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From: Richard E. Peterson

August 2nd or 3rd

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A Robert James

Phil Cole

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Glen Kerntz

Scott Baker

Robert Lyne

Karen Webb

Martin Broadhurst

Sandra Seare

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Down

Nevada Power v. Monsanto Co. et.al.
Case No. A275863

PRETRIAL WITNESS STATEMENT

Richard E. Peterson, Ph.D.
Toxicology Consultants, Inc.
5202 Denton Place
Madison, WI 53711

SUMMARY OF TESTIMONY

Dr. Peterson is Professor of Pharmacology and Toxicology in the School of Pharmacy and Environmental Toxicology Center at the University of Wisconsin. Dr. Peterson has published extensively in the area of halogenated aromatic hydrocarbon toxicity. Investigations in his laboratory have used polychlorinated biphenyls (PCBs), dibenzofurans (PCDFs) and dibenzo-p-dioxins (PCDDs) and have involved different mammalian, avian and aquatic species. Bioaccumulation, metabolism and disposition, acute toxicity, reproductive and developmental toxicity, and neurotoxicity have been assessed. Signs of toxicity, dose response relationships, time course of toxicity, sites and mechanisms of action, and risk have also been evaluated. Dr. Peterson is a member of the Society of Toxicology and Society of Environmental Toxicology and Chemistry. Results of his laboratory's research are presented at annual meetings of these societies. Industry and state and federal agencies have used Dr. Peterson's expertise in halogenated aromatic hydrocarbon toxicity.

Dr. Peterson is presented as an expert on the toxicology of PCBs and related compounds that act by Ah receptor "-dependent" and "-independent" mechanisms of action. He will testify on the basis of his education, training, research experience, understanding of the current literature, review of state of the art research and reports generated by that research on PCBs, PCDFs and PCDDs. He will testify on PCB toxicity in humans and animals including mechanisms of action, structure activity relationships for Ah receptor-mediated toxicity, metabolism and disposition, and the various signs of toxicity. He will testify on fundamental aspects of risk characterization such as exposure assessment, hazard identification, dose response assessment, and reference dose concept. He will testify that humans and animals have similar sensitivity to Ah receptor-mediated toxicity and that PCB congeners that share the same Ah receptor-mediated mechanism of action as TCDD (TCDD-like PCB congeners) need to be considered together with TCDD in assessing risk to humans and wildlife.

Dr. Peterson will testify that early life stages (embryo or fetus) are more susceptible than adults to Ah receptor-mediated toxicity and that exposure during critical periods of early development can produce functional alterations in adulthood that may be irreversible. Dr. Peterson will testify that the background human body burden of TCDD equivalents due to the TCDD-like PCBs, PCDDs and PCDFs does not provide an adequate margin of safety for certain reproductive, developmental, or neurobehavioral toxicities that results from in utero and/or lactational exposure.

Dr. Peterson will testify that PCBs are inherently and unreasonably dangerous and that inputs of PCBs into the environment must be reduced to lower the existing background human body burden of TCDD equivalents. He will also testify that PCB-containing equipment at Nevada Power which is above as well as below existing EPA standards is defectively hazardous because bioaccumulation of TCDD-like PCBs from such equipment will contribute further to this already high body burden.

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Dr. Peterson will rely on the general scientific literature on PCBs, PCDDs and PCDFs as well as on publications from his own laboratory research. He will also review recent EPA publications, relevant publications provided by other federal and state agencies, and symposia and book chapters dealing with halogenated aromatic hydrocarbon toxicity. At the request of the plaintiff's lawyers he will review learned treatises of other experts or any other documents related to the case which they provide.

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