

FOSHEE & TURNER COURT REPORTERS

1 IN THE UNITED STATES DISTRICT COURT

2 NORTHERN DISTRICT OF ALABAMA

3 EASTERN DIVISION

4
5 WALTER OWENS, et al.,)

6 Plaintiffs,)

7)

8 vs.) CIVIL ACTION NO.

9) CV-P-440-E

10 MONSANTO COMPANY,)

11 Defendant.)

12
13 DEPOSITION OF: BILL CAMBRON

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

16 Alabama Rules of Civil Procedure, as Amended,

17 effective May 15, 1988, I, TAMMY JENNINGS

18 GREGORY, am hereby delivering to MR. LARRY WRIGHT

19 the original transcript of the oral testimony

20 taken on the 22nd day of October, 1999, along

21 with exhibits.

22 Please be advised that this is the same and

23 not retained by the court reporter, nor filed

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1 with the Court.

2 The deposition of Bill Cambron was taken
3 before Tammy R. Jennings Gregory, commencing at
4 9:15 A.M. on the 22nd day of October, 1999, by
5 the Plaintiffs, at the law offices of Fite &
6 Miller, Anniston, Alabama pursuant to the
7 stipulations set forth herein.

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

2

3 Appearing For The Plaintiffs:

4 MITHOFF & JACKS, LLP

5 By: Larry Wright, Esquire

6 111 Congress Avenue, Suite 1010

7 Austin, Texas 78701

8

9 Appearing For The Defendant:

10 LIGHTFOOT, FRANKLIN & WHITE

11 By: Buddy Cox, Esquire

12 The Clark Building

13 400 20th Street North

14 Birmingham, Alabama 35203-3200

15

16 FITE & MILLER

17 By: Arthur Fite, Esquire

18 The SouthTrust Bank Building

19 Suite 400

20 Anniston, Alabama 36201

21

22 Court Reporter:

23 Tammy R. Jennings Gregory

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

2

3 IT IS STIPULATED AND AGREED by and
4 between the parties through their respective
5 counsel that the deposition of Bill Cambron may
6 be taken before Tammy R. Jennings Gregory, at the
7 law offices of Fite & Miller, Anniston, Alabama
8 on the 22nd day of October, 1999.

9

10

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

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

18

19

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

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

5

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

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1 STATE OF ALABAMA, CITY OF ANNISTON,
2 OCTOBER 22, 1999,
3 9:15 A.M.,

4

5 BILL CAMBRON,

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

8

9 COURT REPORTER: Usual stipulations

10 okay?

11 MR. WRIGHT: Yes, ma'am.

12 MR. PECK: That's fine.

13

14 EXAMINATION BY MR. WRIGHT:

15 Q. Mr. Cambron, thank you for coming in. Have
16 you ever given a deposition before?

17 A. Yeah. I was telling Adam I went to Delaware.

18 Q. Delaware. You were one of the group that
19 went to Delaware?

20 A. Yeah.

21 Q. Do you remember when that was?

22 A. I remember it was cold. I would say -- no --
23 I'd say at least seven, eight years ago.

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1 Q. Okay.

2 A. I really don't know.

3 Q. How long did that deposition last?

4 A. For me?

5 Q. Yes, sir.

6 A. It lasted all day one day. We went in the
7 morning and finished up that afternoon, and
8 they said they would probably get back with
9 me, but they never did, and I was glad.

10 Q. Yeah, I bet.
11 A. Unless they were going to come south.
12 Q. What -- do you remember the kind of questions
13 they asked you?
14 A. Yeah, you know, just general knowledge of the
15 plant in certain areas.
16 Q. Which areas did they ask you about?
17 A. Seemed like I remember keying in on the
18 montar pit. I remember that was one of them.
19 Q. Anything else?
20 A. Probably some about parathion. I'm not
21 really sure about it. I think they did. I
22 think we just generally covered, you know,
23 where I worked and everything in the plant.

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1 Q. Okay. Because you've had a deposition
2 before, I'm going to give you the short
3 version of the little speech.
4 The only two things I'd like for
5 you to make sure of is that if I ask you a
6 question that you don't understand that you
7 stop me and let me know.

8 Just say Larry, I didn't understand
9 your question; could you ask it a different
10 way, and I'll try to do it until both you and
11 I understand each other.

12 Second thing is if you'd answer out
13 loud so that she can write it down. It's
14 hard for them, and they don't like to write
15 down head nods and things like that.

16 MR. PECK: Yes and no.

17 Q. (By Mr. Wright) And then the only other
18 thing is I'm sure you remember that the
19 testimony you're giving is under oath, and
20 it's the same oath you take in front of a
21 Judge and a jury if you were in a
22 courtroom --

23 A. Okay.

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1 Q. -- even though this is a somewhat informal
2 proceeding. When did you -- I assume you're
3 retired?

4 A. (Witness nods head.)

5 Q. When did you retire?

6 A. I retired December 1st of '97.

7 Q. Okay. When did you start with Monsanto?

8 A. March the 21st or 20th -- let's see -- 1960.

9 I think it was the 21st.

10 Q. 1960?

11 A. Uh-huh (indicating yes).

12 Q. How old were you when you started with them?

13 A. I was twenty-one.

14 Q. Okay. Had you worked anywhere before you

15 went to work for Monsanto?

16 A. Well, I graduated from high school, and I

17 went right in the Marine Corp, and when I got

18 out, I worked at GE down here.

19 We had a General Electric plant

20 here in Oxford, and I worked there for nine

21 months until Monsanto called, and I've been

22 there ever since. Or I was there ever since.

23 Q. Right. What was your first job at Monsanto?

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1 A. I started out in the aroclor department as an

2 operator.

3 Q. As a regular operator?

4 A. Uh-huh (indicating yes).

5 Q. How long were you in that job?

6 A. I was operator for about five years, and then

7 I made chief operator.

8 Q. Okay. And how long were you in that job?

9 A. That was probably only about six months

10 because at that time, the plant was growing,

11 and there was a big turnover. And I got into

12 maintenance as a pipe fitter.

13 Q. Okay. So you went to maintenance in '65?

14 A. Yeah, '65, '66. Somewhere around in there.

15 Q. How long did you stay in that position?

16 A. I stayed in maintenance until 1976.

17 Q. Okay.

18 A. Actually in that period, I was a pipe fitter,

19 and then they had a downsize of the plant,

20 and I went into -- I went back to college.

21 And in order to go to college, I

22 put in for a day job, and I went to plant

23 laborer at that time and worked there until I

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1 got my degree.

2 Q. In '76?

3 A. Yeah. I got my degree in '75, and then in

4 '76, I was promoted to night superintendent.

5 Q. Okay. I've lost you. '65 you went to

6 maintenance as a pipe fitter?

7 A. Right.

8 Q. And so you were still at maintenance when you

9 put in for the day job?

10 A. Yeah.

11 Q. Okay. I got you. So --

12 A. And I was in shipping for one summer.

13 Q. Okay. What was your degree in?

14 A. I majored in accounting.

15 Q. Where did you go?

16 A. Jacksonville State.

17 Q. Where did you go -- what job did you go to in

18 '76 then?

19 A. Night superintendent.

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

21 A. Ten years.

22 Q. Night superintendent over what?

23 A. Over the plant on all shifts.

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1 Q. The whole plant?

2 A. Uh-huh (indicating yes).

3 Q. Okay.

4 A. At night, they, you know, there wasn't any

5 supervision there, so they determined they

6 needed someone there, so I got over the whole

7 plant on nights and weekends.

8 Q. Then which job did you go to?

9 A. '85 or 6 when they shut down the parathion

10 department and didn't need night

11 superintendent, they knew my major was in

12 accounting, so they moved me to an office in

13 the accounting department.

14 And then shortly thereafter, our

15 permanent IT man, computer man, transferred

16 to Chocolate Bayou. And they decide they

17 needed somebody to be a computer man, and I

18 had a computer at home.

19 Q. So you got elected?

20 A. And all of a sudden, I was a computer expert,

21 and that's what I did when I left.

22 Q. For the last ten years or so?

23 A. Yeah. I had to go to school, different

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1 things, networking, and different mainframes

2 we had.

3 Q. Okay. Let me start with that one, then I'll

4 go back to a couple of your other jobs. I

5 assume over that ten years, the use of

6 computers at Monsanto increased like it did

7 everywhere else?

8 A. Oh, yeah.

9 Q. Did -- who has their own computers now?

10 A. Just about everybody. When I say,

11 "everybody," everybody in the office, that

12 includes accounting, personnel, safety,

13 engineers, and all that.

14 And then we put them out in the

15 control rooms in every department, in the

16 shops and, you know, we got a network now.

17 When I first went over there, it was just

18 stand alone computers.

19 Q. I assume you can e-mail St. Louis, and St.

20 Louis can e-mail you?

21 A. Right.

22 Q. How long has that been in effect?

23 A. Oh, me. Probably -- I'd say ten years.

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1 Maybe eight. Somewhere along in there.

2 Q. How big is the environmental department in

3 Anniston now days?

4 A. How big is it?

5 Q. How many people?

6 A. I don't know now. I know about --

7 Q. When you left?

8 A. Of course you've got Alan Faust -- or I guess

9 you know.

10 Q. Right.

11 A. Those people in the trailer, and there was

12 about, I'd say, six in there, and then we got

13 our people.

14 We had Robert Jones and Jerry

15 Hopper, Jerry Brown involved in it when I was

16 -- when I was there.

17 Q. Did they office near where you officed?

18 A. Yes.

19 Q. Okay. I know this isn't your area, but since

20 you're here and nobody else is, I'm going to

21 ask you about it even though you're probably

22 not the person to ask about it.

23 A. Probably not.

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1 Q. But, how did the environmental office change

2 in terms of personnel from -- let's see. You

3 first went into the offices in --

4 A. --'76. Well, our office -- I went over there

5 in '86, but night sups had an office there in

6 another building in '76.

7 When you're working evening and

8 midnights, you don't see much of the day

9 people.

10 Q. That's why I was thinking --

11 A. In '86 basically when I went over there.

12 Q. Let's talk about that from '86 to '97. Who

13 was in the environmental section in '86?

14 A. I can't think of his name. Robert -- I don't

15 know. I know, but -- I know his face, but I

16 can't --

17 Q. It may come to you. Was he the head?

18 A. Huh?

19 Q. Was he the head of it?

20 A. Uh-huh (indicating yes).

21 MR. WRIGHT: Do you know who he's
22 talking about, Adam?
23 MR. PECK: I probably -- if he said

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1 his name, I'd probably know, but it doesn't
2 hit me.

3 THE WITNESS: I'll think about it.

4 Q. (By Mr. Wright) Robert somebody?

5 A. Cheevers.

6 Q. Robert Cheevers. Was he the head of it?

7 A. Yeah, he was over environmental. Like I say,

8 Jerry Brown has always been involved. I

9 think Robert probably reported to him.

10 Q. How long had Jerry been there?

11 A. Has Jerry been at Monsanto?

12 Q. Yeah.

13 A. Probably -- I don't know, 1970. I really

14 don't know. He's been there a while. Very

15 knowledgeable.

16 Q. So Jerry Brown, Robert Cheevers. Who else in

17 '86 was involved in the environmental

18 department?

19 A. I'm thinking Hopper was there, but there
20 might have been someone before Hopper. I'm
21 not sure. But they're --
22 Q. Then who joined next?
23 A. I think after Cheevers, I believe it was

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1 Robert Jones.
2 Q. Okay.
3 A. I'm trying to think of someone in between,
4 but I don't believe there was.
5 Q. Then who?
6 A. Then who?
7 Q. Yeah. Anybody else?
8 A. Robert's still there.
9 Q. Okay. But, I mean, has anybody else come in
10 to help him? Have they expanded and added
11 personnel or anything?
12 A. I think they reassigned new -- I think Robert
13 Port is plant manager now versus reporting to
14 Jerry Brown. And, of course, they've
15 expanded, like I say, out there in the
16 trailer, but that's --

17 Q. What's Jerry position now, Jerry Brown's
18 position?
19 A. I don't know. I don't go out there much.
20 Q. Okay. Are the e-mails preserved anywhere?
21 A. Are they preserved?
22 Q. Yeah, are there backup tapes that are kept?
23 A. Well, you don't want to keep tapes. I

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1 usually kept about a year's worth as far as
2 on a monthly basis, then I'd backup daily,
3 you know.
4 Then I'd do an incremental daily,
5 and then I'd do a full backup weekly, and I'd
6 keep that weekly until I ran out of tape, you
7 know. Probably -- I'd probably have about a
8 year's worth.

9 Q. Now, that was just for you, or was that for
10 the whole system?

11 A. Well, I was -- I was in charge of the whole
12 system. That was the mainframe where we had
13 the storage on it. And I'm not sure if they
14 backed up St. Louis or not.

15 Q. Okay. Now, going back to 1960, what exactly
16 was your job as operator in the aroclor
17 department when you first started?

18 A. Well, I ran -- when I first started, I ran
19 the chlorinators.

20 Q. Okay.

21 A. And made aroclor.

22 Q. These are the exhibits that we walked through
23 yesterday with Mr. Hughes. He kind of gave

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1 me the layout of the place, and let me see if

2 I can put all these together.

3 Does that make sense to you?

4 A. Yeah.

5 Q. Okay.

6 A. I didn't run the acid that much.

7 Q. Here's the chlorinators here.

8 A. All right.

9 Q. Did you work -- did your shifts rotate?

10 A. Uh-huh (indicating yes).

11 Q. So you -- how long did you stay on one
12 rotation?

13 A. Two weeks.
14 Q. Mr. Hughes gave us a list of people that
15 worked in the aroclor department. Would you
16 take a little while and go over that list and
17 tell me if you can think of any other people?

18 Let me explain what these things
19 mean. If there is a "D", it means it's
20 deceased. If there's a question mark, it
21 means he didn't know.

22 A. He's deceased.

23 Q. Don Wilson is?

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1 A. Yeah.

2 Q. And so if you could -- any of the gaps you
3 could fill in --

4 A. You mean of people who worked there?

5 MR. PECK: Do you want him to add
6 what he knows about current status?

7 MR. WRIGHT: Yeah. What I'm
8 thinking is: Why don't we make a Xerox of
9 this real quick, and he can have his own list
10 and just add to that.

11 (Short recess.)

12 MR. PECK: Are you going to make
13 that a new exhibit?

14 MR. WRIGHT: Yeah.

15

16 (Plaintiffs' Exhibit Number 8 was
17 marked for identification and
18 copy of same is attached
19 hereto.)

20 THE WITNESS: You mean add someone
21 that --

22 MR. WRIGHT: Yeah.

23 MR. PECK: Do you want me to

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1 reflect --

2 MR. WRIGHT: Yeah.

3 MR. PECK: Why don't we put -- put
4 a 8 on there if you would.

5 THE WITNESS: Here?

6 MR. PECK: Yeah.

7 Q. (By Mr. Wright) What I'd like for you to do
8 on Exhibit Number 8 there -- Exhibit Number 8

9 is a list Mr. Hughes made for us yesterday
10 afternoon, and it reflects the people that he
11 remembered that worked in aroclor
12 department.

13 A. Okay.

14 Q. And he put a "D" by the people that were
15 deceased, that he believed were deceased.

16 A. Do you want me to add to this?

17 Q. Yes, sir.

18 A. Okay.

19 Q. And so what you're going to do is go through
20 the list and anybody that you know --

21 A. Still working is that the "W"?

22 Q. "W" means working. That's exactly right.

23 Anybody that you know to be deceased, go

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1 ahead and put a "D" by their --

2 A. I don't know about these two still working.

3 They're out there, but they're not working.

4 What is the "L"?

5 Q. Laborers. They were laborers.

6 A. Okay. Okay. Well, do you want me to start

7 another --

8 Q. Yeah, let's go ahead, and we can keep our

9 numbering system. That would be number

10 thirty-one, I guess.

11 A. Okay. Everyone I can think of is deceased.

12 You're not talking about any foremen or

13 anything like that?

14 Q. Foremen? I'm sorry?

15 MR. PECK: Do you want foremen?

16 MR. WRIGHT: Yeah, let's go ahead

17 and put foremen down there, but let's just

18 put in parentheses off to the side that they

19 were foremen.

20 Q. Would they have spent a lot of time in the

21 aroclor department?

22 A. Yeah.

23 Q. Foremen?

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1 A. I mean, they would be in the department. As

2 far as, you know, doing the labor or

3 anything, they wouldn't be doing that.

4 Q. Okay.

5 A. I think that's about all I can remember right
6 now.

7 Q. Okay.

8 A. When I first went out there, we had one big
9 department, and it was combined in biphenyl,
10 but they worked down on the other end, so it
11 wasn't really the aroclor.

12 Q. The biphenyl guys?

13 A. (Witness nods head.)

14 MR. PECK: When you finalize these,
15 will you put the names of the deponents on
16 these stickers just mainly for my file so I
17 don't get them all messed up?

18 COURT REPORTER: Yes.

19 Q. (By Mr. Wright) How do you spell your last
20 name?

21 A. C-a-m-b-r-o-n.

22 Q. Did your dad used to work at the plant?

23 A. Fifty years.

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1 Q. That explains a mystery then. I've got a
2 1958 plant inspection, and your name is on

3 it.

4 A. He was the first one in the history of the

5 company to retire with fifty years.

6 Q. Is he still alive?

7 A. No. He died about three years ago.

8 Q. What department did he work in?

9 A. He was a pay master, worked in accounting.

10 Q. So he worked in the office area?

11 A. Yeah. When he first went out there, it was

12 Swann Chemical. He worked in the lab just a

13 little bit, then they promoted him.

14 Q. Y'all must have worked out there together for

15 many years?

16 A. Yeah.

17 Q. Looking at your list, which is now marked as

18 Exhibit Number 8, you added eight names. Joe

19 Adcock?

20 A. Uh-huh (indicating yes).

21 Q. And he's deceased?

22 A. He was my first chief operator.

23 Q. So he was your immediate supervisor when you

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1 first started?

2 A. Right. On shift.

3 Q. Then Tom Townsend?

4 A. Uh-huh (indicating yes).

5 Q. Jack Sprayberry, Virgil McGullian?

6 A. McGullian.

7 Q. McGullian. Bill Twymon?

8 A. He was a laborer. I forgot to put that down.

9 Q. And all of those fellows are deceased?

10 A. Yes.

11 Q. D. L. Lackey, he's still alive?

12 A. Uh-huh (indicating yes).

13 Q. Does he live in this area?

14 A. Right.

15 Q. Mark Williams?

16 A. He's still alive and lives here.

17 Q. Jack Molloy?

18 A. Jack's is in St. Louis, or he was. I don't

19 know if he's retired or not.

20 Q. What did he do?

21 A. He was my supervisor. He was over the

22 department, and then foremen, you know, were

23 under him. And the rest of us were under --

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1 but he was just head man.

2 Q. For how many years?

3 A. I don't know. He wasn't there long because

4 he was really a mover.

5 Q. Okay. So he got moved up to the head office

6 pretty quick?

7 A. (Witness nods head.) Good supervisor.

8 Q. Now, I'm going to ask you something that you

9 really may not know, but do you know any of

10 these guys that had cancer?

11 A. Ones with a "D"?

12 Q. Well, really any of them. Even the ones that

13 may still be alive.

14 MR. PECK: I'm going to object to

15 the form of the question because I'm sure

16 you're using it just for discovery, but I

17 don't know if he's qualified to evaluate

18 that.

19 MR. WRIGHT: Well, he can say what

20 he's heard.

21 MR. PECK: Obviously I'm going let

22 him answer.

23 THE WITNESS: I think Jim Boling

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1 did, but I'm not sure. All the rest of them

2 died a normal death. One committed suicide.

3 Q. (By Mr. Wright) Which one was that?

4 A. Joe Adcock.

5 Q. Okay. I'm sorry. You were saying the only

6 one that you know of that had cancer was who?

7 A. Yeah, the rest of them lived to be, you know,

8 fairly old.

9 Q. Okay. Which one of them was it that did have

10 cancer?

11 A. Jim Boling.

12 Q. Okay. And then any of the other guys,

13 whether they're alive or dead, that you know

14 of that had cancer?

15 A. Now?

16 Q. Uh-huh (indicating yes). Well, not

17 necessarily that they have it right now but

18 that they've ever had it.

19 A. Oh.

20 MR. PECK: Object to the form of

21 the question.

22 THE WITNESS: No.

23 Q. (By Mr. Wright) In this 1958 plant

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1 inspection that your dad got CC'd on --

2 A. Got what?

3 Q. Got copied on.

4 A. Oh, CC. I got you.

5 Q. See, his name was right up there at the top?

6 A. Uh-huh (indicating yes).

7 Q. I'm going to ask you who some of these people

8 were that were also listed here. Jack

9 Clegorn?

10 A. He was supervisor like Jack Malloy when I

11 first went to work there. And he was there

12 about a week after I went to work there and

13 had a heart attack.

14 Q. And died?

15 A. Uh-huh (indicating yes).

16 Q. So he died in 1960. The next guy, T. W.

17 Collier?

18 A. T. W. Collier was -- I think he was in

19 maintenance. D. B. Curry was -- he was

20 biphenyl supervisor, where Mark Williams was

21 aroclor supervisor.

22 Q. Okay.

23 A. And he's still living. He's about ninety

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1 something, nearly a hundred.

2 Q. Did he work out there for fifty years?

3 A. No, he didn't work there fifty, about forty

4 something though.

5 Q. Okay. The next --

6 A. W. J. Dougharty, I don't know. Or the Dover,

7 I don't know him.

8 W. B. Dunlap, now he's still alive.

9 In fact, I saw him last night. And he was in

10 the lab, doing something in the lab. I don't

11 know.

12 A. J. Finley was Nick Finley. He

13 was foreman of the chlorine plant. H. L.

14 Grey was the shipping supervisor. Name's Pap

15 Grey.

16 Les Hammer, I've heard that name,

17 but I don't know what he was because that was

18 before my time. B. M. Hathorn was electrical

19 foreman.

20 Bob Hedworth, he wasn't there when
21 I was there. I just know I've heard that
22 name.
23 Q. Okay.

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1 A. Lumpkin was in maintenance as a foreman.
2 Q. You're telling me when they're still alive;
3 right?
4 A. Huh?
5 Q. Were you telling me all of them you know are
6 still alive?
7 A. Curry is alive; Dunlap's alive. So far,
8 that's the only two.
9 Q. Okay.
10 A. I don't know Mahley. I don't know
11 Mullendore, Pelletier. Harry Phillips, I
12 think he's dead. He was purchasing agent.
13 Q. Okay.
14 A. J. Harris Powell's alive. He was the
15 shipping foreman. Milt Silver, he was there
16 before I was.
17 Q. Let me stop you again and go back to Mr.

18 Powell. He was the shipping foreman when you
19 first started?
20 A. Yes.
21 Q. In '60 to '65?
22 A. Uh-huh (indicating yes).
23 Q. Were they in charge of the landfill back in

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1 those days?
2 A. I don't know who was in charge of it.
3 Q. Okay. Go ahead. I'm sorry to interrupt
4 you.
5 A. J. H. Starr was maintenance foreman. Beldon
6 Twymon is -- I called him Bill. That's what
7 everybody called him then. He was a laborer
8 in aroclor department. He's dead, and so is
9 Starr.
10 M. J. Williams is one I got on the
11 list here, Mark Williams. He was aroclor
12 foreman.
13 P. W. Wilson, I don't know. Ben
14 Ward -- let's see. I think he was a biphenyl
15 operator, and he's still alive.

16 These others are just plant
17 manager, production superintendent, and
18 maintenance superintendent, and all that, and
19 they're all -- they've been long gone as far
20 as transferring. Whether they're dead, I
21 don't know.

22 Q. I'll just -- we were looking at the cover
23 page for a report of plant inspection made

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1 2-12-58, and the Bate's Number is MONS
2 035301.

3 When y'all had spills or leaks
4 there in the aroclor department, how were
5 they dealt with?

6 A. Well, on the chlorinators, we had -- under
7 the pump, we had something called drip pans,
8 and that would catch any of the, you know,
9 like if you had a pump leaking, it would
10 catch that. And we'd empty them several
11 times in a shift in a bucket or a drum.

12 When the bucket, you know, got
13 full, we'd empty it into the drum and pump it

14 back up in the charge tank and rework it.

15 Q. Okay. I mean, what other kind of spills or

16 leaks would you have from time to time? I

17 mean, I guess somebody could kick over a

18 bucket --

19 A. Oh, yeah.

20 Q. -- or trip over the pan or something?

21 A. Well, you know, you might have a gasket leak

22 on a pipe or a valve leaking, but we always

23 kept a bucket under each one of those

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1 chlorinators under the sample valve, and

2 that's where we used to sample.

3 And then -- but used -- you know,

4 we'd just throw sand on it if we got any on

5 the floor or throw sand on it and scrape it

6 up and put it in a drum. They'd carry it to

7 -- when the drum got full of that, they'd

8 carry it to the landfill.

9 And sometime, you know, some of the

10 -- at the end of each shift, we'd always

11 wash up, what we called wash it up and wash

12 it down.

13 Q. With a hose?

14 A. Uh-huh (indicating yes).

15 Q. Hot water or cold water?

16 A. It was mixed, you know, we used -- we had a

17 steam mixer there. We could use hot if we

18 wanted it. Something with steam.

19 Q. So you could either use steam to clean it --

20 A. -- or just mix the water till it got to the

21 temperature you wanted it.

22 Q. Or hot water or cold water?

23 A. Yeah.

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1 Q. And you'd wash down the whole area?

2 A. Yeah, it'd go down into the sewer, you know.

3 From there, it went to the limestone pit.

4 Q. Now, Mr. Hughes called that the cooling water

5 ditch because he said that the cooling water

6 would also circulate through the chlorinators

7 and was routed into this ditch?

8 A. Probably. I don't --

9 Q. You don't have a recollection of that?

10 A. I remember water being in there.
11 Q. There was water all the time in this ditch?
12 A. Generally, yeah.
13 Q. Did you ever work in the -- now, this was in
14 later years, so you may not have been there
15 -- but work in the area where they did the
16 flaking and drumming of the solid aroclors?
17 A. Yeah.
18 Q. You worked over there?
19 A. Yeah, that's an aroclor department, yeah.
20 Now, they had another -- later years like you
21 say -- they were in a warehouse part, and I
22 never worked over there.
23 Q. But when you were there, that was still a

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1 part of the old aroclor department?
2 A. Right. They had a biphenyl flaker and
3 aroclor flaker.
4 Q. Where was that in relation to all these other
5 things?
6 A. Where have you got the stills?
7 Q. These are the stills here.

8 A. It was down -- well, actually, the -- you got
9 the filter here, and right over here, you got
10 the solid aroclor flaker. And right above
11 it, you've got the tank where we pumped it.

12 And then down below, I'd say right
13 in between two or right under it somewhere
14 right in here, was a biphenyl flaker. You'd
15 flake that and put it in a bag.

16 Q. Okay. How did the flaker work? That's
17 something we -- I haven't had described yet.

18 A. A flaker was a big drum full of water.
19 Actually, the flaker itself was a big drum
20 that just rotated.

21 Inside the drum had, you know,
22 water, cold water, and then we would have a
23 flaking tank up above full of aroclor, and we

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1 would just -- under the flaker would be a
2 pan, and we'd let the aroclor down until we
3 got the level we wanted it.

4 And it was hot, so when that drum
5 came around and got it, it would pick up that

6 aroclor, and it would solidify on that drum.

7 And when it got over to the other side, you

8 know, after it picked it up, it would -- it

9 would fall off that drum.

10 And we had some, you know, knives

11 -- not knives but teeth things turning over

12 and over -- I can't think of what we called

13 them now -- and it would kind of crush it up,

14 and it would go down into a hopper.

15 And then we had one of the laborers

16 down there below bagging it out.

17 Q. You put that stuff in bags?

18 A. Yeah, because it was solid then.

19 Q. Okay. I think I understand what you're

20 saying, but I'm not sure.

21 There would be the -- what I guess

22 would be molten aroclor --

23 A. Well, we had different types of aroclor, you

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1 know, finished by specific gravity --

2 Q. Right.

3 A. -- or by melting point, so the higher you

4 got, the -- this particular aroclor that was
5 flaking was melting point stuff where you
6 could just put more -- I don't guess I need
7 to tell you any of the process, but --

8 Q. Was that your 1254 and 1260?

9 A. No.

10 Q. Which ones did you flake?

11 A. We flaked 5460.

12 Q. Okay.

13 A. And the other you couldn't flake because it
14 was more liquid.

15 Q. Even the 1260?

16 A. Yeah. 60 was thick, but it wasn't like this.

17 Like I say, when that drum with water and the
18 hot -- it just kind of stuck to the drum
19 until it got over there, and it kind of -- it
20 was real thin, you know.

21 So by the time that drum made a
22 complete rotation and got over there where
23 the teeth were, it was flaking off. That's

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1 the reason they called it flaking.

2 Q. How big was the drum?

3 A. About like a fifty-five gallon drum.

4 Q. That's all?

5 A. That's all.

6 Q. Just one drum?

7 A. Yeah.

8 Q. Okay. And you said it was filled with water?

9 A. Yeah. Had water going through it.

10 Q. Water circulating through it?

11 A. Circulating, yeah.

12 Q. And how fast would it rotate around?

13 A. As fast as you wanted it or slow as you

14 wanted it.

15 See, sometimes the temperature of

16 the material or the drum, you couldn't go

17 real fast because it would still be stuck to

18 the drum, but you just had to get the right

19 combination where it was flaking off there

20 the way you wanted it.

21 Q. And that was part of the operator's job was

22 figuring out what the right combination was?

23 A. Yeah.

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1 Q. Now, you said that was in the --
2 A. -- the control room. The control room was
3 here; flaker's right out here.
4 Q. Okay. And then --
5 A. That was on the second level up here with the
6 stills, and then on the first level was the
7 biphenyl flaker.
8 Q. What was the floor like of this second floor
9 area?
10 A. Concrete.
11 Q. Did it have drains in it?
12 A. Drains? I'm sure it did. I'm sure it did.
13 We never did really -- I just can't
14 remember --
15 Q. Okay.
16 A. -- to be truthful with you. We never did
17 really wash down up there because that was a
18 different type procedure under vacuum, but
19 I'm sure we had drains.
20 Q. You would sweep up there more than wash?
21 A. Yeah, yeah. We had an air hose we would blow
22 down. Just -- the product just didn't get
23 out up there, you know. It was just -- you

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1 can put it in the stills, and it went over to

2 a --

3 Q. I'm just wondering about the flaking and

4 drumming. Because what I'm envisioning is

5 like -- well, flakes.

6 A. Well, the drum -- it had a hood over it, you

7 know.

8 Q. Okay.

9 A. You close the door, and all that went into a

10 hopper down there.

11 Q. Was the hopper on the first floor?

12 A. Well, the bagging that they did was at the

13 bottom hopper. They'd stand down there with

14 the bag, and the hopper was like going up to

15 the ceiling here.

16 Q. Right.

17 A. And up above it was a flaker. When it came

18 off the flaker, it went into the hoppers.

19 Q. Was the bagging on the first floor?

20 A. Yeah, bagging was on the first floor.

21 Q. Because I've never seen a bagging operation

22 that, you know, some didn't spill here and

23 there.

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1 Because what I hear you saying is a
2 man would hold a bag under the bottom of the
3 hopper, and when it got filled up, he, I
4 guess, shut the trap and closed the bag up?

5 A. Right.

6 Q. And I can't imagine that that could have been
7 done without some floating off to the side of
8 the bags and ending up on the floor somehow.

9 A. Well, I'm sure there was downstairs.

10 Q. Okay.

11 A. But not that much. I mean, they kept it
12 cleaned up, swept up.

13 Q. Okay. And that was --

14 A. And then you reworked that too.

15 Q. Where was the downstairs?

16 A. Where was it?

17 Q. Well, that was a bad question. It was
18 downstairs. I know that.

19 But, I mean, what else was in the
20 area of the -- where the hopper and the
21 bagger were?

22 A. Just had pallets to put those bags on.

23 Q. Did they have a sewer drain or a ditch like

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1 was in the chlorinator area?

2 A. Gosh, I don't know. I didn't work down there

3 much because that was mainly, you know,

4 laborers.

5 Back in the '60s all the laborers

6 were like, you know, black guys to be

7 truthful with you. Of course, all that's

8 changed, but that's the way it was then.

9 Q. That was their operation?

10 A. Uh-huh (indicating yes).

11 Q. And as an operator, you didn't get involved

12 in that?

13 A. Not really unless -- if I was running the

14 flaker, I'd tell them I'm going to shut the

15 flaker down.

16 Q. Okay.

17 A. Then if you start it back up, you tell them.

18 Q. Okay. Who would -- well, who was responsible

19 for housekeeping in that area?

20 A. All of us.

21 Q. In that particular area?
22 A. In other words, if you worked around the
23 stills upstairs, then you kept that clean,

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1 and then the flaking people kept that clean.
2 Q. That's what I meant in the flaking area.
3 A. Yeah, the laborers did. And then if we had,
4 like, visitors coming, we'd just all pitch
5 in. But even in 1960, you know, safety and
6 housekeeping was pretty big.
7 Q. Okay. In this 1958 inspection, I see a
8 reference to something that Dicky Walker was
9 telling me about.
10 Down here on page 035306, they're
11 talking about the aroclor department and item
12 "A". "Floor is covered in places with tarry
13 product." Dicky mentioned that from time to
14 time, that stuff would build up and get
15 packed down?
16 A. Yeah, that could be coming from one of the
17 stills over here also.
18 When we'd finish a still, you know,

19 pump it out, when the receiver's filled, you
20 pump it over, but then you'd have to drain
21 your bottom. And that was like a tarry
22 product, but you drained it in the drum.
23 You might have some leakage there,

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1 but it would be very little. And then what
2 we normally do there, like, it would dry
3 hard, you know, just really hard and brittle,
4 but you had to put sand on it.

5 And we had scrapes there where we
6 scraped it up out of the floor and put it in
7 drums, and they'd landfill it.

8 Q. Dicky mentioned sometimes they'd to have put
9 fire on it to help break it up. Do you
10 remember that?

11 A. Yeah. That was the 1960s.

12 Q. I didn't get a good picture of how that
13 worked. Would you describe that process?

14 A. Well, like I was telling you, that stuff
15 would be hard as concrete really, and you'd
16 get there with a scrape, and it just wouldn't

17 come up. So we had, you know, we'd have a
18 gas hose with a nozzle on it.

19 And now then, or in the '70s even,
20 an open flame or something was -- you didn't
21 have. I mean, but back then, we would heat
22 that --

23 Q. Was it like a cutting torch?

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1 A. No, no. It was like we had a gas line there
2 with a hose and like a piece of pipe on it
3 where it would just heat that stuff up.

4 Q. And the flame would be at the end of the
5 metal pipe?

6 A. Yeah.

7 Q. Okay. I just couldn't envision how the flame
8 was --

9 A. As soon as we got the stuff where we could
10 scrape it up, we'd just scrape it up or
11 shovel it up and put it in a drum.

12 Q. Okay. Now, the -- talks about a jet
13 platform. What was the jet platform?

14 A. The jet platform was up above the stills

15 there, and we had steam jets. Because on the
16 stills, of course, you had to have a vacuum.

17 And when we would pump the
18 chlorinated biphenyl in those stills, then
19 we'd have to put a vacuum on the still and
20 still it. And the jets were up on that
21 platform.

22 Q. Okay.

23 A. It was up on, I guess, you call it third

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1 level.

2 Q. What was montar?

3 A. Montar was what I was telling you about the
4 still bottoms that we used to have to -- when
5 we finished the still, we still had those
6 bottoms there. We had to do something with
7 them where we'd have an empty still.

8 There would be a big hood down
9 below the still, and we'd just have a circle
10 of drums there with a pipe that just
11 rotated. And then you'd have -- one of the
12 laborers would get down there inside the hood

13 with, you know, proper safety equipment on,
14 and the operator would open the valve there
15 and let those bottoms out.

16 And then they'd stay there until
17 they got hard, of course, and then they'd go
18 to the landfill.

19 And we also had, you know, montar
20 off of the santowax still that we pumped.

21 Q. What was santowax?

22 A. Santowax was -- we'd take -- it was off
23 polyphenol stills. We would distill the

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1 polyphenol, and the bottoms off of that was
2 santowax.

3 And then we'd put it through a
4 process and make therminol. But santowax --
5 bottoms off of santowax was montar.

6 Q. So all of the bottoms --

7 A. Those bottoms there, we didn't drum them.

8 Those went to Clegorn's Lake we called it.

9 We just pumped them.

10 Q. That was the pit over there on the -- I

11 guess --
12 A. -- west side.
13 Q. West side?
14 A. Uh-huh (indicating yes). And we pumped it
15 over there. It solidified, so it didn't go
16 anywhere either.
17 And they'd clean it out from time
18 to time.
19 Q. Were you able to -- I mean, would it pump
20 over there to Clegorn's Lake?
21 A. Would it?
22 Q. Yeah, it pumped?
23 A. Yeah.

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1 Q. You can pump it through a pipe?
2 A. Yeah. See, it was hot then when it first --
3 when the batch finished, it was hot, really
4 hot.
5 Q. So it was liquid enough to go through the
6 pipe, and once it dumped out into the lake,
7 it would solidify?
8 A. Yeah.

9 Q. Okay. What else went into Clegorn's Lake?

10 A. That's all I know of. Just still bottom.

11 Q. Did montar go over there too?

12 A. That was montar.

13 Q. Okay. Well --

14 MR. PECK: Santowax montar.

15 Q. (By Mr. Wright) So you just call -- all

16 still bottoms you call montar?

17 A. Yeah, basically.

18 MR. PECK: But there's two kinds.

19 You got that?

20 MR. WRIGHT: Right.

21 MR. PECK: There's santowax and

22 aroclor.

23 MR. WRIGHT: Right.

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1 MR. PECK: I'm just trying to be

2 helpful.

3 MR. WRIGHT: I know you're trying

4 to be helpful. But I did get that.

5 Q. And what happened to the aroclor still

6 bottoms?

7 A. They would be in those drums --
8 Q. Uh-huh (indicating yes).
9 A. -- and, you know, you couldn't move them for
10 a day maybe.
11 Q. While they cooled?
12 A. Right. And then we'd put the -- they'd be
13 just like montar. They'd be solid. And we'd
14 put them in -- the lids on and carry them to
15 the landfill.
16 Q. Who was responsible --
17 A. Sometimes they would carry some drums to -- I
18 can't remember what type it was, but there
19 would be some drums there that they would
20 carry to Clegorn's Lake, you know, chop them
21 open with an ax and put them in there.
22 Because at one time, they were
23 thinking about reclaiming all that and

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1 putting it in a melting pot and reworking it
2 for a new product, but I don't know whatever
3 came of that.
4 Q. So they were kind of storing it in Clegorn's

5 Lake?
6 A. Well, not -- Clegorn's Lake was a storage for
7 montar, but at one time, they had some drums
8 over there, you know. I don't remember what
9 type it was, whether it was aroclor bottoms
10 or what.

11 I just remember they were going to
12 rework -- try to melt up those bottoms, and
13 they were thinking about some new product,
14 but I don't think it ever materialized.

15 Q. Do you remember when that was?

16 A. Between '60 and '97.

17 Q. Okay.

18 A. It was probably in the '70s.

19 Q. Early '70s?

20 A. I just don't know. That's about the best
21 answer I know.

22 Q. And where were those drums that you're
23 talking about now kept? Were they stacked

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1 over there by Clegorn's Lake?

2 A. No. Generally those drums went to, you know,

3 the bottoms went to the landfill, but the
4 ones they had over there, I don't know. I
5 just don't remember that much.

6 Q. Who would know more about that than you?

7 A. I don't know if Mark Williams would or not.

8 I just don't --

9 Q. Okay.

10 A. But Clegorn's Lake was inside the plant, you
11 know. It wasn't, like, outside the plant.

12 Everything was in the confounds of the plant.

13 Q. By "inside of the plant" --

14 A. When you say "lake," you're not talking about
15 a liquid, you know, like a --

16 Q. No. I've seen it.

17 A. Just a solid black --

18 Q. I've seen an overhead picture of it.

19 A. It was just like you'd look down there and
20 see a solid tar what it looked like.

21 Q. Okay.

22 A. No odor, you know.

23 Q. When it rained, I mean, would there be a

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1 layer of water on top of it?

2 A. Yeah.

3 Q. Pretty much all the time?

4 A. I don't know about that. I guess just like

5 there would be water on that grass out there

6 if it rained. Evaporate.

7 Q. Well, I guess what I'm asking is: From the

8 picture that I saw, it's -- I mean, it's kind

9 of like a bowl. There was a depression there

10 that the bottoms were put into to hold them.

11 And it was open to the atmosphere.

12 And so if it rained, obviously rain would

13 land in the bowl just like the still bottoms

14 landed in the bowl.

15 A. Right.

16 Q. And was there -- and if it rained enough and

17 the bowl filled up, the water's got to go

18 somewhere.

19 A. No, there was plenty of room.

20 Q. Okay.

21 A. There was plenty of room. It was big.

22 Q. So if it rained enough, the water would land

23 in there and --

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1 A. -- stay.

2 Q. Stay. So was there usually water -- a layer

3 of water in the lake?

4 A. After it rained.

5 Q. Okay.

6 A. I mean, it wasn't like it would be there all

7 the time, no.

8 Q. That's what I was asking. Do you know of any

9 photographs or videos or super8 movies of the

10 aroclor department?

11 A. No.

12 MR. PECK: Back in those days not

13 everybody had a camcorder.

14 THE WITNESS: They didn't know what

15 it was.

16 MR. PECK: Can we take a quick

17 break?

18 MR. WRIGHT: Sure. Sure.

19 (Short recess.)

20 Q. (By Mr. Wright) I've got a 1969 inspection

21 package, and I'm not really going to talk

22 about the inspection, but it's got a list of

23 products here. And I wanted to walk through

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1 these with you because I assume the products
2 in '69 were probably about the same that you
3 worked on when you were there in the
4 department.

5 A. When did they shut that down?

6 MR. PECK: They shut liquid aroclor
7 down in '71 and terphenyls in '72.

8 THE WITNESS: Okay.

9 Q. (By Mr. Wright) Okay. I'm looking here at
10 page DSW085399, which is an exert from the
11 1969 plant inspection package. And it
12 describes -- the page is entitled "Products,
13 Raw Materials, Major Uses." And it talks
14 about the biphenyl --

15 A. Uh-huh (indicating yes).

16 Q. -- and then the santowaxes that we've talked
17 about. What do these letters mean, do you
18 know?

19 A. That's the chemical breakdown of santowax.
20 If you distill a certain part of it, that's
21 the "O", and then another bit's "M", and it's
22 just -- you'd have to ask a chemist about
23 that.

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1 Q. Okay. And then liquid aroclors, and it lists

2 1221 --

3 A. Right.

4 Q. -- 1242, 1248, 1254, 1260, 1262 and 1268.

5 A. Right.

6 Q. Did y'all make all of those --

7 A. Yes.

8 Q. -- when you were in the department?

9 A. Uh-huh (indicating yes).

10 Q. Can you kind of rank them for me in terms of

11 which one you made the most of?

12 A. 1242 we made the most of.

13 Q. By a big margin?

14 A. I'd say.

15 Q. Okay.

16 A. But it just varied on basically on what

17 people wanted, but if I was betting, I'd say

18 we made more 1242 than anything.

19 Q. Okay.

20 A. And in ranking them, basically all that

21 they're ranked by is specific gravity, how

22 much chlorine you put in it. And that was,
23 you know, that's just like you took biphenyl

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1 and just -- kind of like an egg sunny side up
2 -- you didn't put very much in it. And, of
3 course, they got higher and higher and
4 thicker and thicker.

5 And then this one here, 1268, was
6 probably the least that was made. And it was
7 the hardest to make because you finished it
8 by something called a holding point versus --
9 and it was -- you really didn't have much
10 leeway.

11 See, these had a range where you
12 could finish them at. Like specific gravity
13 would be, you know, 1520 or 1560, and this
14 one you had to get --

15 Q. Okay. So you made more -- you think you made
16 more 1242 than anything else?

17 A. Yes.

18 Q. What would be next on the list?

19 A. Probably -- I don't know 54 and 60. 1254 and

20 60.
21 Q. Okay. Then what would be the next lowest?
22 A. The least we made would be the two on each
23 end.

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1 Q. 1221 and 1268?
2 A. Uh-huh (indicating yes).
3 Q. Okay.
4 A. And -- well, 1262 wasn't very -- we didn't
5 make it much.
6 Q. Okay.
7 A. 48 was pretty common. I'd say -- if I was
8 ranking them, I'd say one --
9 Q. 1242 was one.
10 A. One. Probably these two would probably be
11 tied, two and three.
12 Q. 1254 and 1260 would be tied for two and
13 three?
14 A. Yeah. And then 48, and then 21 and 68.
15 Q. Okay. Now, did y'all actually make therminol
16 there at the plant?
17 A. Well, we made therminol, yes, but not in

18 aroclor. Therminol was made in the biphenyl
19 department.
20 Q. Okay.
21 A. Which was like a next-door neighbor.
22 Q. Okay.
23 A. You know, like, here are the chlorinator's

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1 right here, five, six, seven, eight.
2 Q. Yeah.
3 A. There was a street right here, and right over
4 here was therminol -- I mean HB40.
5 Q. Okay.
6 A. Santowax.
7 Q. Okay.
8 A. Then. Now they're in a different location.
9 Well, the santowax is.
10 Q. One thing that's been puzzling me all along,
11 and I know the answer is in the documents,
12 but I just haven't sat down and studied it
13 yet --
14 A. Just one thing?
15 Q. It is just one thing right now. What was

16 therminol made out of?

17 A. Well, am I supposed to answer the process and

18 all that? I mean, I don't care.

19 MR. PECK: Yeah, I mean, yeah.

20 THE WITNESS: Therminol --

21 Q. (By Mr. Wright) I mean, I don't want secrets

22 or anything.

23 A. No, it was just made out of what I told you a

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1 while ago. You charged a tank with

2 autoclave, and then you would hydrogenate

3 that.

4 The autoclave had an agitator in

5 it, and you just, you agitated the santowax

6 in there and added hydrogen, and you finished

7 it -- well, we used to finish it in gravity

8 and then went to refractive index.

9 Q. I guess what I'm really concerned about is

10 not necessarily the process, but is therminol

11 only hydrogenated biphenyl with no

12 chlorinate?

13 A. Not biphenyl. It was santowax.

14 Q. Okay.

15 A. Therminol's 66, which is main product.

16 Q. Right. Did it have any chlorine in it is

17 what I'm asking?

18 A. Zero. Zero.

19 Q. Okay. Now, what was pydraul?

20 A. What?

21 Q. Pydraul, P-y-d-r-a-u-l?

22 A. I don't know.

23 Q. Y'all sent aroclors to St. Louis?

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1 A. I think so, yeah. I wasn't involved in the

2 shipping.

3 Q. Did they mix all that in St. Louis?

4 A. See, aroclor's made here and in --

5 MR. PECK: Wasn't there an aroclor

6 that was a heat transfer fluid? I think is

7 what you're getting at.

8 MR. WRIGHT: Yeah, there was a

9 pydraul series, like, pydraul 150, pydraul

10 this, pydraul that.

11 THE WITNESS: Wasn't when I was

12 there.

13 MR. PECK: I don't know the answer
14 to your question. It may just not have been
15 done at this point.

16 MR. WRIGHT: That's what I'm
17 thinking.

18 THE WITNESS: Some of the aroclor,
19 you know, is considered heat transfer also,
20 but not like therminol.

21 Q. (By Mr. Wright) This pydraul was a mixture
22 of aroclors with some other stuff, but I
23 think that was done in St. Louis.

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1 A. That was after my time. I never even heard
2 of it.

3 Q. Okay. So all that y'all did here is make
4 these different aroclors, and then as far as
5 you were concerned, that was a final product
6 ready to be shipped out to the customer?

7 A. Right. Once they were distilled or flaked,
8 they were bagged.

9 If they were distilled, they went

10 to a storage tank, and there was a tank car.
11 We'd load them on a tank car or either drum
12 them out.
13 Q. Now, were some of the montars sold rather
14 than just being landfilled?
15 A. I can't remember. I really don't -- I think
16 -- no, I don't know.
17 Q. Here on page DSW08 --
18 A. They probably could have been though.
19 Q. -- 085400 --
20 A. They tried to recover everything.
21 Q. -- it describes the montars, and then it has
22 in parentheses 1,2,3,4,5,6,7,8 -- well, 6,7,
23 and 9. What do those numbers signify, if you

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1 know?
2 A. I think they're just based on where the
3 bottoms were from. Like montar nine would be
4 santowax or something. Montar one might have
5 been aroclor bottom.
6 Q. Okay.
7 A. But after reading this, I do remember them

8 using that for that later --

9 Q. For the roofing?

10 A. Yeah. But that was what I was telling you

11 about Clegorn's Lake. They decided that

12 could be used.

13 I remember that part now. I was

14 telling you a while ago they'd melt that

15 stuff up, and I think they drummed it out

16 into a finished product, you know, whatever.

17 I don't know. I wasn't involved in that, so

18 I just --

19 Q. I mean, did they kind of mine Clegorn's Lake

20 or -- and take old stuff out of Clegorn's

21 Lake and --

22 A. -- put it in a melting pot?

23 Q. Yeah.

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1 A. Either that or those drums, or both.

2 Q. And by the "drums," you're talking about

3 these set of drums that --

4 A. I don't know where they came from. They were

5 within the plant, but they were in storage

6 somewhere, I guess.

7 Q. But where were they? That's what I'm
8 wondering.

9 A. Well, I don't know. That's what I told you.
10 I don't know.

11 Q. You just remember there being some --

12 A. They built a melting pot up there by
13 Clegorn's Lake with burners on it, and this
14 solid material's put in there and melted.

15 Q. Put in the melting pot?

16 A. You know, it was originally liquid and then
17 we pumped it over there, and it was solid,
18 and then they discovered a use for it for the
19 customer and drummed it out.

20 Now, I don't know the process
21 except I remember the melting pot, and I do
22 remember at one time -- I wasn't even in
23 aroclor at that time. I was in the

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1 maintenance. But I can remember seeing them,
2 you know, with an ax or whatever, open up
3 those drums of solid and put it in that

4 melting pot.
5 And I remember them cleaning
6 Clegorn's Lake, and I think they did put that
7 in there too, you know, put it in a melting
8 pot.

9 Q. How did they clean Clegorn's Lake?

10 A. Backhoe.

11 Q. Just scooping out the --

12 A. Yeah.

13 Q. -- stuff?

14 A. (Witness nods head.) It was, you know,
15 solid.

16 Q. What happened to Clegorn's Lake?

17 A. It --

18 Q. Because it's not there now, is it?

19 A. Right. No. I think it was cleaned out
20 and --

21 Q. Do you remember when?

22 A. No.

23 Q. Or about when?

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1 A. I'd say -- no, I don't. You'll have to ask

2 somebody else those questions. That's one of

3 those hazy ones I can't --

4 Q. Now, we talked about the liquid aroclors.

5 The solid aroclors 4465, 5460, and 5060,

6 would you rank those from the most poplar?

7 A. This is the least.

8 Q. 4465 was the least?

9 A. Yeah. 5060 was one that we used to make over

10 here that's primarily on number one and two

11 chlorinators, and that's the one we finished

12 with a melting point, you know.

13 And then when we pumped it up to

14 the still, when we distilled it, it became

15 5460, and that's when we would pump it to the

16 flaking tank that I was telling you about and

17 flake it.

18 Q. Right. And that was 5460 primarily?

19 A. When it was distilled, it was 5460. Just the

20 chlorinated product was 5060.

21 Q. How did you make 5460 because I don't have a

22 good --

23 A. You don't have a feel for that?

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1 Q. I don't have a good feel for that.

2 A. Well, let's just say the melting point was a

3 hundred and nine or whatever, you know, then

4 we knew it was finished, and we'd cut the

5 chlorine off and pump it to the still -- or

6 pump it to a holding tank, and then we'd

7 charge the still.

8 Q. I guess what I'm asking is: I think I

9 understand the liquid aroclors, that

10 continuum that, you know, you would add

11 chlorine to biphenyl until you got the

12 desired chlorine content or what you call

13 specific gravity.

14 A. Right.

15 Q. But what are the ingredients of 5460? Is it

16 simply biphenyl and chlorine or --

17 A. That's what I was telling you. The 5060 --

18 Q. Right.

19 A. -- was chlorinated biphenyl.

20 Q. Okay.

21 A. And we would chlorinate it until we got a

22 melting point, just kept -- you know, it was

23 a longer process. And then --

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1 Q. So if 1268 is 68 percent chlorine, what would

2 5060 be? More than that?

3 A. I don't know if that was 68 percent. If

4 that's what they said. I don't know what the

5 percentage --

6 Q. That's my understanding of what those numbers

7 mean.

8 A. I don't know.

9 Q. That it's 68 percent chlorine by weight.

10 A. Yeah. It would be like -- it would be a lot

11 more than that. I don't know what.

12 Q. Okay. So 5060 had more chlorine than 1268?

13 A. Definitely.

14 Q. Okay. But that's all it had was just -- it

15 was just biphenyl that was more chlorinated

16 than 1268?

17 A. Right.

18 Q. Okay.

19 A. And then when you pumped it, when that

20 finished, then you pumped that to the still.

21 And you added lime to kind of neutralize it.

22 And it agitated or circulated with

23 a vacuum on it. And when it distilled --

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1 well, when you put it up there, it was 5060.

2 It was just black, and when you distilled it,
3 it was yellow looking.

4 And then the other chlorinator
5 products were black until you chlorinated
6 them, and then they were -- see all these 12s
7 here were 11s in the chlorinators.

8 Q. Right.

9 A. I didn't tell you that while ago.

10 Q. I got that.

11 A. It would be 1121, but when you distill it, it
12 becomes another number.

13 Q. I got that yesterday, so I understood that.

14 Okay.

15 A. I told you wrong while ago on 5060. 5060 is
16 chlorinated santowax, not biphenyl. I told
17 you biphenyl, but it's santowax.

18 Q. Okay.

19 A. All other materials is chlorinated.

20 Q. But isn't santowax a biphenyl product itself?

21 A. Yeah, yeah.

22 Q. So it would be a chlorinated biphenyl?

23 A. Well, in a sense, yeah. Santowax is the

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1 bottoms off of a biphenyl still.

2 Q. And it also indicates -- well, it says raw

3 materials are for -- the solid aroclors are

4 biphenyl, santowax are, and chlorine. So

5 would --

6 A. I think the 4465 is probably -- I didn't make

7 any of that. I think that was -- that might

8 have been a biphenyl product.

9 Q. And then 4560 and 5060 were made with

10 santowax and chlorine?

11 A. That's right, yeah. And 5060 was -- I mean

12 5460 was just 5060 distilled.

13 Q. Okay. And again, santowax is simply biphenyl

14 that's been distilled?

15 A. No.

16 Q. Okay.

17 A. When you distill -- you had -- you have sump,

18 which they called it, that comes from your

19 tube units. Used to be lead plated, and they

20 feed that sump into a biphenyl still or

21 column and distill it and make biphenyl.
22 Well, the bottoms off of that,
23 instead of pumping the Clegorn's Lake,

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1 they're not that type of material. You pump
2 them to the -- or used to -- pump them to the
3 santowax department and make santowax out of
4 it.

5 And then the bottoms off the
6 santowax, montar.

7 Q. Okay.

8 MR. PECK: Which you pumped to
9 Clegorn's Lake.

10 THE WITNESS: Which you pumped to
11 Clegorn's Lake.

12 Q. (By Mr. Wright) And HB40 was hydrogenated
13 santowax?

14 A. That's right. That, the therminol, they
15 finished it by different -- just like they
16 do.

17 Q. Okay. Who else do you know that went up to
18 Delaware and gave a deposition? I've talked

19 to a couple of them, Dicky Walker and Nolen
20 Sims.
21 A. Jerry Sanford, Nolen -- I can't remember. I
22 think Mark Williams went up there. I don't
23 know anybody else unless -- I don't know if

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1 Don Curry went or not.
2 They would have a list I'm sure
3 that would.
4 Q. What was your understanding of why they were
5 having people go up there to give
6 depositions?

7 MR. PECK: Just a second. If your
8 only understanding of why you were going up
9 there to give a deposition came from
10 conversations with counsel, then I think that
11 would be privileged. If you have an
12 understanding you acquired elsewhere --

13 Q. (By Mr. Wright) If anybody else except a
14 lawyer told you why.

15 MR. PECK: In other words, don't
16 tell him about communications you had with

17 Monsanto's attorneys, but if you know from
18 other ways, then tell him.

19 MR. WRIGHT: That's fair. I'm not
20 sure that that's the only way, but for the
21 deposition purposes, I'm not gonna argue
22 about it.

23 THE WITNESS: Only thing I knew

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1 about it was that this happened long after we
2 were operating. It was just some kind of
3 lawsuit. I don't know --

4 Q. (By Mr. Wright) That's what I'm wondering.

5 Do you know who the lawsuit was between?

6 A. I don't really remember.

7 Q. Who asked you to go up there?

8 A. I think it was -- I'm sure it was my boss,

9 but I think -- I can't remember. I think it

10 might have been Jerry Brown or somebody like
11 that.

12 Q. Did Jerry Brown go up there and give a
13 deposition?

14 A. I don't know.

15 Q. Okay. Where were you working when the
16 aroclor plant shut down?
17 A. In '71?
18 Q. '71 or '72.
19 A. Probably in maintenance. Probably -- let's
20 see. I was in -- doing the laborers job
21 where I could go to --
22 Q. What kind of things did you do?
23 A. -- school.

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1 Q. Did you work as a laborer in the aroclor
2 department?
3 A. No, that was different labor. Basically, we
4 just cut grass and clean up the offices and
5 stuff. Emptied -- anything that required
6 manual labor.
7 Q. Did you have to clean up spills and things
8 like that?
9 A. No. What we'd do was pick up trash and stuff
10 after them and carry it to the landfill or
11 whatever.
12 Q. Did you go to the landfill on a regular

13 basis?

14 A. We'd go up there occasionally, you know.

15 We'd carry trash and stuff up there on a big

16 wagon and empty it.

17 Q. When was the TP working?

18 A. TP?

19 Q. Yeah, TP incinerator?

20 A. I don't know the dates. They just -- like

21 paper and cardboard and stuff.

22 Q. Did you feed it from time to time?

23 A. No, never did feed it.

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1 Q. Who was in charge of it?

2 A. I don't know who was in charge of the

3 landfill, really, unless -- Jerry Brown would

4 be the one you'd have to ask about that kind

5 of stuff.

6 It was a long way from being a

7 laborer to being in charge of anything, you

8 know. We were in charge of the wagon.

9 Q. When you say, "wagon," you mean a truck or --

10 A. It was a big old long wagon with, you know,

11 where you pull it with a tractor. You get a
12 lot of stuff -- a lot of drums on it.
13 Q. And that's how you would move it is put it on
14 this big old wagon and then pull it with a
15 tractor up there?
16 A. Yeah.
17 Q. How would you get it off into the pit?
18 A. Manually.
19 Q. Just chunk those drums in the pit?
20 A. Sometimes, you know, we'd keep the drums
21 because it would just be wood and paper and
22 stuff.
23 Q. Just dump the drums out into the landfill?

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1 A. Yeah.
2 Q. Did you ever take anything that you know went
3 to the incinerator?
4 A. To the TP?
5 Q. Yeah.
6 A. I'm sure we did. I don't remember that.
7 Q. You just don't have a recollection of that?
8 A. No, I really don't.

9 Q. Do you ever remember seeing it working?
10 A. I don't remember it being there long, or if
11 it was, I don't -- I just don't have that
12 recollection. Must have been in a period
13 there where I wasn't either --
14 Q. When you were in a different job?
15 A. Yeah.
16 Q. Was anything else burned?
17 A. (Witness shakes head.)
18 Q. Were there any other trash fires or --
19 A. No.
20 Q. -- anything like that?
21 A. (Witness shakes head.)
22 Q. I know there was an incinerator in the niran
23 facility.

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1 A. Oh, yeah, inside the plant there.
2 Q. What was burned in that?
3 A. Well, I didn't work in niran. It was
4 residue, I think.
5 Q. Was it the kind of incinerator that you could
6 put something into, or was it simply that the

7 residue was piped into the incinerator?

8 A. Piped.

9 Q. I mean, it didn't have a door you could open

10 and throw stuff in?

11 A. No, no.

12 Q. Okay.

13 A. That was replaced by --

14 Q. I'm sorry?

15 A. That was replaced by something called recycle

16 department. Eliminated anything. It was --

17 Monsanto spent a lot of money on that.

18 Q. On the recycling process?

19 A. Yeah.

20 Q. When did that start coming in?

21 A. That was probably mid '70s. Something like

22 that. I don't know.

23 Q. Were you ever involved in sampling in the

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1 ditches, for example, or Snow Creek or

2 anything like that?

3 A. No, that would be the lab personnel. When I

4 was night superintendent, you know, I might

5 go out there with them just to observe
6 sometime.
7 Q. Go out there with who, the lab people?
8 A. Yeah.
9 Q. What were they sampling at night?
10 A. At night, nothing. I think -- we had a
11 continuous sampling twenty-four hours, and
12 they go out there, I think, early in the
13 morning and get a composite of it.
14 Q. What was it sampling?
15 A. The water leaving the plant.
16 Q. Now, is this the water that went into the
17 drainage ditch and went out under Clydesdale?
18 A. Now, you're referring to parathion, or are
19 you referring to aroclor?
20 Q. I'm referring to aroclor right now.
21 MR. PECK: Just to reorient you,
22 Larry, when he was superintendent, it was in
23 '76 or so.

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1 MR. WRIGHT: I know, but I'm just
2 wondering if anybody ever sampled that water

3 then.

4 THE WITNESS: They sampled the
5 water everywhere. They were very, you know,
6 proactive.

7 Q. (By Mr. Wright) So some of the samples that
8 you would have seen them taking were samples
9 of the water going out the drainage ditch
10 under Clydesdale and on down to the river?

11 A. They sampled different points, yeah.

12 Q. Where do you remember them sampling in the
13 '70s after the aroclor department had shut
14 down?

15 A. Like I say, I went out with them a couple
16 times. They always sampled outside the plant
17 over there on -- close to the railroad track.

18 There was a point there they
19 sampled, and then every morning they'd sample
20 at the limestone pit in front of the plant.

21 Q. Taking it out of the limestone pit?

22 A. There was a pit down there they sampled
23 before it left the plant. I really didn't

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1 get involved in that that much. You would
2 see them sampling.

3 Q. Did they sample before the pit or in the pit
4 or after the pit?

5 A. I don't know.

6 Q. Okay.

7 A. You'd have to ask somebody in the lab that,
8 and they would be able to tell you more about
9 that.

10 Q. Somewhere in the area of the pit though?

11 A. Yeah.

12 MR. WRIGHT: That would be nice to
13 have a lab kind of guy next week because
14 that's one area --

15 THE WITNESS: Don Yates used to do
16 that a lot. He's retired now.

17 Q. (By Mr. Wright) Is he still in the area?

18 A. Yeah.

19 MR. PECK: Don Yates would have
20 been a lab sampler?

21 THE WITNESS: That was his primary
22 duty.

23 MR. PECK: Is he on the list yet?

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1 MR. WRIGHT: I don't know. Let's

2 put him on there.

3 MR. FITE: I bet he will be.

4 THE WITNESS: I think I just put

5 him on it.

6 Q. (By Mr. Wright) Can you think of any others

7 in case we can't get him?

8 A. Any other what?

9 Q. Any other lab type people?

10 MR. PECK: Samplers.

11 THE WITNESS: Samplers?

12 Q. (By Mr. Wright) I don't want to just limit

13 it to samplers.

14 A. I'll tell you the person that would be --

15 keep using his name, but he was -- Jerry

16 Brown is --

17 Q. Yeah, I'm trying to figure out who else

18 besides Jerry Brown because I'm going to have

19 to depose him. He's been deposed a couple

20 times, and I'm trying to kind of save him for

21 last.

22 A. I would to. He's an Auburn man anyhow.

23 I think David Norton, he's in

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1 charge of lab now, and he used to do that.

2 Q. Was he around in the '70s?

3 A. Probably.

4 Q. Any other guys from the '60s and '70s?

5 A. Yates would be your best bet.

6 Q. Okay. When did you hear about the aroclor
7 plant shutting down?

8 A. When did you say, '71?

9 Q. Was it right before it shut down?

10 A. Yeah.

11 Q. What did you hear about why it was shutting
12 down?

13 A. I don't know if it was -- they were going to
14 make it at one plant like Krumrich and just
15 business reasons or what. Something along
16 those lines.

17 Q. When did you first hear about PCB
18 contamination off the plant site?

19 A. Probably in the "Anniston Star" in the last
20 few years, I guess.

21 Q. That's the first you remember hearing about
22 it?

23 A. Yeah.

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1 Q. Did you know that there was aroclor residue
2 in the drainage ditch and the creek
3 downstream down there by the railroad tracks
4 you were mentioning?

5 A. No, no.

6 Q. Nobody ever told you that to the best of your
7 recollection?

8 A. No. We figured any that went down the drain
9 would, you know, be probably in the limestone
10 pit.

11 Q. I need to object nonresponsive. What I was
12 asking is: Did anybody -- nobody told you
13 that?

14 A. Told me that there was some in the ditch?

15 Q. Yeah.

16 A. No.

17 Q. Okay. Did you ever spend any time in the
18 neighborhood there around the plant?

19 A. No. Well, when I was night sup, and we'd
20 get, you know, any kind of odor complaint,
21 that was our job to go out to whoever called,

22 and maybe sometime we'd talk to them.

23 Q. Do you remember doing that?

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1 A. Do I remember doing it?

2 Q. Yeah.

3 A. Yeah, that was part of my job. And then we'd

4 go over there and see if we could detect any

5 odor. Because a lot of times it would be

6 just people wanting something out of

7 Monsanto, you know, free, and there wouldn't

8 be any odor over there.

9 A lot of times -- twice a year,

10 we'd have a turnaround, and they'd shut the

11 whole plant down, and they'd call while it

12 was down, you know. Y'all are going to have

13 to shut that -- of course you had to go over

14 there to be diplomatic about it, assure them

15 of everything. But, yeah, that's the only --

16 Q. How many times do you think you went over

17 there and talked to people in the community?

18 A. In ten years, you know, I don't know. I'd

19 say -- most of the time, you didn't talk to

20 them.

21 One time a guy was waiting out in

22 the middle of the street on me, so I had to

23 talk to him. But --

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1 MR. PECK: You mean you wouldn't

2 talk to them when you went into the

3 neighborhood?

4 THE WITNESS: No. We'd just go

5 where the address was.

6 Q. (By Mr. Wright) And see if you could smell

7 anything?

8 A. And see if we could smell anything and write

9 it up in our logbook.

10 Q. Okay.

11 A. And then if they happened to be out there,

12 we'd try to --

13 Q. I guess I'm just wondering how many times you

14 remember talking to somebody in the

15 community?

16 A. Well, see, when you say, "community," --

17 Q. In the neighborhood.

18 A. -- we might get complaints from, you know, it
19 might be on this side of the plant one time
20 and this side. I probably didn't make -- I'd
21 talk to them on the phone most of the time
22 when they'd call raising cane, and then I'd
23 tell them we'd come out and check on it.

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1 I'd drive out there in a -- it had
2 a Monsanto emblem on it. Sometimes they
3 would come out.

4 Q. Can you remember -- I mean, was it a handful
5 of times, or was it twenty or thirty times?

6 A. Any time we got an odor complaint. I would
7 say not that often, but usually the same
8 people. A lot of the same people.

9 Q. Did you talk to those same people, or was
10 it --

11 A. If I didn't have to, I didn't.

12 Q. Okay. About how many times do you remember
13 talking to people?

14 A. I don't know, you know. Any time they would
15 call with any kind of odor complaint. That's

16 all it was, and then, of course, that
17 diminished greatly.
18 Q. What were the main odors? Was it the sulfur
19 dioxide or hydrogen sulfide?
20 A. Both of those.
21 Q. Any other odors other than just those sulfur
22 type odors?
23 A. No, just mostly parathion odors, sulfur type.

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1 Nothing that would hurt them, but it would be
2 -- in fact, most of the time when you got
3 over there, you couldn't smell it.
4 Occasionally, you could, and the whole world
5 knew it.

6 But from the -- it got less and
7 less, you know, as time went on because we
8 got better at it.

9 Q. What did parathion smell like?

10 THE WITNESS: Can you write this
11 down?

12 Q. (By Mr. Wright) Is there anything you can
13 relate it to?

14 A. Yeah. A lot of people say it smelled like
15 rotten cabbage, but it smelled, you know, it
16 didn't have a good --
17 Q. Kind of a sulfury smell too?
18 A. A little bit, but it was a mixture of smells.
19 Just mostly inside the plant though. Part of
20 the releases.
21 Q. Do you ever remember there being any air
22 monitoring for PCBs in the air?
23 A. We had monitors. Again, that was not my bag

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1 there.
2 Q. I know.
3 A. We had monitors for H2 add; we had monitors
4 for any kind of odors, and we had them -- in
5 fact, they actually paid people, you know, to
6 put them in their yards where they can --
7 because Monsanto was good about community
8 type stuff.
9 Q. But do you know whether that was --
10 A. You wouldn't really have to monitor PCB odors
11 because there wasn't any.

12 Q. I'm not talking about odors. I'm talking
13 about PCB content in the air. Do you
14 remember any monitoring?
15 A. I don't know. I don't remember any because
16 there really wasn't any -- it wasn't like
17 parathion. You would never smell it outside
18 the department, much less the plant.
19 Q. Did -- I assume -- well, let me not assume.
20 Did you hear anything about PCBs being an
21 environmental contaminant around the time
22 when the aroclor plant shut down?
23 A. Probably might have heard something in the

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1 news or something like that. I don't
2 remember it being --
3 Q. You don't remember Monsanto saying anything
4 about it?
5 A. Best I can remember, it was like they shut it
6 down for -- because they didn't need to make
7 it at two locations, and Krumrich -- we
8 always thought we made the best.
9 In fact, we did make the best. A

10 lot of people designated they wanted Anniston
11 aroclor, but the Yankees won.
12 Q. K-r-u-m-r-i-c-h, I believe.
13 A. It was Krumrich or Queeny one. I think it
14 was Krumrich.
15 Q. It is Krumrich. I think you answered my
16 first question and not my second question.
17 A. What was your second one?
18 Q. My second one was: Did you hear anything
19 about PCBs being an environmental contaminant
20 around the time the plant was shut down?
21 A. Only if, you know, like it was in the news or
22 something like that.
23 Q. Okay. So your only source was newspaper or

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1 TV or magazines or something? It didn't come
2 from Monsanto?
3 A. It could have. I don't know.
4 Q. You don't remember?
5 A. I don't remember, no. That wasn't something
6 that I marked down.
7 Monsanto was good about keeping us

8 well informed of things though, you know.

9 Q. But you don't remember them informing you

10 about PCBs and health or environmental --

11 A. They could have, and I might have heard it,

12 you know, on TV or whatever. I don't

13 remember exactly where I heard it.

14 Q. You don't remember any plant meetings or

15 anything like that to talk about the issue?

16 A. If it was an issue, we probably had a

17 meeting.

18 Q. Well, that's what I'm asking. Do you

19 remember it being an issue and having a

20 meeting?

21 A. That's what I'm telling you. I don't

22 remember.

23 Q. Okay.

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1 A. But it wasn't like -- if it was an issue, it

2 wouldn't be, like, hidden because they were

3 always open about anything that was a problem

4 or something we needed to do to --

5 Q. Well, that's what I'm asking. Monsanto had

6 meetings and presentations --

7 A. Oh, yeah.

8 Q. -- about various things that --

9 A. Right.

10 Q. -- it wanted to advise everybody about?

11 A. Right. And that might have been the case. I

12 just -- you call it having a senior moment.

13 I can't remember.

14 Q. I understand. What are the other things that

15 you remember Monsanto having meetings about

16 or presentations about over the years, just

17 some --

18 A. Any time, you know, any kind of safety

19 problem, like you say, environmental problem,

20 new products, department shutting down,

21 whatever, they'd have a meeting and explain

22 in detail what was going on.

23 Q. Okay.

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1 A. One I remember in particular. One Friday

2 went out there and a guy in there from St.

3 Louis said that's the end of parathion, so --

4 I mean it was that quick.

5 Q. You remember that one?

6 A. I definitely remember that.

7 Q. What was the reason they gave for shutting

8 down parathion?

9 A. I think it was just -- it was either

10 environmental or too many -- I don't remember

11 that. I don't remember the exact reason. I

12 just remember it was huge.

13 Q. It was huge news?

14 A. It was huge. Two hundred people was laid

15 off.

16 Q. Yeah. You don't remember something similar

17 for the aroclor?

18 A. No.

19 Q. Okay. I think we're about finished. Let me

20 take about two minutes and check my memory

21 cells.

22 A. Okay.

23 (Short recess.)

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1 Q. (By Mr. Wright) I think I'm done. Thank

2 you.

3
4 (Deposition concluded at 11:30 a.m.)

5 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 anywise interested in the
16 result of said cause.

17
18
19
20
21 TAMMY R. JENNINGS GREGORY
22 Notary Public, State of Alabama
23 MY COMMISSION EXPIRES: 9-12-2001

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