

IN THE UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF ALABAMA

EASTERN DIVISION

WALTER OWENS, et al.,

Plaintiffs,

vs. CIVIL ACTION NO.

CV-P-440-B

MONSANTO COMPANY,

Defendant.

DEPOSITION OF: JOE WEBB

In accordance with Rule 5 (d) of The

Alabama Rules of Civil Procedure, as Amended,

effective May 15, 1988, I, TAMMY JENNINGS

GREGORY, am hereby delivering to MR. DREW WRIGHT

the original transcript of the oral testimony

taken on the 3rd day of November, 1999, along

with exhibits.

Please be advised that this is the same and

not retained by the court reporter, nor filed

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1 with the Court.

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

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STIPULATIONS

IT IS STIPULATED AND AGREED by and between the parties through their respective counsel that the deposition of Joe Webb may be taken before Tammy R. Jennings Gregory, at the law offices of Fite & Miller, Anniston, Alabama on the 3rd day of November, 1999.

IT IS FURTHER STIPULATED AND AGREED that the signature to and the reading of the deposition by the witness is waived, the deposition to have the same force and effect as if full compliance had been had with all laws and rules of court relating to the taking of depositions.

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

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

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

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STATE OF ALABAMA, CITY OF ANNISTON,
NOVEMBER 3, 1999,
10:00 P.M.,

JOE WEBB,

having been first duly sworn, was examined and testified as follows:

COURT REPORTER: Usual stipulations okay?

MR. WRIGHT: Yes.

MR. KELLY: Yes.

EXAMINATION BY MS. WRIGHT:

Q. Mr. Webb, could spell your name for the record?

A. First, last, middle?

Q. First and last.

A. J-o-s-e-p-h, Joseph Webb, W-e-b-b.

Q. And that's just -- and let me just explain.

Have you ever taken a deposition before?

A. (Witness shakes head.)

Q. Let me just explain to you. Tammy is going

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to try to write down everything that I say and everything that you say, and I'll just show you what it's going to come out looking like.

It's going to be printed up like this, and when I ask a question -- that's actually another Mr. Wright. That's my brother, Larry -- and everything I say will be printed up as a question, and everything you say will be printed up as an answer after "A".

And so, it will help you and me if we'll both try to say things that are easy to write. Like, rather than say uh-huh (indicating yes) or huh-uh (indicating no), which are hard to write, if you'll help me say yes or no and if you'll promise me that you'll answer yes or no.

A. All right.

Q. Or all right. That's fine too.

Also, if there is a question that I ask, and I often do ask these kind of questions, if there's one that is hard for

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1 you to understand, please stop me and tell me
 2 you don't understand it, and we'll get it
 3 cleared up so we can let Tammy write it
 4 down. Is that okay too?
 5 A. Fine.
 6 Q. Okay. When did you start working for
 7 Monsanto?
 8 A. April 1st, 1965.
 9 Q. Okay. And do you still work for Monsanto?
 10 A. Yes.
 11 Q. I guess it's Solutia?
 12 A. Solutia.
 13 Q. Right. Have you always been at the Anniston
 14 plant?
 15 A. Yes.
 16 Q. What did you start doing April 1st, 1965?
 17 A. Well, I was an operator trainee in the
 18 biphenyl aroclor department.
 19 Q. Operator trainee. What type of job does an
 20 operator trainee -- or did an operator
 21 trainee do then?
 22 A. Well, out of the jobs they had, they were
 23 each job listed under it's name.

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1 Q. Right.
 2 A. I started out then what they call HB40.
 3 Q. Okay.
 4 A. Which was just a matter of learning the
 5 process, learning to run the process --
 6 Q. Okay.
 7 A. -- of that particular job.
 8 Q. The biphenyl job?
 9 A. In that department, yes, which then was known
 10 as biphenyl aroclor.
 11 Q. Okay. So it was biphenyl aroclor at that
 12 time?
 13 A. Yes.
 14 Q. How long were you an operator trainee? I
 15 guess you weren't a trainee for very long,
 16 were you?
 17 A. Until we got our probationary period, which
 18 then was ninety days.
 19 Q. About ninety days. And after that, you were
 20 an operator?
 21 A. Yes.
 22 Q. How long were you an operator, if you
 23 remember? I mean, it's been a long time, and

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1 I understand that.
 2 A. Well, I've been an operator a couple of
 3 different occasions.
 4 Q. Okay.
 5 A. Okay. First time I was in operation from
 6 1965 up through 1980.
 7 Q. Okay.
 8 A. As far as in operations now. Not all being
 9 an operator, but --
 10 Q. Right. Until 1990 was it, 1980?
 11 A. 1980.
 12 Q. 1965 to 1980. And you weren't an operator
 13 that whole time, were you --
 14 A. I was chief operator couple times.
 15 Q. You were chief operator. Okay. Was that all
 16 in biphenyl aroclor?
 17 A. Yes. Now, biphenyl aroclor -- they had a
 18 separation of it in the fall of '65, and I
 19 went to the aroclor side of it.
 20 Q. Okay. In the fall of '65, it split up into
 21 biphenyl and then aroclor?
 22 A. Uh-huh (indicating yes).
 23 Q. That's correct?

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1 A. Yes, two separate departments.
 2 Q. And then -- and you went into aroclor?
 3 A. Right.
 4 Q. How long did you say in aroclor from the fall
 5 of 1965?
 6 A. Around first of September, 1965 until June of
 7 '72.
 8 Q. Okay. And that was -- what happened in June
 9 of '72?
 10 A. That was the final shutdown of aroclor
 11 department.
 12 Q. Okay. And you were an operator that whole
 13 time?
 14 A. Yes.
 15 Q. Did you become a chief operator in the
 16 aroclor department?
 17 A. Not in aroclor.
 18 Q. Okay. So from the fall of '65 through June
 19 of '72?
 20 A. Uh-huh (indicating yes), yes.
 21 Q. Okay. And it's hard, and I know that because
 22 I say uh-huh (indicating yes) and uh-huh
 23 (indicating no) when I'm talking too.

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HARTOLDMON0044416

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1 You were an operator in aroclor.
 2 In June of '72, what did you become then
 3 after the shutdown?
 4 A. I was assigned to the niran department.
 5 Q. Okay.
 6 A. And I spent one week there.
 7 Q. Okay.
 8 A. And I was transferred back to the biphenyl
 9 department.
 10 Q. Biphenyl then. So biphenyl from July or so
 11 of '72?
 12 A. Right.
 13 Q. And are you still in biphenyl department?
 14 A. No, huh-uh (indicating no).
 15 Q. Okay. What was the next change after you
 16 were moved?
 17 A. I went to maintenance.
 18 Q. Okay. When did you go to maintenance from
 19 biphenyl?
 20 A. Around '80, 1980.
 21 Q. Okay. What was your job description in
 22 maintenance?
 23 A. Maintenance mechanic.

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1 Q. Okay. What did you do as a maintenance
 2 mechanic?
 3 A. I was combination of pipe fitter millwright.
 4 Q. Okay. And we had Mr. Robertson here before,
 5 and he said there was a time when pipe
 6 fitters and millwrights were combined. Were
 7 they combined at that time?
 8 A. I was one of the first ones that went in as a
 9 maintenance mechanic.
 10 Q. Yeah, he said the crafts were combined?
 11 A. Right.
 12 Q. Was that about 1980?
 13 A. Yeah, in that neighborhood.
 14 Q. In that neighborhood. But before that, they
 15 had --
 16 A. -- separate classifications, yes.
 17 Q. Separate classifications. Okay. And how
 18 long were you a pipe fitter millwright with
 19 the maintenance department?
 20 A. From '81 to '86. '80 to '86.
 21 Q. '80 to '86. And what happened in '86 then?
 22 A. Parathion department was shut down, and I was
 23 cut back to operations again.

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1 Q. Okay. And where were you assigned in
 2 operations?
 3 A. Biphenyl.
 4 Q. Biphenyl. So you were an operator in
 5 biphenyl?
 6 A. Right.
 7 Q. Okay. In '86. And what did you -- did you
 8 stay there until now or --
 9 A. No, I stayed there until around middle of
 10 '90.
 11 Q. '86 to '90. Okay. What happened then?
 12 A. Transferred to the warehouse.
 13 Q. Okay. What was your job description?
 14 A. Warehouse. Relief operator is what they
 15 called it.
 16 Q. What does a warehouse relief operator do?
 17 A. Worked shipping, raw materials, unloading raw
 18 materials. I was also relieving in the
 19 biphenyl department.
 20 Q. Okay. Okay. That gets us up, I guess, to
 21 '90. How long were you a warehouse relief
 22 operator?
 23 A. Still a warehouse operator. I don't relieve

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1 anymore.
 2 Q. So you're still a warehouse operator?
 3 A. Right.
 4 Q. With Solutia?
 5 A. Yes.
 6 Q. And are your jobs still the same, still
 7 unloading, shipping, with raw materials?
 8 A. Unloading, shipping, loading finished goods,
 9 unloading raw materials is the same. As far
 10 as relief operations, no, I don't do that
 11 anymore.
 12 Q. Okay. I am going to ask you a few questions
 13 about your job as an operator. Really let's
 14 just talk about your job as an operator in
 15 the aroclor department.
 16 A. Okay.
 17 Q. And that started, I think, in the fall of
 18 '65; is that right?
 19 A. Right.
 20 Q. We have an exhibit that I'm going to show
 21 you, which is an aerial photograph from 1969,
 22 I think.
 23 And let me first show it to Mr.

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1 Kelly. And it's --
 2 MS. RUTH: This is the same one,
 3 Drew. I'm not sure which one's easier for
 4 this purpose.
 5 MR. WRIGHT: Okay. Yeah, actually
 6 I'll show -- there's another photograph of
 7 the same area, and this is actually the one I
 8 want to work on because I think it may be a
 9 little easier to orient. And you see the
 10 date at the top says 3-10-69; is that
 11 correct?
 12 A. Yes.
 13 MR. WRIGHT: And let's mark this as
 14 an exhibit, and let's just ask Tammy what's
 15 the next number?
 16 COURT REPORTER: 27.
 17 MR. WRIGHT: 27.
 18
 19 (Plaintiffs' Exhibit Number 27 was
 20 marked for identification and
 21 copy of same is attached
 22 hereto.)
 23 Q. And it's been labeled 27; is that correct?

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1 A. Yes.
 2 Q. Okay. Does that look like -- and I'm not
 3 sure how we need to orient it. I'm not
 4 exactly sure where the Monsanto plant is.
 5 A. This is the old Highway 202.
 6 Q. Okay.
 7 A. This is the south side; this is the north
 8 side.
 9 Q. Okay.
 10 A. This is east.
 11 Q. Okay. We've got it oriented now so the
 12 3-10-69 is facing you so you can read it; is
 13 that correct?
 14 A. Right.
 15 Q. Okay. And where would the Monsanto plant be?
 16 A. This area right here (indicating), west of
 17 Highway 202.
 18 Q. Okay. And it seems to be the biggest group
 19 of buildings on the map; is that true?
 20 A. Yes. This area here from the railroad to the
 21 curve in 202.
 22 Q. Okay. And the railroad seems to be
 23 diagonally across the -- I guess the top for

1 you?
 2 A. Yes.
 3 Q. And to 202 curves around?
 4 A. Yes.
 5 Q. That's correct. Now, where was the aroclor
 6 department at this time? Do you -- I know
 7 it's been thirty something years.
 8 A. It was actually considered the south,
 9 southeast part of the plant.
 10 Q. Okay.
 11 A. Not in the complete eastern part but in the
 12 south part of the plant.
 13 Q. Okay. And we've had testimony before that
 14 said the plant was divided up actually into a
 15 north and a south plant; is that correct?
 16 A. That's the way it was, you know. Everybody
 17 just said that's the north side of the plant,
 18 south side of the plant.
 19 Q. Okay.
 20 A. Which probably Fifth Street was the dividing
 21 point, yes.
 22 Q. And aroclor at that time was south -- was in
 23 the south plant?

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1 A. Yes.
 2 Q. And it was the southeast side?
 3 A. Southeast of Fifth and Duncan.
 4 Q. Around Fifth and Duncan?
 5 A. That's the way they used to call the
 6 streets. They were streets really at one
 7 time.
 8 Q. Okay. And was it something that you could
 9 mark on this map? I don't know -- I know
 10 it's been a long time.
 11 A. Best I can see it.
 12 Q. Okay.
 13 A. Well, this is Fifth Street coming across
 14 here.
 15 Q. Okay. Can you mark Fifth Street -- can you
 16 mark an "X" for Fifth Street just on top of
 17 it?
 18 A. Actually coming right through there
 19 (indicating).
 20 Q. Okay. And where do you think the aroclor
 21 plant would be?
 22 A. Be in this area right here (indicating).
 23 Q. Let's circle the aroclor plant.

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1 A. Okay.
 2 Q. And I don't know if it's going to show up or
 3 not. Maybe a blue will show up a little
 4 better.
 5 A. In between.
 6 Q. Yeah, it's tough on black and white. Maybe
 7 green will help.
 8 A. I don't know. I believe yellow might be the
 9 best.
 10 Q. Yeah, we can highlight around it which will
 11 help on the overhead -- I mean on the
 12 original.
 13 A. (Witness drawing.)
 14 Q. And that was the aroclor plant right there?
 15 A. Yeah.
 16 Q. And you've marked that with a yellow
 17 hi-liter; is that correct?
 18 A. Right.
 19 Q. So it appears to be just to the south side of
 20 Fifth Street?
 21 A. Yes.
 22 Q. Is that right?
 23 A. Yes.

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1 Q. Okay. What did the aroclor plant contain at
 2 that time, if you remember?
 3 A. Are you talking about vessels or --
 4 Q. Well, let's go to the buildings first.
 5 A. We called it the aroclor building --
 6 Q. Okay.
 7 A. -- which was the only building actually in
 8 what we considered the aroclor department.
 9 Q. Right.
 10 A. Which consisted of the operating area,
 11 control room, a maintenance shop on the lower
 12 floor, control room being on the second floor
 13 of the building.
 14 Q. Okay. So one building that was two stories?
 15 A. Just a long building, actually multistory.
 16 You could probably say it was three story.
 17 Q. Three stories?
 18 A. Yeah.
 19 Q. What was on the third story?
 20 A. Operating department was where the jets,
 21 vacuum jets, were located, which would be in
 22 the highest part of the building.
 23 Q. Okay. And what was on the second floor?

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1 A. That's where the --
 2 Q. -- operating control room?
 3 A. Operating -- well, the operating control room
 4 was on the second level.
 5 Q. Okay.
 6 A. Most of the vessels was considered to be on
 7 the second level.
 8 Q. Okay. And what was on the first level?
 9 A. Pumps for tanks -- you pump tanks out with.
 10 Q. Uh-huh (indicating yes).
 11 A. Flaking, bagging, drumming area, storage of
 12 bags, drums, several other things. Flaking
 13 areas, drumming areas.
 14 Q. As an operator, where did you spend most of
 15 your time in that building?
 16 A. On the second level the majority of the time
 17 and in the operating area and control room.
 18 Q. Would you from time to time go down to the
 19 first floor?
 20 A. Oh, yeah, you had to go downstairs all during
 21 the shift, I mean, but you didn't stay on the
 22 bottom floor. It was just going down there,
 23 like, to start a vessel pumping out or to get

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1 material to put on the elevators to send to
 2 the second floor.
 3 Q. Okay. And we haven't had too many people
 4 talk about the third floor. Did you spend
 5 much time on --
 6 A. It actually -- I don't guess you consider it
 7 a floor. It was just platforms.
 8 Q. Okay.
 9 A. Steel girders with open mesh --
 10 Q. Platforms that you walked on?
 11 A. -- metal grating with handrails that you
 12 walk. And these jets were just mounted for
 13 the height in the top of the building.
 14 Q. Okay. And they were like catwalks?
 15 A. Catwalks, yes.
 16 Q. Was there anything on the roof that you
 17 remember?
 18 A. Not on the roof of the building.
 19 Q. Okay. Okay. Was there anything outside of
 20 the building that was also an additional part
 21 of the building, anything that you all
 22 utilized that was outside of the building?
 23 A. We had tanks that was outside of the

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1 building, like, on the second floor, set
 2 outside of the building --
 3 Q. Okay.
 4 A. -- over the roof of the first level.
 5 Q. Okay. So they were under roof, but they were
 6 actually --
 7 A. No, this tank was actually out in the open,
 8 but it was mounted outside of the building
 9 structure --
 10 Q. Okay.
 11 A. -- on steel beams holding it up.
 12 Q. And what did it contain?
 13 A. Aroclor 1242. Which we called it a roof
 14 tank, which was a feed tank for the aroclor
 15 stills.
 16 Q. So the roof tank was really off to the side;
 17 is that correct?
 18 A. To the outside, the east side of the
 19 building.
 20 Q. East side. How many -- there was one roof
 21 tank?
 22 A. Two.
 23 Q. Two roof tanks. So the roof tanks weren't

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1 technically on the roof; is that correct?
 2 A. No, they weren't on the roof. They were
 3 supported on their own structure. There was
 4 a loading dock platform on the lower floor of
 5 the building, which was roofed in. They were
 6 actually cantilevered, I guess you'd say, on
 7 the outside of the building over the roof.
 8 Q. On the top of the loading dock?
 9 A. Uh-huh (indicating yes), over it.
 10 Q. And they were about second floor?
 11 A. Yes, you walked -- well, one roof tank, it
 12 was almost what you'd called almost third
 13 level because it was outside a building, and
 14 you had to go up a flight of stairs to get to
 15 it.
 16 Q. And you said aroclor 1242 was in the holding
 17 tanks?
 18 A. 1142. I made a mistake when I said 1242.
 19 Q. Okay.
 20 A. Crude aroclor was 1142.
 21 Q. Right. And when it becomes distilled, it
 22 becomes 1242?
 23 A. 1242.

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1 Q. Okay. Was it always 1142 in these roof
 2 tanks?
 3 A. In one of them particularly it was always.
 4 Q. Okay.
 5 A. The other one you could put different
 6 products in it.
 7 Q. Does that mean that most of what you made was
 8 1142 and/or 1242?
 9 A. I would say yes. The biggest production
 10 volume wise of liquid aroclor, yes, was 1242
 11 finished good, 1242.
 12 Q. Right. What other types of, I guess,
 13 formulas of aroclor would have been in this
 14 other roof tank? And is formula a good way
 15 to --
 16 A. Well, we didn't use -- we didn't use that one
 17 a whole lots because didn't have to have the
 18 capacity for it, so a lot of times, it would
 19 set there empty.
 20 Q. Empty. Would you put other aroclor mixtures
 21 in there when you were making those?
 22 A. Very -- I mean, very rarely. I can't
 23 remember really putting much in it because

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1 other stuff we'd just feed out of the other
 2 tanks.
 3 Q. You wouldn't really need to put it in a
 4 holding tank?
 5 A. Huh-uh (indicating yes).
 6 Q. Does that mean you wouldn't make that big a
 7 batch of the other aroclor mixtures?
 8 A. We wouldn't be making that production of
 9 that.
 10 Q. Okay. Another thing you mentioned on the
 11 bottom floor was, I think, a flaking
 12 operation?
 13 A. Yes, there was what you called two flakers.
 14 One of them was a solid aroclor flaker.
 15 Q. Okay.
 16 A. One of them was a biphenyl flaker.
 17 Q. Okay. Can you just tell me the difference
 18 between the solid aroclor flaker and the
 19 biphenyl flaker? Were they pretty much the
 20 same, or were they very different or --
 21 A. Different. The biphenyl was just a -- about
 22 a three foot probably twenty-four inch in
 23 diameter drum, rotating drum, that --

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1 Q. Okay.

2 A. -- that the biphenyl just went out on. It
3 came out, and it was put in a bag right off
4 the drum. As it came off the drum, it went
5 in a bag.

6 The aroclor flaker, bigger, close
7 to five foot --

8 Q. Okay.

9 A. -- long. About the same in diameter. Solid
10 aroclor came down on it and then went through
11 a set of crushers or fingers to break it
12 on -- it went down. And it had a screw type
13 bagger on it with a hopper.

14 It had a hopper in under it because
15 there was more production on that flaker than
16 it was the other.

17 Q. Mr. Rich and actually Laura Ruth talked about
18 this process a little yesterday. They said
19 it was kind of like a rolling pin where it
20 would pick up the flour?

21 A. They had a pan underneath them. The drum
22 being where it could just come down and come
23 in contact with the liquid.

1 Q. Right. So it was wider at the top than at
2 the bottom?

3 A. Sloping down.

4 Q. Okay.

5 A. Well, as the product came through the screw
6 or auger --

7 Q. Okay.

8 A. -- was mounted to the chute for the bag. And
9 the only thing it done was as the product
10 fell down out of the chute, it brought it
11 into the bag chute.

12 Q. Okay. And there was a bag attached to it?

13 A. It was just a screw. Yes, it had a nozzle,
14 and they just slipped the bag sleeve -- the
15 bag being made with a sleeve on it -- up onto
16 the nozzle, open valve, started the screw,
17 and it put the flaked product into the bag.

18 Q. Okay. So you could turn nozzle on and off?

19 A. Oh, yes.

20 Q. Okay. And when you would take the bag on and
21 off, what would happen? Would you -- well,
22 let me just ask you what would happen as you
23 took the bag on and off?

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1 Q. And the drum was like a rolling pin? It was
2 rather long --

3 A. Yes, it had a drive on it --

4 Q. Okay.

5 A. -- with cooling on the inside coming through
6 the inside of it, and it would just pick it
7 up out of the pan and bring it over the top.

8 Q. And there was a blade on the other side that
9 would scrape it off?

10 A. On both of them.

11 Q. And it was on biphenyl and the aroclor. Were
12 you ever an operator of those?

13 A. Not the biphenyl flaker. Aroclor flaker,
14 yeah.

15 Q. You were an operator of the aroclor flaker?

16 A. (Witness nods head.)

17 Q. Let's talk about that flaker a little bit
18 then. You said there was a screw type -- I
19 guess it's a pusher at the bottom? Let me
20 let you describe it.

21 A. The product came down in a hopper --

22 Q. Okay.

23 A. -- with a sloped bottom in it.

1 A. Slipped it off, folded the sleeve in.

2 Q. And then would you seal it up? Would you
3 staple it?

4 A. No, it seals itself. It folded inside.

5 Q. Okay.

6 A. Folded inside. And they'd pick it up and
7 weigh it and stack it on the pallet.

8 Q. And I think Mr. Rich said that these bags
9 were about fifty pounds a piece?

10 A. When I first started, they were hundred
11 pounds. Then they dropped back to fifty.

12 Q. Do you know when they dropped from a hundred
13 to --

14 A. I don't remember.

15 Q. Right. Do you remember if the flakings would
16 fall out of the bag as you were folding them
17 back under?

18 A. Not so much falling out of the bag I would
19 say. Some would fall off the chute.

20 Q. It would come off the chute?

21 A. They'd stopped the screw --

22 Q. Right, they'd stop --

23 A. -- and they might be a few flakes fall off.

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1 Q. Okay. What about the hopper, how big was the
 2 hopper compared to the roller. Would it
 3 catch all the flakes --
 4 A. Oh, yes.
 5 Q. -- or would some fall off?
 6 A. Everything went in the hopper.
 7 Q. It was bigger than that. About how many bags
 8 do you figure you would fill in a day? And
 9 let's go with fifty-pound bags.
 10 A. Probably about three hundred.
 11 Q. About three hundred?
 12 A. In that neighborhood.
 13 Q. And was this running all the time?
 14 A. Yes.
 15 Q. And I assume you had three shifts?
 16 A. Yeah.
 17 Q. Would it run --
 18 A. It wouldn't run every shift. There would be
 19 some shifts where maybe it would run part
 20 time. Some shifts it may not run. Just
 21 according to how much product you had.
 22 Q. So for every bag, they would do the same
 23 process of pulling it off the nozzle?

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1 A. Yeah, same thing.
 2 Q. And you think for every one of those bags, a
 3 few flakes would fall on the ground?
 4 A. Sure.
 5 MR. KELLY: Object to the form.
 6 Q. (By Mr. Wright) Mr. Kelly may want to
 7 explain to you what he's doing. He's
 8 objecting to my form of the question, but you
 9 can answer it.
 10 MR. WRIGHT: Is that right, Mr.
 11 Kelly?
 12 MR. KELLY: Correct.
 13 Q. (By Mr. Wright) And I don't want you to
 14 answer anything you feel uncomfortable about
 15 answering. But Mr. Kelly will advise you on
 16 it.
 17 MR. KELLY: Those are for the
 18 record, and you can go ahead and answer
 19 unless I tell you not to answer.
 20 THE WITNESS: Sure, there would be
 21 a few flakes fall out, like I say, every
 22 time.
 23 Q. (By Mr. Wright) Okay. Every time. And

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1 let's just back up a little bit.
 2 What was -- what were these flakes? Was it
 3 solid aroclor?
 4 A. Solid aroclor.
 5 Q. Could it have been -- was it 5460?
 6 A. 5460.
 7 Q. Was it 5460 every time, or were there any
 8 other --
 9 A. We flaked 5460 solid aroclor.
 10 Q. Okay.
 11 A. We done some 1268.
 12 Q. 1268 was also a solid aroclor?
 13 A. It was considered a solid aroclor, yes.
 14 Q. How -- was it different from 5460?
 15 A. Yeah.
 16 Q. How was it different, I guess?
 17 A. Well, was it a mixture of santowax --
 18 Q. Okay.
 19 A. -- and biphenyl.
 20 Q. Okay.
 21 A. And 5460 was just santowax.
 22 Q. Okay. So was it thinner than 5460? Was
 23 it --

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1 A. It had a much higher solidification point.
 2 It got much harder.
 3 Q. Okay. So it was less -- was it less brittle
 4 when you say, "harder"?
 5 A. Well --
 6 Q. And I don't want to put words in your mouth.
 7 A. It's hard to explain.
 8 Q. Right.
 9 A. Because the two products didn't look alike.
 10 Okay?
 11 Q. What did they look like? Let's start with
 12 that.
 13 A. 5460, if you run some out in a pan, it would
 14 look like a pane of glass --
 15 Q. Okay.
 16 A. -- when it solidified. You could see through
 17 it. A thinner coat, not a great big thick
 18 coat, a thin coat. And you could actually do
 19 it like this (indicating).
 20 Q. I think Mr. Rich said it was kind of yellow?
 21 A. Yellow color, yes.
 22 Q. Are you familiar with the word opaque? I
 23 mean, it's kind of like when your windows fog

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1 up in the morning.
 2 A. No, it was clear.
 3 Q. It was clear. So you could really see
 4 through it with a yellow tint. It was more
 5 like sunglasses?
 6 A. Right.
 7 Q. What did 1268 look like then?
 8 A. Before it was flaked and all, it had a
 9 grayish tint to it, but once it was flaked,
 10 it went to a whitish powder, where -- we're
 11 talking about flaking -- 5460 flaked; 1268
 12 peeled off in like powders. Well, in flakes.
 13 It was ground to make it like a powder.
 14 Q. So it was more powdery?
 15 A. In the finished product.
 16 Q. Do you know what those products were used
 17 for?
 18 A. I have no idea.
 19 Q. Yeah.
 20 A. I mean, I heard might be used in glue and
 21 other stuff. I don't know.
 22 Q. Okay.
 23 A. I have no idea.

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1 Q. So the 1268 was a little finer -- or was
 2 finer -- than the 5460; is that correct?
 3 A. Oh, yes.
 4 Q. Okay. Now, let's go back to the process
 5 where they take the bag off the hopper and
 6 you said that a few flakes would fall off
 7 each time that they take the bag off; is that
 8 correct?
 9 A. Yes.
 10 Q. What would happen to those flakes? I assume
 11 they fell on the ground?
 12 A. No. Normally they kept a lid or drum lid or
 13 something like that there for them to fall
 14 on, and they'd pick it up and dump it into a
 15 drum.
 16 Q. Okay. So they kept a catch pan down there?
 17 A. Yeah.
 18 Q. And when it got full?
 19 A. They had drums they would put it in.
 20 Q. Okay. What happened with the drums then when
 21 they got full?
 22 A. We reworked some of it. Some of it was moved
 23 out, you know.

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1 Q. Okay.
 2 A. I wasn't down there all the time watching
 3 them move it.
 4 Q. Do you know where it was moved out to?
 5 A. Some of it may have went to the landfill. I
 6 don't know.
 7 Q. Okay. Do you assume that it went to the
 8 landfill?
 9 A. Anything that was thrown away, yeah, went to
 10 the landfill.
 11 Q. At that time went to the landfill. Okay.
 12 Now, we've heard some talk about
 13 sampling of aroclor product, and I don't want
 14 to talk about the solid aroclor now. I want
 15 to talk about the liquid aroclor.
 16 How would you figure out how strong
 17 or what type of mixture of aroclor you had, I
 18 guess, at the distilling process?
 19 And if you don't understand, I
 20 mean, that's a little bit confusing.
 21 A. I don't understand the questions you're
 22 asking.
 23 Q. Okay. That's fine. And please tell me if

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1 you don't every time, and that's fine.
 2 A. When you talk about grade, are you asking how
 3 did we determine what grade of aroclor we
 4 were running.
 5 Q. That's a better question, yeah. How did you
 6 do that?
 7 A. We were instructed to run specific types of
 8 aroclor.
 9 Q. Okay. So someone would ask you to run a
 10 specific --
 11 A. -- chlorinator operator.
 12 Q. Right. Would ask you --
 13 A. No. He was the one that made it. The stills
 14 only run what they got.
 15 Q. Okay.
 16 A. They didn't determine it. They run what they
 17 got.
 18 Q. Okay. Who would determine what you were
 19 going to run?
 20 A. Supervision determined what we was going to
 21 run. Like I say, we were running 1142 most
 22 all the time. The others is what I'm saying
 23 they determined that production.

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1 Q.Right. But they -- so a supervisor would
 2 come to you -- would he come to you at the
 3 beginning of a shift and say this shift we're
 4 gonna run 1142 or 1121?
 5 A.Normally he'd put it in a logbook if it was
 6 going home time or if it changed during the
 7 time he was there --
 8 Q.Okay.
 9 A.-- he'd come up and say the next
 10 chlorinators, charge them back for so and so
 11 aroclor.
 12 Q.Okay. And it would be -- the so and so would
 13 be the numbers?
 14 A.Right.
 15 Q.Okay. So you knew what you were going to
 16 run. Say 1140. How would you determine that
 17 that's what you were running?
 18 MR. KELLY: You mean 1142?
 19 Q.(By Mr. Wright) Well, or 1142.
 20 A.You run it by specific gravity.
 21 Q.Okay. How would you do that?
 22 A.You would go to the chlorinator.
 23 Q.Okay.

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1 A. Catch a sample.
 2 Q.Okay.
 3 A. Carry it inside, cool it down, and use a
 4 hydrometer to check the specific gravity of
 5 it.
 6 Q.Okay. Did you ever send anything -- so you
 7 would do that all in the aroclor building?
 8 A. Yes.
 9 Q. Did you ever send anything out to a lab or
 10 somewhere outside the aroclor building to
 11 sample it?
 12 A. Finished products, after the aroclor was
 13 distilled and put in the storage tanks, then
 14 the lab checked it. We had the lab check it
 15 to see if it met shipping specifications.
 16 Q.Okay.
 17 A. Production specifications we -- on
 18 chlorinator ran in the department.
 19 Q. Just in the aroclor building?
 20 A. Yes.
 21 Q. Okay. And I'm going to jump around a little
 22 bit, and it's mainly because we've got some
 23 of this testimony already, and I'm trying not

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1 to ask you the same questions we have
 2 answered.
 3 The chlorinator was heated; is that
 4 correct?
 5 A. They could be heated.
 6 Q. Okay. Was it generally if you're making
 7 1142?
 8 A. No.
 9 Q. It was not?
 10 A. (Witness shakes head.)
 11 Q. Okay. When would it be heated?
 12 A. As far as batch chlorinators, the
 13 chlorination process produced its own heat.
 14 Q. Okay.
 15 A. Okay. You didn't worry about 1142 freezing
 16 up.
 17 Q. Right. Were there any type numbers that
 18 would freeze up?
 19 A. Oh, yes. The higher chlorinated materials
 20 would -- I wouldn't say freeze up, but they
 21 would get so viscus that they wouldn't flow.
 22 Q. Like 1160 maybe?
 23 A. Yes.

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1 Q. Yeah. When you had -- when you were running
 2 a batch of the 1160, would you heat up the
 3 chlorinator then?
 4 A. Not as far as the chlorinator heating it up,
 5 no.
 6 Q. The system -- the process would?
 7 A. Downstream you keep it hot so you could use
 8 it, yes.
 9 Q. Where would you keep it hot?
 10 A. Usually in the blowing tanks.
 11 Q. The blowing tanks. And how would you heat it
 12 there?
 13 A. Steam.
 14 Q. Steam. Was there -- was it steam from all
 15 over the plant?
 16 A. Steam coils from the boiler, you know.
 17 Q. Was the boiler there in the aroclor building?
 18 A. No.
 19 Q. It was from somewhere else in the plant?
 20 A. At that particular time, the boiler was over
 21 next to the niran department.
 22 Q. And it sent steam all over the --
 23 A. -- all over the plant.

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1 Q. The plant. There was a -- was there a pump
 2 on the chlorinator?
 3 A. Yes.
 4 Q. Would the pump leak at times?
 5 A. Yes.
 6 Q. What kind of pump was it? Let's just
 7 describe it.
 8 A. When I first went out, most of them they
 9 called a Durco pump, impeller type pump.
 10 Q. You said another word, Durco?
 11 A. That's the brand name of the pump.
 12 Q. Could you spell that?
 13 A. D-u-r-c-o. That just being a brand name of a
 14 pump.
 15 Q. And you said when you started, they were all
 16 -- or they were all Durco. I don't want to
 17 mischaracterize.
 18 A. They installed different types of
 19 manufactured pumps at different times.
 20 Q. So that was about 1965 they were --
 21 A. Yes.
 22 Q. And you called them impeller pumps?
 23 A. An impeller type pump. In other words,

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1 that's what moved the product with the pump
 2 turning. It's just a series of curved blades
 3 that picks the product up and slings it
 4 around the housing of the pump to get it to
 5 pump.
 6 Q. Okay. And I've heard an impeller described
 7 kind of like a propeller inside.
 8 A. With a solid plate.
 9 Q. Is that accurate?
 10 A. Yes.
 11 Q. And how did it connect to the, I guess, the
 12 chlorinator then?
 13 A. Piped to it.
 14 Q. It was a pipe. Was there a gasket in
 15 between?
 16 A. Yes.
 17 Q. And was that gasket what leaked?
 18 A. No. Most leaks like that you have will maybe
 19 be around the shaft.
 20 Q. Around the shaft as the shaft enters the
 21 pump?
 22 A. Yeah.
 23 Q. Okay. And what would happen if one of those

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1 would leak?
 2 A. Well, your packing type pump, you would pull
 3 snug up on the packing to stop it.
 4 Q. Add more packing?
 5 A. And then we kept on, you know, if it didn't
 6 snug up, then should add that packing to it.
 7 Q. Okay.
 8 A. Stop it from leaking.
 9 Q. Would it ever leak out onto the floor?
 10 A. Yes, at times it would.
 11 Q. And is there any way you would catch those
 12 leaks?
 13 A. Most all of them had a little drip pan --
 14 Q. Was the drip pan under the --
 15 A. -- set in under the pump housing to catch it.
 16 Q. Okay. And whose job was it to empty out the
 17 drip pans?
 18 A. The operator on the job.
 19 Q. So you did that?
 20 A. Yeah.
 21 Q. How often would you empty a drip pan?
 22 A. It varied.
 23 Q. Varied on the pump?

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1 A. When you made your rounds finishing a batch
 2 or just checking the area and you seen one
 3 that was that way, you'd empty it into a
 4 bucket.
 5 Q. Okay.
 6 A. Put it in a drum, you know, empty it out into
 7 a drum.
 8 Q. So you have drums on that station? I guess
 9 this is on the second floor; is that right?
 10 A. No, pumps on the ground level.
 11 Q. Okay. And so you had drums that you would
 12 empty these leakings into --
 13 A. (Witness nods head.)
 14 Q. -- there?
 15 A. (Witness nods head.)
 16 MR. KELLY: You have to say yes or
 17 no.
 18 THE WITNESS: Yes.
 19 Q. (By Ms. Wright) I'm sorry. I need to remind
 20 you. Mr. Kelly is much better at reminding
 21 people than I am.
 22 And so it was the operator's job to
 23 empty these out?

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1 A.Right.
 2 Q.Into the drum?
 3 A.(Witness nods head.)
 4 Q.What did you do with them when you got --
 5 let's say you got a full drum?
 6 A.Seal them up and moved them out on the dock,
 7 and they were disposed of.
 8 Q.Okay. And how many of these drip pans were
 9 there?
 10 A.Well, there was --
 11 Q.And I assume -- we've heard there was an
 12 expansion.
 13 A.I can't --
 14 Q.We heard there was an expansion later on --
 15 A.There was eight --
 16 Q.-- in '65?
 17 A.-- eight small chlorinators. There was eight
 18 pumps on them.
 19 Q.So they would each of had --
 20 A.Each one of them. But all the other pumps
 21 that was moving products would have one too,
 22 you know.
 23 Q.All over the aroclor building?

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1 A.Yeah.
 2 Q.Okay. Just an estimate. So we've got those
 3 eight. How many other drip pans do you think
 4 there were, if you know?
 5 A.Had to be between fifteen and twenty.
 6 Q.Fifteen and twenty.
 7 A.Yeah.
 8 Q.And how many barrels do you think you would
 9 fill up in a day or a shift?
 10 A.Oh, you wouldn't fill one up in a shift.
 11 Q.Not one in a shift?
 12 A.You wouldn't fill one up in a day.
 13 Q.Okay. So from all these fifteen, you
 14 wouldn't fill up one barrel in a day?
 15 A.No.
 16 Q.How many days do you think it would take to
 17 fill one barrel?
 18 A.I have no idea.
 19 Q.Okay. And I guess it kind of varied, didn't.
 20 it? Sometimes you get more; sometimes less
 21 sometimes?
 22 A.Well, you hardly ever filled one up.
 23 Q.Right.

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1 A.I mean, you didn't let something leak that
 2 much is what I'm saying.
 3 Q.Okay. Do you think you'd fill one up a week,
 4 one a month?
 5 A.I couldn't answer you. It wouldn't be one a
 6 week.
 7 Q.Okay.
 8 A.May not even be one a month.
 9 Q.Okay. Okay. And you said that when you got
 10 the barrels filled up, you'd haul them out to
 11 the loading dock and then you dispose of
 12 them?
 13 A.Right.
 14 Q.And that meant that maintenance laborers or
 15 someone would take them to the --
 16 A.Usually it was shipping laborers.
 17 Q.Shipping laborers would take them to the
 18 landfill; is that correct?
 19 A.Right.
 20 Q.Do you know where the landfill was at?
 21 A.Yes.
 22 Q.Where was that? And maybe we should mark
 23 this on the map if it's on the 1969 map.

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1 A.This area right here right across Highway
 2 202.
 3 Q.Okay. Can you -- let's try to make a square
 4 around that area?
 5 A.(Witness drawing.)
 6 Q.Okay.
 7 A.In that area right there (indicating).
 8 Q.And maybe even write on the outside, this
 9 white area, maybe if we could write landfill
 10 over here and then point to it.
 11 A.(Witness drawing.)
 12 Q.Okay. And let's draw it over onto the map a
 13 little bit. I know it's not going to show up
 14 too well.
 15 A.(Witness drawing.)
 16 Q.Okay. You've drawn landfill on there;
 17 correct?
 18 A.Right.
 19 Q.And you've pointed an arrow to where the
 20 landfill was. Mr. Kelly pointed out there is
 21 a road from the Monsanto plant to the
 22 landfill. Can you highlight that, too?
 23 A.(Witness drawing.)

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1 Q.Okay. And as an operator, I assume you
 2 didn't go to the landfill?
 3 A.No.
 4 Q.Did you ever go over there?
 5 A.Yes, I've been over there -- was there, yes.
 6 Q.Were you there at this time, I guess, between
 7 '65 and '80 that you remember?
 8 A.I was there in the '70s. After '72.
 9 Q.Okay.
 10 A.Probably maybe '74, '75. Something like
 11 that.
 12 Q.What were you doing up there?
 13 A.I was in a cut back situation. I was working
 14 with maintenance laborers.
 15 Q.And so you disposed of things in the landfill
 16 around '72 then?
 17 A.Yes.
 18 Q.How were things disposed of in the landfill?
 19 A.What are you talking about? Different
 20 things.
 21 Q.Okay. Let's talk about the barrels then.
 22 A.I never moved any barrels.
 23 Q.What did you move?

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1 A.Decontaminated pipe, trash.
 2 Q.Okay. What would you do with them?
 3 A.Decontaminated pipe went into one of the
 4 landfill pits.
 5 Q.I guess would you load it up -- would you
 6 load it up in a truck at the plant?
 7 A.Trucks, had trailers.
 8 Q.Okay. And then you'd drive it over to the
 9 landfill?
 10 A.Drive across the road to the landfill.
 11 Q.And what would you do then?
 12 A.Dump it out.
 13 Q.How would you dump it out?
 14 A.A lot of times we threw it off by hand.
 15 Sometimes we'd had to take -- if it was a
 16 bigger piece, had to have a small crane to
 17 pick it up.
 18 Q.Who was operating the crane?
 19 A.Usually one of the maintenance people or one
 20 of us that was qualified to operate it.
 21 Q.Right. And you said that you put it in the
 22 pits. How many pits were there?
 23 A.I don't know exactly. I mean normally, we

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1 went to the one that they put the pipe in
 2 that, you know, if it was pipe, and that's
 3 where we put it in it.
 4 Q.What did you do when a pit got full?
 5 A.I assume they covered it up. I don't know.
 6 I couldn't comment on it because I don't know
 7 what they done.
 8 Q.I guess you did come at different times and
 9 there would be different pits that you'd be
 10 told to dump into; right?
 11 A.I only dumped into one all the times I was
 12 over there, so, you know, that's the only one
 13 I dumped into.
 14 Q.And it was up there in that area that you --
 15 A.In that area (indicating).
 16 Q.-- circled? Do you know of any other
 17 landfills that the plant was using?
 18 A.Not at that time.
 19 Q.Either then -- do you know any others they've
 20 used any other times?
 21 A.I've got no personal knowledge of any of the
 22 others.
 23 Q.Okay. That's fine. Have you ever heard of

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1 the West End Landfill?
 2 A.In last few years, I did.
 3 Q.Where is that, do you know?
 4 A.Somewhere in this area right over here. I
 5 don't know exactly other than it was right
 6 outside the plant property where the power
 7 company had some stuff.
 8 Q.Could you put, I guess, maybe a triangle with
 9 hi-liter around where you think the West End
 10 Landfill was?
 11 A.(Witness drawing.) Best of my knowledge.
 12 Q.And let's write over on the side West End
 13 Landfill and maybe put another arrow
 14 directing to that.
 15 A.(Witness drawing.)
 16 Q.And are you sure about this?
 17 A.No, I'm not sure. I'm just -- I can't tell
 18 enough about this photograph here to say.
 19 Q.Okay. Did you ever hear of a place called
 20 Clegorn Lake --
 21 A.Yes.
 22 Q.-- as part of the plant? Do you think it's
 23 on this map, which is Plaintiffs' Exhibit 27?

1 A. Yes.
 2 Q. Where do you think it is?
 3 A. Right there (indicating).
 4 Q. Okay. Can you -- I guess let's circle that
 5 in highlight too.
 6 A. (Witness drawing.)
 7 Q. And maybe write on the side Clegorn Lake over
 8 on the side and kind of point to it too.
 9 A. (Witness drawing.)
 10 Q. And what was Clegorn Lake?
 11 A. It was a pit, pond, dact (phonetic), earthen
 12 dact pit, that bottoms from the santowax
 13 distillation was pumped to.
 14 Q. Is Clegorn Lake still there?
 15 A. No.
 16 Q. Do you know what happened to Clegorn Lake?
 17 A. They cleaned it out and filled it in.
 18 Q. Do you remember when that happened?
 19 A. I remember, but I don't remember what year it
 20 was.
 21 Q. Okay. Let's see if we can maybe -- was it
 22 while you were still an operator in the
 23 aroclor plant?

1 A. No, it was later than that.
 2 Q. So it was after '72, after they closed
 3 aroclor? Was it while you were an operator
 4 in biphenyl?
 5 A. Yes.
 6 Q. Which I think was between '72 and '80?
 7 A. Yes.
 8 Q. And I'm not trying to play --
 9 A. It may be the second go around -- I mean the
 10 second time I was over there. It was
 11 probably later than that. I don't remember.
 12 Q. That's fine if you don't remember. That's
 13 fine. Now, let's go back to when you're an
 14 operator in the aroclor building.
 15 When your shift's over, what did
 16 you do? Just tell me everything you did.
 17 Your shift's over, and, I assume, they were
 18 eight-hour shifts?
 19 A. Yes.
 20 Q. Would you log in how much aroclor you'd
 21 produced in that time? And let's talk about
 22 operator with the liquid aroclor now.
 23 A. What job are you talking about?

1 Q. Well, you tell me. As an operator -- so
 2 operator included different jobs?
 3 A. Yes, there was different jobs in the
 4 department. I mean, wasn't just one job.
 5 Q. Right. What type of jobs -- what jobs did an
 6 operator do?
 7 A. One of them ran the chlorinators.
 8 Q. Okay.
 9 A. One of them ran acid plant.
 10 Q. Okay.
 11 A. Assisted on the chlorinator.
 12 Q. Okay.
 13 A. Had two operators on aroclor stills.
 14 Q. Okay. If you were a -- and I assume you did
 15 all of those?
 16 A. At one time or another, yes.
 17 Q. If you were the operator of the chlorinator,
 18 at the end of your shift, what would you do?
 19 A. We had a logbook we'd write up on how many
 20 batches we finished.
 21 Q. Do you remember usually how many batches
 22 you'd finish?
 23 A. Could go from three to four to thirteen or

1 fourteen.
 2 Q. Okay.
 3 A. According to what was running.
 4 Q. So you write in the logbook how many batches.
 5 What else would you do?
 6 A. You had some of the storage tank levels that
 7 you would enter into the logbook.
 8 Q. Okay.
 9 A. Not only storage tank, tank levels.
 10 Q. Okay.
 11 A. Mostly just what times you finished a batch,
 12 how much you pumped out, where you pumped it
 13 to.
 14 Q. Okay. Maybe if you loaded some off --
 15 A. Well, the acid plant operator was the only
 16 one that done any loading in that department.
 17 Q. Okay.
 18 A. Or if we'd drummed, we'd put down how many
 19 drums they drummed.
 20 Q. Okay.
 21 A. Or the laborers was drumming.
 22 Q. What else would you do if you were a
 23 chlorinator operator at the end of a shift?

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1 A. Relief comes in, tell them what was going on,
 2 go to the house.
 3 Q. Did you clean the floor? Did you clean the
 4 area?
 5 A. That was throughout the shift. You didn't do
 6 it at -- I mean, you just cleaned up, you
 7 know, through your shift.
 8 Q. What did cleaning up imply? What did you do
 9 when you were cleaning up?
 10 A. You picked up anything that had fell, a nut,
 11 bolt, gasket. If you had product -- if you
 12 seen a product leak, you'd put some sand on
 13 it, clean it up.
 14 If it was a leak, you know, put an
 15 MRO in to get it fixed if you couldn't
 16 tighten it up with your channel locks.
 17 Q. What is an MRO?
 18 A. Maintenance request order.
 19 Q. Maintenance request order. Okay. And how
 20 would you clean the leaks? You mentioned you
 21 put sand on it.
 22 A. To dry it up. Shovel it up, put it in a
 23 wheelbarrow and dump it in the skip.

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1 Q. What's a skip?
 2 A. Metal container, box type container that the
 3 truck would pick up to move.
 4 Q. Where would they move it?
 5 A. Move it to the landfill.
 6 Q. Landfill. What if it was a bigger spill?
 7 Well, did you ever have spills that you
 8 couldn't clean up with sand?
 9 A. Not that I was ever around, you know.
 10 Q. And we've heard there were other things that
 11 you used to clean it up besides sand. There
 12 was -- I can't remember the name, but it was
 13 like kitty litter.
 14 A. Drys It --
 15 Q. Right.
 16 A. -- was the trade name of one particular type.
 17 Q. Would you ever do anything else to clean it
 18 up? Would you hose it down?
 19 A. Sure. There was times after you get all that
 20 up you wash it down to remove all the stuff
 21 off the floor.
 22 Q. Now, this is -- that's a chlorinator
 23 operator. What were the still operators,

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1 what would they do at the end of the shift?
 2 A. Same thing.
 3 Q. Would they log how much?
 4 A. Batches they finished, where they pumped it
 5 to.
 6 Q. Okay. Would they have spills at their
 7 operations too?
 8 A. I guess, yeah, all of them have.
 9 Q. Okay. And they do the same kind of thing.
 10 Would they put sand on it?
 11 A. Well, yes. Some of it was thick enough you
 12 could just shovel it up by itself.
 13 Q. And again, they'd put them in the -- boxes?
 14 A. May have in the drums or skips.
 15 Q. Okay. And Mr. Webb, we've got candy there if
 16 you --
 17 A. I wouldn't care for anything.
 18 Q. And if you ever want to take a break, just
 19 tell me if you need to go to the bathroom,
 20 get some water, anything. It's not going to
 21 take a whole lot longer.
 22 Do you remember an expansion to the
 23 aroclor plant around 1969, 1970?

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1 A. Yeah.
 2 Q. Can you briefly describe that?
 3 A. Well, they installed a couple of new
 4 chlorinators.
 5 Q. Okay.
 6 A. Solid chlorinators. Built a tank farm.
 7 Q. Okay.
 8 A. Put in additional aroclor -- solid aroclor
 9 still with pipes and this, that, and the
 10 other. They installed a 1268 flaker that
 11 never ran.
 12 Q. You say it never ran?
 13 A. Never made any to go in it. Never made
 14 anymore to go in it.
 15 Q. Why was it never --
 16 A. They wasn't selling the product.
 17 Q. Okay.
 18 A. Done some improvements. Expanded the control
 19 room. Stuff like that.
 20 Q. Do you remember when those -- that expansion
 21 was finished?
 22 A. Not the particular date. Somewhere around
 23 late, you know, late '69, '70.

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1 Q. This -- and I'm looking at Plaintiffs'
 2 Exhibit 27. The date on that says 3-10-69.
 3 Can you tell just eyeballing it if the area
 4 you circled as the aroclor unit was expanded
 5 at that time or is it that before the
 6 expansion?
 7 A. I can't tell.
 8 Q. Okay. That's fine. Yeah, it's pretty hard
 9 to tell anything.
 10 A. Well, I see the tank farm over there.
 11 Q. Okay.
 12 A. Somewhere, yeah, probably is. I think that's
 13 the catwalk across the road right there.
 14 Q. Okay.
 15 A. So more than likely, it's on that one there.
 16 Q. Where is the tank farm?
 17 A. Right north of Fifth Street. Right across
 18 Fifth Street.
 19 Q. Just north -- so it's across Fifth Street
 20 from the rest of the aroclor?
 21 A. Right.
 22 Q. Is it included in the area that you circled?
 23 A. No.

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1 Q. Can you highlight that, I guess, the tank
 2 farm?
 3 A. (Witness drawing.)
 4 Q. Okay. So when this picture was taken, the
 5 tank farm was either being built or it was
 6 completed; is that correct?
 7 A. Yes.
 8 Q. And that was part of the expansion?
 9 A. Yes.
 10 Q. Now, when the aroclor division -- I guess it
 11 shut down in 1972; is that correct?
 12 A. Final shutdown, yeah.
 13 Q. Final shutdown. What happened then? What
 14 happened with these facilities?
 15 A. Well, we took them out of service.
 16 Q. Okay.
 17 A. Prepared them to be dismantled.
 18 Q. And was it dismantled?
 19 A. The operating department was. The tank farm
 20 wasn't, but the operating area was.
 21 Q. That building that was two, three stories
 22 that you described --
 23 A. Yes, uh-huh (indicating yes).

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1 Q. -- what happened with -- what happened when
 2 it was dismantled. I assume they took it
 3 apart?
 4 A. Took it apart.
 5 Q. What did they do with the equipment?
 6 A. I have no idea.
 7 Q. Okay. Do you know what they did with the
 8 building?
 9 A. They just tore it down. I don't know what
 10 they done with it.
 11 Q. Sure. And you said the tank farm was not
 12 dismantled?
 13 A. No.
 14 Q. What happened to the tank farm?
 15 A. It's still in existence.
 16 Q. Still in existence today. What is it used
 17 for now, do you know?
 18 A. It's used for other storage now.
 19 Q. Okay. What do they store in it, any idea?
 20 A. Therminol 66, therminol BP1, DPO, diphenyl
 21 oxide, mostly just therminol products, I
 22 mean, different grades of therminol.
 23 Q. Okay. Have you ever heard of a product

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1 called montar?
 2 A. Yes.
 3 Q. What is montar?
 4 A. Was the bottoms off aroclor still
 5 distillation or residue. We called them
 6 bottoms.
 7 Q. Okay. And it was the product left over after
 8 a few distilling processes?
 9 A. After final distillations, yes.
 10 Q. What was -- was it used for anything? You
 11 may not know.
 12 A. Liquid montars, no.
 13 Q. Okay. What was done with the liquid montars?
 14 A. Drummed out.
 15 Q. Okay. How would you drum them out of the
 16 stills?
 17 A. Well, to start with we, just lined the drums
 18 up underneath the drumming hood.
 19 Q. Okay.
 20 A. And we just --
 21 Q. Where was the drumming hood --
 22 A. -- fill them up.
 23 Q. -- underneath the stills; is that correct?

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HARTOLDMON0044430

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- 1 A. The drumming hood now was under number one
- 2 aroclor still.
- 3 Q. Okay.
- 4 A. Later on they had a runway with a different
- 5 place to drum it off, and it had a roller
- 6 type conveyor to carry the drums out from
- 7 under the filler spout and out of the
- 8 building on the dock.
- 9 Q. Okay. How much montar would you drain out of
- 10 a still, do you remember?
- 11 A. It varied.
- 12 Q. Would it be one barrel?
- 13 A. More than that.
- 14 Q. Two barrels?
- 15 A. It would be ten.
- 16 Q. Ten?
- 17 A. Smaller still you may get four. Big still,
- 18 solid still, you may get twenty, twenty-five.
- 19 Q. How often would you drain these bottoms, this
- 20 montar out of the still?
- 21 A. Liquid still was after every ten batches.
- 22 Q. Okay. After every ten batches?
- 23 A. Ten batches.

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- 1 Q. And you could get maybe ten barrels at that
- 2 point?
- 3 A. Not -- usually wouldn't get ten barrels off
- 4 the liquid still. I'm talking about liquid
- 5 still now.
- 6 Q. Right. Let's talk about the liquid still,
- 7 yeah.
- 8 A. You probably get maybe five drums, something
- 9 like that.
- 10 Q. Okay. And what would you do with that, or
- 11 what was done then with this?
- 12 A. Moved to the dock and moved out.
- 13 Q. Okay. Was this dumped into Clegorn Lake, do
- 14 you know?
- 15 A. Not when it was put in drums it wasn't.
- 16 Q. If they were put in drums, where were they
- 17 taken?
- 18 A. Carried to the landfill.
- 19 Q. To the landfill. About how many barrels do
- 20 you think you would get out of each liquid
- 21 still?
- 22 A. It varied on what product you was running.
- 23 Q. Okay.

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- 1 A. It may be five; may be seven.
- 2 Q. Okay. So around there. What was the process
- 3 for making solid aroclors, I guess 5460,
- 4 which is also -- 5460 is also santowax; is
- 5 that right?
- 6 A. Right, santowax.
- 7 Q. Right. It's s-a-n-t-a-w-a-x?
- 8 A. T-o-w-a-x.
- 9 Q. Okay.
- 10 A. Essentially the same process.
- 11 Q. Okay.
- 12 A. But it was just --
- 13 Q. So they go through the chlorinator --
- 14 A. The chlorinator.
- 15 Q. -- and run through the still?
- 16 A. Still. Then it was -- as it was distilled
- 17 over and condensed back down, it came out as
- 18 what we called 5460 or solid aroclor.
- 19 Q. Okay. So it was just thicker than 1142?
- 20 A. Yeah. You're talking about liquid as opposed
- 21 to solid. When we say, "solid," means it
- 22 will set up solid.
- 23 Q. Right. After it gets distilled.

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- 1 A. After it gets --
- 2 Q. Obviously it's not solid in the still.
- 3 A. No.
- 4 Q. Could you tell as it was going through the
- 5 process that it was solid versus liquid? And
- 6 I guess that's hard to describe because all
- 7 this process is closed, isn't it? You really
- 8 can't see inside.
- 9 A. What I'm saying -- I'm going to tell you, it
- 10 wasn't solid until it went over that flaker.
- 11 Then it became solid.
- 12 Q. Right. As it gets around room temperature?
- 13 A. Rest of the time it was liquid. It stayed
- 14 liquid because it was kept heated.
- 15 Q. And I guess my question is: Is heated liquid
- 16 5460 -- does it look the same as heated
- 17 liquid which is always liquid, 1140 or
- 18 something?
- 19 A. No.
- 20 Q. What did it look like? What did 5460 look
- 21 like when it's heated and when it's liquid?
- 22 A. It was a yellow liquid.
- 23 Q. Okay. Was it thicker than one of the liquid

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1 ones?

2 A. Yes.

3 Q. Okay. I guess that's really all I was
4 asking.

5 A. Yeah.

6 MR. WRIGHT: Can we take a break
7 for about ten minutes?

8 MR. KELLY: Sure.

9 MR. WRIGHT: I probably only have
10 about twenty more minutes left.

11 (Short recess.)

12 Q. (By Mr. Wright) Mr. Webb, I'm going to hand
13 you -- I'll hand to Mr. Kelly first -- an
14 exhibit we used with Mr. Rich.

15 It's Exhibit Number 26. It is
16 numbers DSW085378 through 085433 and it says
17 "Welcome to the Anniston plant" at the top
18 of it.

19 You may want to look at that. Your
20 name is on there, and I know this is going to
21 be a blast from the past and you may not have
22 seen it since 1969, but I just want to ask
23 you a few things about that. If you just

1 Q. And I know it's been a long time.

2 A. Looks like it was what they called an annual
3 plant inspection.

4 Q. Uh-huh (indicating yes).

5 A. And the recommendations from the 1968
6 inspection listed housekeeping number two.

7 "Emphasis placed on insulation in department
8 expansion."

9 Q. When they say "emphasis placed," do you think
10 they wanted more insulation?

11 A. More than likely, yes.

12 Q. It may have just been cold.

13 A. (Witness nods head.)

14 Q. There's another -- I'm going to turn it
15 around real quick. I'm having trouble
16 reading upside down.

17 Okay. Can I ask you also about the
18 same page DSW085433? There's a bullet, and
19 it's labeled safety number three "Major
20 project underway to eliminate burn hazards."
21 Do you remember that?

22 A. Oh, yes. That was program to eliminate
23 personnel from getting burned.

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1 want to take a minute or two to look over it
2 -- yeah, and your name is right there -- you
3 can just familiarize yourself with it.

4 MR. WRIGHT: We can go off the
5 record.

6 (Discussion off the record.)

7 Q. (By Mr. Wright) Mr. Webb, I really just
8 wanted to ask you about a couple things.

9 First of all, your name is on this --

10 A. Yes.

11 Q. -- is it not? That's your name Joe Webb
12 which looks like it's on page thirty-five,
13 which is also DSW085434?

14 A. Yes.

15 Q. And let me ask you specifically about this
16 housekeeping number two, which is on page
17 thirty-four DSW085433. Could you read that
18 for the record?

19 A. "Emphasis placed on insulation in department
20 expansion."

21 Q. Do you remember what that particular event
22 meant? Were you a part of that?

23 A. Well --

1 Q. Okay.

2 A. Because everything was so hot, especially
3 around the solid aroclors. All lines having
4 to be heated --

5 Q. To keep it solid?

6 A. -- with something besides steam cause steam
7 will burn you just as bad as anything or
8 tubing, but this is using different type
9 heats, and that was the focus.

10 I mean, at that time, we'd probably
11 more than likely had several people with
12 first aid burns, bumped against it.

13 Q. So when they say, "burns," they mean
14 temperature burns rather than chemical burns?

15 A. Yeah.

16 Q. Let me just -- one more thing. Okay. I
17 think those are the only questions I have for
18 that. Before -- let me just go back over a
19 couple things we've talked about.

20 You said that you were -- when you
21 went to the still -- to the still. I'm
22 sorry. -- to the landfills, one of the things
23 that you unloaded into the landfill was --

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1 and let me make sure I've got this right --
 2 decontaminated pipes; is that correct?
 3 A. Yes.
 4 Q. What were decontaminated pipes?
 5 A. That's what we called pipes that was moved
 6 from the parathion area.
 7 Q. Okay. And what was -- was there a process by
 8 which they were decontaminated?
 9 A. Yes. Some of them were washed, steamed.
 10 Some even put in the waste treatment basins
 11 for parathion.
 12 Q. Okay.
 13 A. Then was taken out, washed, all this, that,
 14 and the other. Decontaminating them with --
 15 Q. -- the parathion?
 16 A. The parathion off of them.
 17 Q. So a pipe that had been used in parathion --
 18 A. Yes.
 19 Q. -- those were the only ones which were
 20 decontaminated?
 21 A. That's the only ones that I moved.
 22 Q. That you moved. Okay. And have you heard of
 23 Mr. -- well, let me just tell you. Mr.

1 Q. Right.
 2 A. And these bugs was, I guess, trained to eat
 3 parathion, you know what I mean.
 4 Q. How big were these basins?
 5 MR. KELLY: I'll get you a few
 6 depositions.
 7 MR. WRIGHT: From the bugs?
 8 THE WITNESS: They're big. They
 9 were big.
 10 Q. (By Mr. Wright) Okay. Where is this waste
 11 treatment plant? Was it in existence in 1969
 12 on this map?
 13 A. Not the one I'm talking about.
 14 Q. Okay.
 15 A. But the other one --
 16 Q. It may not even be on the map.
 17 A. It's on here, but it's hard to distinguish on
 18 these pictures and all here. There's the old
 19 -- two of the waste treatment basins right
 20 there.
 21 Q. Okay.
 22 A. That's all they had at that particular time.
 23 Later on they built more, but this is all

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1 Robertson this morning talked about a
 2 decontamination pit that was used for some
 3 things. Do you remember anything like that?
 4 A. That was over around the niran area.
 5 Q. Okay.
 6 A. And later on when I was involved with
 7 maintenance and all that, they didn't use --
 8 they didn't have the pit. They was using the
 9 basins and whatnot.
 10 Q. Do you remember the pit?
 11 A. I don't remember it, no.
 12 Q. Okay. What were decontamination basins then?
 13 A. Really they was waste treatment because
 14 everything that came out -- the plant had
 15 their own and still got their own waste
 16 treatment plant.
 17 Q. Okay.
 18 A. And it was just one of the basins they -- one
 19 I'm talking about put it in the basins --
 20 they would put it in there, and the bugs in
 21 that basin would eat up all the parathion.
 22 Q. Okay. The bugs. Do you mean real bugs?
 23 A. Waste treatment plant works on bugs.

1 they had.
 2 Q. Let's highlight those.
 3 A. Well, that's not the ones I'm talking about.
 4 Q. Okay. But those were -- and let's also write
 5 -- they're over toward the Plaintiffs'
 6 Exhibit marker, and maybe if we can put one
 7 other arrow, and you might just call those
 8 waste treatment. Okay.
 9 Waste treat there with an arrow.
 10 And what you've highlighted were basins at
 11 that time; correct?
 12 A. Uh-huh (indicating yes).
 13 Q. Decontamination basins?
 14 A. We called them basins. They were actually
 15 concrete basins, pits, but they were just
 16 slightly above ground level.
 17 Q. Could they have been called decontamination
 18 pits, or is that different?
 19 A. No, no.
 20 Q. That was different?
 21 A. Through the plant, there's several different
 22 places that had decontamination points where
 23 they would decontaminate the -- even the

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1 shops had them where they carried pieces of
 2 equipment in to work where they would
 3 decontaminate them before they carried them
 4 in to work on them.
 5 Q. Okay.
 6 A. Which all of that cleanup, steam, water, and
 7 all that went to a line that went to waste
 8 treatment.
 9 Q. Okay. Now, did all steam water cleanups in
 10 the plant go to waste treatment?
 11 A. No.
 12 Q. What about in the aroclor building, for
 13 example?
 14 A. No.
 15 Q. Where did they go?
 16 A. They went to the sewer and presumably out of
 17 the plant.
 18 Q. Okay.
 19 A. When you say waste treatment, this was to the
 20 parathion area, PNP, and all that.
 21 Q. So parathion is really -- are those the only
 22 wastes that you know of that went to the
 23 waste treatment in '69 for example?

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1 A. At that time, yeah.
 2 Q. Okay. Let's talk a little bit about those
 3 waste treatment basins. So were they used
 4 exclusively with parathion? And I want to
 5 talk later than '69 now, I think, about the
 6 time that you were working with the
 7 decontaminated pipes and taking them to the
 8 landfill.
 9 A. Later on, they tied in some other portions to
 10 the plant.
 11 Q. Okay.
 12 A. At '69, it was strictly used for PNP
 13 department --
 14 Q. Okay.
 15 A. -- places around -- they had a couple places
 16 around the maintenance shop where they
 17 decontaminated equipment that went to the PNP
 18 sewers that wound up to the waste treatment.
 19 Q. Okay. And a waste treatment basin, is it
 20 kind of like the water plant --
 21 A. Exactly the same.
 22 Q. -- out on the interstate? Okay. And those
 23 are what the basins are?

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1 A. (Witness nods head.) Lot of associated
 2 equipment and holding tanks, clarifiers,
 3 basins, air raters, you know.
 4 Q. Okay. We've mentioned -- when we put montar
 5 into drums, you mentioned that if they were
 6 put into drums, they were taken to the
 7 landfill?
 8 A. Liquid aroclor bottoms, yes.
 9 Q. Right. Okay. Were there ever any bottoms
 10 that you know of taken to Clegorn Lake?
 11 A. Yes, at one time they were.
 12 Q. Were they drummed?
 13 A. No, they were put in what they call a buggy.
 14 Q. What was a buggy?
 15 A. Just a little two-wheel trailer with a tank
 16 on it.
 17 Q. Okay. So like a small tank car?
 18 A. Yeah.
 19 Q. Okay. And I want to talk now when you were
 20 taking decontaminated pipes and some of the
 21 other things to the landfill places. The
 22 different pits that things were dropped into,
 23 how big were they, do you remember, or were

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1 they different sizes, different --
 2 A. They were different -- you know, the one I
 3 seen -- some of the others, you know, I seen
 4 that they were putting other stuff in other
 5 than the one we were putting in, different
 6 sizes.
 7 Q. So at the time you were taking decontaminated
 8 pipes and the other things that you described
 9 to the one pit, there were also people taking
 10 other things to other pits; is that correct?
 11 A. Oh, yeah.
 12 Q. Do you know were they broken up? You would
 13 take some things to one pit?
 14 A. I don't know because like I say, I didn't --
 15 Q. Right.
 16 A. -- do this under a regular basis. I was
 17 temporary in the job that I was working.
 18 Q. And they just told you take this to this pit?
 19 A. (Witness nods head.)
 20 Q. And you said you only dumped things into that
 21 one pit?
 22 A. Well, the pipe and stuff, you know, trash and
 23 stuff like that, it went somewhere else, you

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1 know.
 2 Q. Where did the trash go?
 3 A. The paper trash and wood trash we had -- at
 4 that time, they had a TP incinerator that
 5 they put paper and wood and stuff in.
 6 Q. What time was this, what time period?
 7 A. I was over there back and forth several
 8 times, but I was just temporary for a few
 9 days when I was there.
 10 Q. Where was this incinerator? Was it up near
 11 the landfill?
 12 A. It was in the landfill.
 13 Q. It was in the landfill?
 14 A. Yeah.
 15 Q. And you called it TP?
 16 A. Well, that was the shape of it.
 17 Q. It looked like a TP, like an Indian TP? How
 18 did it work, do you remember?
 19 A. Just carried -- put the stuff inside of it,
 20 set it on fire, and it burned is all I know.
 21 Q. Okay. Do you remember what kind of -- you
 22 put things in there?
 23 A. Yeah.

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1 Q. Did you?
 2 A. (Witness nods head.)
 3 Q. What type of things did you put in there?
 4 And I think you've already said it, but I
 5 just want to --
 6 A. It was wood.
 7 Q. Wood?
 8 A. Broke up shipping boxes that some mechanical
 9 equipment had come in in.
 10 Q. Paper?
 11 A. Paper and stuff like that.
 12 Q. Did you ever take anything from the parathion
 13 plant there?
 14 A. No.
 15 Q. Did you ever take anything from the aroclor
 16 plant there?
 17 A. No.
 18 MR. KELLY: Speak up.
 19 THE WITNESS: No.
 20 Q. (By Mr. Wright) I'm sorry. I need to get
 21 you doing that.
 22 Have you ever had your blood tested
 23 for PCBs?

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1 A. Yes.
 2 Q. Do you remember how many if you had any PCBs
 3 in your blood?
 4 A. Yes.
 5 Q. What was that -- do you remember how much?
 6 A. A hundred and five.
 7 Q. A hundred and five. When was this tested?
 8 A. Two or three years ago.
 9 Q. Why did you have it tested?
 10 A. Well, we seen everybody else was having
 11 their's tested.
 12 Q. People at the plant; is that correct?
 13 A. Well, outside the plant.
 14 Q. Outside. Where did you have it tested?
 15 A. In the plant.
 16 Q. In the plant. We've heard -- I guess Mr.
 17 Rich yesterday said he had it done at the
 18 dispensary.
 19 A. That's where they drew it at, yes.
 20 Q. Okay. And did they tell everybody in the
 21 plant you could get your blood tested for
 22 PCBs, or was it something that you talked to
 23 the people at the dispensary about or --

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1 A. Well, it came out we asked to have it tested,
 2 especially the ones that had worked in it.
 3 Q. In aroclor?
 4 A. And when they set up a schedule to test the
 5 blood, they got people that had worked in it,
 6 ones that had never worked in it, ones that
 7 were there in the plant at the time but
 8 didn't work in aroclor or, you know, didn't
 9 work in a department. I guess you would call
 10 it a cross section.
 11 Q. Okay.
 12 A. People that worked in the lab or anything
 13 like that and tested ever how many people it
 14 was.
 15 Q. Mr. Rich said you had a meeting at the plant
 16 where you talked about some of these things,
 17 and he actually said that somebody from the
 18 home office came down for that meeting. Do
 19 you remember that meeting?
 20 A. Yeah, there was a couple of them.
 21 Q. When were those meetings?
 22 A. It was after we -- about the time we got the
 23 results on the test.

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1 Q. Two or three years ago?
 2 A. Yeah, about the time the whole deal started.
 3 Q. Do you remember who held those meetings?
 4 A. No.
 5 Q. Do you remember anybody who spoke at those
 6 meetings?
 7 A. I don't remember their names.
 8 Q. Do you remember as Mr. Rich did that there
 9 was somebody from the home office in St.
 10 Louis that came down?
 11 A. I wouldn't say -- it was a doctor of some --
 12 I wouldn't say he was from the home office.
 13 Q. Okay.
 14 A. And I guess that would be another word for
 15 St. Louis. I don't know.
 16 Q. Okay. How do you know he was a doctor? I
 17 assume it was a he.
 18 A. I don't know whether he was a medical doctor
 19 or Ph.D.
 20 Q. But you remember someone referring to him as
 21 doctor?
 22 A. His title was doctor, you know.
 23 Q. Do you remember anything he talked about?

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1 A. They just went through the explanation of
 2 studies that had been made, tests had been
 3 made, and told us we would be called to the
 4 dispensary to get the results of our test.
 5 Q. What type of studies did he talk about, do
 6 you remember?
 7 A. That they'd been run at a couple of different
 8 places that was users of aroclor. I don't
 9 remember where it was General Electric,
 10 Hooker, or who it was.
 11 Q. Do you remember any -- did he talk about any
 12 results of those studies?
 13 A. Well, he was talking about, you know, some it
 14 was; some it didn't, and levels was up and
 15 down. I don't remember what all he said.
 16 Q. You said he talked about tests. Did he, say,
 17 talk about tests at your plant?
 18 A. No.
 19 Q. Did you ever have your blood tested before
 20 two or three years ago for aroclor?
 21 A. No.
 22 Q. Did you ever have the opportunity at Monsanto
 23 or Solutia to have it tested before two or

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1 three years?
 2 A. For PCB?
 3 Q. For PCB.
 4 A. No.
 5 Q. Did this doctor and/or the other people at
 6 these meetings about two or three years ago
 7 about talk about any of the health effects of
 8 PCBs that you remember?
 9 A. Yeah. They highlighted them, but --
 10 Q. What did they talk about, do you remember?
 11 A. Chloracne.
 12 Q. Chloracne?
 13 A. Yeah. I don't remember the others.
 14 Q. You don't remember anything else?
 15 A. No, huh-uh (indicating no).
 16 Q. Do you remember them talking about cancer?
 17 A. Only thing they said was it's suspected.
 18 Q. Okay. Do you remember them talking about
 19 respiratory problems or anything like that?
 20 A. No.
 21 Q. You mentioned two or three years ago, and you
 22 said when all this started happening, I think
 23 you said?

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1 A. When we heard about the test was after they
 2 tested the people that lived in west Anniston
 3 across the street from the plant.
 4 Q. Okay. When did you start -- or was this
 5 about the time you started hearing about PCBs
 6 outside the plant, or did you ever hear about
 7 PCBs outside --
 8 A. Oh, I heard about PCBs from, you know, well
 9 back.
 10 Q. Mr. Robertson said he read about it in the
 11 "Anniston Star." Did you ever hear about it
 12 anywhere else?
 13 A. I heard about PCBs from -- I can't tell you
 14 how many years back. I read articles about
 15 it.
 16 Q. You don't remember when?
 17 A. No, huh-uh (indicating no).
 18 Q. Was it in this decade? Was it in the '90s?
 19 A. Before that.
 20 Q. Before that?
 21 A. In the '70s, you know.
 22 Q. Was it in this area or just --
 23 A. Not in this area.

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1 Q. Not in this area. Do you remember when you
 2 first heard about PCBs in this area?
 3 MR. KELLY: Object to the form.
 4 THE WITNESS: No.
 5 Q. (By Mr. Wright) Okay.
 6 MR. KELLY: And my only objection
 7 there, when you say, "in this area," if you
 8 could define --
 9 MR. WRIGHT: That is vague.
 10 Q. Let me re-ask that question, and we'll try to
 11 make it a little clearer. Do you remember
 12 when you first heard about PCB contamination
 13 in the area around the plant?
 14 A. No.
 15 MR. WRIGHT: Okay. Can we take
 16 just a couple seconds?
 17 MR. KELLY: Okay.
 18 (Short recess.)
 19 Q. (By Mr. Wright) Okay. Mr. Webb, I just have
 20 a couple other questions.
 21 Actually, Mr. Rich and Mr.
 22 Robertson both said that they were -- they
 23 might have been informed about these

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1 meetings. I don't want to mischaracterize
 2 what they say.
 3 So if I would tell you Mr. Rich and
 4 Mr. Robertson had said they might have been
 5 informed about these general meetings
 6 concerning PCB and blood work, if they would
 7 have been informed about them through e-mail,
 8 would you agree with that? Would this be
 9 something you might have been informed about
 10 through e-mail?
 11 A. I don't understand really what you're saying.
 12 Q. Okay. That's an awful question.
 13 We've talked about some meetings
 14 that I think you said you attended, where
 15 they talked about health issues of PCBs or
 16 maybe just about your blood donation in
 17 PCBs.
 18 And I may be mischaracterizing you,
 19 and I don't want to do that.
 20 A. We had our blood tested --
 21 Q. About two or three years ago.
 22 A. -- results came back in; they had a meeting
 23 to explain the tests and this, that, and the

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1 other and all, and then we went to the
 2 dispensary or got a letter as to effect of
 3 how much -- how many parts we had or if we
 4 had any.
 5 That was the meeting I was talking
 6 about, that one right there.
 7 Q. Did they ever tell you what they thought was
 8 an elevated level of PCBs in your blood?
 9 A. Twenty parts.
 10 Q. They said twenty parts?
 11 A. Yeah.
 12 Q. Do you remember getting information about
 13 this meeting through e-mail?
 14 A. I don't remember how it was communicated.
 15 Q. Okay. Do you receive e-mail in the plant?
 16 A. Yes.
 17 Q. Do you remember when you first started
 18 receiving e-mail at the plant?
 19 A. (Witness shakes head.)
 20 Q. Would it have been -- let me just look over
 21 your history. This won't take long.
 22 A. I don't keep up with when they installed
 23 e-mail.

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1 Q. Was it after you were a biphenyl operator,
 2 which I think ended about 1990?
 3 A. Yeah.
 4 Q. It would have been after that. Do you
 5 remember if it was -- so it was after 1990.
 6 Do you remember if it was --
 7 A. I was in the warehouse when we had the
 8 meetings. I mean, I've been there that long.
 9 I mean, that's what I told you a while ago.
 10 Q. Sure. I understand. I understand.
 11 A. You know, the only thing I can say is after
 12 they tested the people outside the plant, we
 13 had ours tested, and that's when we got it.
 14 Q. The question I'm asking you now is a little
 15 bit different. I'm just trying to figure out
 16 when you started getting e-mail in the
 17 plant.
 18 A. You'll have to ask them. Don't ask me.
 19 Q. Okay. So you get e-mail in the warehouse; is
 20 that right, now?
 21 A. Yes.
 22 Q. How do you get it in the warehouse?
 23 A. On the computer.

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1 Q. Is there one -- do you have your own
2 computer?
3 A. No.
4 Q. Is there one computer for the whole
5 warehouse?
6 A. Right.
7 Q. And does the e-mail come addressed
8 specifically to Joe Webb, or is it
9 specifically addressed to everybody in the
10 warehouse?
11 A. According to what type of e-mail it is. If
12 it's general, for the whole plant, it goes to
13 the whole plant.
14 Q. Okay.
15 A. If it's mine in particular or to an
16 abbreviated list, it goes to them.
17 Q. Okay. How often do you check your e-mail?
18 A. Usually every day.
19 Q. Once a day. Do you know -- do you keep your
20 e-mail? Like, do you have e-mail from two
21 weeks ago?
22 A. No, I trash it.
23 Q. You trash it. Do they tell you to trash it?

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1 In other words, is there a Solutia policy for
2 getting rid of e-mail?
3 A. No, not as I know of.
4 Q. Could you keep it longer?
5 A. I could print it out or leave it in there.
6 Q. How long could you leave it in there, do you
7 know?
8 A. Until I wanted to take it out I guess or
9 until the system overloaded.
10 Q. No set time?
11 A. No.
12 Q. Okay. I think that's all.
13 MR. WRIGHT: Do you have any,
14 Laura?
15 MS. RUTH: No.
16 Q. (By Mr. Wright) Those are the only questions
17 we have today, and I appreciate it. You've
18 been very helpful.
19 MR. KELLY: I have one if I can.
20 MR. WRIGHT: Okay.
21
22 EXAMINATION BY MR. KELLY:
23 Q. Shortly before Drew finished his questions,

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1 you were talking about Clegorn Lake?
2 A. Yeah.
3 Q. And there was a question about taking drums
4 of bottoms to Clegorn Lake. And I think you
5 talked about it being in a buggy?
6 A. Right.
7 Q. What was the product or material in those
8 drums that you were taking to Clegorn Lake or
9 these bottoms?
10 A. We didn't carry drums now. We emptied it out
11 of the buggy.
12 Q. And what was that product or material?
13 A. Solid aroclor bottoms.
14 Q. Was it 5460?
15 A. Yes.
16 Q. Okay.
17
18 FURTHER EXAMINATION BY MR. WRIGHT:
19 Q. Let me just ask a couple other questions on
20 that. So it wasn't montars that were going
21 into Clegorn Lake?
22 A. We classified all bottoms as montar.
23 Q. Okay.

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1 A. As montar one, two, three, four, five.
2 Q. So it could have been 5460 montar?
3 A. Which we would call montar five.
4 Q. Okay. I think that's all.
5 Wait a second. Let me ask you --
6 back on the record -- let me ask you just one
7 other question about the blood testing of the
8 PCBs.
9 You said that we -- I think you
10 said we asked for it; is that right?
11 A. We had our union committee go to them and
12 tell them if they were testing blood outside,
13 we wanted our's tested.
14 Q. It was the union committee. Was there -- do
15 you remember the shop foreman then?
16 A. Well, the President was Bryan Thrasher.
17 Q. Bryan Thrasher. B-r-y-a-n?
18 A. Yeah.
19 Q. Is he still there at Monsanto?
20 A. Right.
21 Q. And was he the one who actually went to
22 management and asked?
23 A. I really don't know whether he's the one that

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1 asked or one of the others did.
2 Q. Who were the other -- were the other -- do
3 you think it was other representatives of
4 y'all? He was the President of the union at
5 the time?
6 A. Yes.
7 Q. Is he still President of the union?
8 A. Yes.
9 Q. Okay. What's the union?
10 A. ICUW Local 125.
11 Q. ICEW?
12 A. ICUW.
13 Q. Local 125?
14 A. Local 125.
15 Q. Who were the other officers that might have
16 gone and asked?
17 A. I don't know. Like I say, I know he was the
18 President at the time, and that's the way we
19 handled things like that was through them.
20 Q. Okay. And you had a union meeting?
21 A. No. Just the ones of us that was --
22 Q. Okay. That's it. Thank you very much.
23 --oOo--

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1 (Deposition concluded at 11:50 a.m.)
2 FURTHER THE DEPONENT SAITH NOT.
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1 C E R T I F I C A T E
2
3 STATE OF ALABAMA)
4 CALHOUN COUNTY)
5
6 I HEREBY CERTIFY that the above and
7 foregoing transcript was taken down by me in
8 stenotype, and the questions and answers thereto
9 were transcribed by means of computer-aided
10 transcription, and that the foregoing represents
11 a true and correct transcript of the testimony
12 given by said witness.
13 I FURTHER CERTIFY that I am neither
14 of counsel, nor of any relation to the parties to
15 the action, nor am I anyway interested in the
16 result of said cause.
17
18
19
20
21 TAMMY R. JENNINGS GREGORY
Notary Public, State of Alabama
22 MY COMMISSION EXPIRES: 9-12-2001
23

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