is lots of fresh air, but gradually we moved into the village. And at that time we moved because his health was getting bad, bad, bad. He was on a continued concentrator -- oxygen concentrator, plus if went anywhere, he had to take portables with him.

He enjoyed boating, and a lot of things, so we were able to take portables and do those things with him. It was very hard for him to live at that time. It got terrible. He lost 90 some pounds. He was doctoring with doctors in Ogdensburg, Dr. Loinaz -- a group of them. and then, they turned it over to a lung specialist.

At that time, I guess, it was too late. from what the lung specialist told us. He wished he'd came a lot earlier. He might have been able to relieve him of a lot of his pain and distress he was going through. But I believe from the time -- we moved uptown in 1981, he was progressively going downhill, downhill, downhill, due to this talc exposure.

He had to go to several hearing in Syracuse. Finally, they brought some mineralogists up from Kentucky and they witnessed his health records, and whatever was available at that time. And they gave a diagnosis that he was exposed to asbestos, and what he had I believe started with "M". I can't say the word.

MR. PETRIE: Mesothelioma?

MS. HALL: That's right. But he suffered terrible. He did go to hearings as long as could, then they brought them into Watertown where it was closer. He passed away in 1985. After that, I went to hearing, I think, in Syracuse and then they brought them into Watertown. I had to go to regular meetings there with an attorney who -- associations. And then finally I settled on some much semi-weekly to me, which was -- it's hard to survive off that, I'll tell you, because it was based back in the '50s on the wages they earned at that time.

We had some money saved. Every bit of it we had was used for his health. We had to pay those bills. He had no insurance. We'd had insurance, and they dropped him because of the bills came to so much that they wouldn't carrying him on it. So they took me off, too. Well, then we started in our case in Syracuse because I was going in the hospital so much.

So I had to go through a series of tests myself at Syracuse because they thought I was exposed to talc, which I do have a case, too, 75F. This is 75 -- mine is 75F. I just recently in the last year started on some machines where I have to get extra -- it's a machine and it has a hose that I have to use it all the time -- quite often. They tell me to use it 5 times a day that makes me breath easier and it opens up my lungs.

But they did tell me down in Syracuse and also, in Florida. I had to go to Florida. I lost a brother down there this winter, and I had to go into the hospital two days after I got down there. And they took one of the x-rays of mine, and when she came out, she said, "Have you ever been exposed to dust of any kind?" I said, "Yes, my husband used to come home when he worked for Loomis with his clothes just white. And his dinner pail. His car was white. He was bringing that home every day to his children and to me. We had two little ones at that time.

We didn't realize at that time what it was doing to the family with the talc all over his clothes, and I had to wash them. His car was continuously covered with talc.

We lived in an old house in Fowler, New York. We lived there with those two children. He worked at the talc mine at that time, and then at the St. Joe's Lead Mines.

All I can say is he had a brother that lived away and he came home to see him one time. He couldn't believe it was his brother because he'd failed so. That talc is terrible. I tell all my family, if you have any children, don't use any talcum powder or anything that has talc in it. Keep away from the talc, even the sand has it now. There are so many places of exposure that people don't realize, but I have begun to realize a lot of it.

The death is terrible. That's all I can say. My husband died at 58. I had a son left at home, and he seen his father go through this. I wish he had been able to come with me today. It would have been a great help, but he wasn't able to because he has a business out of state.

All I can say is that I hope they do change the fiber or change whatever they need to on this talc because it is doing something to workers. It did. I don't know about right now, but I do know then that the exposure was terrible. They had no ventilation. They had no bathrooms at that time where they could change before they came home. That's why we all got so much exposure, I believe -- the families did.

I believe that's -- I probably could tell you a lot more, but my memory right now -- I guess that will be it for today.

MR. PETRIE: Thank you very much for your presentation. You have our deepest sympathy of the loss of your husband and your own personal illness.

MS. HALL: I will just pray each and every day that something is done to help the workers of today so it doesn't happen to them.

MR. PETRIE: I just have one question. Where is the location of the operation where your husband worked?

MS. HALL: It's on Popple Hill, this side of Fowler.

MR. PETRIE: It's here near Canton?

MS. HALL: Huh?

MR. PETRIE: It's here near Canton?

MS. HALL: No, no, it's between Gouverneur and the little town of Fowler, New York. Gouverneur, New York and Fowler, New York. It's closer to what they would call Fowler and Balmat.

MR. PETRIE: Okay.

MS. HALL: The mill is still there. It's sits back from the road because they -- it used to be closer to the road, and when they put the new highway in, it sits back in a ways on a hill. That's where he got so much of his work done as a packerman. That's where he got exposed so much. They said he was the best packerman he had, and they showed him with --

MR. PETRIE: Thank you very much.

MS. HALL: Thank you.

MR. PETRIE: Next, Peter Rocca? Did I pronounce that correctly?

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MR. ROCCA: I've been in the talc mining industry since I was 18 years old. I first worked when I was going to college in 1948 for St. Joe Lead at Edwards for a short time. And my first talc mining experience as an assistant engineer at the Loomis Talc Company, an underground mine -- several underground mines. One at the site of the current

current program. I've taken up enough of your time. Thank you.

MR. PETRIE: Thank you, Mr. Rocca. I just have one quick question. You may have mentioned it. When were you last employed at the talc operation?

MR. ROCCA: When the Vanderbilt Company took over the operation in 1974.

MR. PETRIE: 1974?

MR. ROCCA: In fact, when they announced that our properties had been sold, my general manager told me, you're one person that doesn't have to worry about a job because with your background here, and your knowledge of the talc and your knowledge about the open pit, you'll never have to worry about a job. They never interviewed me for a job. They didn't interview anybody.

MR. PETRIE: You had started in the industry in what year?

MR. ROCCA: I started in 1951.

MR. PETRIE: '51? Over that time period, did you note any kind of changes, and controls, or exposures, use of respiratory protection -- anything of that nature?

MR. ROCCA: They tried to. The analysts at International Talc -- especially, whoever handled the fibrous talc, they tried to use battery-operated breathing apparatus, and most of the employees' lungs were so bad that it restricted their breathing to the point where they couldn't use them. But I wasn't -- I wasn't, basically, associated with the mining.

In our open pit mine -- I don't know how they handle it now, but was strictly a dry drilling operation and considerable amount of dust from it -- crushing operation the same way.

MR. PETRIE: Does anybody else have any questions -- Allen, Sharon, Debra?

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MR. PETRIE: Thank you, Mr. Rocca. All right, next we have John Kelse with R. T. Vanderbilt. We'll have to take just a moment to make sure this projector is set up. Why don't we go off the record momentarily while we do that, and we'll go back on in just a few minutes.

(A short recess was taken at 9:39 a.m.)

MR. PETRIE: We're going to reopen the meeting at this time. Mrs. Hall wanted to make one additional statement. We'll ask her up to the table here to do that, and then Mr. Kelse will make his presentation. Go ahead, Mrs. Hall.

MS. HALL: I'm Mary Hall from Philadelphia, New York, wife of deceased Lynn D. Hall of the same residence at the time of death. I would like to add on to what I've already said that prior to meeting my husband, he had worked -- when he was about 15 years old, they had hired him a place called Talcville. I understand there was a talc mill at that time at Talcville.

Back in I would say probably the late '30s, 1940, somewhere in there. This was stated on his settlement claim. It was St. Mark's Liquid Corporation they called it. That was the name of it. That talc mill is not being operated any more, but it was at that time. And I noticed, when I was going to hearing, that this appeared all the time -- St. Mark's Corporation, and I went to inquire where it was. They said it was in Talcville, New York.

I studied back and found out that during our court hearings that he had to have been about 15 years old when

they hired him under age. So that was the beginning of his talc days. So I needed to add that, and I thank you very much.

MR. PETRIE: Thank you, Mrs. Hall. We've had one additional speaker sign up. We will go ahead and ask this individual to speak before Mr. Kelse. I'm not sure if I can read the writing here Dana Partman?

MR. PUTMAN: Putman.

MR. PETRIE: Putman, sorry.

MR. PUTMAN: The only thing I want to say is that I worked for International Talc from around 1970 to 1974, and I worked for Gouverneur Talc, and there's a vast difference in the air quality of inside the mill buildings between International Talc and Gouverneur Talc. There is just no comparison.

The dust was very visible all the time in the International Talc Company mills and the air is very, very much better -- it's excellent in the Gouverneur Talc Company mills. That's really all I wanted to say.

MR. PETRIE: Let me ask you just one or two questions here. When you worked at International Talc, were employees at that time using respirators?

MR. PUTMAN: Some of us did.

MR. PETRIE: How about currently?

MR. PUTMAN: We're required to now.

MR. PETRIE: Can you state your address for the record, too, please.

MR. PUTMAN: 4478 State Highway 58, Gouverneur 13642.

MS. JANES: It's Dana Putman?

MR. PUTMAN: Right.

MR. PETRIE: Thank you, Mr. Putman. Did anybody else have any questions for Mr. Putman?

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MR. PETRIE: Well, with that, we'll go to the last speaker who has signed up. Mr. Kelse?

MR. KELSE: My name is John Kelse. I'm an industrial hygienist, and I manage the Corporate Risk Management Department for the R.T. Vanderbilt Corporation in Norwalk, Connecticut.

Some of my duties are basically health safety and environmental product risk -- sort of the whole ball of wax. I've been with the R.T. Vanderbilt Corporation since 1985. And since the day I came in, it seems that a good deal of my time has been syphoned to talc issues and asbestos issues associated with our talc operation which is just a few miles down the road.

So given the location of this meeting today in Canton, New York, I more or less anticipated that the focus would be, as you would expect it would be in this area, on the mining -- common historical mining from this region; particularly, the talc operations. And for decades, those talc operations have been the subject of a number of federal inquiries and investigations, and an entire OSHA hearing 10 years ago. A lot of those issues are much bigger than the talc.

They have to do with definitions and fiber risk and what's important in terms of fiber toxicity, and much bigger issues than talc. But certainly, a lot can be learned from the talc experience in regards to those types of subjects. Some of those subjects are pertinent, I think, to some of the analytical issues that MSHA is asking in this particular rulemaking.