

FOSHEE & TURNER COURT REPORTERS

1 IN THE UNITED STATES DISTRICT COURT

2 NORTHERN DISTRICT OF ALABAMA

3 EASTERN DIVISION

4
5 WALTER OWENS, et al.,)

6 Plaintiff,)

7)

8 vs.) CIVIL ACTION NO.

9) CV-P-440-E

10 MONSANTO COMPANY,)

11 Defendant.)

12
13 DEPOSITION OF: JERRY SANFORD

14
15 In accordance with Rule 5 (d) of The

16 Alabama Rules of Civil Procedure, as Amended,

17 effective May 15, 1988, I, TAMMY JENNINGS

18 GREGORY, am hereby delivering to MR. LARRY WRIGHT

19 the original transcript of the oral testimony

20 taken on the 21st day of October, 1999, along

21 with exhibits.

22 Please be advised that this is the same and

23 not retained by the court reporter, nor filed

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1 with the Court.

2 The deposition of Jerry Sanford was taken
3 before Tammy R. Jennings Gregory, commencing at
4 10:00 A.M. on the 21st day of October, 1999, by
5 the Plaintiffs, at the law offices of Fite &
6 Miller, Anniston, Alabama, pursuant to the
7 stipulations set forth herein.

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1 A P P E A R A N C E S

2

3 Appearing For The Plaintiffs:

4

5 MITHOFF & JACKS, LLP

6 Larry Wright, Esquire

7 111 Congress Avenue, Suite 1010

8 Austin, Texas 78701

9

10 Appearing For The Defendant:

11

12 LIGHTFOOT, FRANKLIN & WHITE

13 By: Adam Peck, Esquire

14 The Clark Building

15 400 20th Street North

16 Birmingham, Alabama 35203-3200

17

18 Court Reporter:

19

20 Tammy R. Jennings Gregory

21

22

23

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12 EXHIBITS

13

14 (No exhibits were marked for identification,

15 offered, or attached as exhibits hereto.)

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1 S T I P U L A T I O N S

2

3 IT IS STIPULATED AND AGREED by and
4 between the parties through their respective
5 counsel that the deposition of Jerry Sanford may
6 be taken before Tammy R. Jennings Gregory, at the
7 law offices of Fite & Miller, Anniston, Alabama,
8 on the 21st day of October, 1999.

9

10

11 IT IS FURTHER STIPULATED AND AGREED that
12 the signature to and the reading of the
13 deposition by the witness is waived, the
14 deposition to have the same force and effect as
15 if full compliance had been had with all laws and

16 rules of court relating to the taking of
17 depositions.

18

19

20 IT IS FURTHER STIPULATED AND AGREED that
21 it shall not be necessary for any objections to
22 be made by counsel to any questions, except as to
23 form or leading questions, and that counsel for

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1 the parties may make objections and assign
2 grounds at the time of trial or at the time said
3 deposition is offered in evidence or prior
4 thereto.

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7 IT IS FURTHER STIPULATED AND AGREED that
8 the notice of filing of the deposition is waived.

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1 STATE OF ALABAMA, CITY OF ANNISTON,
2 OCTOBER 21, 1999,
3 10:00 A.M.,
4

5 JERRY SANFORD,
6 having been first duly sworn, was examined and
7 testified as follows:

8

9 COURT REPORTER: Usual stipulations
10 okay?

11 MR. WRIGHT: Form and

12 responsiveness are the only objections?

13 MR. PECK: As to form. And all

14 other objections are reserved.

15 MR. WRIGHT: Yeah.

16 MR. PECK: That's fine. Jerry, you

17 have a right as well to read and sign or

18 waive it. Oftentimes, it's waived. It's up

19 to you though.

20 THE WITNESS: That's fine. I'll

21 just waive it.

22

23 --oOo--

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1 EXAMINATION BY MR. WRIGHT:

2 Q. Mr. Sanford, thank you for coming in this

3 morning. Have you ever given a deposition

4 before?

5 A. No.

6 Q. Okay. I'm sure you understand this, but I'm

7 going to go through it just to make sure that

8 you understand it, that a deposition is

9 testimony that can be used at the time of

10 trial.

11 You've given an oath, and it's the
12 same oath that you would take if you were
13 going to testify in the courtroom. And the
14 testimony you're giving can have the same
15 force and effect as if you were sitting up in
16 front of a judge and jury. You understand
17 that?

18 A. Yes, sir.

19 Q. If I ask you any question that you don't
20 understand, it's fair game for you to stop me
21 and say, Larry I just don't understand you;
22 can you ask it a different way, and I'll be
23 glad to do that.

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1 A. Okay.

2 Q. The only other thing I'm going to ask you is
3 to speak up so that our court reporter can
4 write down your answers.

5 A. Okay.

6 Q. And you'll probably forget along the way, and
7 I'll remind you. Don't be offended.

8 Everybody forgets, and we're all used to it,
9 particularly the court reporter.

10 Can you tell me where you work now?

11 A. I don't work anywhere now. I'm retired.

12 Q. When did you retire?

13 A. 1st of April of '96.

14 Q. And you retired from Monsanto?

15 A. Yes.

16 Q. I want to go back and in a kind of summary
17 way trace through your work history.

18 A. Okay.

19 Q. And starting with your graduation from high
20 school, what did you do?

21 A. Okay. I graduated in 1959 from Jacksonville
22 High School in Jacksonville, Alabama. I
23 worked in Gadsden at Service Auto Parts, a

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1 parts store, for probably a couple of years.

2 And then I went to work -- I moved
3 to Anniston -- and went to work at Economy
4 Auto Stores and worked -- I'm not sure how
5 long -- a while there.

6 Q. Okay.

7 A. Then I went to work with Southern Life and

8 Health Insurance Company, and I worked with

9 them until April of '64, and I went to work

10 with Monsanto April of '64.

11 Q. What was your first job with Monsanto?

12 A. I was an operator, vacation relief operator.

13 Q. In what area?

14 A. In the chlorine department.

15 Q. Is that the caustic chlorine facility there

16 where they made chlorine?

17 A. Yes, sir, that's where they made chlorine.

18 Q. And how long were you in that job?

19 A. I worked there as vacation relief the first

20 summer that I worked. I went to work in

21 April of '64, and I worked there that summer

22 as vacation relief.

23 Q. Then what was your next position?

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1 A. I transferred from there to the parathion

2 department in December of '64.

3 Q. Okay. What was your job in the parathion

4 department?

5 A. I was an operator. I started out in the
6 drumming area.

7 Q. And how long did you stay in that job?

8 A. I -- probably a year or maybe two. I'm not
9 sure.

10 Q. Okay. Then where did you go?

11 A. Just moved up the line. They had seniority.

12 You moved up the line to different jobs, to
13 better jobs, I guess you'd say.

14 Q. Okay.

15 A. And so I moved up the line, progressed up the
16 line by seniority.

17 Q. We'll walk through that real quickly, but
18 just before we do, did you stay in the
19 parathion department until you retired?

20 A. No, I did not.

21 Q. Okay. Then let's go back. You worked your
22 way up in the parathion department?

23 A. Correct.

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1 Q. What was your final job -- I get the

2 impression you went back to the parathion
3 department after you left the parathion
4 department?

5 A. I worked in the parathion department as an
6 operator.

7 Q. Right.

8 A. And I worked up through the jobs. The last
9 job I had as an operator was I ran the stills
10 and chlorinators.

11 Q. When was that?

12 A. 1972.

13 Q. Then where did you go?

14 A. Okay. I was promoted to foreman 1972.

15 Q. Okay.

16 A. And I went into the maintenance department.

17 Q. Okay.

18 A. And my job there was I was the spare parts
19 specialist in the storeroom. That was the
20 first job I had as maintenance foreman.

21 Q. I'm sorry. Would you say that again?

22 A. I was the spare parts specialist in the
23 storeroom.

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1 Q. And how long did you stay in that job?
2 A. Probably a couple of years.
3 Q. Then where did you go?
4 A. Okay. Then I was transferred back to the
5 parathion department as foreman over the
6 intermediate area.
7 Q. About '74 you would say?
8 A. Yes, sir, I think about '74 would be about
9 right.
10 Q. And how long did you stay in that job?
11 A. Okay. I stayed there until about '78 or '79.
12 I'm not sure exactly of what year there.
13 Q. And what was your next job?
14 A. I was transferred to the recycle department
15 as the foreman.
16 Q. And what did that job entail?
17 A. That was the new process to recycle the
18 organic residue from the stills.
19 Q. Were you the first foreman of that
20 department?
21 A. Yes, sir.
22 Q. We'll talk about that in a minute.
23 A. Okay.

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1 Q. Then what was your next job?

2 A. Okay. I transferred from there then to the
3 foreman of P2S5 and PNP department.

4 Q. When would that have been, just best
5 ballpark?

6 A. '82 maybe.

7 Q. Foreman in the -- over both departments?

8 A. Yes, sir.

9 Q. Okay. How long did you stay in that job?

10 A. Probably about a year in that job.

11 Q. Then where did you go?

12 A. Then I went just as foreman of the PNP
13 department. And then I stayed there until I
14 retired. Of course, they changed the name
15 from foreman to first level supervisor
16 sometime back in there. I'm not sure when.

17 Q. All right. So '83 to '96 foreman of the PNP
18 department?

19 A. Yes.

20 Q. Or supervisor of the PNP department?

21 A. Yes, sir.

22 Q. Explain to me your job in the chlorine
23 department.

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1 A. Okay. I was an operator. I was vacation
2 relief. I worked mostly third shift all that
3 summer because people take their vacation on
4 third shift.

5 Q. Okay.

6 A. I worked in what they call the brine area and
7 cell room itself.

8 Q. Third shift would be the night shift?

9 A. From 11:00 at night to 7:00 in the morning.

10 Q. You get the privilege of explaining how the
11 chlorine department worked because you're the
12 first person we've talked to.

13 A. You've picked the wrong person.

14 Q. You're the first one we've talked to that
15 worked there.

16 A. I told you I worked third shift in the dark.

17 Q. It was dark and a long time ago, but just
18 tell me the best you can how that worked.

19 A. Chlorine is made by -- you have a brine
20 mixture, a salt brine mixture, and it is
21 pumped through a long cell, but you have
22 mercury running through the bottom of the

23 cell, and you have a DC electric charge going

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1 through the brine down to the mercury.

2 Q. Okay.

3 A. And this electrolysis, or whatever you call
4 that, then produces chlorine gas.

5 Q. Okay.

6 A. And that's how it's made.

7 Q. Can you describe what that cell looked like?

8 A. A long cell, probably, maybe three times as
9 long as this table. Not quite as wide. It
10 had a -- probably some kind of slate or
11 marble bottom in it that the mercury flowed
12 down through.

13 And it had a rubber cover over it
14 with a vacuum system coming out of it to pull
15 the gas off.

16 Q. Okay. About twenty-five feet long would you
17 think?

18 A. I may be off ten foot, but that's probably --
19 I guess.

20 Q. And did it look kind of like -- did it look

21 kind of like a narrow table, you said, with a
22 slate bottom?
23 A. Yes, sir.

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1 Q. Okay. Kind of like a shuffle board?
2 A. Probably about that length, uh-huh
3 (indicating yes).
4 Q. Was the rubber cover rounded?
5 A. Seemed like it was. I mean, --
6 Q. I know it's been a long time.
7 A. Thirty-five years ago.
8 Q. And then was there just one exhaust hose to
9 siphon off the gas?
10 A. I can't -- I don't remember that.
11 Q. Okay. Was the hose you remember at one end
12 or the other or in the middle?
13 A. I don't remember that.
14 Q. Don't remember that either?
15 A. I don't remember that either.
16 Q. That's all right. We'll do the best we can.
17 Whatever you remember, you remember, and
18 whatever you don't, you don't.

19 A. Okay.
20 Q. Now, the operator's job was what?
21 A. Was just to monitor the cell room, to take
22 samples of the caustic. The brine, as it
23 went through, it produced chlorine gas, and

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1 then as a by-product of that, this brine was
2 turned in what we call caustic.

3 So we monitored that to get the
4 percentage of the percent of caustic that we
5 wanted because they sold, you know, the
6 caustic.

7 And so therefore, we added water,
8 and then we controlled the PH of the brine in
9 order to get the caustic. The chlorine was
10 kind of like a by-product of making caustic.

11 Q. Okay. Now, the mercury, did y'all have to
12 add mercury from time to time?

13 A. From time to time, yes, but now, I don't
14 think I ever did. I worked the third shift.
15 I was young, you know.

16 Q. That would have been done by somebody else?

17 A. Yes, sir. I don't -- I don't recall that I
18 ever had to add mercury.
19 Q. Was it a continuous operation?
20 A. Yes, sir.
21 Q. Twenty-four hours a day?
22 A. Yes, sir.
23 Q. Was there only one cell?

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1 A. No. There was maybe twenty, maybe more,
2 maybe thirty. I -- I'm not sure. Maybe
3 twenty or thirty.
4 Q. Was it your job to operate all of those
5 cells --
6 A. Yes, sir.
7 Q. -- when you were on?
8 A. Yes, sir.
9 Q. Okay. Was there only one operator at a time?
10 A. There was one operator in the cell room.
11 There was one operator in the brine room, and
12 then there was a chief operator.
13 Q. Do you remember who those other two people
14 were?

15 A. On the shift that I worked on, I worked with
16 Wade O'Brien. He was a chief operator. I
17 worked with him a good bit. He is deceased,
18 by the way.

19 I worked with Gene Hill. Since I
20 was vacation relief, now, I worked with
21 several different ones.

22 Q. Right.

23 A. I worked, you know --

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1 Q. Tell me all the ones that you remember.

2 A. Melvin Womack was one.

3 Q. And tell me if they're still alive.

4 A. Yeah. Wade O'Brien is the only one that's
5 deceased so far.

6 Q. Okay.

7 A. Well, Bill Owen.

8 Q. Okay.

9 A. Martin -- Mr. Martin. I don't know what his
10 first name was.

11 Q. Martin was his last name?

12 A. Yes.

13 Q. Okay.

14 A. Mr. Rainwater.

15 Q. Rainwater was his last name?

16 A. Rainwater, uh-huh (indicating yes). Let's

17 see. Mr. Hutchinson, Skeet Hutchinson.

18 Q. Skeet?

19 A. Now, he's deceased. They was more, but I

20 can't think of them. I'll think of them

21 probably as we go along.

22 Q. That's all right. As they come to you, just

23 let me know, and I'll put them back up here.

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1 A. Okay.

2 Q. Now, did the cells have to be cleaned out

3 from time to time?

4 A. Yes, sir.

5 Q. How did that -- how -- how did that get done?

6 A. Well, we would shut the cell down and, you

7 know, close off the electric charge to it,

8 and close off, you know, everything to it and

9 turn it over to the maintenance department.

10 But I -- you know, I worked the

11 third shift, and I really wasn't involved in

12 that as far as that was concerned.

13 I mean, I know some nights I'd come

14 in there would be a cell down, you know.

15 Q. Was the maintenance department responsible

16 for cleaning out the cells?

17 A. I don't recall how we did that. I really

18 don't. I'm not sure if I ever even shut one

19 down. I may have, but I know they were shut

20 down, but I can't recall how we did that.

21 Q. Did you ever see how they cleaned them out?

22 Did you ever watch them do it or see part of

23 the procedure or anything?

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1 A. No. I saw them working on them, you know,

2 but I never saw how -- I mean -- what they

3 would do is I think they would replace, like,

4 the boot, you know, if it got --

5 Q. The rubber?

6 A. Rubber.

7 Q. Yeah.

8 A. Stuff like that.

9 Q. Did they ever replace the mercury?
10 A. Not that I know of. There was a big pump
11 tank we called it that the mercury stayed in.
12 It was pumped out of this tank into the cell.
13 Q. And the mercury circulated?
14 A. Yes, sir.
15 Q. So it would circulate through the bottom of
16 the cell --
17 A. Yes, sir.
18 Q. -- go back to the pump tank --
19 A. Yes, sir.
20 Q. -- and then get pumped again?
21 A. Yes, sir. It was a big round tank, and there
22 was a submerged pump that sat right on top of
23 the tank.

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1 Q. How big was the tank? Can you describe it?
2 MR. PECK: The mercury tank?
3 Q. (By Mr. Wright) Yeah.
4 A. I'd say it would be five or six foot in
5 diameter.
6 Q. Okay.

7 A. And maybe couple of feet deep.

8 Q. Was it like a stainless steel tank, or do you

9 remember what it was made out of?

10 A. I'm not sure what it was made out of.

11 Q. Can you describe the building that the cell

12 sat in?

13 A. The cell sat -- it was like a two-story

14 building. The cell room was up on the second

15 floor. It was a wooden floor building and

16 had big vents -- vent fans in the end.

17 Q. On either end?

18 A. Uh-huh (indicating yes). And big header

19 pipes going down at the -- that the vent

20 system went through. Big, you know, big

21 header pipes out to the storage tank.

22 Q. Where the chlorine would go?

23 A. (Witness nods head.)

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1 Q. Okay.

2 A. I mean, I remember we had to go upstairs, go

3 into the cell room, and the control room was

4 downstairs, and then, you know, brine area

5 was out in the yard area where the brine
6 tanks and all that was out in the yard area.

7 Q. Was the whole first floor the control room?

8 A. No, it was just in a room about this size
9 right here.

10 Q. It was the control room?

11 A. Uh-huh (indicating yes).

12 Q. What was the rest of the first floor?

13 A. Had pumps. Had -- as I recall, there was
14 compressors down there, compressor tanks,
15 there was pumps that pumped, you know, the
16 caustic, you know, out to the storage tanks
17 and all. All that was a pump room.

18 Q. I got you. Is that where the mercury vat and
19 pump were?

20 A. No, now they were on the ground level under
21 the cells. They were directly under the
22 cell, under each cell. There was a tank for
23 each cell.

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1 Q. Oh, there was a tank for each cell?

2 A. Yeah.

3 Q. I got you.

4 A. There was a pump and a tank for each cell,

5 and it sat on it ground floor, you know,

6 directly under the cell room.

7 MR. PECK: When you say, "ground

8 floor," you mean first floor?

9 THE WITNESS: Yes, first floor.

10 Q. (By Mr. Wright) So that tank you described

11 and the pump system, there would have been

12 one of those for each cell?

13 A. Yes, sir.

14 Q. Did the caustic contain any mercury after it

15 came out and went into the --

16 A. I don't know.

17 Q. You don't know?

18 A. I mean, I don't think so, but I mean, I don't

19 know. I can't say. I mean, it was clear.

20 It was water white we called it. That was --

21 Q. Did they ever sample it for mercury to your

22 knowledge?

23 A. I don't know.

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1 Q. Was the brine continuously circulated? Or
2 after it ran through, what happened to the
3 brine?

4 A. Okay. There was two different kinds of
5 brine. They was what they call a depleted
6 brine and a chlorinated brine, I think is
7 what it was, or a dechlorinated. One or the
8 other. There was two different kinds of
9 brine.

10 You mix these brines together as
11 they pump. They were all continuously
12 circulated, and you mixed them together as
13 they come back into the cell, as I recall.
14 That's what I recall that we did.

15 Q. Okay. So the only thing that was generated
16 during the continuous process was chlorine
17 gas, which was collected through the vent
18 system --

19 A. Yes, sir.

20 Q. -- and caustic, which went out to a tank to
21 be held until it was taken off?

22 A. Yes, sir.

23 Q. And the brine circulated, and you just had to

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1 remix it?

2 A. Yeah. Put so much fresh brine in with it.

3 Q. Okay. Was anything else generated when the
4 process was operating?

5 A. No, sir.

6 Q. Okay.

7 A. Nothing that I can recall.

8 Q. Were there filters in the system anywhere?

9 A. Seemed like -- yeah, I think there was some
10 brine filters.

11 Q. Where were they located?

12 A. They were outside in the brine area.

13 Q. Now, was the brine the same way? Was there a
14 separate brine tank for each cell, or was
15 there one big main brine?

16 A. One big main brine.

17 Q. And then pipes going off to each of the
18 cells?

19 A. Yes, but I don't -- I don't recall how they
20 got to each cell. I remember the water -- I
21 remember us adding water because it was a
22 rotor meter type thing, and we added so much
23 water.

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1 But I don't recall how the brine

2 got back to the cell. I know it was pumped,

3 but I don't --

4 Q. Where were the filters?

5 A. They were out in the brine area, out in the

6 yard area.

7 Q. How big were those filters, do you remember?

8 A. They were big tanks. Probably maybe ten or

9 twelve foot high and maybe ten foot around,

10 maybe.

11 Q. Those were the brine tanks, or those were the

12 filters?

13 A. That's the brine filters.

14 Q. Okay. So they were big filters?

15 A. Uh-huh (indicating yes).

16 Q. How often were those changed?

17 A. As I recall, they weren't changed. I don't

18 know what -- I think they may have had

19 charcoal.

20 I'm not sure what they had in them,

21 but all we did was backwash them. And you

22 would backwash them back into the brine. So

23 you didn't change them as I recall.

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1 I mean, you didn't open them up.

2 They was just tanks, and you backwashed them

3 and backwashed them back into the brine

4 tanks.

5 Q. Just out of curiosity, seems like whatever

6 impurities you were filtering for, if you

7 kept backwashing it back into the tank,

8 they're going to build up in there and you've

9 got to get them out somehow, wouldn't you?

10 A. Yeah.

11 Q. But you don't know?

12 A. I don't recall. I really don't. I mean, I

13 know we backwashed them.

14 Q. All right.

15 A. And I -- oh, yeah. We back washed them --

16 I'm not sure if they went back to the brine

17 -- to the feed tank or to another tank.

18 They were backwashed into a tank, but I'm not

19 sure --

20 Q. So they may not have been backwashed back

21 into the main tank?

- 22 A. Yes, but I'm not sure. I'm not sure.
- 23 Q. Who that's still living do you think would be

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1 the best to describe or to know about that

2 process?

3 A. Probably Gene Hill or Melvin Womack.

4 Q. Are both of those fellows still in the area?

5 A. They're both retired. I'm not sure where

6 they are now. I would imagine Melvin is

7 still in the area, but I'm not sure.

8 MR. PECK: Melvin?

9 THE WITNESS: Yeah, Melvin Womack.

10 Q. (By Mr. Wright) By the way, do you still

11 live in this area?

12 A. I live in Piedmont, twenty-five miles from

13 here.

14 Q. Thank you for going through that. I know it

15 was a long time ago.

16 MR. PECK: And I won't tell Melvin

17 and Gene that you finked on them.

18 THE WITNESS: Please don't.

19 Q. (By Mr. Wright) Okay. In the parathion

20 department, I've talked to some folks, and
21 they pretty well described how that operated,
22 so I'm not going to go through that with you.
23 A. Okay.

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1 Q. What I don't know is how the PNP and the P2S5
2 work, so I'm going to -- if you can, help me,
3 walk me through that process.

4 A. Okay. I'll do the P2S5. That's the one I'm
5 least familiar with because I wasn't there
6 very long. I'll do that one first.

7 Q. Okay.

8 A. P2S5 process is you take phosphorus and
9 sulfur and more or less you pump them
10 together, mix them together, in a reactor.
11 And they create their own reaction. And it's
12 just a chemical reaction that changes the
13 phosphorus and sulfur to P2S5.

14 Q. Is it a continuous operation or a batch
15 operation?

16 A. It is a continuous operation.

17 Then this product and the reactor

18 will just overflow out of the reactor then
19 into a cooler that would be cooled down. And
20 then it would be sent through a holoflite, we
21 called it, that actually then beat it up
22 because it would begin to solidify as it
23 cooled down.

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1 It would beat it up and turn it
2 back into a powder. And the finished product
3 was a powder.
4 Q. Okay. And that's used in the parathion
5 manufacturing process?
6 A. It was used in the parathion.
7 Q. Did y'all also sell the P2S5?
8 A. Yes, there was some outside sales.
9 Q. Okay. Now, how about the PNP operation?
10 A. The PNP, you take para-nitro-chlorbenze,
11 which is PNCB is what we called it. You take
12 that product, and you take sulfuric acid and
13 caustic soda, and you mix those into a
14 reactor and through a batch operation.
15 And this chemical reaction then

16 converts into paranitrophenol or PNP. And
17 that's a batch operation.
18 Q. How many reactors did you have?
19 A. Two reactors.
20 Q. How long would it take to create a batch?
21 A. Two hours.
22 Q. Did that go twenty-four hours a day as well?
23 A. Yes, sir.

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1 Q. So every two hours, you'd have a new batch?
2 A. Yeah, yeah. The -- it was reacted, and then
3 it was solidified, and then it was washed,
4 and then it was either transferred to
5 parathion or drummed out for outside sales.
6 Q. How was it washed?
7 A. Through a belt filter, a washing. The water
8 sprays over a belt filter.
9 Q. Is this a solid also, the PNP?
10 A. It's a granular like cornmeal. Kind of the
11 texture of cornmeal.
12 Q. And that's what's washed?
13 A. Yes, sir.

14 Q. And the water from that operation went where?
15 A. The water was --
16 Q. The waste water?
17 A. We recycled most of it, and what was not
18 recycled went to the waste treatment
19 department, to the plant's waste treatment
20 department.
21 Q. Did you ever go in the aroclor area?
22 A. I was there as a painter. In 1969 parathion
23 was shut down for three months because of

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1 lack of sales, and all of us operators was
2 transferred into maintenance to do some extra
3 work and all. So I painted over there for
4 three months.
5 Q. Okay. That was about during the expansion.
6 Was your painting related to some of the
7 expansion of that department?
8 MR. PECK: Object to the form of
9 the question.
10 THE WITNESS: No, sir.
11 Q. (By Mr. Wright) I'm sorry. What was your

12 answer?

13 A. It was existing structure, like structure

14 steel.

15 Q. And you painted for three months?

16 A. Yes, sir.

17 Q. Okay. What part of the aroclor department

18 were you painting?

19 A. Let me back up. I didn't paint for the whole

20 three months in aroclor. I painted for three

21 months throughout the plant.

22 Q. Okay.

23 A. Let me clarify that.

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1 Q. I appreciate that because I was going to ask

2 you a question that assumed you were there

3 for three months.

4 A. No, I'm sorry. I wasn't. We painted all

5 over the plant.

6 Q. How long did you paint in the aroclor

7 department?

8 A. Two or three or four weeks maybe.

9 Q. Do you remember what part of the aroclor

10 department you painted in?

11 A. It was -- it was, like, outside out in the
12 structure up two or three levels up in the
13 structured steel part of it.

14 Q. Was the aroclor department running while you
15 were painting?

16 A. Yes, sir.

17 Q. Was that the only time you were ever really
18 in the aroclor department?

19 A. As part of my relief foreman duties back up
20 there when I worked in the storeroom, I was a
21 spare parts specialist, and I was also
22 vacation relief for the maintenance foreman,
23 and I may have worked one week over there as

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1 a relief maintenance foreman while he was on
2 vacation one time.

3 Q. Now, that was in '72?

4 A. That was around '73 probably because -- it
5 would have been about '73. I mean -- and
6 here again -- okay. I worked south plant
7 job, and now, I don't know if it was '72 or

8 '73.

9 I don't remember exactly when it
10 was, but I was the spare parts specialist in
11 the storeroom, and I was relief foreman, you
12 know, for vacation relief for the maintenance
13 foreman. And the south plant consisted of
14 the aroclor and some other areas too.

15 So I don't -- I mean, I may have
16 been, and I don't even recall if it was shut
17 down at the time. I don't remember.

18 Q. My understanding is it shut down in May of
19 '72?

20 A. Okay. Well, it was probably along about in
21 that time. I'm not sure.

22 Q. So you don't remember whether the aroclor
23 plant was running when you were over there?

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1 A. The week that I worked as maintenance
2 foreman, no, I do not remember if it was or
3 not. I do not. So --

4 Q. How did you hear the aroclor department was
5 going to shut down?

6 A. I don't know. I mean, either word of mouth
7 probably because I wasn't -- okay. I wasn't
8 over there at the time.

9 I was in the other part of the
10 plant, and you know about the kind of two
11 different areas of the plant, you know. And
12 I wasn't -- I wasn't involved in that.

13 Q. Yeah. I know that there are going to be
14 people that would be better able to answer
15 that question than you, but since your the
16 witness right now --

17 A. Yeah, right.

18 Q. -- I'm just asking you for your best
19 recollection. And again, I know it's been a
20 long time ago.

21 Even though you don't remember how
22 you heard, what did you hear?

23 A. I don't know if it was because of lack of

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1 sales or what because we were all kind of
2 concerned between 1969 and 1972 right along
3 in there about our jobs because parathion

4 almost shut down.

5 Well, they did shut down in '69.

6 So, as I recall, it was from lack of sales or
7 from, you know, that business, you know, that
8 aspect of it.

9 Q. Do you have a memory, or are you just kind of
10 speculating that that's what it was?

11 A. I just speculate. I really don't know. I'm
12 sure it was in Anniston Star, and I'm sure it
13 was here and there, but I do not recall how I
14 heard specifically. No, I do not.

15 Q. When did you first hear about PCB
16 contamination off the plant property?

17 A. I can't recall. Maybe late '80s, early '90s
18 or something. I don't know. I cannot
19 recall.

20 Q. You don't remember hearing anything about PCB
21 contamination off the plant property in the
22 '70s?

23 A. No, sir.

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1 Q. Or in the early '80s?

2 A. No, sir, not that I recall.

3 Q. Or even mid '80s?

4 A. No, sir, no, sir.

5 Q. Again, I'm going to ask you -- I asked you

6 when you heard about it. Now I'm going to

7 ask you how you heard about it to the best of

8 your recollection.

9 A. How I heard about the PCB --

10 Q. -- contamination off plant property.

11 A. There again, I don't know. I mean, I don't

12 -- I don't recall any formal meetings or

13 anything like that.

14 It was in the paper, I'm sure.

15 That was probably the first thing I heard or

16 first -- it was in the paper.

17 Q. So you're pretty sure that the first you

18 heard about PCB contamination off Monsanto

19 property was just through the paper?

20 A. I feel that would be a true statement.

21 Q. Okay. And so if I ask you the question of

22 what you heard about it, it's going to be

23 whatever was in the paper?

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1 A. Yeah. That's true.

2 Q. Okay. Well, I won't ask you to try to

3 remember that then.

4 A. Okay.

5 Q. Were you ever involved -- I think I know the

6 answer to these question, but I'm going to

7 ask you a series of questions.

8 A. Okay.

9 Q. Were you ever involved in the landfill

10 operation?

11 A. No, sir.

12 Q. Did you ever go to the landfill?

13 A. I probably went up there two or three times

14 in thirty-two years I worked there.

15 Q. Do you remember why you went there when you

16 went there?

17 A. Probably just to go see. But I never had any

18 responsibility in that area.

19 Q. When you went up there, what did you see?

20 Again, I just want you to describe it because

21 you were there and we weren't, so to the best

22 of your recollection --

23 A. I remember one time that there was like a

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1 pit, like a big pit, and they were -- had a
2 truck or wagon or whatever it was they hauled
3 up there, and they were dumping over in that
4 pit.

5 Q. So you remember seeing them dump it in there
6 one time?

7 A. Uh-huh (indicating yes).

8 MR. PECK: What was the time frame
9 of that recollection? Sorry.

10 MR. WRIGHT: Good question.

11 THE WITNESS: I'd say in the '60s.

12 Q. (By Mr. Wright) Do you remember what they
13 dumped?

14 A. Well, at that time, it was plant trash. I
15 mean, it was everything from trees to, I
16 think even our garbage, even our -- maybe
17 lunchroom garbage, you know what I'm saying.

18 Q. So just everything?

19 A. Yes, sir.

20 Q. Okay. Was there an incinerator there?

21 A. Yes, sir.

22 Q. Okay. Was this being dumped --

23 A. I'm sorry. No, there was not one at the

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1 landfill. There was one in the plant.

2 Q. That's what I'm asking.

3 A. No, there's not an incinerator at the

4 landfill.

5 Q. Okay. My understanding is there was one that

6 looked like a TP, kind of a big cone?

7 A. At the landfill?

8 Q. Yeah.

9 A. I don't remember.

10 Q. You don't remember seeing that?

11 A. No, sir, no, sir.

12 Q. Okay. We talked about one time that you went

13 to the landfill. Do you have a memory about

14 going there any other times and what you saw?

15 A. Not really. I really don't recall. I mean,

16 I do know that the waste was dumped into a

17 pit, and then later on they divided -- they

18 had areas or sections or areas.

19 And I remember they used to have to

20 fill out like a form, like Section E or

21 Section -- whatever the sections was, but I

22 couldn't -- I could not tell you where the

23 sections are or nothing. I'm sorry.

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1 Q. When did y'all start filling out the forms,

2 do you remember?

3 A. No, sir, I couldn't tell you.

4 Q. Was it in the '80s?

5 A. Possibly, yes, sir.

6 Q. Who was in charge of the landfill department

7 in the '60s?

8 A. Mr. Taffee. Red Taffee was his name as I

9 remember.

10 Q. They told me last week, but I can't remember.

11 Is he still alive?

12 A. He's been real sick. I think he had some

13 strokes or something, and I thought he passed

14 away. I'm not sure. I haven't heard from

15 him in a long time.

16 MR. WRIGHT: Is he still alive?

17 MR. PECK: I thought he was just

18 very sick. I had not heard he passed away.

19 THE WITNESS: I saw him in a

20 wheelchair about eight years ago, six or

21 eight years ago.
22 MR. PECK: When this litigation
23 first started a couple months -- I think it

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1 was '94 -- he had a very serious stroke and
2 became virtually unavailable, so nobody ever
3 got to depose him.

4 MR. WRIGHT: I was going to ask if
5 he got deposed.

6 MR. PECK: Nobody got to depose him
7 before he became really unavailable to us.

8 Q. (By Mr. Wright) Who would be the second most
9 knowledgeable person about the landfill in
10 the '60s and early '70s?

11 A. It would be Jerry Brown, I suppose.

12 Q. Was he here then?

13 A. Yes, sir. I don't think he was -- I'm not
14 sure if he was involved with the landfill at
15 that time, but he would be probably the plant
16 -- most knowledgeable because he was over
17 that kind of whole area like. He's a
18 superintendent.

19 Q. Who else might know a fair amount about the
20 landfill in the '60s and '70s besides Jerry
21 Brown and Mr. Taffee?
22 A. I really couldn't say. I'd just have to be
23 pulling people's names out of the hat. I

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1 mean, I really couldn't say.
2 Q. I know that wasn't your area.
3 A. No.
4 Q. I just -- again, you're here and nobody else
5 is right now, so I'm just asking.
6 A. Right.
7 Q. Where did you live -- well, what area of town
8 did you live in when you worked at the plant?
9 A. Okay. I lived out in the Eulaton area about
10 two miles from the plant.
11 Q. Two miles which way?
12 A. West.
13 Q. On towards Jackson --
14 A. No, out 202 West. Out this way.
15 MR. PECK: Wellborn?
16 THE WITNESS: Wellborn, and I lived

17 about a block and a half from Wellborn
18 School.
19 Q. Can you describe the area around the plant?
20 Let's start when you first started working
21 over there.
22 A. Talking about how -- I mean like --
23 Q. Well, that's an awful broad question. I

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1 understand that. Did you ever go into the
2 area around the plant other than just to
3 drive down the road and into the plant gate?

4 Do you ever remember spending any
5 time out in the neighborhood, for example?

6 A. Used to eat up at The Dairy Maid right up,
7 you know, used to go up there and eat a lot,
8 like if we worked overtime or something or
9 whatever.

10 Really wasn't involved with any of
11 the houses northwest, in that northwest area
12 back in there. I really wasn't back in there
13 at all.

14 Q. Okay.

15 A. The area -- let's see.
16 Q. Where was The Dairy Maid located?
17 A. It's on 202. On the old 202 before they
18 built a four-lane. It was right there.
19 Q. What's now Clydesdale?
20 A. No, no. It's -- as you go past the plant
21 going west, it would be like a quarter of a
22 mile up there on the left.
23 Q. Okay. Okay. That's the other direction.

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1 A. Yeah. And then before the four-lane was
2 built, I used to either go down Clydesdale to
3 go home or old 202.
4 There was two ways to go. So there
5 was a drugstore out there that we used to
6 use, that drugstore out on Clydesdale. And I
7 forget the name of the grocery store that was
8 there.
9 Q. Do you ever remember seeing the people in the
10 neighborhood as you drove by?
11 A. Oh, yeah.
12 Q. Just what memories, if any, do you have about

13 them? Anything you saw them do or anything
14 sticks out in your mind?
15 A. Well, if you're asking me a judgement of
16 people, they were a very poor people that
17 lived out around in there, very -- but they
18 were very friendly. That neighborhood had
19 been there a long time.
20 They were some of the people that I
21 knew. In fact, a couple guys worked at the
22 plant that lived out in there, and I'm trying
23 to think of the guy's name now, but I can't

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1 recall his name. It was an older guy, and he
2 lived right back out there at the back of the
3 plant.
4 Q. Black guy?
5 A. No, this was a white guy. I can't even
6 recall his name now. But they were just
7 generally a, you know, very poor people, very
8 poor housing.
9 Q. Do you remember gardens and chickens and
10 things like that?

11 A. No, sir, not really. I mean, there was
12 gardens out around our house, but if you're
13 talking about right specifically at the
14 plant, I don't.

15 But there were gardens out around
16 where I lived. In fact, I had one. I lived
17 -- first few years -- I lived in a trailer
18 out on Eulaton Pike. Me and my mother-in-law
19 had a garden.

20 Q. That's the same area where you lived?

21 A. Yes, sir, it was close. This was just past
22 Wellborn School on Eulaton Pike, and then I
23 bought a house over there next to Wellborn

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1 School.

2 MR. WRIGHT: Adam, you don't have
3 that picture book, do you?

4 MR. PECK: Huh-uh (indicating no).

5 Q. (By Mr. Wright) Why don't we take a quick
6 break? We've been going a while.

7 (Short recess.)

8 Q. (By Mr. Wright) We're almost through. I

9 just have a little cleanup stuff, and I'll
10 get you on the road to the mountains.
11 A. Okay.
12 Q. There's an industrial hygiene department now
13 out there at the plant.
14 A. Uh-huh (indicating yes).
15 Q. When do you first remember hearing about an
16 industrial hygiene department at the plant?
17 A. Well, really even back in the '60s is as
18 early as I can remember. I don't know if
19 that's what they called it, but it was.
20 Q. What do you remember about it?
21 A. Well, you know, here again, I don't want to
22 call names, but Mr. Ransaw, Ishmael Ransaw
23 kind of headed things up.

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1 He was there maybe in the late
2 '60s, maybe early '70s. I'm not sure
3 exactly when, but he was involved in that and
4 monitoring, and he was like the head of that.
5 Q. Is he still out there?
6 A. No, I think he works at the Monsanto plant in

7 New Orleans now.

8 MR. PECK: He's -- actually I think
9 now he's just retired, but he has been
10 deposed.

11 MR. WRIGHT: I think we've got his.
12 Has he just been deposed once?

13 MR. PECK: I think he's been
14 deposed twice. I think he was deposed in
15 Dyer and the other case.

16 MR. WRIGHT: Okay.

17 Q. As best you recall, he showed up in the late
18 '60s or early '70s?

19 A. Yeah, as my memory -- best I can recall,
20 yeah.

21 Q. And he was in charge to the best of your
22 recollection of the health --

23 A. -- environmental. Seemed like it was

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1 Environmental and Health or something maybe.
2 I'm not sure what the name of it was. I
3 don't even know if they really give it a name
4 back then.

5 But, yeah, he did a lot of
6 monitoring and a lot of --
7 Q. Now, before him, do you have any recollection
8 of any kind of a program?
9 A. No, not really. I'd just have to be
10 speculating, and I really don't have any --
11 Q. Some of the other fellows last week told me
12 they had a yearly physical?
13 A. Yeah.
14 Q. And Dr. Francis did it?
15 A. Yes.
16 Q. Did you have those as well?
17 A. Yes, sir.
18 Q. Is it your understanding everybody in the
19 plant had to have a yearly physical?
20 A. Yes, sir, yes, sir.
21 Q. Where did you go to get the physical?
22 A. At the plant. He had an office at the plant.
23 In fact, he came about every morning as I

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1 recall there for a long time.
2 Q. Did he have another office here in town?

3 A. Yes, sir.

4 Q. But he spent a lot of time out there at the

5 plant?

6 A. Yes, sir.

7 Q. Did he have records out there, I mean, files

8 and things there at the plant?

9 A. I don't know. I mean, I've never seen them.

10 I don't know.

11 Q. When you would go for the physical, did he

12 have a folder?

13 A. Yes, sir.

14 Q. Did it have all of your old physicals in the

15 folder?

16 A. I suppose.

17 Q. Best you know?

18 A. I never saw them. I just saw a folder with

19 some papers in it, so I guess.

20 Q. Did you get the impression that that -- like

21 now days when I go to the doctor's office,

22 he's got a folder, and it's got all of my

23 stuff from ten years ago.

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1 A. Yes, sir.

2 Q. And on up through -- is that the kind of

3 thing you remember him having --

4 A. Yes, sir.

5 Q. -- even though you didn't leaf through it?

6 Was that your impression of what he was --

7 A. Yes, sir.

8 Q. Okay. But you don't know whether that was

9 maintained there at the plant or --

10 A. No, I do not.

11 Q. -- somewhere else?

12 A. No, I do not know that.

13 Q. What do you remember Dr. Francis doing on the

14 physicals?

15 A. He would check our vital signs, talk to us,

16 question us, gave all the men a prostate

17 examination.

18 Q. Dicky Walker mentioned that was a prominent

19 annual feature.

20 A. Yeah. And they had a nurse also, and she

21 would take blood samples too.

22 Q. Okay. You remember them taking a blood

23 sample?

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1 A. Yes, sir.

2 Q. Every year?

3 A. Yes, sir.

4 Q. Do you know what they tested the blood for?

5 A. No, not -- no, I don't.

6 Q. Did you ever get results back from the blood
7 testing?

8 A. Yes, yes.

9 Q. What did they tell you about the blood
10 testing to the best of your recollection?

11 A. They showed us and -- but, I mean, it was --
12 my mind, it would be the same as any doctor
13 you would go to and get the results back and
14 show you what they were.

15 You know, all the, you know, later
16 on in years, it was your cholesterol. They
17 used to stay on us about that, but that
18 was --

19 Q. But you remember them taking blood at every
20 physical from the mid '60s on?

21 A. Yes, sir.

22 Q. Did they ever test for PCBs to your
23 knowledge?

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1 A. I do not know.

2 Q. They never told you your PCB results if they
3 did?

4 A. No, sir.

5 Q. When you were at the aroclor department, do
6 you have a recollection about watching them
7 or anything that happened over there?

8 A. I don't have any recollection of anything
9 happening, you know. We didn't really go in
10 the control room. We were out in the
11 structure.

12 We had our own shop, and we just
13 came in the area, you know, and let them know
14 we was there and worked outside. We didn't
15 take breaks in the control room. You know, I
16 mean, I --

17 Q. Was that in the chlorinator area where the
18 big tanks were?

19 A. It was out in the structure. I don't know
20 where the chlorinator area was. I know it
21 was out in the, like, about a three or four
22 level structure of pipe and tanks outside of
23 the building, like out in the weather, like

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1 outside.

2 Q. Okay. Okay. You don't remember -- well, let
3 me just ask: Do you have a picture in your
4 mind about being there and what you saw and
5 so forth?

6 I guess I'm just asking you to
7 describe as best you can what you remember.
8 I know you were there a very short time a
9 long time ago.

10 A. Yeah. I remember it was hard work, and I
11 wasn't used to it because I'd been an
12 operator. We did some sandblasting. We had
13 to wear hoods, you know, with air systems on.

14 We didn't talk to nobody much. We
15 worked, you know, and I really didn't -- I
16 mean, I really couldn't -- I couldn't
17 describe it to you. I really couldn't.

18 Q. Okay.

19 A. I know it was two or three levels up. We
20 were sandblasting -- sandblast one day and
21 paint the next, you know, and that's what we

22 did.

23 Q. Okay. That's fine. I didn't expect you to,

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1 but since I'm running out of questions, I

2 thought I'd ask it.

3 A. Okay.

4 Q. One other thing I would like to ask you about

5 because you were in the maintenance

6 department. Dicky Walker mentioned -- he

7 described the aroclor process like you

8 described the mercury process.

9 A. Uh-huh (indicating yes).

10 Q. And one of the things he mentioned is that

11 they had pumps that would circulate the

12 materials to make the aroclor.

13 A. Uh-huh (indicating yes).

14 Q. And that those pumps would leak and that the

15 maintenance people from time to time would

16 come and repack them. Did you have any

17 involvement in that?

18 A. No, sir.

19 Q. By the time you went to the maintenance

20 department, the aroclor operation was winding
21 down. Do you know who at the maintenance
22 department might have had significant
23 involvement in that operation?

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1 A. A Mr. Sprayberry, and I think he's deceased.
2 He was one of the mechanics that worked there
3 a good bit. Let me think of this other guy's
4 -- oh, yeah, Don Curry.

5 Q. Okay.

6 A. Don Curry would have been one involved in
7 that. I think he was the maintenance foreman
8 that I relieved.

9 MR. PECK: Is he on your list, Don
10 Curry?

11 MR. WRIGHT: We have a deposition
12 on him.

13 MR. PECK: Okay.

14 Q. (By Mr. Wright) Anybody else you can think
15 of?

16 A. I'm trying -- okay. Otto Hill.

17 Q. Otto Hill?

18 A. Yes, sir, he was a mechanic over there.
19 Q. Is he still alive?
20 A. I don't know. I haven't seen him in years.
21 He's been retired for years and years.
22 Q. Anybody else you can think of?
23 A. I mentioned Mr. Sprayberry. Ray Kimbril.

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1 Q. Ray Kimbril?
2 A. Yeah, he was a mechanic over there in the
3 south shop. This is people that would have
4 worked in the aroclor area as mechanics.
5 Q. Right. Is he still alive, Ray Kimbril?
6 A. I don't know.
7 Q. Did y'all have in the maintenance
8 department -- and I guess I'm focussing on
9 the south shop because y'all had a south
10 maintenance department and a north
11 maintenance department?
12 A. Yes, sir.
13 Q. Focussing on the south shop, did y'all have a
14 Dipster Dumpster or some kind of trash
15 collecting area?

16 A. There was a dumpster up there. Now, I'm
17 speaking of later on in the years because
18 even after aroclor shut down, there was a
19 south shop. But now in the aroclor days, I
20 couldn't tell you. I don't know.
21 But I know later on in years, yeah,
22 there was a dumpster up there because we used
23 to have a safety and housekeeping inspection,

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1 you know, came, you know, and I was on that a
2 couple of different times.

3 Q. Okay. That's what I've got here. I've got
4 the safety audits for various years.

5 A. Uh-huh (indicating yes).

6 Q. I'm not going to go through it other than to
7 just talk in general. What did y'all do in
8 your maintenance and housekeeping audits?

9 A. Okay. Now, what I'm talking about is the
10 monthly safety and housekeeping inspection.

11 Is that what the question --

12 Q. I think I'm talking about an annual deal, but
13 go ahead and tell me about the monthly.

14 A. Well, we had a team in the plant that would
15 take one day a month and go around the plant
16 and more or less inspect the plant for
17 cleanliness, safety problems, potential
18 safety problems, so forth.

19 And we would write up
20 recommendations, then we would give them a
21 score as to a rating as to how well they did.

22 Q. When did that start?

23 A. Oh, that's been going on for years and years.

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1 I mean, I couldn't --

2 Q. In the '60s?

3 A. Possibly. I mean, in earlier years, seemed
4 like it was done by supervision, but then
5 later on, plant people began to do it. We
6 began to involve everybody in the plant in
7 it.

8 Q. Were there always written documents
9 prepared --

10 A. Yes, sir.

11 Q. -- as a result of those?

12 A. Yes.

13 Q. When's the first time you remember doing it,

14 what year or decade?

15 A. Gosh, I don't know. Probably in the '70s. I

16 may have been involved in the '70s in it.

17 Q. Okay.

18 A. But I'm not sure of that.

19 Q. I've got a biennial, which I think means

20 twice a year, safety audit. Do you remember

21 did it start out being once every long period

22 of time and then go to monthly? Do you

23 remember?

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1 A. Okay. What was the question again now?

2 Q. Well, just the document we're looking at

3 which is numbered DSW099952 is dated December

4 16th, 1975, and it's entitled parathion

5 department Biennial -- that's B-i-e-n-n-i-a-l

6 -- Safety Audit.

7 MR. PECK: That's a number we put

8 on it, so it's not going to be anything to

9 you. That's just a control number.

10 Q. (By Mr. Wright) That's just so we can dig
11 this document up when we want to look back at
12 it.

13 A. Okay.

14 Q. And this indicates your name's down here
15 under the production on the audit committee.

16 A. Okay.

17 Q. And since this says, "biennial," that means
18 once every two years, I think that's what
19 it's intended to mean.

20 A. Right.

21 Q. So I was just wondering if maybe it started
22 out once --

23 MR. WRIGHT: What did I say, once

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1 every two years?

2 MR. PECK: Yeah, biennial.

3 Q. (By Mr. Wright) Did it start out being a
4 once every two year kind of deal, or was
5 there a special one every two years? I guess
6 I'm just wondering how the inspection process
7 worked.

8 A. This and the safety and housekeeping is two
9 different things all together.

10 The safety and housekeeping
11 inspection is just, you know, grass needs
12 cutting, you need to pick up the trash around
13 in the pump tank area and bla, bla, bla.
14 That's what a safety and housekeeping
15 inspection was.

16 Q. Okay.

17 A. Now, this was just like more or less a
18 property loss estimate. This was a -- like
19 what if something happens, how much will it
20 cost, what damage will it do.

21 Q. Okay.

22 A. That's one of those kinds of things.

23 Q. Let's do this then: Rather than me wading

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1 through this, would you just describe for me
2 the various kinds of inspections that there
3 were at the plant that were written down and
4 documented? This is one we've talked about.

5 A. Yeah.

6 Q. This was done every two years?

7 A. Uh-huh (indicating yes).

8 Q. You also talked about the monthly safety and

9 housekeeping audit that would have been

10 memorialized in writing.

11 About that one, let me ask you real

12 quick, was that a department by department

13 thing?

14 A. Yes, sir.

15 Q. So there would have been a separate report

16 for the parathion department, for example,

17 and --

18 A. On the biennial?

19 Q. No, on the monthly.

20 A. No, that was a plant wide monthly safety

21 inspection.

22 Q. So there would have been one report --

23 A. Yes, sir, for the whole plant.

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1 Q. -- for the whole plant?

2 A. Yes, sir.

3 Q. And it would have been prepared on a monthly

4 basis?

5 A. Yes, sir.

6 Q. And you don't remember when that started?

7 A. No, sir, I do not.

8 Q. What other safety and housekeeping type

9 inspections did you remember?

10 A. Okay. We had -- Monsanto had a corporate

11 type inspection that we went to other plants

12 and inspected other plants. In fact, I was

13 on that team a couple of different times.

14 We had people from other plants

15 come and inspect our plant. Seems like that

16 was an annual affair.

17 Q. Okay.

18 A. Seems like that was done annually.

19 Q. Any others? The reason I'm not going to ask

20 you any questions about that is because I've

21 seen those documents.

22 A. Yeah.

23 Q. Any others you can remember?

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1 A. Well, now, there was monitoring. There was

2 environmental monitoring, but this was a
3 continuous type thing, you know, that Ishmael
4 and his group did.

5 Q. By that, are you talking about the little
6 tags that you wear?

7 A. Yes, sir.

8 Q. That does remind me, do you ever remember any
9 air monitoring?

10 A. Yes.

11 Q. What air monitoring do you remember?

12 A. They would bring these little things around,
13 these little instruments, and place them out
14 in the area, you know. Guys would wear them,
15 you know. They did that.

16 Q. When did they start doing that?

17 A. That was probably in the '80s.

18 Q. Do you remember any air monitoring before the
19 '80s?

20 A. Yes, yes, there was monitoring in the '70s.

21 In fact, we had trailers that were setting --
22 little old camper trailers -- that were
23 setting outside the plant in two or three

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1 different areas that I remember seeing.

2 I wasn't involved in the

3 monitoring. I saw them and knew what they

4 were.

5 Q. Do you know what they were monitoring for?

6 A. No, sir, not specifically any one thing or

7 just --

8 Q. Is that the only monitoring you remember

9 other than what we've already talked about?

10 MR. PECK: Air monitoring?

11 Q. (By Mr. Wright) Air monitoring.

12 A. Air monitoring. Yes, sir, as far as I can

13 recall.

14 Q. Can you pin down when you saw those trailers,

15 maybe to a year or just as close as you can

16 get it?

17 A. I'd say in the mid '70s. Maybe '74 to '77.

18 I mean, that's -- and I'm guessing here.

19 Q. I know. Just your best estimate is all we

20 can do.

21 A. Yes, sir.

22 Q. Now, do you remember who was involved with

23 that?

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1 A. Jerry Brown and Gene Arnett were involved in
2 that.

3 Q. We've talked about the PCB off-site
4 contamination. Did you ever hear about any
5 other off-site contamination other than PCBs?

6 A. Well, the only thing I can recall was that
7 the SO2 emissions from the incinerator stack,
8 and that would be more of an odor complaint,
9 I guess, than anything.

10 A Miss Hilly used to call us all
11 the time and complain.

12 Q. Okay. Besides sulfur dioxide, what else?

13 A. That's really all. All that I'm aware of.

14 Q. Okay. Mr. Sanford, thank you very much for
15 your time. I hope you have a pleasant trip.

16 A. Thank you.

17

18 (Deposition concluded at 11:30 a.m.)

19 FURTHER THE DEPONENT SAITH NOT.

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C E R T I F I C A T E

STATE OF ALABAMA)

CALHOUN COUNTY)

I HEREBY CERTIFY that the above and
foregoing transcript was taken down by me in
stenotype, and the questions and answers thereto
were transcribed by means of computer-aided
transcription, and that the foregoing represents
a true and correct transcript of the testimony
given by said witness.

I FURTHER CERTIFY that I am neither
of counsel, nor of any relation to the parties to
the action, nor am I anywise interested in the
result of said cause.

TAMMY R. JENNINGS GREGORY
Notary Public, State of Alabama
MY COMMISSION EXPIRES: 9-12-2001

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