STATE OF ALABAMA

IN THE CIRCUIT COURT OF CALHOUN COUNTY

MARS HILL MISSIONARY BAPTIST CHURCH, et al.,

Plaintiffs,

versus

CIVIL ACTION NUMBER

CV-96-243

MONSANTO COMPANY, et al.,

Defendants.

DEPOSITION OF WILLIAM B. PAPAGEORGE, P.E.

The deposition of WILLIAM B. PAPAGEORGE, P.E., was taken before Deborah Salers Garrett, Certified Shorthand Reporter, Registered Professional Reporter, as Commissioner, commencing at 1:20 p.m. on March 31, 1998, by the Plaintiffs, at the law offices of Lightfoot, Franklin & White, 300 Financial Center, 505 North 20th Street, Birmingham, Alabama, pursuant to the stipulations set forth herein.

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No other exhibits were marked for identification, offered or attached as exhibits hereto.



EXHIBIT 41

MR. ATKIN: Thank you for clarifying that.

Q. We will mark for identification purposes, as Exhibit Twenty to your deposition, a document bearing Bate's number MONS 098414, dated January 29th, 1971. It appears to be a memorandum from Mr. Papageorge to Mr. Savage, with several recipients.

(Plaintiffs' Exhibit Number Twenty was marked for identification.)

A. I have read the exhibit.

Q. Okay. By January 1971, you had concluded that high levels of PCBs would continue to exist in the plant waste streams because of the PCBs trapped in the soil and the sewer system, correct?

A. That is correct.

Q. Okay. What did you mean when you said that high levels would continue because of the PCBs trapped in the soil?

A. What I had in mind was the fact that





PCBs tenaciously hang onto soil particles like little magnets. And since they aren't destructible in the environment, they will be there forever, such that any time a water flow occurs in this soil, the chances of that soil, with its PCB being transported, will remain. And later if a sample of that contaminated water is taken, sure enough, PCBs will be found in it.

Q. Which soil were you referring to?

A. Well, this was soil in the plant where previous contamination had occurred, like an overflow of those neutralization pits, for example.

Q. Okay. And what did you mean when you said that the PCBs were trapped in the soil?

A. It is another way of expressing my magnetism the PCB has for surfaces, clinging to them.

Q. In the last sentence of the second paragraph you state, "Cleanup of these





sources can be economically impractical." Do you see that?

A. I do.

Q. What did you mean by that?

A. I was theorizing in a way what kinds of technology could be applied to extract the PCBs in soil. And with my quick, off the top of head kind of study, I visualized that this could be a monstrous task in terms of equipment and successful achievement. So I quickly extrapolated that into an economic kind of thought, and I was hoping that by getting others involved we could get perhaps a different perspective that could still get to the solution without my high costs estimates, which were, as I said earlier, not based on any highfalutin calculations or science. It was just a gut feel I had that this could be a monster.

Q. Okay. You also concluded that the PCB contamination in the plant was so





widespread that all of the plant's effluents must be treated; is that correct?

A. Yes.

Q. And that this would result in a system more complex and costly than anyone had anticipated, correct?

A. Yes.

Q. You also said the type treatment needed approaches tertiary treatment -- that's t-e-r-t-i-a-r-y -- which at Krummrich is scheduled for completion by 1973.

What did you mean by tertiary treatment?

A. There was at the time a proposal made by the technical community in Monsanto, which included researchers in the engineering department, to subject any contaminated soil to a three-step process. That is where the word "tertiary" came from.

I at this point in time don't recall all of the details. But it