

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
EASTERN DIVISION

JOHN R. SWIFT and *
BARBARA SWIFT

Plaintiffs

-v- Case No. CV-97-AR-2430-E

MONSANTO CO., INC., et al.

Defendants

* * * * *

Pursuant to Notice, the deposition of
GLENN S. RUSKIN was taken on Monday, December 13th,
1999, commencing at 1:20 p.m., at the law offices
of Covington & Burling, 1201 Pennsylvania Avenue,
Washington, D.C., before Jacqueline Kimball,
a Notary Public.

APPEARANCES:

DONALD W. STEWART, ESQ.,
On behalf of the Plaintiffs

MICHAEL S. KELLY, ESQ.,
ADAM K. PECK, ESQ.,
On behalf of the Defendants

Reported by:
Jacqueline Kimball

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1 It is stipulated by and between the parties
2 that the reading and signing of this deposition
3 is hereby waived.

3 GLENN S. RUSKIN,

4 Called for examination, having been duly sworn to
5 tell the truth, the whole truth and nothing but the
6 truth, testified as follows:

6 MR. PECK: Usual stipulations for Federal
7 Court?

8 MR. STEWART: Yeah.

9 EXAMINATION

10 BY MR. STEWART:

11 Q State your full name for the record.

12 A Glenn Ruskin.

13 Q Mr. Ruskin, who is your present employer?

14 A My present employer is Solutia Inc.

15 Q Have you worked for Monsanto before?

16 A No.

17 Q When did you start to work for Solutia?

18 A I started in late August 1997.

19 Q Give me an idea of how that came about.

20 A It came about talking to some of the folks
21 that were going to be going with Solutia, which is a

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1 spinoff from Monsanto Corporation, and asked me if I
2 might be interested in joining that company.

3 Q Who is that?

4 A Michael Pierle.

5 Q How did you know Mr. Pierle?

6 A From involvement here in Washington working
7 on different legislative issues.

8 Q Give me some idea of your work history if
9 you would.

10 A Sure. Started off as a young legislative
11 assistant.

12 Q Make it as brief as you can.

13 A I will, I will. I had to think a minute,
14 Donald -- in a Congressional office.

15 Q Who did you work for?

16 A Congressman Jim Howard, a democrat from New
17 Jersey. Did some work in city government, city of
18 Asbury Park in New Jersey. Went back to work for

19 Congressman Howard as his district representative.
20 From there went to work for a public relations firm
21 in New Jersey.

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1 Q What was the name of that firm?

2 A Holt, H-O-L-T and Ross, R-O-S-S. After
3 Holt & Ross I went to work for Ciba, C-I-B-A, hyphen,
4 Geigy, G-E-I-G-Y, corporation. And I worked at a
5 plant in New Jersey for five years and then I spent
6 five years in the Ciba-Geigy Washington, D.C. office.
7 And after that joined Solutia.

8 Q What did you do at the Ciba-Geigy
9 Washington office?

10 A Primarily involved in federal legislative
11 issues, primary focus in the environmental area.

12 Q With whom did you deal in the regulatory
13 agencies at that time?

14 A Did work with the Environmental Protection
15 Agency.

16 Q EPA?

17 A EPA. Environmental groups and other what I

18 would call company colleagues, other companies that

19 had Washington offices.

20 Q Ever work with someone from Monsanto?

21 A I did.

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1 Q Who?

2 A Pat Kenworthy.

3 Q Did he have --

4 A That's a woman.

5 Q Did she have a position similar to yours?

6 A Yeah. She was a government affairs rep in
7 the office. Tom Helsher, H-E-L-S-H-E-R, and Mike
8 Pierle.

9 Q Did Mr. Pierle work here in Washington or
10 did he work out of Saint Louis?

11 A He worked out of Saint Louis.

12 Q What was his primary role?

13 A He was Vice President of Environment Health
14 and Safety for Monsanto.

15 Q Did he come up here a good bit?

16 A Yeah, he was taking part in work on

17 Superfund, which is a federal environmental statute.

18 Q When did that happen?

19 A '92, '93, '94 time frame.

20 Q When did you actually work in the

21 governmental affairs office for Ciba-Geigy from the

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1 time frame?

2 A 1992 to 1997.

3 Q So that was your immediate employer?

4 A Yes.

5 Q What kinds of issues did you work on for

6 them in connection with EPA?

7 A Primarily environmental issues, Superfund,

8 Resource Conservation Recovery Act, Clean Air Act.

9 Q RCRA?

10 A RCRA, yeah, Clean Air Act.

11 Q What was your position in the company?

12 What kind of position did you hold?

13 A I was manager of legislative affairs.

14 Q In that position did you issue any papers,

15 documents, in connection with the Superfund or RCRA?

16 Clean Air Act?

17 A What type of papers?

18 Q Any kind of papers. Any papers on

19 behalf --

20 A Sure. Fact sheets, backgrounders.

21 Q Opposition to the legislation?

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1 A No, we were proponents of the legislation.

2 Q You were proponents of Superfund?

3 Proponents of the Clean Air Act? Proponents of RCRA?

4 A Proponents, yeah. Primarily Superfund was

5 the biggest part of that. And the interesting thing

6 was Monsanto and FMC Corporation at that time were

7 members of what was called the National Superfund

8 Commission, which involve Natural Resources Defense

9 Counsel, Environmental Defense Fund and others. And

10 what they were trying to do was find a middle ground,

11 a way to reauthorize Superfund in such a way everyone

12 benefitted, rather than one side benefits and the

13 other side loses, and the next time around -- it's

14 not a sustainable decision making process.

15 Q That's the feeling here in Washington?
16 That's just not a sustainable kind of thing?
17 A I don't think it's sustainable. I rather
18 have more folks involved in the process and have
19 interest in it, and try to come up with a decision
20 that would be long standing that everyone benefits
21 from.

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1 Q The Environmental Defense Fund, is that an
2 organization that was set up comprised primarily with
3 people like Ciba-Geigy, Monsanto, FMC?
4 A The National Superfund Commission was.
5 That was done under the auspices of the Keystone
6 Center. The EDF or the Environmental Defense Fund is
7 an environmental group that has been around a couple
8 decades, I guess.
9 Q Is Ciba-Geigy a member of that?
10 A No. I don't believe they would accept
11 corporate membership. Individual membership, but not
12 corporate membership.
13 Q What other groups did you work with in

14 connection with the activities you did in support of
15 the reauthorization of the Superfund bill?
16 A There were, of course, the typical
17 companies that would be involved, some electronics
18 companies, oil companies, chemical companies,
19 chemical manufacturers association. We did a lot of
20 work with Sierra Club, the Environmental Defense
21 Fund, Natural Resources Defense Counsel, some waste

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1 companies, Friends of the Earth. And I think that's
2 about --

3 Q Was it reauthorized?

4 A It was not, no. Despite -- that law, my
5 recollection, is expired and authorization expired in
6 1995, but of course continuing appropriation
7 continued that program on, but reauthorization
8 continues to be elusive to this day.

9 Q Who was opposed to that reauthorization?

10 A Ultimately, I would say, the oil companies
11 were not happy with some of the agreements that some
12 of us in the chemical industry had reached. In

13 particular they didn't like the public participation
14 part of the reauthorization statute, and they
15 objected to that. Ultimately it failed.

16 Q Are they still declaring sites in the
17 country, Superfund sites?

18 A Yeah.

19 Q Scoring them for Superfund?

20 A Yes.

21 Q Under what? If there was no

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1 reauthorization how are they doing that?

2 A The law continues on the books. And the
3 trigger is the annual appropriations for the program.
4 So unless someone were to specifically try to kill
5 the program, it just continues on in force.

6 Q By EPA?

7 A Right, EPA. And the House and Senate
8 appropriations for the program continue.

9 Q Would the reauthorization bill have been
10 weaker or stronger than the bill presently in place?

11 A I think it would have been a much stronger.

12 Q Why is that?

13 A Couple reasons. One is that there would

14 have been a greater focus on trying to establish

15 cleanup standards that were based on a real risk.

16 That involved input from the environmental community,

17 that it wasn't a hypothetical type of risk.

18 Q Is it that was the cost effective thing

19 they tried to do?

20 A In that, back in the 103rd Congress we got

21 away from the cost effective, but it was trying to

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1 establish, first of all, the root of exposure. Were

2 people exposed to material. And what they had been

3 doing -- they being EPA -- was using a hypothetical

4 risk assessment.

5 Q You were trying to change the risk

6 assessment? Is that what you were trying to do?

7 A They would base it on real risk and look at

8 sensitive subpopulations, the elderly, others that

9 have a sensitivity to particular contaminants. The

10 liability system would really have -- the crux of the

11 liability issue was if you were a survivor at the
12 site, you would bear all the additional liability.
13 What this attempted to do was apportion out your
14 respective liability and then some.

15 Q You're talking about the companies?

16 A Yeah, the companies. And then the orphan
17 share. If there were parties that had gone bankrupt
18 or just ceased to exist, that that would be handled
19 through a federal appropriation rather than the
20 survivors at that site.

21 Q That wouldn't have cut the cost of the

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1 companies that were involved, would it?

2 A It wouldn't have cut the cost they were
3 responsible for, it would have maybe made it a fair
4 statute in that other people's shares wouldn't have
5 been foisted upon them.

6 Q The risk assessment you're talking about
7 would have changed the rules of the game to some
8 extent, would it not?

9 A Yeah.

10 Q It would have made it a little better for

11 the companies?

12 A Also the environmental community. You

13 would have found remedies moving quicker. There

14 would have been decisions rendered quicker. And the

15 other was that in many cases there are similar

16 cleanup stories that pop up in the state of

17 Washington or New Jersey that were very, very

18 similar. And rather than going back and reinventing

19 the wheel, they would have presumptive remedies. You

20 could move ahead quicker.

21 Q How did you propose to change the risk

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1 assessment?

2 A I wasn't that involved, Mr. Stewart, in

3 that particular part. We had broken into smaller

4 committees and there was a technical subgroup.

5 Q You started out and calling me Donald, you

6 can go head -- I'm probably older than you are --

7 A We had subgroups that did work on that, and

8 that was not one of my -- I'm not a technical person.

9 My area, I was more involved with the public
10 participation area.

11 Q Are you familiar at all with how they were
12 going to change the risk assessment?

13 A To my recollection, we were going to look
14 at the actual level of contaminants at the site and
15 then look at exposure pathways to determine was there
16 really a cause and effect, or were people really
17 exposed to things. And predicate the cleanup on
18 that, or the remedial decision on that.

19 Q Why did that differ from what the EPA had
20 been doing?

21 A A lot of times what they were doing is

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1 going into a site and base the cleanup on a
2 hypothetical situation at a particular Ciba site,
3 where they assumed all the worse contaminants at the
4 site were concentrated in one location. And then
5 they started off with a child, that a child would eat
6 the soil and drink the water each and every day for a
7 period of 70 years; what would the risk be. That's

8 how they would predicate the cleanup. What many were
9 arguing, including some of the environmental
10 community, that's -- first of all, that's the
11 condition as it exists. The likelihood that someone
12 would hop a fence and build a home and then eat dirt
13 and drink water every day is not real world.

14 Certainly there are chemical plants that
15 have homes built along fence lines and so on and so
16 forth, but that's what it was trying to get at, away
17 from the hypothetical, because what happened at that
18 point, you get remedies that were so -- goals,
19 remedial goals that were so unattainable, that it
20 bred more litigation, the company saying we're not
21 going to implement that and EPA saying, yes, you are.

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1 And the environmental community which say, we've been
2 arguing about this but nothing is getting cleaned up.
3 That's what that was trying to get at.

4 Q Did you share those thoughts that you just
5 shared with me about the risk assessment with
6 Ms. Browder?

7 A Oh, yes. At that time I'm sure the group

8 probably --

9 Q Not Ms. Browner, Ms. Browder.

10 A I don't know Ms. Browder.

11 Q You don't know a Cheryl Browder?

12 A No.

13 Q Does anyone to your knowledge at your
14 company, Solutia, have they ever had contact with
15 Cheryl Browder?

16 A I don't know. The name isn't ringing a
17 bell with me.

18 Q Have you talked with the Alabama Department
19 of Public Health?

20 A I have not, no.

21 Q Have you shared with others this risk

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1 assessment theory that you've got that you don't use
2 a child and assume that a child -- in Solutia, I
3 mean.

4 A No, no. That was back at that time. I
5 haven't --

6 Q You haven't given them the benefit of that
7 knowledge?

8 A Well, it wasn't unique to me, let's put it
9 that way. I think there were a lot of folks talking
10 about that at that time.

11 Q Would it be fair to say that Monsanto was
12 one of those?

13 A As part of the national Superfund
14 Commission that was certainly an area they were
15 looking at, yeah.

16 Q Have you seen any health consultations that
17 were done by the Alabama Department of Public Health
18 in connection with this site, the Anniston site
19 that's the subject of this suit?

20 A No, I have not.

21 Q If someone told Ms. Browder they needed to

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1 change their health consultations on your company it
2 wouldn't be you?

3 A No, it would not be me.

4 Q Are you familiar at all with whether or not

5 that has been done?

6 A I'm not familiar with that, no.

7 Q Now, let me go back and ask you, if you
8 would, to tell me other than what you've already told
9 me about your work experience, give me a little brief
10 history your education background.

11 A Okay. Started off at a school called
12 Lycoming College in Williamsport, Pennsylvania after
13 high school. Spent two years there and transferred
14 to Drew University, D-R-E-W, in Madison, New Jersey.
15 Spent a year at that school and went down to, came
16 down here to Washington, D.C. on their Washington
17 semester and interned and finished up my
18 undergraduate degree through The George Washington
19 University, had my credits transferred back. I
20 graduated from Drew University in 1978. And then got
21 my master's degree from The George Washington

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1 University in 1981.

2 Q In what?

3 A Science of Administration. It was

4 combination business and public administration

5 degree.

6 Q Now, let me ask you, if you would, to tell

7 us how you got involved in this. You said a

8 Mr. Pierle talked to you?

9 A Right.

10 Q What was his -- let's go through that

11 conversation.

12 A Sure. I met Mike Pierle largely through

13 the Superfund reauthorization work, and just

14 different meetings here in Washington. And always

15 found him to be a very energetic and thoughtful

16 person. We just struck up a relationship.

17 Q So he asked you to come to work for

18 Solutia?

19 A Yeah. After I guess I had known him for a

20 couple years and he actually asked me a question if I

21 knew anybody that might be interested. And I gave it

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1 some thought and said I'd be interested.

2 Q That began when?

3 A They began in the summer of 19 --

4 MR. PECK: Talking about the conversation
5 or when he started?

6 MR. STEWART: When he started.

7 A When I started was August of 1997.

8 Q You were hired as Vice President for
9 Government Affairs for Solutia?

10 A That's correct.

11 Q Is anybody immediately over you?

12 A Yes, I'm right now at the present time, a
13 Mr. Dennis Cavner, C-A-V-N-E-R, I report to
14 Mr. Cavner.

15 Q What exactly do you understand your job to
16 be?

17 A My job would be to represent Solutia in the
18 government affairs area, both throughout the U.S. on
19 the state level, the federal level, and to where it
20 was appropriate, on the international level.

21 Q Tell me, if you would, Mr. Ruskin, do you

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1 have any employees who work with you here?

2 A I do; I have two. I have an Allison
3 Jennings, and I have a Gregory Wilson.
4 Q Were they here when you came?
5 A No, they were not. I brought them both on
6 board.
7 Q Allison Jennings?
8 A Yes.
9 Q J-E-N-N-I-N-G-S?
10 A Correct.
11 Q That's a female?
12 A Yes.
13 Q What's her position or title?
14 A She is an administrative assistant, and
15 basically handles office operations.
16 Q Who is the other person?
17 A Gregory Wilson.
18 Q What is Mr. Wilson's title?
19 A Gregory is a director of federal affairs.
20 Q What does he do?
21 A He is primarily assigned three business

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1 functions, three business lines, dealing with our,
2 what we call, Saflex, S-A-F-L-E-X, laminated glass
3 products. Solutia manufactures a plastic interlayer
4 that goes between panes of glass. And Greg is
5 working -- has bomb blast protection so we're working
6 with federal agencies trying to get this into federal
7 building construction, as well as -- it's in the
8 windshield of automobiles now, and we're working to
9 get side windows. He's totally consumed with that.
10 Now, that's just in the Washington office.

11 Q Do you have other employees?

12 A In Saint Louis, and a shared person over in
13 Brussels. In Saint Louis, a Kevin Cahill.

14 Q He reports to you?

15 A Yes. And Beth Rusert, R-U-S-E-R-T.

16 Q Got it.

17 A Over in outside of Brussels,
18 Louvain-la-Neuve, is a gentleman named Michael
19 Scharf, S-C-H-A-R-F.

20 Q What is he working on?

21 A Primarily he's like, I'd say mirror imagine

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1 of Greg Wilson, working on Saflex business issues
2 over in Europe.

3 Q Do you have any history at all other than
4 what you told us with Monsanto itself?

5 A No, just a collegial working relationship
6 with them.

7 Q You said collegial. Who is it you work
8 with on a collegial basis?

9 A Pat Kenworthy, Patricia Kenworthy.

10 Q You're talking about in the past?

11 A Oh --

12 Q Is that what you're talking about?

13 A Yes, I am.

14 Q Do you work with anybody in Monsanto now?

15 A Other than just having a phone
16 conversation, Linda Strachan, S-T-R-A-C-H-A-N, in the
17 Monsanto office.

18 Q What would you have had a conversation with
19 her about?

20 A Just about chit-chat essentially. Just
21 what are they doing, what projects are you working

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1 on, am I going to a particular breakfast or dinner
2 meeting or something like that. But nothing
3 substantive, not issue oriented.

4 MR. PECK: For clarification, Donald, if
5 you look at the times it would look a little
6 odd. He had one month with Monsanto because the
7 spin wasn't until September '97. But I don't
8 think he even thinks of that being with
9 Monsanto. I don't want there to be confusion.

10 Q Have you ever given a deposition before?

11 A Never.

12 Q Have you ever given any kind of, responded
13 to any kind of interrogatories in this case other
14 than what was presented to you in the Notice of
15 Deposition?

16 A Nope, that was my first time.

17 Q If I ask a question, and I may when we get
18 into some of these other things that might be
19 compound or difficult to understand, you have a right
20 to ask me to rephrase it; I'll be glad to. In
21 addition to that, if you don't understand a question

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1 you want to consult with Adam or Mike, you go ahead
2 and do that. We'll take a break at any time; please
3 feel free. If you don't tell me you don't understand
4 a question I'll assume you did, and I'll assume that
5 the answer you gave me is a response to that
6 question, understand?

7 A Yep.

8 Q You have to answer verbally. And then in
9 fairness to her, I sometimes speak over you and you
10 might be have a tendency to speak over me. Let's one
11 speak at once.

12 A Understood, yes.

13 Q Who briefed you about the Anniston plant
14 problem?

15 MR. PECK: Object to the form of the
16 question. Occasionally I'll object to the form
17 of the question. That means I think something's
18 wrong with the question. Unless I tell you not
19 to answer because he's invading a privileged
20 area, you can still answer.

21 Q Who briefed you about the problem in

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1 Anniston?

2 A Actually the first briefing I had on the
3 Anniston plant was one that I initiated because I
4 tried to, when I came on board, to get to all the
5 plants. And I traveled to Anniston early after my
6 hire date. Went to about half dozen plants, and I
7 received a briefing on the plant, the history and the
8 current remedial situation from Blake Hamilton.

9 Q When did you go there?

10 A To the best of my recollection, it was
11 after I came on board in August of '97, but I believe
12 it was before the end of the year of 1997. I can't
13 remember exactly.

14 Q Could it have been October?

15 A Could very well have been -- yeah, could
16 very well have been.

17 (Exhibit 1 marked.)

18 BY MR. STEWART:

19 Q Let me show you Exhibit 1. Is that a memo
20 that is related to that?

21 A Yeah, sure looks like it.

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1 Q Does that date 10-13-97 ring a bell?

2 A It does.

3 Q Would that be the date you went to the
4 Anniston plant?

5 A I was there on October 21 and the 22nd.
6 And I do recall now it did appear I remember thinking
7 it was getting near Halloween time.

8 Q Now, what were you told about the
9 remediation issue or overview? What did -- did
10 Mr. Alan Faust --

11 A Yeah, Alan Faust participated in the
12 meeting as did Robert Jones. I can't remember all
13 the details.

14 Q I understand it's some time ago.

15 A This is, I guess I'd say not only do I
16 have -- I have dealings with all of our 16 plants.
17 But then I have all the business portfolios as well.
18 If I answer a question that I don't recall, I'm not
19 trying to be dumb, it's -- this particular, the
20 Anniston plant was a small part of what I was doing,
21 but obviously wanted to get briefed on it. My

1 recollection is that there had been some remediation
2 activities that took place at the plant, the
3 specifics of which I can't readily recall but that
4 steps had been taken proactively to address the
5 situation there.

6 (Exhibit 2 marked.)

7 BY MR. STEWART:

8 Q Are those notes you made while you were
9 down there?

10 A Yes, they look like they're my notes.

11 Q Were those notes dated 10-21-97?

12 A Yes, they are.

13 Q Take a look, I want to ask you some
14 questions about it.

15 A Yeah.

16 Q Let the record reflect he's looking at
17 Plaintiff's Exhibit 2 to his deposition.

18 These are your notes that are handwritten
19 notes that you took while you were being briefed; is
20 that right?

21 A That's correct.

1 Q Let me ask you, who told you with the
2 bullet on page 1 of that about the sale of the plant
3 in 1985?

4 A My recollection is that that was probably
5 Blake Hamilton, the site manager.

6 Q What did Mr. Hamilton tell you about the
7 potential sale of the plant in '85?

8 A I don't recall.

9 Q Did he tell you why it was not sold?

10 A He may have, but I don't recall.

11 Q Would you tell me what the UPP star since
12 '93 and recertified, what's that?

13 A That's a V, poor handwriting. The
14 Voluntary Protection Program, the star designation is
15 given by the Occupation Safety and Health
16 Administration, for exemplary --

17 Q I understand what it is, thank you. Take a
18 look at the next bullet, 150 9002 certified. What is
19 that?

20 A ISO. That's the International Standards

21 Organization. That's a -- I can't recall the exact

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1 title of it. It had to do, I think, with
2 environmental management systems. In the
3 international business community they're trying to
4 get companies to adopt standards that would be
5 harmonized and have in the ISO certification, would
6 indicate that you'd be a supplier of preference.
7 It's trying to harmonize a lot of different standards
8 in each of the countries, and it's a nongovernmental
9 independent organization. I think they're based over
10 in Switzerland if I'm not mistaken.

11 Q What's the source of the next comment, pro
12 business community. I assume that's what pro
13 business C-O-M-M means?

14 A Yeah.

15 Q Who told you that?

16 A I can't remember what that referred to.

17 Q Why was that important?

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

20 A I think what I was trying to capture there
21 was -- allow me to think back for a moment.

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1 Q Certainly.

2 A What was being talked about at that time
3 again by Mr. Hamilton, the site manager, was there
4 was a real effort underway to try to beef up or
5 improve the economic situation in Anniston, Calhoun
6 County, what with, I think there was a military base
7 closing there, that we were trying to help in a
8 number of different ways with the United Way through
9 the chamber of commerce and through Adopt-a-School,
10 trying to help provide some educational
11 opportunities.

12 Q Do you know when that started?

13 A I do not, no.

14 Q Tell me what you mean by potential issues
15 here at the bottom of the first page of Plaintiff's
16 Exhibit 2, fluids return, potential issues 1992?
17 Down at the bottom.

18 A I think that was just a heads up but, I

19 can't remember exactly the details of that.

20 Q Heads up about what?

21 A I don't know.

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1 Q It says --

2 A Whenever I label something potential
3 issues, that's my nomenclature for things I want to
4 flag. But I can't remember exactly what I meant by
5 that.

6 Q You got 1992 from Krummrich/Queeney?

7 A Fluids return, maybe it was off spec
8 material comes back from Krummrich/Queeney to the
9 plant to be reworked. I think that's what it means
10 by can be recycled or burned in the boiler.

11 Q Is 1.9 million pounds brought in?

12 A That's what it says.

13 Q Is that some junk that's sent down from
14 Krummrich?

15 MR. PECK: Object to the form. Calls for
16 speculation by this witness.

17 A I can't recall.

18 Q On the next page 2, bullet called community
19 outreach?
20 A Um-hmm.
21 Q Where did you get trust you but don't know

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1 what you make?
2 A I believe that was, what it was referring
3 to was the fact that -- this goes, this is a core
4 issue at any facility -- is people know the name. In
5 this case since we were a new company they understood
6 that there had been a change in name from Monsanto to
7 Solutia but people really didn't know what the plant
8 did. And trying to get word out, who are we, what do
9 we do and value added to the community. What do we
10 add to that community.
11 Q What's a CAP?
12 A Community Advisory Panel.
13 Q What did you choose to go with a focus
14 groups here?
15 A I don't know. I'm looking at my notes
16 here. I think we could do, because, as I'm looking

17 at my notes here, because of litigation, we couldn't
18 have a CAP so we could do I think some sort of focus
19 group, talking to folks.

20 Q Did you do focus groups?

21 A I don't know.

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1 Q Are you familiar at all with -- this says

2 PCP litigation -- is that PCB litigation?

3 A I think that's my error in writing that.

4 Q You don't know whether or not focus groups
5 were done or not?

6 A No, I don't.

7 Q Have you had any part to play in any focus
8 group, suggested focus groups down there?

9 A No, I've not.

10 Q Have you dealt with a Steven Bradley in
11 connection or conjunction with that?

12 A Not in connection with that, no.

13 Q Who is Bob Waters?

14 A Operations director at the plant. I can't
15 even recall meeting him to be honest with you.

16 Q What does this next statement mean,
17 electrical deregulation and utility cost? It says
18 part of Alabama ductal users coalition to keep
19 Alabama power honest. Honest about what, Mr. Ruskin?
20 A I don't recall. In the broader text of
21 things, electricity deregulation and utility costs,

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1 that's a big issue in the Congress right now. What I
2 was trying to get from the site, what are some issues
3 I ought to be keeping my eyes on in Washington. That
4 was one of the ones they had suggested was the whole
5 electricity deregulation. But I don't recall what my
6 note is referring to.

7 Q Didn't you understand at that time you went
8 down there for this briefing that the Alabama power
9 company had owned some land had been transferred back
10 to the company?

11 A Yes, I did remember that, yes.

12 Q They had in fact paid some \$750,000 to
13 Monsanto to get Monsanto to take it back; you
14 understood that, didn't you?

15 A Not sure that I recall that.

16 Q If you'll look on, over in there, I think

17 it appears someplace, I think it's the last page of

18 this exhibit. Isn't that your handwriting?

19 A Yes, it is.

20 Q Alabama power gives us \$750,000?

21 A Yes.

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1 Q It says 1975 Alabama power cuts into the

2 west end landfill? Is that what AWEL means, the last

3 page of this?

4 A Yes.

5 Q Does that refresh your recollection?

6 A I see what I have written here. And I see

7 the notes, so I'm assuming under that bullet 1993

8 Monsanto reacquires the Anniston west end landfill.

9 Q Above that Alabama power finds elevated PCB

10 levels?

11 A Right. I'm assuming of the 3.5 million for

12 the remedial costs, that Alabama power contributed

13 750,000 to remediation.

14 Q And any transfer of the land had been
15 swapped to them in 1959 back to Monsanto; is that
16 right?

17 A That's what the bullet point says.

18 Q Were you all going to take some kind of
19 position? Were you earning your pay here right off
20 the bat, Mr. Ruskin? Were you indicating to them
21 that we can take some position in connection with the

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1 electrical deregulation and utility cost as a large
2 size industrial use to keep the Alabama power company
3 honest? Is that what you were doing, Mr. Ruskin?

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

6 A No, I don't think that's what I was doing.
7 Each of the plant sites I went to visit, since I was
8 new to the company, what I was asking them, I asked
9 them what are those things that are currently being
10 considered in Washington. Of those things, what is
11 of interest to them. And one of the points that was
12 made was that electricity deregulation would be

13 important to the plant there, as it would be for all
14 of the sites that I visited.

15 Q Would it be for the power company too,
16 wouldn't it?

17 A I don't know.

18 Q Isn't that what you said over here
19 basically in that little bullet on page 4? Electric
20 deregulation utility cost?

21 A As I said before, I can't remember exactly

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1 what I was referring to there.

2 Q You certainly were referring to the
3 deregulation of electrical?

4 A Correct.

5 Q That would have a direct effect on the
6 Alabama power company?

7 A Yes, it would.

8 Q The large size industrial users coalition
9 would have something to say about that?

10 A I can't remember who the Alabama industrial
11 user coalition is.

12 Q Isn't that the large size industrial users

13 of electrical power in the state of Alabama?

14 MR. PECK: Object to the form of the

15 question. Calls for speculation.

16 A I don't recall.

17 Q You seem to be a fairly intelligent person,

18 Mr. Ruskin. Wouldn't that probably be what that was?

19 A It's an assumption one could make, but yes.

20 Q Fairly safe assumption, wouldn't it?

21 A Yes.

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1 Q Let's go to the first page of these little

2 handouts. I assume you got these handouts at this

3 meeting and made notes on them?

4 A Yes, they were overhead transparencies.

5 This was the hard copy.

6 Q And are these your notes here on the

7 process safety management?

8 A Yes.

9 Q What is the Voluntary Protection Program?

10 Is that the thing you talked to us about before?

11 A Right. That's an OSHA program.

12 Q Turn to the next page. What is California

13 has adopted this ergonomic standard?

14 A This was a proposal that only recently has

15 been released by the Occupational Safety and Health

16 Administration, part of the U.S. Department of Labor.

17 It had to do with sort of repetitive injuries.

18 Q Doesn't have anything to do with

19 environmental issues?

20 A No, work station, this carpal tunnel

21 syndrome and how to design work stations.

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1 Q Go on to the next page. All remediation

2 work done prior to completion of RIF?

3 A Yes.

4 Q Is that your -- who told you that?

5 A Told me what?

6 Q All remediation work was prior to

7 completion of -- is it RFI? That's what it is, isn't

8 it?

9 A Trying to remember. It seems to me the

10 12-96 has to do with the post closure RCRA permit.

11 Q Why was that important?

12 A I don't really recall. I think -- back to

13 an earlier question -- all the remediation dealt,

14 this whole page was remediation, not that all

15 remediation work was completed.

16 Q You mean when you write a sentence out, all

17 remediation work done prior to completion of RFI at

18 the top, you don't mean all the remediation work was

19 done prior to that?

20 A I can't recall what RFI stands for.

21 Q You just know that somebody told you?

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1 A Yeah, and I think it was a portion of the

2 remediation project.

3 Q Next page, you got NPDES permit, says very

4 stringent due to PCB problem?

5 A Right.

6 Q What did you mean is very stringent?

7 A Part of the remediation, any runoff had to

8 be very stringently controlled and monitored to a

9 very low level before it was able to be discharged.

10 And that was a condition of that NPDES permit.

11 Q Do you remember anything else you were told

12 while you were down there about?

13 A No. I mean I think the points you had here

14 on Exhibit 1 was the overview of the visit.

15 Q Did you all discuss the litigation that was

16 pending?

17 A Other than the fact that it was pending,

18 no. I didn't get into real details about that at

19 all.

20 Q Mr. Faust and the other people didn't tell

21 you anything about the litigation?

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1 A You know, just be general that it was going

2 on, sort of the ABCs of it, but nothing, none of the

3 technical aspects of it.

4 Q Why were you interested in Dr. Satcher?

5 A I was interested in Dr. Satcher because he

6 is, I believe, from Anniston, Alabama. And then his

7 new role as Surgeon General of the United States. It

8 was something that had caught my eye as a Washington

9 rep.

10 Q Why would that catch your eye?

11 A Because one of my primary focuses in

12 Washington is to be a representative for Solutia, and

13 whether that's on a business issue or it's on a site

14 specific issue, and I'm a big believer in being

15 proactive in seeking to communicate with legislators

16 and/or regulators and nongovernmental organizations.

17 That's one of the things I take very seriously, you

18 know, in as much as he's from Anniston or I believe

19 he's from Anniston, I think that would be something

20 we would try to communicate with that organization.

21 Q What organization?

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1 A The surgeon general or specifically any of

2 the public health organizations, Agency for Toxic

3 Substances, Disease Registry, EPA.

4 Q ATSDR?

5 A ATSDR.

6 Q Have you had communications with

7 Dr. Satcher?

8 A Have not, no.

9 Q Have you had any communications with of the
10 agencies that he's actually supervising?

11 A I have had contact with the Agency for
12 Toxic Substances and Disease Registry. My
13 recollection in that communication, that was they
14 were not a part of -- well, they're part of the
15 public health service. My understanding is that the
16 surgeon general does not directly supervise that
17 office.

18 Q Who does?

19 A They were are part of the Department of
20 Health and Human Services, and to the best of my
21 knowledge, they report in to an assistant secretary

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1 of health and human services. I can't recall the
2 name.

3 Q My question to you, I guess, have you had
4 any communication with ATSDR in connection with the
5 Anniston plant?

6 A Yes, I have.

7 Q When?

8 A I believe it was at the very earliest part
9 of this year, of 1999.

10 Q Why?

11 A Again, I wanted to communicate with ATSDR,
12 and --

13 Q About what, Mr. Ruskin?

14 A About the plant site.

15 Q Why is it that you would want to
16 communicate with ATSDR about this particular plant
17 site in Anniston?

18 A The media had covered a story that ATSDR
19 was going to get involved with a health survey of
20 Anniston, and I felt it incumbent upon me to do some
21 outreach with ATSDR and be proactive and give them --

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1 Q Make them feel good?

2 A No.

3 Q Or alert them to some facts that you felt
4 like they needed to know?

5 A I felt that, again, I take very seriously
6 that my role is to establish contact with legislators
7 and represent our sites and our states as well as the
8 regulatory area, nongovernmental organizations, to
9 give them information on Solutia and give them
10 information on our sites. And inasmuch as ATSDR was
11 going to look at that site, felt we should come
12 forward and offer them any information that we had,
13 give them a primer on the company and the plant.

14 And the other thing I also take very
15 seriously is if anybody believes, whether it's on the
16 regional level, that Solutia is not being a good
17 neighbor or they are not being cooperative, that I
18 would know that so I could help make that happen.

19 Q Would that meeting have taken place in the
20 early part of '99?

21 A Yes, that's the best of my recollection.

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1 Q Who did you contact about that meeting?

2 A Dr. Andrea Wargo.

3 Q How did you know Wargo?

4 A I knew Dr. Wargo from my Ciba-Geigy days.
5 Q You had a good relationship with Dr. Wargo?
6 A I wouldn't say it was a good relationship
7 in the sense of being a warm, chummy long term
8 relationship. It was simply we had an issue within
9 Ciba-Geigy Corporation that ATSDR was also involved
10 with. And again, felt it incumbent upon me to
11 provide them, faced with company name, background on
12 a particular plant site and the remediation history
13 and to offer them all information that we could
14 provide them, to be cooperative.
15 Q What is shareholder?
16 MR. PECK: I'm sorry, what?
17 Q Why would have you shareholder under
18 Dr. Andrea Wargo's name? Was she a shareholder with
19 the company?
20 A I don't recall.
21 Q Sir?

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1 A I don't recall. I don't know what document
2 you're referring to there.

3 (Exhibit 4 marked.)

4 (Brief pause in the proceedings.)

5 (Exhibit 5 marked.)

6 (Exhibit 6 marked.)

7 (Exhibit 7 marked.)

8 (Exhibit 8 marked.)

9 BY MR. STEWART:

10 Q Going to Exhibit 4, in the upper left-hand
11 corner of Exhibit 4, there's Anniston under
12 Dr. Andrea Wargo, and it says shareholder. Where did
13 you get shareholder?

14 A I don't know. I think --

15 Q Who would? These are your notes.

16 A What I think --

17 Q Like I said earlier, you're younger than I
18 am, this is 1-13-99 when the meeting took place.

19 A What I believe I was doing there, my role
20 in the meeting was doing some introductions. The
21 purpose, I believe we wanted to give them an overview

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1 of Anniston, that we viewed ATSDR as a stakeholder in

2 the process.

3 Q This says shareholder.

4 A I know that, I know that. That was my
5 lead-in, that's why we were there. I can't explain
6 why I have shareholder. I think it was to be
7 stakeholder.

8 Q Why would they be a stakeholder in the
9 process?

10 A Well, I've always defined our community
11 much larger than just our plant, is that we operate
12 in a much larger environment. To the degree that
13 regulators are interested in our operation I consider
14 them a stakeholder, just as I would folks at the
15 plant fence, local elected officials. I am very
16 inclusive when I define stakeholder. Anybody who has
17 an interest in our operation I say is a stakeholder.

18 Q Who is Ms. Pogue?

19 A Ms. Pogue is Dr. Wargo's admin --
20 administrative assistant. Sorry.

21 Q Who is Rubin Warren?

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1 A Rubin Warren is a Dr. Rubin Warren. He is
2 in the Atlanta office of the ATSDR and believe also
3 heads up the Center for Disease Control Office of
4 Minority Help. And he was at the meeting at the
5 request of Dr. Wargo.

6 Q What is very F-A-S-I-L-E?

7 A Facile. I don't know. I never use that
8 word and I don't know why I wrote it down there. I
9 must have heard somebody else say very facile.

10 Q They're easy?

11 A What is facile? I really don't know.

12 Q Who did you hear say that?

13 A I don't know.

14 Q Is he black or white?

15 A He's an African American.

16 Q He's very facile?

17 A Let the record show I don't know why I
18 wrote that word down. I thought facile -- isn't that
19 lucid, clear?

20 MR. PECK: I'm not sure.

21 Q That's your handwriting?

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1 A That is my handwriting, yes, sir.

2 Q Did Mrs. Wargo tell you he was very facile?

3 A That may have been, but it would have been

4 in his presence.

5 Q It was in his presence?

6 A Yeah, yeah. We were all sitting together.

7 Q Who is expert project technical officer on

8 Anniston?

9 A I don't know. I don't know if that refers

10 to Mr. Warren; I don't recollect.

11 Q Then Dr. Andrea's associate ATSDR,

12 Dr. David, who is that?

13 A I believe that's a reference to Dr. David

14 Satcher.

15 Q Why is that reference made?

16 A What I was still trying to determine -- and

17 to this day I'm not certain -- is the connection

18 between the office of the surgeon general, which is

19 presently occupied by Dr. David Satcher, and the

20 Agency for Toxic Substances and Disease Registry.

21 And despite my best efforts in talking to

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1 representatives of the Department of Health and Human
2 Services nobody can give me a clear answer on that.

3 Q Were you worried about Dr. Satcher because
4 of the fact he comes from Anniston?

5 A Not worried about him, but if he had a role
6 to play in the Anniston ATSDR work, I also wanted to
7 make sure we let him know that Solutia does have a
8 Washington office, that we care about what's going on
9 in Anniston and that should he have any questions he
10 should feel free to contact us or need any
11 information or tell us he doesn't think we're doing a
12 good job.

13 Q Did you do that?

14 A No, did not; did not meet with him.

15 Q Why did you choose not to do that?

16 A I believe my recollection is, and again,
17 this goes back to the relationship between the
18 surgeon general and ATSDR, that Dr. Wargo indicated
19 that ATSDR would be doing some work in Anniston and
20 that it did not involve the Office of the Surgeon
21 General. That's my recollection.

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1 I further build on that. As I said, I
2 talked to representatives of the Department of Health
3 and Human Services, even looked at some
4 organizational charts and could never get a clear
5 understanding of the relationship between ATSDR and
6 the Office of the Surgeon General. But if he had a
7 role in overseeing ATSDR work, I wanted to make sure
8 we had made an attempt to communicate with him.

9 Q Why was your company concerned about work
10 that ATSDR was doing in that area?

11 A Well, we understood, again, my recollection
12 is from media accounts, they would be looking at
13 potential health effects, from perhaps the
14 remediation in that area, and in that we had a role
15 there, wanted to make sure we communicated with them,
16 that should they want any technical records, any
17 documents relating to remediation, that we would make
18 them available to ATSDR. Or if they had questions
19 they knew where they could come to get answers,
20 particularly with regard to our company.

21 Q To your knowledge is this the first contact

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1 that Solutia had with ATSDR about the Anniston plant
2 site?

3 A No, I do not believe it was the first.

4 Q When was the first one?

5 A I can't give you a specific date, but I
6 believe early on ATSDR was involved in Anniston. And
7 Monsanto Corporation at that time had some contact
8 with ATSDR. It was my further understanding then
9 that the remedial work was assigned to the state of
10 Alabama regulatory agencies. This was the first time
11 that ATSDR would be getting back involved in the
12 process or project.

13 Q Who is it that contacted ATSDR on behalf of
14 Monsanto?

15 A I do not know that.

16 Q Where was that contact made? Here?

17 A I don't know that either. Sorry.

18 Q Would Mr. Pierle have been involved in
19 that?

20 A He may well have been involved in that, or
21 Mr. Kaley.

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1 Q Dr. Kaley?

2 A Yes.

3 Q I'm just curious, was this by osmosis that
4 you learned this, or did someone actually tell you
5 that, verbalize it?

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

8 A I believe when I raised an ATSDR meeting
9 that at some point someone had mentioned, and I can't
10 recall who, that there had been a contact made many
11 years ago.

12 Q You understood about the PCB problem?

13 MR. PECK: Object to the form of the
14 question. Calls for speculation from this
15 witness.

16 A I don't know if it was specific to the PCB
17 problem, but it was a remedial health concern. I
18 don't have any details of the previous contact.

19 Q You don't have any problem with the PCB
20 problem, categorizing that is a problem for Solutia
21 in the community?

1 A It is, yeah, part of the remedial project,
2 yeah.

3 Q Take a look at Plaintiff's 5. If you'll
4 read through this, I want to ask you some questions
5 about it.

6 A Okay.

7 Q Is this your handwriting?

8 A Yes, it is.

9 Q I assume it's notes from the meeting that
10 took place on 1-13-99?

11 A Yes.

12 Q Plaintiff's Exhibit 4, your notes were made
13 before 1-13-99, weren't they? It's not important.
14 Appears to be notes setting the meeting up?

15 A Yeah.

16 MR. PECK: Plaintiff Exhibit 4, you say?

17 MR. STEWART: Yeah, if it was made before.

18 A I don't recall.

19 Q Let me show you Plaintiff's Exhibit 6, 7,
20 and 8, ask you in fact if you had those before the
21 meeting.

1 A Now, as to Exhibit --

2 Q First, 6, 7 and 8, you had those before the
3 meeting, didn't you?

4 A I believe I had Exhibit 6 and 7 prior to
5 the meeting.

6 Q 6 is Who Is? Andrea Wargo.

7 A And perhaps they were all prior to the
8 meeting, trying to get, again -- this is what I was
9 speaking about before -- trying to get a handle how
10 did ATSDR fit into -- Exhibit 4, I believe was
11 setting up the meeting and so the reference to very
12 facile would have been attributed Dr. Wargo. This, I
13 believe, you're correct, was the notes prior.

14 Q She was easy and not Dr. Warren?

15 A No, no --

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

18 A Your definition of facile may be correct, I
19 don't know.

20 Q Manipulatable?

21 A No, I don't know. We need to get a

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1 dictionary.

2 Q Probably do. It may be spelled wrong.

3 A I may have, because as I said, that is my
4 handwriting but I don't use that word. I'm not sure
5 what that meant. But Exhibit 4 would have been the
6 call to set that up. I think what I was attempting
7 to do here with Exhibit 6, 7, and 8, was get a handle
8 on how did ATSDR, Office of Minority Health, fit
9 into -- because I have here -- sorry to jump
10 around -- on Exhibit 4, Dr. Rubin Warren was of the
11 Office of Minority Health, what was that, how did
12 that fit in. How did this all fit in with the Office
13 of the Surgeon General, if it did.

14 Q Why were you worried about minority?

15 A Because Dr. Warren would be attending the
16 meeting. He was from the Center for Disease Control
17 Office of Minority Health. I had not heard of it up
18 until that point and trying to do background work to
19 prepare for the meeting.

20 Q Let me show you Exhibit 3, that's something
21 you sent to Dr. Wargo about the meeting, just a

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1 background?

2 A Yes.

3 Q I submit to you that's what it is and,
4 Mr. Ruskin, all I want to know is if you sent it to
5 her.

6 A Yes, I did.

7 Q Let's go to this memo of 1-13 of '99. Am I
8 to understand that the people at the top were the
9 people who attended the meeting?

10 A There were -- Dr. Warren was at the
11 meeting; Dr. Wargo was at the meeting. I cannot read
12 my handwriting there to that one name; I'm not sure
13 who that is. There were folks on a conference call.

14 Q Cheryl Browder?

15 A There's that name, Cheryl, yes. John
16 Abraham.

17 Q Do you know what Mr. Abraham did?

18 A No. I see I have a name Courtney Wilson,

19 Greg Ulrish, and John Abraham.
20 Q Are those ATSDR people in Atlanta?
21 A I don't recall what the box meant around

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1 those three names, whether those -- there were five
2 names mentioned, but only three were on the
3 conference call. I can't honestly recall.
4 Q Was Cheryl Browder on the conference call?
5 A I don't remember.
6 Q Look at that little star, is that your
7 star?
8 A That's my star.
9 Q Cheryl commanded by plaintiff's attorney
10 not to talk with his client but she got legal
11 approval from ADPH attorneys to go ahead and talk
12 with them?
13 A That's what that says. I'm assuming --
14 Q What Cheryl is that? Cheryl Browder, is
15 that who you're referring to?
16 A That's my assumption, yes.
17 Q Where did you get the information about the

18 two health consults?
19 A I really can't remember.
20 Q There's a new consult mentioned?
21 A Right.

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1 Q Where did you get that information?
2 A I would have to say I don't know. I'd only
3 be speculating. I can't remember who was directly --
4 it was attributable to somebody on the call,
5 non-Solutia.
6 Q Non-Solutia?
7 A Yes.
8 Q Who all from Solutia was involved in this
9 call?
10 A Well, we were physically with Dr. Wargo and
11 Dr. Warren in their Washington office, and that
12 joining me in that meeting was Mike Pierle.
13 Q Good old Mike?
14 A Vice president of Environmental Health and
15 Safety, and Dr. Kaley.
16 Q The medical director?

17 A I'm not sure if that's his title.
18 Q If you know what his title is -- he's just
19 from Solutia?
20 A Yeah. He's involved with remedial
21 projects, but I don't believe he's medical director.

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1 Q Is it fair to say that the subject of this
2 meeting was the PCB problem in Anniston?
3 A It was, the subject of the meeting was the
4 proposed work ATSDR was going to undertake, at least
5 our understanding, they were going to undertake in
6 Anniston. And the purpose was to give them
7 background on Solutia since it was a relatively -- we
8 had not talked to them since being spun off from
9 Monsanto. And it was to give them background on the
10 company, who we were, and establish ourselves as a
11 resource should they need any information.
12 Q Tell me, if you would, why is this that
13 Dr. Kaley was going to follow up with Cheryl Browder?
14 She worked with the Alabama Department of Public
15 Health. Why was he going to follow up with her?

16 A I don't know.

17 Q Is Dr. Kaley the person who made the
18 suggestion about the new consult?

19 A I do not believe he was, no.

20 Q What is nonresidential no children, wants
21 to use more realistic criteria mean?

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1 A I don't remember.

2 Q Is that somewhat similar to what you had
3 talked about, that you all pushed for when you had
4 earlier done this work? Does that refresh your
5 recollection that this is one of those more realistic
6 assessments of what the problem was in connection
7 with health risks to people from contamination?

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

10 Q In the legislative fight you were talking
11 about?

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

14 A It is similar, however, the legislative

15 initiative actually dated back to 1995, so there's --
16 I don't think there was anything, as I said, unique
17 about that. I think a lot of regulators and a lot of
18 environmental representatives had been talking about
19 that as well. I think that was trying to make the
20 science more precise. It was not anything that I
21 suggested at that meeting.

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1 Q Mr. Ruskin, do you understand that the
2 health consults that were done before you met with
3 ATSDR by the state were done by the state health
4 department?

5 A I don't know.

6 Q Do you understand they used children, as
7 you mentioned, were used to see whether or not
8 there's a risk to children?

9 A My notes indicate that but I don't --
10 wasn't involved in those at the time.

11 Q Would it --

12 A I was just reporting on what someone was
13 reporting at that meeting on January 13th.

14 Q Would it surprise you to know that
15 Dr. Kaley felt like, and people from Monsanto, and
16 Solutia felt like the criteria that we use in that
17 first consult using children, and as you said
18 earlier, who might eat dirt with PCBs in it and do
19 that for a number of years and thus be exposed over a
20 period of time, would you surprised if that was one
21 of their earlier criticisms of the health

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1 consultation?

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

4 A I don't have the history with the company;
5 I can't answer that.

6 Q Did Dr. Kaley say anything about the two
7 consults being sort of based on criteria that might
8 not be as realistic in this meeting, or did he sit
9 there like a bump on a log? He earned his pay,
10 didn't he, that day?

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

13 A I don't recall.

14 Q You don't recall Dr. Kaley saying in this
15 meeting on 1-13-99 he thought the criteria that was
16 used in the first health consultation might have been
17 flawed in some way?

18 A I really have no recollection of any of the
19 specifics of that meeting, other than what I have on
20 paper, but again, cannot attribute those to anyone in
21 particular.

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1 Q Why is it that good old Bob was going to
2 follow up with Dr. Browder?

3 A I don't know.

4 Q You don't have any idea as you sit here
5 today why he was going to try to shmooze with Cheryl
6 Browder and get her to change the consultation?

7 MR. PECK: Object to the form of the
8 question, argumentative, calls for speculation
9 by this witness.

10 Q He just earned his pay, Mr. Ruskin. Tell
11 me the answer to the question.

12 A Again, I cannot remember the specific
13 reason that Dr. Kaley was going to follow up with
14 Cheryl Browder.

15 Q Was it just a scientific thing that he was
16 doing, they happen to believe the same kind of things
17 and he wanted to talk to her or interested in her
18 keen mind or?

19 A I don't know.

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

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1 A I would be speculating. I'm looking at my
2 notes and I see what appears to be an abbreviation
3 for newspaper advertisement and radio station. I
4 don't know if that had to do with a new consult that
5 was going to be proposed by ATSDR or the Alabama
6 officials, and perhaps Bob Kaley was simply going to
7 give his new address to Cheryl, I really don't
8 recall.

9 Q Did you all have to pay for that new health
10 consult?

11 MR. PECK: Object to the form of the
12 question. Argumentative, calls for speculation
13 by this witness.
14 A I don't know that the consult was ours.
15 Q Did you help pay for any news ads or radio
16 station ads?
17 A Not that I'm aware of, no.
18 Q Did you make any contribution to any
19 environmental group you've been working with that's
20 located in that community?
21 A Not that I'm aware of.

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1 Q Are you familiar with a Sweet Valley
2 Cobbtown C-O-B-B-T-O-W-N, Association?
3 A I'm aware of the name of the organization,
4 but I have no specifics with regard to that.
5 Q To your knowledge has Monsanto or Solutia
6 ever made a contribution to that organization?
7 A I'm not aware of one if they have.
8 Q Now, there's a Tuskegee University
9 reference?

10 A Yes.

11 Q Bioethics and research center, what is
12 that?

13 A I believe that might be a reference to
14 another affiliation of Dr. Rubin Warren, maybe on a
15 bioethics and research center advisory committee
16 which is --

17 Q What's bioethics?

18 A Yeah, I believe that's bioethics and
19 research center advisory committee, which is a
20 function of Tuskegee University.

21 Q Is that in connection with some of this

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1 genetic engineering being done by Monsanto?

2 A I don't believe so, I don't know.

3 Q Do you know a fellow named Fred Taylor or
4 Jesse Taylor who used to work with Monsanto?

5 A No, I do not.

6 Q Were you involved at all in that geotechnic
7 stuff?

8 A No.

9 Q Counterpart up here would be involved in

10 that?

11 A Yes.

12 Q Trying to sell the public on genetically

13 engineered seed and that type of stuff?

14 MR. PECK: You mean someone at Monsanto by

15 his counterpart?

16 A Yes. That would be their realm, yes.

17 Q You don't know a fellow name Taylor that

18 used to be with Monsanto and then went to work for

19 the government to get those kinds of things approved,

20 and went back to work for Monsanto?

21 MR. PECK: Object to the form of the

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1 question.

2 A No, I do not.

3 Q When you say Dr. Warren, on page 2, is more

4 interested in facilitating communications, what do

5 you mean by that?

6 A He, my recollection is that he made

7 reference to the fact that in a generic sense he

8 wished there were more communications because he
9 thought that was a way to resolve problems, and that
10 he was a proponent of bringing people together to
11 talk about situations. His experience was, and I
12 think he cited a couple examples, none of which I
13 recall right now, but that that was a way to --
14 communication was a key to that. It was reiterated
15 by Dr. Wargo.

16 Q What is this young woman who moved and
17 left, military service, college bound degree?

18 A I don't know. It's missing -- there's some
19 notes to the side of that, which I don't know.

20 Q That's the way we got it.

21 A I apologize for that.

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1 MR. PECK: You can see my copy.

2 A Still with ties to Anniston.

3 Q That's referring to Dr. Satcher, isn't it?

4 There's an arrow from that?

5 A Yeah.

6 Q Who is the young woman who married and

7 left? I guess it's married and left, military

8 service?

9 A Married and left.

10 Q Is that Andrea Wargo?

11 MR. PECK: Object to the form of the

12 question.

13 Q Dr. Warren is a man?

14 A That's correct. I do not recall. It seems

15 to me it was a young woman from Anniston but I can't

16 recall who that might be.

17 Q Now, what was the net result of this

18 meeting with ATSDR?

19 A That was about it.

20 Q What was about it?

21 A We left there again with, reiterated the

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1 purpose of the visit, which was to establish

2 ourselves as an information resource, if we had any

3 technical documents they might need or what have you,

4 they should feel free to contact us. My knowledge,

5 we have had no further communications at all with

6 ATSDR.

7 Q From them?

8 A Right, nor am I aware of any communications
9 that we may have sent them.

10 Q Am I to understand the only meeting you all
11 had with ATSDR were the meetings you held on this day
12 and the meeting that had previously been held?

13 A Yes, sir.

14 Q Have you seen any results of any studies?

15 A Have not. I have not.

16 (Exhibit 9 marked.)

17 BY MR. STEWART:

18 Q Let me show you Plaintiff's Exhibit 9, and
19 look over this. Who set this meeting up, do you
20 know? April 21, 1999 Solutia meeting attendee list
21 is the way it's headed up. Then there's some talking

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1 points on the back?

2 A I don't know.

3 Q Were you at this meeting?

4 A No, I was not.

5 Q Did you get a report about this meeting?

6 A I may have, but I cannot recall what the
7 purpose of the meeting was or what the follow-up
8 would have been.

9 (Exhibit 10 marked.)

10 BY MR. STEWART:

11 Q Let me show you Plaintiff's Exhibit 10, ask
12 you if that's not a response to a Mr. David Baker, a
13 letter that you got?

14 A Um-hmm.

15 Q Is that April 9th of 1999?

16 A Yes.

17 Q How is it that you all got that?

18 A I don't recall.

19 Q Has somebody in the company got a direct
20 pipeline to the people at EPA, and you all get
21 correspondence from people who raise questions about

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1 it or how did you get it?

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

4 A I do not know. This did not come directly
5 to me. This may well have come from -- may have been
6 shared by the regional EPA office with part of the
7 remediation team down at Anniston, I don't know.

8 Q You don't know where this came from?

9 A No, sir.

10 Q Didn't it show up in your file?

11 A It is indeed in my file. If it was in my
12 file I had to have received it from the plant.

13 Q There's a copy sent to Jim Ward, director
14 of ADEM. Do you see a copy on there saying send this
15 to Mr. Ruskin with Solutia or send this to part of
16 the team?

17 A No.

18 Q How did you happen to get that? You just
19 don't know how you got it?

20 A I don't know how I got it. I would say
21 being a involved with a number of other projects over

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1 my adult life that in a spirit of openness it would
2 not surprise me if this letter were shared with our

3 plant representatives by the EPA or by ADEM, in that
4 it had a material reference to the company.

5 Q How open are they with information that you
6 all share with people like ATSDR? Are they open with
7 that?

8 A Who?

9 Q Well, EPA or ATSDR.

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

12 A I don't know, I don't know. They may. I
13 don't know. I'm not, you know, not in one of the
14 citizen groups, but I do know EPA and I think also
15 ADEM regularly hold meetings with residents. I'm
16 sure they give them updates what's going on, or a
17 development on a plan that the company had submitted,
18 they would provide them information about that.

19 Q So if you had a meeting with ATSDR in
20 Washington, you would assume that a citizens' group
21 would have copies of notes and things that were made

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1 by Ms. Wargo, let them know you were meeting

2 privately?

3 A No, I wouldn't, because there was nothing
4 material that came from me. I'm talking about
5 something substantive where we were asking to have
6 part of a remedial investigation, an extension of
7 time or something like that that had a material
8 impact on a particular community that EPA, I believe,
9 would communicate with locals about that, but.

10 Q But a private meeting where you all were
11 trying to change the criteria for health consultation
12 probably wouldn't be reported?

13 MR. PECK: Object to the form of the
14 question. Argumentative.

15 A If you were to ask ATSDR about that, they
16 would consider that a public meeting. I wouldn't
17 characterize it as a private meeting. It was simply
18 we do have a right as a responsible company to visit
19 with, again, whether it's an elected official or
20 regulator, to give them information about the
21 company. The reference to the new consult, that was

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1 not attributable, I believe, to Solutia, but it was
2 one of the other participants at that meeting.

3 Q Who?

4 A I don't recall that.

5 Q Just can't recall that?

6 A I cannot.

7 Q Let me show you 9, if you'll take a look at
8 that. And I believe your lawyer had given you --
9 meeting with Solutia regarding Anniston. I assume
10 that the results of this meeting were sent to the
11 community folks, is that correct, keeping with the
12 spirit of cooperation that you previously mentioned?

13 MR. PECK: Object to the form of the
14 question. Argumentative, calls for speculation.

15 MR. STEWART: That's not argumentative;
16 it's a good question, Adam. Go ahead,
17 Mr. Ruskin.

18 MR. PECK: Same objection.

19 A Should I answer that?

20 MR. PECK: You can try to answer if you
21 can.

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1 A The question again was?

2 Q I would just assume that the information
3 that came out of this meeting went to the community
4 group?

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

7 Q In the spirit of cooperation and keeping
8 everybody fully informed, and certainly even though
9 you're in the beltway, I assume you want those folks
10 in Anniston to know everything you're doing?

11 MR. PECK: Object to the form of the
12 question, argumentative. Calls for speculation
13 by this witness.

14 A I have no objection to that.

15 Q You would want this meeting to be made
16 known to them, wouldn't you?

17 A I can't recall whether -- it says here
18 Solutia meeting at 10 D list. My recollection of
19 this meeting was I believe this may have been an EPA
20 requested meeting, I believe it was held at our site.
21 I don't know what was discussed or what the outcome

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1 would be, but certainly I would expect, if there was
2 anything material that came out of this, that EPA
3 would be communicating this to the public.

4 Q Do you know anything about the responses
5 that were given by Solutia to this particular series
6 of questions that appear on page 2 of this exhibit?

7 A No, sir.

8 Q Plaintiff Exhibit 9?

9 A I don't know where they -- I don't know
10 where these questions, who generated these questions.

11 Q So if we had to find out would be either
12 ask Alan Faust or Mr. Kaley, Dr. Kaley?

13 A Or for that matter, one of the EPA folks.
14 (Exhibit 11 marked.)

15 BY MR. STEWART:

16 Q Let me show you Plaintiff's Exhibit 11.
17 This is a 2-23-98, this is notes on KC visit, week of
18 2-16.

19 A Um-hmm.

20 Q Are these your notes?

21 A Yes, sir.

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1 Q Is that a visit you had to the Anniston
2 plant site or did they come up here?

3 A Let me look at this. These notes are
4 referring to a call to Kevin Cahill.

5 Q Just a call that you made?

6 A Yes. And Christy Beckmann. And this was
7 notes on Kevin's visit to Anniston, looks like the
8 week of February 16th, 1998.

9 Q What is this new reporter for the Anniston
10 Star?

11 A Where are we here? Okay, yeah.

12 Q Second paragraph.

13 A I don't know.

14 Q Why would be it important for you all to
15 have somebody like Steve Bradley that had a good
16 sense of Alabama politics?

17 A Steve is a consultant to the company, and
18 would be just a good resource for who's coming up for
19 election, what's going on politically in Alabama. I
20 think the reference here to the new reporter for
21 Anniston Star is that one thing we do take very

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1 seriously is trying to keep -- with new reporters
2 constantly coming on to the scene covering Anniston
3 in that this has a large readership, we again make it
4 incumbent upon us to visit with each of the new
5 reporters to try to give them background on the
6 company, background on the plant, on the remediation,
7 and should they have any questions, who would they
8 call.

9 Q So what you want to make sure you all stay
10 pretty much on top of the public relations game there
11 in Anniston?

12 MR. PECK: Object to the form of the
13 question. Argumentative.

14 A Right. I wouldn't refer to it as a game;
15 we have a real obligation to make sure if there are
16 any misconceptions or misquotes they don't repeat
17 themselves. No know else is going do that for us; we
18 need to make sure we do that.

19 (Exhibit 12 marked.)

20 (Exhibit 13 marked.)

21 BY MR. STEWART:

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1 Q Let me show you Plaintiff's 12 and ask you
2 to take a look at that. This is your notes of a
3 telephone call you had with Mr. Cahill, or did you
4 have an actual face-to-face meeting?

5 A No, I think this was probably a phone
6 conversation.

7 Q Look at page 2 here on Plaintiff's 12.

8 A Yeah.

9 Q Where did you get the information about the
10 relationship with ADEM?

11 A Well, I guess Kevin reported that to me.

12 Q Kevin Cahill, the PR man, told you that who
13 had an excellent relationship with ADEM?

14 A That's a good question.

15 Q That is my question.

16 A I believe that refers to the plant and
17 ADEM.

18 Q The plant?

19 A Um-hmm.

20 Q What is this deal out by Doug Ghee's man
21 white, and Boyd black?

1 A That's my handwriting. I think Kevin was
2 running through --

3 Q Whether they were black or white made a
4 difference?

5 A No, I don't know why he was running through
6 that.

7 Q It's a local mayor and five members on the
8 front page, two black, two whites and mayor white?

9 A Yeah.

10 Q Why was that important?

11 A I don't know. I think he was giving --
12 this was part of a backgrounder for me. It still, if
13 you look at the date, February '98, is a new, still
14 relatively new to me.

15 Q New boy on the block, giving you an idea
16 who's who?

17 A Yes.

18 Q What is 4/6 Bond/Talent?

19 A Bond is Senator Kit Bond, and Talent is
20 Representative Jim Talent. And I have no
21 recollection what 4/6 is. Whether we were having

1 meetings with them or if Kevin was in town, I don't

2 recall. But Bond, Senator Bond.

3 Q Why in the world would be you meeting with
4 Kip Bond?

5 A He represents our headquarters in Missouri.

6 Q Is he some of the problem?

7 A No. I think this was relatively new that
8 we were trying to establish our new identity, and let
9 folks know who we were. And Jim Talent represents
10 the headquarters in the House.

11 Q You were just getting acquainted as a
12 representative for Solutia with those two people;
13 that's the purpose of that?

14 A I believe, yes, that's correct.

15 Q Who drew this little map up here?

16 A That's me, I did that.

17 Q That indicates that the plant is a source
18 of some problem in Lake Logan Martin; is that
19 correct?

20 MR. PECK: Object to the form of the

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1 A For purposes of again, orientation, was
2 just trying to understand when I'd hear different
3 terminology about, I think my spelling is wrong
4 here -- Snow Creek, Choccolocco Creek, Lake Logan
5 Martin. My question was how far is it from the plant
6 to the lake.

7 Q Why would you want to know how far it is to
8 the lake?

9 A Just reference point.

10 Q You just want to know how far it is from
11 Lake Logan Martin because you like to fish, or is
12 there some problem in the lake?

13 A I think there was litigation involving some
14 of the residents around Lake Logan Martin, trying to
15 understand in my brain -- visualize what's the lay of
16 the land.

17 Q Didn't he tell you there was fish
18 advisories for consumption. That's listed on page 1
19 of Plaintiff's Exhibit 12?

20 A Yes, yes.

21 Q You knew that had to do with PCB because he

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1 told you that, didn't he?

2 A I don't recall.

3 Q Well, are you telling me you don't know
4 that there was some problem with PCBs on Lake Logan
5 Martin?

6 A I had heard that, but I don't remember
7 referencing this specific conversation if that were
8 what was referred to.

9 Q I recall there's some kind of settlement
10 document about the Anniston plant in your papers; do
11 you remember providing me with that or seeing that?

12 A Settlement on what?

13 Q Of the lake case.

14 A Yeah.

15 (Exhibit 14 marked.)

16 (Exhibit 15 marked.)

17 BY MR. STEWART:

18 Q Let me show you Plaintiff's 14 and ask you

19 in fact that's not something you had provided to you
20 about a settlement of the lake case?
21 A Yes. This I had.

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1 Q Doesn't it refer to some 22.7 million in
2 cash that was redistributed to class members?
3 A It says that.
4 Q Because of a PCB problem in the lake
5 itself?
6 A I believe that was the basis of the case.
7 Q Isn't that why you drew the map on the top
8 of this, 2-26-98, and why you and Kevin -- Mr. Cahill
9 and you were discussing it in the first place?
10 MR. PECK: Object to the form of the
11 question.
12 A I'd have to -- I can't recall if that was
13 the specific reason, but clearly why else would I be
14 writing down Lake Logan Martin. I would say yeah,
15 that has to be --
16 Q That was my point. Let me show you
17 Plaintiff's Exhibit 13. If you would, take a look at

18 that.

19 A Um-hmm.

20 Q Now, if you take a quick look at that I'm

21 going to ask you some questions about that.

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1 A All right.

2 Q Who is Mike Lesnick, do you know? And Don

3 Edwards from the Meridian group?

4 A They're with the Meridian group.

5 Q What is the Meridian group?

6 A The Meridian group essentially is a -- I

7 don't know how you would describe them.

8 Q Please try to describe it for me.

9 A Meridian group, most of the folks at the

10 Meridian group had been part of a group called

11 Keystone Center, which was a group that I guess I

12 have to call it dialogue facilitation group trying to

13 bring together interested parties around a particular

14 issue for purposes of discussing it, and finding

15 non -- what would I call it -- non -- trying to find

16 a peaceful, amiable resolution to very contentious

17 issue.

18 Q Was there some work these people were
19 supposed to do? Did you all spend 10 to \$20,000 to
20 get them --

21 A I don't recall whether that ultimately

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1 occurred or not.

2 Q What is this plan that you're talking about
3 here, one to two year time frame statewide that the
4 school funding thing?

5 A I believe what that was referring to was an
6 initiative that we were discussing that would be an
7 educational initiative for the state of Alabama.

8 (Exhibit 15 marked.)

9 BY MR. STEWART:

10 Q Let me show you 15 and ask you to take a
11 look at that. Is that what you had referenced to?
12 Paragraph 2 talks about it.

13 A On page 1?

14 Q Yeah.

15 MR. PECK: Are you asking him if that

16 references the statewide initiative?

17 MR. STEWART: Fine.

18 A Let me read that.

19 Q What governor are you talking about? I'm

20 interested, curious.

21 A Well, whoever the governor was at the time.

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1 Q This was 1-4 of '99. That would be Don

2 Siegelman?

3 A Yeah. Siegelman coming into office.

4 S-I-E-G --

5 Q That's all right. It says in brainstorming

6 with Michael Pierle -- I'm assuming a meeting with

7 Peter Robertson, acting deputy administrator of EPA

8 and Dr. David Satcher. Glenn, did you ever get that

9 pulled off?

10 A No.

11 Q Are you telling me at no point in time you

12 all met with -- you all didn't meet with deputy

13 administrator of the EPA?

14 A Did not.

15 Q Have any communication with him all?
16 A Had phoned the office to try to arrange a
17 meeting but was ultimately told they were not
18 interested. They did not have the time. And again
19 on Dr. Satcher, we had talked about that before
20 was --
21 Q That's all right if the answer to that

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1 before was fine.
2 A Yes.
3 Q What did you mean by multiple impacts or
4 continuing drum roll? Is that a term of art trying
5 to be open, straightforward with people in the
6 community?
7 A Those are not my terms.
8 Q Whose are they?
9 A Well, the author of the document here.
10 Q Mr. -- author is Mr. Ruskin?
11 MR. PECK: It's Christy Beckmann.
12 A It gets confusing.
13 Q I certainty don't want to be confusing.

14 Why was Ms. Beckmann -- were you aware of what the
15 multiple impact strategy -- is that explained in
16 paragraph 4 on the next page?

17 A I think we were --

18 Q 4 explains that?

19 A Yeah. Alabama is a very important state to
20 Solutia. It's the second largest geographic area.

21 Q Plus you got a pretty good lawsuit there,

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1 don't you?

2 A There's a lawsuit that exists. And one --
3 we had always been very active in the community
4 through different types of philanthropic activities,
5 and not just in Alabama but throughout the country,
6 where we operate facilities. Each of the facilities
7 develops a community relations plan trying to figure
8 out how can we help support the community and things
9 they are interested in. Here what this session was
10 trying to determine is how do we continue to conduct
11 positive relations with the community and what would
12 be of assistance to them. And we were discussing in

13 some detail an educational initiative that would
14 benefit children in Alabama starting at our three
15 plant locations, and then going to a larger scale.

16 Q Because the governor was interested in
17 education?

18 A That's what the note indicates here, but I
19 can't recall whether that was one of his areas of
20 focus or not.

21 Q Well, what is this political strategy

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1 document? Did you put that together?

2 MR. PECK: What are you talking about?

3 MR. STEWART: On page 2 under to do and
4 next steps list.

5 A There was simply --

6 Q Did you put it together?

7 A I'm not -- I don't recall exactly -- those
8 are my initials there. I don't know exactly what the
9 strategy document was relating to. As far as it was
10 our education initiative, there was not so much a
11 strategy document as simply who would we notify of

12 the fact that we had established this educational
13 program.

14 Q Did you all contribute to the inaugural
15 fund of the new governor?

16 A Yes, we did to my knowledge, yes.

17 Q What understanding did you all achieve or
18 arrive at of ADEM leadership changes under the new
19 governor? What changes?

20 A Help me; where are you?

21 Q I'm right under 3 to do next step. I'm

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1 trying to get through this as quick as I can --

2 A ADEM leadership changes.

3 Q What were they?

4 A With the new administration coming in,
5 would there be a change in ADEM senior management.

6 Q Was there?

7 A I don't recall.

8 Q Do you recall anybody being changed from
9 Mr. Hardy or Mr. Peugh (phonetic) or Mr. Cobb or
10 anybody?

11 A I don't know, no.

12 Q Who is Connie Tucker?

13 A I'm going by the notes here -- she appears

14 to be with an environmental justice group in Atlanta.

15 Q What was Michael Pierle and Kevin Cahill

16 going to meet with her for?

17 A I don't know the basis for meeting with

18 her, nor do I know if the meeting ever took place.

19 Q Okay. So you don't know whether or not

20 Michael Pierle or Mr. Cahill met with Connie Tucker?

21 A No, I do not.

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1 Q Isn't that a citizen group that generally

2 talks about environmental problems from the citizen

3 standpoint?

4 A I really don't know.

5 Q How close a relationship, if you know,

6 Mr. Ruskin, do you all have with that group?

7 A With Connie Tucker's group?

8 Q Yeah.

9 A I do not know.

10 Q Do you know her?
11 A No.
12 Q Ever had any contact or conversation with
13 Mr. Pierle or Mr. Cahill about contact they made with
14 her?
15 A No, I do not.
16 Q Or with Cassandra Roberts?
17 A No, I recognize that name but I can't.
18 Q I bet you do. How do you recognize that
19 name?
20 A I don't know. I cannot attribute it to any
21 group, but I've heard the name.

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1 Q Who did you hear the name from?
2 A I don't know.
3 Q Has it been since you've been with Solutia?
4 A Yes, it has.
5 Q You connect that name with the group from
6 Anniston?
7 A I could not, no.
8 Q You just know you've heard that name --

9 A I have heard the name.

10 Q -- Cassandra Roberts since you've been
11 there. Let's take a look at second page of
12 Plaintiff's Exhibit 13, and Al Faust was to make
13 contact with Pete Conroy?

14 A Yes.

15 Q Who is that?

16 A I'm going by the note written here. Looks
17 like he's an assistant to commissioner of the joint
18 water authority.

19 Q Why would Alan be making contact with Pete
20 Conroy?

21 A I don't know, I don't recollect.

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1 Q Who is David Robinson?

2 A I think that's David Roberson.

3 Q Roberson, R-O-B-E-R-S-O-N?

4 A Yeah. I believe he's a consultant to us.

5 Q He does the same thing you do in Washington
6 in Alabama, doesn't he?

7 A I believe so.

8 Q Governmental affairs?

9 A I believe he's government affairs

10 consultant.

11 Q Interesting to me, maybe that's not your

12 note -- but I want to ask a question. David Roberson

13 educate governor's wife and chief assistant Paul

14 Hammerich?

15 A Yes.

16 Q What is he going to educate them about?

17 A These are my notes, but I don't know.

18 Q They were made in January of this year,

19 1999. I know some things are hard to remember, but

20 when you're educating the governor's wife that

21 doesn't seem to be one you'd forget, Mr. Ruskin.

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1 A I agree with you.

2 Q What was he educating her about?

3 A Why he would be educating the governor's

4 wife I really have no recollection.

5 Q Since I took his deposition this week, I'd

6 like to know about that.

7 A I wish I could give you an answer.

8 Q He didn't give me one. I'd like to get one
9 from you.

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

12 Q What's he educating her about?

13 MR. PECK: Object to the form the question,
14 foundation.

15 A I can't speculate what he was going to be
16 educating her about.

17 Q Okay. Who were the ministers you all
18 included in the Meridian group?

19 MR. PECK: I'm sorry, what was the
20 question?

21 Q Paragraph 9, discussion and reminder to

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1 group that Anniston ministers need to be included in
2 Meridian group outreach?

3 A I do not know who the Anniston ministers
4 specifically would be.

5 Q White or black, Mr. Ruskin?

6 A Do not know, other than I do not believe
7 any of that took place -- we do not at this time have
8 any sort of relationship with the Meridian group.

9 Q Bob Kaley to consider UAD medical contact.

10 Did he do that?

11 A I don't know.

12 Q What is it that Governor Siegelman's staff
13 asked questions about in connection with Anniston?

14 Please tell me that they were good questions,
15 Mr. Ruskin. Make me feel good about my home state.

16 A I believe that there was -- my recollection
17 of that reference was that there was going to be an
18 attempt to brief the governor's staff and find out
19 did they have any questions about Anniston, not that
20 they did. Again, being proactive.

21 Q Head them off at the pass?

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1 A Exactly.

2 Q Who is Walsh?

3 A I wouldn't say head them off at the pass,
4 but be proactive.

5 Q You want to correct that please go ahead

6 and do. It's your deposition.

7 A I guess I just object to the

8 characterization of head them off at the pass. The

9 terminology I would prefer to use is be proactive and

10 provide them with some background on it.

11 Q Who is Walsh, IT, STL?

12 A That is -- I don't know who Walsh is. IT

13 is information technology in Saint Louis. And Blake

14 Hamilton, Alan Faust and Anniston, this had to do

15 with part of the education outreach with the three

16 plants in computers, requirements, and so on and so

17 forth.

18 (Exhibit 16 marked.)

19 BY MR. STEWART:

20 Q This is 16 and this is just noting

21 something you all had done in connection with a visit

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1 by Representative Riley. That's a representative

2 From that area, congressional representative?

3 A Yes.

4 Q You all had briefed him like you were,
5 educating him like you were educating the governor?

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

8 A I'm not sure we did ever get an audience
9 with the governor to brief him. But this Exhibit 16
10 refers to a visit of U.S. Representative Riley to the
11 Anniston plant on some time in May of '98.

12 Q Did you all contribute to his campaign?

13 A Yes, we did. Yes, we had through our
14 Solutia citizenship fund.

15 Q How much did you contribute?

16 A I don't have a specific amount off the top
17 of my head.

18 Q Was it over \$1,000?

19 MR. PECK: Object to the form of the
20 question and foundation.

21 A That would have to be a cumulative number.

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1 We typically, since we're a small employee funded
2 political action committee, we typically -- house

3 races would make \$500 support, but we may do that on

4 more than one occasion.

5 (Exhibit 17 marked.)

6 (Exhibit 18 marked.)

7 BY MR. STEWART:

8 Q Let me show you Plaintiff's Exhibit 17, ask

9 you to identify that. Who is the author of that?

10 A I was not the author of this. I do not

11 know who was.

12 Q Who's West Anniston Environmental Justice

13 Task Force?

14 A I don't know who makes up the group other

15 than I believe the head of that group is a Mr. Baker.

16 Q David Baker?

17 A That I believe is the first name, yes.

18 Q Let me show you 18 and ask you if that's

19 not a letter to Carol Browner from Mr. Baker.

20 A This is a letter signed by David Baker,

21 president of West Anniston Environmental Justice Task

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2 Q Was that sent to you all?

3 A It must have been.

4 Q Look down there and see who it was sent to,
5 who all it was sent to. Does it show you all being
6 copied with it?

7 A No, it does not.

8 Q Is that another one of those deals that
9 somebody was kind enough to share with you all out of
10 the EPA?

11 A I don't know. I'm not sure how we came to
12 get a copy of this.

13 Q Were you all copied on the letter?

14 A No.

15 (Exhibit 19 marked.)

16 BY MR. STEWART:

17 Q Let me show you 19 and ask you, was this
18 something you all put together after that letter was
19 received?

20 A It does not have a date on it. I don't
21 know.

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1 Q Is this your handwriting?

2 A It is my handwriting.

3 Q Elmer Akin was spoken to by Alan Faust. He

4 doesn't have any concerns. Is that Mr. Akin?

5 A I believe that is what it's referring to.

6 Q Russ McClean is mentioned there?

7 A That name is there, yes. I don't know who

8 Mr. McClean is.

9 Q On this Solutia meeting attendee list, and

10 I don't remember, but it appears from Russ McClean

11 from EPA?

12 A Okay.

13 Q And Elmer Akin is from EPA, he's a risk

14 assessment man.

15 A Um-hmm.

16 Q Apparently you all have a good relationship

17 with those two gentleman, don't you?

18 MR. PECK: Object to the form of the

19 question. Argumentative.

20 A I don't know whether we have a good

21 relationship with them or not. I would say having

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1 had experience in the past with particular sites that
2 EPA is working on, that project officers and others
3 do have regular contact with their counterparts at
4 the plant, as well as in the community.

5 Q This is talking about Mr. Baker's letter in
6 that, right?

7 A I don't know.

8 Q What's data base for discovery referring
9 to?

10 A I mean that's my handwriting; I don't
11 recall what that is referring to.

12 Q We have all the same information that was
13 developed in the course -- that information was given
14 to EPA by Mr. Baker?

15 A That may be a reference to that.

16 Q How is it that Mr. Faust could pick up the
17 phone and call Mr. Akin? Is that something you all
18 do on a regular basis in these kinds of situations?

19 MR. PECK: Object to the form of the
20 question and foundation for this witness.

21 A When you're an individual with an agency

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1 that's working on a particular project that is not
2 uncommon, in fact, it would probably be the exception
3 to the rule where they would not reach out to their
4 appropriate counterpart at the plant site, as well as
5 to members of the public. When they're looking for
6 information that's the reasonable, logical place
7 they'd call. This may have been simply Mr. Akin
8 trying to get information from the company and in an
9 attempt to respond to questions that had been posed
10 to the agency. I'm just not sure.

11 Q You didn't prepare that, did you?

12 A No.

13 (Exhibit 20 marked.)

14 (Exhibit 21 marked.)

15 BY MR. STEWART:

16 Q If you would take a look at that, who is
17 Dwayne Higgins?

18 A Dwayne Higgins was the district director
19 for Congressman Riley.

20 Q You all had met with him?

21 A One of my -- I don't know. I do recall

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1 making sure that just as we had contact with elected
2 officials, Washington offices where we have sites, we
3 also make similar contacts with district offices.
4 And I'm not sure what that is particularly referring
5 to there.

6 Q You've had some contact with him, haven't
7 you? Higgins, met him personally?

8 A I believe Glenn Russell has not had any
9 specific contact with him.

10 Q Has Kevin Cahill?

11 A Kevin Cahill was to have met with him. I
12 don't recall specifically if he did.

13 MR. STEWART: This is 22.

14 (Exhibit 22 marked.)

15 BY MR. STEWART:

16 Q I would assume he followed through on that?

17 A Um-hmm.

18 Q What is 22?

19 A Yes.

20 Q A memo?

21 A Yes.

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1 Q It says that he met Representative Bob
2 Riley at a fundraiser, gave him an update about the
3 spin. What's the spin?

4 A The company being spun off. That's what we
5 called it, the spin from Monsanto.

6 Q Here's 21. Let me ask you, that's by
7 Kevin?

8 A Um-hmm.

9 Q Is that just a deal you all got from Kevin?
10 Just a little memo?

11 A Yeah.

12 Q That appears to be -- there's a lot of
13 conversation about lawsuits, and right after that you
14 have the education program?

15 A Um-hmm.

16 Q Brochure that was developed, Habitat for
17 Humanity house?

18 A Um-hmm.

19 Q Youth help center, talking about UAB
20 business school. What is offline? Meeting offline?

21 A Where are you?

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1 Q 6.

2 A 6, I mean offline is typically a word
3 used --

4 Q What does that typically mean?

5 A Offline means that's a separate project
6 they would be pursuing or a separate conversation
7 they needed to pursue.

8 Q Separate conversation they needed to pursue
9 for what?

10 A Well, evidently they were seeking to
11 develop some broader education of ourselves on
12 environmental justice issues on a national level.

13 Q Isn't it fair to say what you all were
14 doing, this multiple level public relations campaign
15 and governmental affairs campaign, primarily because
16 of the lawsuits you all had pending against Solutia
17 in the state? Isn't that right, Mr. Ruskin?

18 A No, I would not characterize it like that.

19 Q Tell me how would you characterize it.

20 A I will. As I mentioned before, we have 16
21 plants that we operate. Each one of them has a

1 community relations component, something that dates
2 back to Monsanto at the spin in September of '97.
3 That's something Solutia continues to do. Alabama is
4 the only state that we have three facilities. We
5 have a facility in Foley, Decatur and Anniston. What
6 we had been talking about was rather than have each
7 site doing a community relations plan specific to
8 their plant site, why not try to combine that and see
9 is there a greater purpose we can serve in Alabama.
10 Certainly there is litigation existing in Anniston
11 that was receiving a lot of attention and statewide
12 attention.

13 And the one thing we were concerned about
14 as we took this historical community relations effort
15 that it not to be viewed as something that we were
16 doing in response to the litigation. That's
17 something that's a separate issue and that we wanted
18 to make sure that we had a program that had statewide
19 appeal and addressed the needs of their three plant
20 sites.

21 Q Had nothing whatsoever to do with the fact

1 that you were experiencing some litigation problems
2 in Anniston or Calhoun County and Saint Clair and
3 Talladega County around the lake?

4 A We -- in fact, one of the plant updates
5 here, we had been long involved with the Habitat for
6 Humanity at our plant sites, Anniston as well as
7 others. But I mean there are things on concurrent
8 tracks, but we felt very strongly we would not
9 suspend our historical community relations work
10 because of the litigation. But that was on its on
11 timetable and on track. We were putting together a
12 plan that we thought had credibility for the state of
13 Alabama. It's hard to do, I grant you, to continue
14 to take an active role in the community at times when
15 something like that, litigation, is taking place.

16 Q The drum roll effect was just to announce a
17 new company, had nothing whatsoever to do with
18 litigation; is that your testimony on that?

19 A I'm not sure the drum roll you're referring
20 to but.

21 Q It was earlier a document that Mr. Cahill

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1 or somebody put together talking about whether or not

2 to have a big bang effect or drum roll effect?

3 A I think, again, how to announce an

4 initiative like this, and --

5 Q Education initiative?

6 A Yes, sir. Not to have it appear as -- that

7 it could be characterized as you're doing it here.

8 Q I'm asking you to characterize it.

9 A I'm characterizing it as, again, a

10 continuation of the philanthropic work the company

11 has done, not only in Alabama but elsewhere

12 throughout our sites in the U.S. as well as Europe.

13 Q What percentage of the philanthropic effort

14 that Solutia has been involved in over the past few

15 years has been devoted to Alabama?

16 A I do not know. I don't have an answer to

17 the question. I don't get involved in any

18 philanthropic activities.

19 Q What do you know about an early childhood

20 day care center?

21 A Only that had been as we were looking

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1 for --

2 Q Things to do?

3 A Talking about something that would involve

4 our plant sites on a larger scale. My recollection

5 is that that was a topic that had been discussed.

6 Q That was discussed with Representative

7 Boyd?

8 A I would not be involved in any of those

9 discussions, I'm not sure. It may have been.

10 Q Representative Boyd represented the area in

11 which the plant was located, the Anniston plant; was

12 he not?

13 A If she does not, she represents an area

14 adjacent to it. I don't recall the specifics of what

15 her district is.

16 Q Now, there was a contribution that you all

17 did in fact make to Representative Riley.

18 (Exhibit 23 marked.)

19 BY MR. STEWART:

20 Q He thanked you for it, didn't he?

21 A Yes.

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1 Q This is 23?

2 A Um-hmm.

3 Q That's where he thanked you for that?

4 A Yeah.

5 Q Now, what information -- why is it rather
6 that you all would be getting information from Logan
7 Combs, who is the administrator of the housing and
8 community development program in Anniston?

9 A Hmm. I don't remember.

10 (Exhibit 24 marked.)

11 BY MR. STEWART:

12 Q It's Plaintiff's Exhibit 24?

13 A Um-hmm.

14 MR. STEWART: There were some documents
15 attached to it, a map of the city of Anniston.
16 Can we agree, Mr. Peck, this was attached to
17 that? I submit to you for the record it was.

18 MR. PECK: Yeah.

19 A So the question is do I recall receiving
20 this?

21 Q Yes.

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1 A I do.

2 Q How many other communities are you all
3 involved in working with the community development
4 block grant? As you sit here today, can you tell me?

5 A I do not believe we're involved with any
6 that I can recollect, including Anniston. We're not
7 involved -- I do recall this as being sent to me to
8 see is there any. As you can probably appreciate,
9 everybody outside of Washington seems to think if
10 you're in Washington you know everything that's going
11 on. And I was asked to see was there any information
12 I could get on empowerment zones and.

13 Q What's an empowerment zone?

14 A I don't have the specific definition of it,
15 other than if your area or town was designated an
16 empowerment zone, I think it provided certain

17 incentives for businesses to locate there.

18 Q Were you all attempting to do, Mr. Hamilton
19 attempting to do that in Anniston?

20 A I don't know. I think he is, Mr. Hamilton
21 serves on a number of different community groups.

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1 This may have been something that came up there and
2 he may have offered up to say let's see if we can get
3 further information for you on that.

4 Q Is there some neighborhood in Anniston you
5 all were targeting?

6 A No, not that I can recall. I'm not sure
7 whatever happened with that.

8 Q That was a plan that you were all were
9 trying to work for at that time?

10 A No. My recollection of this entire letter
11 was that I had given some feedback about a group in
12 Washington that may be able to help the city of
13 Anniston if they decided to pursue an empowerment
14 zone application.

15 Q Do you know if any city councilmen were

16 involved in any, any black city councilmen or white
17 city councilmen, that you all had previously labeled?
18 Do you know if any of them were involved?
19 A No, I don't know.
20 Q Let me show you what we'll mark as
21 Plaintiff's Exhibit --

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1 MR. PECK: I think you scooped up
2 Plaintiff's Exhibit 9 into your collection
3 there. 9 is the list of those attendees at the
4 EPA meeting on 4-21-99, the attached
5 questionnaire.
6 (Exhibit 25 marked.)
7 BY MR. STEWART:
8 Q You've seen this deposition notice, haven't
9 you?
10 A I have.
11 Q Your lawyer provided me not this one here
12 today, these here, but a Mr. Buddy Cox provided me
13 with all these documents I've given you, and a number
14 more. There was some newspaper articles, big bundle

15 that you got?

16 A Yes, sir.

17 Q That's something you maintain and in your
18 file?

19 A Yeah. I get as a routine course, news
20 clips, fax.

21 Q I understand. There's some correspondence

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1 you might have had with Sonny Callahan, and some
2 other newspaper articles and some information about
3 the Decatur plant?

4 A Yes, sir. I mean in my office I have from
5 the day I joined I set up files on each of the plant
6 sites. And as I went and visited them, put in
7 general information on the plants. If there's news
8 clips that come out of there or news releases about
9 newsworthy activities, I put in there. I don't
10 typically -- but just browse them. Then if I needed
11 to go back I can go back and read.

12 Q Some other things if we have not talked
13 about in this, a follow-up on a PR meeting that from

14 the Bradley/Townsend public affairs group, that comes
15 from your information, doesn't it? I don't want to
16 offer it. And indicated the information from the
17 city of Anniston and some information about the
18 educational program?

19 MR. PECK: Are you saying that all came out
20 of his file?

21 MR. STEWART: I just want to identify it

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1 all coming out of his file.

2 A Yeah.

3 Q I notice on the back of some of these
4 letters of Callahan, some other information, there
5 was a story that came out of Solutia facility that
6 was located in Illinois?

7 A Um-hmm.

8 Q And then I got in addition to all these
9 other documents that your lawyers for Solutia were
10 good enough to give me, I got some information on the
11 Sauget. Is that another plant site were you all were
12 having trouble?

13 A We have a plant site, Krummrich plant --
14 Q Queeny?
15 A There's a Queeny plant, but Krummrich is
16 located in Sauget, Illinois. WG Krummrich plant.
17 Q I had a bunch of documents, I got a bunch
18 of objections as usual, big privileged law that Adams
19 gets Ms. Aldridge to work on, so she earns her pay.
20 Then we got this stuff about the Sauget site. We got
21 a Monsanto proposal for Sauget area one, and then a

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1 number of letters back and forth and newspaper
2 articles about the gateway initiative and the
3 Illinois Environmental Protection Agency. What's the
4 status of that deal up there in Illinois?
5 A You mean the plant site? We have a plant
6 site where we have active operations.
7 Q I mean there's a big contamination problem
8 on Dead Creek?
9 A What is labeled the Sauget site, plural,
10 there are many parties who are part and parcel with
11 that.

12 Q Is Monsanto doing some cleanup up there?

13 A We are working cooperatively with Illinois

14 EPA as well as the U.S. Environmental Protection

15 Agency to try to get a better understanding of what's

16 going on with all of those sites, even though that

17 exceeds what we believe that we've even had any

18 impact remotely on. But we're working cooperatively

19 with them doing some remedial investigation work.

20 Q How many millions of dollars is that going

21 to cost?

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1 A I don't know.

2 Q Have you all been sued by any individuals

3 up there?

4 A Not that I'm aware of, no.

5 Q Aren't there some people that live near

6 that facility?

7 A There are, there's a community in and

8 around that area.

9 Q You all were successful in getting one of

10 those CAPs put in place up there, weren't you?

11 A We do have a Community Advisory Panel at
12 the Krummrich plant. I'm not sure what the
13 membership, but we have a CAP.

14 Q How successful has that been?

15 A I don't know. I don't know how you'd
16 classify successful. It's an operation, it appears
17 to be -- I've not heard much about its operations.

18 Q Is that one of those proactive groups that
19 you generally put in place, or Solutia puts in place?

20 A Right. We do have Community Advisory
21 Panels at most of our plant sites even including

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1 Europe and.

2 Q Are you being sued all at those plant sites
3 or is the EPA looking into those plant sites?

4 A No, no. What we try to do, it's a
5 community relations tool that if there was anything
6 on residents' minds that they didn't like about our
7 operations, it's a feedback mechanism. We want to
8 know about it to be better corporate citizens.

9 Q No individual has sued you all yet?

10 MR. PECK: At Krummrich?

11 A No, not that not I'm aware of.

12 Q Aren't PCBs involved in that situation up
13 there?

14 A PCBs is one of the listed materials of
15 concern there in that site or sites.

16 Q How much money, if you know, have you all
17 spent up there?

18 MR. PECK: Object to the form of the
19 question and foundation.

20 A I don't know.

21 Q Well, is it in the millions?

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1 MR. PECK: Object to the form of the
2 question and foundation.

3 A I don't know the amount of money.

4 Q Well, has EPA required you all to make some
5 kind of proposal or the Illinois EPA required you all
6 to make some kind of proposal about what you all are
7 going to do about cleaning up the mess up there?

8 MR. PECK: Object to the form of the

9 question. Argumentative.

10 A We had submitted to the environmental
11 officials a plan from Monsanto. And then upon spin
12 Solutia also submitted a voluntary cleanup plan to
13 those officials.

14 Q Cleanup of what?

15 A Portions of the Sauget sites that we
16 believe we were responsible for, or as a responsible
17 party. To my understanding, that has not been --
18 they have not really accepted that.

19 Q Who is they?

20 A Illinois or EPA. EPA has taken a larger
21 role in this site now, and we are working

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1 cooperatively with them. We're working under -- if I
2 have the terminology right -- a consent order, where
3 we are the only party out of a group of to
4 potentially 12 who stepped up to the fore, and have
5 said we want to work with the officials to understand
6 the extent of the situation, what needs to be done.
7 And we've committed some significant dollars to that.

8 Q 15 to 18 million dollars? Is that what you

9 all committed to that?

10 MR. PECK: Object to the form of the

11 question, foundation.

12 A I wish -- I don't remember.

13 Q It's already coming up on the plant. Those

14 numbers jumped out at me. My memory's not as good as

15 yours. If we stick something under your nose, would

16 that refresh it?

17 A If I saw something that might be

18 correspondence or something.

19 Q Weren't you involved in some discussions

20 where you put forth Solutia's good faith proposal in

21 July of 1998?

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1 A We did -- even before that at spin we put

2 out a Solutia good faith proposal that without -- I

3 can't remember the exact dollar amount --

4 Q -- spin off Solutia greatly improved the

5 offer by agreeing to commit and, again, a 15 to 20

6 million dollar volunteer remediation of creek sector

7 B and F?

8 A Um-hmm.

9 Q Does that refresh your recollection?

10 A Right.

11 Q I'm sorry I said 15 to 18 million -- I said

12 15 to 20.

13 MR. PECK: Let him finish.

14 MR. STEWART: I want him to answer. I just

15 wanted to apologize for being wrong about the 15

16 to 18; it's 15 to 20.

17 Q You can go ahead.

18 A That, as you characterize, that was an

19 offer to the, I believe, the Illinois Environmental

20 Protect Agency, but they did not accept that. So

21 that has not been money that's been spent. I'm not

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1 sure under the consent order with the EPA how much we

2 will have to expend in that remedial investigation.

3 Q There's a remediation division or

4 remediation management letter from Illinois

5 Environmental Protection Agency to Mr. Michael Light.

6 Isn't he the manager of the remediation project?

7 A He is.

8 Q He talks in that letter dated October 27th
9 about PCB contamination in Dead's Creek?

10 MR. PECK: Is that October 27th of '97 or
11 '98?

12 MR. STEWART: '97.

13 Q Is that the contamination you were talking
14 about cleaning up? The PCB contamination in Dead
15 Creek?

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

18 A That is a contaminant that has been
19 identified in Dead Creek. However, who's responsible
20 for it is a matter of conjecture.

21 Q You all are saying you're not?

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1 A We're not saying we are not. What we're
2 saying is we don't believe we're responsible for the
3 entire scope of that. There were multiple sites
4 there, there are other operations that could have

5 materially contributed to that problem.

6 Q Did you have other contaminants that you
7 all were also concerned about?

8 A I cannot, I couldn't label them
9 specifically. I think the agencies had identified
10 some heavy metal contaminants that may have resulted
11 from one of the other operations there. I think it
12 was a Cerro Copper, C-E-R-R-O, copper company.

13 Q Didn't they pay some millions of dollars to
14 keep up part of the site?

15 A Exactly. I believe they did pay a
16 significant amount of money to clean up a portion of
17 that site.

18 Q Isn't there some concern about flooding and
19 off-site contamination of people's properties up
20 there, Mr. Ruskin?

21 A I do know there is a concern of flooding.

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1 I'm not sure if it's directly tied to any of the
2 remedial areas, but this has come up as a concern.

3 Q Have you all done any off-site testing to

4 your knowledge in people's yards or done any blood
5 tests to determine if anybody's got PCBs in their
6 blood?

7 A I do not believe that -- I don't know.

8 Best of my knowledge, I don't know if we have or have
9 not.

10 Q Have you received any or looked at any?

11 A No, I have not.

12 Q Who else is involved in that site up there
13 besides you all and Cerro Copper?

14 A I can't recall the other companies. I mean
15 there were, according to my recollection there were
16 12 others that EPA had identified, but I can't recall
17 who they are off the top of my head.

18 Q Where are you all in your conversations now
19 with them about that?

20 A I don't know. I couldn't tell you with any
21 degree of specificity in that.

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1 Q Have you withdrawn this commitment to spend
2 this 15 to 20 million dollars?

3 A Not to my knowledge, no.

4 Q Are they asking you to do even more?

5 A Actually the work we're doing now under the

6 consent order with EPA could be more, I'm not sure.

7 Q You don't have any idea what it is?

8 A No.

9 Q Who have you contacted at ATSDR about that

10 particular project?

11 A There has not been any involvement of ATSDR

12 that I'm aware of so we've not discussed that with

13 them.

14 Q Who have you contacted at EPA about that

15 particular project? You, yourself.

16 A Me, myself?

17 Q Yeah.

18 A I had contacted an individual, Mr. Tim

19 Fields, about that.

20 Q Who is Mr. Fields?

21 A He works in the Superfund office.

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1 Q How is it that you know Mr. Field?

2 A Didn't really know him, just that was his
3 function, the Superfund function.

4 Q What is his job in the Superfund?

5 A He was the acting head of the program.

6 Q And is he still there?

7 A Yes, I believe he is still there.

8 Q Are they moving toward designating the
9 Sauget area a Superfund site, scoring it Superfund?

10 A I do not believe that the EPA is moving to
11 score it as a Superfund site.

12 Q Who told you that, Mr. Field?

13 A No, I think based upon what I've heard from
14 our own remedial representatives, Mike Light and
15 others.

16 Q What have they told you?

17 A Just that we're working, you know, on a
18 cooperative path with both EPA and Illinois EPA, that
19 we have a consent order that we've signed. I think
20 that right now we're doing everything that the agency
21 is requiring of us. That would probably be, it's the

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1 remedial investigatory part of the program.

2 Q Is that the one that cost two to three
3 million dollars? You all are doing the
4 investigation, and then spend the 15 to 20 dollars?

5 MR. PECK: Object to the form of the
6 question and foundation.

7 A I don't know what the cost of undertaking
8 the work of the administrative consent order is or
9 what that will lead to. I think that's in EPA hands
10 what they would see or recommend as a result of that
11 remedial work.

12 Q Is Sauget the community in which the plant
13 is located, the Queeny plant?

14 A Krummrich.

15 Q Krummrich?

16 A Right. I'm pretty sure that is, yes.

17 Q Where is East Saint Louis in relation to
18 that?

19 A I don't know.

20 Q That's the working class folks, is it not,
21 Mr. Ruskin?

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1 A I'm not sure. I've only been to the
2 Krummrich plant, I've not been to East Saint Louis.
3 I'm not sure where geographically that fits.

4 Q Are you looking at environmental justice
5 issues in connection with that site as in Anniston?

6 A I think even though the topic came up under
7 the Anniston umbrella, I think what we're looking at
8 is broader, looking at the national activities in
9 that area just to get ourselves educated. So that
10 would have been an interest to all of our sites.

11 MR. STEWART: That's all I have.

12 (The deposition was concluded at 4:15 p.m.)

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4
5 I, Jacqueline Kimball, a Notary Public in
6 and for the District of Columbia, do hereby certify,
7 that the within named, GLENN RUSKIN,
8 personally appeared before me at the time and place
9 herein set according to law, was interrogated by
10 counsel.

11 I further certify that the examination was
12 recorded stenographically by me and then
13 transcribed from my stenographic notes to the within
14 printed matter by means of computer-assisted
15 transcription in a true and accurate manner.

16 I further certify that the stipulations
17 contained herein were entered into by counsel in my
18 presence.

19 I further certify that I am not of counsel
20 to any of the parties, not an employee of counsel,
21 nor related to any of the parties, nor in any way
interested in the outcome of this action.

AS WITNESS my hand and Notarial Seal this
21st day of December, 1999, at Annapolis,
Maryland.

Jacqueline Kimball
Notary Public

My commission expires March 31, 2003.

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