COMMONWEALTH OF KENTUCKY
FRANKLIN CIRCUIT COURT
CIVIL ACTION NO. 86-CI-1566
DIVISION II

COPY

COMMONWEALTH OF KENTUCKY, NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION CABINET — PLAINTIFF

v.

ROCKWELL INTERNATIONAL CORPORATION, TIM SHOOK AND RICHARD L. MONTGOMERY — DEFENDANTS

COMMONWEALTH OF KENTUCKY
LOGAN CIRCUIT COURT
NO. 93-CI-00158

DONALD S. HOUCHENS, ET AL. — PLAINTIFFS

v.

ROCKWELL INTERNATIONAL CORPORATION, RICHARD H. RAMPON, JOHN McCLURE KERR and DAVID R. STANLEY — DEFENDANTS

COMMONWEALTH OF KENTUCKY
LOGAN CIRCUIT COURT
NO. 93-CI-00159

ROGER DALE BARNES and WILDA MAE BARNES — PLAINTIFFS

v.

ROCKWELL INTERNATIONAL CORPORATION, RICHARD H. RAMPON, JOHN McCLURE KERR and DAVID R. STANLEY — DEFENDANTS

COMMONWEALTH OF KENTUCKY
BUTLER CIRCUIT COURT
CIVIL ACTION NO. 93-CI-00119

HOBERT TRACY BELILES, ET AL. — PLAINTIFFS

v.

ROCKWELL INTERNATIONAL CORPORATION, RICHARD E. RAMPON, JOHN McCLURE KERR and DAVID R. STANLEY — DEFENDANTS

PLAINTIFF'S EXHIBIT 35 4-1-98

PENGAD Bayonne, N.J.

DEPOSITION OF WILLIAM B. PAPAGEORGE, P.E.

Taken on behalf of Defendant Rockwell International Corp.
September 23, 1993

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there in Anniston that you described for us.

A. Yes, sir.

Q. I understand you used dual lagoons with clay liners, and was it crushed limestone that you were using for neutralization?

A. Yes, sir.

Q. Okay. And then you would drum the sediment that would result in the aggregate and dispose of that in situ there at the facility? Do you know if they had any sort of a situation subsequent where the state of Alabama or federal EPA has come back to monitor that landfilling facility?

MR. GOEBEL: Objection. Irrelevant.

A. I know that the regulatory representatives from the state have visited the plant and made an investigation. I don't know the degree of monitoring that you might have in mind. They were satisfied with the -- with what they saw, and that's where it now stands, to the best of my knowledge.

Q. (By Mr. Cunningham) I guess I'm curious as to why you would have bothered putting that stuff out in the lagoon, why you wouldn't just let it get out into a drainage ditch and go on out to the creek or whatever. Was it your perspective that good engineering practices in the '60s would have mandated that a waste stream that

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potentially would have contained PCBs should have been segregated in the manner that you have described that you all did in that facility, at a minimum?

A. At a minimum, it is just not prudent to discharge knowingly any kind of industrial chemical, whether it be PCBs or any other material, and the sediment that collected in that pond was just the type of thing that you wouldn't want to discharge out into the environment. It just wasn't a practice that was considered to be responsible. That's all.

Q. It's from the nuisance aspects and esthetic aspects of discharging something like that that you just wouldn't do it, right?

A. That's part of it.

Q. Okay. Mr. Papageorge, you put a qualifier in there about not -- you wouldn't want to discharge any industrial waste stream like that into the environment knowingly. I want you to assume for the purposes of my next question that -- I think you can look at the last exhibit we had entered which would show what Rockwell's consumption of Pydraul was for -- I want to say these invoices cover from like the '71 through '72 years. I think if you look there, you will see that they were consuming Pydraul in fairly significant quantities. Sometimes it looks like ten 55-gallon drums -- 54-gallon

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prefer the Monsanto product.

Q. And I can't pronounce the name of the place up there. Sauget?

A. Sauget.

Q. Sauget, Illinois. They made some PCB up there. Are you aware of any sort of contamination problem they now face in Illinois by that plant as a result of use or misuse of those fluids?

A. I am not.

Q. And how many years were they actually manufacturing the stuff there at that particular facility?

A. From 1935 or 6 or somewhere in there to 1977.

Q. You were there at that plant for a while. Do you know what their process was for treating potentially contaminated -- or maybe that's too strong a word -- waste water streams that may have had contact and even contained PCB solutions and fluids at that plant?

A. All the waste water from that plant went to the Sauget Village municipal treatment plant.

Q. Okay. And do you know if that particular facility had specialized treatment mechanisms for treatment of industrial waste fluids?

A. Yes. I would -- I suspect that the word specialized might fit. They were handling industrial wastes from the entire community. The water that was

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