IN THE 30TH JUDICIAL CIRCUIT COURT FOR
ST. CLAIR COUNTY, ALABAMA
PELL CITY DIVISION

THOMAS C. DYER, ET AL,)
)
Plaintiff,)
)
vs.) NO. CV-93-250
)
MONSANTO COMPANY, ET AL,)
)
Defendant.)
Consolidated For Discovery With
SHELTER COVE MANAGEMENT,)
INC., ET AL,)
)
Plaintiff,)
)
vs.) NO. CV 94-50-PH
)
MONSANTO COMPANY, ET AL,)
)
Defendant.)

DEPOSITION OF JEFFREY FELDER
Taken on behalf of the Plaintiff
October 29, 1998

*** MINUSCRIPT & WORD INDEX ***

REPORTER: Kevin J. Weichman, CSR-RPR No. 084-003189

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THE DEPOSITION OF Jeffrey Felder, produced, sworn, and examined on behalf of the Plaintiff, on Thursday, October 29, 1998, at 10:30 a.m., at the offices of Taylor & Schroeder Reporting & Video, 7494 Ethel Avenue, St. Louis, Missouri, before KEVIN J. WEICHMAN, a Certified Shorthand Reporter, Registered Professional Reporter, and Notary Public within and for the County of St. Louis, State of Missouri.

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IT IS STIPULATED AND AGREED by and between counsel for the Plaintiff and counsel for the Defendant that the deposition of JEFFREY FELDER may be taken pursuant to and in accordance with the provisions of the Federal Rules of Civil Procedure pertaining to such depositions, by and on behalf of the Plaintiff, on Thursday, October 29, 1998, at the offices of Taylor & Schroeder Reporting & Video, 7494 Ethel Avenue, St. Louis, Missouri, before KEVIN J. WEICHMAN, a Certified Shorthand Reporter and Notary Public within and for the County of St. Louis, State of Missouri.

* * * * * *

JEFFREY FELDER,

of lawful age, being produced, sworn, and examined on the part of the Plaintiff, after answering "I do" to the oath administered by the court reporter, deposes and says:

MR. PECK: Usual stipulations?

MR. LOWE: Yes, usual stipulations unless -- I don't think that we need to read and sign this one.

MR. PECK: I really don't think so.

DIRECT EXAMINATION

BY MR. LOWE:

Q. Would you state your full name?

A. Jeffrey David Felder.

Q. Where are you employed, Mr. Felder?

A. Solutia, Incorporated.

Q. How long have you been employed by Solutia, Incorporated?

A. Since the start of the company in Solutia.

Q. When was that, '96?

A. '97 I believe.

Q. Did you work for Monsanto before going to work for Solutia?

A. Yes, I did.

Q. How long did you work for Monsanto?

A. I joined Monsanto in January of 1975.

Q. What is your present job title with Solutia, Incorporated?

A. I don't mean to be coy, but my business card indicates director of product stewardship, but generally speaking the organization chart is void of titles, but rather the functional descriptions.

Q. What was your last job title with Monsanto?

A. With a similar caveat, I was a leader or director or whatever for, let me think, compliance and product services.

Q. Before we get into what you do for Solutia, tell me your educational background?

A. Bachelors degree in mechanical engineering from Drexel University.

Masters in environmental engineering, same institution.

Professional development certificate in chemical engineering, Washington University.

Masters in management, University of Missouri.

Air command staff college, US Air Force.

Industrial College of the Armed Forces, Department of Defense.

Q. What are your duties as director of product stewardship for Solutia, Incorporated?

A. Generally speaking to oversee product regulatory matters, responsible care as to products, toxicology and risk assessment and hazard communication.

Q. I want to see if I got them all down right. Oversee product regulaatory matters, toxicology and what was the other ones?

A. Backing up to the first in terms of product regulatory matters, I also mentioned responsible care and similar voluntary programs.

In terms of toxicology, I remarked toxicology and risk assessment and I remarked hazard communication.

Q. What's involved in overseeing product regulatory matters?

A. I'm not quite sure how to answer. How in depth would you wish me to answer?

Q. Let's start generally. I might not want to know once I hear the general definition of that.

A. That would be delightful, I'm sure.

Products are regulated in varying degrees by different nations ranging from the requirement that a product view on an inventory as it is called under TSCA, Toxic Substance Control Act, so as to be sold and various nations have that circumstance.

Products need to be assessed as well for those purposes, assessed in the context of risk assessment, these days in any event.

And further, you might have special regulatory coverages. For example, if a product is regulated by the Food and Drug -- is to be employed for certain food and drug applications, it needs to be regulated by the Food and Drug Administration. So one either has to apply in order to obtain that regulatory coverage or ascertain that the regulatory coverage can be construed from what someone else may have done.

Similarly for Underwriters Labs, National Sanitation Foundation, one has to determine whether a

product might being a RCRA hazardous waste and make that representation and so on.

Q. How many people are in your -- I assume that since you are the director of product stewardship that you are the head of a particular department within Solutia; is that right?

A. Yes.

Q. What's the name of the department?

A. Product stewardship.

Q. And how many other people are under you in that department?

A. Let me think for a minute. There are six product stewardship regulatory people. There are three mammalian toxicologists, there are two aquatic toxicologists, several of whom in each of those last two camps are risk assessors as well. There is a person responsible for hazard communication who has I think three full-time people reporting to him in the U.S. and several contractors in various places. And then there are few of us in Nevele (PHONETIC) which is a Brussels, Belgium suburb, and I could take you through the numbers there if you wish.

Q. How does your department get involved in these issues? Are they, I guess for lack of a better description, are they sent in from outlying plants to

you here in St. Louis to answer their questions or is there some formalized chain that must be followed to do certain things regarding regulatory issues? How does it work?

A. It depends on the issue, and generally speaking product issues don't come to us from the plants but rather from R&D groups, marketing technical services groups and folks of that nature.

Q. Here is a document that was produced to us by your attorneys. It is Bates number DSW 122741. Would you tell me what that is?

A. Not very readily other than by the logo in the left-hand side.

Q. What is that? Does that describe how your department works or what is it?

A. It looks to me to be a generic description from the chemical manufacturer's association, hence the logo of how they envision these various product issues tying together.

Q. So that doesn't necessarily relate --

A. I mean generically of course it does.

Q. Just so the record is clear this document doesn't relate to your department as something produced by some other organization --

A. I am not certain. I did not create that

document. I have seen the logo on it which is not a Solutia logo, but I don't have direct knowledge of what its genesis was.

Q. We won't bother to mark that then.

Let's talk about the toxicology responsibilities of your department. What does that involve, toxicological aspects of your duties in your department?

A. In the most general of senses, gathering sufficient data on our products so as to assess their hazard and then synthesizing that with exposure information so as to assess the overall risk.

Q. And once you have made a determination of risk, who do you report that to?

A. It depends really on what the finding is and what the circumstance is, but generally speaking not only to the ESH people who might be involved but also to the people who have overall responsibility for the product line in a business context to line management. We are a support organization.

Q. Regarding toxicology, do you do testing on new products that Solutia is going to introduce to determine what effects it may have on the environment? Is that one of the criteria?

A. It is certainly a possibility. It depends on

the use of the product. It also depends on what information may be available in the literature. It also depends on the product's physical properties as we know them and a number of other parameters. So it would be fair to say that we would conclude what data was needed, and if the data were absent, then we would undertake testing.

Q. But do make a determination as to all existing and proposed Solutia products to determine the toxicity of those products?

A. We make a determination on all proposed and existing Solutia products so as to determine what's necessary for hazard and risk management. I'm not sure what your definitions are. That's, in my experience, how I would phrase it.

Q. Once you determine the toxicity of products, what do you do with that information from your department? What happens next?

A. As I explained or perhaps badly, but as I tried to explain --

Q. I am trying to listen.

A. -- one takes that in conjunction with the exposure scenario, determines what the resultant risk scenario is and then undertakes a whole possible spectrum of activities ranging from communicating the

hazard to users, Material Safety Data Sheets since 1984; imposing certain controls on the product and obviously the imposition of controls has a spectrum within and of itself.

Q. Does that information to the ultimate users and the imposition of controls on how the product is used, do those issue directly from your department to the customer or does it go through some other chain before -- I guess there is a label?

A. There is not a singular answer. The label and the Materials Safety Data Sheet, we are responsible for the creation of the text, and for that matter actually the print-ready page. For other sorts of information it is possible we would work with or through others.

Q. Who does it normally go through?

A. I won't say that there isn't a normal. I would say that I don't keep a statistic on it to know what the preponderance is.

Q. Was this the same process that you followed when you were director for compliance in product service at Monsanto?

A. Generally speaking, yes.

Q. Have you had any experience in testing the toxicity for PCBs?

A. No, not personally.

Q. Has that been something that has been done while you were director for compliance in product services for Monsanto?

A. Not to my knowledge but keep in mind, and I don't recall whether we spoke as to the time or not, you asked me as the job immediately proceeding. I served in the role as I described it to you in 1996.

Q. That's when you became director at Monsanto, that department?

A. With the title that you asked. You asked the job immediately prior to my present one which of course is what I therefore gave, and in that manner began in 1996.

Q. What did you do then before 1996 for Monsanto?

A. I was director for compliance services only, the important distinction meaning that it excluded the product responsibilities, product services absent from the prior title.

Q. What is Solutia's policy regarding chemicals that may have been released to the environment in the past regarding taking responsibility for those releases?

A. I don't know in any detail. One of my colleagues, generally speaking, handles that. Generally my responsibilities are limited to existing

and planned products.

Q. Which colleague usually handles that?

A. Mike Forseman (PHONETIC).

Q. Is he in your department?

A. No, he is not.

Q. What knowledge do you have as to polychlorinate biphenyls?

A. I know that -- I am trying to -- could you help me out with the question? It is a very general question.

Q. Well, you have master's in environmental engineering, did you say a professional certificate --

A. In chemical engineering.

Q. From that educational background and your own experience in testing toxicity of chemicals in your roles with Monsanto and Solutia, what information have you gained about polychlorinate biphenyls, PCBs?

A. I know that Monsanto at one time made the materials. I know that we ceased manufacture of the materials. Obviously I wouldn't be here if we weren't involved in litigation of the materials. I know that there is a significant controversy as to the aquatic or let's say environmental and mammalian effects of the materials as to whether they do or do not cause harm, and if so at what levels. I know that certain states

and the federal government impose cleanup requirements on the materials. I'm sorry, and I know that if one uses PCBs in the facility it is necessary to report annually and I think it has been to the EPA, it has been a while, what the use of the material is in the facility such as the transformers and if so what levels. I think that's the extent of my knowledge.

Q. You stated that you recognize that there was a controversy regarding the effects on the environment for PCB exposure. Do you have an opinion as to whether or not PCBs are toxic?

A. I have an opinion as to whether water is toxic.

Q. That's not what I asked you.

A. I understand.

Q. Are PCBs toxic to animals, wildlife, fish?

A. I don't know. I suspect they are at some level and that's why I choose to say and so is water at some level. I lack the knowledge, and I don't have any recollection, from reading at what levels there may be claimed or observed no effects. I apologize.

Q. My point is you are not going to take the position in this case one way or the other regarding the toxicity of PCBs whether they are toxic or not toxic; is that fair to say?

MR. PECK: Him personally?
MR. LOWE: Yes.
MR. PECK: He is asking if you plan to express an opinion about the toxicity --
THE WITNESS: No, I am not an expert in the area.
BY MR. LOWE:
Q. All right. Tell us about your duties with regard to risk assessment. What's involved there?
A. Actually risk assessment is done in detail by others whether within or without Solutia, but in essence one gathers, as I said, data on the hazard of the material and hazard may have different end points.
As an example, an end point, one end point is a Q toxicity and another end point might be skin irritation. One compares that to exposure data and determines whether in the simplest form there is a significant safety or not. As the exposure data is painted and then sort of either changes the exposure scenario by imposing additional controls or gathers more hazard data, but as I said earlier on, in essence a comparison between hazard which is inherent in the material, exposure which is inherent in the circumstance, and the resultant risk versus safe level.
Q. Is it fair to say then that every product that

is manufactured by Solutia and ultimately sold to consumers has been tested by your department for toxicity and risk analysis performed?
A. I would not say tested and the reason I would not say tested is that there are other ways of determining what a safe level might be such as structural analogy, comparison to similar chemicals, knowledge of its physical properties, et cetera.
But I would say that today we would not -- how do I put this so this answers your question directly without misleading you at all, it is fair to say that today we would review whether the product is acceptable for its intended use and that's basically risk assessment. Risk assessments are done qualitatively and quantitatively depending on the circumstance.
Q. Do you test to determine whether or not if the product is used as intended that it may be or may not be hazardous or cause some physical harm to the persons who come in contact with it? Isn't that one of your goals?
A. Would you restate the question? You sort of made it as a statement.
Q. Is it fair to say that for every product that's being released by Solutia that it has gone through some sort of analysis at your department to

determine whether or not it may or may not cause harm to the end user or people that come in contact with it?
A. That's generally speaking fair to say. We are not always selling to an end user so we may do the assessment around our customer's circumstance depending upon how the product is being used.
Q. But do you in this process try to theorize or come up with potential scenarios of how this chemical may be released into the environment or how it may be used or misused?
A. Generally reasonably foreseeable uses and misuses particularly as reported by the customers.
Q. And that's done for every product that Solutia manufactures; is that correct?
A. It is done for certainly every family of products as I remarked earlier. You may do some structural analogy work or some extrapolation within and between families.
Q. Now, do you know whether or not any such testing was done on PCBs?
A. No, I don't know. As I say my responsibilities are related to current and future contemplated products. I have never done any work in that regard on PCBs.
Q. In the chemical industry in this country, is

what you do in your department a standard practice? Does every chemical company that you know have some similar process for reviewing its chemicals before they are placed into commerce?
A. Every company that is today a chemical manufacture's association member or several other similar associations such as SOCMA, Synthetic Organic Chemicals Manufacturers, subscribe to responsible care. It is a relatively new program. Within responsible care there are in the U.S. at least six management codes. One of those management codes -- excuse me, one of those practice codes is product stewardship. Within the product stewardship code there are 12 management practices, and one of those management practices relates in essence to what you described which is gathering data on the hazard of materials, its exposure or its use and then determining whether the risk is acceptable or not.
Q. Right. And the point of all that is to try to do the best that you can to determine the risks before you actually release it into commerce?
A. Based on the knowledge at the time, yes.
Q. Right. From your knowledge of these responsible care guidelines, are you familiar with any guidelines that relate to past releases of chemicals to

the environment, how you should handle those situations?
A. I am not aware of any in the product stewardship code and I don't know as to whether there is a code within the overall responsible care program that speaks to historical issues as I think that you are alluding to. It speaks in great detail to present and future.
Q. Do you have any knowledge about how these guidelines were created? Were they based on, I guess, teachings from the past or historical mistakes or however you put it?
A. I don't have any personal knowledge of that. I was not involved in the drafting of the practice. That was before my time in terms of function.
Q. So you are not involved on any committees that continue revising these guidelines?
A. No, I don't serve on the responsible care code committee.
Q. What about within your company Solutia, are you involved in revising or giving any input in the creation of policies?
A. Yes.
Q. Tell us about those.
A. I am involved in input on the creation of the

product stewardship policy presently.
Q. What is product stewardship as opposed to risk assessment?
A. I guess you might view product stewardship as the umbrella under which risk assessment is but one spoke.
Q. Excuse me, I didn't understand you.
A. I was trying to paint you a word picture albeit unsuccessfully.
Product stewardship is the general description of the area. Risk assessment is simply one activity that one undertakes under product stewardship.
Q. Well, paint me a picture of the umbrella of product stewardship. What is involved? Maybe you have already told me.
A. I tried to when I was initially describing my duties, so if we go back to that, it includes the regulatory aspects, it includes those areas beyond regulation or supplementary to regulation. It includes toxicology which therefore includes risk assessment and risk management, and there are subparts to risk assessment that we spoke about a few moments ago. And that includes hazard communication.
Q. Let me show you a document bearing Bates number DSW 122809 and tell me if that accurately

describes product stewardship?
A. For a one paragraph two sentence description it is reasonably good.
Q. Let's put a sticker on it. We will call this Exhibit 1 to your deposition.
A. What is the source of the document?
Q. Your lawyers, as best I can tell. This number down here indicates --
A. I understand. I just didn't know where it came from. Perhaps I should have asked Adam that question instead of you.
Q. I think that you would have gotten the same answer.
MR. PECK: We have produced a lot of documents. I am not sure.
MR. GRAMMAS: That was the recent production that you gave under a cover letter to Clay.
MR. PECK: That may have been a document produced for your deposition.
THE WITNESS: I just don't remember seeing it. But for a two sentence description it is not too bad.
BY MR. LOWE:
Q. Looking here at Exhibit 1, is it a fair statement that your products are being tested or you determine that they do not pose an undue risk to human

health or to the environment?
A. Yes.
Q. During all stages of their life; is that correct?
A. Generally speaking, yes. One has better knowledge of some stages than others as they pass through the chain.
Q. And it is fair to say that that is the responsible standard for any chemical company in this country as we sit here today?
A. Yes, I think so. I am not sure to what degree various folks adhered to it at different points in time. I am sure it changed different times.
Q. But as far as you know, that is Solutia's standard?
A. In 1998, yes. I don't know that it is a standard but it is a statement of intent. I don't see any measurements in there, for example.
Q. Well, you try to follow this general guideline?
A. Yes.
Q. Now, while you were with Monsanto, did they follow a similar guideline?
A. I believe so during the course in which I was involved with this. Keep in mind when my experience

began.
Q. As part of the life cycle that we are talking about here in Exhibit 1 disposal, are you trying to -- when you make these calculations, do you take into consideration the ultimate disposal of the chemical whatever -- once it has been utilized?
A. It depends on the chemical and the form in which it is used.
Q. But that is something that you take into consideration?
A. Where we have knowledge, can get knowledge, have reason to believe that that is the area of concern, yes. Not in all circumstances.
Q. Do these product stewardship guidelines apply to products that were manufactured in the past by Monsanto that are perhaps landfilled or otherwise stored on properties owned by Solutia?
A. Generally not. One would be thinking about remediation issues then and would sort of be out of the purview of product stewardship. We are generally forward looking for existing and future products.
Q. What if you are presented with an issue of where chemicals have been released into the environment around the plant that is owned by Solutia but the release was in the past, do any of these guidelines

apply in that situation?
A. I think a different set of guidelines might apply generally speaking and you would have to talk to Mike Forseman as to what his operative rules are.
Something within my role would be involved for existing and future products where one can get your hands around the information as it is going on today and get use information, disposal information, et cetera, and then assess it so as to either change present practice or avoid issues in the future. It would be a bit difficult to apply that as it is worded now retrospectively.
Q. Are you familiar with the environmental policy regarding rectifying past mistakes regarding chemical releases?
A. I don't think so. If you would show it to me I may remember but I am not involved in remediation today.
Q. You are just involved in testing present products presently for sale by Solutia?
A. Presently or contemplated for sale.
Q. But you have been doing this since -- for how long?
A. My present job beginning of Solutia, I talked about Monsanto I joined Monsanto in 1975, but in very

different functions and different businesses.
Q. When you joined Monsanto in 1975 what was your first job with them?
A. I was an environmental engineer at one of our manufacturing sites.
Q. Which site was that?
A. Dell River Plant in Bridgeport, New Jersey.
Q. Did you have any involvement with PCBs at that point?
A. No, I didn't.
Q. Have you ever worked at the Anniston plant?
A. No, I haven't.
Q. Is it Crumrick (PHONETIC) plant?
A. No, I never had the experience.
Q. If you determine that a particular product poses an undue risk to human health or to the environment, is it good practice to allow that chemical to be released into the environment?
A. I'm sorry, I was in the midst of getting coffee. I have to apologize first of all for doing that, and secondly to ask you to restate it.
Q. Can you read it back?
(THE LAST QUESTION WAS READ BACK BY THE REPORTER)
A. I think there is some assumptions inherent, so let me state what I think your question means, and if

that's not it -- you're assuming that the release of the product causes the undue risk directly attributable to the release at the particular level.
Q. No, let me restate it. Let's assume you in your role at Solutia determined that a product is sold by Solutia, poses an undue risk to human health or to the environment, would it be good practice to allow -- knowingly allow that chemical to be released from Solutia, a Solutia plant, into the environment?
A. I don't think the question is amenable very readily to a yes or no. Typically one has to speak about levels, and so if you knew --
Q. Let's assume --
A. -- the the level was a problem, you would change the level.
Q. Let's assume it is a level that you deemed would pose an undue risk to human health or to the environment.
A. No, you would go back and change something in the equation, go back being present tense, forgive me for the way I put it.
Q. I am talking about as we sit here today --
A. I understand.
Q. If there is a chemical that you are aware of that Solutia produces and that you have tested and

found under these product stewardship guidelines would pose an undue risk to human health or to the environment during all stages of its life, would it be prudent to allow that chemical to be released into the environment in such amounts that it would pose an undue risk to human health?

A. If we had that knowledge, no. We would set about changing things.

Q. And if you did not have the knowledge at the time of the release to the environment but you found out later, would it be prudent to go back in and remediate?

MR. PECK: Object to the form of the question.

THE WITNESS: I need some instructions.

MR. GRAMMAS: Well, you can answer.

MR. PECK: I'm sorry. I objected to the form of the question which is a thing I have to do to protect the record when I think that there is some improper --

THE WITNESS: In other words, you wish me to answer?

MR. PECK: You can go ahead and answer.

THE WITNESS: Would you restate it one more time?

BY MR. LOWE:

Q. I'll try. Let's assume that a release of a chemical is made and then you determined later, "you" being Solutia, that that chemical posed an undue risk to human health or to the environment, is it prudent then to go back and attempt to remediate that release?

MR. PECK: Object to the form of the question.

THE WITNESS: I think that you have to define remediation for me. My first position would be that you go back and do some sort of quantitative risk assessment around it and contemplate the alternatives that were available and then undertake what made sense amongst the alternatives. Remediation covers a whole spectrum of activities, and the first step in any remediation is generally gathering data just like in the present day product of risk assessment, both as to toxicity and exposure, and then determining what the resultant risk was. If the resultant risk is acceptable, then presumably that would be the end of the discussion. If the resultant risk was unacceptable, you would begin to contemplate remediation alternatives, and if you couldn't tell obviously you would gather some more data until you could tell. Really it is a scientific process which is about the same that you do for a product.

Q. So you are telling me that you would do some

sort of assessment of the level of the release and if you found it to be, I guess, harmful then you would remediate?

A. I don't know what your definition of remediation is.

Q. I always call it cleaning it up to some acceptable level.

A. I would challenge from my education at least that that definition of remediation is wrong because remediation could, amongst other things, include simply preventing people from reaching it or a number of other things. It is not my present area of expertise.

Q. Then you wouldn't know what a reasonable period of time for making an assessment would be, would you?

A. I think it varies on the complexity of the problem.

Q. Have you ever seen anywhere it took 30 years to assess it?

MR. PECK: Object to the form of the question.

THE WITNESS: It is not my area of expertise. I can't answer it anyway.

BY MR. LOWE:

Q. What's your answer then if Solutia released a product to the environment that it knew was toxic and

then what steps would you take?

MR. PECK: Object to the form of the question. Go ahead.

BY MR. LOWE:

Q. At the time it was released you knew it was toxic, what steps are taken then?

MR. PECK: Object to the form of the question.

THE WITNESS: I have a hard time imagining doing that, but assuming that we knew it was toxic you would go back and assess the exposure and see what the potential for harm was and then decide what the next steps were.

So again, and maybe it is the problem with asking an engineer, as you can tell from my credentials, a question -- usually one likes to have data before proceeding.

Q. That's what I am asking. Is that what you would suggest?

A. Get data, yes.

Q. Testing and see the volume of the release and what effect it has had on the environment or whatever?

A. One would proceed systematically to gather data. You can't test the world but one needs to test to see what the definition of the world is.

Q. You mentioned that you would have a hard time

believing that that would happen when I asked you about knowingly releasing a toxic substance into the environment. Why would you have a hard time believing that would be done?

A. We all live in the same places where the plaintiffs are. Why would you do that to anyone else or yourself if you know that you are going to do harm. There is usually a large discussion and I hate to bring in extraneous things, but most of us probably sat and watched 60 Minutes on a Sunday night with the Alar issue. It is obviously a controversy in that instance as to what the harm is. And there is usually a question mark as to how much is released, but once one gets good evidence, I can't imagine doing it.

Q. Is one of the guidelines that you follow a dedication by Solutia to ensure the safety of the environment?

A. Yes. I don't know that it is expressed in exactly those words but you've got the documents.

Q. I think it says Solutia is dedicated to ensuring the safety of the environment. Is that a fair statement?

A. I don't know. If you -- my memory isn't that good. Conceptually I agree with you. If you show me our official document, I will stipulate to the exact

words.

Q. As we agreed, we are trying to expedite this thing. If I go to my notebook and start pulling out documents, I will have breached my agreement.

A. I would rather you didn't, but my haircut appointment is not until 5:40. Conceptually, of course as I have said already, I do agree with you.

Q. Do you agree with another statement which is we are publicly obligated to pursue a course of stewardship that goes beyond what is required by the law?

A. Without stipulating to the precise words, yeah, conceptually. And that's when I gave you my definition of product stewardship. I said beyond regulatory. There were voluntary matters such as responsible care.

Q. Do you understand on the part of Solutia that your goal is to prevent harm to our neighbors, our meaning Solutia's neighbors?

A. Yes, I do understand that.

Q. What is your knowledge of efforts by Solutia to rectify any harms caused by Solutia's or Monsanto's past practices with regard to releasing chemicals into the environment?

MR. PECK: Anywhere?

MR. LOWE: Anywhere. Let's limit it to the United States.

THE WITNESS: I know that Mike Forseman spends a pile of money doing exactly that. I don't know how much.

BY MR. LOWE:

Q. Is that something that you discuss with him on a regular basis?

A. No, surely not.

Q. Or at the water cooler?

A. At the water cooler. I have more than enough of my own work and he has more than enough of his and I trust his capabilities.

Q. What is your understanding regarding Solutia's policy on rectifying mistakes of the past?

MR. PECK: Object to the form of the question.

BY MR. LOWE:

Q. If you know?

A. I don't know any in detail. I'm sorry, other than the fact that it is generally our intention. You have exhausted my knowledge on that point.

Q. So it is generally Solutia's intention to try to rectify mistakes of the past regarding releases of chemicals to the environment?

A. Yeah, I am not sure what you mean by

"rectify."

Q. Try to correct, to clean it up, remediate, whatever.

A. I think in general terms, yes, that is the case. There may be room for dispute over how much is enough and where and when.

Q. Is your department presently involved in any litigation over your activities?

A. Not to my knowledge. I am sure we from time to time get product liability claims but I am not involved in any litigation presently, nor am I personally aware of any of my people who are involved in testimony or litigation.

MR. LOWE: Let's take a five minute break.

(A SHORT BREAK WAS HELD.)

MR. LOWE: This conclude Mr. Felder's deposition. We have no further questions.

STATE OF MISSOURI)
)
COUNTY OF ST. LOUIS)

I, KEVIN J. WEICHMAN, CSR, RPR, Notary Public in and for the County of St. Louis, State of Missouri, do hereby certify that pursuant to stipulation there appeared before me on the 29th day of October, 1998, at the court reporting office of Taylor * Schroeder Reporting & Video, Richmond Heights, Missouri, Jeffrey Felder, who was first duly sworn by me to testify to the whole truth of his knowledge touching the matter in controversy aforesaid, so far as he should be interrogated concerning the same; that he was examined and the examination was taken down in shorthand by me and afterwards transcribed by computer-aided transcription.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal on this 27th day of November, 1998.

_____
KEVIN J. WEICHMAN, CSR/RPR
Notary Public

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