

## STATE OF ALABAMA

## IN THE CIRCUIT COURT OF CALHOUN COUNTY

MARS HILL MISSIONARY  
BAPTIST CHURCH, et al.,  
Plaintiffs,

## CIVIL ACTION NUMBER

versus

CV-96-243

MONSANTO COMPANY, et al.,  
Defendants.

## DEPOSITION OF JERRY BROWN

The deposition of JERRY BROWN, was  
taken before Deborah Salers Garrett, Certified  
Shorthand Reporter, Registered Professional  
Reporter, as Commissioner, commencing at 9:15  
a.m. on April 21, 1998, by the Plaintiffs, at  
the law offices of Merrill, Porch, Dillon &  
Fite, Suite 500, 1000 Quintard Avenue,  
Anniston, Alabama, pursuant to the  
stipulations set forth herein.

Regional Reporting Service, Inc.

755 Walnut Street

Gadsden, Alabama 35901-0755

1

## I N D E X

2

Page

3

Stipulations

4

4

Reporter's Certificate

275

5

6

## E X A M I N A T I O N S

7

Witness: JERRY BROWN

Page

8

By Mr. Stewart

5

9

10

11

## E X H I B I T S

12

Plaintiffs'

Marked

Offered

13

One

160

14

Two

161

15

Three

190

16

Four

200

17

Five

246

18

Six

257

19

20

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

21

22

23

8/31/2004 9:05 AM

2

## 4/21/1998 Brown, Jerry; Mars Hill

## A P P E A R A N C E S

1

2

3

For the Plaintiffs:

4

5

DONALD W. STEWART, Esq.

STEWART &amp; SMITH

6

1131 Leighton Avenue

Anniston, Alabama 36201

7

8

9

For the Defendants:

10

11

ADAM PECK, Esq.

LIGHTFOOT, FRANKLIN &amp; WHITE

12

300 Financial Center

505 North 20th Street

13

Birmingham, Alabama 35203

14

15

MICHAEL E. KELLY, Esq.

16

SMITH, HELMS, MULLISS &amp; MOORE

P. O. Box 21927

17

Greensboro, North Carolina 27420

18

19

20

21

22

23

8/31/2004 9:05 AM

3

8/31/2004 9:05 AM

4

## 4/21/1998 Brown, Jerry; Mars Hill

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

1

2

IT IS STIPULATED AND AGREED by the

3

parties, through their respective counsel,

4

that the deposition of JERRY BROWN, may be

5

taken before Deborah Salers Garrett, CSR, RPR,

6

as Commissioner and Notary Public, Alabama at

7

Large, at Anniston, Alabama, on April 21,

8

1998, at 9:15 a.m.

9

10

IT IS STIPULATED AND AGREED that the

11

signature to and reading of the deposition by

12

the witness is waived, the deposition to have

13

the same force and effect as if full

14

compliance were had with all laws and rules of

15

Court relating to the taking of depositions.

16

17

IT IS STIPULATED AND AGREED that it

18

shall not be necessary for any objections to

19

be made by counsel to any questions except as

20

to form or leading questions and that counsel

21

may make objections and assign grounds at the

22

time of trial or at the time said deposition

23

is offered in evidence or prior thereto.

24

IT IS STIPULATED AND AGREED that notice

25

of filing by the Commissioner is waived.

26

27

28

29

30

8/31/2004 9:05 AM

5

1 STATE OF ALABAMA, ANNISTON, APRIL 21, 1998

2

3 JERRY BROWN,

4 after having been first duly sworn, was

5 examined and testified as follows:

6

7 EXAMINATION

8 BY MR. STEWART:

9 Q. Mr. Brown, I'm Donald Stewart, and I'm

10 one of the attorneys that represents the

11 plaintiffs in this case in the claim

12 against Monsanto. I'm going to ask you

13 some questions. And if you don't

14 understand my question or have some

15 difficulty, you have a right to ask me

16 to repeat it. And you certainly have a

17 right to ask -- to have some time to

18 talk to your counsel. That is perfectly

19 okay.

20 I'll try to make the questions as

21 simple as I can so you do understand

22 them. Let me also say to you that I

23 sometimes ask more than one question.

1 Have you ever given a deposition

2 before?

3 A. Yes, I have.

4 Q. In what instances, for Monsanto?

5 A. Both Monsanto and otherwise.

6 Q. Okay. For Monsanto in connection with a

7 toxic tort case, is that where you gave

8 the deposition?

9 A. Yes.

10 Q. When was that?

11 A. The last time was about two years ago.

12 Q. Okay. Can you tell me the names of the

13 parties involved in that case?

14 A. I don't remember.

15 Q. Do you remember where the suit was

16 filed?

17 A. In -- All I remember is I went to

18 Birmingham.

19 Q. You went to Birmingham. Was the suit

20 filed by some individual here in Calhoun

21 County?

22 A. No, sir.

23 MR. PECK: It was one of the lake

8/31/2004 9:05 AM

6

8/31/2004 9:05 AM

8

4/21/1998 Brown, Jerry; Mars Hill

1 If you want me to separate the two

2 questions, I'll be glad to. If you

3 understand it, of course, go ahead and

4 answer it.

5 From time to time there will be

6 people that object. Adam might object

7 to something.

8 MR. STEWART: We have the usual

9 stipulations, Adam?

10 MR. PECK: Yes.

11 Q. In the event he does that, it doesn't

12 mean you don't have to answer. You need

13 to consult with him about it if he tells

14 you not to. But if he doesn't tell you

15 not to, go ahead and answer the

16 question.

17 The other thing I will say to

18 you -- To save some trouble with Debby,

19 if you will, wait until after I get

20 through with my question to answer it,

21 and I'll try to wait until you get

22 through with your answer before I say

23 anything.

4/21/1998 Brown, Jerry; Mars Hill

1 cases, lake cases.

2 Q. And you gave a deposition in that case

3 in connection with PCB contamination?

4 A. Yes.

5 Q. Okay. And any other case that you might

6 have testified in? You have indicated

7 apparently by your answer that there

8 were others.

9 A. I guess the next one prior to that would

10 have perhaps been five years to seven

11 years ago in Texas.

12 Q. And what was the nature of that case, a

13 PCB case?

14 A. No.

15 Q. What was --

16 A. It had to do with empty parathion drums

17 on property.

18 Q. Empty parathion drums?

19 A. That's correct.

20 Q. And Monsanto was a defendant in the

21 case?

22 A. Yes. It was a matter -- a case where

23 there were numerous empty drums left on

8/31/2004 9:05 AM

7

8/31/2004 9:05 AM

9

1 this piece of property, and everybody  
 2 whose name was on a label was --  
 3 Q. Was sued?  
 4 A. Was basically -- But after this  
 5 deposition, we were dropped from the  
 6 case at that point.  
 7 Q. Do you know why you were dropped from  
 8 the case?  
 9 A. No.  
 10 Q. But you gave a deposition in that case?  
 11 A. Yes, I did.  
 12 Q. Where did you go to give that  
 13 deposition?  
 14 A. In Houston.  
 15 Q. And do you know the name of the  
 16 plaintiff in that case?  
 17 A. No, I don't.  
 18 Q. Do you know the lawyer that was involved  
 19 on the other side?  
 20 A. No, I don't.  
 21 Q. Do you know the firm?  
 22 A. No.  
 23 Q. Okay. But that --

1 A. No.  
 2 Q. Have you testified in more than one  
 3 deposition in connection with PCB cases  
 4 that grew out of the lake or just one?  
 5 A. Just one.  
 6 Q. Where do you live, Mr. Brown?  
 7 A. I live just outside of Heflin.  
 8 Q. What's your address?  
 9 A. 10064 Highway 46, Heflin, 36264.  
 10 Q. And can you give me some idea of the  
 11 kinds of organizations that you belong  
 12 to, social, religious, those type of  
 13 things? What church affiliation do you  
 14 have?  
 15 A. I belong to Pine Grove Baptist Church.  
 16 Q. Where is that located?  
 17 A. It is in the Bells Mill Community.  
 18 Q. In Cleburne County?  
 19 A. In Cleburne County.  
 20 Q. Who is your pastor there?  
 21 A. T. J. Morgan.  
 22 Q. Is that a Southern Baptist church?  
 23 A. Yes, it is.

8/31/2004 9:05 AM

10

1 A. That's been, you know, as I say probably  
 2 at least seven years ago, and I simply  
 3 don't remember.  
 4 Q. Any other case -- First, before we go  
 5 any further, I didn't get this. Could  
 6 you state your full name for the record?  
 7 And I'll ask you some identifying  
 8 questions.  
 9 A. Jerry Lex, L-e-x, Brown.  
 10 Q. And you are an employee, of course, of  
 11 Monsanto?  
 12 A. Today Solutia.  
 13 Q. But at the time this lawsuit began it  
 14 was Monsanto, was it not?  
 15 A. That's correct.  
 16 Q. And how long have you worked for them?  
 17 A. Thirty and a half years.  
 18 Q. You began to work there when, now?  
 19 A. 1967, August.  
 20 Q. Okay. I'll go back to that in a few  
 21 minutes. Let me get the rest of these  
 22 cases. Any other case that you have  
 23 testified in other than the lake case?

8/31/2004 9:05 AM

12

1 Q. Is that where you have gone to church  
 2 most of your adult life or all your  
 3 life?  
 4 A. Yes, it is.  
 5 Q. Which one, adult life or all your life?  
 6 A. All.  
 7 Q. All your life. What kind of civic  
 8 organizations do you belong to,  
 9 Mr. Brown?  
 10 A. Well, I've typically been active in the  
 11 Chamber of Commerce both in Calhoun and  
 12 Cleburne County, school organizations,  
 13 booster clubs.  
 14 Q. Tell me what booster club you belong to.  
 15 Is that in Cleburne County or here?  
 16 A. Heflin.  
 17 Q. Do you belong to any kind of booster  
 18 organization or affiliate with any  
 19 school here in Calhoun County?  
 20 A. No.  
 21 Q. What other civic groups do you belong  
 22 to?  
 23 A. From a civic standpoint, I guess that's

8/31/2004 9:05 AM

11

8/31/2004 9:05 AM

13

1 about it.

2 Q. Do you belong to any fork and knife club

3 here like Lions or Rotary or anything

4 like that here in Anniston?

5 A. No.

6 Q. Have you participated in any civic

7 organization here in Anniston other than

8 the Chamber of Commerce?

9 A. Not as a member, no.

10 Q. How otherwise?

11 A. I've gone as guests to Rotary a number

12 of times.

13 Q. When is your most recent appearance that

14 you made at Rotary? Did you make a

15 speaking -- was that a speaking

16 engagement?

17 A. I have.

18 Q. To Rotary here in Anniston?

19 A. But that has been probably ten years ago

20 for that.

21 Q. What did you speak of at that time,

22 Mr. Brown?

23 A. The -- really the current status of the

1 make it.

2 And initially the thought was to

3 relocate the rest of the plant to other

4 places because historically it is not a

5 wise decision to run a real small plant,

6 which it would have been for the

7 remaining parts of the operation.

8 Q. What were you producing in the remaining

9 parts of the operation?

10 A. Well, the two primary product lines are

11 Therminol heat transfer products and

12 para-nitrophenol, which was raw material

13 for acetaminophen, which is a

14 non-aspirin pain reliever.

15 Q. Anything else?

16 A. That encompasses -- I mean, within

17 Therminol, there are some individual

18 members, but that encompasses it.

19 Q. Tell me about Therminol. What kind of

20 product is that, Mr. Brown?

21 A. Well, basically that is a trade name

22 that applies to a family of products

23 that are used for heating or cooling,

8/31/2004 9:05 AM

14

1 operations in Anniston.

2 Q. Current status of the Monsanto plant?

3 A. Yes.

4 Q. Just -- were you just talking about what

5 y'all were producing at that time and --

6 A. No. During that era, the corporate

7 decision had been made to either close

8 or sell this facility, and we were

9 working on alternative possibilities to

10 try to save a portion of it as a

11 Monsanto plant.

12 Q. Tell me if you would what caused

13 Monsanto to think about closing this

14 particular -- Was it unprofitable, or

15 were you having some problems with it or

16 what?

17 A. About two-thirds of the plant was

18 dedicated to the production of the

19 intermediates of parathion. And

20 parathion -- that was an old generation

21 pesticide that was basically being

22 phased out, and it was no longer

23 commercially feasible to continue to

8/31/2004 9:05 AM

16

1 whatever the case may be, in ranges that

2 are outside water and steam or glycol.

3 I mean, you are familiar with the

4 use of glycol in your car radiator.

5 That removes heat from your engine at a

6 certain temperature.

7 There are many applications that

8 require extremely high temperatures for

9 the transfer of heat to a process. As

10 an example, spinning of synthetic fibers

11 or solar energy collection.

12 So we make a line of products that

13 are used on the very high temperature

14 ranges, raging primarily from five

15 hundred to seven hundred fifty degrees.

16 Then we have a line of products that we

17 have in our business that are not made

18 at this plant but elsewhere that are

19 used in the real low temperature ranges,

20 the minus twenty to minus sixty degree

21 range.

22 Q. Were those heat transfer agents? Is

23 that what you call them, or am I

8/31/2004 9:05 AM

15

8/31/2004 9:05 AM

17

1 misstating it?

2 A. Heat transfer fluids.

3 Q. Heat transfer fluids is what the

4 Therminols are?

5 A. Yes. It is designed to either remove

6 heat from someplace or add heat.

7 Q. You make that with the biphenyl process?

8 Is that what you do?

9 A. Well, it is more technical to say the

10 polyphenyl.

11 Q. Now, what did y'all finally decide about

12 this parathion? What did y'all

13 substitute for it?

14 A. We didn't substitute anything.

15 Q. Well, what did you do to keep the plant

16 here?

17 A. Oh, we basically totally reorganized as

18 a very small plant and reduced the

19 staffing of the plant to fit the needs

20 of a very small plant. And I say very

21 small. I'm talking a plant of about a

22 hundred as opposed to a plant of three

23 hundred fifty.

8/31/2004 9:05 AM

18

1 Q. So a plant of a hundred employees as

2 opposed to a plant of three hundred

3 fifty employees?

4 A. Right.

5 Q. Scaled down your operation here, then?

6 A. And all the other facilities were

7 dismantled and moved.

8 Q. When you say other facilities --

9 A. The facilities were no longer operating

10 associated with parathion and the

11 intermediates.

12 Q. So you removed those production

13 facilities?

14 A. Yes. So basically two-thirds of the

15 plant was torn down.

16 Q. What happened to those production

17 facilities as you removed them,

18 Mr. Brown?

19 A. A lot of the equipment was cleaned and

20 sold as used equipment. Some was moved

21 to other plants within Monsanto. Stuff

22 of no value -- Well, it was basically --

23 a lot of the scrap metal was melted down

8/31/2004 9:05 AM

19

1 and recycled as scrap metal. Then the

2 remaining debris kinds of stuff was

3 placed in what we call cell 5-E of the

4 RCRA landfill.

5 Q. Now, where is that located, on the south

6 side of 202?

7 A. Yes.

8 Q. And about what time did that occur?

9 When did that take place?

10 A. '88, '89.

11 Q. And who was responsible for the --

12 basically the disposal -- demolition of

13 that and the disposal of waste in cell

14 5-E?

15 A. Well, basically we had the -- a group of

16 people who were working on

17 dismantlement.

18 Q. Who is that?

19 A. And let's see. I believe George Watson

20 was in charge of the overall

21 dismantlement program. And I'm trying

22 to remember --

23 Q. Were you a part of the group, Mr. Brown?

8/31/2004 9:05 AM

20

1 A. Yes, yes, I was.

2 Q. What was Mr. Watson's position?

3 A. Well, it was a special position that was

4 in charge of --

5 Q. Dismantling the parathion facilities?

6 A. Of taking down the operations, yes.

7 Q. But what was his position at the plant

8 at that time?

9 A. That was it.

10 Q. That is what --

11 A. Yes.

12 Q. Was he an employee who had been

13 previously working there?

14 A. Yes. And his previous job was no longer

15 in existence as part of the downsizing.

16 Q. What had he done previously?

17 A. Previously he was operations

18 superintendent.

19 Q. Okay. So he was moved --

20 A. Maintenance superintendent.

21 Q. So he was moved from operations

22 superintendent and maintenance

23 superintendent to the person who was in

8/31/2004 9:05 AM

21

1 charge of dismantling this parathion  
2 production facility?  
3 A. That's correct.  
4 Q. And you worked with it. Who else worked  
5 with it?  
6 A. I'm trying to remember when Robert  
7 actually came on board. Robert Jones  
8 came on board while it was underway.  
9 Q. All right.  
10 A. A guy by the name of Jim Chisolm was  
11 somewhat, I'd say, the field guy who was  
12 there supervising contractors on a  
13 day-by-day basis.  
14 Q. The actual work that was done?  
15 A. Uh-huh (indicating yes).  
16 Q. Where had Mr. Chisolm been before he  
17 assumed that position? Was he an  
18 employee here too?  
19 A. Yes.  
20 Q. What had he done before he began to do  
21 that work?  
22 A. Let's see. Jim was maintenance  
23 engineer.

1 A. Gosh, I simply can't remember.  
2 Q. Okay. Who did Mr. Watson repo  
3 directly?  
4 A. The plant manager.  
5 Q. And who was the plant manager at ti  
6 time?  
7 A. At that time Dave Denner.  
8 Q. And was the plant manager ultimately  
9 responsible for the operation -- I mean,  
10 for this whole operation, the person who  
11 was held accountable by the folks in St.  
12 Louis?  
13 A. Yes. But his -- you know, his more  
14 major focus was on reorganization of the  
15 ongoing operations. And we were  
16 basically going from what at that time  
17 was Monsanto Agricultural Products  
18 Company to Monsanto Chemical Company.  
19 And the dismantlement was actually done  
20 as part of the agricultural products  
21 funds and that kind of thing.  
22 Q. Well, you say Monsanto Agricultural  
23 Company, is that what is known as MAC in

8/31/2004 9:05 AM

22

8/31/2004 9:05 AM

24

4/21/1998 Brown, Jerry; Mars Hill

4/21/1998 Brown, Jerry; Mars Hill

1 Q. At the plant?  
2 A. Yes.  
3 Q. Had his job been phased out?  
4 A. Well, no. He is still an employee at  
5 the plant today.  
6 Q. He is still working there?  
7 A. Yes.  
8 Q. And what is his position today?  
9 A. He's in the maintenance organization and  
10 supervising any contractors and some  
11 maintenance activities.  
12 Q. What other employees worked with this  
13 particular endeavor?  
14 A. Bruce Voiles is one that I remember.  
15 Q. What was Bruce's position? Is that  
16 V-o-y-l-e-s?  
17 A. V-o-i-l-e-s. He would have been a  
18 foreman type person.  
19 Q. Anybody else you can remember?  
20 A. No. I really can't think of anybody  
21 else.  
22 Q. What contractor or what company did you  
23 get to assist you in doing this work?

1 some of the literature I see and some of  
2 the memos?  
3 A. Right.  
4 Q. And MCC would be Monsanto Chemical  
5 Company?  
6 A. Right.  
7 Q. And that changeover took place sometime  
8 in the '80s?  
9 A. Well, the plant was part of a  
10 transition. The parathion was an  
11 agricultural product. So even though  
12 the other products were not, they were  
13 called guest operations. So MAC was  
14 response or M-AG was responsible for the  
15 operation of the plant. With all the ag  
16 operations going away, the only thing  
17 left was the chemical company, so in May  
18 of '87 we transferred to the chemical  
19 company.  
20 Q. When you say chemical company now, are  
21 you talking about a separate company or  
22 a --  
23 A. A separate operating unit.

8/31/2004 9:05 AM

23

8/31/2004 9:05 AM

25

ADAD21-003615  
HARTOLDMON0033571

1 Q. Okay. And who did the testing for you?

2 A. Most of it was done in our facility.

3 Q. And did you handle that?

4 A. I did not directly, but people

5 responsible to me did. Yes.

6 Q. So you were the man responsible for the

7 testing in the parathion removal

8 process?

9 A. Yes.

10 Q. Did y'all make those available to ADEM?

11 A. Yes, we did.

12 Q. Okay. And when you tested did you make

13 a determination at some point in time

14 that there was no longer any parathion

15 contamination in the soil inside the

16 plant itself?

17 A. Yes, we did.

18 Q. When you earlier spoke about cell 5 did

19 I understand you to say it was a closed

20 RCRA facility, that it had been closed?

21 A. Today it has. But at that time --

22 Q. It was open and active?

23 A. It was open and active and permitted.

1 Q. Did you drum that stuff up, or did you

2 bury it just in its raw form, just take

3 it and drop it in 5-E?

4 A. Well, you don't drum big chunks of

5 concrete. You basically take it in a

6 dump truck and put it in a cell and

7 entomb it in clay.

8 Q. Okay. Was there any kind of cover over

9 that cell 5-E that you --

10 A. Oh, sure.

11 Q. Did y'all break the cover and put the

12 stuff in it, or did you just bury this

13 on top of other stuff that was there?

14 A. Well, when you say cover, now, there is

15 intermediate cover, and then there is

16 final cover. And each time you put a

17 layer in there, you put an intermediate

18 cover on top of it.

19 Q. Was there a liner at the bottom of the

20 pit that you placed this in at any point

21 in time?

22 A. Yes.

23 Q. There is a liner at the bottom of the

8/31/2004 9:05 AM

30

1 Q. How did you remove -- What process did

2 you use to transport these waste

3 materials up to the site itself? How

4 did you get them up there?

5 A. In dump trucks.

6 Q. Was this just --

7 A. And I don't mean -- A big box-type dump

8 truck.

9 Q. What type materials were there that you

10 buried in cell 5-E that had to do with

11 parathion?

12 A. Well, if you can visualize taking up an

13 underground sewer. When you take a big

14 track hoe and go in there and dig up all

15 that, you have a mixture of broken pipe

16 and soils.

17 Q. That was the pipe and soil contaminated

18 with parathion?

19 A. And we took out all the soil, the

20 foundations, the concrete, all that kind

21 of stuff.

22 Q. And buried that?

23 A. In 5-E.

8/31/2004 9:05 AM

31

8/31/2004 9:05 AM

32

1 pit?

2 A. Yes.

3 Q. What kind of material is that made out

4 of, Mr. Brown?

5 A. It was -- It was a layer of -- Let me

6 back up. On the very bottom was

7 compacted clay, sloped to a particular

8 point in the cell, then a layer of

9 sandstone, which basically is a porous

10 layer, then on top of that, compacted

11 clay.

12 Q. That's what was at the bottom of cell

13 5-E?

14 A. Yes. And that was the technology at

15 that point in time.

16 Q. Tell me --

17 A. The purpose of the sandstone was to

18 intercept any liquid that may move down

19 and carry it to a particular spot.

20 Q. Tell me, Mr. Brown, who told you that

21 that was the process that you used at

22 the time?

23 A. Who told me that --

8/31/2004 9:05 AM

33

1 Q. I mean, is that something that you know  
2 of your own knowledge?  
3 A. I saw it.  
4 Q. And your training and experience at  
5 that --  
6 A. That I described to you?  
7 Q. Yes.  
8 A. I watched that under construction.  
9 Q. You just indicated that was the known  
10 technology at that time. You indicated  
11 that perhaps something else has come  
12 along since that time. Who told you  
13 that was the technology that was  
14 available at the time?  
15 A. Oh, gosh, our consultants on issues like  
16 this was a firm called Garritty and  
17 Miller.  
18 Q. They are the ones who told you?  
19 A. Yes.  
20 Q. Who made the determination that that is  
21 the kind of lining that you were going  
22 to put at the bottom of the pit?  
23 A. Well, the group of engineers who

1 you had to do away with that you might  
2 have buried in that --  
3 A. You mean off-spec product?  
4 Q. Yeah.  
5 A. Absolutely not.  
6 Q. Where would you put that?  
7 A. We had a biological waste treatment  
8 plant where any liquids or organic kinds  
9 of waste were biologically degraded.  
10 Q. So that is what you did with the off --  
11 spec, as you call it --  
12 A. Yes.  
13 Q. -- the parathion you might make that  
14 didn't meet specifications?  
15 A. That was a very rare situation. But  
16 when an occurrence did occur, if there  
17 was, let's say, a spill of something  
18 that had to be cleaned up and disposed  
19 of, yes, that is where it went, to the  
20 biological waste treatment.  
21 Q. And you did that in order to detoxify it  
22 or take out the contaminant basically?  
23 A. Well, a biological waste treatment

8/31/2004 9:05 AM

34

4/21/1998 Brown, Jerry; Mars Hill

1 designed the cell and submitted the  
2 design to EPA and to ADEM as part of the  
3 -- for approval as part of the approval  
4 process.  
5 Q. When in relation to when you put the  
6 parathion --  
7 A. That permitting process was done, if I  
8 remember correctly, in the '85, '86 kind  
9 of era.  
10 Q. What else was buried in this cell 5  
11 besides parathion?  
12 A. Nothing.  
13 Q. Was there a residue of parathion waste  
14 that had been part of the manufacturing  
15 process that was also buried there?  
16 A. Well, in that cell, you know, such  
17 things as contaminated gloves, debris,  
18 general waste that you would not put in  
19 a non-regulated kind of cell. It may  
20 have been some -- a piece of spin  
21 equipment, for example.  
22 Q. Is there anything by way of parathion  
23 that might not have met standards that

8/31/2004 9:05 AM

36

4/21/1998 Brown, Jerry; Mars Hill

1 process involves a conversion to carbon  
2 dioxide. I mean, the bugs -- they  
3 basically use it as food, and in doing  
4 so --  
5 Q. Convert it to a safe substance?  
6 A. They totally degrade it, yes.  
7 Q. And why is it you did that, Mr. Brown?  
8 Is that what the company expected you to  
9 do in situations like that?  
10 A. Well, that was our technology that we  
11 developed back almost day one in  
12 parathion for the disposing of that kind  
13 of waste and waste water, liquids.  
14 Q. Tell me, Mr. Brown if someone, a person,  
15 were to come in contact with some fairly  
16 highly concentrated substance like  
17 parathion, a human being, if they were  
18 to come in contact with that, get some  
19 on their skin, on their hands or arms or  
20 something like that, inhale something  
21 from it, what would that cause that  
22 person to do?  
23 A. Well, parathion was a pesticide. And

8/31/2004 9:05 AM

35

8/31/2004 9:05 AM

37

ADAD21-003617  
HARTOLDMON0033573

1 like most pesticides, it has a degree of  
2 toxicity. And parathion for humans has  
3 a very high level of toxicity. So if  
4 you got material on your skin and you  
5 got soap and water and washed it off  
6 within a reasonable amount of time, it  
7 wouldn't do anything to you.

8 Q. What if you didn't?

9 A. If you didn't, it would depress the  
10 cholinesterase level in your blood,  
11 which could lead to very serious health  
12 problems, including death.

13 Q. Tell me if you would if a highly  
14 concentrated level of parathion reached  
15 my skin or your skin, could it cause you  
16 to have difficulty in breathing?

17 A. Well, as it starts affecting -- as you  
18 depress the cholinesterase level in your  
19 blood, you start -- It starts  
20 interfering with the nerve  
21 transmissions. And obviously our  
22 nervous system controls our breathing,  
23 so, yes, that could be one potential

1 the nervous system through the effects  
2 it has on that part of the blood?

3 MR. PECK: Object to the form of  
4 the question, lack of  
5 foundation.

6 Q. You don't know what the product does?  
7 How does it work?

8 A. I don't know how it kills a bug. That  
9 is not my area of expertise.

10 Q. Okay. Tell me if you would -- Well,  
11 I'll get to that in a minute. Let me go  
12 through some other things and come back  
13 to that. While we are there, let me  
14 just ask you about your educational  
15 background, Mr. Brown.

16 A. I have a BS in chemistry from Auburn  
17 University and a masters in science from  
18 Auburn University.

19 Q. When did you gets your BS in chemistry  
20 from Auburn?

21 A. 1965.

22 Q. Then you had a masters in chemistry?

23 A. 1967.

8/31/2004 9:05 AM

38

4/21/1998 Brown, Jerry; Mars Hill

1 effect.

2 Q. So it would shut your breathing down,  
3 might have difficulty doing that, cause  
4 problems with you heart-wise and  
5 otherwise?

6 A. Oh, yes, sir.

7 MR. PECK: Object to the form of  
8 the question, lack of  
9 foundation.

10 Q. So it attacks the central nervous  
11 system? Is that what it does?

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

15 A. I think I described it to you. I said  
16 it depresses the cholinesterase level.

17 Q. Tell me what that is.

18 A. Interferes with the nerve transfer -- It  
19 stops the transmission in the nervous  
20 system. Beyond that, I can't describe  
21 it any further. I don't know.

22 Q. So that's the way bugs and things are  
23 killed with the pesticides, just attacks

8/31/2004 9:05 AM

40

4/21/1998 Brown, Jerry; Mars Hill

1 Q. And what area did you specialized in,  
2 Mr. Brown? I mean, was there any  
3 particular area that you did your  
4 masters work in?

5 A. Well, it would have been considered  
6 physical analytical, I guess, major in  
7 organic and inorganic minor.

8 Q. And did you have any training or  
9 educational professional kind of  
10 training after you left Auburn when you  
11 got your masters in 1967?

12 A. Well, you know, that's really been an  
13 ongoing part of my career with Monsanto.  
14 Yes. I mean, there is always some sort  
15 of courses, professional and short  
16 courses, technical short courses,  
17 company courses. That has always been a  
18 part of --

19 Q. Part of your educational training?

20 A. Yes.

21 Q. Can you give us some idea of the kinds  
22 of things you have studied just in  
23 summary since you have been with them,

8/31/2004 9:05 AM

39

8/31/2004 9:05 AM

41

1 Mr. Brown?

2 A. Well, obviously a lot in the analytical

3 area. Back in the early days in my

4 career as new technology developed, in

5 industrial hygiene aspects and applicate

6 rules and regulations, environmental

7 rules and regulations.

8 Q. Okay. Tell me if you would in the

9 analytical area what specific studies

10 did you do or participate in, seminar

11 type stuff or short courses at colleges

12 and universities?

13 A. Typically you are talking short courses

14 from manufacturers of certain types of

15 equipment.

16 Q. When you say certain types of equipment,

17 you are talking about analytical

18 equipment?

19 A. Yes.

20 Q. Can you tell me specifically some of the

21 courses you attended --

22 A. Well, courses on gas chromatography for

23 example.

1 particular technology?

2 A. I did not personally, no.

3 Q. Did people under you do that with your

4 supervision?

5 A. Yes, at one point in time, yes.

6 Q. When was that?

7 A. '72 time frame.

8 Q. And where did you perform these tests,

9 here at the local plant?

10 A. Yes.

11 Q. And what were you looking for?

12 A. That specific testing was being done on

13 PCBs in water and fish.

14 Q. And where were those tests performed?

15 From what particular sites did you take

16 samples and perform those tests?

17 A. Well, now, I was working strictly in the

18 analytical end at that time. And I have

19 no direct knowledge of exactly the

20 sites, but I do know that discharge

21 water was being monitored.

22 Q. For what?

23 A. For PCBs.

8/31/2004 9:05 AM

42

4/21/1998 Brown, Jerry; Mars Hill

1 Q. When did you take those?

2 A. That would have been back in the '70s,

3 late '60s, '70s.

4 Q. Okay. Did you study that in particular

5 with the kind of chemicals that y'all

6 were producing or had produced here at

7 the plant?

8 A. Well, you know, that was an emerging and

9 developing technology that could be

10 applied to your needs at the plant. So,

11 you know, it was a matter of staying

12 abreast and learning and applying new

13 technologies as new equipment and new

14 technologies came available. So, yes,

15 it was to be --

16 Q. Used by you here?

17 A. Yes, uh-huh.

18 Q. Did you use that at any point in time to

19 analyze either soil samples or water

20 samples, air samples -- maybe that can't

21 be done -- in connection with PCBs? Did

22 you do any testing yourself in

23 connection with those using that

8/31/2004 9:05 AM

43

8/31/2004 9:05 AM

44

4/21/1998 Brown, Jerry; Mars Hill

1 Q. Okay.

2 A. And I do know that certain fish species

3 were being tested and monitored, soil

4 samples.

5 Q. You said soil samples?

6 A. Uh-huh (indicating yes).

7 Q. Tell me where the fish -- From what body

8 of water were the fish taken?

9 A. All I can tell you is downstream bodies,

10 primarily Choccolocco.

11 Q. Choccolocco Creek?

12 A. Uh-huh (indicating yes).

13 Q. Was that below the Anniston sewer plant,

14 sewer facility, where the fish were

15 taken?

16 MR. PECK: Object to the form of

17 the question.

18 A. Here I'm speculating now --

19 MR. PECK: You don't have to

20 speculate.

21 Q. Do you know whether or not it was below

22 that?

23 A. I don't know.

8/31/2004 9:05 AM

45

1 Q. But you know the fish were taken from  
2 Choccolocco Creek and analyzed?  
3 A. Yes.  
4 Q. Were -- Where were the soil samples  
5 taken from?  
6 A. From different streams leaving the  
7 plant.  
8 Q. When you say different streams, are you  
9 talking about the little drainage  
10 ditches leaving the plant?  
11 A. Well, there was specifically discharge  
12 001.  
13 Q. What is discharge 001? Where is it  
14 located?  
15 A. On the east side of the plant.  
16 Q. When you say east side of the plant,  
17 would that be in the Cobb Town and Sweet  
18 Valley area?  
19 A. Well, it left the plant and went through  
20 a portion of that area.  
21 Q. Okay. Did it get near the Bethel Church  
22 or Mars Hill Missionary Baptist Church?  
23 A. It went close to Bethel.

1 Q. With PCBs?  
2 A. Yes.  
3 Q. Now, Mr. Brown, in connection with that  
4 testing who all was involved in that  
5 testing other than you?  
6 A. Well, you know, it is my recollection  
7 that Eugene Wright was probably most  
8 involved at that point in time and Toby  
9 Bell, James T. Bell.  
10 Q. Were those people here?  
11 A. Pardon me?  
12 Q. Were those people here?  
13 A. Yes, they were. The methodology was  
14 developed in St. Louis by, if I remember  
15 correctly, Dr. Tucker.  
16 Q. Scott Tucker?  
17 A. Yes.  
18 Q. Who else other than Mr. Bell and the  
19 other gentleman you mentioned? Who else  
20 was here or involved in it?  
21 A. I guess Mr. Miller was involved to some  
22 degree, Gerald Miller.  
23 Q. Who was Mr. Miller?

8/31/2004 9:05 AM

46

1 Q. So testing was done of the ditch,  
2 drainage ditch, near Bethel Church in  
3 '72?  
4 A. There again I know water that went down  
5 that ditch was tested. I don't know  
6 anything about soil samples and where  
7 they were taken.  
8 Q. Okay. But there was some concern  
9 apparently that Monsanto had at that  
10 point in time about PCBs being present  
11 in the water and in the fish? Is that  
12 correct?  
13 A. Well, if you go back to that era, the  
14 technology I've described to you was  
15 developed in the late '60s. And as this  
16 technology was applied and Monsanto  
17 busted their rear ends with, you know,  
18 extensive resources developing  
19 methodology, we learned more and more.  
20 And that is what we were frantically  
21 trying to do, is learn exactly what was  
22 going on with the advent of the new  
23 technology.

8/31/2004 9:05 AM

48

1 A. Gerald was the plant chief chemist for a  
2 portion of time there, and then Toby  
3 Bell assumed that function.  
4 Q. Okay.  
5 A. And they were part of a technical  
6 service organization that was headed up  
7 by Joe Landwehr.  
8 Q. PCBs were found to be present in the  
9 ditch, were they not, off the plant site  
10 east of Monsanto?  
11 A. I don't know. I'm assuming so.  
12 Q. Well, what do you base that assumption  
13 on, Mr. Brown?  
14 A. Basically what I've heard. I'm not --  
15 As I say, I didn't get involved in any  
16 of the direct sediment sampling during  
17 that era.  
18 Q. Tell me what you heard at that time.  
19 A. I've told you I heard there was presence  
20 in sediments.  
21 Q. And then there was PCBs in the water?  
22 A. Well, we were monitoring discharge 001  
23 to monitor exactly what was leaving the

8/31/2004 9:05 AM

47

8/31/2004 9:05 AM

49

1 facility.  
 2 Q. And y'all found it in the water?  
 3 A. Yes.  
 4 Q. And it had been found in the fish; is  
 5 that correct?  
 6 A. Yes.  
 7 Q. Now, who were y'all reporting to at that  
 8 time, Mr. Brown?  
 9 A. From what standpoint?  
 10 Q. Regulatory agencies.  
 11 A. My recollection on that is the head of  
 12 the state water group at the time, and  
 13 two names that come to my mind were Joe  
 14 Crockett and John Williford.  
 15 Q. So Mr. Williford and Mr. Crockett, were  
 16 they in positions of leadership with the  
 17 Alabama Water Improvement Commission?  
 18 A. It was -- I guess that's the name of the  
 19 agency that was in place at that time.  
 20 Q. And that is who y'all reported to about  
 21 any kind of contamination?  
 22 A. Right.  
 23 Q. Now, what is it, Mr. Brown, that you

1 Q. And what was your title when you first  
 2 started?  
 3 A. For the first few months, analytical  
 4 chemist. Then it changed to PR and D  
 5 chemist.  
 6 Q. What is PR and D?  
 7 A. Process research and development.  
 8 Q. Okay. And how long did you serve in  
 9 that capacity?  
 10 A. Well, I moved from that to the PR and D  
 11 supervisor job in -- I don't know --  
 12 '71, I believe.  
 13 Q. Okay. And --  
 14 A. And that was kind of a working  
 15 supervisor type role.  
 16 Q. What kind of responsibility did you have  
 17 in that particular role, Mr. Brown?  
 18 A. Well, I was actually doing work -- I was  
 19 running a pilot unit on the polyphenyl  
 20 operation from my personal stuff and was  
 21 supervising the activities of a couple  
 22 or three others who were in the group at  
 23 the time.

8/31/2004 9:05 AM

50

1 knew in your position as an analytical  
 2 chemist -- And I assume you went to work  
 3 straight out of Auburn for Monsanto. Is  
 4 that correct?  
 5 A. Yes.  
 6 Q. Where did you go to work?  
 7 A. Here.  
 8 Q. Here in Anniston?  
 9 A. Yes.  
 10 Q. What kind of position did you assume  
 11 here?  
 12 A. I was working in a plant process  
 13 research and development group.  
 14 Q. Were you doing any analysis of testing  
 15 from time to time of the product itself?  
 16 Is that what you did?  
 17 A. No. There were technicians and analysts  
 18 who did that kind of work. I was  
 19 working on new technology for  
 20 improvements in processes.  
 21 Q. Of the manufacturing process is what you  
 22 are talking about?  
 23 A. Yes.

8/31/2004 9:05 AM

52

1 Q. When you say you were running a pilot,  
 2 some kind of process that would improve  
 3 the manufacturing process that you were  
 4 testing? Is that what you were doing?  
 5 A. Yes.  
 6 Q. In the manufacturing of what product?  
 7 A. Polyphenyls.  
 8 Q. PCBs?  
 9 A. No, no, no, polyphenyls.  
 10 Q. So you weren't involved in PCB  
 11 manufacturing?  
 12 A. Not in the manufacture. I did some work  
 13 one time on refining the electrical  
 14 properties of Aroclors.  
 15 Q. And when was that?  
 16 A. Probably in '70, thereabout.  
 17 Q. Who did you do that for? Who did you  
 18 report to? Did somebody give you that  
 19 responsibility?  
 20 A. Yeah. I was reporting to Toby Bell at  
 21 that time.  
 22 Q. And he was --  
 23 A. He was PR and D supervisor.

8/31/2004 9:05 AM

51

8/31/2004 9:05 AM

53

1 Q. And you took his place?

2 A. Yes.

3 Q. Where did you move after that,  
Mr. Brown? Did you stay there?

5 A. After the PR and D supervisor job I  
6 moved to chief chemist.

7 Q. When did that happen?

8 A. Well, let's see. I went first to what  
9 is called laboratory supervisor. That  
10 was in '73, and then chief chemist in  
11 '74.

12 Q. And as chief chemist or lab supervisor  
13 first and then chief chemist, what were  
14 your responsibilities?

15 A. As lab supervisor it was simply  
16 supervising the analyst and technician  
17 who monitored product quality.

18 Q. Did you have anything to do with  
19 environmental such as the effluent or  
20 waste water?

21 A. Not as part of that job.

22 Q. When did that start with you?

23 A. '74.

8/31/2004 9:05 AM

54

1 Q. And what position did you assume then?

2 A. Chief chemist.

3 Q. So when you assumed the chief chemist  
4 job, in addition to looking at product  
5 quality, you also were concerned with  
6 emissions from the plant, whether it be  
7 in water, air or --

8 A. That's correct.

9 Q. Now, was that related at any point in  
10 time to PCBs?

11 A. In '74, no. The plant had been long  
12 torn down and was history at that point  
13 in time.

14 Q. Was history?

15 A. From an operational standpoint, yes.

16 Q. But what about from the standpoint of  
17 the emission in the environment of PCB  
18 contamination?

19 A. Well, there was none in '74.

20 Q. Am I to understand your testimony here  
21 today that there was none in '74, no PCB  
22 contamination coming out of any part of  
23 the facility in 1974?

8/31/2004 9:05 AM

55

1 A. What I'm saying is there was no  
2 manufacturing operation producing any  
3 PCB waste in 1974.

4 Q. Well, there was waste buried on  
5 property, was there not, Mr. Brown, that  
6 was owned by Monsanto at that time?

7 A. Yes.

8 Q. Where was that buried?

9 A. South of 202.

10 Q. Anyplace else?

11 A. No. West of the plant there was another  
12 area.

13 Q. Okay.

14 A. That was an older area.

15 Q. The western landfill, as we know it  
16 today?

17 A. Yes.

18 Q. And where in particular were the PCBs  
19 buried south of 202?

20 A. In what was called cells 2-E and 3-E.

21 Q. 2-E and 3-E?

22 A. Yes.

23 Q. And in what form was that buried?

8/31/2004 9:05 AM

56

1 A. It was primarily solid steel residue  
2 that was drummed.

3 Q. And buried?

4 A. Yes.

5 Q. And were they solid waste management  
6 units, actual cells similar to what you  
7 previously described where the parathion  
8 was buried?

9 A. Well, it obviously didn't have the same  
10 technology applied in the earlier years  
11 because that was not known.

12 Q. Tell me what you mean by that,  
13 Mr. Brown.

14 A. Well --

15 Q. First let me go back and withdraw that  
16 question and ask you -- When was this  
17 buried in these particular areas?

18 A. Well, to the best of my knowledge -- and  
19 this is not firsthand knowledge because  
20 I wasn't involved -- but from perhaps  
21 early '60s, late '50s until the plant  
22 was torn out in '71, '2.

23 Q. So in '71 or '2 you stopped

8/31/2004 9:05 AM

57

1 manufacturing PCBs here at this plant?  
 2 A. Yes.  
 3 Q. And tore out the facilities?  
 4 A. Yes.  
 5 Q. And what happened to those -- that plant  
 6 production type facility? Was that  
 7 buried up there too?  
 8 A. I think part of it was and -- I really  
 9 don't know. I wasn't involved, and I  
 10 simply don't know.  
 11 Q. Well, let's get back to this question,  
 12 then. You are saying that everything  
 13 was basically buried in 19 -- Well,  
 14 discontinued in '71 and '72; is that  
 15 right?  
 16 A. That's correct.  
 17 Q. And as early as 1974, then, y'all didn't  
 18 have a problem with PCB leaving the  
 19 plant site or leaving a landfill site?  
 20 Is that your testimony?  
 21 A. I knew nothing about any PCBs leaving  
 22 the site in 1974.  
 23 Q. Maybe I misunderstood, Mr. Brown. If I

1 the question.  
 2 MR. STEWART: I thought he had.  
 3 MR. PECK: He was still talking.  
 4 Are you going to let him  
 5 answer the question?  
 6 MR. STEWART: I thought he had.  
 7 A. No. You stopped me.  
 8 Q. Okay. Go ahead.  
 9 A. Based on -- Again, I wasn't involved  
 10 personally, but based on my  
 11 understanding at some point in time the  
 12 levels had diminished to low levels.  
 13 And the agreement was reached with  
 14 Alabama Water Improvement Commission to  
 15 phase that laboratory out because the  
 16 plant had been torn down and dismantled.  
 17 Q. Phase what laboratory out?  
 18 A. The PCB laboratory.  
 19 Q. Are you talking about the manufacturing  
 20 process or the lab that was doing the  
 21 analyses and tests?  
 22 A. The laboratory where PCB monitoring was  
 23 done. It was a special laboratory that

8/31/2004 9:05 AM

58

1 did, I certainly apologize. You  
 2 indicated to me y'all had been doing  
 3 some testing where y'all had found PCBs  
 4 in Choccolocco Creek. Was it in pretty  
 5 high levels?  
 6 MR. PECK: Object to the form of  
 7 the question.  
 8 A. I don't know.  
 9 Q. Do you have any idea, Mr. Brown, sitting  
 10 here today, what those levels were?  
 11 A. No, I don't.  
 12 Q. And do you know what the levels were in  
 13 the water or in the ditches east of the  
 14 plant?  
 15 A. No.  
 16 Q. Was there not some testing done in Snow  
 17 Creek at that time?  
 18 A. The testing program was done, based on  
 19 my recollection, through some period  
 20 after the plant was shut down.  
 21 Q. As chief chemist, were the results  
 22 not --  
 23 MR. PECK: Can you let him answer

8/31/2004 9:05 AM

59

1 was set up in a mobile building with  
 2 special equipment. And that equipment  
 3 was moved to St. Louis, and the building  
 4 was moved away.  
 5 Q. Okay. And that arrangement was made  
 6 with Mr. Crockett and others after you  
 7 did the initial testing?  
 8 A. It is my recollection that was done at  
 9 some time after the dismantlement was  
 10 complete.  
 11 Q. You were involved as head of the lab  
 12 generally or the plant supervisor of the  
 13 lab as superintendent in what year?  
 14 A. '72, '73.  
 15 Q. And is it your statement here today --  
 16 and I want to make sure I understand  
 17 what you are telling me -- that no one  
 18 told you what the results were of these  
 19 PCB tests that were done at this special  
 20 lab in that position?  
 21 A. Let me clarify what I was head of at  
 22 that point in time.  
 23 Q. Okay.

8/31/2004 9:05 AM

60

1 A. I was head of the plant laboratory that  
2 was responsible for monitoring raw  
3 materials and product quality for the  
4 ongoing operations.  
5 Q. Okay.  
6 A. I was not -- The PCB laboratory was not  
7 a part of that laboratory. It was a  
8 separate entity.  
9 Q. Testing for contamination off-site; is  
10 that right?  
11 A. It was a special PCB laboratory.  
12 Q. Testing for PCB contamination?  
13 A. Yes.  
14 Q. Off-site?  
15 A. Testing for PCB whether it was on-site  
16 or off-site, not --  
17 Q. When you took the position as chief  
18 chemist in 1974, that became a part of  
19 your responsibility, didn't it?  
20 A. That had already been phased out at that  
21 time.  
22 Q. But if there was any testing that was  
23 done for contamination off-site, that

1 Q. Would you not think it would be  
2 important for you to know that as a  
3 person who was responsible not only for  
4 the quality of the product but also for  
5 what contaminants might be leaving the  
6 plant site in '74?  
7 A. In 1974, in the previous five years we  
8 -- Monsanto had gone from a position of  
9 knowing nothing about PCBs in the  
10 environment to learning that there were  
11 emissions and shutting the plant down  
12 and stopping it. And that was perceived  
13 by all parties involved to be the most  
14 responsible action that could possibly  
15 be taken. And based on all knowledge at  
16 that point in time there was no  
17 identified need in any human brain to  
18 continue to do anything.  
19 Q. And who is it that made that particular  
20 determination, Mr. Brown?  
21 A. Well, it would have been a corporate  
22 kind of -- along with regulatory.  
23 Q. And who at the corporate level made that

8/31/2004 9:05 AM

62

1 would have been your responsibility,  
2 wouldn't it?  
3 A. Yes.  
4 Q. Are you telling me the people who did  
5 that PCB work did not share with you  
6 what their findings were when you became  
7 plant chemist in 1974?  
8 A. It had been stopped at that point in  
9 time.  
10 Q. Well, there was some data that had been  
11 accumulated, was there not, Mr. Brown?  
12 A. I'm assuming so.  
13 Q. And was that not shared with you?  
14 A. It was not an ongoing activity that I  
15 had any need to address at that point in  
16 time.  
17 Q. Let me ask you, Mr. Brown. Did anybody  
18 say here, as the chemist for this plant,  
19 knowing there were PCBs buried in the  
20 landfill, you might want to know what we  
21 found in -- Did anybody say anything  
22 like that to you?  
23 A. No.

8/31/2004 9:05 AM

63

8/31/2004 9:05 AM

64

1 decision?  
2 A. I'm assuming that Mr. Papageorge was a  
3 part of it.  
4 Q. All right.  
5 A. And others were part of it. But it was  
6 not made by any one particular person  
7 that I could give you the name of.  
8 Q. But it was a corporate decision to sort  
9 of shut down the lab and to work with  
10 regulators to shut down any further  
11 testing for PCBs?  
12 A. Well, shutting down the lab was a part  
13 of the phase-down or the shutdown of the  
14 plant that was agreed to by the  
15 regulators. I mean, the most  
16 responsible thing, shutting a plant  
17 down, had been done and completed.  
18 Q. All right. Other than Mr. Papageorge,  
19 who was the plant manager at that time?  
20 A. At what, '75, '74? I guess Gene Jessee  
21 was.  
22 Q. Mr. Gene Jessee?  
23 A. Yes.

8/31/2004 9:05 AM

65

1 Q. Who else at the national level would  
2 have been involved in this decision in  
3 addition to Mr. Papageorge?  
4 A. I do not know.  
5 Q. Did Mr. Hosmer come along at some point  
6 in time in that, Mr. Brown?  
7 A. Yes. Dez had different roles. He was a  
8 former plant manager, and then he had  
9 some corporate responsibility that  
10 involved the plant. You know, I don't  
11 remember specifically what those were,  
12 but, yes, he was involved.  
13 Q. And what about Mr. Landwehr,  
14 L-a-n-d-w-e-h-r?  
15 A. Joe was the USD superintendent. And the  
16 group of people I talked about before  
17 reported to Joe until that job was --  
18 With the shut down facility, that job  
19 was eliminated.  
20 Q. Okay. Now, was there anybody from the  
21 national level involved in some of these  
22 things in the medical department? Do  
23 you remember the medical department

1 one point in time.  
2 Q. One pound?  
3 A. Yes.  
4 Q. Of what?  
5 A. Per day.  
6 Q. One pound of PCBs leaving the plant per  
7 day?  
8 A. Right.  
9 Q. Was that in water?  
10 A. Yes.  
11 Q. And do you know whether or not that was  
12 achieved?  
13 A. You know, reductions were achieved, but  
14 the decision to close the plant was made  
15 before the final technology to do that  
16 was ever put in place or finished.  
17 Q. Am I to understand that it was not done,  
18 that the goal that you set was not  
19 achieved?  
20 A. In what I'm remembering in '70 was a  
21 program to develop technology for  
22 removal of PCBs from water. A lot of  
23 things were being done. But by '71 a

8/31/2004 9:05 AM

66

4/21/1998 Brown, Jerry; Mars Hill

1 being involved?  
2 A. Well, you know, I remember Dr. Kelly  
3 being very much involved.  
4 Q. What about Jack Garrett?  
5 A. Yeah. Jack was involved too.  
6 Q. What was Mr. Garrett's position?  
7 A. Jack was in our corporate safety  
8 department and the developer of the  
9 original industrial hygiene program  
10 within Monsanto.  
11 Q. Were you aware, Mr. Brown, at this time  
12 of what contaminant levels y'all were  
13 seeking in the effluent that left the  
14 plant, the discharge that left the  
15 plant?  
16 MR. PECK: What time? Are you  
17 talking about '74?  
18 Q. In the '70 to '74 period were you ever  
19 aware of that?  
20 A. Well, I remember back in -- And I'll  
21 refer to the '70 era, you know,  
22 somewhere along in there, the goal of  
23 reducing to one pound was established at

8/31/2004 9:05 AM

67

4/21/1998 Brown, Jerry; Mars Hill

1 decision was made to shut the plant.  
2 All those ongoing programs became a moot  
3 point at that point.  
4 Q. Okay.  
5 MR. PECK: Can we take a quick  
6 break?  
7 (A break was taken.)  
8 Q. We were talking about what was shared  
9 with you by the parties who conducted  
10 this study. You have indicated to us  
11 that, Mr. Brown, there were no  
12 contaminants that were leaving the  
13 plant, PCBs that were leaving the plant,  
14 to your knowledge after you became the  
15 head chemist at the plant in 1974.  
16 A. Yes. You know, that monitoring had  
17 continued to the point where the levels  
18 were demonstrated to be extremely low,  
19 non-detects to very, very low levels.  
20 The plant was gone.  
21 Q. What were those levels, Mr. Brown, if  
22 you don't mind telling me, that were --  
23 A. Well, you know, I've really, not seen

8/31/2004 9:05 AM

68

1 nor heard of that since 1972 or '3.  
 2 Q. In connection with your deposition  
 3 today, what documents did you review?  
 4 A. Oh, in connection -- I have not reviewed  
 5 any of that kind of documentation.  
 6 Q. What documents did you review?  
 7 A. Really very few.  
 8 Q. Well, tell me what they were.  
 9 A. I'm trying to think specifically. One  
 10 of them was a priority pollutant scan  
 11 that we did in '81.  
 12 Q. A what, now?  
 13 A. Priority pollutant scan.  
 14 Q. That you did in 1981?  
 15 A. Yes.  
 16 Q. Okay. What else?  
 17 A. I can't specifically name another  
 18 document, you know, that I remember the  
 19 name of.  
 20 Q. You don't remember any other document  
 21 you looked at?  
 22 A. No.  
 23 Q. Did you look at any depositions?

8/31/2004 9:05 AM

70

1 A. No.  
 2 Q. Didn't read any depositions?  
 3 A. No.  
 4 Q. Did you look at any test data that was  
 5 done either in the '70s or '80s?  
 6 A. No, not other than the document that I  
 7 mentioned to you.  
 8 Q. Tell me who did that priority pollutant  
 9 scan in 1981.  
 10 A. Well, that was done at our -- what we  
 11 called our MRC group in Dayton, Ohio,  
 12 who had a great deal of special analysis  
 13 technology in place. Monsanto Research  
 14 Corporation is what it was called. It  
 15 was a laboratory for special testing in  
 16 Dayton, Ohio.  
 17 Q. What kind of testing did they do at that  
 18 time?  
 19 A. Well, the priority pollutant scan  
 20 testing and PCB testing was, you know --  
 21 Do you know what I mean when I say  
 22 priority pollutant scan?  
 23 Q. No. Tell me what it is.

8/31/2004 9:05 AM

71

1 A. As water regulations were developed,  
 2 there were a number of things listed  
 3 that were called priority pollutants.  
 4 Q. Were PCBs one of them?  
 5 A. I don't remember PCB being included from  
 6 a regulatory standpoint as part of the  
 7 priority pollutants. It may have been.  
 8 My memory is unclear on that. But  
 9 typically you could do a priority  
 10 pollutant scan plus PCB scan as part of  
 11 the same package of work.  
 12 Q. Was it done in '81?  
 13 A. Yes.  
 14 Q. And what were the results of the testing  
 15 that was done in '81?  
 16 A. None detected.  
 17 Q. None detected?  
 18 A. Yes.  
 19 Q. Where was the testing done?  
 20 A. You mean what stream?  
 21 Q. Yes. I mean where. Was it stream  
 22 sediment?  
 23 A. The testing was done in Dayton, Ohio,

8/31/2004 9:05 AM

72

1 but if you want to know what species of  
 2 testing, it was water discharge.  
 3 Q. Water discharge from the plant?  
 4 A. Yes.  
 5 Q. But if y'all weren't manufacturing PCBs  
 6 -- Maybe it is a stupid question. It  
 7 won't be the first one I have asked  
 8 probably. What were you testing water  
 9 discharge for PCBs for?  
 10 A. As I mentioned, it was a very common  
 11 thing when you do priority pollutant  
 12 testing. We weren't manufacturing  
 13 priority pollutants either. But it was  
 14 part of environmental testing protocol  
 15 that we and everybody else did at that  
 16 point in time.  
 17 Q. So the water that you tested was water  
 18 that was discharged from the plant?  
 19 A. Yes.  
 20 Q. And would it be highly unlikely that you  
 21 would find PCB contamination in that  
 22 water if y'all weren't manufacturing  
 23 PCBs at that time and dismantled the

8/31/2004 9:05 AM

73

1 facilities?  
 2 A. Yes.  
 3 Q. Did you check the water in Snow Creek?  
 4 A. No. At that point in time, no, because  
 5 we were testing discharges from the  
 6 plant, because the permitting processes  
 7 was for water discharges.  
 8 Q. Getting back to the '70s, do you recall  
 9 having any kind of conversations with  
 10 anybody about an EPA inquiry that was  
 11 given to y'all in '75?  
 12 A. No.  
 13 Q. You weren't made aware of it as a  
 14 chemist who was responsible for  
 15 analyzing chemicals that may --  
 16 A. No.  
 17 Q. No one told you about that?  
 18 A. No.  
 19 Q. Were you aware of any reply that y'all  
 20 might have made to the Environmental  
 21 Protection Agency out of Washington in  
 22 connection with the PCBs that were  
 23 manufactured or waste product stored on

1 Q. Where would one get a figure of ten  
 2 million pounds?  
 3 A. I would expect from calculations of the  
 4 amount generated from residues, I mean,  
 5 if that is a figure that has been  
 6 generated. Now, I don't know that  
 7 number. I'm answering you based on how  
 8 I would expect that kind of number to be  
 9 generated.  
 10 Q. And tell me again how that would be.  
 11 A. Well, you know, records on production  
 12 were very well documented. And it was  
 13 known then for each pound of production  
 14 how much -- how many pounds of residue  
 15 may have remained behind.  
 16 Q. Are those figures available now,  
 17 production figures?  
 18 A. I don't know. All of that has been in  
 19 archives for many, many years. I have  
 20 not seen any of that kind of data since  
 21 it was archived.  
 22 Q. Where is it archived?  
 23 A. In St. Louis.

8/31/2004 9:05 AM

74

4/21/1998 Brown, Jerry; Mars Hill

1 this plant site in 1975?  
 2 A. No.  
 3 Q. Nobody asked you to get involved in  
 4 that?  
 5 A. No.  
 6 Q. And do you remember any kind of  
 7 statement being made as to the waste  
 8 materials that were buried in the  
 9 landfill, PCB waste materials, you being  
 10 asked or talked to about any kind of  
 11 report that might have been made to them  
 12 about the waste materials, EPA, in '75?  
 13 A. You know, it is very possible that I  
 14 could have been asked what I knew, but I  
 15 simply don't remember being asked.  
 16 Q. Well, tell me if you would, what did you  
 17 know about the amount of PCBs that were  
 18 buried in the landfill south of 202 at  
 19 that time?  
 20 A. I knew that the drums of residual  
 21 material had been buried from the  
 22 production for several years. As far as  
 23 a specific quantity, I did not know.

8/31/2004 9:05 AM

76

4/21/1998 Brown, Jerry; Mars Hill

1 Q. But there are production figures for PCB  
 2 archived in St. Louis?  
 3 MR. PECK: Object to the form of  
 4 the question, lack of  
 5 foundation.  
 6 A. I'm assuming so. I don't know.  
 7 Q. And you say it would be easy to  
 8 calculate from production what waste  
 9 materials were buried in the landfill.  
 10 Were the waste materials from PCB  
 11 production in Anniston ever buried  
 12 anywhere else --  
 13 A. No.  
 14 Q. -- other than those cells?  
 15 A. No, not to my knowledge. You know, what  
 16 happened in the '30s, I would not expect  
 17 it because the practice was on-site.  
 18 Q. Okay. And has any of that -- Other than  
 19 what Mr. Mayausky told us about the four  
 20 hundred thousand pounds that was removed  
 21 from the western landfill, has any of  
 22 that been removed from either the south  
 23 or west landfill to your knowledge?

8/31/2004 9:05 AM

75

8/31/2004 9:05 AM

77

1 A. No.

2 Q. Do you know of your own personal

3 knowledge how the arrangements were made

4 to close down the inquiry that

5 apparently the Alabama Water Improvement

6 Commission was making about PCBs in 1971

7 and '72 when this lab testing was going

8 on?

9 A. How to close down the inquiry?

10 Q. You indicated earlier -- And maybe I

11 misunderstood you, Mr. Brown. I

12 certainly don't want to put words in

13 your mouth. You indicated y'all closed

14 production, closed this lab down, and

15 apparently y'all had worked something

16 out with the Alabama Water Improvement

17 Commission at that point. Am I correct

18 or incorrect?

19 A. Well, it is my, you know, recollection

20 that monitoring continued for some

21 period of time. Levels were extremely

22 low, indicating no, you know, ongoing

23 release from the manufacturing site.

8/31/2004 9:05 AM

78

1 Q. What about waste site?

2 MR. PECK: What did you say?

3 MR. STEWART: Waste site, the

4 landfills.

5 A. The waste site was covered over.

6 Q. Were you monitoring at all for PCB

7 releases from the waste site in any

8 fashion?

9 A. I do not know.

10 Q. Well, I'm asking if you were as the

11 chemist. Was anybody working under you

12 there at the plant doing that from 1975

13 on?

14 A. No.

15 Q. Now, you've mentioned Choccolocco Creek

16 earlier. Was there any work done to

17 your knowledge by these people who were

18 doing the testing in the early '70s in

19 Snow Creek?

20 A. From --

21 Q. For PCBs in sediment or in water?

22 A. I would assume so.

23 Q. Was there any found there that caused

8/31/2004 9:05 AM

79

1 some concern?

2 MR. PECK: Object to the form of

3 the question, lack of

4 foundation.

5 A. I really don't know what was found there

6 in '71, '2, '3.

7 Q. Was any sediment removed or work done

8 around Snow Creek to change either the

9 direction of the creek or take any

10 sediment out and remove it?

11 A. During that period of time?

12 Q. Yes.

13 A. No.

14 Q. At that particular period of time do you

15 recall a suit being filed by any

16 regulatory agency against Monsanto, in

17 the '70s, about PCB contamination?

18 A. No.

19 Q. Any other organization bring any action

20 against Monsanto here in Anniston?

21 A. No.

22 Q. Do you remember -- Do you know the

23 organization VASK?

8/31/2004 9:05 AM

80

1 A. I've heard of it.

2 Q. Was there any effort made by them in the

3 '70s about contamination of Logan Martin

4 Lake?

5 A. If there was, I do know.

6 Q. Do you remember any concern being

7 expressed by your colleagues at Monsanto

8 either here or from St. Louis about some

9 problem about Logan Martin Lake and

10 perhaps closing it for fishing purposes

11 in the '70s because of PCB

12 contamination?

13 A. Well, I remember some of the fish

14 species were sampled all the way down to

15 the mouth of Choccolocco at Logan

16 Martin. But so far as any further

17 discussions of what that meant, I was

18 not involved with it, and I do not know.

19 Q. Okay. So it is your understanding that

20 the plant's production facilities were

21 phased out, the testing was phased out,

22 and the levels were so low that

23 everything was worked out at that point

8/31/2004 9:05 AM

81

1 in time with the regulatory agencies and  
 2 y'all did no more testing after that  
 3 point in time for PCB contamination in  
 4 the '70s?  
 5 A. That's correct.  
 6 Q. Now, tell me if you would what city,  
 7 county, or state officials locally here  
 8 were talked to by Monsanto Chemical  
 9 Company here in Anniston, the Anniston  
 10 plant, in the '70s about PCB  
 11 contamination?  
 12 A. That's a question for somebody like  
 13 Mr. Papageorge or the plant manager  
 14 whose job interfaced with the community  
 15 and elected officials more than me. I  
 16 do not know.  
 17 Q. Do you know of any official meeting that  
 18 Monsanto had with local city or county  
 19 officials or state officials such as the  
 20 state health department, the local  
 21 outfit here in the '70s?  
 22 A. Not that I know of, no.  
 23 Q. Do you know of any meeting that was had

1 Q. The '70s.  
 2 A. No.  
 3 Q. Now, Mr. Brown, what is it that you knew  
 4 at that particular point in time about  
 5 the dangers of PCBs as it relates to  
 6 possible contamination of the  
 7 environment? What did you understand at  
 8 that particular point in time as a  
 9 chemist here at the local plant and as  
 10 being responsible for monitoring  
 11 potential contamination by that property  
 12 or any property?  
 13 MR. PECK: Are you now in '75 or  
 14 what time frame?  
 15 Q. Well, from the time you became head  
 16 chemist here at the Anniston plant.  
 17 A. The only thing that had been identified  
 18 that led to the closure of the plant was  
 19 the stability of the material in the  
 20 environment.  
 21 Q. And who is it that told you that?  
 22 A. The testing that was developed and then  
 23 the data generated from the testing.

8/31/2004 9:05 AM

82

8/31/2004 9:05 AM

84

4/21/1998 Brown, Jerry; Mars Hill

4/21/1998 Brown, Jerry; Mars Hill

1 with anybody at, say, this Bethel  
 2 Baptist Church or any of the neighbors  
 3 who lived around that ditch where you  
 4 have indicated that PCBs were found east  
 5 of the plant? Were there any meetings  
 6 that you all held with members of the  
 7 community at that particular time?  
 8 A. Well, there again, I don't know.  
 9 Q. To your knowledge were any meetings held  
 10 with any of the residents?  
 11 A. To my knowledge?  
 12 Q. Yes.  
 13 A. I wasn't involved, so I don't know.  
 14 Q. Are you saying there could have been but  
 15 you just don't know about any?  
 16 A. Sure, yes.  
 17 Q. Did you participate in any meetings,  
 18 community-wide meetings, where the  
 19 problem was discussed, not only with  
 20 residents that lived around the plant  
 21 but people in general here in the  
 22 Anniston area, about PCBs, Mr. Brown?  
 23 A. In what era?

1 Q. Well, did you know at that time or were  
 2 you made aware at that time of any  
 3 health risks that the PCB contamination  
 4 might pose to human beings?  
 5 A. I've never seen -- I've never seen or  
 6 heard of any known health risks from  
 7 PCBs.  
 8 Q. Did you ever have an opportunity to talk  
 9 to Mr. Papageorge about it?  
 10 A. Specifically talking about -- Yeah, back  
 11 as data was emerging, uh-huh. You know,  
 12 there were different things that were  
 13 being alleged and --  
 14 Q. What were they, Mr. Brown?  
 15 A. Well, one incident was the Japanese  
 16 situation where I believe it was rice  
 17 oil that was contaminated.  
 18 Q. And when did you learn about that? Was  
 19 that in '75?  
 20 A. That would perhaps have been earlier  
 21 than '75. I don't remember. But  
 22 somewhere in that era.  
 23 Q. And what happened there? Do you know?

8/31/2004 9:05 AM

83

8/31/2004 9:05 AM

85

1 A. I don't remember the details.  
 2 Q. Was there some harm that came to humans  
 3 at that time?  
 4 A. There was some harm that was thought to  
 5 come from PCBs but then later proven to  
 6 be from other impurities that were in  
 7 that particular system.  
 8 Q. Is that what you understood?  
 9 A. Yes.  
 10 Q. And who did you understand that from?  
 11 A. Different publications that I've read  
 12 over the years.  
 13 Q. Did anybody in particular at the company  
 14 tell you those things?  
 15 A. Not that I can specifically remember.  
 16 Q. Did you know of any other problems that  
 17 were associated with human exposure to  
 18 PCBs either on a chronic or acute basis?  
 19 A. No.  
 20 Q. And that was your understanding of the  
 21 only study that had been done by anybody  
 22 that indicated there might be some harm  
 23 that was caused by PCBs to people?

1 Q. Chloracne might be a problem?  
 2 A. I've heard that chloracne is a problem  
 3 that has happened with people with PCB  
 4 exposure. It usually clears up.  
 5 Q. Was Mr. Elmer Wheeler working with the  
 6 company when you first went there?  
 7 A. I know the name, and that's the extent  
 8 of it.  
 9 Q. Wasn't he in the medical department?  
 10 A. I think so, but you know --  
 11 Q. Did you ever communicate with him about  
 12 the potential harm or did he ever  
 13 communicate with you as a chemist here  
 14 at the plant about the potential harm  
 15 PCBs might cause human beings?  
 16 A. I've never talked to Mr. Wheeler.  
 17 Q. Do you know whether the regulatory  
 18 agency, EPA, or the U.S. Government ever  
 19 outlawed or made this a regulated toxic  
 20 chemical compound?  
 21 A. It was regulated as part of the TOSCA  
 22 regulations in '77, as I remember.  
 23 Q. '77?

8/31/2004 9:05 AM

86

1 A. Well, you know, I did a lot of my own,  
 2 observations with people who worked in  
 3 it for fifty years. And without any  
 4 ever obvious or known health problem  
 5 whatsoever, I've worked in it myself. I  
 6 have had it all over my hands day after  
 7 day for many days, never had any health  
 8 problem whatsoever then or now.  
 9 Q. Did you know of any other studies that  
 10 might have been done? Did anybody ever  
 11 tell you about any studies that Monsanto  
 12 had done that indicated it might cause  
 13 some harm to humans, that Monsanto had  
 14 actually paid for?  
 15 A. No.  
 16 Q. Did Mr. Papageorge ever tell you,  
 17 Mr. Brown, we have done a study and it  
 18 indicates there is a potential harmful  
 19 effect to humans, liver disorders,  
 20 intellectual impairment, impairing the  
 21 immune system? Did they ever indicate  
 22 anything like that to you?  
 23 A. No.

8/31/2004 9:05 AM

87

8/31/2004 9:05 AM

88

1 A. Uh-huh (indicating yes).  
 2 Q. Did that have anything to do with --  
 3 A. '77, '78, in that era.  
 4 Q. Do you know whether that had anything to  
 5 do with the closing of the production  
 6 facilities here?  
 7 A. The facilities were closed here because  
 8 we learned it was stable in the  
 9 environment.  
 10 Q. And potentially contaminating the  
 11 environment?  
 12 A. Well, if it is stable in the  
 13 environment, that means it is not being  
 14 degraded in the environment and can stay  
 15 around for long periods of time.  
 16 Q. And might have a harmful effect on  
 17 people?  
 18 A. I've never known of any harmful effects  
 19 documented.  
 20 Q. And that is your position?  
 21 A. Yes, it is.  
 22 Q. Okay.  
 23 A. I know personally somebody that started

8/31/2004 9:05 AM

89

1 off working in 1929 and worked in the  
 2 operation fifty years or forty-five to  
 3 fifty years.  
 4 Q. One man?  
 5 A. He is ninety-six or seven now.  
 6 Q. As a scientist, as a chemist --  
 7 A. But there are a lot --  
 8 Q. -- you don't understand that to be a  
 9 basis for making a statement that it is  
 10 not harmful, is it?  
 11 A. But there are many others also.  
 12 Q. You haven't done any scientific testing  
 13 of that --  
 14 A. Me personally, no.  
 15 Q. Okay. Tell me if you know of any  
 16 products that were removed from the  
 17 market and y'all stopped production of  
 18 here in Anniston because of a problem  
 19 not only with PCBs but with other kinds  
 20 of byproducts in the '70s that y'all  
 21 stopped producing.  
 22 MR. PECK: Monsanto's Anniston  
 23 plant?

1 Q. Okay. Do you know of any studies or  
 2 tests -- Did anybody share with you any  
 3 studies or tests that came out of Sweden  
 4 or California at that time in the '70s?  
 5 A. If I read those at that point in time, I  
 6 simply can't remember any details of it.  
 7 Q. When if you recall, Mr. Brown, did y'all  
 8 next have problems with PCB  
 9 contamination at the Monsanto plant that  
 10 you were involved in personally?  
 11 A. Well, the question arose when the Soil  
 12 Conservation Service was preparing to  
 13 dredge Choccolocco Creek. And we were  
 14 approached about consulting with them on  
 15 the proper disposal of the dredge  
 16 material.  
 17 Q. Why would they consult with you,  
 18 Mr. Brown?  
 19 A. Because the regulatory agencies, ADEM at  
 20 the time, had told them that they needed  
 21 to learn the PCB concentration in  
 22 sediment they might remove for proper  
 23 disposing of that sediment.

8/31/2004 9:05 AM

90

4/21/1998 Brown, Jerry; Mars Hill

1 MR. STEWART: Yes, at the Monsanto  
 2 Anniston plant.  
 3 MR. PECK: PCB?  
 4 MR. STEWART: A PCB type product,  
 5 yes.  
 6 Q. That y'all removed from the market.  
 7 A. We were making chlorinated terphenyls.  
 8 Q. What is that?  
 9 A. Well, that is exactly what it is. I  
 10 don't mean to be short, but it is  
 11 chlorinated terphenyls.  
 12 Q. What was it used for?  
 13 A. I did not know the marketplace.  
 14 Q. So you don't know what the product was  
 15 used for? You just knew what you were  
 16 making? When was it discontinued?  
 17 A. As part of the same -- within a year of  
 18 the PCBs, '72.  
 19 Q. Okay. Do you know why it was  
 20 discontinued?  
 21 A. Well, the -- The concern about the same  
 22 stability in the environment concerns  
 23 that applied to PCBs.

8/31/2004 9:05 AM

91

4/21/1998 Brown, Jerry; Mars Hill

1 Q. So they came to y'all based on --  
 2 A. On the requests of ADEM.  
 3 Q. And who at ADEM had requested the Soil  
 4 Conservation people come talk to you  
 5 all?  
 6 A. I can't specifically name the person  
 7 but, you know, this led to a series of  
 8 meetings between ADEM, Soil Conservation  
 9 and us. And it seems like Bill Lott  
 10 might have been involved, and Charles  
 11 Horn.  
 12 Q. When did that take place?  
 13 A. I want to say '83-ish.  
 14 Q. Bill Lott and Charles Horn recommended  
 15 that the Soil Conservation people meet  
 16 with y'all about dredging activities in  
 17 Choccolocco Creek?  
 18 A. Yeah. They request that they consult  
 19 with us about testing and proper  
 20 disposal of dredge material that may be  
 21 removed.  
 22 Q. What contaminant was there that y'all  
 23 had the expertise in?

8/31/2004 9:05 AM

92

1 A. PCB.

2 Q. Tell me if you would if they had done

3 some testing and found some PCBs in the

4 soil and sediment in Choccolocco Creek.

5 A. I don't remember if they had or not.

6 Q. Why is it that they thought there was

7 that substance there?

8 A. Well --

9 MR. PECK: Wait a minute. Object

10 to the form of the question,

11 calls for speculation as to

12 what they thought. Go ahead.

13 Q. Go ahead, Mr. Brown.

14 A. Well, the agencies knew and had

15 documented that this was a PCB

16 manufacturing plant. That was no

17 secret. It had been well communicated.

18 The fact that downstream is the water

19 discharge from this plant was well

20 documented.

21 Q. So that is where it came from, from your

22 plant?

23 MR. PECK: Object to the form of

1 team, Mr. Brown?

2 A. Well, ADEM, Soil Conservation, us, and

3 then the group who had the expertise in

4 doing this kind of work.

5 Q. Who was that?

6 A. It was a group out of our environmental

7 sciences group in either St. Louis or

8 Dayton. I can't remember.

9 Q. That is Monsanto's environmental group?

10 A. Yes.

11 Q. And was the testing actually done there

12 at Choccolocco Creek?

13 A. Yes, it was.

14 Q. And what determination or findings were

15 made?

16 A. It was found that the levels in the

17 sediment were generally ten and below

18 and diminished on downstream.

19 MR. PECK: Ten parts per million?

20 THE WITNESS: Ten parts per

21 million.

22 Q. That's what y'all found?

23 A. That's what the study found.

8/31/2004 9:05 AM

94

4/21/1998 Brown, Jerry; Mars Hill

1 the question.

2 Q. That's what you are saying, isn't it?

3 A. What I'm saying is the potential was

4 there that needed to be investigated.

5 Q. Okay. The potential are you talking

6 about --

7 A. That the sediments could contain PCBs.

8 Q. That came from Anniston's Monsanto

9 plant?

10 MR. PECK: Object to the form of

11 the question.

12 Q. Is that right, Mr. Brown?

13 A. Yes. That's what I've said.

14 Q. Did y'all make the determination and did

15 the agency make the determination that

16 in fact the PCB contamination had

17 migrated from the plant down to

18 Choccolocco Creek?

19 A. Well, what we did at that time was put

20 together people who were expert in

21 sampling streams, put together a

22 sampling plan for Choccolocco Creek.

23 Q. And who was it that was a part of that

8/31/2004 9:05 AM

95

4/21/1998 Brown, Jerry; Mars Hill

1 Q. I mean, it was Monsanto's study?

2 A. It was a joint study.

3 Q. Between ADEM and Soil Conservation and

4 Monsanto?

5 A. Right, and was done by the consultants.

6 Q. Went you say consultants -- I understood

7 you to say, Mr. Brown, that these were

8 Monsanto employees.

9 A. They were, but they were people who had

10 expertise in this area.

11 Q. And who exactly was that that supervised

12 that testing?

13 A. I remember Bill Adams and Tom Hegheem as

14 the two principal.

15 Q. H-o-g-e-m?

16 A. H-e-g-h-e-e-m, I believe, Hegheem.

17 Q. Okay. And they performed the testing

18 and provided the results to the state?

19 A. They did the sampling. The protocol was

20 written up specifying exactly what to

21 do. This was agreed to by all parties

22 involved. They came down and executed

23 this protocol.

8/31/2004 9:05 AM

97

1 Q. And what happened after that?

2 A. The samples were then sent to the

3 laboratory and analyzed and the results

4 generated, which led to another meeting

5 where these results were reviewed.

6 Q. And who was the meeting with where the

7 results were reviewed, Mr. Brown?

8 A. Soil Conservation, ADEM, and us.

9 Q. And what decision was made about the

10 dredging of Choccolocco Creek at that

11 time?

12 A. Well, the regulatory limit as

13 established by the Toxic Substances

14 Control Act that you alluded to earlier,

15 was fifty parts per million.

16 Q. In the soil?

17 A. Didn't matter what it was in. I mean,

18 if it was considered to be -- If

19 anything contained more than fifty parts

20 per million PCBs, it was regulated by

21 TOSCA. If it was below that it was not.

22 Q. And that is what y'all were traveling

23 under?

1 generated when I-20 was built. And

2 based on the data and based on the

3 regulations and laws in place at that

4 time, that was a perfectly acceptable

5 place for the disposal of that

6 sediment.

7 Q. And that is what y'all recommended?

8 MR. PECK: Object to the form of

9 the question.

10 A. I mean, that was the state of the laws

11 and technology at that time, so, yes.

12 Q. Am I to understand, Mr. Brown, you to be

13 saying here today that y'all had -- To

14 go back earlier, y'all had known there

15 was some off migration of PCBs in the

16 water systems here through the drainage

17 and ditches and into Snow Creek as early

18 as the '70s, didn't you?

19 A. Yes.

20 Q. And now here we are in the '80s and it

21 has migrated -- How many miles away

22 would Choccolocco Creek be from the

23 plant?

8/31/2004 9:05 AM

98

1 A. That was the reg. That's a law, yeah.

2 Q. And what would you do if it was more

3 than fifty parts per million?

4 A. The sediments would have been landfilled

5 in a PCB approved landfill.

6 Q. But you found none that were above that

7 level?

8 A. That's correct. The average was less

9 than ten, as I remember.

10 Q. Average was less than ten?

11 A. Yes.

12 Q. Where all did you sample at that time in

13 the '80s, just Choccolocco Creek?

14 A. For that study, yes. That was

15 specifically for the dredging program

16 that SCS was proposing on Choccolocco

17 Creek.

18 Q. What recommendations were made at that

19 time?

20 A. The recommendation was made that --

21 their questioning at the time was

22 whether or not the sediments could be

23 placed in borrow pits that were

8/31/2004 9:05 AM

99

8/31/2004 9:05 AM

100

1 A. Three to four.

2 Q. Three to four miles from the plant?

3 A. Yes, about four miles.

4 Q. Okay. And it was found in levels

5 down -- Was any fish testing done at

6 that time?

7 A. No.

8 Q. Was there not some testing of fish being

9 done by the conservation department and

10 the state in the '80s?

11 A. I'm sure there was. I mean, that is

12 their job, and I'm sure there was some

13 done.

14 Q. Wasn't there some concern about the

15 capabilities of allowing people to

16 continue to fish and to use that

17 facility down there for that purpose

18 down there in the '80s, Mr. Brown?

19 A. I don't know. I mean, I wasn't involved

20 in those discussions, so you now, I do

21 not know.

22 Q. Well, do you not recall the Attorney

23 General of the State of Alabama becoming

8/31/2004 9:05 AM

101

1 concerned about PCBs and contamination  
 2 of Logan Martin Lake in the '80s?  
 3 A. Yes.  
 4 Q. Didn't that happen about the same time  
 5 that y'all were talking about the  
 6 dredging in Choccolocco Creek?  
 7 A. That happened in the year or two after  
 8 that, as I recollect.  
 9 Q. Weren't you involved in that?  
 10 A. Yes. I was involved in the next step,  
 11 which was done on Snow Creek then.  
 12 Q. Why was a study done on Snow Creek, the  
 13 next study, Mr. Brown? What particular  
 14 problem were you looking for, PCBs?  
 15 A. Yes.  
 16 Q. Is it not a fact, Mr. Brown, that the  
 17 fish -- levels in the fish that were  
 18 found in the mid '80s were above what  
 19 was the recommended levels, Mr. Brown?  
 20 MR. PECK: Object to the form of  
 21 the question, lack of  
 22 foundation.  
 23 A. I don't know.

1 investigated and found a PCB discharge  
 2 coming out of that. And I don't mean  
 3 parts per million. I mean pure stuff.  
 4 And the guy who owned the facility said,  
 5 "Well, if you think I have a problem,  
 6 you need to look at Monsanto." And that  
 7 of course -- The Attorney General I  
 8 think filed an injunction or whatever  
 9 against that company, and that problem  
 10 was eventually resolved.  
 11 And then that led to them doing  
 12 some screening samples up Snow Creek  
 13 that they approached us about, which  
 14 then led to another study that was done  
 15 on a segment of creeks that was defined  
 16 by their screening study. And when I  
 17 say that, that screening study, they did  
 18 some scoop tests to define an area that  
 19 needed to be tested further.  
 20 And that testing then -- The  
 21 protocol was put together for that, and  
 22 then that was carried out. That was  
 23 again a multi-agency effort involving

8/31/2004 9:05 AM

102

8/31/2004 9:05 AM

104

1 Q. You don't have any idea?  
 2 A. No. I mean, I don't know.  
 3 Q. Well, is it not fair to say just  
 4 historically, so we get the record  
 5 straight, that Choccolocco does spill  
 6 into or pour into Logan Martin Lake? Am  
 7 I not correct about that?  
 8 A. Yes.  
 9 Q. And there was a PCB problem in the lake  
 10 that the Attorney General was worried  
 11 about in the mid '80s, Charlie Graddock?  
 12 MR. PECK: Object to the form of  
 13 the question.  
 14 A. You know, the PCB problem that I  
 15 remember in the mid '80s was  
 16 precipitated by a discharge into Snow  
 17 Creek that was discovered by the state  
 18 and reported.  
 19 Q. Okay.  
 20 A. From a different facility.  
 21 Q. Tell me about that.  
 22 A. Well, they noticed an oily discharge out  
 23 of a facility on Snow Creek and

1 three groups, EPA out of Atlanta, two  
 2 sections of ADEM, and a representative  
 3 from the Attorney General's Office.  
 4 Q. And did you participate with that group?  
 5 A. Yes, I did.  
 6 Q. Who was the representative out of the  
 7 Attorney General's Office?  
 8 A. Gary Allen was the field representative.  
 9 Q. Okay. Who represented ADEM?  
 10 A. I believe Bill Lott did, represented the  
 11 what water group, and then they had  
 12 somebody else that represented the solid  
 13 waste group. And I don't remember who  
 14 that would have been.  
 15 Q. Okay. And who all from the community  
 16 was involved? What city officials, what  
 17 county officials were involved, and what  
 18 state health people were involved,  
 19 Mr. Brown?  
 20 A. Well, we had the three groups from EPA,  
 21 the two from ADEM, the Attorney  
 22 General's Office and us, and that was  
 23 the involvement as I remember.

8/31/2004 9:05 AM

103

8/31/2004 9:05 AM

105

1 Q. There weren't any local officials  
2 involved?  
3 A. No.  
4 Q. Did you talk to anybody with the  
5 engineering department of the City of  
6 Anniston?  
7 A. We did as this progressed, yes.  
8 Q. Who did you talk to there?  
9 A. I think Don Warden.  
10 Q. And what did you talk to Don Warden  
11 about?  
12 A. I talked to him about the fact that we  
13 were looking at dredging, removing some  
14 sediment from a section of that stream  
15 or tributary.  
16 Q. A section of Snow Creek?  
17 A. A tributary, yes.  
18 Q. And did you get permission from him to  
19 do that?  
20 A. Yes.  
21 Q. And was that in writing?  
22 A. I don't remember.  
23 Q. Did you participate in the conversations

1 Q. And where was it in connection with  
2 where Bethel Church is and Mars Hill?  
3 A. It would have been alongside Bethel but  
4 north of Mars Hill.  
5 Q. I assume that y'all immediately called a  
6 meeting of the Bethel church, of the  
7 community and told them what you found,  
8 did you not?  
9 A. We met with representatives of the  
10 church.  
11 Q. Did you tell them what you had found?  
12 A. And told them we had discovered sediment  
13 samples containing PCBs and that we were  
14 entering into what we needed to, a  
15 remediation program.  
16 Q. Who else did you meet with in that  
17 community?  
18 A. The land owners of the particular  
19 sections of creek there that adjoined  
20 that particular stream.  
21 Q. And was that the extent of the people  
22 you met with?  
23 A. Yes. We explained basically what we

8/31/2004 9:05 AM

106

4/21/1998 Brown, Jerry; Mars Hill

1 with him?  
2 A. Yes, I did.  
3 Q. What exactly was Mr. Warden told?  
4 A. We had maps where we had done samplings  
5 and had generated sediment  
6 concentrations of PCBs.  
7 Q. What were those levels?  
8 A. They typically ranged from a thousand or  
9 thereabouts.  
10 Q. Parts per million?  
11 A. Down to four or five, six, seven,  
12 something like that.  
13 Q. Four or five, six, parts per million?  
14 A. Right.  
15 Q. But you had readings as high as a  
16 thousand parts per million in the  
17 sediment along Snow Creek --  
18 A. A tributary leading to Snow Creek.  
19 Q. -- in the mid '80s?  
20 A. Yes.  
21 Q. Where was this tributary located, east  
22 of the plant?  
23 A. Northeast.

8/31/2004 9:05 AM

107

8/31/2004 9:05 AM

108

4/21/1998 Brown, Jerry; Mars Hill

1 proposed to do and needed to get their  
2 permission to do it.  
3 Q. And what did you do?  
4 A. For that upper section there, we removed  
5 the sediment and put in a pipe and  
6 covered it over.  
7 Q. When you say upper section, what are you  
8 talking about?  
9 A. That would have been a section from  
10 Tenth Street to Bethel Church.  
11 Q. So you removed the sediment from around  
12 -- from Tenth Street to Bethel Church  
13 and put a pipe in there?  
14 A. That's correct.  
15 Q. What else did you do?  
16 A. We removed sediment alongside Eleventh  
17 Street and the railroad track to just  
18 below the confluence with Snow Creek.  
19 Q. All right, sir. What else did you do?  
20 A. That was the program.  
21 Q. What happened to the soil that you  
22 removed from the site, Mr. Brown?  
23 A. It was stored in a pile in the landfill

8/31/2004 9:05 AM

109

1 area, sampled to determine -- sampled  
 2 statistically to determine, according to  
 3 specified protocols, concentration and  
 4 then was shipped to Emelle for  
 5 landfilling.  
 6 Q. What were the concentrations in the  
 7 sediment you took out of Snow Creek and  
 8 Bethel to Tenth Street?  
 9 MR. PECK: Object to the form.  
 10 A. The composite sampling of that was  
 11 something over fifty parts per million.  
 12 I don't remember exactly.  
 13 Q. So in that setting you needed to remove  
 14 it to someplace like Emelle. That is  
 15 what y'all were required to do?  
 16 A. That's correct.  
 17 Q. That was true in '85 and would be true  
 18 in '95, wouldn't it?  
 19 MR. PECK: Object to the form of  
 20 the question.  
 21 A. For PCB waste today, yes.  
 22 Q. Now, tell me, Mr. Brown, if you can,  
 23 what y'all found by way of

1 Q. So am I to understand that beyond the  
 2 walls of the concrete culvert -- y'all  
 3 went beyond that in the sediment that  
 4 was alongside the ditch there, and y'all  
 5 found those kind of levels in the mid  
 6 '80s along that ditch?  
 7 A. Yes, yes.  
 8 Q. Aren't those fairly high levels of a  
 9 thousand parts per million, five hundred  
 10 and four hundred parts per million?  
 11 Aren't those considered pretty high  
 12 levels of PCB in soil, Mr. Brown?  
 13 MR. PECK: Object to the form of  
 14 the question.  
 15 A. It was obviously above the target limit  
 16 of fifty parts per million that was  
 17 established as the standard, and that is  
 18 why we proposed to move that sediment.  
 19 Q. Am I to understand, Mr. Brown, that  
 20 y'all had done no monitoring from the  
 21 time that you all shut down your  
 22 operation in '74 until this particular  
 23 matter was brought to your attention by

8/31/2004 9:05 AM

110

1 concentrations in the soil that was  
 2 taken from Tenth to Eleventh. Was it  
 3 different from the concentrations of  
 4 PCBs y'all found in --  
 5 A. From Tenth to Eleventh?  
 6 Q. You mentioned that across Tenth Street  
 7 y'all took some.  
 8 A. Yes.  
 9 Q. What were --  
 10 A. That was primarily a concrete channel,  
 11 so there weren't sediments in that  
 12 section that could be sampled. So we  
 13 had to get out of that concrete channel  
 14 then to take more sediments.  
 15 Q. And what kind of concentrations did you  
 16 find?  
 17 MR. PECK: On the other side of  
 18 the concrete channel?  
 19 MR. STEWART: Yes.  
 20 A. A hundred, you know. I remember on the  
 21 order of a hundred and two hundred parts  
 22 per million and then diminishing on down  
 23 to below ten.

8/31/2004 9:05 AM

111

8/31/2004 9:05 AM

112

1 the Attorney General and by the state in  
 2 about 1985? Had y'all done any  
 3 monitoring of any kind for PCBs?  
 4 A. Not in that segment of stream. That's  
 5 correct.  
 6 Q. Well, the landfill itself that is south  
 7 of 202, the water that drains off that  
 8 landfill went into a stream or a  
 9 drainage ditch that ultimately ran into  
 10 Snow Creek, didn't it, down through the  
 11 Cobb Town and Sweet Valley Community?  
 12 A. Yes, but that landfill had been capped  
 13 way before that. There was no exposed  
 14 waste.  
 15 Q. No exposed waste?  
 16 A. No.  
 17 Q. Well, had y'all not -- Can you tell me  
 18 then what you are saying? Are you  
 19 saying it is your contention and the  
 20 contention of Monsanto at that time that  
 21 the PCB that was found in the sediment  
 22 along Snow Creek did not come from the  
 23 landfill south of 202?

8/31/2004 9:05 AM

113

1 A. It was expected it had come from  
2 discharge 001, which had been monitored  
3 and documented in the early '70s.  
4 Q. Maybe I misunderstood you. Of course  
5 I'm getting older, so my recollection is  
6 not as good as it used to be. But it is  
7 my understanding, Mr. Brown, based on  
8 what you had previously told me that  
9 y'all didn't have a big problem with  
10 PCBs in the '70s. Didn't you tell me  
11 that earlier? We can go back and look  
12 at your testimony, but I thought you had  
13 told me that.  
14 A. What I had attempted to tell you was  
15 there was a known discharge of PCBs that  
16 was then stopped and was no longer  
17 continuing.  
18 Q. But you also told me, I believe,  
19 Mr. Brown -- And you correct me if I'm  
20 wrong, because I certainly don't want  
21 the record to misspeak at this point.  
22 But you also told me that y'all had got  
23 it down to rather moderate levels,

1 MR. STEWART: Let me ask him the  
2 question.  
3 MR. PECK: He is entitled to  
4 answer --  
5 MR. STEWART: I understand that.  
6 He is entitled to answer the  
7 question, but if he has some  
8 confusion about it, I'm  
9 entitled to ask him a  
10 question like I want him to  
11 ask him. It is my  
12 deposition. If you have an  
13 objection, make one.  
14 MR. PECK: I am making one. You  
15 won't let him answer the  
16 question. If you don't let  
17 him answer, we are going to  
18 stop the deposition.  
19 MR. STEWART: What, now?  
20 MR. PECK: If you don't let him  
21 answer the question, we are  
22 going to stop the deposition.  
23 MR. STEWART: No, we are not going

8/31/2004 9:05 AM

114

1 certainly not anything like a thousand  
2 parts --  
3 A. In the water levels, yes. That's in the  
4 water that was monitored, yes, exactly  
5 right.  
6 Q. So are you telling me that the PCB  
7 concentrations that you found over there  
8 near the Bethel Church came from  
9 someplace other than this southern  
10 landfill?  
11 A. I have no evidence it came from the  
12 landfill. We were measuring is -- You  
13 are confusing water levels and sediment  
14 levels.  
15 Q. I thought you were talking about  
16 sediment levels.  
17 A. PCBs are known to attach to sediments  
18 and hold themselves.  
19 Q. Okay. But it is my understanding,  
20 Mr. Brown, that --  
21 MR. PECK: Wait, wait, wait just a  
22 minute. Let him answer the  
23 question.

8/31/2004 9:05 AM

115

8/31/2004 9:05 AM

116

1 to stop the deposition.  
2 MR. PECK: We will. If you don't  
3 let him answer questions, if  
4 you cut him off, we will stop  
5 the deposition and get it  
6 ruled on. He is entitled to  
7 answer the question.  
8 MR. STEWART: That is fine. You  
9 do whatever you need to do.  
10 MR. PECK: What was that?  
11 MR. STEWART: I said you do  
12 whatever you need to. That  
13 is exactly what I said.  
14 MR. PECK: I just didn't hear you.  
15 MR. STEWART: I just want to make  
16 sure you understand that.  
17 MR. PECK: I understand you.  
18 Q. Tell me if you weren't talking about  
19 sediment levels or levels in the soil, a  
20 thousand parts per million, or as much  
21 as four hundred or five hundred parts  
22 per million across Tenth Street when you  
23 were talking about testing you did in

8/31/2004 9:05 AM

117

1 1985? Is that not correct?

2 A. I was talking about sediments.

3 Q. Along the ditch?

4 A. Yes.

5 Q. So we are not talking about apples and

6 apples. Did you do any sediment testing

7 in 1971 or '72, or were you talking

8 about water?

9 A. I was talking about water, the water

10 being discharged from the plant.

11 Q. So it is your testimony that to your

12 knowledge there were no sediment tests

13 done in 1971 and '72 by this lab?

14 A. I'm sure some were done.

15 Q. Do you know --

16 A. But the concern in 1972, if I may

17 explain a little bit --

18 Q. Okay. All right.

19 A. Was -- There was a water stream that

20 left the manufacturing unit and had for

21 many, many years. And that water stream

22 in the 1969 to '70 era, we quantitated

23 and learned how much PCB was in that

1 trying to find out how much PCBs came

2 off the plant site itself in water

3 discharge.

4 But were there not some sampling

5 -- Was there not some sampling done in

6 Choccolocco Creek at that same time in

7 the '70s and the Logan Martin Reservoir

8 in the '70s by these same lab people?

9 A. In fish, yes, I remember. In water, I

10 don't remember.

11 Q. So you are saying there were some fish

12 sampling done to your knowledge in 1971

13 and '72, along in that same period?

14 A. Yes, yes.

15 Q. But would that not be -- Because of the

16 potential migration of PCBs from the

17 plant site to Snow Creek to Choccolocco

18 Creek to the reservoir?

19 A. Yes, yes.

20 Q. And were there not some findings at that

21 point in time that indicated a

22 significant problem with PCBs in the

23 lake? And at that time, I mean '71, '72

8/31/2004 9:05 AM

118

4/21/1998 Brown, Jerry; Mars Hill

1 water stream. The entire thought

2 process was to stop that discharge from

3 that water stream.

4 That was done, as demonstrated by

5 testing for some period of time after

6 the plant was shut down. Okay.

7 I'm sure simultaneously during

8 that period of time some sediment

9 testing was done. I don't know what the

10 data were. I wasn't a part of it.

11 However, the fact that PCB in a

12 sediment in 1985, the reason -- The bad

13 thing about PCB, as I stated earlier,

14 was its stability in the environment.

15 And when it hooked onto something, it

16 stayed there.

17 Q. So if I understand your statement to me,

18 what you were trying to tell me a minute

19 ago -- And I did cut you off, and I

20 apologize to you. But what you were

21 trying to tell me a minute ago was the

22 testing y'all did around the plant was

23 for water discharge, and y'all were

8/31/2004 9:05 AM

119

4/21/1998 Brown, Jerry; Mars Hill

1 period.

2 MR. PECK: Object to the form of

3 the question, lack of

4 foundation.

5 A. I don't remember specifically anything

6 about the lake. Okay.

7 Q. Well, I don't want to rehash that

8 information, but I thought we had gone

9 over that there was some problem earlier

10 that you were familiar with.

11 A. Choccolocco ties into the lake, and

12 there was some connection there.

13 Q. And there was some potential problem at

14 that time that you remember. Am I

15 correct or incorrect?

16 A. Yes.

17 Q. So it should not have been a surprise to

18 you, Mr. Brown, nor to anybody at

19 Monsanto that y'all found this problem

20 in 1985, was it, at Snow Creek, whether

21 it was Bethel or across the road from

22 Tenth to Eleventh Street there in Snow

23 Creek where you had to remove sediment,

8/31/2004 9:05 AM

120

121

1 if you had a problem in the '70s as far  
2 down the creek as where it enters  
3 Choccolocco and possibly even with the  
4 Logan Martin Reservoir? It wouldn't  
5 have been a surprise to you, would it?  
6 A. The fact PCBs were present, that was not  
7 a surprise, no.  
8 Q. And what information did you provide to  
9 -- other than to Don Warden -- to the  
10 local city and county officials about  
11 the problem y'all had found there? Any?  
12 Do you recall any?  
13 A. We talked to, along with Don Warden --  
14 who -- I can't remember if it was the  
15 mayor or city manager at that time, but  
16 those two.  
17 Q. What testing did you do beyond just the  
18 testing there along the creek bank, any?  
19 A. Not as part of that testing, no.  
20 Q. Did you do any beyond the creek bank?  
21 A. No.  
22 Q. Mr. Brown, you were familiar with the  
23 PCB production area, weren't you, when

1 given to the employees about how they  
2 were to be washed or cleaned?  
3 A. Well, laundry was done. It has always  
4 been done on work clothing.  
5 Q. Was that done on the plant site?  
6 A. It is done by a commercial --  
7 Q. Off the plant site?  
8 A. Uh-huh (indicating yes).  
9 Q. Was there any special precaution taken  
10 with clothing that one might wear who  
11 worked in a -- a worker who worked in  
12 the PCB area?  
13 A. No.  
14 Q. What about eating food around the PCB  
15 area? Was that allowed?  
16 A. Well, we had lunchrooms next to the  
17 control rooms.  
18 Q. But were they right at the production  
19 site, or were there any special  
20 precautions taken?  
21 A. Yes. They were right -- I mean, if this  
22 were the production site, and this was  
23 the control room, it typically was done

8/31/2004 9:05 AM

122

1 the plant was operating?  
2 A. Yes.  
3 Q. You were there and observed it?  
4 A. Yes.  
5 Q. Didn't y'all have some rules and  
6 regulations that y'all went by in  
7 connection with that production as far  
8 as clothing that people had to wear?  
9 A. Well, it doesn't matter where you work,  
10 safety shoes, hard hat, and safety  
11 glasses were required.  
12 Q. Did you not have some special kind of  
13 clothing that one had to wear if they  
14 went in the PCB production area?  
15 A. No.  
16 Q. You don't recall having your workers  
17 wear a specific kind of boots or a  
18 special kind of clothing?  
19 A. No. I didn't. I mean, we had -- We  
20 have standard plant-issued uniforms that  
21 are clothing that people wear regardless  
22 of where they work.  
23 Q. Were there any special instructions

8/31/2004 9:05 AM

123

1 in the control room (indicating).  
2 Q. Did Monsanto say to workers that it was  
3 all right for them to eat in the  
4 production area? I mean, did you have  
5 to eat in the control room, or could you  
6 eat in the production area where PCBs  
7 were produced, eat meals?  
8 A. Well, eating in the plant, normally you  
9 want to sit down to eat. And that is a  
10 place --  
11 Q. I'm talking about --  
12 A. You know, a place to sit down was  
13 provided.  
14 Q. But I'm talking about did y'all -- If  
15 Mr. Papageorge or somebody of his ilk  
16 said y'all took special precautions to  
17 protect workers by way of clothing or  
18 where they could eat around PCB  
19 production, are you saying that wasn't  
20 carried out here at this plant?  
21 MR. PECK: Object to the form of  
22 the question. It is  
23 improper, asking him to

8/31/2004 9:05 AM

124

125

1 comment on the testimony of  
2 another.

3 A. You know, what is considered special to  
4 one person is subject to, you know,  
5 personal opinion. We provided eating  
6 areas in all areas of the plant.

7 Q. So there weren't any special  
8 precautions?

9 A. But the fact -- We provided clothing and  
10 laundry for everybody in the plant,  
11 special compared to somebody doing a job  
12 someplace else. But you know, it was  
13 not necessarily -- You know, for  
14 somebody who worked in a facility like  
15 that, I wouldn't consider it special.  
16 It is routine. It is the way things are  
17 done.

18 Q. So there wasn't anything unique about  
19 the kinds of things y'all did for PCB  
20 production as opposed to what you would  
21 do for production of any other product  
22 you make at the plant?

23 A. Well, you have to consider we were

1 method that you suggested that GE or  
2 Westinghouse use to deal with using PCBs  
3 in either loading or unloading or using  
4 them in the production process?

5 A. See, we had groups of people whose  
6 responsibility it was to take care of  
7 that kind of thing. I never was  
8 involved in that.

9 Q. I'm just asking you. Do you remember  
10 the product having some kind of  
11 particular warning document that was  
12 attached to it when it left the plant to  
13 tell them about the potential hazards of  
14 PCBs and what they might expect or how  
15 they would treat it? Do you remember  
16 that?

17 A. I'm sure that was the case, but I can't  
18 remember specifically what it was.

19 Q. Do you remember what the general area  
20 was like, the residential area? Were  
21 there people located to the west of your  
22 plant and to the north of your plant who  
23 lived in houses, trailers, that kind of

8/31/2004 9:05 AM

126

4/21/1998 Brown, Jerry; Mars Hill

1 making parathion. And parathion was  
2 considered to be extremely toxic. And  
3 there were no known toxicity hazards  
4 associated with PCBs at all.

5 Q. So y'all didn't --

6 A. And so the real concern in our plant was  
7 more on parathion than it was PCBs.

8 Q. Okay. Now, were you familiar with the  
9 outlying areas -- As head chemist here  
10 at this particular time, were you  
11 familiar -- Before we get to that, let  
12 me withdraw that and ask you. Were you  
13 familiar with the warning labels y'all  
14 used with the PCBs that you attached to  
15 the product itself when it left the  
16 plant and went to, say, GE or someplace  
17 like that for putting in transformers or  
18 whatever?

19 A. Well, if you ask me what that had on  
20 there, I couldn't say. But if I saw  
21 one, would it ring a bell from years  
22 past, it probably would.

23 Q. Do you recall if y'all had a particular

8/31/2004 9:05 AM

127

4/21/1998 Brown, Jerry; Mars Hill

1 situation?

2 A. Yes.

3 Q. Was that true in the '70s and '80s that  
4 we have talked about?

5 A. Yes.

6 Q. And were there people who lived in Cobb  
7 Town and Sweet Valley in houses and  
8 trailers and that type of facility in  
9 that same period of time?

10 A. Yes.

11 Q. And do you recall, Mr. Brown, whether or  
12 not those people either to the west of  
13 the plant site here in Anniston or to  
14 the south -- there were people located  
15 to the south across the road, weren't  
16 there, residents over there?

17 A. Yes.

18 Q. Do you remember whether or not any of  
19 those people in any of the areas I have  
20 mentioned, north, south, west, and east  
21 of the plant, raised gardens?

22 A. Yes.

23 Q. And can you tell me whether or not they

8/31/2004 9:05 AM

128

129

1 also perhaps raised hogs or chickens or  
 2 cattle or anything like that?  
 3 A. I don't remember any cattle. I remember  
 4 a few chickens, and I have heard of  
 5 hogs.  
 6 Q. Okay. In that area?  
 7 A. Uh-huh (indicating yes).  
 8 Q. Now, were you told by either Mr. Wheeler  
 9 or anybody with the medical department  
 10 of Monsanto, Mr. Papageorge or anybody  
 11 in his category, that there might be a  
 12 particular problem with someone who  
 13 raised a garden in an area where PCB  
 14 contamination might exist?  
 15 A. No.  
 16 Q. Were you ever told about cattle or hogs,  
 17 where some problem might exist with the  
 18 people who ate those particular kinds of  
 19 meats in an area that might be  
 20 contaminated by PCBs?  
 21 A. I never had any particular direct  
 22 instructions, but it is -- being a  
 23 chemist, I know it is simply not good

1 Q. Well, as it moves up the food chain does  
 2 it become more and more concentrated?  
 3 Is that part of that biomagnification,  
 4 Mr. Brown?  
 5 A. Well, that particular molecule doesn't,  
 6 but if you keep bringing it in, it  
 7 becomes more concentrated.  
 8 Q. Do you understand that PCBs settled in  
 9 the fatty tissue of, say, a hog or  
 10 perhaps a cow if they are eating  
 11 contaminated material?  
 12 A. In theory it would go in the fatty  
 13 tissue.  
 14 Q. Do the same thing in plants, certain  
 15 plants?  
 16 A. Plants don't have fatty tissue.  
 17 Q. But does it concentrate in those?  
 18 A. I have never seen any document of any  
 19 uptake in plants.  
 20 Q. You don't understand it to become  
 21 biomagnified in plants?  
 22 A. No.  
 23 Q. Now, tell me if you would if there was

8/31/2004 9:05 AM

130

1 practice that you want to eat in areas  
 2 where various chemicals may be.  
 3 Q. Which would include PCBs?  
 4 A. Yeah.  
 5 Q. Do you know the term and did anyone  
 6 share with you the term  
 7 "biomagnification"?  
 8 A. Yes.  
 9 Q. When did you learn about that?  
 10 A. During the development of the knowledge  
 11 on DDT and PCBs and those kinds of  
 12 materials that were determined to be  
 13 stable in the environment.  
 14 Q. So that would have been sometime in the  
 15 '70s that you began to understand that?  
 16 A. Yes.  
 17 Q. Can you tell me what your understanding  
 18 is of biomagnification?  
 19 A. It is a matter of things that are stable  
 20 that could perhaps be picked up in one  
 21 part of the food chain, could be  
 22 transmitted to the next segment of the  
 23 food chain.

8/31/2004 9:05 AM

131

8/31/2004 9:05 AM

132

1 any warning ever issued from the '70s to  
 2 those who might be eating cattle or when  
 3 you had the information about the PCB  
 4 contamination -- Was there any warning  
 5 issued to any resident of Cobb Town or  
 6 Sweet Valley or anybody who happened to  
 7 live in the west of the plant or north  
 8 of the plant or south of the plant? Did  
 9 y'all ever issue any warning to anybody  
 10 about the particular health hazards?  
 11 A. You said cows. I don't remember any  
 12 cows in that area.  
 13 Q. Well, hogs?  
 14 A. I don't remember any specific warnings.  
 15 Q. None at all?  
 16 A. Not that I was a part of or knew of.  
 17 Q. I'm talking about any that would emanate  
 18 from the Monsanto Chemical plant here in  
 19 Anniston that might have gone to anybody  
 20 in that area, and from anybody in the  
 21 plant, either a plant manager or  
 22 somebody like Robert Jones or anybody  
 23 like that.

8/31/2004 9:05 AM

133

1 MR. PECK: Talking about --  
 2 MR. STEWART: I was talking about  
 3 somebody of his ilk or  
 4 somebody who might be over  
 5 him. I think he mentioned a  
 6 Mr. Bell who I think was head  
 7 chemist at one point in time.  
 8 Q. Do you remember any of them ever issuing  
 9 any warnings about PCB contamination?  
 10 A. Not that I'm aware of.  
 11 Q. Do you ever remember Monsanto buying  
 12 cattle or hogs from a particular  
 13 individual in the '70s or '80s?  
 14 A. I've heard the story of some pigs or  
 15 hogs being purchased.  
 16 Q. Do you remember when that was or when  
 17 that supposedly took place?  
 18 A. I would guess in the '71 era.  
 19 Q. And do you remember why the hogs were  
 20 purchased?  
 21 A. One reason is because they were  
 22 squatting on the land, on Monsanto-owned  
 23 land. And it was a way of -- the

8/31/2004 9:05 AM

134

1 easiest way of getting the hogs off the  
 2 land.  
 3 Q. Was there not some problem about the  
 4 meat being potentially contaminated by  
 5 PCBs, Mr. --  
 6 A. Well, you know, there might have been a  
 7 concern of whether north -- or a  
 8 question. And to eliminates any  
 9 question, the hogs were purchased and  
 10 done away with.  
 11 Q. Okay. Tell me if you would where those  
 12 hogs were located there. When you say  
 13 on Monsanto land, where is the land that  
 14 we are talking about that you purchased  
 15 the hogs?  
 16 A. Well, it is -- Of course, I never went  
 17 there. So all I can tell you is my  
 18 understanding. But basically a section  
 19 of woods that would have been just  
 20 immediately north of what is known now  
 21 as the south landfill.  
 22 Q. So immediately north of the south  
 23 landfill?

8/31/2004 9:05 AM

135

1 A. Uh-huh (indicating yes).  
 2 Q. Is that where 202 went through there?  
 3 A. Yes.  
 4 Q. Can you tell me the name of the  
 5 individual from whom the hogs were  
 6 purchased?  
 7 A. No, I do not know.  
 8 Q. And the concern was that they might be  
 9 contaminated with PCBs at that time,  
 10 correct?  
 11 A. I mentioned two. One, squatting on the  
 12 land, and the other was a question or  
 13 concern of whether or not there was any  
 14 potential for contamination.  
 15 Q. Now, who instructed -- who actually made  
 16 the deal from Monsanto?  
 17 A. Well, it is my understanding that Mike  
 18 Mullally did.  
 19 Q. Who was Mike Mullally?  
 20 A. He was, as I remember, a shipping  
 21 supervisor in charge of all truck  
 22 movement in the plant and shipments.  
 23 Q. All right. And who had instructed him

8/31/2004 9:05 AM

136

1 to do that? He didn't take it on  
 2 himself to do it. Who instructed him to  
 3 do that, Mr. Brown?  
 4 A. I don't know. I never did know.  
 5 Q. Who was plant manager?  
 6 A. I guess Bill Papageorge was still plant  
 7 manager.  
 8 Q. Would Mr. Papageorge have been involved  
 9 in that?  
 10 A. He may or may not have been. I simply  
 11 don't know.  
 12 Q. What warning was given to the person  
 13 from whom the hogs were purchased? Was  
 14 there any statement made to him to your  
 15 knowledge that your hogs may be  
 16 contaminated with PCBs?  
 17 A. It was my understanding that he had to  
 18 search out who owned the hogs. And in  
 19 going through the community to find out  
 20 who owned the hogs, there was some  
 21 discussion that there may be some  
 22 contamination and we need to get rid of  
 23 that.

8/31/2004 9:05 AM

137

1 Q. Was there any specific reference to that  
2 concern expressed -- And this was in the  
3 '70s, '71, '72, period. Was there any  
4 particular concern expressed at all by  
5 either Mr. Papageorge or this fellow  
6 Mike --  
7 A. Mullally.  
8 Q. How do you spell that last name?  
9 A. M-u-l-l-a-l-l-y.  
10 Q. Was there any concern expressed by them  
11 to the owner or to the community that  
12 y'all had some kind of written record of  
13 about PCBs in the area?  
14 A. I don't know of a written record.  
15 Q. So it is just your surmise that this  
16 might have been said?  
17 A. Well, like I told you when this  
18 questioning started, I don't have  
19 personal knowledge of this. All I know  
20 is what I was told transpired at that  
21 point in time.  
22 Q. Who told you that?  
23 A. Mike, and I think Eugene Wright was

8/31/2004 9:05 AM

138

1 involved in it.  
2 Q. So there is no doubt in your mind that  
3 it happened?  
4 A. I have no reason to believe it didn't  
5 happen.  
6 Q. And the concern expressed was -- There  
7 is no doubt that those were the concerns  
8 they had when they bought them?  
9 A. Whether there would be contamination and  
10 squatting on the property.  
11 Q. Could be PCB contamination and squatting  
12 on the property; is that right?  
13 MR. PECK: Object to the form of  
14 the question.  
15 A. Yes.  
16 Q. Now, was there any other actions taken  
17 by Monsanto to purchase anybody else's  
18 livestock or produce in the Cobb Town or  
19 Sweet Valley area or area west of the  
20 plant or north of the plant? There were  
21 chickens in that general vicinity there  
22 near the plant all the time, wasn't  
23 there?

8/31/2004 9:05 AM

139

1 A. I can't remember chickens, you know. In  
2 the west area I remember -- particularly  
3 northwest I remember some chicken pens.  
4 Q. Any of that poultry bought?  
5 A. No.  
6 Q. Was there any garden produce bought by  
7 Monsanto during this period of time?  
8 A. Pertaining to PCBs, no.  
9 Q. Pertaining to anything, Mr. Brown?  
10 A. Well, as we go into the '74, '75, '76  
11 era, we had an air pollution problem  
12 caused by sulfur dioxide that from time  
13 to time could do some vegetation damage  
14 in gardens. And when that damage  
15 occurred, the people were paid for --  
16 Q. Taking their garden out?  
17 A. They were paid for the damage to the  
18 plants.  
19 Q. Okay. Well, was there anything in  
20 connection with PCBs, any purchases of  
21 garden plots or plants?  
22 A. I have never known any association of  
23 PCBs with gardens. All the data I've

8/31/2004 9:05 AM

140

1 seen I've never known of any uptake or  
2 any concern at all with gardens.  
3 Q. Tell me if you would, Mr. Brown, while  
4 you were doing the sampling in the '70s  
5 and doing the sampling in the '80s, did  
6 you in fact do any air sampling?  
7 A. Did a tremendous amount of air rates.  
8 Q. For PCBs?  
9 A. No, for sulfur dioxide.  
10 Q. I'm talking about PCBs.  
11 A. No. Well, you said air sampling. But  
12 air sampling for PCBs, other than the  
13 workplace prior to the closure of the  
14 plant, no.  
15 Q. Now, how did you do the air sampling for  
16 the workplace prior to the closure of  
17 the plant, Mr. Brown?  
18 A. Again, this was technology that had to  
19 be developed, and that kind of  
20 technology back in those days, today we  
21 would consider it quite crude. It was  
22 through a series of scrubbers and then  
23 that followed by GCF analysis.

8/31/2004 9:05 AM

141

1 Q. What is GCF?  
 2 A. Gas chromatography.  
 3 Q. So you used gas chromatography to test  
 what you found in your structure?  
 5 A. Right.  
 6 Q. When did y'all perform those tests?  
 7 A. Well, prior to the closure of the plant.  
 8 Now, I don't know exactly when it  
 9 started.  
 10 Q. Would it have been as early as the late  
 11 '60s?  
 12 A. Perhaps starting in '69, '70.  
 13 Q. And continued until you closed that  
 14 plant down in '71?  
 15 A. '71.  
 16 Q. Do you know or remember what the  
 17 findings were?  
 18 A. No.  
 19 Q. Were the levels fairly significantly  
 20 high or low, or do you have any idea?  
 21 A. They were low.  
 22 Q. What were they?  
 23 A. I don't know.

1 A. No.  
 2 Q. Do you know whether or not after that  
 3 air testing was done for PCBs in 1970 --  
 4 say maybe the late '60s up through '71,  
 5 did y'all do any testing in the '70s by  
 6 air for PCB?  
 7 A. After the plant was closed?  
 8 Q. Yes?  
 9 A. No.  
 10 Q. Did you do any in the '80s?  
 11 A. No.  
 12 Q. Did you do any in the '90s?  
 13 A. Well, I have seen your monitors and some  
 14 of the others floating around.  
 15 Q. You have seen our monitors. Are you  
 16 talking about the one at Carter Street  
 17 and on top of Mars Hill?  
 18 A. Uh-huh (indicating yes).  
 19 Q. Tell me if you would if you know of any  
 20 others out there, Mr. Brown, that are  
 21 monitoring the air.  
 22 A. I don't know of any.  
 23 Q. Well, have you seen -- I mean, with the

8/31/2004 9:05 AM

142

1 Q. How do you know they were low,  
 2 Mr. Brown? I'm just curious.  
 3 A. Just based on how I know anything. I  
 4 mean, it is based on remembering from  
 5 twenty-five, thirty years.  
 6 Q. You are just saying someone told you  
 7 they were low or not as high as you  
 8 expected them to be?  
 9 A. Yes. And then looking at it from a  
 10 technical standpoint, you are dealing  
 11 with a very, very heavy molecules that  
 12 can't stay in the air very long. They  
 13 can't move in the air very long. It is  
 14 not like an organic carbon. If you  
 15 generate an airborne level, it simply  
 16 cannot exist for very long and be  
 17 transported very far.  
 18 Q. Tell me if you would, Mr. Brown, if you  
 19 were aware at that time of what level  
 20 might be considered to be a dangerous  
 21 level of PCBs.  
 22 A. I don't remember.  
 23 Q. Do you know anything about that today?

8/31/2004 9:05 AM

143

8/31/2004 9:05 AM

144

1 naked eye have you seen what appears to  
 2 be an air monitor of y'all's property,  
 3 Mr. --  
 4 A. I've not looked or noticed. No.  
 5 Q. I thought you meant -- I thought you  
 6 said -- Maybe I misunderstood you again,  
 7 Mr. Brown.  
 8 A. The only one I have personally seen was  
 9 the one sticking up on top of Mars Hill.  
 10 Q. Okay. Are you aware of the fact that  
 11 there are other air monitors located on  
 12 your property either near the catchment  
 13 basin or over on the southern landfill?  
 14 A. I have heard that some air monitoring  
 15 was perhaps underway.  
 16 Q. And who did you hear that from?  
 17 A. Alan Faust.  
 18 Q. Alan Faust told you there was some air  
 19 monitoring --  
 20 A. Well, he didn't -- In routine  
 21 communications facts like that are  
 22 typically mentioned.  
 23 Q. What did he say?

8/31/2004 9:05 AM

145

1 A. Exactly that. There was some air  
2 monitoring underway.  
3 Q. Who did he say was doing the air  
4 monitoring?  
5 A. He didn't say.  
6 Q. You mean Monsanto has people who are  
7 doing air monitoring on their property,  
8 Mr. Brown, and you don't know --  
9 MR. PECK: Donald, you know it is  
10 being done by the lawyers.  
11 MR. STEWART: This is our  
12 deposition. Let us ask the  
13 question.  
14 MR. PECK: Well, you know it is  
15 being done by the lawyers.  
16 If you want to beat him up  
17 about it, go I had. Have  
18 fun.  
19 MR. STEWART: I'm not going to  
20 beat him up. I just want to  
21 ask him some questions.  
22 Q. Is that being done by someone other than  
23 Monsanto?

1 A. Well, we don't have the expertise.  
2 Q. You mean Monsanto doesn't have the  
3 expertise to monitor the presence of  
4 PCBs in the air?  
5 A. When I say we, I'm talking about the  
6 Anniston, Alabama facility does not have  
7 the expertise today.  
8 Q. Okay. Mr. Brown, tell me if in fact  
9 that expertise would be available to you  
10 through St. Louis.  
11 A. I don't know.  
12 Q. Okay. Has anybody checked?  
13 A. I have been away from that segment so  
14 long I am not up to date. I do not  
15 know. My function now is roughly  
16 twenty-five to thirty percent at this  
17 facility, seventy-five percent the rest  
18 of the world. So I check in here. I  
19 have an office here, but I don't have a  
20 full-time job in Anniston, Alabama.  
21 Q. So it would be an unfair question to ask  
22 of you, Mr. Brown. We will go on to  
23 something else.

8/31/2004 9:05 AM

146

1 A. I have told you specifically what he  
2 told me, what I have heard communicated  
3 and the fact that some was being done,  
4 period. That's all.  
5 Q. Was the statement ever made to you about  
6 the findings by Mr. Faust?  
7 A. No.  
8 Q. Not at all. Is it common practice for  
9 y'all to have someone else, Mr. Brown,  
10 monitor the air around your plant other  
11 than Monsanto? Is that common practice  
12 for you?  
13 A. In today's environment, more and more  
14 contractors are being used. That is a  
15 very common practice across all  
16 industry.  
17 Q. Is this a contractor as you understand  
18 it that you use?  
19 A. I don't know. I don't know.  
20 Q. Do you any idea who is doing the work?  
21 A. No.  
22 Q. Do you know why your lawyers chose to do  
23 it as opposed to you, Mr. Brown?

8/31/2004 9:05 AM

147

8/31/2004 9:05 AM

148

1 MR. PECK: What do you want to do  
2 about lunch?  
3 MR. STEWART: Well, I really do  
4 want to take a fairly short  
5 break for lunch today because  
6 I have to leave to go to the  
7 airport this afternoon. And  
8 I'm going to try my best to  
9 go like a bat out of  
10 you-know-what. So I will sit  
11 right here, and I'll be here  
12 when you get back.  
13 (A lunch break was taken from  
14 12:00 noon to 12:30 p.m.)  
15 Q. (By Mr. Stewart) Let me ask you,  
16 Mr. Brown, if you remember a task force  
17 that was put together in the '70s on the  
18 plant dump itself at the Anniston plant.  
19 A. I vaguely remember, you know -- You  
20 know, I'm recollecting the '71, '72,  
21 era, something like that. It began to  
22 recognize that maybe -- Maybe it was  
23 early '70. But I don't remember. But

8/31/2004 9:05 AM

149

1 anyway, historical operations were  
2 typically called dumps.  
3 Q. Actually what I'm talking about is a  
task force that was set --  
4 A. Let me continue --  
5 Q. Okay. I'm sorry. I cut you off.  
6 A. In the early '70s the identification of  
7 operating what had been known at that  
8 point in time as dumps as landfills  
9 would -- a standard of operation that  
10 was being developed at that point in  
11 time.  
12 Q. Okay.  
13 A. And so what I think you're referring to  
14 is a group of people who would have been  
15 put together to put those kinds of  
16 practices in place.  
17 Q. In the '70s?  
18 A. In the early '70s.  
19 Q. Would a Mr. Mullally, M-u-l-l-a-l-l-y --  
20 M. B. Mullally, does that name ring a  
21 Bell?  
22 A. Yes.

1 A. No, I don't. I don't remember that and  
2 don't know anything about it.  
3 Q. Do you remember anybody ever talking to  
4 you about the PCB dump area being  
5 identified as a potential serious water  
6 pollution source?  
7 A. No.  
8 Q. Who is J. L. Corder?  
9 A. Jesse Corder who was the operations  
10 superintendent at that point in time.  
11 Q. Jesse Corder? And --  
12 A. Jess or Jessie, however you pronounce  
13 it.  
14 Q. Would Mr. Mullally have reported to him?  
15 A. Probably so at that point in time.  
16 Q. And in the overall scheme of things, who  
17 would Mr. Corder have reported to?  
18 A. Whoever the plant manager was at that  
19 time.  
20 Q. Could it have been Mr. Papageorge or his  
21 successor?  
22 A. Yes.  
23 Q. Who followed Mr. Papageorge at the

8/31/2004 9:05 AM

150

1 Q. And Hal Brazelton, is that an employee  
2 who was working at the plant at that  
3 time?  
4 A. Yes.  
5 Q. And Mr. J. L. Etheredge, T. W. Lawrence,  
6 J. H. Powell, and E. G. Wright, are  
7 those all people who worked at the plant  
8 in the '70s?  
9 A. Yes.  
10 Q. Do you recall them working on this task  
11 force on the plant dump at that time to  
12 make this transition that you are  
13 talking about?  
14 A. I remember the effort. I couldn't have  
15 named the people that were involved.  
16 Q. But those people -- Are those people I  
17 mentioned people that logically would  
18 have been involved in something like  
19 that?  
20 A. Yes.  
21 Q. Do you remember one of the problems that  
22 were areas of concern during that period  
23 of time being leakage from the PCB dump?

8/31/2004 9:05 AM

151

1 plant?  
2 A. Gene Jessee.  
3 Q. So it was either Mr. Papageorge or  
4 Mr. Jessee that Mr. Corder reported to?  
5 A. Yes.  
6 Q. And is it your understanding if there is  
7 an environmental problem and you have to  
8 deal with regulators that the person who  
9 is ultimately responsible at the plant  
10 is the plant manager?  
11 A. Yes, sir.  
12 Q. So if there is something that has to be  
13 signed off on or some regulation that  
14 has to be complied with it is the  
15 responsibility, as you understand it,  
16 Mr. Brown, of the plant manager, whether  
17 it be Gene Jessee or Papageorge or who  
18 at the plant to take that  
19 responsibility?  
20 A. In most cases that regulations were  
21 developed, that was acceptable practice,  
22 yes.  
23 Q. He is the one who is held accountable

8/31/2004 9:05 AM

152

153

1 also by Monsanto, is he not, for what  
 2 happens in the environmental area here  
 3 at this plant?  
 4 A. He along with others, uh-huh (indicating  
 5 yes).  
 6 Q. Well, who are the others?  
 7 A. Well, today, for example?  
 8 Q. Yes, just give me that as an example.  
 9 A. Well, there is an EHS lead who is  
 10 responsible for this plant.  
 11 Q. Who is that and what is that?  
 12 A. It is environmental safety and health  
 13 lead who has responsibility for --  
 14 Robert Jones reports directly to him.  
 15 He doesn't report to the plant manager.  
 16 Q. So that person is over and above -- In  
 17 the hierarchy of the company, is that  
 18 person over and above Mr. Blake  
 19 Hamilton, who is now the plant manager  
 20 here?  
 21 A. There is no such thing as over and  
 22 above. It is a matrix type  
 23 organization.

1 record.  
 2 Q. In the overall scheme of things, though,  
 3 at the local plant, Mr. Hamilton is  
 4 ultimately responsible as far as  
 5 regulators are concerned as you  
 6 understand it for the environmental?  
 7 A. Yes. He has the signature authority.  
 8 Q. Okay. And then does Mr. Jones or his  
 9 predecessors -- did they actually report  
 10 to the plant manager in the past?  
 11 A. Yes.  
 12 Q. And can Mr. Hamilton or his predecessor,  
 13 Mr. Mayausky -- can they tell whoever is  
 14 in Robert Jones' place, whether it is  
 15 Robert Jones or you, tell them what to  
 16 do about environmental matters?  
 17 A. Can they?  
 18 Q. Did they? In other words, did you  
 19 report to them about decisions that were  
 20 made at the local plant level about  
 21 environmental matters?  
 22 A. Sure.  
 23 Q. About emissions and all that stuff?

8/31/2004 9:05 AM

154

4/21/1998 Brown, Jerry; Mars Hill

1 Q. Well, on environmental affairs does the  
 2 chain of command work this way, that EHS  
 3 lead, as you have termed it, is that  
 4 person the one that Mr. Hamilton  
 5 responds to?  
 6 A. No.  
 7 Q. Okay. Who does he respond to?  
 8 A. The operations excellent lead, who is  
 9 Dennis Cavner.  
 10 Q. So there is a different chain of  
 11 command?  
 12 A. Yeah. It is a matrix.  
 13 MR. PECK: You are not thinking  
 14 politically correct, Donald.  
 15 MR. STEWART: Yeah, I know. The  
 16 diffusion of responsibility.  
 17 That is what they did in  
 18 Congress. They did away with  
 19 people who had capability to  
 20 make decisions. Now we have  
 21 all of them making them, and  
 22 we are not getting any. And  
 23 you can leave that on the

8/31/2004 9:05 AM

155

4/21/1998 Brown, Jerry; Mars Hill

1 A. Sure.  
 2 Q. So ultimately they were in your chain of  
 3 command? Did you hold Robert Jones'  
 4 position before he took it?  
 5 A. There were other people in that position  
 6 between the time I had the direct  
 7 responsibility and Robert.  
 8 Q. Who were they?  
 9 A. Robert Cheever was one.  
 10 Q. Is he still here at the plant?  
 11 A. No. He is in St. Louis.  
 12 Q. And was he a chemist and a trained  
 13 environmentalist, or what was his  
 14 background?  
 15 A. He is a chemical engineer, is trained in  
 16 environmental.  
 17 Q. Is he a long-time employee of Anniston,  
 18 or was he brought in to take over  
 19 environmental affairs?  
 20 A. He moved in here as a promotional  
 21 opportunity in the environmental  
 22 organization back in I guess '82 or  
 23 something like that.

8/31/2004 9:05 AM

156

157

1 Q. He took your position in '82?

2 A. He actually worked for me for a while

3 and then was moved directly to report to

4 the plant manager.

5 Q. When did that occur?

6 A. Mid '80s, something along there. I'm

7 not sure exactly when.

8 Q. Okay. And then who replaced him? Was

9 there anybody between Mr. Cheever and

10 Mr. Jones?

11 A. It was open for a period of time when we

12 were going through that transition in

13 the late '80s and didn't know if the

14 plant was going to be here or not. And

15 I basically filled in that

16 responsibility along with a lot of other

17 roles during that period of time. Then

18 when we reorganized, Robert Jones was

19 brought in and hired for that specific

20 job.

21 Q. So you filled in some of the time when

22 it was open?

23 A. Right.

1 this task force that was dealing with

2 the dump site did? Did you make

3 yourself familiar with that?

4 A. Well, what I remember was the upgrading

5 of the landfill to meet landfill

6 standards --

7 Q. What was done in that regard? Do you

8 know?

9 A. -- that were in place.

10 Q. Do you know what was done --

11 A. Well, it was basically capping and

12 operational procedures of routine

13 covering and controlling of water inflow

14 and controlling of water outflow and

15 things of this nature.

16 Q. Isn't it correct that one of the

17 concerns they had was PCB outflow from

18 the dump?

19 A. I don't remember that as being a

20 concern.

21 Q. If I showed you a document --

22 MR. STEWART: How about marking

23 that.

8/31/2004 9:05 AM

158

1 Q. So then it was -- You had the

2 environmental job, and then Mr. Cheever

3 took it over, worked for you for a while

4 and took it over in '85, and then you

5 filled in after he left?

6 A. Right.

7 Q. When exactly did he leave?

8 A. I'm guessing the '87 era. No. Let's

9 see. '86, '87, somewhere along there.

10 '86 is when we were really into the

11 downsizing. '86, '87 time frame.

12 Q. And then Robert came in --

13 A. Was it '89?

14 Q. So you might have held it -- held the

15 position again for, say, two years?

16 A. Uh-huh (indicating yes).

17 Q. Two, two and a half years?

18 A. Uh-huh (indicating yes). Some of these

19 dates are hard to pin down.

20 Q. I understand, I understand. As the

21 person who was to analyze in '74 the

22 waste that might have left the plant

23 site, were you familiar at all with what

8/31/2004 9:05 AM

159

1 (Plaintiffs' Exhibit Number

2 One was marked for

3 identification.)

4 Q. I show you a document here that talks

5 about the task force. It is Plaintiffs'

6 Exhibit One to your deposition. How

7 about looking at that, and maybe that

8 will refresh your recollection. Then I

9 will ask you some questions about it.

10 Now, does that sort of help you

11 and improve your recollection of what

12 happened?

13 A. Well, I mean, you know, I was aware that

14 something -- the upgrading was being

15 done. You know, I never saw this

16 document. I didn't know the specifics

17 of what that -- what was being done. So

18 you know, does it help my recollection?

19 No. It informs me about some stuff that

20 is documented that I wasn't aware of.

21 Q. If you will look on the first page

22 there, it talks about something I want

23 to ask you some questions about. It

8/31/2004 9:05 AM

160

161

1 talks about a water leakage from the PCB  
2 dump and a lack of security throughout  
3 the dump area. Water leakage from the  
4 PCB dump is what I have reference to.

5 And then in the next paragraph it  
6 says, "In light of the attention PCB has  
7 received, it is highly probable that the  
8 Monsanto PCB dump area could be  
9 classified as a serious water pollution  
10 source."

11 Now, let me ask you if you would  
12 to take a look at Plaintiffs' Exhibit  
13 Two.

14 (Plaintiffs' Exhibit Number  
15 Two was marked for  
16 identification.)

17 Q. Just take a look at that. This purports  
18 to be the western landfill section. Are  
19 you familiar with that? Is this the  
20 western or the southern?

21 A. This is the southern landfill.

22 Q. Well, I guess what I have trouble with  
23 is it says location of interceptor wells

1 Q. Okay. I'm not trying to fuss with you  
2 about anything. I have -- We have had  
3 an understanding previously, Mr. Brown,  
4 in this case that when we talked about  
5 the western landfill we were talking  
6 about a landfill that was located west  
7 of the plant. And we call that -- I  
8 call that the western landfill, and I  
9 think we have generally been calling it  
10 that. So you are educating me a little  
11 bit. What you are telling me -- And I'm  
12 not fussing with you at all. This is  
13 the landfill, as you understood it,  
14 which would be south of 202?

15 A. That's correct.

16 Q. Now, are all these -- Are the cells that  
17 are depicted on Plaintiffs' Exhibit  
18 Number Two to your deposition, which is  
19 this map that we are looking at -- Is  
20 that all the cells that are located in  
21 that landfill?

22 A. Yes.

23 Q. Now, tell me if you would -- If you can,

8/31/2004 9:05 AM

162

1 and observation wells for the western  
2 landfill corrective action system. Is  
3 this southern or the western?

4 A. Let me help you with a little bit of  
5 confusion.

6 Q. Well, I've got some.

7 A. What is known today as the western  
8 landfill was not in existence as a  
9 landfill -- identified landfill at this  
10 point in time.

11 Q. Okay. So what you are talking about  
12 here is the western part of the southern  
13 landfill?

14 A. This was the western portion of the  
15 landfill itself.

16 Q. Of the southern?

17 A. This was known as the landfill.

18 Q. Okay.

19 A. You can call it whatever you want to,  
20 but at this point in time it was the  
21 landfill. And this was the correction  
22 in the western part of the landfill  
23 area.

8/31/2004 9:05 AM

163

1 designate it, and I would want you to  
2 mark it with a pen, if you can designate  
3 what particular area or cell in this  
4 landfill houses the PCB waste, if you  
5 know.

6 A. This area here (indicating).

7 Q. Now, you have marked -- and if you  
8 would, I would like for you to make that  
9 a little darker. But you have marked  
10 cell 1-E and what appears to be cell --  
11 it is hard to read on this little map,  
12 and I think that is as much a fault of  
13 the copier as anything -- 2-E and 3-E;  
14 is that right?

15 A. You know, I'm not that familiar with  
16 what is designated as 1-E to know the  
17 difference between it and this cell.  
18 And the only --

19 Q. Maybe you can mark it better with that  
20 one, Mr. Brown.

21 A. If I had a broader tip or something.  
22 And whether I drew it here or here, I'm  
23 not certain on (indicating). But if you

8/31/2004 9:05 AM

164

8/31/2004 9:05 AM

165

1 ask me specifically to give you cell  
 2 numbers, I would have told you 2-E and  
 3 3-E.  
 4 Q. So 2-E and 3-E are what you understand  
 5 to be the cells in which the PCB  
 6 contamination or wastes or whatever you  
 7 want to call it is stored?  
 8 A. And perhaps 1-E. That one I'm not sure  
 9 of.  
 10 Q. Could be?  
 11 A. Right.  
 12 Q. We are certainly not going to hold  
 13 you -- I understand what the situation  
 14 is. I'm not going to hold you to any  
 15 great degree of accuracy about that.  
 16 Now, when you -- Go back to this letter  
 17 or report -- or recommendation, rather,  
 18 of the task force.  
 19 Mr. Mullally and his group are  
 20 talking about, in that first paragraph,  
 21 water leakage from the PCB dump. And  
 22 then they are talking about that being a  
 23 problem of a serious water pollution

8/31/2004 9:05 AM

166

1 source. Are we talking about, again  
 2 going back to Plaintiffs' Exhibit Two,  
 3 these same cells as you understand it,  
 4 Mr. Brown?  
 5 A. Yes.  
 6 Q. And that was where the PCB as you  
 7 understand it -- the PCBs were buried in  
 8 1970 and the time period that  
 9 Mr. Mullally and his group would have  
 10 been looking at the dump? That is the  
 11 dump they are talking about?  
 12 A. Yes.  
 13 Q. And at the time is it fair to say it was  
 14 not a dump but was -- Well, it was a  
 15 dump and wasn't a landfill. I got my  
 16 statements wrong. Y'all weren't  
 17 following any regulations at that time,  
 18 just dumping it?  
 19 A. In 1970 to '71 is when it was converted  
 20 from the open operation to closed  
 21 landfill operation.  
 22 Q. So I guess what I'm talking about is you  
 23 just took the barrels up there and put

8/31/2004 9:05 AM

167

1 them in the pit, and there wasn't any  
 2 cover or anything before this task force  
 3 made its recommendations in 1970?  
 4 MR. PECK: Object to the form of  
 5 the question.  
 6 A. I can't directly answer that question  
 7 because I never went up there, never saw  
 8 it.  
 9 Q. Okay. It refers in here in the first  
 10 paragraph, says immediate action. Would  
 11 you read that, and then I'll ask you  
 12 some questions about it. It goes on to  
 13 the next page.  
 14 A. Okay.  
 15 Q. It says there were old drums -- It says  
 16 immediate actions. That is on the first  
 17 page. And it talks about eliminate PCB  
 18 drainage from the present dump site.  
 19 What it says is, "To accomplish this it  
 20 is recommended that extensive changes be  
 21 made in the present dump area." And it  
 22 goes on to say what they were going to  
 23 do with the old drums that were just

8/31/2004 9:05 AM

168

1 lying on the banks, that that should be  
 2 moved to the bottom of a hole. Do you  
 3 see that?  
 4 A. Uh-huh (indicating yes).  
 5 Q. Do you understand -- It talks about  
 6 sufficient dirt should be brought in to  
 7 cover it and be compacted and so forth.  
 8 Is that what you are talking about that  
 9 they had done earlier when they made  
 10 that transition from a dump to a  
 11 regulated landfill?  
 12 A. Yes.  
 13 Q. Would it be fair to say, then, from  
 14 reading this paragraph that there were  
 15 drums just laying out there on the bank  
 16 of this particular hole that they had  
 17 previously been put into?  
 18 MR. PECK: Object to the form of  
 19 the question.  
 20 Q. You can go ahead.  
 21 A. All I know is what I read from the  
 22 documents.  
 23 Q. You don't have any reason to disagree

8/31/2004 9:05 AM

169

1 with Mr. Mullally and his task force  
 2 about what they had been tasked to do?  
 3 A. I have no reason to agree or disagree.  
 4 Q. You don't have any information to  
 5 indicate or believe it was done any  
 6 differently than what it says in the  
 7 report, do you?  
 8 A. No.  
 9 Q. Now, tell me if you would, Mr. Brown, if  
 10 other than in these cells there was any  
 11 PCBs buried anywhere else to your  
 12 knowledge during the time of operation  
 13 there. You have talked about during the  
 14 '50s and '60s.  
 15 MR. PECK: You mean during the  
 16 operation of that landfill?  
 17 MR. STEWART: From the time of the  
 18 operation up to '70, during  
 19 the operation of the  
 20 production facility is what  
 21 I'm talking about.  
 22 Q. Do you know if PCB waste, the steel  
 23 residue, was buried anywhere else?

1 I think the way it is  
 2 actually referred to in the  
 3 documents now, to avoid  
 4 confusion is west end.  
 5 Q. West end, e-n-d, west of the plant --  
 6 A. Plant wastes prior to 1960.  
 7 Q. Do you know what kind of plant waste?  
 8 A. Well, that could have involved  
 9 phosphorus and phosphate slags and  
 10 residues from the PCB manufacturing.  
 11 Q. Okay. Anything else that you understood  
 12 was --  
 13 A. Not to my knowledge.  
 14 Q. Now, to get some sense of direction  
 15 here, are we talking now about -- Can  
 16 you show me where south would be on  
 17 Plaintiffs' Two?  
 18 A. (Indicating.)  
 19 Q. Can you just mark it with your pen with  
 20 an S?  
 21 A. (Executed by the witness.)  
 22 Q. And then put north on there, and then we  
 23 will know what the rest of it is.

8/31/2004 9:05 AM

170

1 A. It is my understanding in the western  
 2 landfill.  
 3 Q. Now, you have said something a minute  
 4 ago that I frankly had not understood  
 5 until you said it. But you indicated a  
 6 minute ago that the western landfill was  
 7 not a dump or a landfill and treated as  
 8 such. Is that correct or incorrect?  
 9 A. Well, it was closed out in 1960 or  
 10 thereabouts and capped.  
 11 Q. And capped? How was it capped?  
 12 A. Dirt was put on top of it. Clay was put  
 13 on top of it.  
 14 Q. Just clay was put on top of it?  
 15 A. Yeah.  
 16 Q. Did you have any idea what was buried  
 17 over there?  
 18 A. No, not other than what I have heard  
 19 from older employees.  
 20 Q. What did you understand from older  
 21 employees was buried in that western  
 22 landfill?  
 23 MR. PECK: Just for the sake of --

8/31/2004 9:05 AM

171

8/31/2004 9:05 AM

172

1 A. (Executed by the witness.)  
 2 Q. Okay. Now, do you know where the -- So  
 3 that we -- while we are on this, we  
 4 might as well get it -- where the PCBs  
 5 are buried, what that was before y'all  
 6 started using it as a dump site?  
 7 A. It was my understanding it was an iron  
 8 ore hole.  
 9 Q. Iron ore?  
 10 A. Yes.  
 11 Q. Do you know who the previous owner was?  
 12 A. No, I do not.  
 13 Q. Do you know if you had gone down to  
 14 bedrock, Mr. Brown?  
 15 A. I do not.  
 16 Q. If the previous owner had?  
 17 A. I do not know.  
 18 Q. Do you know anything at all about the  
 19 hydrology of the area?  
 20 A. I know what we have learned through the  
 21 '80s, through many, many, many borings.  
 22 Q. And what is that?  
 23 A. Basically a hundred feet of -- plus or

8/31/2004 9:05 AM

173

1 minus a hundred, hundred twenty feet of  
 2 very, very highly impermeable clay  
 3 pretty much over that entire section.  
 4 Q. What, at the bottom of the pit? Is that  
 5 what you are talking about?  
 6 A. No, over the entire section there.  
 7 Q. Oh, the surface is --  
 8 A. From the surface down for a hundred to a  
 9 hundred and twenty feet is highly  
 10 impermeable clay.  
 11 Q. Okay. What's below that?  
 12 A. You start getting into some rock  
 13 formation.  
 14 Q. Do you know whether or not the pit had  
 15 been dug out to the point -- Was there  
 16 one pit or two pits?  
 17 A. I don't know.  
 18 Q. And do you know whether or not whatever  
 19 number of pits there were had been dug  
 20 out to bedrock before Monsanto started  
 21 using it?  
 22 A. I do not know. I would not expect so --  
 23 Q. What about --

1 matter buried there other than PCB  
 2 waste?  
 3 A. Not to my knowledge.  
 4 Q. Can you tell us just if you have any  
 5 knowledge about what is buried in these  
 6 other cells or these other solid waste  
 7 management units?  
 8 A. Yes, I do.  
 9 Q. Can you tell us what it is?  
 10 A. These other cells were built primarily  
 11 to support parathion operation.  
 12 Q. All the other cells have parathion?  
 13 A. Or parathion intermediates, PNP kind of  
 14 wastes. PNP stands for  
 15 para-nitrophenol. And certain of these  
 16 cells contain primarily sulfur that had  
 17 a surface coating of organophosphate on  
 18 the sulfur. And that is all that is in  
 19 this cell (indicating).  
 20 Q. Which cell is that?  
 21 A. 4-W.  
 22 Q. 4-W has sulfur in it?  
 23 A. Yes.

8/31/2004 9:05 AM

174

1 A. -- based on --  
 2 Q. Go ahead.  
 3 A. -- based on the boring work that was  
 4 done in the '80s. You know, going down  
 5 a hundred to a hundred and twenty feet  
 6 is an awfully deep hole to dig. I have  
 7 heard figures of thirty to forty feet  
 8 deep.  
 9 Q. So you think it might have been as much  
 10 as thirty to forty feet deep before  
 11 y'all started using it?  
 12 A. That is the figures I have been told.  
 13 Q. And who told you that?  
 14 A. Gosh, I don't remember.  
 15 Q. Just general history or knowledge about  
 16 the --  
 17 A. Yes.  
 18 Q. Now, when you talk about that, you are  
 19 talking about these cells that you have  
 20 circled here on Plaintiffs' Exhibit Two  
 21 where the PCBs are buried?  
 22 A. That's correct.  
 23 Q. Was there any other waste material or

8/31/2004 9:05 AM

175

1 Q. Okay.  
 2 A. And sulfur is in 3 -- 2 and 3 also.  
 3 Q. 2 and 3?  
 4 A. Yes.  
 5 MR. PECK: 2-W?  
 6 THE WITNESS: 2-W.  
 7 Q. Is there any parathion in any of those  
 8 cells that you have just mentioned?  
 9 A. Well --  
 10 Q. 3-W, 2-W-A and 4-W?  
 11 A. Not in 4-W. In 2 and 3-W there is some  
 12 parathion residue. And when I say  
 13 residue, I'm talking about it would be  
 14 parathion contaminated articles like  
 15 rags and gloves and sample bottles, not  
 16 liquid parathion.  
 17 Q. What about cell 2-W and cell 1-W? What  
 18 is that, parathion?  
 19 A. The 1-W is the old cell that was used  
 20 for the very first parathion type  
 21 wastes.  
 22 Q. All right. What about 2-W?  
 23 A. It also had sulfur and parathion

8/31/2004 9:05 AM

177

1 contaminated type waste in it.  
 2 Q. What about 4-E -- and I don't know what  
 3 the other is.  
 4 A. 4-E and 5-E are the two cells we have  
 5 spoke about earlier. These are both  
 6 RCRA cells. 5-E contains all the  
 7 demolition debris from the parathion  
 8 demolition, including the dirt from  
 9 underneath the plant. 4-E contains both  
 10 some sulfur, and it contains a portion  
 11 of material that was picked up and  
 12 relocated from this area when the  
 13 highway came through (indicating).  
 14 Q. Mark that area you are talking about,  
 15 5-E or 4-E?  
 16 A. 4-E.  
 17 Q. It contains some highway area material?  
 18 A. Yes. It contains some -- See, this cell  
 19 actually -- You know, what I'm showing  
 20 you is for illustration only. I don't  
 21 know the exact boundaries.  
 22 Q. I understand.  
 23 A. But it was something like so

1 landfill -- Well, and there is one  
 2 other -- Well, let me finish that.  
 3 There was debris from a particular  
 4 building that was torn down, a large  
 5 cement building that was torn down in,  
 6 like, 1990, '91. All the debris was  
 7 placed here (indicating).  
 8 Q. When you say here, what cell was that?  
 9 A. 3-E.  
 10 Q. So in 3-E you placed all the debris from  
 11 a building that was torn down?  
 12 A. Right.  
 13 Q. Around when?  
 14 A. 1990.  
 15 Q. Okay.  
 16 A. And we also had one other material  
 17 called Santotire, which is a steel  
 18 bottom from polyfoam manufacturing,  
 19 asphalt-like material, nonhazardous  
 20 material that some of it was buried in  
 21 this cell also (indicating).  
 22 Q. In 3-E?  
 23 A. Yes.

8/31/2004 9:05 AM

178

1 (indicating).  
 2 Q. So the parathion cell or cell 1-W moved  
 3 out a little on the right-of-way?  
 4 A. When the right-of-way came through, it  
 5 went across that cell. All of that was  
 6 excavated and relocated to 4-E.  
 7 Q. Okay. When you talk about the highway,  
 8 you are talking about 202?  
 9 A. Yes.  
 10 Q. Anything else buried there in any of  
 11 those cells?  
 12 A. Not to -- Well, you have general plant  
 13 trash kinds of stuff.  
 14 Q. Like paper and stuff like that that was  
 15 buried?  
 16 A. Right, right.  
 17 Q. Tell me --  
 18 A. Most of that was buried over in this  
 19 section (indicating).  
 20 Q. Which is --  
 21 A. 3-E.  
 22 Q. 3-E?  
 23 A. Yes. The last thing disposed of in the

8/31/2004 9:05 AM

179

1 Q. Now, can you tell us how much acreage is  
 2 -- Do you know how much acreage there  
 3 is --  
 4 A. Within fence here there is --  
 5 Q. Not within fence. I'll ask you -- Well,  
 6 tell me fence first.  
 7 A. Within fence is about thirty acres.  
 8 Q. How many acres are --  
 9 A. In cells, around twelve, fifteen, in  
 10 that neighborhood is my understanding.  
 11 Q. Close to half of the thirty acres?  
 12 A. Uh-huh (indicating yes).  
 13 Q. Now, tell me if you would, Mr. Brown,  
 14 who the operator of this landfill was --  
 15 There is a suggestion in here that there  
 16 be an operator or management person.  
 17 Who did that?  
 18 A. Let me see what you are --  
 19 MR. PECK: Referring to  
 20 Plaintiffs' Exhibit One?  
 21 MR. STEWART: Yes.  
 22 A. Which page are you looking at?  
 23 Q. In paragraph five on page two.

8/31/2004 9:05 AM

181

1 A. Okay.

2 Q. It says the entire dump and solid waste

3 disposal should be made the

4 responsibility of one person. Who did

5 that become?

6 A. Bill Taffee.

7 Q. And is Mr. Taffee still living?

8 A. Barely.

9 Q. How old is he?

10 A. Eighty-something.

11 Q. And where does he live?

12 A. Just over -- Not far from you.

13 Q. Here in Anniston?

14 A. Yeah.

15 Q. What, somewhere in the -- Keith or Knox?

16 A. Keith comes to mind. I don't remember.

17 Q. So he was the operator of the landfill

18 for what period of time, from the time

19 the task force put this thing together

20 until he retired or --

21 A. Until he retired in probably '82.

22 Q. So he operated the landfill from '70

23 to --

1 control at the plant.

2 Q. Which would have been Robert Jones or

3 Mr. Cheever?

4 A. Yes. Of course when Jones came most of

5 it had been capped out and closed up.

6 But Cheever and prior to Cheever --

7 Q. And where is Mr. Cheever now?

8 A. He is in St. Louis.

9 Q. Working with Monsanto?

10 A. Solutia.

11 Q. What is his position there?

12 A. He is in the environmental control at

13 the Queeny plant.

14 Q. In --

15 A. St. Louis.

16 Q. Tell me if you would, Mr. Brown, what

17 water or drainage would come off of this

18 plant. Would it run north off the

19 bottom of Coldwater Mountain -- off this

20 landfill, would it run north?

21 A. The general surface flow is, yes, to the

22 north.

23 Q. Is there a drainage ditch that runs --

8/31/2004 9:05 AM

182

4/21/1998 Brown, Jerry; Mars Hill

1 A. Now, when we say operated, he had

2 responsibility for management of what

3 went on from an operational standpoint

4 of that landfill.

5 Q. Who did he report to?

6 A. Initially he reported to the SD

7 superintendent until --

8 Q. Who was that?

9 A. That would have been Joe Landwehr until

10 he left and that position was phased

11 out. And then he reported to Bill Voss

12 then from probably mid to early -- mid

13 '70s to '80, and in 1980 he reported to

14 me.

15 Q. Reported to you?

16 A. Uh-huh (indicating yes).

17 Q. And how long did he report to you, until

18 he retired?

19 A. Two years. Uh-huh (indicating yes).

20 Q. Did someone take his place?

21 A. That became more a part of the

22 responsibility of the person for -- who

23 was in charge of the environmental

8/31/2004 9:05 AM

183

4/21/1998 Brown, Jerry; Mars Hill

1 ultimately ran under the highway that

2 would accept or take the water and

3 then --

4 A. There were two or three of them.

5 Q. And does that then go into the drainage

6 ditches that y'all had previously found

7 some -- in the '70s and '80s found some

8 PCB contamination?

9 MR. PECK: Object to the form of

10 the question.

11 A. Ultimately it does.

12 Q. Okay. And then does it ultimately go

13 into Snow Creek?

14 A. Yes.

15 Q. So when Mr. Mullally and his crew were

16 talking about -- this task force were

17 talking about the PCBs at the private

18 dump operation posing a water pollution

19 problem or health hazard, as a practical

20 matter what they would be talking about

21 is that drainage that would come off --

22 Would they be talking about the surface

23 water that comes off there and goes to

8/31/2004 9:05 AM

184

1 Snow Creek ultimately?  
 2 MR. PECK: Object to the form of  
 3 the question, lack of  
 4 foundation.  
 5 A. All I know is what I read right here.  
 6 Q. What else could they be talking about  
 7 other than that, Mr. --  
 8 A. I don't know of anything.  
 9 Q. Okay. Now, during the time that  
 10 Mr. Taffee worked or served as this  
 11 operations manager, was he required to  
 12 maintain some kind of record of what was  
 13 buried in the landfill?  
 14 A. He kept records.  
 15 Q. In what form?  
 16 A. In the form of designation of what type  
 17 waste went into what type cell.  
 18 Q. What about amount?  
 19 A. There was no measurement of quantity  
 20 per se until the late '70s or early  
 21 '80s.  
 22 Q. And was there any estimation made as to,  
 23 say, parathion or PCB, the pounds of

1 A. Well, I think I mentioned earlier, you  
 2 know, the technique that I would assume  
 3 would have been used.  
 4 Q. And is it your understanding that that  
 5 is what Mr. Taffee or Mr. Cheever or  
 6 whoever did that particular application  
 7 probably used?  
 8 A. Well, see, that was -- That had been  
 9 stopped. Ongoing operations did not --  
 10 I mean, that didn't affect ongoing  
 11 operations at all.  
 12 Q. But there were RCRA applications that  
 13 were filed after y'all stopped and  
 14 estimations y'all had to make of what  
 15 was buried in these landfills, didn't  
 16 you? Isn't that a fact?  
 17 A. I can't remember any RCRA application  
 18 that would have included something like  
 19 that. It perhaps was. But then if  
 20 there was a request for that kind of  
 21 thing, you'd have to do the best  
 22 estimate you possibly could.  
 23 Q. And you are saying the method they

8/31/2004 9:05 AM

186

4/21/1998 Brown, Jerry; Mars Hill

1 that material that might be located in  
 2 these cells?  
 3 A. You mean from previous operations?  
 4 Q. From previous operations, from those  
 5 operations that continued on through the  
 6 time frame that you talked about.  
 7 A. Well, you know, what I've told you about  
 8 through the '70s. And starting in late  
 9 '70s and early '80s manifesting, if you  
 10 will, a piece of paper of each movement  
 11 of waste, you know. Basically there is  
 12 a transition leading up to that. They  
 13 did not retroactively develop  
 14 information. That was for current and  
 15 ongoing operations.  
 16 Q. So how is it, then, that one would come  
 17 up with -- Let's just say that Monsanto  
 18 had filed a document with a regulatory  
 19 agency. How is it that you would have  
 20 come up with an estimation of the amount  
 21 of pounds of PCBs, for instance, that  
 22 was located in these cells in the south  
 23 landfill?

8/31/2004 9:05 AM

187

4/21/1998 Brown, Jerry; Mars Hill

1 probably used to calculate it is what  
 2 you previously -- I don't want you to go  
 3 through it again. We have already got  
 4 that. That is --  
 5 A. That is the most logical way I know of  
 6 to estimate something like that.  
 7 Q. Where are Mr. Taffee's records, if you  
 8 know? You indicated he kept records.  
 9 Where are they?  
 10 A. Whatever exists is in the archives. You  
 11 know, beyond that, I can't tell you. I  
 12 don't know.  
 13 Q. But you know he kept records during the  
 14 time he worked there from about  
 15 '70-something to 1982?  
 16 A. Right.  
 17 Q. And the purpose of those was so y'all  
 18 could know, was it not, Mr. Brown, what  
 19 was in these cells, what you were  
 20 putting in there?  
 21 A. You know, if you go back to the 1970s  
 22 purpose and the 1980s purpose, I mean,  
 23 things change.

8/31/2004 9:05 AM

188

1 Q. Y'all were concerned about PCBs to the  
2 point where you bought some hogs in the  
3 1970s-something, Mr. Brown. Are you  
4 telling me you weren't concerned about  
5 where these things were from the '70s to  
6 the '80s? You are not telling me that,  
7 are you?

8 A. What I'm telling you is that what was  
9 there was entombed and not moving  
10 anyplace.

11 Q. Well, y'all were concerned in '70 with  
12 the task force with it moving someplace,  
13 weren't you?

14 A. And this task force was put together to  
15 address what had been learned and  
16 eliminate the -- you know, things that  
17 had been learned that were not  
18 considered to be good practice.

19 Q. Then in '85 you have some  
20 correspondence, I believe, from the  
21 Attorney General that you were involved  
22 in, I believe. Maybe I'm mistaken about  
23 it. But didn't y'all have some

1 Plaintiffs' Exhibit Three and ask you to  
2 take a look at that. And the plant site  
3 is located there, and then we have the  
4 cells that are shown just a little bit,  
5 those cells we have previously been  
6 describing on the south of 202. And  
7 then there is an area east of the plant  
8 across Clydesdale. Can you draw for me  
9 the route that that discharge point that  
10 you are talking about would take, 001,  
11 off the plant site? I assume it comes  
12 off the plant site. That is what you  
13 are talking about isn't it, Mr. Brown?

14 A. That's correct.

15 Q. Draw that if you would and show where it  
16 goes on the eastern part of 202 -- I  
17 mean, property east of the plant, across  
18 Clydesdale. Just to orient you a little  
19 bit, if you will look, there is a -- It  
20 has Alabama 202 there, and the plant is  
21 supposed to be right there (indicating).  
22 Is that enough of a map for you to show  
23 me where that 001 is?

8/31/2004 9:05 AM

190

1 correspondence with the Attorney General  
2 at that time about --

3 A. Yes, we did.

4 Q. -- some problem that might have existed?

5 A. In the sediments in Snow Creek.

6 Q. And we have gone through that earlier,  
7 so I won't do that. But that was in the  
8 same general area that is served by  
9 these drainage ditches that we have  
10 previously talked about, isn't it?

11 MR. PECK: Object to the form.

12 A. Hydraulically downstream of discharge  
13 point 001 as I have described earlier.

14 Q. And 001, where is that, now?

15 A. It would be right down (indicating).

16 Q. Oh, you mean it is off the plant site?

17 A. The plant site is not shown here.  
18 That's a landfill.

19 (Plaintiffs' Exhibit Number  
20 Three was marked for  
21 identification.)

22 Q. Let me show you this, and maybe we can  
23 locate that. Let me show you

8/31/2004 9:05 AM

191

1 A. It would be basically -- Looking at this  
2 parking lot, the street is not in  
3 proportion here. This proportion --

4 Q. Now, this is Solutia's map. Be careful  
5 about criticizing it.

6 A. I'm stating facts as I try to read it.

7 Q. I'm just kidding.

8 MR. PECK: You think that street  
9 is too far down?

10 THE WITNESS: It keeps putting me  
11 too far down this way  
12 (indicating). But basically  
13 it is, like, right here  
14 (indicating).

15 Q. Would you label that on Plaintiffs'  
16 Exhibit Three, just mark off to the side  
17 there what you're -- You are saying  
18 D 001 is discharge point. Now, where  
19 does the -- Is there water that is  
20 discharged off the plant site at that  
21 particular point?

22 A. Yes.

23 Q. And where does that water come from, if

8/31/2004 9:05 AM

192

1 you know, Mr. Brown, from the plant  
2 itself?  
3 A. From the plant itself.  
4 Q. And is it your understanding that  
5 what --  
6 A. And storm water.  
7 Q. And storm water?  
8 A. Uh-huh (indicating yes).  
9 Q. That might fall on the church property  
10 -- not church property, but plant  
11 property?  
12 A. Yes.  
13 Q. Tell me if you would if that particular  
14 discharge point is affected at all by  
15 storm water that would come from the  
16 southern landfill area.  
17 A. Part of the drainage area is down  
18 through here, and it combines at this  
19 point (indicating).  
20 Q. Could you draw from what portion of the  
21 southern landfill appears on Plaintiffs'  
22 Exhibit Three that general drainage  
23 area? I'm not going to hold you to it.

1 Q. Now, what I was concerned about, that's  
2 on the eastern side of the plant, and it  
3 goes into Snow Creek?  
4 A. It goes on out to a tributary which  
5 joins Snow Creek down here (indicating).  
6 Q. So this line down here that you have  
7 drawn here from the discharge point goes  
8 into a tributary which subsequently goes  
9 into Snow Creek; is that correct?  
10 A. Yes.  
11 Q. You have indicated there was drainage  
12 off the southern landfill, which is the  
13 property south of 202. Does it feed  
14 into this discharge point?  
15 A. As I have illustrated right here, this  
16 is a drainage ditch -- old 202 used to  
17 come along here. So all this drainage  
18 went just like so (indicating). But  
19 after 202 came through, it came under  
20 202 along here, tied into this ditch and  
21 then alongside Clydesdale and joined up  
22 at this point here (indicating).  
23 Q. Can you draw that line from the ditch

8/31/2004 9:05 AM

194

1 Just give me your best judgment,  
2 Mr. Brown, because that would help us  
3 locate what you are talking about.  
4 A. Basically from here over (indicating).  
5 Q. If you would just draw -- If you want to  
6 shade it in, where it comes from, please  
7 do that.  
8 A. (Executed by the witness.)  
9 (A break was taken.)  
10 Q. You have drawn, since we took a break,  
11 this discharge thing. And so that I  
12 understand it, you have drawn it across  
13 Clydesdale?  
14 A. That's correct.  
15 Q. And it comes off the plant property; is  
16 that correct?  
17 A. There is really plant property on down  
18 to this point (indicating).  
19 Q. Now, is that --  
20 A. I was drawing it in without seeing the  
21 dark spot on this map. That first one  
22 is an error there. It tied in right  
23 along there (indicating).

8/31/2004 9:05 AM

195

1 there where it came off?  
2 A. Well, I have drawn this, just referring  
3 to this part of --  
4 Q. Well, put an arrow to it if you would,  
5 Mr. Brown, and how about labeling it in  
6 some fashion, drainage off south  
7 landfill.  
8 A. All right. I put an arrow. It ties  
9 into that ditch which basically goes  
10 under this road and then under --  
11 Q. Clydesdale?  
12 A. -- Clydesdale and just right down along  
13 like so (indicating).  
14 Q. So it goes east of Clydesdale at some  
15 point and ties into that discharge  
16 point?  
17 A. Yes.  
18 Q. Now, are you saying that the state was  
19 concerned about the discharge point that  
20 you have marked that came off the plant,  
21 or were they concerned about just PCBs  
22 being present in Snow Creek in '85?  
23 MR. PECK: Object to the form of

8/31/2004 9:05 AM

196

197

1 the question.

2 A. When you say the state, you are talking

3 about the Attorney General?

4 Q. Yeah.

5 A. Okay. If you remember, earlier today

6 when I referred to the other situation

7 that developed on Snow Creek with the

8 finding of a discharge of PCBs from

9 another facility into Snow Creek --

10 Q. Uh-huh (indicating yes).

11 A. -- that ADEM water department actually

12 found and the Attorney General picked up

13 on that and filed some sort of

14 injunction against the operation of that

15 facility --

16 Q. Uh-huh (indicating yes). Is that what

17 you are saying the Attorney General's

18 concern was in 19 --

19 A. Let me continue on.

20 Q. Okay. Go ahead.

21 A. As part of that investigation, the owner

22 of that facility said, "If you think we

23 have a PCB problem, you ought to look

1 At least that is my recollection of it.

2 Q. And it is your recollection that that

3 resulted in a citation or some kind of

4 legal action taken against Mr. Allen and

5 not Monsanto, and then he sicced the

6 Attorney General on y'all; is that

7 correct?

8 A. He basically said, "Look, if you think I

9 have a PCB problem here, you ought to

10 look on up the stream toward Monsanto."

11 Q. My only question to you, Mr. Brown, is

12 who did the testing in Monsanto's

13 direction. And you have indicated to me

14 it was not ADEM, that it was somebody

15 from the Attorney General's Office?

16 A. That's correct.

17 Q. And that was Mr. Allen?

18 A. Gary Allen.

19 Q. Do you remember who was Attorney General

20 at that time?

21 A. Charlie Graddock.

22 Q. And was Mr. Broadwater in charge of the

23 Alabama Department of Environmental

8/31/2004 9:05 AM

198

8/31/2004 9:05 AM

200

4/21/1998 Brown, Jerry; Mars Hill

4/21/1998 Brown, Jerry; Mars Hill

1 further up Snow Creek."

2 Q. Are you saying that -- Is that Tull

3 Allen?

4 A. That's correct.

5 Q. And --

6 A. So subsequent to that investigation they

7 did the screening study on up Snow Creek

8 that I referred to earlier this morning.

9 Q. Who is think?

10 A. Gary Allen.

11 Q. And was that somebody with --

12 A. The Attorney General's Office.

13 Q. At any point in time did anyone from

14 ADEM do that work, any of that work?

15 A. I'm not aware of ADEM being a part of

16 that screening study that Gary Allen and

17 the Attorney General did.

18 Q. What I'm talking about is what was

19 precipitated by the spill at Tull

20 Allen's facility.

21 A. ADEM was a part of that. In fact ADEM

22 referred that situation to the Attorney

23 General for some sort of legal action.

1 Management?

2 A. Probably. I don't -- Probably so. I

3 don't remember who was the overall

4 director at that point in time.

5 Q. Were you handling environmental affairs

6 for the plant at that time?

7 A. Yes, but working primarily with the

8 specific agencies like water group,

9 solid waste group.

10 Q. Were you the point man on this

11 particular problem that y'all had with

12 the Attorney General at that time?

13 A. Me and Bob Cheever, yes. We were both

14 involved. Bob was working for me at

15 that point in time.

16 (Plaintiffs' Exhibit Number

17 Four was marked for

18 identification.)

19 Q. I show you a letter from a Craig

20 Kneisel. It is sort of printed poorly

21 here. I apologize for the copy here.

22 A. I know Craig.

23 Q. It is a letter to Mr. Joe Broadwater,

8/31/2004 9:05 AM

199

8/31/2004 9:05 AM

201

ADAD21-003658  
HARTOLDMON0033614

1 who was head at that point in time of  
 2 the Alabama Department of Environmental  
 3 Management. It is dated February 26,  
 4 1985.  
 5 A. Right.  
 6 Q. It says that on Monday, February 25th,  
 7 1985, members of the Attorney General's  
 8 staff met with representatives of  
 9 Monsanto Chemical Company concerning the  
 10 finding by this office of PCBs in Snow  
 11 Creek sediment. Are you familiar with  
 12 the meeting he is talking about?  
 13 A. Yes, I am.  
 14 Q. And do you remember who all was at that  
 15 meeting?  
 16 A. No. But this -- This is the screening  
 17 study that they did that I was referring  
 18 to.  
 19 Q. When you say the screening study, you  
 20 are talking about where the Attorney  
 21 General's Office and Gary Allen --  
 22 A. Yes.  
 23 Q. Is Tull Allen's facility above or

1 manufacturing of his particular chemical  
 2 he made there; is that correct?  
 3 A. He used it in his heat transfer system.  
 4 Q. In the heat transfer system. But he did  
 5 not use it as a part of the product he  
 6 produced?  
 7 A. No.  
 8 Q. Y'all did, didn't you? I mean, y'all  
 9 made PCBs rather, manufactured them in  
 10 large size quantities at Monsanto?  
 11 A. Uh-huh (indicating yes).  
 12 Q. So would it be fair to say that if the  
 13 PCBs were found in the sediment that  
 14 would be upstream from Tull Allen's  
 15 facility and downstream from Monsanto  
 16 came from your plant, wouldn't they?  
 17 A. That is a likely possibility.  
 18 Q. Well, that is where they came from then,  
 19 isn't it, Mr. Brown?  
 20 A. More than likely, yes.  
 21 Q. Okay. And so when the -- When you talk  
 22 about the Attorney General getting on to  
 23 Mr. Allen at this point in time,

8/31/2004 9:05 AM

202

1 below -- Is it downstream on Snow Creek  
 2 from Monsanto?  
 3 A. Yes.  
 4 Q. Do you know whether or not the sediment  
 5 levels they were talking about finding  
 6 in Craig Kneisel's letter were found  
 7 above Tull Allen's plant on Snow Creek,  
 8 or were they found below Tull Allen's  
 9 plant on Snow Creek?  
 10 A. This sediment screening study was done  
 11 above Tull Allen's plant on Snow Creek.  
 12 Q. As a practical matter the leak you are  
 13 talking about of PCBs at his plant or  
 14 his facility came from -- What did you  
 15 understand that came from, Mr. Brown?  
 16 A. It was equipment he had in the operation  
 17 that used PCBs.  
 18 Q. So there was some heat transfer -- PCBs  
 19 in some heat transfer mechanism, say a  
 20 transformer or something like that in  
 21 his facility or a --  
 22 A. Some of his processing equipment.  
 23 Q. But he didn't use it in the

8/31/2004 9:05 AM

203

8/31/2004 9:05 AM

204

1 wouldn't it be fair to say, Mr. Brown,  
 2 there was some concern expressed by the  
 3 Attorney General and some agreement  
 4 worked out with y'all and the Attorney  
 5 General about your plant site and  
 6 contamination of Snow Creek?  
 7 A. I don't understand that question.  
 8 Q. Let me see if I can phrase it a little  
 9 more artfully so you do understand it.  
 10 You have indicated that the person who  
 11 had the problem with the Attorney  
 12 General, Tull Allen, and sicked them on  
 13 y'all, y'all then had a problem with the  
 14 Attorney General, didn't you, about PCB  
 15 contamination?  
 16 A. We had a problem in that their screening  
 17 study picked up PCBs, yes. And we met  
 18 with the Attorney General and ADEM, and  
 19 that led to the next study on that  
 20 section on Snow Creek.  
 21 Q. Well, now, they indicate in here that  
 22 the levels were in excess of a hundred  
 23 parts per million. You have indicated

8/31/2004 9:05 AM

205

1 earlier that you understand actionable  
 2 levels would be above fifty parts per  
 3 million. Did y'all find -- Y'all found  
 4 in your next studies levels far in  
 5 excess of that, did you not, far in  
 6 excess of the hundred parts per million?  
 7 A. We found up to a thousand parts per  
 8 million, yes.  
 9 Q. Ten times as much, which caused you to  
 10 remove that material from Snow Creek; is  
 11 that right? Is that what you worked out  
 12 that you would do?  
 13 A. Yes.  
 14 Q. So in all fairness you all had a problem  
 15 at the same time Mr. Allen had a problem  
 16 with a regulatory agency or a state  
 17 official? In this instance it was the  
 18 Attorney General; is that correct?  
 19 A. We didn't have a problem with them. We  
 20 had a situation that was discovered,  
 21 investigated, and carried out.  
 22 Q. Is it not a fact, Mr. Brown, that before  
 23 the Attorney General's representative,

1 Chemical Company?  
 2 A. I don't recollect the data you are  
 3 referring to. You know, I was dealing  
 4 with a person by the name of Bill Lott  
 5 at that point in time. He was our point  
 6 of contact.  
 7 Q. How well did you know Bill Lott?  
 8 A. I knew him as a regulator.  
 9 Q. How often did you see him and talk to  
 10 him?  
 11 A. Whenever we had a need to interface and  
 12 communicate on water dealings.  
 13 Q. Well, who did you talk to in the land  
 14 division?  
 15 A. As I mentioned earlier, Buddy Cox until  
 16 he made his move and then two or three  
 17 people during an interim period of time  
 18 there.  
 19 Q. Who would it have been in 1985, Mr. Cox?  
 20 A. I think Buddy was still there in '85.  
 21 Q. And can you tell me if you in fact did  
 22 or did not talk to ADEM officials about  
 23 some findings that they had received

8/31/2004 9:05 AM

206

4/21/1998 Brown, Jerry; Mars Hill

1 Gary Allen, found this, that an  
 2 individual from ADEM found high levels  
 3 of PCBs in the sediment of Snow Creek  
 4 above Tull Allen's plant and below the  
 5 Monsanto plant?  
 6 A. About the same period of time they both  
 7 were looking -- I'm trying to remember  
 8 the exact data, but I can't remember  
 9 specifically what --  
 10 Q. Wasn't there a young fellow named Clay  
 11 Scott who found high levels of PCBs in  
 12 the sediment of Snow Creek above -- on  
 13 the stream above Tull Allen's plant and  
 14 below Monsanto?  
 15 A. I never remember working with a person  
 16 by the name of Clay Scott.  
 17 Q. Weren't you informed at some time as the  
 18 environmental representative or the  
 19 person in charge of the environment that  
 20 ADEM had in fact found high levels of  
 21 PCBs in the sediment of Snow Creek in  
 22 the same vicinity I just mentioned above  
 23 Tull Allen's facility and below Monsanto

8/31/2004 9:05 AM

207

8/31/2004 9:05 AM

208

4/21/1998 Brown, Jerry; Mars Hill

1 from one of their field reps about the  
 2 -- the same time period you got this  
 3 letter from the Attorney General and  
 4 Mr. Allen was being investigated? That  
 5 all happened during the same time  
 6 period, wasn't it?  
 7 A. It was all during the same -- And we  
 8 went down to Montgomery and met with  
 9 Charles Horn.  
 10 Q. Now, who is Charles Horn?  
 11 A. Horn was the --  
 12 Q. Head of the land division?  
 13 A. Head of the land division, well, head of  
 14 the industrial water division.  
 15 Q. Industrial water division. So you knew  
 16 Mr. Lott, and you knew Mr. Horn. Did  
 17 y'all ever have any conversations with  
 18 them or tell them that y'all weren't  
 19 responsible for what appeared to be high  
 20 levels of contamination of PCBs in Snow  
 21 Creek below your plant and before you  
 22 got to Tull Allen's plant?  
 23 A. I never remember any such discussion.

8/31/2004 9:05 AM

209

1 Q. Wouldn't it be logical to assume, based  
 2 on this fairly heavy molecule that you  
 3 have mentioned -- And it is not very  
 4 water soluble, is it?  
 5 A. No.  
 6 Q. Wouldn't it be logical to assume that  
 7 stuff didn't move upstream but would  
 8 migrate downstream?  
 9 A. Yes.  
 10 Q. You know that to be the case, Mr. Brown,  
 11 from dealing with it? Isn't that  
 12 correct?  
 13 A. I don't have data to prove that, but I  
 14 would certainly, based on technical  
 15 knowledge, agree with that, yes.  
 16 Q. Tell me, Mr. Brown, if at any point in  
 17 time you all had any conversation before  
 18 you met with the Attorney General in  
 19 1985 about this sediment with anybody at  
 20 ADEM, including Bernard or Buddy Cox,  
 21 Lott, Poole, John Poole, or the other  
 22 fellow you mentioned, John Horn? Did  
 23 you have any conversation with any of

1 specifically from mid '70s forward, when  
 2 I was personally involved.  
 3 Q. Is that with ADEM?  
 4 A. Well, it was the Water Improvement  
 5 Commission prior to ADEM.  
 6 Q. Did you work with the Water Improvement  
 7 Commission?  
 8 A. Yes, I did.  
 9 Q. And who was it that you worked with  
 10 there? Was that Mr. Crockett?  
 11 A. I believe Mr. Crockett had retired by  
 12 that time and Charles Horn was actually  
 13 a part of that organization back in  
 14 those years.  
 15 Q. So he moved over?  
 16 A. He was our --  
 17 Q. Point person?  
 18 A. Direct point person, permitting person.  
 19 Q. And then Mr. Horn moved --  
 20 A. He and Jim War, they were the two.  
 21 Q. The person who is the present director  
 22 of ADEM?  
 23 A. Yes.

8/31/2004 9:05 AM

210

1 them?  
 2 A. Charles Horn.  
 3 Q. Charles Horn. Did you have any  
 4 conversation with any of them about the  
 5 problem on Snow Creek and PCBs in the  
 6 sediment?  
 7 A. You know, there was open dialogue and  
 8 discussion about PCBs all the way  
 9 through these years.  
 10 Q. You mean there was a continuing  
 11 conversation going on between Monsanto  
 12 and the people at ADEM about it?  
 13 A. When -- When -- You know, I want to say  
 14 when it was appropriate, but I know that  
 15 is nebulous. And I don't mean on a  
 16 monthly basis, but I mean as the  
 17 evolution of permits and evolution of  
 18 technology and everything occurred,  
 19 there was an open line of communication.  
 20 Q. Well, did that start with the Alabama  
 21 Water Improvement Commission back in the  
 22 '70s and continue on through ADEM?  
 23 A. I can really answer the question more

8/31/2004 9:05 AM

211

8/31/2004 9:05 AM

212

1 Q. So y'all have had a longstanding  
 2 relationship. Is Mr. Horn still working  
 3 at ADEM?  
 4 A. I think so. I'm not really sure. I've  
 5 not seen him in years. But I think he  
 6 is still part of the -- I think he is  
 7 head of the water division, but I'm not  
 8 sure.  
 9 Q. How often during the '70s did ADEM come  
 10 out and check in Snow Creek or your dump  
 11 site? How often did they come?  
 12 A. Okay. Are you familiar with NPDES  
 13 permitting?  
 14 Q. Educate me, Mr. Brown.  
 15 A. That's the National Permit Discharge  
 16 System permit.  
 17 Q. Okay.  
 18 A. This was a system of permitting that  
 19 addressed every water discharge from a  
 20 facility. All of that permitting  
 21 process -- the laws were put in place in  
 22 the mid '70s and all that permitting  
 23 process occurred during the '70s.

8/31/2004 9:05 AM

213

1 Q. Back to my question. How often did ADEM  
2 come out --  
3 A. Let me continue.  
4 Q. Okay.  
5 A. That permitting process was a continuing  
6 dialogue of paperwork, on-site  
7 inspections, rerouting of streams within  
8 the plant, inspections that went forward  
9 all the way through the '70s. So the  
10 interchange with the Water Improvement  
11 Commission at that time was very  
12 frequent and regular all the way through  
13 the mid and latter '70s. Okay.  
14 Your next question pertained to  
15 landfill. That was operated under the  
16 solid waste division of the Public  
17 Health Department. They did quarterly  
18 on-site inspections of that landfill all  
19 through those years.  
20 Q. All through the '70s?  
21 A. Yes.  
22 Q. What did -- I want to get to those  
23 quarterly inspections the health

1 Mr. Papageorge, who was the plant  
2 manager in '69, did y'all ever tell him  
3 y'all might have a leak at the PCB dump?  
4 A. I don't know what Mullally told  
5 Papageorge.  
6 Q. Did you ever tell him that?  
7 A. This is the first time I have seen this  
8 document.  
9 Q. You never told him that?  
10 A. No. How could I tell him if I have  
11 never seen it?  
12 Q. Well, as part of environmental --  
13 A. I wasn't part of environmental at this  
14 time.  
15 Q. In '74 you became chief chemist there,  
16 and it is my understanding you were  
17 responsible for emissions.  
18 A. By then we had a landfill and routine  
19 operations were being inspected on a  
20 quarterly basis.  
21 Q. Did you tell anybody at the Attorney  
22 General's Office that y'all had some  
23 suspicions at the time you began working

8/31/2004 9:05 AM

214

1 department did. But what kind of  
2 testing -- Let me withdraw that. What  
3 kind of frequently did ADEM's  
4 representatives come to the plant during  
5 the '70s?  
6 A. See, ADEM didn't exist until --  
7 Q. Well, Water Improvement Commission.  
8 A. Water Improvement Commission, typically  
9 four times a year.  
10 Q. Okay. About quarterly?  
11 A. Uh-huh (indicating yes).  
12 Q. And what did they test for when they  
13 came?  
14 A. Okay. Water discharge standards were  
15 being developed as part of the  
16 regulatory process.  
17 Q. Did they test for PCBs, Mr. Brown,  
18 during that period of time?  
19 A. No, no, because we were dealing with  
20 discharges from the plant, from  
21 manufacturing operations.  
22 Q. At any point in time, Mr. Brown, do you  
23 know if Mr. Mullally or anybody,

8/31/2004 9:05 AM

215

1 on this dump in the '70s, when he came  
2 up and talked about this sediment in  
3 Snow Creek, that you might have a  
4 problem there? Did you tell him that?  
5 A. I didn't know this.  
6 MR. PECK: In 1975 did he tell  
7 them about what happened in  
8 1970? Is that what you are  
9 asking?  
10 MR. STEWART: Yes.  
11 A. I didn't know this. I have told you  
12 that fifteen times now.  
13 Q. Well, to your knowledge did anybody from  
14 Monsanto that was involved --  
15 Mr. Mullally was still working there in  
16 '85, wasn't he, Mr. Brown?  
17 A. No.  
18 Q. Weren't some of those people that were  
19 on this task force working there?  
20 A. No.  
21 Q. So that just stayed in limbo, and no one  
22 knew about the concerns? And maybe I'm  
23 missing something --

8/31/2004 9:05 AM

216

1 A. What I'm telling you is this led to the  
2 operation of that landfill as a landfill  
3 operation managed by Bill Taffee and  
4 inspected on a quarterly basis by the  
5 state solid waste division of public  
6 health.  
7 Q. Was the solid waste division checking  
8 about releases from the --  
9 A. They inspected it for releases every  
10 quarter.  
11 Q. Well, how did they do that?  
12 A. By on-site visual walk-around.  
13 Q. Did they ever do any actual testing for  
14 PCBs in sediment or soil that was north  
15 of the south landfill?  
16 A. To my knowledge, no.  
17 Q. Did they ever check in any of the  
18 drainage ditches that fed off this  
19 landfill south of 202?  
20 A. To my knowledge, no.  
21 Q. Did y'all?  
22 A. No.  
23 Q. So the only testing that you all ever

1 There was 002 off the biological waste  
2 treatment plant. Then there were two or  
3 three more on this side that were part  
4 of the routine discharge reporting,  
5 monitoring and reporting requirements.  
6 Q. Mr. Brown, after '85, after y'all  
7 discovered this sediment with high  
8 levels of PCBs in it down there on Snow  
9 Creek and y'all removed that, y'all took  
10 that to Emelle; is that correct?  
11 A. That's correct.  
12 Q. What do you understand -- Who do you  
13 understand, rather, is the person who is  
14 probably the foremost expert in Monsanto  
15 Chemical Company as far as PCBs is  
16 concerned that you are familiar with?  
17 A. As --  
18 Q. Knows the most about it.  
19 A. Today?  
20 Q. Well, at any point in time from the time  
21 we first started talking about this  
22 problem in the '70s and on through the  
23 '80s, somebody that you would know and

8/31/2004 9:05 AM

218

1 did was this Attorney General's  
2 investigation for PCBs?  
3 A. The Attorney General didn't have  
4 anything to do with the '70s. That was  
5 mid '80s.  
6 Q. That is what I'm talking about.  
7 A. You said --  
8 Q. From the '70s to mid '80, the only  
9 testing y'all did for PCBs off site had  
10 to do with, as you shut the lab down in  
11 the early '70s, had to do with this  
12 investigation by the Attorney General?  
13 A. We tested the discharge points for  
14 priority pollutants and PCBs.  
15 Q. Well, was there discharge point testing  
16 down around the southern landfill?  
17 A. There was no regulated discharge point  
18 from the southern landfill.  
19 Q. Okay.  
20 A. And if you look at the regulatory  
21 process all discharge points were  
22 controlled to specific and regulated  
23 discharge points, this being D 001.

8/31/2004 9:05 AM

219

1 be familiar with? Would that be Bill  
2 Papageorge, William Papageorge?  
3 A. Well, Bill retired, and a fellow by the  
4 name of John Craddock was responsible  
5 for the PCB issues for a number of years  
6 and now Dr. Kaley.  
7 Q. Before Dr. Kaley and before  
8 Mr. Craddock, would Mr. Papageorge have  
9 held that kind of position?  
10 A. He did for a period of time, but I'm not  
11 that clear on the time frame.  
12 Q. When did he retire?  
13 A. I don't remember.  
14 Q. Wasn't it in the '80s?  
15 A. I have no idea.  
16 Q. Okay. Did you ever talk to  
17 Mr. Papageorge when you were dealing  
18 with this problem in the '70s about PCB  
19 contamination in the '70s or '80s? Did  
20 you ever talk to him?  
21 A. Let me clarify the time. In the '80s  
22 the point of contact was John Craddock.  
23 Q. Okay. Did you talk to him about it?

8/31/2004 9:05 AM

220

221

1 A. Yes, sir, routinely.  
 2 Q. Now, did you all ever discuss at any  
 3 point in time the most appropriate  
 4 method of removing PCBs from property  
 5 that you either had control of or were  
 6 responsible for such as the sediments in  
 7 Snow Creek?  
 8 MR. PECK: Object to the form of  
 9 the question.  
 10 A. We discussed in detail the sediment of  
 11 Snow Creek.  
 12 Q. Okay. Did y'all discuss -- When you say  
 13 we, you are talking about Mr. Craddock?  
 14 A. I'm really talking about everybody  
 15 associated with this particular project  
 16 within Monsanto, the state, ADEM groups.  
 17 Q. I'm looking for who in Monsanto you  
 18 talked to, Mr. Brown. Who would that  
 19 have been?  
 20 A. Well, me, Cheever, Craddock, a guy by  
 21 the name of Don Cayard.  
 22 Q. Where was he located?  
 23 A. In St. Louis.

1 which specifically regulates PCBs. They  
 2 had their emergency cleanup group  
 3 involved, and I guess water.  
 4 Q. Now, tell me if you would how y'all  
 5 arrived at the decision to remove the  
 6 sediment and to just temporarily store  
 7 it at -- Where did you do that, at the  
 8 landfill site?  
 9 A. Yes.  
 10 Q. Then you moved it to Emelle?  
 11 A. That's correct.  
 12 Q. Did you do that at the instructions of  
 13 EPA or ADEM or the Attorney General?  
 14 Who instructed you to do that?  
 15 A. Well, you have to look at what  
 16 constitutes PCB wastes under  
 17 regulations. Just the sheer fact that  
 18 some PCB might be someplace doesn't mean  
 19 that it is specifically regulated under  
 20 TOSCA. But if I go dig up something and  
 21 I have to do something with it then, I  
 22 then have got something I have to know  
 23 exactly what to do with it under the

8/31/2004 9:05 AM

222

1 Q. What was his position?  
 2 A. See, at this point in time we, the  
 3 plant, were part of Monsanto  
 4 Agricultural Products Company. He was  
 5 the manager for Monsanto Agricultural,  
 6 Products.  
 7 Q. So you talked to him?  
 8 A. So he had the responsibility for the  
 9 plant although PCB was not an ag issue.  
 10 It belonged over to a corporate issue,  
 11 John Craddock. But they were both  
 12 involved. Then from an agency  
 13 standpoint, the Attorney General's  
 14 Office, Craig Kneisel and Gary Allen.  
 15 From ADEM standpoint, Bill Lott, Charles  
 16 Horn, solid waste folks. And there  
 17 again, I'm having a hard time  
 18 remembering when Buddy Cox made his  
 19 move, and EPA had three different  
 20 agencies involved.  
 21 Q. Okay.  
 22 A. They had the TOSCA group involved.  
 23 That's the Toxic Substances Control Act

8/31/2004 9:05 AM

223

1 regulation. So that had to be removed  
 2 and analyzed to determine exactly the  
 3 right course of action to go with under  
 4 the regulation.  
 5 Q. Once you analyzed it, you took it to  
 6 Emelle?  
 7 A. That's correct.  
 8 Q. Was there any consideration that you all  
 9 made, Mr. Brown, as a company about what  
 10 y'all considered to be the better  
 11 methods of disposing of this particular  
 12 waste?  
 13 A. We had no options. If it was determined  
 14 to be PCB waste, to comply with the law,  
 15 we had to dispose of it as PCB waste.  
 16 Q. Okay. And take it to Emelle. You  
 17 didn't have a choice at that point in  
 18 time?  
 19 A. Well, the options for disposing of PCB  
 20 waste are tremendously restrictive.  
 21 There aren't many, and Emelle is by far  
 22 the closest one to us.  
 23 Q. Tell me if you would if y'all talked at

8/31/2004 9:05 AM

224

1 any point in time, you and -- Is it  
 2 Craddock?  
 3 A. That's correct.  
 4 Q. The other fellow, what is his name? How  
 5 do you spell his name?  
 6 A. C-a-y-a-r-d.  
 7 Q. Did y'all talk at any point in time  
 8 about the method of disposal that y'all  
 9 felt was the best method of disposal as  
 10 far as PCBs were concerned or any  
 11 contaminant?  
 12 A. Well, we had only one available if it  
 13 was PCB regulated waste. So there was  
 14 never a discussion.  
 15 Q. Y'all never talked about what Monsanto  
 16 viewed was the best method of disposing  
 17 of a contaminant, whether it be PCBs or  
 18 parathion or whatever it is?  
 19 A. It depends on what it is.  
 20 Q. Are you familiar with a best selection  
 21 kind of process that Monsanto suggests  
 22 you go through if you find, say, PCBs in  
 23 these high levels?

8/31/2004 9:05 AM

226

1 A. I have never heard a term "best  
 2 selection." I don't know what you are  
 3 talking about.  
 4 Q. Well, best methods of disposing of it.  
 5 Do you know whether or not they have  
 6 ranked them and said here is what we  
 7 feel are the best methods of disposing  
 8 of contaminants?  
 9 A. Do you mean worldwide guidelines that  
 10 may have been established for managing  
 11 waste? Is that what you are referring  
 12 to?  
 13 Q. It could be. I'm just asking you if you  
 14 have an understanding. Let me just give  
 15 you some alternatives, Mr. Brown, and  
 16 see what you as a thirty-year employee  
 17 of the company feel like the company  
 18 would choose. Let's say you found a  
 19 contaminate and you could detoxify it in  
 20 some fashion. Is that not the best  
 21 approach to take?  
 22 A. Sure. And that is the purpose, as I  
 23 described earlier, of the biological

8/31/2004 9:05 AM

227

1 waste treatment plant for waste that  
 2 could be biologically treated.  
 3 Q. Then it doesn't create a problem for  
 4 anybody any more once you detoxify it,  
 5 so to speak?  
 6 A. That's right.  
 7 Q. And is not incineration a form of  
 8 detoxifying, just changing --  
 9 A. No. Incineration is a form of -- is a  
 10 chemical reaction to convert it from one  
 11 thing to another. Most of the times the  
 12 properties are dramatically changed and  
 13 in effect detoxified.  
 14 Q. Well, isn't that a better choice than  
 15 just leaving it somewhere?  
 16 MR. PECK: Object to the form of  
 17 the question.  
 18 A. Some things are very amenable to  
 19 incineration. Other things simply are  
 20 not.  
 21 Q. Did y'all ever discuss at any point in  
 22 time about the sediment you found on  
 23 Snow Creek, incinerating it?

8/31/2004 9:05 AM

228

1 A. No, because the technology for  
 2 incinerating dirt was something that is  
 3 extremely hard to do. I mean, the PCB  
 4 molecule is extremely hard to  
 5 incinerate. And when you start trying  
 6 to incinerate dirt along with that, it's  
 7 an extremely difficult technology.  
 8 Q. Did Craddock ever mention it or the  
 9 other fellow from the ag division ever  
 10 mention it?  
 11 A. You know, at that point in time there  
 12 was no technology available and  
 13 permitted for incinerating PCB dirt.  
 14 Q. Okay. Then the next best -- If you  
 15 could have done that, would that have  
 16 been better than just taking it and  
 17 putting it somewhere else, if you could  
 18 have incinerated it, Mr. Brown?  
 19 MR. PECK: Object to the form of  
 20 the question, calls for  
 21 speculation.  
 22 A. Until the technology is demonstrated, I  
 23 can't answer the question.

8/31/2004 9:05 AM

229

1 Q. Then the next best approach would be to  
2 take it to Emelle, wouldn't it?  
3 A. That was the only available approach  
4 from a regulatory standpoint.  
5 Q. To take it to Emelle because of the high  
6 levels of PCBs you found?  
7 A. Because we had a waste material we had  
8 to dispose of that was more than fifty  
9 parts per million of PCBs.  
10 Q. And that is what you were supposed to do  
11 with it?  
12 A. With waste material that I have  
13 generated that I have to dispose of.  
14 Q. Have you ever heard Mr. Papageorge  
15 indicate that if PCBs were in a place  
16 where they could affect a water supply,  
17 that that would also -- or a stream or  
18 river or something like that, that would  
19 also have something to do with the  
20 method of disposal?  
21 A. I've never heard Mr. Papageorge speak on  
22 that issue.  
23 Q. Have you ever heard anybody in Monsanto

1 Q. Well, isn't that what y'all did,  
2 according to your statement to me  
3 earlier, in the '70s when y'all started  
4 this capping of the landfill over  
5 here --  
6 A. That's correct.  
7 Q. -- south of 202?  
8 A. That's correct.  
9 Q. And wouldn't it be fair to say that  
10 since that time there has been a  
11 demonstrable problem that has been  
12 created for Monsanto and for the  
13 residents of Cobb Town, Sweet Valley,  
14 Mars Hill, by a leaching out of PCBs  
15 from the landfill?  
16 A. Absolutely not.  
17 Q. Well, where did it come from, Mr. Brown?  
18 A. It has not leached from that landfill.  
19 Q. Where did it come from, Mr. Brown?  
20 A. I don't know where it came from, but  
21 there -- And it is a very broad term  
22 here. And you know, we are dealing with  
23 analytical technology today that is

8/31/2004 9:05 AM

230

4/21/1998 Brown, Jerry; Mars Hill

1 speak at that issue, where it is  
2 indicated that if PCBs are contaminating  
3 the environment and a part of that  
4 environment they are contaminating is a  
5 stream, that the method of removing that  
6 contamination should be either remove it  
7 from the site someplace like Emelle or  
8 incinerate it?  
9 MR. PECK: Object to the form of  
10 the question.  
11 A. You know, what you are getting at is  
12 highly debatable, highly speculative,  
13 and you can get experts on that that can  
14 discuss it from one spectrum to the  
15 other, because the potential to create  
16 more problems than you solve exists.  
17 Q. I'll get to that in a minute. But what  
18 I'm getting at is what Monsanto's  
19 position has been through people like  
20 Mr. Papageorge and like Mr. Craddock.  
21 A. The guidance I'm mostly familiar with is  
22 simply capping it, entombing it so it  
23 can never move.

8/31/2004 9:05 AM

231

4/21/1998 Brown, Jerry; Mars Hill

1 analyzing in parts per trillion that  
2 detects stuff that couldn't be detected  
3 then.  
4 Q. I'm asking you, Mr. Brown, where this  
5 stuff came from. You have indicated it  
6 didn't come from the landfill. Where  
7 did it come from?  
8 A. I don't know.  
9 Q. Well, why is it, Mr. Brown -- I mean,  
10 I'm going to get back to these other  
11 questions I wanted to ask you. But why  
12 is it, Mr. Brown, y'all are doing all  
13 the work on the south end landfill?  
14 What is the purpose of that?  
15 A. The purpose of that is to put the  
16 absolute latest technology closure on  
17 that facility.  
18 Q. Well, if the PCBs don't come from that  
19 facility, what in the world are you  
20 doing that for, Mr. Brown?  
21 A. A lot of it is being done for other  
22 reasons besides PCBs.  
23 Q. Give me those.

8/31/2004 9:05 AM

232

1 A. The program that we have had in place  
2 remediating organophosphate movements  
3 underneath the soil.  
4 Q. What are those?  
5 A. Trace contaminants off the sulfur that  
6 was buried.  
7 Q. That is why you are doing all that work  
8 over there?  
9 A. I said that is part of it.  
10 Q. What else?  
11 A. The other part is the fact that very,  
12 very low levels of PCBs have been  
13 detected on the surface that most likely  
14 have been there all these years.  
15 Q. On the surface of what, Mr. Brown?  
16 A. Some of the soils.  
17 Q. Of the --  
18 A. But not on the -- Not on the cap of the  
19 PCB area.  
20 Q. You mean on top of the landfill?  
21 A. Well, some of the areas around it, yes.  
22 Q. Some of the areas around the landfill?  
23 Tell me where those are.

8/31/2004 9:05 AM

234

1 A. I'm really talking about more areas in  
2 wooded areas in between cells where very  
3 low levels of PCBs have been detected as  
4 part of this very, very intensive  
5 sampling and monitoring program has been  
6 underway.  
7 Q. How about marking on Plaintiffs' Exhibit  
8 Two, Mr. Brown, where you are talking  
9 about. And mark it with an X where you  
10 are talking about y'all found levels of  
11 PCBs outside these cells. Is that what  
12 you are talking about?  
13 A. And to get that kind of data, you need  
14 to get with somebody else because I  
15 don't know it. I've not seen it other  
16 than strictly general discussion, and  
17 what I provide would be highly  
18 speculative because I have not been a  
19 part of it.  
20 Q. Mr. Brown, I want to ask you. You made  
21 a motion a minute ago toward some areas,  
22 and you said some wooded area. And it  
23 appeared to be in between these cells.

8/31/2004 9:05 AM

235

1 Could you mark an X where you made it a  
2 minute -- a minute ago.  
3 A. (Executed by the witness.)  
4 Q. Do you mind if we puts PCB there and a  
5 little arrow? Where else were findings  
6 made if you know, Mr. Brown?  
7 A. I don't know. I mean, I have not been a  
8 part of that process. I don't know all  
9 this data developed in recent years.  
10 Q. Tell me if it is a fact, Mr. Brown, that  
11 where you have made this X on  
12 Plaintiffs' Exhibit Two is outside of  
13 the landfill or outside the regulated  
14 cells.  
15 A. The landfill is this entire area. That  
16 is the regulated landfill.  
17 Q. Mr. Brown, is it not a fact that the  
18 cells are where the PCBs are supposed to  
19 be buried?  
20 A. Yes.  
21 Q. And that is by law and regulation?  
22 A. Yes.  
23 Q. And to bury it outside of that is a

8/31/2004 9:05 AM

236

1 violation of law, isn't it, Mr. Brown?  
2 A. I'm not saying PCBs were buried outside  
3 of that. What I'm saying is --  
4 Q. The answer to the question is yes, isn't  
5 it, Mr. Brown?  
6 MR. PECK: He can explain his  
7 answer if he wants to.  
8 Q. But it is a violation of the law to bury  
9 PCBs or regulated substance outside  
10 these cells, is it not?  
11 MR. PECK: In 1960, 1970, 1980,  
12 1990?  
13 MR. STEWART: Adam, that is not an  
14 objection.  
15 MR. PECK: Okay. I object to the  
16 form of the question because  
17 there is no time and I don't  
18 know what time we are talking  
19 about.  
20 Q. When the government began to regulate  
21 PCBs and other substances under TOSCA  
22 they indicated to you and anybody else  
23 that had anything to do with them that

8/31/2004 9:05 AM

237

1 it was against the law to bury them  
 2 outside these cells, didn't they?  
 3 A. And no PCBs have been buried in that  
 period of time.  
 5 Q. If they had been outside one of these  
 6 cells that is depicted on Plaintiffs'  
 7 Exhibit Two, that would be a violation  
 8 of the law, wouldn't it?  
 9 A. After the law was put in place, it is a  
 10 violation to bury any more there,  
 11 period. You couldn't -- in or outside  
 12 the cell. You simply could not do it.  
 13 Q. You cannot bury anything --  
 14 A. This was never approved under the law  
 15 for continued use as a PCB disposing  
 16 site and was not.  
 17 Q. Okay. So if you found PCBs in any  
 18 process on property that was not in  
 19 these cells, then you had to dispose of  
 20 it at Emelle, didn't you, or some  
 21 regulated facility?  
 22 A. No, no, no, no, no, no.  
 23 Q. What would you do with it?

1 understand it -- I want to make sure I  
 2 understand. These cells are not even  
 3 qualified to take it if you dig it up  
 4 outside the cell now anyway, are they?  
 5 MR. PECK: Object to the form.  
 6 A. They never have been under TOSCA.  
 7 Q. Okay. Thank you. And are there  
 8 criminal penalties associated with  
 9 violating that law?  
 10 MR. PECK: Object to the form of  
 11 the question, lack of  
 12 foundation.  
 13 A. Most regulations are, do have.  
 14 Q. Do you know whether there are criminal  
 15 penalties, Mr. Brown, associated with  
 16 that kind of activity?  
 17 A. I would assume so, violations of TOSCA.  
 18 I will qualify that.  
 19 Q. Now, any decision that was made in  
 20 connection with this landfill from '70  
 21 through 1998, through where we sit  
 22 today, would have been made by Monsanto  
 23 or by representatives from Monsanto,

8/31/2004 9:05 AM

238

4/21/1998 Brown, Jerry; Mars Hill

1 A. No, no, no. There is nothing that says  
 2 it has to be moved.  
 3 Q. What if it is at levels above fifty  
 4 parts per million and it is outside one  
 5 of these cells, Mr. Brown? Are you  
 6 telling me it has to be put in a  
 7 regulated facility like Emelle?  
 8 A. I'm telling you that there is no law  
 9 that states it has to be dug up, period.  
 10 Q. Well, what if you dig it up, Mr. Brown?  
 11 A. If you dig it up and it is greater than  
 12 fifty parts per million, it has to go to  
 13 a regulated cell.  
 14 Q. Otherwise it is a violation of the law,  
 15 isn't it?  
 16 A. Yes.  
 17 Q. And it is criminal, isn't it?  
 18 MR. PECK: Object to the form,  
 19 lack of foundation.  
 20 Q. Weren't there criminal penalties  
 21 associated with digging up and locating  
 22 PCBs and burying it outside one of these  
 23 cells? And you are telling me -- As I

8/31/2004 9:05 AM

239

4/21/1998 Brown, Jerry; Mars Hill

1 wouldn't it, Mr. Brown?  
 2 A. Yes.  
 3 Q. So if a contractor ran into something,  
 4 y'all were the ones who made a decision  
 5 on what to do with it, weren't you?  
 6 A. Yes.  
 7 Q. How is it that process worked, even in  
 8 this latest remediation process,  
 9 Mr. Brown?  
 10 MR. PECK: Object to the form of  
 11 the question, lack of  
 12 foundation. He has not been  
 13 involved.  
 14 A. I don't understand your question or your  
 15 point.  
 16 Q. If you ran into something that people  
 17 didn't know what it was, they would call  
 18 you all, wouldn't they?  
 19 A. Yes.  
 20 Q. And y'all would make the decision  
 21 through Alan Faust, wouldn't you?  
 22 MR. PECK: Object to the form of  
 23 the question, lack of

8/31/2004 9:05 AM

240

8/31/2004 9:05 AM

241

1 foundation. He was not  
2 involved.  
3 A. I mean, I'm totally ignorant of what you  
4 are talking about. I have no idea what  
5 you are talking about.  
6 Q. During the remediation process are you  
7 telling me you didn't have any part to  
8 play in it? Your office had no part in  
9 the --  
10 A. I had absolutely no part whatsoever in  
11 any remediation activity that has been  
12 underway out there.  
13 Q. Out there at the plant since '93?  
14 A. Even before '93.  
15 Q. You have not been involved --  
16 A. Not whatsoever.  
17 Q. But it is your understanding that if  
18 something were found that is a toxic  
19 substance regulated by federal law, even  
20 though it was turned over to the state,  
21 then Monsanto made the decision as to  
22 what to do with that material; is that  
23 correct?

1 didn't let some contractor make some  
2 decision about something like that, did  
3 they, Mr. Brown?  
4 MR. PECK: Object to the form of  
5 the question, calls for  
6 speculation.  
7 A. No. Contractors didn't -- It was  
8 either -- The word "contractor" can  
9 cover such a broad spectrum. It could  
10 be somebody who is very highly educated  
11 or somebody who is not. It as a  
12 resource for knowledge on a particular  
13 situation.  
14 Q. In this case the construction of the  
15 remediation efforts was something that  
16 y'all had to approve the plan for; is  
17 that correct?  
18 MR. PECK: Object to the form of  
19 the question, lack of  
20 foundation.  
21 A. Again, I don't know anything about it.  
22 Q. Who handled that? Was Mr. Jones  
23 involved in that?

8/31/2004 9:05 AM

242

1 MR. PECK: Object to the form of  
2 the question, calls for  
3 speculation.  
4 A. All I can answer you on is the practice  
5 that I was associated with the years I  
6 was involved. If there is ever any  
7 question about it being right or wrong,  
8 we talked with the agencies involved. I  
9 have never, and I repeat, absolutely  
10 never, seen any attempt on anybody's  
11 part associated with Monsanto to  
12 knowingly violate a regulation in any  
13 decision they made.  
14 Q. What I have reference to is you work  
15 with independent contractors from time  
16 to time who did work with you while you  
17 were involved in environmental work,  
18 didn't you?  
19 A. Yes.  
20 Q. If there was any material that was found  
21 outside one of these cells in that time  
22 frame, y'all's practice was at that time  
23 to make the decision yourself? Monsanto

8/31/2004 9:05 AM

243

1 A. Mr. Faust is the manager of that.  
2 Q. When we talked to Mr. Mayausky, he  
3 indicated to us -- and the reason I'm  
4 asking these questions -- that you and  
5 Mr. Jones were the ones who interfaced  
6 with the regulators about any problems  
7 that might have been experienced as far  
8 as this particular program y'all have  
9 out there. That is the reason I'm  
10 asking these questions. It is not out  
11 of ignorance on my part. It is out of  
12 where he directed me to come.  
13 He didn't know anything about it,  
14 so I'm asking you. And I need to know  
15 if somebody out there -- Everybody may  
16 point the finger this way, but I have to  
17 have somebody who knows something about  
18 it.  
19 A. Robert Jones has been the direct contact  
20 to the regulatory community.  
21 Q. And has he been the direct contact for  
22 Monsanto in connection with any decision  
23 that had to be made in the remediation

8/31/2004 9:05 AM

244

245

1 process out there? You haven't been.  
 2 He has?  
 3 A. I have not been.  
 4 Q. And before he took that position, were  
 5 you in that position?  
 6 A. Yes, I was.  
 7 Q. If you had a contractor constructing  
 8 something for you -- let's say just  
 9 taking some material up to the dump.  
 10 You had some people do that from time to  
 11 time, didn't you, while you were there?  
 12 A. Yes, yes.  
 13 Q. If you had a problem with some material  
 14 they ran into when you were there,  
 15 didn't they call on you, Mr. Brown?  
 16 A. Yes.  
 17 Q. And you are the one who made the  
 18 decision on what to do with that  
 19 particular material, aren't you?  
 20 A. And if I had a doubt about it, I called  
 21 the regulatory community involved and my  
 22 specialist in St. Louis.  
 23 Q. Okay.

8/31/2004 9:05 AM

246

1 A. Using the best collective knowledge, we  
 2 made the decision based on that.  
 3 Q. That is what y'all did?  
 4 A. Yes.  
 5 Q. But the ultimate decision certainly  
 6 wasn't left with some contractor y'all  
 7 had hired. That was Monsanto's property  
 8 and Monsanto's material or substance,  
 9 and you are the ones who made the  
 10 decision?  
 11 A. That's correct.  
 12 Q. Do you know of any change in that  
 13 process that occurred when Robert Jones  
 14 took over your position?  
 15 A. No, I don't.  
 16 Q. Now, you have indicated to me what was  
 17 buried in these landfills right here. I  
 18 want you to take a look at what would be  
 19 Exhibit --  
 20 MR. STEWART: Mark that  
 21 Plaintiffs' Exhibit Five.  
 22 (Plaintiffs' Exhibit Number  
 23 Five was marked for

8/31/2004 9:05 AM

247

1 identification.)  
 2 Q. Before we leave that, I want to ask you  
 3 some questions about Exhibit Two. What  
 4 do you know, if you know anything about  
 5 it, was done with this material that  
 6 they found, Mr. Brown, that had PCB  
 7 contamination in it in the spot where  
 8 you marked X on Plaintiffs' Exhibit Two?  
 9 What happened to that?  
 10 A. Well, that was very low levels of PCBs,  
 11 and all that area has been capped over.  
 12 Q. So you just capped it as it sat?  
 13 A. Yes.  
 14 Q. Would that indicate to me -- Just  
 15 consider me real stupid about this  
 16 stuff, not having -- you coming from  
 17 Cleburne County, and I can better you in  
 18 that as I come from Munford. We used to  
 19 have a blinking light, but we don't any  
 20 more. So I don't know a whole lot about  
 21 this stuff. Would that indicate there  
 22 were PCBs buried under there, or am I to  
 23 assume --

8/31/2004 9:05 AM

248

1 A. No.  
 2 Q. Well, where did the PCBs come from?  
 3 A. I think we have talked before about the  
 4 molecule being stable in the environment  
 5 and adhering to clay particles. And if  
 6 you look many places in the environment,  
 7 you can find PCBs.  
 8 Q. So it is your testimony here --  
 9 A. And --  
 10 Q. Go ahead. Finish up.  
 11 A. Just like DDT and other molecules that  
 12 have been determined to be stable in the  
 13 environment, they are gradually  
 14 depleting with time, but it is a very,  
 15 very slow process. And as technology is  
 16 developed analytically, where PCB -- Let  
 17 me give you an example. Land is  
 18 determined or sediments that were  
 19 determined not to have PCBs in the '70s  
 20 may be analyzed today and found to  
 21 contain low levels of PCBs. But it  
 22 doesn't mean that some has been put  
 23 there. I guess what I'm trying to say

8/31/2004 9:05 AM

249

1 is that when you start dealing with  
 2 parts per million and parts per billion,  
 3 to say specifically where it came from,  
 4 it is a very difficult situation to  
 5 answer.  
 6 Q. What kind of readings did you get in  
 7 this spot?  
 8 A. I don't know. I don't know.  
 9 Q. Was it less than ten parts per million?  
 10 A. I'm honestly saying I do not know.  
 11 Q. Would Mr. Jones know?  
 12 A. I would expect that he would.  
 13 Q. Who performed the tests?  
 14 A. I do not know.  
 15 Q. How wide an area in this thirty-acre  
 16 tract that you call the southern  
 17 landfill did y'all check and make  
 18 determinations as to whether or not you  
 19 had PCBs?  
 20 A. I assuming the whole thing. Thousands  
 21 of samples were taken over the whole  
 22 part of the country out there.  
 23 Q. Were there thousands of samples taken in

1 place around here to dispose of it.  
 2 Q. Is that again because the regulations  
 3 say if you dug it up you had to take it  
 4 to Emelle? You couldn't leave it on  
 5 this site?  
 6 MR. PECK: Object to the form.  
 7 A. Could you repeat that?  
 8 Q. Is that again because of the TOSCA  
 9 regulations, that if you dug it up --  
 10 A. This wasn't something dug up. It was  
 11 equipment sitting on top of the ground  
 12 that was disposed of.  
 13 Q. Why was it disposed of? Was it  
 14 contaminated with PCBs?  
 15 A. I don't know.  
 16 Q. Wasn't it this old PCB equipment?  
 17 A. Again, I don't know. I wasn't involved.  
 18 Q. Well, do you understand anything at all  
 19 about what kind of equipment it was?  
 20 A. No, I do not. I did not look at it.  
 21 Q. Do you remember the year that was done?  
 22 A. I'm guessing three or four years ago.  
 23 Q. Sometime in '93?

8/31/2004 9:05 AM

250

1 the landfill?  
 2 A. Well, this entire area was sampled.  
 3 Q. All of that landfill was sampled?  
 4 A. That is my understanding, but again I  
 5 have not specifically looked at the  
 6 sampling locations and data.  
 7 Q. But that is where you got the  
 8 information that there were perhaps some  
 9 PCBs located outside the cells in this  
 10 little spot that you marked with an X?  
 11 A. Right.  
 12 Q. Now, were there drums found anywhere out  
 13 there in the sampling that was done?  
 14 A. There was -- not drums, I don't think.  
 15 But there was some equipment that may  
 16 have been stored there years ago.  
 17 Q. Was that removed?  
 18 A. Yes.  
 19 Q. And where was it taken, to Emelle?  
 20 A. I'm assuming Emelle. I don't know.  
 21 Q. Why?  
 22 A. Well, if you are going to dispose of  
 23 something someplace, that is the only

8/31/2004 9:05 AM

251

1 A. '3, '4, something like that.  
 2 Q. And was Mr. Jones in charge of that  
 3 project?  
 4 A. Yes, he was.  
 5 Q. And did he write to the regulatory  
 6 authorities and tell them what he had  
 7 been doing? Are you familiar with that?  
 8 A. No.  
 9 MR. PECK: I object to the form of  
 10 the question. It calls for  
 11 speculation.  
 12 MR. STEWART: I'm trying to find  
 13 out so he won't speculate.  
 14 MR. PECK: Let's take a quick  
 15 break.  
 16 (A break was taken.)  
 17 Q. Let me show you Plaintiffs' Exhibit  
 18 Five. Is that what we have now learned  
 19 or I have now learned -- I think  
 20 everybody else knew it but me -- is the  
 21 west end landfill?  
 22 A. That's correct.  
 23 Q. And your statement previously in this

8/31/2004 9:05 AM

252

253

1 deposition was that that was not a  
 2 landfill as such like the property south  
 3 of 202. What is it that you understand  
 4 it was used for before the problem  
 5 arose, say, in '93?  
 6 A. That was the disposal area probably from  
 7 the teens to the late '50s.  
 8 Q. When you say disposal area, what did you  
 9 understand was put there? Did you know,  
 10 have any idea?  
 11 A. As I mentioned earlier, I would assume  
 12 the steel bottom residue from PCBs, some  
 13 of the phosphates, slag from the former  
 14 phosphate operations, and that is  
 15 basically what I have been told by some  
 16 long-time employees.  
 17 Q. Who were those people that told you  
 18 that, Mr. Brown?  
 19 A. Billy Clemmett.  
 20 Q. Is he living?  
 21 A. Yes.  
 22 Q. Where does Mr. Clemmett live?  
 23 A. Just off Coldwater Road.

1 referring to this 230 KY switchyard that  
 2 is located on --  
 3 A. Yes.  
 4 Q. -- Plaintiffs' Exhibit Five?  
 5 A. That land was transferred to Alabama  
 6 Power Company in about 1960.  
 7 Q. When you say that land, is the land you  
 8 are referring to the property that is  
 9 sketched in this little rectangle here  
 10 that says Alabama Power, 230 KY  
 11 switchyard, or KV?  
 12 A. All of this here (indicating). There  
 13 was a land swap, and I'm not -- I can't  
 14 sketch out exactly what was involved,  
 15 but this part was transferred, including  
 16 some of this, to Alabama Power --  
 17 Q. Is it your understanding that --  
 18 A. -- for, I believe, a piece of property  
 19 down here (indicating).  
 20 Q. Can you show me just in your best  
 21 judgment -- and I'm not asking you and  
 22 holding you to this. But just in your  
 23 best judgment what was swapped?

8/31/2004 9:05 AM

254

1 Q. How do you spell that last name?  
 2 A. C-l-e-m-m-e-t-t.  
 3 Q. Is that the way his name is listed in  
 4 the phone book?  
 5 A. As far as I know, yes.  
 6 Q. Is he retired from Monsanto?  
 7 A. Yes.  
 8 Q. And how would Mr. Clemmett know what was  
 9 buried there? Did he work there at the  
 10 time the production waste was disposed  
 11 of in this landfill?  
 12 A. Part of it. He would have started his  
 13 employment probably in the '50s.  
 14 Q. When did he retire?  
 15 A. I guess in '92 something like that.  
 16 Q. Do you know whether or not this  
 17 particular landfill was capped before  
 18 the work was done on it in '93 and '94?  
 19 A. It was covered with a clay cap and  
 20 stayed that way for many, many years,  
 21 until it was partially disrupted by the  
 22 construction of the switchyard.  
 23 Q. When you say switchyard, are you

8/31/2004 9:05 AM

255

1 A. That is what I was trying to do.  
 2 Q. Okay. Can you mark it out with this  
 3 pen, just sort of mark through it with  
 4 lines as to what was traded to the  
 5 Alabama Power Company.  
 6 A. I think the land that Monsanto needed at  
 7 the time was down here (indicating).  
 8 Q. All right. Can you draw that in  
 9 completely and just --  
 10 A. I mean, this --  
 11 Q. And put an M in it.  
 12 A. You know, this is very shaky now. I'm  
 13 not guaranteeing this.  
 14 Q. I understand.  
 15 A. And something like this was traded  
 16 for --  
 17 Q. When you say something like this, is  
 18 that all of the shaded area within that  
 19 area you have marked in?  
 20 A. Yes.  
 21 Q. Put APC in that if you would. And that  
 22 was the APC land that the Monsanto  
 23 traded for the land down there that they

8/31/2004 9:05 AM

257

1 needed?

2 A. That's correct.

3 Q. And when did that occur?

4 A. About 1960.

5 Q. 1960?

6 A. '59, '60.

7 Q. I want to ask you some more questions --

8 A. It was land down in here. I'm not --

9 The land to APC down here and Monsanto

10 down here, basically something like that

11 (indicating).

12 Q. I'm going to ask you some more questions

13 about that at another time. But before

14 we do that, I want to show you a

15 document that I want to mark as

16 Plaintiffs' Exhibit Six.

17 (Plaintiffs' Exhibit Number

18 Six was marked for

19 identification.)

20 Q. Now, if you will take a look at this

21 document and read over it -- Before you

22 get to read it, who is Henry Hudson? Do

23 you know who Henry Hudson is?

8/31/2004 9:05 AM

258

1 A. I'm trying to remember.

2 Q. Was he connected with Monsanto?

3 A. No.

4 Q. Was he connected with the health

5 department?

6 A. I can't remember. If I read this, it

7 might trigger something.

8 Q. Okay. Just read over it.

9 A. I believe Henry Hudson is one of the EPA

10 people who were involved in this.

11 Q. Okay.

12 MR. PECK: Henry Hudson was with

13 who, EPA?

14 THE WITNESS: I believe EPA, but I

15 have never seen this

16 document.

17 A. I mean, do you know who Henry Hudson is?

18 Q. No, Mr. Brown. That's the reason I'm

19 asking you. I mean, you were the one

20 who was working with Monsanto in 1985.

21 I'm just trying to identify these

22 documents we have gotten from various

23 sources.

8/31/2004 9:05 AM

259

1 But I want to ask you some

2 questions about this. Have you had an

3 opportunity to read over this now?

4 Let's go to the back page back here.

5 There are some name mentioned, George

6 Morris, Fred Stroud, John Johnson, Ray

7 Wilkerson, and Ralph Jennings. Do you

8 know any of those people?

9 A. The name Ralph Jennings is about as

10 familiar as the name Henry Hudson is.

11 In other words, they are both vaguely

12 familiar. The others I simply don't

13 remember at all.

14 Q. Do you remember Mr. Jennings being

15 someone who might have been involved

16 with EPA or some federal agency?

17 A. That's my best guess.

18 Q. There is a little map that is drawn on

19 page three of this exhibit, and it shows

20 Snow Creek and a tributary leading to

21 Snow Creek, Monsanto, and it has a

22 little reading there that Snow Creek has

23 PCBs below this point. The tributary

8/31/2004 9:05 AM

260

1 appears to be coming from Monsanto's

2 plant. Do you have any disagreement --

3 And apparently this is Mr. Hudson's

4 drawing. Do you have any disagreement

5 with this drawing as to the source of

6 PCBs and presence of PCBs in Snow Creek

7 in this '85 period?

8 MR. PECK: Object to the form of

9 the question.

10 A. I mean, it is a very crude simulation,

11 but I don't have any particular

12 disagreement with it.

13 Q. All right. There is a note that appears

14 down there. If you will read that for

15 the record, and then I want to ask you

16 some questions about it. The note down

17 at the bottom of the map, could you read

18 that into the record?

19 A. "Note: Several churches shown in this

20 area on Attorney General's map.

21 Attorney General says area residents are

22 on city water."

23 Q. Tell me if you would, Mr. Brown, what

8/31/2004 9:05 AM

261

1 churches, if you know, Mr. Hudson would  
 2 have been referring to at that  
 3 particular time.  
 4 A. The two that were specifically looked at  
 5 when the group did the tour on this  
 6 particular project would have been  
 7 Bethel and the one located between Tenth  
 8 and Eleventh. I don't remember the name  
 9 of it, but that -- in that community  
 10 there where that tributary crosses to  
 11 Eleventh Street.  
 12 Q. Was Mars Hill located at its present  
 13 location in 1985?  
 14 A. Yes.  
 15 Q. Okay. Did you ever go to Mars Hill or  
 16 were you ever involved in talking to  
 17 anybody from Mars Hill? To your  
 18 knowledge was anybody else from Monsanto  
 19 at that particular period of time?  
 20 A. Well, Bill Taffee would have perhaps  
 21 talked to them more than anybody,  
 22 because he was in and out of the borrow  
 23 pit.

8/31/2004 9:05 AM

262

1 Q. Borrow pit?  
 2 A. Where clay was moved.  
 3 Q. Where would that have been, Mr. --  
 4 A. Just east --  
 5 Q. East of Mars Hill?  
 6 A. Yes.  
 7 Q. Was anything ever buried over there?  
 8 A. No.  
 9 Q. Anything ever buried by Monsanto near  
 10 Bethel Church?  
 11 A. No.  
 12 Q. Any PCB residue?  
 13 A. No.  
 14 Q. What about across Tenth Street on  
 15 property near this tributary?  
 16 A. No.  
 17 Q. North of that tributary?  
 18 A. You say north of Tenth Street?  
 19 Q. Yes.  
 20 A. No.  
 21 Q. Where the tributary ties in to Snow  
 22 creek?  
 23 A. No.

8/31/2004 9:05 AM

263

1 Q. There is a statement -- Go back to the  
 2 first page. There is a statement over  
 3 here in the first paragraph where  
 4 Mr. Hudson refers to the fact that PCBs  
 5 have been found in the sediment of the  
 6 tributary and from Snow Creek that range  
 7 into the hundreds of parts per million.  
 8 Is that -- To your knowledge was that  
 9 correct or incorrect? My understanding  
 10 when you talked about this a minute ago  
 11 you just mentioned the tributary. But  
 12 was sediment tested to your knowledge by  
 13 the Attorney General in Snow Creek?  
 14 A. Yes, uh-huh.  
 15 Q. Below this tributary?  
 16 A. Yes.  
 17 Q. In accordance with the way this map  
 18 shows it on the back?  
 19 A. In a very crude fashion, yeah.  
 20 Q. And you don't have any disagreement with  
 21 the hundreds of parts per million?  
 22 A. No.  
 23 Q. Now --

8/31/2004 9:05 AM

264

1 A. I mean, it says ranging up to the  
 2 hundreds. It doesn't mean all of them  
 3 were that high. But the range went up  
 4 that high.  
 5 Q. In the next paragraph Mr. Hudson  
 6 indicates that Monsanto's chief  
 7 counsel -- Do you know who that was at  
 8 the time, by the way? You haven't  
 9 mentioned him, and I didn't know if you  
 10 did or didn't.  
 11 A. I'm guessing that was Bob Wilkerson.  
 12 Q. Was he located in St. Louis?  
 13 A. Yes.  
 14 Q. Was he involved in the discussions early  
 15 on in connection with this process?  
 16 A. It is my recollection that, yes, he was.  
 17 And I hope I'm not getting his time  
 18 frame mixed up, you know --  
 19 Q. Now, it indicates --  
 20 A. -- because it run --  
 21 Q. Go ahead. I'm sorry.  
 22 A. I can't remember his exact correct name.  
 23 Q. Okay. But his last name is Wilkerson as

8/31/2004 9:05 AM

265

1 far as you recall?

2 A. That's what I remember.

3 Q. He indicates he disagreed with the  
4 state's sampling or didn't believe the  
5 state's data. In other words, was there  
6 some feeling on your part and others  
7 here that there should not have been any  
8 presence of PCBs in Snow Creek or in  
9 this tributary?

10 A. No.

11 Q. Did y'all ever tell Mr. Wilkerson, "We  
12 just don't believe what they are  
13 saying"?

14 MR. PECK: Wait, wait, wait, wait,  
15 wait. As I understand it,  
16 Mr. Wilkerson is a lawyer; is  
17 that right?

18 THE WITNESS: (Nods head  
19 affirmatively.)

20 MR. PECK: Then don't tell him  
21 what you discussed with your  
22 counsel.

23 Q. Let me just ask you this about the data

1 A. The highest one was in that order of  
2 magnitude.

3 Q. Now, there is a proposal that y'all had  
4 made at some point in time apparently to  
5 the Attorney General. Y'all proposed  
6 backfilling with clay over the affected  
7 stream bed and diverting the creek  
8 through a culvert. Is that what y'all  
9 proposed to do?

10 A. No. What we proposed to do was remove  
11 sediment, placing a culvert in there and  
12 covering over with clay, as I described  
13 earlier today.

14 Q. Well, read -- Just read this first  
15 sentence in the third paragraph and let  
16 me ask you a question there, Mr. Brown.

17 A. Yeah. I've read it. And that's a very  
18 poorly stated interpretation of the  
19 proposal that was made.

20 Q. Is that the proposal y'all made, though?

21 MR. PECK: Object to the form.

22 Q. Or at least something similar to what  
23 y'all made?

8/31/2004 9:05 AM

266

1 itself. Did you ever question the  
2 state's data, or did you believe what  
3 they were saying was true?

4 A. From a scientific standpoint, there are  
5 the best ways to do a study. And the  
6 thing that was discussed with the  
7 Attorney General is that a grab sampling  
8 is not necessarily the best way to  
9 quantitate a situation.

10 Q. And y'all didn't --

11 A. And that is what they had done.

12 Q. So y'all did it differently?

13 A. No. We proposed a joint program where  
14 accepted protocol was used.

15 Q. Well, if you read on in what Mr. Hudson  
16 had to say, he said Monsanto's results  
17 were even higher than the state's. You  
18 do not disagree with that, do you?

19 A. In some places they were higher and some  
20 lower.

21 Q. Twelve hundred and fifty parts per  
22 million is listed here. Do you disagree  
23 with that?

8/31/2004 9:05 AM

267

1 A. Well, I will restate it.

2 Q. Okay.

3 A. We proposed removing the sediments from  
4 the stream bed, placing a culvert in  
5 there and covering it over with clay.

6 Q. So --

7 A. From a scientific standpoint, you have  
8 to have a place to put something, and  
9 then you put it in there and cover it  
10 over. He is saying backfilling with  
11 clay and running the creek through a  
12 culvert. That doesn't make sense. You  
13 can't fill it up and then run a culvert.

14 Q. You are saying -- Then you backfill  
15 after you remove the sediment?

16 A. Right. You have to remove the sediment,  
17 put the culvert in, and then backfill.

18 Q. This sentence appears to indicate there  
19 was an initial proposal where y'all just  
20 said you were going to put a culvert in  
21 there and then cover it up with clay.  
22 Was there ever any proposal like that  
23 that left out the removal of the

8/31/2004 9:05 AM

268

1 sediment at any point in time that y'all  
2 made?  
3 A. No. In another portion of the stream it  
4 was simply sediment removal. There were  
5 two different segments.  
6 Q. Now, this refers to -- This little map  
7 on the back refers to Snow Creek below  
8 the point where the tributary enters  
9 Snow Creek. Was there any sediment at  
10 any point in time taken out of Snow  
11 Creek itself, or was it just the  
12 tributary?  
13 A. A short distance.  
14 Q. What is the short distance? Can you  
15 give us a judgment?  
16 A. Probably fifty feet, something like  
17 that.  
18 Q. This indicates, this little proposal  
19 here or the summary of what had been  
20 found and -- By the way, the subject  
21 here is Monsanto/Snow Creek PCBs. I  
22 notice it doesn't mention Mr. Allen.  
23 Was he involved at any point in time

8/31/2004 9:05 AM

270

1 with this?  
2 A. Gary Allen?  
3 Q. Tull.  
4 A. No, no.  
5 Q. So this had to do just with y'all --  
6 A. Not in our studies, you know. He had  
7 his own situation.  
8 Q. And Snow Creek apparently was infected  
9 with PCBs or contaminated with PCBs for  
10 a good distance more than fifty feet,  
11 wasn't it, Mr. Brown?  
12 MR. PECK: Object to the form of  
13 the question.  
14 A. In -- If you have this, you ought to  
15 have, you know, results of the study  
16 that show the exact locations and the  
17 number.  
18 Q. But what I'm asking you, Mr. Brown, is  
19 it -- Let me just ask it this way:  
20 Doesn't this indicate that it is  
21 contaminated -- PCB contamination exists  
22 in Snow Creek for more than fifty feet  
23 according to Mr. Hudson?

8/31/2004 9:05 AM

271

1 MR. PECK: Object to the form of  
2 the question.  
3 A. At lower levels.  
4 Q. He says for as much as a mile, probably  
5 more than a mile, doesn't he?  
6 MR. PECK: Object to the form of  
7 the question.  
8 Q. In fact, his words are for at least a  
9 mile, probably a good bit more. Is that  
10 correct or incorrect, what he says  
11 there?  
12 MR. PECK: Object to the form of  
13 the question. The document  
14 speaks for itself.  
15 A. There were levels in the sediments in  
16 that section of the creek on the order  
17 of ten parts per million or below.  
18 Q. So it is your understanding that under  
19 what you understood y'all's approach to  
20 that particular level would be is that  
21 you didn't remove it at that point, or  
22 what did you do to it, cap it or what?  
23 MR. PECK: Object to the form of

8/31/2004 9:05 AM

272

1 the question.  
2 A. There was no known or identified need  
3 for removing these low levels at that  
4 point in time.  
5 Q. Okay. And what did you base that on,  
6 what Mr. Hudson said to you or what ADEM  
7 said to you? How is it that y'all made  
8 the determination that you would not  
9 remove the sediment --  
10 A. The only guidance we had was the  
11 regulatory guidelines found in the Toxic  
12 Substances Control Act.  
13 Q. Is there something there that says if it  
14 is less than ten parts per million --  
15 A. Less than fifty.  
16 Q. Just leave it?  
17 A. It says it is not regulated. It is not  
18 a PCB regulated situation if it is less  
19 than fifty parts per million.  
20 Q. And so as a result of that y'all made a  
21 decision that you would just go fifty  
22 feet or yards, whatever it was, down  
23 Snow Creek and wouldn't go any further?

8/31/2004 9:05 AM

273

1 MR. PECK: Object to the form of  
2 the question.  
3 A. Based on the sampling that we had, we  
4 were addressing what was considered at  
5 that point in time to be the higher  
6 levels of sediments in Snow Creek.  
7 Q. When did it change? Was there ever a  
8 change, a point in time where it  
9 changed?  
10 A. No. I mean -- TOSCA still is like it  
11 was. Now, you get into the later  
12 drivers, I can't comment on that. I do  
13 not know.  
14 Q. Well, is there some regulation or some  
15 EPA standard that would require you  
16 today to remove the sediment?  
17 MR. PECK: Object to the form of  
18 the question, lack of  
19 foundation.  
20 A. I can't answer. I don't know.  
21 Q. Mr. Brown -- Well, that is probably an  
22 inappropriate question to ask you.  
23 MR. STEWART: I'm going to have to

1 I do hereby certify that the witness  
2 whose attached deposition was taken before me  
3 was by me first duly cautioned and sworn to  
4 tell nothing but the truth in the cause  
5 aforesaid; that the testimony contained herein  
6 was by me reduced to writing in the presence  
7 of said witnesses by means of stenography and  
8 afterwards transcribed by means of computer  
9 aided transcription. The foregoing is a true  
10 and accurate transcript of the whole of the  
11 testimony given by said witness, as aforesaid.

12 I do further certify that I am not  
13 connected by blood or marriage with any of the  
14 parties or their attorneys or agents and that  
15 I am not an employee of any of them, nor  
16 interested in the matter of controversy.  
17 IN WITNESS WHEREOF, I have hereunto set  
18 my hand and affixed my notarial seal at  
19 Gadsden, Alabama, County of Etowah, this 1st  
20 day of May 1998.

21  
22 Deborah Salers Garrett  
23 Certified Shorthand Reporter  
Registered Professional Reporter  
Notary Public, Alabama-at-Large  
My Commission expires: 3-7-2001

8/31/2004 9:05 AM

274

8/31/2004 9:05 AM

4/21/1998 Brown, Jerry; Mars Hill

1 scoot. Is from some time  
2 that y'all could arrange Alan  
3 Faust, for us to get him? We  
4 have a problem in that -- Off  
5 the record.  
6 (Discussion held off record.)  
7  
8  
9 (The deposition concluded at  
10 3:20 p.m.)  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23

8/31/2004 9:05 AM

275

ADAD21-003677  
HARTOLDMON0033633

4/21/1998 Brown, Jerry; Mars Hill

|   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|---|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 0 | 21 [2:] [5:7] [6:1]<br>21927 [3:]<br>230 [256:1,10]<br>246 [4:]<br>257 [4:]<br>25th [202:6]<br>26 [202:3]<br>27420 [3:17]<br>275 [4:4]<br>2e [56:20,21] [165:13] [166:2,4]<br>2-e [56:20,21] [165:13] [166:2,4]<br>2w [177:5,6,17,22]<br>2-w [177:5,6,17,22]<br>2wa [177:10]<br>2-w-a [177:10]                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | 5-e [20:3,14] [27:15] [31:10,23] [32:3,9] [33:13] [178:4,6,15]<br>6<br>60 [258:6]<br>60s [43:3] [47:15] [57:21] [142:11] [144:4] [170:14]<br>69 [142:12] [216:2]<br>7<br>7 [:]<br>70 [53:16] [67:18,21] [68:20] [118:22] [142:12] [149:23] [170:18] [182:22] [189:15] [190:11] [240:20]<br>70s [43:2,3] [71:5] [74:8] [79:18] [80:17] [81:3,11] [82:4,10,21] [84:1] [90:20] [92:4] [100:18] [114:3,10] [120:7,8] [122:1] [129:3] [131:15] [133:1] [134:13] [138:3] [141:4] [144:5] [149:17] [150:7,18,19] [151:8] [183:13] [185:7] [186:20] [187:8,9] [190:5] [211:22] [212:1] [213:9,22,23] [214:9,13,20] [215:5] [217:1] [219:4,8,11] [220:22] [221:18,19] [232:3] [249:19]<br>70something [189:15]<br>70-something [189:15]<br>71 [52:12] [57:22,23] [58:14] [68:23] [80:6] [120:23] [134:18] [138:3] [142:14,15] [144:4] [149:20] [167:19]<br>72 [44:7] [47:3] [58:14] [61:14] [78:7] [91:18] [118:7,13] [120:13,23] [138:3] [149:20]<br>73 [54:10] [61:14]<br>74 [54:11,23] [55:11,19,21] [64:6] [65:20] [67:17,18] [112:22] [140:10] [159:21] [216:15]<br>75 [65:20] [74:11] [75:12] [84:13] [85:19,21] [140:10]<br>755 [2:]<br>76 [140:10]<br>77 [88:22,23] [89:3]<br>78 [89:3]                                                                                                                                                                                                                                                                             | 81 [70:11] [72:12,15]<br>82 [157:22] [158:1] [182:21]<br>83 [93:13]<br>83ish [93:13]<br>83-ish [93:13]<br>85 [35:8] [110:17] [159:4] [190:19] [197:22] [208:20] [217:16] [220:6] [261:7]<br>86 [35:8] [159:9,10,11]<br>87 [25:18] [159:8,9,11]<br>88 [20:10]<br>89 [20:10] [159:13]<br>9<br>9:15 [2:] [5:8]<br>90s [144:12]<br>91 [180:6]<br>92 [255:15]<br>93 [242:13,14] [252:23] [254:5] [255:18]<br>94 [255:18]<br>95 [110:18]<br>96 [2:]<br>A<br>a.m [2:] [5:8]<br>above [99:6] [102:18] [112:15] [154:16,18,22] [202:23] [203:7,11] [206:2] [207:4,12,13,22] [239:3]<br>abreast [43:12]<br>absolute [233:16]<br>absolutely [28:20] [36:5] [232:16] [242:10] [243:9]<br>accept [185:2]<br>acceptable [100:4] [153:21]<br>accepted [267:14]<br>accomplish [168:19]<br>accordance [264:17]<br>according [110:2] [232:2] [271:23]<br>accountable [24:11] [153:23]<br>accumulated [63:11]<br>accuracy [166:15]<br>accurate [10]<br>acetaminophen [16:13]<br>achieved [68:12,13,19]<br>acreage [181:1,2]<br>acres [181:7,8,11]<br>across [111:6] [117:22] [121:21] [129:15] [147:15] [179:5] [192:8,17] [195:12] [263:14]<br>act [98:14] [223:23] [273:12]<br>action [2:] [64:14] [80:19] [163:2] [168:10] [199:23] [200:4] [225:3]<br>actionable [206:1]<br>actions [27:13] [139:16] [168:16]<br>active [13:10] [30:22,23]<br>activities [23:11] [27:22] [52:21] [93:16]<br>activity [63:14] [240:16]                                                                                                                                                                                                                                                      |
| 1 | 1 [165:10,16] [166:8] [177:17,19] [179:2]<br>1000 [2:]<br>10064 [12:9]<br>1131 [3:6]<br>12:00 [149:14]<br>12:30 [149:14]<br>160 [4:]<br>161 [4:]<br>19 [58:13] [198:18]<br>190 [4:]<br>1929 [90:1]<br>1960 [171:9] [172:6] [237:11] [256:6] [258:4,5]<br>1965 [40:21]<br>1967 [11:19] [40:23] [41:11]<br>1969 [118:22]<br>1970 [144:3] [167:8,19] [168:3] [217:8] [237:11]<br>1970s [189:21] [190:3]<br>1970something [190:3]<br>1970s-something [190:3]<br>1971 [78:6] [118:7,13] [120:12]<br>1972 [70:1] [118:16]<br>1974 [55:23] [56:3] [58:17,22] [62:18] [63:7] [64:7] [69:15]<br>1975 [75:1] [79:12] [217:6]<br>1980 [183:13] [237:11]<br>1980s [189:22]<br>1981 [70:14] [71:9]<br>1982 [189:15]<br>1985 [113:2] [118:1] [119:12] [121:20] [202:4,7] [208:19] [210:19] [259:20] [262:13]<br>1990 [180:6,14] [237:12]<br>1998 [2:] [5:8] [6:1] [240:21] [20]<br>1e [165:10,16] [166:8]<br>1-e [165:10,16] [166:8]<br>1st [19]<br>1w [177:17,19] [179:2]<br>1-w [177:17,19] [179:2] | 2<br>2 [56:20,21] [57:22,23] [80:6] [165:13] [166:2,4] [177:2,3,5,6,10,11,17,22]<br>200 [4:]<br>202 [20:6] [56:9,19] [75:18] [113:7,23] [136:2] [164:14] [179:8] [192:6,16,20] [196:13,16,19,20] [218:19] [232:7] [254:3]<br>20th [3:]<br>21 [2:] [5:7] [6:1]<br>21927 [3:]<br>230 [256:1,10]<br>246 [4:]<br>257 [4:]<br>25th [202:6]<br>26 [202:3]<br>27420 [3:17]<br>275 [4:4]<br>2e [56:20,21] [165:13] [166:2,4]<br>2-e [56:20,21] [165:13] [166:2,4]<br>2w [177:5,6,17,22]<br>2-w [177:5,6,17,22]<br>2wa [177:10]<br>2-w-a [177:10]<br>3<br>3 [56:20,21] [70:1] [80:6] [165:13] [166:3,4] [177:2,3,10,11] [179:21,22] [180:9,10,22] [253:1] [:]<br>3:20 [275:10]<br>300 [3:12]<br>30s [77:16]<br>35203 [3:13]<br>35901 [2:]<br>359010755 [2:]<br>35901-0755 [2:]<br>36201 [3:]<br>36264 [12:9]<br>372001 [:]<br>3-7-2001 [:]<br>3e [56:20,21] [165:13] [166:3,4] [179:21,22] [180:9,10,22]<br>3-e [56:20,21] [165:13] [166:3,4] [179:21,22] [180:9,10,22]<br>3w [177:10,11]<br>3-w [177:10,11]<br>4<br>4 [4:3] [176:21,22] [177:10,11] [178:2,4,9,15,16] [179:6] [253:1]<br>46 [12:9]<br>4e [178:2,4,9,15,16] [179:6]<br>4-e [178:2,4,9,15,16] [179:6]<br>4w [176:21,22] [177:10,11]<br>4-w [176:21,22] [177:10,11]<br>5<br>5 [4:] [20:3,14] [27:15] [30:18] [31:10,23] [32:3,9] [33:13] [35:10] [178:4,6,15]<br>500 [2:]<br>505 [3:]<br>50s [57:21] [170:14] [254:7] [255:13]<br>59 [258:6]<br>5e [20:3,14] [27:15] [31:10,23] [32:3,9] [33:13] [178:4,6,15] | 8<br>80 [183:13] [219:8]<br>80s [25:8] [71:5] [99:13] [100:20] [101:10,18] [102:2,18] [103:11,15] [107:19] [112:6] [129:3] [134:13] [141:5] [144:10] [158:6,13] [173:21] [175:4] [185:7] [186:21] [187:9] [190:6] [219:5] [220:23] [221:14,19,21]<br>81 [70:11] [72:12,15]<br>82 [157:22] [158:1] [182:21]<br>83 [93:13]<br>83ish [93:13]<br>83-ish [93:13]<br>85 [35:8] [110:17] [159:4] [190:19] [197:22] [208:20] [217:16] [220:6] [261:7]<br>86 [35:8] [159:9,10,11]<br>87 [25:18] [159:8,9,11]<br>88 [20:10]<br>89 [20:10] [159:13]<br>9<br>9:15 [2:] [5:8]<br>90s [144:12]<br>91 [180:6]<br>92 [255:15]<br>93 [242:13,14] [252:23] [254:5] [255:18]<br>94 [255:18]<br>95 [110:18]<br>96 [2:]<br>A<br>a.m [2:] [5:8]<br>above [99:6] [102:18] [112:15] [154:16,18,22] [202:23] [203:7,11] [206:2] [207:4,12,13,22] [239:3]<br>abreast [43:12]<br>absolute [233:16]<br>absolutely [28:20] [36:5] [232:16] [242:10] [243:9]<br>accept [185:2]<br>acceptable [100:4] [153:21]<br>accepted [267:14]<br>accomplish [168:19]<br>accordance [264:17]<br>according [110:2] [232:2] [271:23]<br>accountable [24:11] [153:23]<br>accumulated [63:11]<br>accuracy [166:15]<br>accurate [10]<br>acetaminophen [16:13]<br>achieved [68:12,13,19]<br>acreage [181:1,2]<br>acres [181:7,8,11]<br>across [111:6] [117:22] [121:21] [129:15] [147:15] [179:5] [192:8,17] [195:12] [263:14]<br>act [98:14] [223:23] [273:12]<br>action [2:] [64:14] [80:19] [163:2] [168:10] [199:23] [200:4] [225:3]<br>actionable [206:1]<br>actions [27:13] [139:16] [168:16]<br>active [13:10] [30:22,23]<br>activities [23:11] [27:22] [52:21] [93:16]<br>activity [63:14] [240:16] |

[242:11]  
**actual** [22:14] [57:6] [218:13]  
**actually** [22:7] [24:19]  
 [52:18] [87:14] [96:11]  
 [136:15] [150:3] [156:9]  
 [158:2] [172:2] [178:19]  
 [198:11] [212:12]  
**acute** [86:18]  
**adam** [3:11] [7:6,9] [237:13]  
**adams** [97:13]  
**add** [18:6]  
**addition** [55:4] [66:3]  
**address** [12:8] [63:15]  
 [190:15]  
**addressed** [213:19]  
**addressing** [274:4]  
**adem** [26:7,8,22] [27:8]  
 [28:3,15] [30:10] [35:2]  
 [92:19] [93:2,3,8] [96:2]  
 [97:3] [98:8] [105:2,9,21]  
 [198:11] [199:14,15,21]  
 [200:14] [205:18] [207:2,20]  
 [208:22] [210:20] [211:12,22]  
 [212:3,5,22] [213:3,9]  
 [214:1] [215:6] [222:16]  
 [223:15] [224:13] [273:6]  
**adems** [215:3]  
**adhering** [249:5]  
**adjoined** [108:19]  
**adult** [13:2,5]  
**advent** [47:22]  
**affairs** [155:1] [157:19]  
 [201:5]  
**affect** [188:10] [230:16]  
**affected** [194:14] [268:6]  
**affecting** [38:17]  
**affiliate** [13:18]  
**affiliation** [12:13]  
**affirmatively** [266:19]  
**affixed** [1:18]  
**aforsaid** [5:11]  
**afternoon** [149:7]  
**afterwards** [8]  
**ag** [25:15] [223:9] [229:9]  
**again** [47:4] [60:9] [76:10]  
 [83:8] [104:23] [141:18]  
 [145:6] [159:15] [167:1]  
 [189:3] [223:17] [244:21]  
 [251:4] [252:2,8,17]  
**against** [6:12] [80:16,20]  
 [104:9] [198:14] [200:4]  
 [238:1]  
**agencies** [50:10] [82:1]  
 [92:19] [94:14] [201:8]  
 [223:20] [243:8]  
**agency** [26:3] [27:4] [50:19]  
 [74:21] [80:16] [88:18]  
 [95:15] [187:19] [206:16]  
 [223:12] [260:16]  
**agents** [17:22] [1:14]  
**ago** [8:11] [9:11] [11:2]  
 [14:19] [119:19,21] [171:4]  
 [6] [235:21] [236:2] [251:16]  
 [252:22] [264:10]  
**agree** [170:3] [210:15]  
**agreed** [5:2,9,15,22] [65:14]  
 [97:21]  
**agreement** [60:13] [205:3]  
**agricultural** [24:17,20,22]  
 [25:11] [223:4,5]  
**ahead** [7:3,15] [28:1] [60:8]  
 [94:12,13] [169:20] [175:2]  
 [198:20] [249:10] [265:21]  
**aided** [9]  
**air** [43:20] [55:7] [140:11]  
 [141:6,7,11,12,15] [143:12]  
 [13] [144:3,6,21] [145:2,11]  
 [14,18] [146:1,3,7] [147:10]  
 [148:4]  
**airborne** [143:15]  
**airport** [149:7]  
**al** [2:]  
**alabama** [2:1] [3:13] [5:6,7]  
 [6:1] [50:17] [60:14] [78:5,16]  
 [101:23] [148:6,20] [192:20]  
 [200:23] [202:2] [211:20]  
 [256:5,10,16] [257:5]  
 [19,23]  
**alabamaatlargo** [23]  
**alabama-at-large** [23]  
**alan** [145:17,18] [241:21]  
 [275:2]  
**alleged** [85:13]  
**allen** [105:8] [199:3,10,16]  
 [200:4,17,18] [202:21]  
 [204:23] [205:12] [206:15]  
 [207:1] [209:4] [223:14]  
 [270:22] [271:2]  
**allens** [199:20] [202:23]  
 [203:7,8,11] [204:14]  
 [207:4,13,23] [209:22]  
**allowed** [29:13] [124:15]  
**allowing** [101:15]  
**alluded** [98:14]  
**almost** [37:11]  
**along** [34:12] [64:22] [66:5]  
 [67:22] [107:17] [112:6]  
 [113:22] [118:3] [120:13]  
 [122:13,18] [154:4] [158:6]  
 [16] [159:9] [195:23] [196:17]  
 [20] [197:12] [229:6]  
**alongside** [108:3] [109:16]  
 [112:4] [196:21]  
**already** [62:20] [189:3]  
**alternative** [15:9]  
**alternatives** [227:15]  
**although** [223:9]  
**always** [41:14,17] [124:3]  
**am** [17:23] [55:20] [68:17]  
 [78:17] [100:12] [103:6]  
 [112:1,19] [116:14] [121:14]  
 [148:14] [202:13] [248:22]  
 [12,15]  
**amenable** [228:18]  
**amount** [38:6] [75:17] [76:4]  
 [141:7] [186:18] [187:20]  
**analyses** [60:21]  
**analysis** [51:14] [71:12]  
 [141:23]  
**analyst** [54:16]  
**analysts** [51:17]  
**analytical** [41:6] [42:2,9,17]  
 [44:18] [51:1] [52:3] [232:23]  
**analytically** [249:16]  
**analyze** [43:19] [159:21]  
**analyzed** [46:2] [98:3] [225:  
 2,5] [249:20]  
**analyzing** [74:15] [233:1]  
**anniston** [2:1] [3:1] [5:7] [6:1]  
 [14:4,7,18] [15:1] [45:13]  
 [51:8] [77:11] [80:20]  
 [82:9] [83:22] [84:16]  
 [90:18,22] [91:2] [106:6]  
 [129:13] [133:19] [148:6,20]  
 [149:18] [157:17] [182:13]  
**annistons** [95:8]  
**answer** [7:4,12,15,20,22]  
 [9:7] [59:23] [60:5] [115:22]  
 [116:4,6,15,17,21] [117:3,7]  
 [168:6] [211:23] [229:23]  
 [237:4,7] [243:4] [250:5]  
 [274:20]  
**answering** [76:7]  
**anybody** [23:19,20] [63:17,21]  
 [66:20] [74:10] [79:11]  
 [83:1] [86:13,21] [87:10]  
 [92:2] [106:4] [121:18]  
 [130:9,10] [133:6,9,19,20,22]  
 [139:17] [148:12] [152:3]  
 [158:9] [210:19] [215:23]  
 [216:21] [217:13] [228:4]  
 [230:23] [237:22] [262:17,18]  
 [21]  
**anybodys** [243:10]  
**anyone** [131:5] [199:13]  
**anyplace** [56:10] [190:10]  
**anything** [7:23] [14:3] [16:15]  
 [18:14] [35:22] [38:7]  
 [47:6] [54:18] [63:21]  
 [64:18] [87:22] [89:2,4]  
 [98:19] [115:1] [121:5]  
 [126:18] [130:2] [140:9,19]  
 [143:3,23] [152:2] [164:2]  
 [165:13] [168:2] [172:11]  
 [173:18] [179:10] [186:8]  
 [219:4] [237:23] [238:13]  
 [244:21] [245:13] [248:4]  
 [252:18] [263:7,9]  
**anyway** [150:1] [240:4]  
**anywhere** [77:12] [170:11,23]  
 [251:12]  
**apc** [257:21,22] [258:9]  
**apologize** [59:1] [119:20]  
 [201:21]  
**apparently** [9:7] [47:9]  
 [78:5,15] [261:3] [268:4]  
 [271:8]  
**appearance** [14:13]  
**appeared** [209:19] [235:23]  
**appears** [145:1] [165:10]  
 [194:21] [261:1,13] [269:18]  
**apples** [118:5,6]  
**applicate** [42:5]  
**application** [188:6,17]  
**applications** [17:7] [188:12]  
**applied** [43:10] [47:16]  
 [57:10] [91:23]  
**applies** [16:22]  
**applying** [43:12]  
**approach** [227:21] [230:1,3]  
 [272:19]  
**approached** [92:14] [104:13]  
**appropriate** [211:14] [222:3]  
**approval** [27:12,18] [28:6]  
 [35:3]  
**approve** [244:16]  
**approved** [27:15] [99:5]  
 [238:14]  
**april** [2:1] [5:7] [6:1]  
**archived** [76:21,22] [77:2]  
**archives** [76:19] [189:10]  
**area** [40:9] [41:1,3] [42:3,9]  
 [46:18,20] [56:12,14]  
 [83:22] [97:10] [104:18]  
 [110:1] [122:23] [123:14]  
 [124:12,15] [125:4,6]  
 [128:19,20] [130:6,13,19]  
 [133:12,20] [138:13] [139:  
 19] [140:2] [152:4] [154:2]  
 [162:3,8] [163:23] [165:3,6]  
 [168:21] [173:19] [178:12,14]  
 [17] [191:8] [192:7] [194:16]  
 [17,23] [234:19] [235:22]  
 [236:15] [248:11] [250:15]  
 [251:2] [254:6,8] [257:18,19]  
 [261:20,21]  
**areas** [57:17] [126:6] [127:9]  
 [129:19] [131:1] [151:22]  
 [234:21,22] [235:1,2,21]  
**arent** [112:8,11] [225:21]  
 [246:19]  
**arms** [37:19]  
**aroclor** [53:14]  
**arose** [92:11] [254:5]  
**around** [80:8] [83:3,20]  
 [89:15] [109:11] [119:22]  
 [124:14] [125:18] [144:14]  
 [147:10] [180:13] [181:9]  
 [219:16] [234:21,22] [252:  
 1]  
**arrange** [275:2]  
**arrangement** [61:5]  
**arrangements** [78:3]  
**arrived** [224:5]  
**arrow** [197:4,8] [236:5]  
**artfully** [205:9]  
**articles** [177:14]  
**ask** [6:12,15,17,23] [11:7]  
 [40:14] [57:16] [63:17]  
 [116:1,9,11] [127:12,19]  
 [146:12,21] [148:21] [149:  
 15] [161:9,23] [162:11]  
 [166:1] [168:11] [181:5]  
 [192:1] [233:11] [235:20]  
 [248:2] [258:7,12] [260:1]  
 [261:15] [266:23] [268:16]  
 [271:19] [274:22]  
**asked** [73:7] [75:3,10,14,15]  
**asking** [79:10] [125:23]  
 [128:9] [217:9] [227:13]  
 [233:4] [245:4,10,14]  
 [256:21] [259:19] [271:18]  
**aspects** [42:5]  
**asphalt** [180:19]

- asphaltlike** [180:19]  
**asphalt-like** [180:19]  
**assign** [5:19]  
**assist** [23:23]  
**associated** [19:10] [86:17]  
[127:4] [222:15] [239:21]  
[240:8,15] [243:5,11]  
**association** [140:22]  
**assume** [51:2,10] [55:1]  
[79:22] [108:5] [188:2]  
[192:11] [210:1,6] [240:17]  
[248:23] [254:11]  
**assumed** [22:17] [49:3]  
[55:3]  
**assuming** [49:11] [63:12]  
[65:2] [77:6] [250:20]  
[251:20]  
**assumption** [49:12]  
**ate** [130:18]  
**atlanta** [105:1]  
**attach** [115:17]  
**attached** [4:21] [127:14]  
[128:12] [2:2]  
**attacks** [39:10,23]  
**attempt** [243:10]  
**attempted** [114:14]  
**attended** [42:21]  
**attention** [112:23] [162:6]  
**attorney** [101:22] [103:10]  
[104:7] [105:3,7,21] [113:1]  
[190:21] [191:1] [198:3,12]  
,17] [199:12,17,22] [200:6,15]  
,19] [201:12] [202:7,20]  
[204:22] [205:3,4,11,14,18]  
[206:18,23] [209:3] [210:18]  
[216:21] [219:1,3,12]  
[223:13] [224:13] [261:20,21]  
[264:13] [267:7] [268:5]  
**attorneys** [6:10] [2:14]  
**auburn** [40:16,18,20] [41:10]  
[51:3]  
**august** [11:19]  
**authorities** [253:6]  
**authority** [156:7]  
**available** [30:10] [34:14]  
[43:14] [76:16] [148:9]  
[226:12] [229:12] [230:3]  
**avenue** [2:] [3:6]  
**average** [99:8,10]  
**avoid** [172:3]  
**aware** [67:11,19] [74:13,19]  
[85:2] [134:10] [143:19]  
[145:10] [161:13,20] [199:  
15]  
**away** [25:16] [36:1] [61:4]  
[100:21] [135:10] [148:13]  
[155:18]  
**awfully** [175:6]
- 
- B**
- 
- back** [11:20] [33:6] [37:11]  
[40:12] [42:3] [43:2] [47:13]  
[57:15] [58:11] [67:20]  
[74:8] [85:10] [100:14]  
[114:11] [141:20] [149:12]  
[157:22] [166:16] [167:2]  
[189:21] [211:21] [212:13]  
[214:1] [233:10] [260:4]  
[264:1,18] [270:7]  
**backfill** [269:14,17]  
**backfilling** [268:6] [269:10]  
**background** [40:15] [157:14]  
**bad** [119:12]  
**bank** [122:18,20] [169:15]  
**banks** [169:1]  
**baptist** [2:] [12:15,22] [46:22]  
[83:2]  
**barely** [182:8]  
**barrels** [167:23]  
**base** [49:12] [273:5]  
**based** [59:18] [60:9,10]  
[64:15] [76:7] [93:1] [100:2]  
[114:7] [143:3,4] [175:1,3]  
[210:1,14] [247:2] [274:3]  
**basically** [10:4] [15:21]  
[16:21] [18:17] [19:14,22]  
[20:12,15] [24:16] [28:11]  
[32:5] [33:9] [36:22] [37:3]  
[49:14] [58:13] [108:23]  
[135:18] [158:15] [160:11]  
[173:23] [187:11] [193:1,12]  
[195:4] [197:9] [200:8]  
[254:15] [258:10]  
**basin** [145:13]  
**basis** [22:13] [26:7] [28:16]  
[86:18] [90:9] [211:16]  
[216:20] [218:4]  
**bat** [149:9]  
**beat** [146:16,20]  
**became** [62:18] [63:6]  
[69:2,14] [84:15] [183:21]  
[216:15]  
**become** [132:2,20] [182:5]  
**becomes** [132:7]  
**becoming** [101:23]  
**bed** [268:7] [269:4]  
**bedrock** [173:14] [174:20]  
**began** [11:13,18] [22:20]  
[131:15] [149:21] [216:23]  
[237:20]  
**behind** [76:15]  
**beings** [85:4] [88:15]  
**believe** [20:19] [52:12]  
[85:16] [97:16] [105:10]  
[114:18] [139:4] [170:5]  
[190:20,22] [212:11] [256:  
18] [259:9,14] [266:4,12]  
[267:2]  
**bell** [48:9,18] [49:3] [53:20]  
[127:21] [134:6] [150:22]  
**bells** [12:17]  
**belong** [12:11,15] [13:8,14,17]  
,21] [14:2]  
**belonged** [223:10]  
**below** [45:13,21] [96:17]  
[98:21] [109:18] [111:23]  
[174:11] [203:1,8] [207:4,14]  
,23] [209:21] [260:23]  
[264:15] [270:7] [272:17]  
**bernard** [27:6] [210:20]  
**besides** [35:11] [233:22]
- best** [57:18] [149:8] [188:21]  
[195:1] [226:9,16,20]  
[227:1,4,7,20] [229:14]  
[230:1] [247:1] [256:20,23]  
[260:17] [267:5,8]  
**bethel** [46:21,23] [47:2]  
[83:1] [108:2,3,6] [109:10,12]  
[110:8] [115:8] [121:21]  
[262:7] [263:10]  
**better** [27:2] [165:19] [225:10]  
[228:14] [229:16] [248:17]  
**beyond** [39:20] [112:1,3]  
[122:17,20] [189:11]  
**big** [31:7,13] [32:4] [114:9]  
**bill** [93:9,14] [97:13] [105:10]  
[137:6] [182:6] [183:11]  
[208:4,7] [218:3] [221:1,3]  
[223:15] [262:20]  
**billion** [250:2]  
**billy** [254:19]  
**biological** [36:7,20,23]  
[220:1] [227:23]  
**biologically** [36:9] [228:2]  
**biomagnification** [131:7,18]  
[132:3]  
**biomagnified** [132:21]  
**biphenyl** [18:7]  
**birmingham** [3:13] [8:18,19]  
**bit** [118:17] [163:4] [164:11]  
[192:4,19] [272:9]  
**blake** [154:18]  
**blinking** [248:19]  
**blood** [38:10,19] [40:2]  
[13]  
**board** [22:7,8]  
**bob** [201:13,14] [265:11]  
**bodies** [45:9]  
**body** [45:7]  
**book** [255:4]  
**booster** [13:13,14,17]  
**boots** [123:17]  
**boring** [175:3]  
**borings** [173:21]  
**borrow** [99:23] [262:22]  
[263:1]  
**bottles** [177:15]  
**bottom** [32:19,23] [33:6,12]  
[34:22] [169:2] [174:4]  
[180:18] [184:19] [254:12]  
[261:17]  
**bought** [139:8] [140:4,6]  
[190:2]  
**boundaries** [178:21]  
**box** [3:] [31:7]  
**boxtype** [31:7]  
**box-type** [31:7]  
**brain** [64:17]  
**brazelton** [151:1]  
**break** [32:11] [69:6,7] [149:  
5,13] [195:9,10] [253:15,16]  
**breathing** [38:16,22] [39:2]  
**bring** [80:19]  
**bringing** [132:6]  
**broad** [232:21] [244:9]  
**broader** [165:21]  
**broadwater** [200:22] [201:23]
- broken** [31:15]  
**brought** [112:23] [157:18]  
[158:19] [169:6]  
**brown** [2:] [4:] [5:4] [6:3,9]  
[11:9] [12:6] [13:9] [14:22]  
[16:20] [19:18] [20:23]  
[26:4] [28:16] [33:4,20]  
[37:7,14] [40:15] [41:2]  
[42:1] [48:3] [49:13] [50:8,23]  
[52:17] [54:4] [56:5] [57:13]  
[58:23] [59:9] [63:11,17]  
[64:20] [66:6] [67:11]  
[69:11,21] [78:11] [83:22]  
[84:3] [85:14] [87:17]  
[92:7,18] [94:13] [95:12]  
[96:1] [97:7] [98:7] [100:12]  
[101:18] [102:13,16,19]  
[105:19] [109:22] [110:22]  
[112:12,19] [114:7,19]  
[115:20] [121:18] [122:22]  
[129:11] [132:4] [137:3]  
[140:9] [141:3,17] [143:2,18]  
[144:20] [145:7] [146:8]  
[147:9,23] [148:8,22]  
[149:16] [153:16] [164:3]  
[165:20] [167:4] [170:9]  
[173:14] [181:13] [184:16]  
[189:18] [190:3] [192:13]  
[194:1] [195:2] [197:5]  
[200:11] [203:15] [204:19]  
[205:1] [206:22] [210:10,16]  
[213:14] [215:17,22] [217:  
16] [220:6] [222:18] [225:9]  
[227:15] [229:18] [232:17,19]  
[233:4,9,12,20] [234:15]  
[235:8,20] [236:6,10,17]  
[237:1,5] [239:5,10] [240:15]  
[241:1,9] [244:3] [246:15]  
[248:6] [254:18] [259:18]  
[261:23] [268:16] [271:11,18]  
[274:21]  
**bruce** [23:14]  
**bruces** [23:15]  
**bs** [40:16,19]  
**buddy** [27:2,7] [208:15,20]  
[210:20] [223:18]  
**bug** [40:8]  
**bugs** [37:2] [39:22]  
**build** [27:18]  
**building** [61:1,3] [180:4,5,11]  
**built** [100:1] [176:10]  
**buried** [31:10,22] [35:10,15]  
[36:2] [56:4,8,19,23] [57:3  
,8,17] [58:7,13] [63:19]  
[75:8,18,21] [77:9,11]  
[167:7] [170:11,23] [171:16  
,21] [173:5] [175:21] [176:1  
,5] [179:10,15,18] [180:20]  
[186:13] [188:15] [234:6]  
[236:19] [237:2] [238:3]  
[247:17] [248:22] [255:9]  
[263:7,9]  
**bury** [32:2,12] [236:23]  
[237:8] [238:1,10,13]  
**burying** [239:22]  
**business** [17:17]

busted [47:17]  
 buying [134:11]  
 byproducts [90:20]

## C

calculate [77:8] [189:1]  
 calculations [76:3]  
 calhoun [2:] [8:20] [13:11,19]  
 california [92:4]  
 call [17:23] [20:3] [36:11]  
   [163:19] [164:7,8] [166:7]  
   [241:17] [246:15] [250:16]  
 called [25:13] [34:16] [54:9]  
   [56:20] [71:11,14] [72:3]  
   [108:5] [150:2] [180:17]  
   [246:20]  
 calling [164:9]  
 calls [94:11] [229:20] [243:2]  
   [244:5] [253:10]  
 cannot [143:16] [238:13]  
 cant [23:20] [24:1] [27:9]  
   [39:20] [43:20] [70:17]  
   [92:6] [93:6] [96:8] [122:14]  
   [128:17] [140:1] [143:12,13]  
   [168:6] [188:17] [189:11]  
   [207:8] [229:23] [256:13]  
   [259:6] [265:22] [269:13]  
   [274:12,20]  
 cap [234:18] [255:19] [272:  
   22]  
 capabilities [101:15]  
 capability [155:19]  
 capacity [52:9]  
 capped [113:12] [171:10,11]  
   [184:5] [248:11,12] [255:17]  
 capping [160:11] [231:22]  
   [232:4]  
 car [17:4]  
 carbon [37:1] [143:14]  
 care [128:6]  
 career [41:13] [42:4]  
 careful [193:4]  
 carolina [3:17]  
 carried [104:22] [125:20]  
   [206:21]  
 carry [33:19]  
 carter [144:16]  
 case [6:11] [8:7,13] [9:2,5,12]  
   [13:21,22] [10:6,8,10,16]  
   [11:4,22,23] [17:1] [128:17]  
   [164:4] [210:10] [244:14]  
 cases [9:1] [11:22] [12:3]  
   [153:20]  
 catchment [145:12]  
 category [130:11]  
 cattle [130:2,3,16] [133:2]  
   [134:12]  
 cause [37:21] [38:15] [39:3]  
   [87:12] [88:15] [4:]  
 caused [15:12] [79:23]  
   [86:23] [140:12] [206:9]  
 cautioned [3:]  
 cavner [155:9]  
 cayard [222:21] [226:6]  
 c-a-y-a-r-d [226:6]

cell [20:3,13] [27:15,17]  
   [30:18] [31:10] [32:6,9]  
   [33:8,12] [35:1,10,16,19]  
   [165:3,10,17] [166:1]  
   [176:19,20] [177:17,19]  
   [178:18] [179:2,5] [180:8,21]  
   [186:17] [238:12] [239:13]  
   [240:4]  
 cells [56:20] [57:6] [77:14]  
   [164:16,20] [166:5] [167:3]  
   [170:10] [175:19] [176:6,10]  
   [12,16] [177:8] [178:4,6]  
   [179:11] [181:9] [187:2,22]  
   [189:19] [192:4,5] [235:2,11]  
   [23] [236:14,18] [237:10]  
   [238:2,6,19] [239:5,23]  
   [240:2] [243:21] [251:9]  
 cement [180:5]  
 center [3:12]  
 central [39:10]  
 certain [17:6] [27:3] [42:14,16]  
   [45:2] [132:14] [165:23]  
   [176:15]  
 certainly [6:16] [59:1] [78:12]  
   [114:20] [115:1] [166:12]  
   [210:14] [247:5]  
 certificate [4:4]  
 certified [2:] [22]  
 certify [1:1,12]  
 chain [131:21,23] [132:1]  
   [155:2,10] [157:2]  
 chamber [13:11] [14:8]  
 change [80:8] [189:23]  
   [247:12] [274:7,8]  
 changed [52:4] [228:12]  
   [274:9]  
 changeover [25:7]  
 changes [168:20]  
 changing [228:8]  
 channel [111:10,13,18]  
 charge [20:20] [21:4] [22:1]  
   [136:21] [183:23] [200:22]  
   [207:19] [253:2]  
 charles [93:10,14] [209:9,10]  
   [211:2,3] [212:12] [223:15]  
 charlie [103:11] [200:21]  
 check [74:3] [148:18] [213:  
   10] [218:17] [250:17]  
 checked [148:12]  
 checking [218:7]  
 cheever [157:9] [158:9]  
   [159:2] [184:3,6,7] [188:5]  
   [201:13] [222:20]  
 chemical [24:18] [25:4,17,18]  
   [20] [82:8] [88:20] [133:18]  
   [157:15] [202:9] [204:1]  
   [208:1] [220:15] [228:10]  
 chemicals [43:5] [74:15]  
   [131:2]  
 chemist [49:1] [51:2] [52:4,5]  
   [54:6,10,12,13] [55:2,3]  
   [59:21] [62:18] [63:7,18]  
   [69:15] [74:14] [79:11]  
   [84:9,16] [88:13] [90:6]  
   [127:9] [130:23] [134:7]  
   [157:12] [216:15]

chemistry [40:16,19,22]  
 chicken [140:3]  
 chickens [130:1,4] [139:21]  
   [140:1]  
 chief [49:1] [54:6,10,12,13]  
   [55:2,3] [59:21] [62:17]  
   [216:15] [265:6]  
 chisolm [22:10,16]  
 chloracne [88:1,2]  
 chlorinated [91:7,11]  
 choccolocco [45:10,11]  
   [46:2] [59:4] [79:15] [81:15]  
   [92:13] [93:17] [94:4]  
   [95:18,22] [96:12] [98:10]  
   [99:13,16] [100:22] [102:6]  
   [103:5] [120:6,17] [121:11]  
   [122:3]  
 choice [225:17] [228:14]  
 cholinesterase [38:10,18]  
   [39:16]  
 choose [227:18]  
 chose [147:22]  
 chromatography [42:22]  
   [142:2,3]  
 chronic [86:18]  
 chunks [32:4]  
 church [2:] [12:13,15,22]  
   [13:1] [46:21,22] [47:2]  
   [83:2] [108:2,6,10] [109:10]  
   [12] [115:8] [194:9,10]  
   [263:10]  
 churches [261:19] [262:1]  
 circled [175:20]  
 circuit [2:]  
 citation [200:3]  
 city [29:15] [82:6,18] [105:16]  
   [106:5] [122:10,15] [261:22]  
 civic [13:7,21,23] [14:6]  
 civil [2:]  
 claim [6:11]  
 clarify [61:21] [221:21]  
 classified [162:9]  
 clay [32:7] [33:7,11] [171:12]  
   [14] [174:2,10] [207:10,16]  
   [249:5] [255:19] [263:2]  
   [268:6,12] [269:5,11,21]  
 cleaned [19:19] [36:18]  
   [124:2]  
 cleanup [224:2]  
 clear [221:11]  
 clears [88:4]  
 cleburne [12:18,19] [13:12,15]  
   [248:17]  
 clemmet [254:19,22] [255:  
   2,8]  
 c-l-e-m-m-e-t [255:2]  
 close [15:7] [46:23] [68:14]  
   [78:4,9] [181:11]  
 closed [30:19,20] [78:13,14]  
   [89:7] [142:13] [144:7]  
   [167:20] [171:9] [184:5]  
 closest [225:22]  
 closing [15:13] [81:10]  
   [89:5]  
 closure [84:18] [141:13,16]  
   [142:7] [233:16]

clothing [123:8,13,18,21]  
   [124:4,10] [125:17] [126:9]  
 club [13:14] [14:2]  
 clubs [13:13]  
 clydesdale [192:8,18]  
   [195:13] [196:21] [197:11,12]  
   [14]  
 coating [176:17]  
 cobb [46:17] [113:11] [129:  
   6] [133:5] [139:18] [232:13]  
 coldwater [184:19] [254:23]  
 colleagues [81:7]  
 collection [17:11]  
 collective [247:1]  
 colleges [42:11]  
 combines [194:18]  
 coming [55:22] [104:2]  
   [248:16] [261:1]  
 command [155:2,11] [157:3]  
 commencing [2:]  
 comment [126:1] [274:12]  
 commerce [13:11] [14:8]  
 commercial [124:6]  
 commercially [15:23]  
 commission [50:17] [60:14]  
   [78:6,17] [211:21] [212:5,7]  
   [214:11] [215:7,8] [2]  
 commissioner [2:] [5:6,23]  
 common [73:10] [147:8,11,15]  
 communicate [28:5] [88:11]  
   [13] [208:12]  
 communicated [94:17]  
   [147:2]  
 communication [27:21,22]  
   [28:15] [211:19]  
 communications [145:21]  
 community [12:17] [82:14]  
   [83:7,18] [105:15] [108:7,17]  
   [113:11] [137:19] [138:11]  
   [245:20] [246:21] [262:9]  
 communitywide [83:18]  
 community-wide [83:18]  
 compacted [33:7,10] [169:7]  
 company [2:] [23:22] [24:18]  
   [23] [25:5,17,19,20,21]  
   [37:8] [41:17] [82:9] [86:13]  
   [88:6] [104:9] [154:17]  
   [202:9] [208:1] [220:15]  
   [223:4] [225:9] [227:17]  
   [256:6] [257:5]  
 compared [126:11]  
 complete [61:10]  
 completed [65:17]  
 completely [257:9]  
 compliance [5:13]  
 complied [153:14]  
 comply [225:14]  
 composite [110:10]  
 compound [88:20]  
 computer [8]  
 concentrate [132:17]  
 concentrated [37:16] [38:14]  
   [132:2,7]  
 concentration [92:21]  
   [110:3]  
 concentrations [107:6]

[110:6] [111:1,3,15] [115:7]  
**concern** [47:8] [80:1] [81:6]  
 [91:21] [101:14] [118:16]  
 [127:6] [135:7] [136:8,13]  
 [138:2,4,10] [139:6] [141:2]  
 [151:22] [160:20] [198:18]  
 [205:2]  
**concerned** [55:5] [102:1]  
 [156:5] [190:1,4,11] [196:1]  
 [197:19,21] [220:16] [226:  
 10]  
**concerning** [202:9]  
**concerns** [91:22] [139:7]  
 [160:17] [217:22]  
**concluded** [275:9]  
**concrete** [31:20] [32:5]  
 [111:10,13,18] [112:2]  
**conducted** [69:9]  
**confidence** [109:18]  
**confusing** [115:13]  
**confusion** [116:8] [163:5]  
 [172:4]  
**congress** [155:18]  
**connected** [259:2,4] [13]  
**connection** [8:6] [9:3]  
 [12:3] [26:5] [43:21,23]  
 [48:3] [70:2,4] [74:22]  
 [108:1] [121:12] [123:7]  
 [140:20] [240:20] [245:22]  
 [265:15]  
**conservation** [92:12] [93:4  
 ,8,15] [96:2] [97:3] [98:8]  
 [101:9]  
**consider** [126:15,23] [141:21]  
 [248:15]  
**consideration** [225:8]  
**considered** [41:5] [98:18]  
 [112:11] [126:3] [127:2]  
 [143:20] [190:18] [225:10]  
 [274:4]  
**constitutes** [224:16]  
**constructing** [246:7]  
**construction** [34:8] [244:14]  
 [255:22]  
**consult** [7:13] [92:17] [93:18]  
**consultants** [34:15] [97:5,6]  
**consulting** [92:14]  
**contact** [26:8,19,21] [37:15  
 ,18] [208:6] [221:22] [245:19  
 ,21]  
**contain** [95:7] [176:16]  
 [249:21]  
**contained** [98:19] [5]  
**containing** [108:13]  
**contains** [178:6,9,10,17,18]  
**contaminant** [36:22] [67:12]  
 [93:22] [226:11,17]  
**contaminants** [64:5] [69:12]  
 [227:8] [234:5]  
**contaminate** [227:19]  
**contaminated** [31:17]  
 [35:17] [85:17] [130:20]  
 [132:11] [135:4] [136:9]  
 [137:16] [177:14] [178:1]  
 [252:14] [271:9,21]  
**contaminating** [89:10]  
 [231:2,4]  
**contamination** [9:3] [30:15]  
 [50:21] [55:18,22] [62:9,12  
 ,23] [73:21] [80:17] [81:3,12]  
 [82:3,11] [84:6,11] [85:3]  
 [92:9] [95:16] [102:1]  
 [130:14] [133:4] [134:9]  
 [136:14] [137:22] [139:9,11]  
 [166:6] [185:8] [205:6,15]  
 [209:20] [221:19] [231:6]  
 [248:7] [271:21]  
**contention** [113:19,20]  
**continue** [15:23] [64:18]  
 [101:16] [150:5] [198:19]  
 [211:22] [214:3]  
**continued** [69:17] [78:20]  
 [142:13] [187:5] [238:15]  
**continuing** [114:17] [211:10]  
 [214:5]  
**contractor** [23:22] [147:17]  
 [241:3] [244:1,8] [246:7]  
 [247:6]  
**contractors** [22:12] [23:10]  
 [147:14] [243:15] [244:7]  
**control** [98:14] [124:17,23]  
 [125:1,5] [184:1,12] [222:5]  
 [223:23] [273:12]  
**controlled** [219:22]  
**controlling** [160:13,14]  
**controls** [38:22]  
**controversy** [16]  
**conversation** [210:17,23]  
 [211:4,11]  
**conversations** [74:9] [106:  
 23] [209:17]  
**conversion** [37:1]  
**convert** [37:5] [228:10]  
**converted** [167:19]  
**cooling** [16:23]  
**copier** [165:13]  
**copy** [201:21]  
**corder** [152:8,9,11,17]  
 [153:4]  
**corporate** [15:6] [64:21,23]  
 [65:8] [66:9] [67:7] [223:10]  
**corporation** [71:14]  
**correct** [9:19] [11:15] [22:3]  
 [28:22] [47:12] [50:5]  
 [51:4] [55:8] [58:16] [78:17]  
 [82:5] [99:8] [103:7] [109:14]  
 [110:16] [113:5] [114:19]  
 [118:1] [121:15] [136:10]  
 [155:14] [160:16] [164:15]  
 [171:8] [175:22] [192:14]  
 [195:14,16] [196:9] [199:4]  
 [200:7,16] [204:2] [206:18]  
 [210:12] [220:10,11] [224:  
 11] [225:7] [226:3] [232:6,8]  
 [242:23] [244:17] [247:11]  
 [253:22] [258:2] [264:9]  
 [265:22] [272:10]  
**correction** [163:21]  
**corrective** [163:2]  
**correctly** [35:8] [48:15]  
**correspondence** [190:20]  
 [191:1]  
**couldnt** [127:20] [151:14]  
 [233:2] [238:11] [252:4]  
**counsel** [5:3,17,18] [6:18]  
 [265:7] [266:22]  
**country** [250:22]  
**county** [2:] [8:21] [12:18,19]  
 [13:12,15,19] [82:7,18]  
 [105:17] [122:10] [248:17]  
 [19]  
**couple** [52:21]  
**course** [7:3] [11:10] [104:7]  
 [114:4] [135:16] [184:4]  
 [225:3]  
**courses** [41:15,16,17]  
 [42:11,13,21,22]  
**court** [2:] [5:14]  
**cover** [32:8,11,14,15,16,18]  
 [168:2] [169:7] [244:9]  
 [269:9,21]  
**covered** [79:5] [109:6]  
 [255:19]  
**covering** [160:13] [268:12]  
 [269:5]  
**cow** [132:10]  
**cows** [133:11,12]  
**cox** [27:2,6,7] [208:15,19]  
 [210:20] [223:18]  
**craddock** [221:4,8,22]  
 [222:13,20] [223:11] [226:  
 2] [229:8] [231:20]  
**craig** [201:19,22] [203:6]  
 [223:14]  
**create** [228:3] [231:15]  
**created** [232:12]  
**creek** [45:11] [46:2] [59:4,17]  
 [74:3] [79:15,19] [80:8,9]  
 [92:13] [93:17] [94:4]  
 [95:18,22] [96:12] [98:10]  
 [99:13,17] [100:17,22]  
 [102:6,11,12] [103:17,23]  
 [104:12] [106:16] [107:17,18]  
 [108:19] [109:18] [110:7]  
 [113:10,22] [120:6,17,18]  
 [121:20,23] [122:2,18,20]  
 [185:13] [186:1] [191:5]  
 [196:3,5,9] [197:22] [198:7  
 ,9] [199:1,7] [202:11] [203:  
 1,7,9,11] [205:6,20] [206:10]  
 [207:3,12,21] [209:21]  
 [211:5] [213:10] [217:3]  
 [220:9] [222:7,11] [228:23]  
 [260:20,21,22] [261:6]  
 [263:22] [264:6,13] [266:8]  
 [268:7] [269:11] [270:7,9,11  
 ,21] [271:8,22] [272:16]  
 [273:23] [274:6]  
**creeks** [104:15]  
**crew** [185:15]  
**criminal** [239:17,20] [240:8  
 ,14]  
**criticizing** [193:5]  
**crockett** [50:14,15] [61:6]  
 [212:10,11]  
**crosses** [262:10]  
**crude** [141:21] [261:10]  
 [264:19]  
**csr** [5:5]  
**culvert** [112:2] [268:8,11]  
 [269:4,12,13,17,20]  
**curious** [143:2]  
**current** [14:23] [15:2] [187:  
 14]  
**cut** [117:4] [119:19] [150:6]  
**cv** [2:]  
**cv96243** [2:]  
**cv-96-243** [2:]

---

**D**

---

**daily** [26:7,12] [27:20]  
**damage** [140:13,14,17]  
**dangerous** [143:20]  
**dangers** [84:5]  
**dark** [195:21]  
**darker** [165:9]  
**data** [63:10] [71:4] [76:20]  
 [84:23] [85:11] [100:2]  
 [119:10] [140:23] [207:8]  
 [208:2] [210:13] [235:13]  
 [236:9] [251:6] [266:5,23]  
 [267:2]  
**date** [148:14]  
**dated** [202:3]  
**dates** [159:19]  
**dave** [24:7]  
**day** [22:13] [37:11] [68:5,7]  
 [87:6,7] [20]  
**daybyday** [22:13]  
**day-by-day** [22:13]  
**days** [42:3] [87:7] [141:20]  
**dayton** [71:11,16] [72:23]  
 [96:8]  
**ddt** [131:11] [249:11]  
**deal** [71:12] [128:2] [136:16]  
 [153:8]  
**dealing** [143:10] [160:1]  
 [208:3] [210:11] [215:19]  
 [221:17] [232:22] [250:1]  
**dealings** [208:12]  
**dealt** [26:4]  
**death** [38:12]  
**debatable** [231:12]  
**debby** [7:18]  
**deborah** [2:] [5:5] [1]  
**debris** [20:2] [35:17] [178:7]  
 [180:3,6,10]  
**decide** [18:11]  
**decision** [15:7] [16:5] [65:1  
 ,8] [66:2] [68:14] [69:1]  
 [98:9] [224:5] [240:19]  
 [241:4,20] [242:21] [243:13  
 ,23] [244:2] [245:22] [246:18]  
 [247:2,5,10] [273:21]  
**decisions** [155:20] [156:19]  
**dedicated** [15:18]  
**deep** [175:6,8,10]  
**defendant** [9:20]  
**defendants** [2:] [3:9]  
**define** [104:18]  
**defined** [104:15]  
**degrade** [37:6]  
**degraded** [36:9] [89:14]

degree [17:20] [38:1] [48:22] [166:15]  
 degrees [17:15]  
 demolition [20:12] [26:5] [178:7,8]  
 demonstrable [232:11]  
 demonstrated [69:18] [119:4] [229:22]  
 denner [24:7]  
 dennis [155:9]  
 department [66:22,23] [67:8] [82:20] [88:9] [101:9] [106:5] [130:9] [198:11] [200:23] [202:2] [214:17] [215:1] [259:5]  
 depends [226:19]  
 depicted [164:17] [238:6]  
 depleting [249:14]  
 deposition [2:] [5:4,10,11,20] [8:1,8] [9:2] [10:5,10,13] [12:3] [70:2] [116:12,18,22] [117:1,5] [146:12] [161:6] [164:18] [254:1] [275:9] [2:]  
 depositions [5:14] [70:23] [71:2]  
 depress [38:9,18]  
 depresses [39:16]  
 describe [39:20]  
 described [34:6] [39:15] [47:14] [57:7] [191:13] [227:23] [268:12]  
 describing [192:6]  
 design [35:2]  
 designate [165:1,2]  
 designated [165:16]  
 designation [186:16]  
 designed [18:5] [35:1]  
 detail [29:1] [222:10]  
 details [86:1] [92:6]  
 detected [72:16,17] [233:2] [234:13] [235:3]  
 detects [233:2]  
 determination [30:13] [34:20] [64:20] [95:14,15] [96:14] [273:8]  
 determinations [250:18]  
 determine [110:1,2] [225:2]  
 determined [131:12] [225:13] [249:12,18,19]  
 detoxified [228:13]  
 detoxify [36:21] [227:19] [228:4]  
 detoxifying [228:8]  
 develop [68:21] [187:13]  
 developed [37:11] [42:4] [47:15] [48:14] [72:1] [84:22] [141:19] [150:11] [153:21] [198:7] [215:15] [236:9] [249:16]  
 developer [67:8]  
 developing [43:9] [47:18]  
 development [51:13] [52:7] [131:10]  
 dez [66:7]  
 dialogue [211:7] [214:6] [206:20] [220:7]  
 discuss [222:2,12] [228:21] [231:14]  
 discussed [83:19] [222:10] [266:21] [267:6]  
 discussion [137:21] [209:23] [211:8] [226:14] [235:16] [275:6]  
 discussions [81:17] [101:20] [265:14]  
 dismantle [29:3]  
 dismantled [19:7] [60:16] [73:23]  
 dismantlement [20:17,21] [24:19] [61:9]  
 dismantling [21:5] [22:1]  
 disorders [87:19]  
 disposal [20:12,13] [92:15] [93:20] [100:5] [182:3] [226:8,9] [230:20] [254:6,8]  
 dispose [225:15] [230:8,13] [238:19] [251:22] [252:1]  
 disposed [36:18] [179:23] [252:12,13] [255:10]  
 disposing [37:12] [92:23] [225:11,19] [226:16] [227:4,7] [238:15]  
 disrupted [255:21]  
 distance [270:13,14] [271:10]  
 ditch [47:1,2,5] [49:9] [83:3] [112:4,6] [113:9] [118:3] [184:23] [196:16,20,23] [197:9]  
 ditches [46:10] [59:13] [100:17] [185:6] [191:9] [218:18]  
 diverting [268:7]  
 division [208:14] [209:12,13] [14,15] [213:7] [214:16] [218:5,7] [229:9]  
 document [70:18,20] [71:6] [128:11] [132:18] [160:21] [161:4,16] [187:18] [216:8] [258:15,21] [259:16] [272:13]  
 documentation [70:5]  
 documented [76:12] [89:19] [94:15,20] [114:3] [161:20]  
 documents [70:3,6] [169:22] [172:3] [259:22]  
 doesnt [7:11,14] [123:9] [132:5] [148:2] [154:15] [224:18] [228:3] [249:22] [265:2] [269:12] [270:22] [271:20] [272:5]  
 doing [23:23] [37:3] [39:3] [51:14] [52:18] [53:4] [59:2] [60:20] [79:12,18] [96:4] [104:11] [126:11] [141:4,5] [146:3,7] [147:20] [233:12,20] [234:7] [253:7]  
 don [106:9,10] [122:9,13] [222:21]  
 donald [3:5] [6:9] [146:9] [155:14]  
 done [21:16] [22:14,20] [24:19] [30:2] [35:7] [43:21] [44:12] [47:1] [59:16,18] [60:23] [61:8,19] [62:23] [65:17] [68:17,23] [71:5,10] [72:12,15,19,23] [79:16] [80:7] [86:21] [87:10,12,17] [90:12] [94:2] [96:11] [97:5] [101:5,9,13] [102:11] [12] [104:14] [107:4] [112:20] [113:2] [118:13,14] [119:4,9] [120:5,12] [124:3,4,5,6,23] [126:17] [135:10] [144:3] [146:10,15,22] [147:3] [160:7,10] [161:15,17] [169:9] [170:5] [175:4] [180:11] [203:10] [229:15] [233:21] [248:5] [251:13] [252:21] [255:18] [267:11]  
 dont [6:13] [7:12] [8:14] [10:17,20] [11:3] [27:5] [31:7] [32:4] [39:21] [40:6,8] [45:19,23] [47:5] [49:11] [52:11] [58:9,10] [59:8,11] [66:10] [69:22] [70:20] [72:5] [75:15] [76:6,18] [77:6] [78:12] [80:5] [83:8,13] [85:21] [86:1] [90:8] [91:10,14] [94:5] [101:19] [102:23] [103:1,2] [104:2] [105:13] [106:22] [110:12] [114:20] [116:16,20] [117:2] [119:9] [120:10] [121:5,7] [123:16] [130:3] [132:16,20] [133:11,14] [137:4,11] [138:14,18] [142:8,23] [143:22] [144:22] [146:8] [147:19] [148:1,11,19] [149:23] [152:1,2] [160:19] [169:23] [170:4] [174:17] [175:14] [178:2,20] [182:16] [186:8] [189:2,12] [201:2,3] [205:7] [208:2] [210:13] [211:15] [216:4] [221:13] [227:2] [232:20] [233:8,18] [235:15] [236:7,8] [237:17] [241:14] [244:21] [247:15] [248:19,20] [250:8] [251:14] [252:15,17] [260:12] [261:11] [262:8] [264:20] [266:12,20] [274:20]  
 doubt [139:2,7] [246:20]  
 down [19:5,15,23] [21:6] [28:2] [33:18] [39:2] [47:4] [55:12] [59:20] [60:16] [64:11] [65:9,10,12,17] [66:18] [78:4,9,14] [81:14] [95:17] [97:22] [101:5,17,18] [107:11] [111:22] [112:21] [113:10] [114:23] [119:6] [122:2] [125:9,12] [142:14] [159:19] [173:13] [174:8] [175:4] [180:4,5] [191:15] [193:9,11] [194:17] [195:17] [196:5,6] [197:12] [209:8] [219:10,16] [220:8] [256:19] [257:7,23] [258:8,9,10]

- [261:14,16] [273:22]  
**downsizing** [21:15] [159:11]  
**downstream** [45:9] [94:18]  
 [96:18] [191:12] [203:1]  
 [204:15] [210:8]  
**dr** [48:15] [67:2] [221:6,7]  
**drainage** [46:9] [47:2] [100:16]  
 [113:9] [168:18] [184:17,23]  
 [185:5,21] [191:9] [194:17,22]  
 [196:11,16,17] [197:6] [218:18]  
**drains** [113:7]  
**dramatically** [228:12]  
**draw** [192:8,15] [194:20] [195:5] [196:23] [257:8]  
**drawing** [195:20] [261:4,5]  
**drawn** [195:10,12] [196:7] [197:2] [260:18]  
**dredge** [92:13,15] [93:20]  
**dredging** [93:16] [98:10] [99:15] [102:6] [106:13]  
**drew** [165:22]  
**drivers** [274:12]  
**drop** [32:3]  
**dropped** [10:5,7]  
**drum** [32:1,4]  
**drummed** [57:2]  
**drums** [9:16,18,23] [75:20] [168:15,23] [169:15] [251:12,14]  
**dug** [174:15,19] [239:9] [252:3,9,10]  
**duly** [6:4] [3]  
**dump** [31:5,7] [32:6] [149:18] [151:11,23] [152:4] [160:2,18]  
 [162:2,3,4,8] [166:21] [167:10,11,14,15] [168:18,21]  
 [169:10] [171:7] [173:6] [182:2] [185:18] [213:10] [216:3] [217:1] [246:9]  
**dumping** [167:18]  
**dumps** [150:2,9]  
**during** [15:6] [49:16] [80:11] [119:7] [131:10] [140:7] [151:22] [158:17] [170:12,13,15,18]  
 [186:9] [189:13] [208:17] [209:5,7] [213:9,23] [215:4,18] [242:6]
- E**
- earlier** [27:1] [30:18] [57:10] [78:10] [79:16] [85:20] [98:14] [100:14] [114:11] [119:13] [121:9] [169:9] [178:5] [188:1] [191:6,13] [198:5] [199:8] [206:1] [208:15] [227:23] [232:3] [254:11] [268:13]  
**early** [42:3] [57:21] [58:17] [79:18] [100:17] [114:3] [142:10] [149:23] [150:7,19] [183:12] [186:20] [187:9] [219:11] [265:14]  
**easiest** [135:1]  
**east** [46:15,16] [49:10] [59:13] [83:4] [107:21] [129:20] [192:7,17] [197:14] [263:4,5]  
**eastern** [192:16] [196:2]  
**easy** [77:7]  
**eat** [125:3,5,6,7,9,18] [131:1]  
**eating** [124:14] [125:8] [126:5] [132:10] [133:2]  
**educate** [213:14]  
**educated** [244:10]  
**educating** [164:10]  
**educational** [40:14] [41:9,19]  
**effect** [5:12] [39:1] [87:19] [89:16] [228:13]  
**effects** [40:1] [89:18]  
**effluent** [54:19] [67:13]  
**effort** [81:2] [104:23] [151:14]  
**efforts** [244:15]  
**ehs** [154:9] [155:2]  
**eighty** [182:10]  
**eightysomething** [182:10]  
**eighty-something** [182:10]  
**either** [15:7] [18:5] [43:19] [71:5] [73:13] [77:22] [80:8] [81:8] [86:18] [96:7] [128:3] [129:12] [130:8] [133:21] [138:5] [145:12] [153:3] [222:5] [231:6] [244:8]  
**elected** [82:15]  
**electrical** [53:13]  
**eleventh** [109:16] [111:2,5] [121:22] [262:8,11]  
**eliminate** [168:17] [190:16]  
**eliminated** [66:19]  
**eliminates** [135:8]  
**elmer** [88:5]  
**else** [16:15] [22:4] [23:19,21] [34:11] [35:10] [48:18,19] [56:10] [66:1] [70:16] [73:15] [77:12] [105:12] [108:16] [109:15,19] [126:12] [147:9] [148:23] [170:11,23] [172:11] [179:10] [186:6] [229:17] [234:10] [235:14] [236:5] [237:22] [253:20] [262:18]  
**elses** [139:17]  
**elsewhere** [17:18]  
**emanate** [133:17]  
**emelle** [110:4,14] [220:10] [224:10] [225:6,16,21] [230:2,5] [231:7] [238:20] [239:7] [251:19,20] [252:4]  
**emergency** [224:2]  
**emerging** [43:8] [85:11]  
**emission** [55:17]  
**emissions** [55:6] [64:11] [156:23] [216:17]  
**employee** [11:10] [21:12] [22:18] [23:4] [151:1] [157:17] [227:16] [15]  
**employees** [19:1,3] [23:12] [97:8] [124:1] [171:19,21] [254:16]  
**employment** [255:13]  
**empty** [9:16,18,23]  
**encompasses** [16:16,18]  
**end** [44:18] [172:4,5] [233:13] [253:21]  
**e-n-d** [172:5]  
**endeavor** [23:13]  
**ends** [47:17]  
**energy** [17:11]  
**engagement** [14:16]  
**engine** [17:5]  
**engineer** [22:23] [157:15]  
**engineering** [106:5]  
**engineers** [34:23]  
**enough** [192:22]  
**entering** [108:14]  
**enters** [122:2] [270:8]  
**entire** [119:1] [174:3,6] [182:2] [236:15] [251:2]  
**entitled** [116:3,6,9] [117:6]  
**entity** [62:8]  
**entomb** [32:7]  
**entombed** [190:9]  
**entombing** [231:22]  
**environment** [55:17] [64:10] [84:7,20] [89:9,11,13,14] [91:22] [119:14] [131:13] [147:13] [207:19] [231:3,4] [249:4,6,13]  
**environmental** [42:6] [54:19] [73:14] [74:20] [96:6,9] [153:7] [154:2,12] [155:1] [156:6,16,21] [157:16,19,21] [159:2] [183:23] [184:12] [200:23] [201:5] [202:2] [207:18] [216:12,13] [243:17]  
**environmentalist** [157:13]  
**epa** [35:2] [74:10] [75:12] [88:18] [105:1,20] [223:19] [224:13] [259:9,13,14] [260:16] [274:15]  
**equipment** [19:19,20] [26:6] [35:21] [42:15,16,18] [43:13] [61:2] [203:16,22] [251:15] [252:11,16,19]  
**era** [15:6] [27:2] [35:9] [47:13] [49:17] [67:21] [83:23] [85:22] [89:3] [118:22] [134:18] [140:11] [149:21] [159:8]  
**error** [195:22]  
**escape** [29:14]  
**esq** [3:5,11,]  
**established** [67:23] [98:13] [112:17] [227:10]  
**estimate** [188:22] [189:6]  
**estimation** [186:22] [187:20]  
**estimations** [188:14]  
**et** [2:]  
**etheredge** [151:5]  
**etowah** [19]  
**eugene** [48:7] [138:23]  
**even** [25:11] [122:3] [240:2] [241:7] [242:14,19] [267:17]  
**event** [7:11]  
**eventually** [104:10]  
**ever** [8:1] [67:18] [68:16] [77:11] [85:8] [87:4,10,16,21] [88:11,12,18] [130:16] [133:1,9] [134:8,11] [147:5] [152:3] [209:17] [216:2,6] [218:13,17,23] [221:16,20] [222:2] [228:21] [229:8,9] [230:14,23] [243:6] [262:15,16] [263:7,9] [266:11] [267:1] [269:22] [274:7]  
**every** [213:19] [218:9]  
**everybody** [10:1] [73:15] [126:10] [222:14] [245:15] [253:20]  
**everything** [27:19] [58:12] [81:23] [211:18]  
**evidence** [5:21] [115:11]  
**evolution** [211:17]  
**exact** [178:21] [207:8] [265:22] [271:16]  
**exactly** [26:16] [27:9] [29:2] [44:19] [47:21] [49:23] [91:9] [97:11,20] [107:3] [110:12] [115:4] [117:13] [142:8] [146:1] [158:7] [159:7] [224:23] [225:2] [256:14]  
**examination** [6:7]  
**examined** [6:5]  
**example** [17:10] [35:21] [42:23] [154:7,8] [249:17]  
**excavated** [179:6]  
**excellent** [155:8]  
**except** [5:17]  
**excess** [205:22] [206:5,6]  
**executed** [97:22] [172:21] [173:1] [195:8] [236:3]  
**exhibit** [161:1,6] [162:12,14] [164:17] [167:2] [175:20] [181:20] [191:19] [192:1] [193:16] [194:22] [201:16] [235:7] [236:12] [238:7] [247:19,21,22] [248:3,8] [253:17] [256:4] [258:16,17] [260:19]  
**exhibits** [4:]  
**exist** [130:14,17] [143:16] [215:6]  
**existed** [191:4]  
**existence** [21:15] [163:8]  
**exists** [189:10] [231:16] [271:21]  
**expect** [76:3,8] [77:16] [128:14] [174:22] [250:12]  
**expected** [37:8] [114:1] [143:8]  
**experience** [34:4]  
**experienced** [245:7]  
**expert** [95:20] [220:14]  
**expertise** [40:9] [93:23] [96:3] [97:10] [148:1,3,7,9]  
**experts** [231:13]  
**expires** [1]  
**explain** [118:17] [237:6]  
**explained** [108:23]

- exposed** [113:13,15]  
**exposure** [86:17] [88:4]  
**expressed** [81:7] [138:2,4,10] [139:6] [205:2]  
**extensive** [47:18] [168:20]  
**extent** [88:7] [108:21]  
**extremely** [17:8] [69:18] [78:21] [127:2] [229:3,4,7]  
**eye** [145:1]
- 
- F**
- facilities** [19:6,8,9,13,17] [21:5] [58:3] [74:1] [81:20] [89:6,7]  
**facility** [15:8] [22:2] [30:2,20] [45:14] [50:1] [55:23] [58:6] [66:18] [101:17] [103:20,23] [104:4] [126:14] [129:8] [148:6,17] [170:20] [198:9,15,22] [199:20] [202:23] [203:14,21] [204:15] [207:23] [213:20] [233:17,19] [238:21] [239:7]  
**fact** [94:18] [95:16] [102:16] [106:12] [119:11] [122:6] [126:9] [141:6] [145:10] [147:3] [148:8] [188:16] [199:21] [206:22] [207:20] [208:21] [224:17] [234:11] [236:10,17] [264:4] [272:8]  
**facts** [145:21] [193:6]  
**fair** [103:3] [167:13] [169:13] [204:12] [205:1] [232:9]  
**fairly** [37:15] [112:8] [142:19] [149:4] [210:2]  
**fairness** [206:14]  
**fall** [194:9]  
**familiar** [17:3] [121:10] [122:22] [127:8,11,13] [159:23] [160:3] [162:19] [165:15] [202:11] [213:12] [220:16] [221:1] [226:20] [231:21] [253:7] [260:10,12]  
**family** [16:22]  
**far** [75:22] [81:16] [122:1] [123:7] [143:17] [156:4] [182:12] [193:9,11] [206:4,5] [220:15] [225:21] [226:10] [245:7] [255:5] [266:1]  
**fashion** [79:8] [197:6] [227:20] [264:19]  
**fatty** [132:9,12,16]  
**fault** [165:12]  
**faust** [145:17,18] [147:6] [241:21] [245:1] [275:3]  
**feasible** [15:23]  
**february** [202:3,6]  
**fed** [218:18]  
**federal** [242:19] [260:16]  
**feed** [196:13]  
**feel** [227:7,17]  
**feeling** [266:6]  
**feet** [173:23] [174:1,9] [175:5,7,10] [270:16] [271:10,22] [273:22]
- fellow** [138:5] [207:10] [210:22] [221:3] [226:4] [229:9]  
**felt** [226:9]  
**fence** [181:4,5,6,7]  
**few** [11:20] [52:3] [70:7] [130:4]  
**fibers** [17:10]  
**field** [22:11] [105:8] [209:1]  
**fifteen** [181:9] [217:12]  
**fifty** [17:15] [18:23] [19:3] [87:3] [90:2,3] [98:15,19] [99:3] [110:11] [112:16] [206:2] [230:8] [239:3,12] [267:21] [270:16] [271:10,22] [273:15,19,21]  
**figure** [76:1,5]  
**figures** [76:16,17] [77:1] [175:7,12]  
**filed** [8:16,20] [80:15] [104:8] [187:18] [188:13] [198:13]  
**filing** [5:23]  
**fill** [269:13]  
**filled** [158:15,21] [159:5]  
**final** [32:16] [68:15]  
**finally** [18:11]  
**financial** [3:12]  
**find** [73:21] [111:16] [120:1] [137:19] [206:3] [226:22] [249:7] [253:12]  
**finding** [198:8] [202:10] [203:5]  
**findings** [63:6] [96:14] [120:20] [142:17] [147:6] [208:23] [236:5]  
**fine** [117:8]  
**finger** [245:16]  
**finish** [180:2] [249:10]  
**finished** [68:16]  
**firm** [10:21] [34:16]  
**first** [6:4] [11:4] [52:1,3] [54:8,13] [57:15] [73:7] [88:6] [161:21] [166:20] [168:9,16] [177:20] [181:6] [195:21] [216:7] [220:21] [264:2,3] [268:14] [3:3]  
**firsthand** [57:19]  
**fish** [44:13] [45:2,7,8,14] [46:1] [47:11] [50:4] [81:13] [101:5,8,16] [102:17] [120:9,11]  
**fishing** [81:10]  
**fit** [18:19]  
**fite** [2:3]  
**five** [4:3] [9:10] [17:14] [64:7] [107:11,13] [112:9] [117:21] [181:23] [247:21,23] [253:18] [256:4]  
**floating** [144:14]  
**flow** [184:21]  
**fluids** [18:2,3]  
**focus** [24:14]  
**folks** [24:11] [223:16]  
**followed** [141:23] [152:23]  
**following** [167:17]  
**follows** [6:5]
- food** [37:3] [124:14] [131:21,23] [132:1]  
**force** [5:12] [149:16] [150:4] [151:11] [160:1] [161:5] [166:18] [168:2] [170:1] [182:19] [185:16] [190:12,14] [217:19]  
**foregoing** [9:9]  
**foreman** [23:18]  
**foremost** [220:14]  
**fork** [14:2]  
**form** [5:18] [32:2] [39:7,12] [40:3] [45:16] [56:23] [59:6] [77:3] [80:2] [94:10,23] [95:10] [100:8] [102:20] [103:12] [110:9,19] [112:13] [121:2] [125:21] [139:13] [168:4] [169:18] [185:9] [186:2,15,16] [191:11] [197:23] [222:8] [228:7,9,16] [229:19] [231:9] [237:16] [239:18] [240:5,10] [241:10,22] [243:1] [244:4,18] [252:6] [253:9] [261:8] [268:21] [271:12] [272:1,6,12,23] [274:1,17]  
**formal** [27:17]  
**formation** [174:13]  
**former** [66:8] [254:13]  
**forth** [2:3] [169:7]  
**forty** [90:2] [175:7,10]  
**fortyfive** [90:2]  
**forty-five** [90:2]  
**forward** [212:1] [214:8]  
**found** [49:8] [50:2,4] [59:3] [63:21] [79:23] [80:5] [83:4] [94:3] [96:16,22,23] [99:6] [101:4] [102:18] [104:1] [108:7,11] [110:23] [111:4] [112:5] [113:21] [115:7] [121:19] [122:11] [142:4] [185:6,7] [198:12] [203:6,8] [204:13] [206:3,7] [207:1,2,11,20] [227:18] [228:22] [230:6] [235:10] [238:17] [242:18] [243:20] [248:6] [249:20] [251:12] [264:5] [270:20] [273:11]  
**foundation** [39:9,14] [40:5] [77:5] [80:4] [102:22] [121:4] [186:4] [239:19] [240:12] [241:12] [242:1] [244:20] [274:19]  
**foundations** [31:20]  
**four** [4:3] [77:19] [101:1,2,3] [107:11,13] [112:10] [117:21] [201:17] [215:9] [252:22]  
**frame** [44:7] [84:14] [159:11] [187:6] [221:11] [243:22] [265:18]  
**franklin** [3:3]  
**frankly** [171:4]  
**frantically** [47:20]  
**fred** [260:6]  
**frequent** [27:22] [214:12]  
**frequently** [215:3]
- full** [5:12] [11:6] [148:20]  
**fulltime** [148:20]  
**full-time** [148:20]  
**fun** [146:18]  
**function** [49:3] [148:15]  
**funds** [24:21]  
**further** [11:5] [39:21] [65:10] [81:16] [104:19] [199:1] [273:23] [3:12]  
**fuss** [164:1]  
**fussing** [164:12]
- 
- G**
- gadsden** [2:3] [1:19]  
**garden** [130:13] [140:6,16,21]  
**gardens** [129:21] [140:14,23] [141:2]  
**garrett** [2:3] [5:5] [67:4] [3:3]  
**garretts** [67:6]  
**garrity** [34:16]  
**gary** [105:8] [199:10,16] [200:18] [202:21] [207:1] [223:14] [271:2]  
**gas** [42:22] [142:2,3]  
**gave** [8:7] [9:2] [10:10]  
**gcf** [141:23] [142:1]  
**ge** [127:16] [128:1]  
**gene** [65:20,22] [153:2,17]  
**general** [35:18] [83:21] [101:23] [103:10] [104:7] [113:1] [128:19] [139:21] [175:15] [179:12] [184:21] [190:21] [191:1,8] [194:22] [198:3,12] [199:17,23] [200:6,19] [201:12] [204:22] [205:3,5,12,14,18] [206:18] [209:3] [210:18] [219:3,12] [224:13] [235:16] [261:21] [264:13] [267:7] [268:5]  
**generally** [61:12] [96:17] [164:9]  
**generals** [105:3,7,22] [198:17] [199:12] [200:15] [202:7,21] [206:23] [216:22] [219:1] [223:13] [261:20]  
**generate** [143:15]  
**generated** [76:4,6,9] [84:23] [98:4] [100:1] [107:5] [230:13]  
**generation** [15:20]  
**gentleman** [48:19]  
**george** [20:19] [260:5]  
**gerald** [48:22] [49:1]  
**gets** [40:19]  
**getting** [74:8] [114:5] [135:1] [155:22] [174:12] [204:22] [231:11,18] [265:17]  
**give** [10:12] [12:10] [41:21] [53:18] [65:7] [154:8] [166:1] [195:1] [227:14] [233:23] [249:17] [270:15]  
**given** [8:1] [74:11] [124:1] [137:12] [3:11]  
**glad** [7:2]

|                                                                                                                                                                                                                                                                                                                         |                                                                                                                                  |                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>glasses</b> [123:11]                                                                                                                                                                                                                                                                                                 | <b>guy</b> [22:10,11] [104:4] [222:20]                                                                                           | [159:14] [221:9] [275:6]                                                                                                           | [19:1,2] [77:20] [111:20,21] [112:9,10] [117:21] [173:23] [174:1,8,9] [175:5] [205:22] [206:6] [267:21]                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>gloves</b> [35:17] [177:15]                                                                                                                                                                                                                                                                                          |                                                                                                                                  | <b>helms</b> [3:16]                                                                                                                | <b>hundreds</b> [264:7,21] [265:2]                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>glycol</b> [17:2,4]                                                                                                                                                                                                                                                                                                  |                                                                                                                                  | <b>help</b> [161:10,18] [163:4] [195:2]                                                                                            | <b>hydraulically</b> [191:12]                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>go</b> [7:3,15] [10:12] [11:4,20] [28:1] [31:14] [40:11] [47:13] [51:6] [57:15] [60:8] [94:12,13] [100:14] [114:11] [132:12] [140:10] [146:17] [148:22] [149:6,9] [166:16] [169:20] [175:2] [185:5,12] [189:2,21] [198:20] [224:20] [225:3] [226:22] [239:12] [249:10] [260:4] [262:15] [264:1] [265:21] [273:21,23] | <b>H</b>                                                                                                                         | <b>henry</b> [258:22,23] [259:9,12] [17] [260:10]                                                                                  | <b>hydrology</b> [173:19]                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>goal</b> [67:22] [68:18]                                                                                                                                                                                                                                                                                             | <b>hal</b> [151:1]                                                                                                               | <b>hereby</b> [1:1]                                                                                                                | <b>hygiene</b> [42:5] [67:9]                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>goes</b> [168:12,22] [185:23] [192:16] [196:3,4,7,8] [197:9,14]                                                                                                                                                                                                                                                      | <b>half</b> [11:17] [159:17] [181:11]                                                                                            | <b>herein</b> [2:] [5]                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>going</b> [6:12] [24:16] [25:16] [27:23] [28:19] [34:21] [47:22] [60:4] [78:7] [116:17,22,23] [137:19] [146:19] [149:8] [158:12,14] [166:12] [167:2] [168:22] [175:4] [194:23] [211:11] [233:10] [251:22] [258:12] [269:20] [274:23]                                                                                 | <b>hamilton</b> [154:19] [155:4] [156:3,12]                                                                                      | <b>hereto</b> [4:]                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>gone</b> [13:1] [14:11] [64:8] [69:20] [121:8] [133:19] [173:13] [191:6]                                                                                                                                                                                                                                             | <b>hand</b> [18:]                                                                                                                | <b>hereunto</b> [17]                                                                                                               | <b>I</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>good</b> [114:6] [130:23] [190:18] [271:10] [272:9]                                                                                                                                                                                                                                                                  | <b>handle</b> [30:3]                                                                                                             | <b>hes</b> [23:9]                                                                                                                  | <b>i20</b> [100:1]                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>gosh</b> [24:1] [34:15] [175:14]                                                                                                                                                                                                                                                                                     | <b>handled</b> [244:22]                                                                                                          | <b>hierarchy</b> [154:17]                                                                                                          | <b>i-20</b> [100:1]                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>gotten</b> [259:22]                                                                                                                                                                                                                                                                                                  | <b>handling</b> [201:5]                                                                                                          | <b>high</b> [17:8,13] [38:3] [59:5] [107:15] [112:8,11] [142:20] [143:7] [207:2,11,20] [209:19] [220:7] [226:23] [230:5] [265:3,4] | <b>id</b> [22:11]                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>government</b> [88:18] [237:20]                                                                                                                                                                                                                                                                                      | <b>hands</b> [26:12] [37:19] [87:6]                                                                                              | <b>higher</b> [267:17,19] [274:5]                                                                                                  | <b>idea</b> [12:10] [41:21] [59:9] [103:1] [142:20] [147:20] [171:16] [221:15] [242:4] [254:10]                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>grab</b> [267:7]                                                                                                                                                                                                                                                                                                     | <b>handson</b> [26:12]                                                                                                           | <b>highly</b> [37:16] [38:13] [73:20] [162:7] [174:2,9] [231:12] [235:17] [244:10]                                                 | <b>identification</b> [4:21] [150:7] [161:3] [162:16] [191:21] [201:18] [248:1] [258:19]                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>graddock</b> [103:11] [200:21]                                                                                                                                                                                                                                                                                       | <b>hands-on</b> [26:12]                                                                                                          | <b>highway</b> [12:9] [178:13,17] [179:7] [185:1]                                                                                  | <b>identified</b> [64:17] [84:17] [152:5] [163:9] [273:2]                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>gradually</b> [249:13]                                                                                                                                                                                                                                                                                               | <b>happen</b> [54:7] [102:4] [139:5]                                                                                             | <b>hill</b> [2:] [46:22] [108:2,4] [144:17] [145:9] [232:14] [262:12,15,17] [263:5]                                                | <b>identify</b> [259:21]                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>great</b> [71:12] [166:15]                                                                                                                                                                                                                                                                                           | <b>happened</b> [19:16] [58:5] [77:16] [85:23] [88:3] [98:1] [102:7] [109:21] [133:6] [139:3] [161:12] [209:5] [217:7] [248:9]   | <b>hired</b> [26:18] [158:19] [247:7]                                                                                              | <b>identifying</b> [11:7]                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>greater</b> [239:11]                                                                                                                                                                                                                                                                                                 | <b>happens</b> [154:2]                                                                                                           | <b>historical</b> [150:1]                                                                                                          | <b>ignorance</b> [245:11]                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>greensboro</b> [3:17]                                                                                                                                                                                                                                                                                                | <b>hard</b> [123:10] [159:19] [165:11] [223:17] [229:3,4]                                                                        | <b>historically</b> [16:4] [103:4]                                                                                                 | <b>ignorant</b> [242:3]                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>grew</b> [12:4]                                                                                                                                                                                                                                                                                                      | <b>harm</b> [86:2,4,22] [87:13] [88:12,14]                                                                                       | <b>history</b> [55:12,14] [175:15]                                                                                                 | <b>ilk</b> [125:15] [134:3]                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>ground</b> [252:11]                                                                                                                                                                                                                                                                                                  | <b>harmful</b> [87:18] [89:16,18] [90:10]                                                                                        | <b>hoe</b> [31:14]                                                                                                                 | <b>ill</b> [6:20] [7:2,21] [11:7,20] [40:11] [67:20] [149:11] [168:11] [181:5] [231:17]                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>grounds</b> [5:19]                                                                                                                                                                                                                                                                                                   | <b>hat</b> [123:10]                                                                                                              | <b>hog</b> [132:9]                                                                                                                 | <b>illustrated</b> [196:15]                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>group</b> [20:15,23] [34:23] [50:12] [51:13] [52:22] [66:16] [71:11] [96:3,6,7,9] [105:4,11,13] [150:15] [166:19] [167:9] [201:8,9] [223:22] [224:2] [262:5]                                                                                                                                                         | <b>havent</b> [90:12] [246:1] [265:8]                                                                                            | <b>hogem</b> [97:15]                                                                                                               | <b>illustration</b> [178:20]                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>groups</b> [13:21] [105:1,20] [128:5] [222:16]                                                                                                                                                                                                                                                                       | <b>having</b> [6:4] [15:15] [26:15] [74:9] [123:16] [128:10] [223:17] [248:16]                                                   | <b>h-o-g-e-m</b> [97:15]                                                                                                           | <b>im</b> [6:9,12] [18:21] [20:21] [22:6] [26:15] [28:8] [29:20,23] [45:18] [49:11,14] [56:1] [63:12] [65:2] [68:20] [70:9] [76:7] [77:6] [79:10] [95:3] [101:11,12] [114:5,19] [116:8] [118:14] [119:7] [125:11,14] [128:9,17] [133:17] [134:10] [141:10] [143:2] [146:19] [148:5] [149:8,20] [150:3,6] [158:6] [159:8] [164:1,11] [165:15,22] [166:8,14] [167:22] [170:21] [177:13] [178:19] [190:8,22] [193:6,7] [194:23] [199:15,18] [207:7] [213:4,7] [217:22] [218:1] [219:6] [221:10] [222:14,17] [223:17] [227:13] [231:18,21] [233:4,10] [235:1] [237:2,3] [239:8] [242:3] [245:3,9,14] [249:23] [250:10] [251:20] [252:22] [253:12] [256:13,21] [257:12] [258:8,12] [259:1,18,21] [265:11,17,21] [271:18] [274:23] |
| <b>grove</b> [12:15]                                                                                                                                                                                                                                                                                                    | <b>hazards</b> [127:3] [128:13] [133:10]                                                                                         | <b>hogs</b> [130:1,5,16] [133:13] [134:12,15,19] [135:1,9,12,15] [136:5] [137:13,15,18,20] [190:2]                                 | <b>immediate</b> [168:10,16]                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>guaranteeing</b> [257:13]                                                                                                                                                                                                                                                                                            | <b>head</b> [50:11] [61:11,21] [62:1] [69:15] [84:15] [127:9] [134:6] [202:1] [209:12,13] [213:7] [266:18]                       | <b>hold</b> [115:18] [157:3] [166:12,14] [194:23]                                                                                  | <b>immediateiy</b> [108:5] [135:20,22]                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>guess</b> [9:9] [13:23] [41:6] [48:21] [50:18] [65:20] [134:18] [137:6] [157:22] [162:22] [167:22] [224:3] [249:23] [255:15] [260:17]                                                                                                                                                                                | <b>headed</b> [49:6]                                                                                                             | <b>holding</b> [256:22]                                                                                                            | <b>immune</b> [87:21]                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>guessing</b> [159:8] [252:22] [265:11]                                                                                                                                                                                                                                                                               | <b>health</b> [38:11] [82:20] [85:3,6] [87:4,7] [105:18] [133:10] [154:12] [185:19] [214:17,23] [218:6] [259:4]                  | <b>hole</b> [169:2,16] [173:8] [175:6]                                                                                             | <b>impairing</b> [87:20]                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>guest</b> [25:13]                                                                                                                                                                                                                                                                                                    | <b>hear</b> [117:14] [145:16]                                                                                                    | <b>honestly</b> [250:10]                                                                                                           | <b>impairment</b> [87:20]                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>guests</b> [14:11]                                                                                                                                                                                                                                                                                                   | <b>heard</b> [49:14,18,19] [70:1] [81:1] [85:6] [88:2] [130:4] [134:14] [145:14] [147:2] [171:18] [175:7] [227:1] [230:14,21,23] | <b>hooked</b> [119:15]                                                                                                             | <b>impermeable</b> [174:2,10]                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>guidance</b> [231:21] [273:10]                                                                                                                                                                                                                                                                                       | <b>heart</b> [39:4]                                                                                                              | <b>hope</b> [265:17]                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>guidelines</b> [227:9] [273:11]                                                                                                                                                                                                                                                                                      | <b>heartwise</b> [39:4]                                                                                                          | <b>horn</b> [93:11,14] [209:9,10,11,16] [210:22] [211:2,3] [212:12,19] [213:2] [223:16]                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|                                                                                                                                                                                                                                                                                                                         | <b>heart-wise</b> [39:4]                                                                                                         | <b>hosmer</b> [66:5]                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|                                                                                                                                                                                                                                                                                                                         | <b>heat</b> [16:11] [17:5,9,22] [18:2,3,6] [203:18,19] [204:3,4]                                                                 | <b>houses</b> [128:23] [129:7] [165:4]                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|                                                                                                                                                                                                                                                                                                                         | <b>heating</b> [16:23]                                                                                                           | <b>houston</b> [10:14]                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|                                                                                                                                                                                                                                                                                                                         | <b>heavy</b> [143:11] [210:2]                                                                                                    | <b>however</b> [119:11] [152:12]                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|                                                                                                                                                                                                                                                                                                                         | <b>heflin</b> [12:7,9] [13:16]                                                                                                   | <b>hudson</b> [258:22,23] [259:9,12,17] [260:10] [262:1] [264:4] [265:5] [267:15] [271:23] [273:6]                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|                                                                                                                                                                                                                                                                                                                         | <b>hegheem</b> [97:13,16]                                                                                                        | <b>hudsons</b> [261:3]                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|                                                                                                                                                                                                                                                                                                                         | <b>h-e-g-h-e-e-m</b> [97:16]                                                                                                     | <b>human</b> [37:17] [64:17] [85:4] [86:17] [88:15]                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|                                                                                                                                                                                                                                                                                                                         | <b>held</b> [24:11] [83:6,9] [153:23]                                                                                            | <b>humans</b> [38:2] [86:2] [87:13,19]                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|                                                                                                                                                                                                                                                                                                                         |                                                                                                                                  | <b>hundred</b> [17:15] [18:22,23]                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

- important** [64:2]  
**improper** [125:23]  
**improve** [53:2] [161:11]  
**improvement** [50:17] [60:14] [78:5,16] [211:21] [212:4,6] [214:10] [215:7,8]  
**improvements** [51:20]  
**impurities** [86:6]  
**inappropriate** [274:22]  
**inc** [2:]  
**incident** [85:15]  
**incinerate** [229:5,6] [231:8]  
**incinerated** [229:18]  
**incinerating** [228:23] [229:2,13]  
**incineration** [228:7,9,19]  
**include** [131:3]  
**included** [28:11] [72:5] [188:18]  
**including** [38:12] [178:8] [210:20] [256:15]  
**incorrect** [78:18] [121:15] [171:8] [264:9] [272:10]  
**independent** [243:15]  
**indicate** [87:21] [170:5] [205:21] [230:15] [248:14,21] [269:18] [271:20]  
**indicated** [9:6] [34:9,10] [59:2] [69:10] [78:10,13] [83:4] [86:22] [87:12] [120:21] [171:5] [189:8] [196:11] [200:13] [205:10,23] [231:2] [233:5] [237:22] [245:3] [247:16]  
**indicates** [87:18] [265:6,19] [266:3] [270:18]  
**indicating** [22:15] [45:6,12] [78:22] [89:1] [124:8] [125:1] [130:7] [136:1] [144:18] [154:4] [159:16,18] [165:6,23] [169:4] [172:18] [176:19] [178:13] [179:1,19] [180:7,21] [181:12] [183:16,19] [191:15] [192:21] [193:12,14] [194:8,19] [195:4,18,23] [196:5,18,22] [197:13] [198:10,16] [204:11] [215:11] [256:12,19] [257:7] [258:11]  
**individual** [8:20] [16:17] [134:13] [136:5] [207:2]  
**industrial** [42:5] [67:9] [209:14,15]  
**industry** [147:16]  
**infected** [271:8]  
**inflow** [160:13]  
**information** [121:8] [122:8] [133:3] [170:4] [187:14] [251:8]  
**informed** [207:17]  
**informs** [161:19]  
**inhale** [37:20]  
**initial** [61:7] [269:19]  
**initially** [16:2] [183:6]  
**injunction** [104:8] [198:14]  
**inorganic** [41:7]  
**inquiry** [74:10] [78:4,9]  
**inside** [30:15]  
**inspected** [216:19] [218:4,9]  
**inspections** [214:7,8,18,23]  
**instance** [187:21] [206:17]  
**instances** [8:4]  
**instructed** [136:15,23] [137:2] [224:14]  
**instructions** [123:23] [130:22] [224:12]  
**intellectual** [87:20]  
**intensive** [235:4]  
**intercept** [33:18]  
**interceptor** [162:23]  
**interchange** [214:10]  
**interested** [16]  
**interface** [208:11]  
**interfaced** [82:14] [245:5]  
**interferes** [39:18]  
**interfering** [38:20]  
**interim** [208:17]  
**intermediate** [32:15,17]  
**intermediates** [15:19] [19:11] [176:13]  
**internal** [29:23]  
**interpretation** [268:18]  
**investigate** [29:3]  
**investigated** [95:4] [104:1] [206:21] [209:4]  
**investigation** [198:21] [199:6] [219:2,12]  
**involved** [8:13] [10:18] [27:3] [48:4,8,20,21] [49:15] [53:10] [57:20] [58:9] [60:9] [61:11] [64:13] [66:2,10,12,21] [67:1,3,5] [75:3] [81:18] [83:13] [92:10] [93:10] [97:22] [101:19] [102:9,10] [105:16,17,18] [106:2] [128:8] [137:8] [139:1] [151:15,18] [172:8] [190:21] [201:14] [212:2] [217:14] [223:12,20,22] [224:3] [241:13] [242:2,15] [243:6,8,17] [244:23] [246:21] [252:17] [256:14] [259:10] [260:15] [262:16] [265:14] [270:23]  
**involvement** [105:23]  
**involves** [37:1]  
**involving** [104:23]  
**iron** [173:7,9]  
**isnt** [95:2] [160:16] [188:16] [191:10] [192:13] [204:19] [210:11] [228:14] [232:1] [237:1,4] [239:15,17]  
**issue** [133:9] [223:9,10] [230:22] [231:1]  
**issued** [133:1,5]  
**issues** [34:15] [221:5]  
**issuing** [134:8]  
**itself** [30:16] [31:3] [51:15] [113:6] [120:2] [127:15] [149:18] [163:15] [194:2,3] [267:1] [270:11] [272:14]  
**ive** [13:10] [14:11] [47:14] [49:14,19] [69:23] [81:1] [85:5] [86:11] [87:5] [88:2,16] [89:18] [95:13] [134:14] [140:23] [141:1] [145:4] [163:6] [187:7] [213:4] [230:21] [235:15] [268:17]  
**J**  
**jack** [67:4,5,7]  
**james** [48:9]  
**japanese** [85:15]  
**jennings** [260:7,9,14]  
**jerry** [2:] [4:] [5:4] [6:3] [11:9]  
**jess** [152:12]  
**jesse** [152:9,11]  
**jessee** [65:20,22] [153:2,4,17]  
**jessie** [152:12]  
**jim** [22:10,22] [212:20]  
**job** [21:14] [23:3] [52:11] [54:5,21] [55:4] [66:17,18] [82:14] [101:12] [126:11] [148:20] [158:20] [159:2]  
**joe** [49:7] [50:13] [66:15,17] [183:9] [201:23]  
**john** [50:14] [210:21,22] [221:4,22] [223:11] [260:6]  
**johnson** [260:6]  
**joined** [196:21]  
**joins** [196:5]  
**joint** [97:2] [267:13]  
**jones** [22:7] [133:22] [154:14] [156:8,14,15] [157:3] [158:10,18] [184:2,4] [244:22] [245:5,19] [247:13] [250:11] [253:2]  
**judgment** [195:1] [256:21,23] [270:15]  
**K**  
**kaley** [221:6,7]  
**keep** [18:15] [132:6]  
**keeps** [193:10]  
**keith** [182:15,16]  
**kelly** [3:] [67:2]  
**kept** [186:14] [189:8,13]  
**kidding** [193:7]  
**killed** [39:23]  
**kills** [40:8]  
**kind** [13:7,17] [16:19] [24:21] [27:11] [28:6] [31:20] [32:8] [33:3] [34:21] [35:8,19] [37:12] [41:9] [43:5] [50:21] [51:10,18] [52:14,16] [53:2] [64:22] [70:5] [71:17] [74:9] [75:6,10] [76:8,20] [79:4] [111:15] [112:5] [113:3] [123:12,17,18] [128:7,10,23] [138:12] [141:19] [172:7] [176:13] [186:12] [188:20] [200:3] [215:1,3] [221:9] [226:21] [235:13] [240:16] [250:6] [252:19]  
**kinds** [12:11] [20:2] [26:13] [28:12] [36:8] [41:21] [90:19] [126:19] [130:18] [131:11] [150:16] [179:13]  
**kneisel** [201:20] [223:14]  
**kneisels** [203:6]  
**knew** [51:1] [58:21] [75:14,20] [84:3] [91:15] [94:14] [133:16] [208:8] [209:15,16] [217:22] [253:20]  
**knife** [14:2]  
**know** [10:7,15,18,21] [11:1] [24:13] [27:14,21] [34:1] [35:16] [39:21] [40:6,8] [41:12] [43:8,11] [44:20] [45:2,21,23] [46:1] [47:4,5,17] [48:6] [49:11] [52:11] [56:15] [58:9,10] [59:8,12] [63:20] [64:2] [66:4,10] [67:2,21] [68:11,13] [69:16,23] [70:18] [71:20,21] [73:1] [75:13,17,23] [76:6,11,18] [77:6,15] [78:2,19,22] [79:9] [80:5,22] [81:5,18] [82:16,17,22,23] [83:8,13,15] [85:1,11,23] [86:16] [87:1,9] [88:7,10,17] [89:4,23] [90:15] [91:13,14,19] [92:1] [93:7] [101:19,21] [102:23] [103:2,14] [111:20] [118:15] [119:9] [125:12] [126:3,4,12,13] [130:23] [131:5] [135:6] [136:7] [137:4,11] [138:14,19] [140:1] [142:8,16,23] [143:1,3,23] [144:2,19,22] [146:8,9,14] [147:19,22] [148:11,15] [149:10,19,20] [152:2] [155:15] [158:13] [160:8,10] [161:13,15,16,18] [165:5,15,16] [169:21] [170:22] [172:7,23] [173:2,11,13,17,18,20] [174:14,17,18,22] [175:4] [178:2,19,21] [181:2] [186:5,8] [187:7,11] [188:2] [189:5,8,11,12,13,18,21] [190:16] [194:1] [201:22] [203:4] [208:3,7] [210:10] [211:7,13,14] [215:23] [216:4] [217:5,11] [220:23] [224:22] [227:2,5] [229:11] [231:11] [232:20,22] [233:8] [235:15] [236:6,7,8] [237:18] [240:14] [241:17] [244:21] [245:13,14] [247:12] [248:4,20] [250:8,10,11,14] [251:20] [252:15,17] [254:9] [255:5,8,16] [257:12] [258:23] [259:17] [260:8] [262:1] [265:7,9,18] [271:6,15] [274:13,20]  
**knowing** [63:19] [64:9]  
**knowingly** [243:12]  
**knowledge** [34:2] [44:19] [57:18,19] [64:15] [69:14] [77:15,23] [78:3] [79:17]

- [83:9,11] [118:12] [120:12]  
[131:10] [137:15] [138:19]  
[170:12] [172:13] [175:15]  
[176:3,5] [210:15] [217:13]  
[218:16,20] [244:12] [247:  
1] [262:18] [264:8,12]  
**known** [24:23] [27:7] [34:9]  
[57:11] [76:13] [85:6]  
[87:4] [89:18] [100:14]  
[114:15] [115:17] [127:3]  
[135:20] [140:22] [141:1]  
[150:8] [163:7,17] [273:2]  
**knows** [220:18] [245:17]  
**knox** [182:15]  
**kv** [256:11]  
**ky** [256:1,10]
- 
- L**
- lab** [54:12,15] [60:20] [61:11  
13,20] [65:9,12] [78:7,14]  
[118:13] [120:8] [219:10]  
**label** [10:2] [193:15]  
**labeling** [197:5]  
**labels** [127:13]  
**laboratory** [54:9] [60:15,17  
18,22,23] [62:1,6,7,11]  
[71:15] [98:3]  
**lack** [39:8,13] [40:4] [77:4]  
[80:3] [102:21] [121:3]  
[162:2] [186:3] [239:19]  
[240:11] [241:11,23] [244:  
19] [274:18]  
**lake** [8:23] [9:1] [11:23]  
[12:4] [81:4,9] [102:2]  
[103:6,9] [120:23] [121:6,11]  
**land** [108:18] [134:22,23]  
[135:2,13] [136:12] [208:13]  
[209:12,13] [249:17] [256:  
5,7,13] [257:6,22,23] [258:  
8,9]  
**landfill** [20:4] [56:15] [58:19]  
[63:20] [75:9,18] [77:9,21,23]  
[99:5] [109:23] [113:6,8,12  
23] [115:10,12] [135:21,23]  
[145:13] [160:5] [162:18,21]  
[163:2,8,9,13,15,17,21,22]  
[164:5,6,8,13,21] [165:4]  
[167:15,21] [169:11] [170:  
16] [171:2,6,7,22] [180:1]  
[181:14] [182:17,22] [183:  
4] [184:20] [186:13] [187:23]  
[191:18] [194:16,21] [196:  
12] [197:7] [214:15,18]  
[216:18] [218:2,15,19]  
[219:16,18] [224:8] [232:4  
15,18] [233:6,13] [234:20,22]  
[236:13,15,16] [240:20]  
[250:17] [251:1,3] [253:21]  
[254:2] [255:11,17]  
**landfilled** [99:4]  
**landfilling** [110:5]  
**landfills** [79:4] [150:9]  
[188:15] [247:17]  
**landwehr** [49:7] [66:13,14]  
[183:9]
- l-a-n-d-w-e-h-r** [66:14]  
**large** [5:7] [180:4] [204:10]  
**last** [8:11] [138:8] [179:23]  
[255:1] [265:23]  
**late** [43:3] [47:15] [57:21]  
[142:10] [144:4] [158:13]  
[186:20] [187:8] [254:7]  
**later** [86:5] [274:11]  
**latest** [233:16] [241:8]  
**latter** [214:13]  
**laundry** [124:3] [126:10]  
**law** [2:] [99:1] [225:14]  
[236:21] [237:1,8] [238:1,8  
9,14] [239:8,14] [240:9]  
[242:19]  
**lawrence** [151:5]  
**laws** [5:13] [100:3,10] [213:  
21]  
**lawsuit** [11:13]  
**lawyer** [10:18] [266:16]  
**lawyers** [146:10,15] [147:22]  
**layer** [32:17] [33:5,8,10]  
**laying** [169:15]  
**leached** [232:18]  
**leaching** [232:14]  
**lead** [38:11] [154:9,13]  
[155:3,8]  
**leadership** [50:16]  
**leading** [5:18] [107:18]  
[187:12] [260:20]  
**leak** [203:12] [216:3]  
**leakage** [151:23] [162:1,3]  
[166:21]  
**learn** [47:21] [85:18] [92:21]  
[131:9]  
**learned** [47:19] [89:8] [118:  
23] [173:20] [190:15,17]  
[253:18,19]  
**learning** [43:12] [64:10]  
**least** [11:2] [200:1] [268:22]  
[272:8]  
**leave** [149:6] [155:23] [159:  
7] [248:2] [252:4] [273:16]  
**leaving** [46:6,10] [49:23]  
[58:18,19,21] [64:5] [68:6]  
[69:12,13] [228:15]  
**led** [84:18] [93:7] [98:4]  
[104:11,14] [205:19] [218:  
1]  
**left** [9:23] [25:17] [29:21,22]  
[41:10] [46:19] [67:13,14]  
[118:20] [127:15] [128:12]  
[159:5,22] [183:10] [247:6]  
[269:23]  
**legal** [199:23] [200:4]  
**leighton** [3:6]  
**less** [99:8,10] [250:9] [273:14  
15,18]  
**let** [6:22] [11:21] [26:23]  
[33:5] [40:11,13] [57:15]  
[59:23] [60:4] [61:21]  
[63:17] [115:22] [116:1,15  
16,20] [117:3] [127:11]  
[146:12] [149:15] [150:5]  
[162:11] [163:4] [180:2]  
[181:18] [191:22,23] [198:  
19] [205:8] [214:3] [215:2]  
[221:21] [227:14] [244:1]  
[249:16] [253:17] [266:23]  
[268:15] [271:19]  
**lets** [20:19] [22:22] [36:17]  
[54:8] [58:11] [159:8]  
[187:17] [227:18] [246:8]  
[253:14] [260:4]  
**letter** [166:16] [201:19,23]  
[203:6] [209:3]  
**level** [38:3,10,14,18] [39:16]  
[64:23] [66:1,21] [99:7]  
[143:15,19,21] [156:20]  
[272:20]  
**levels** [59:5,10,12] [60:12]  
[67:12] [69:17,19,21]  
[78:21] [81:22] [96:16]  
[101:4] [102:17,19] [107:7]  
[112:5,8,12] [114:23]  
[115:3,13,14,16] [117:19]  
[142:19] [203:5] [205:22]  
[206:2,4] [207:2,11,20]  
[209:20] [220:8] [226:23]  
[230:6] [234:12] [235:3,10]  
[239:3] [248:10] [249:21]  
[272:3,15] [273:3] [274:6]  
**lex** [11:9]  
**l-e-x** [11:9]  
**life** [13:2,3,5,7]  
**light** [162:6] [248:19]  
**lightfoot** [3:]  
**likely** [204:17,20] [234:13]  
**limbo** [217:21]  
**limit** [98:12] [112:15]  
**line** [17:12,16] [196:6,23]  
[211:19]  
**liner** [32:19,23]  
**lines** [16:10] [257:4]  
**lining** [34:21]  
**lions** [14:3]  
**liquid** [33:18] [177:16]  
**liquids** [36:8] [37:13]  
**listed** [72:2] [255:3] [267:22]  
**literature** [25:1]  
**little** [46:9] [118:17] [163:4]  
[164:10] [165:9,11] [179:3]  
[192:4,18] [205:8] [236:5]  
[251:10] [256:9] [260:18,22]  
[270:6,18]  
**live** [12:6,7] [133:7] [182:11]  
[254:22]  
**lived** [83:3,20] [128:23]  
[129:6]  
**liver** [87:19]  
**livestock** [139:18]  
**living** [182:7] [254:20]  
**loading** [128:3]  
**local** [44:9] [82:18,20]  
[84:9] [106:1] [122:10]  
[156:3,20]  
**locally** [82:7]  
**locate** [191:23] [195:3]  
**located** [12:16] [20:5] [46:14]  
[107:21] [128:21] [129:14]  
[135:12] [145:11] [164:6,20]  
[187:1,22] [192:3] [222:22]  
[251:9] [256:2] [262:7,12]  
[265:12]  
**locating** [239:21]  
**location** [162:23] [262:13]  
**locations** [251:6] [271:16]  
**logan** [81:3,9,15] [102:2]  
[103:6] [120:7] [122:4]  
**logical** [189:5] [210:1,6]  
**logically** [151:17]  
**long** [11:16] [52:8] [55:11]  
[89:15] [143:12,13,16]  
[148:14] [157:17] [183:17]  
[254:16]  
**longer** [15:22] [19:9] [21:14]  
[30:14] [114:16]  
**longstanding** [213:1]  
**longtime** [157:17] [254:16]  
**long-time** [157:17] [254:16]  
**look** [70:23] [71:4] [104:6]  
[114:11] [161:21] [162:12,17]  
[192:2,19] [198:23] [200:8  
10] [219:20] [224:15]  
[247:18] [249:6] [252:20]  
[258:20]  
**looked** [70:21] [145:4]  
[251:5] [262:4]  
**looking** [44:11] [55:4] [102:  
14] [106:13] [143:9] [161:7]  
[164:19] [167:10] [181:22]  
[193:1] [207:7] [222:17]  
**lot** [19:19,23] [42:2] [68:22]  
[87:1] [90:7] [158:16]  
[193:2] [233:21] [248:20]  
**lott** [93:9,14] [105:10] [208:  
4,7] [209:16] [210:21]  
[223:15]  
**louis** [24:12] [48:14] [61:3]  
[76:23] [77:2] [81:8] [96:7]  
[148:10] [157:11] [184:8,15]  
[222:23] [246:22] [265:12]  
**low** [17:19] [60:12] [69:18,19]  
[78:22] [81:22] [142:20,21]  
[143:1,7] [234:12] [235:3]  
[248:10] [249:21] [273:3]  
**lower** [267:20] [272:3]  
**lunch** [149:2,5,13]  
**lunchrooms** [124:16]  
**lying** [169:1]
- 
- M**
- mac** [24:23] [25:13]  
**mag** [25:14]  
**m-ag** [25:14]  
**magnitude** [268:2]  
**maintain** [186:12]  
**maintenance** [21:20,22]  
[22:22] [23:9,11]  
**major** [24:14] [41:6]  
**making** [78:6] [90:9] [91:7,16]  
[116:14] [127:1] [155:21]  
**man** [30:6] [90:4] [201:10]  
**managed** [218:3]  
**management** [57:5] [176:7]  
[181:16] [183:2] [201:1]  
[202:3]

- manager** [24:4,5,8] [65:19] [66:8] [82:13] [122:15] [133:21] [137:5,7] [152:18] [153:10,16] [154:15,19] [156:10] [158:4] [186:11] [216:2] [223:5] [245:1]
- managing** [227:10]
- manifesting** [187:9]
- manufacture** [53:12]
- manufactured** [74:23] [204:9]
- manufacturers** [42:14]
- manufacturing** [35:14] [51:21] [53:3,6,11] [56:2] [58:1] [60:19] [73:5,12,22] [78:23] [94:16] [118:20] [172:10] [180:18] [204:1] [215:21]
- map** [164:19] [165:11] [192:22] [193:4] [195:21] [260:18] [261:17,20] [264:17] [270:6]
- maps** [107:4]
- mark** [165:2,19] [172:19] [178:14] [193:16] [235:9] [236:1] [247:20] [257:2,3] [258:15]
- marked** [4:] [161:2] [162:15] [165:7,9] [191:20] [197:20] [201:17] [247:23] [248:8] [251:10] [257:19] [258:18]
- market** [90:17] [91:6]
- marketplace** [91:13]
- marking** [160:22] [235:7]
- marriage** [1:13]
- mars** [2:] [46:22] [108:2,4] [144:17] [145:9] [232:14] [262:12,15,17] [263:5]
- martin** [81:3,9,16] [102:2] [103:6] [120:7] [122:4]
- masters** [40:17,22] [41:4,11]
- material** [16:12] [33:3] [38:4] [75:21] [84:19] [92:16] [93:20] [132:11] [175:23] [178:11,17] [180:16,19,20] [187:1] [206:10] [230:7,12] [242:22] [243:20] [246:9,13,19] [247:8] [248:5]
- materials** [31:3,9] [62:3] [75:8,9,12] [77:9,10] [131:12]
- matrix** [154:22] [155:12]
- matter** [9:22] [43:11] [98:17] [112:23] [123:9] [131:19] [176:1] [185:20] [203:12] [1:16]
- matters** [156:16,21]
- may** [5:4,19] [17:1] [25:17] [33:18] [35:19] [72:7] [74:15] [76:15] [93:20] [118:16] [131:2] [137:10,15,21] [227:10] [245:15] [249:20] [251:15] [2:20]
- mayausky** [77:19] [156:13] [245:2]
- maybe** [43:20] [58:23] [73:6] [78:10] [114:4] [144:4] [145:6] [149:22] [161:7] [165:19] [190:22] [191:22] [217:22]
- mayor** [122:15]
- mcc** [25:4]
- meals** [125:7]
- mean** [7:12] [16:16] [17:3] [24:9] [31:7] [34:1] [36:3] [37:2] [41:2,14] [57:12] [65:15] [71:21] [72:20,21] [76:4] [91:10] [97:1] [98:17] [100:10] [101:11,19] [103:2] [104:2,3] [120:23] [123:19] [124:21] [125:4] [143:4] [144:23] [146:6] [148:2] [161:13] [170:15] [187:3] [188:10] [189:22] [191:16] [192:17] [204:8] [211:10,15,16] [224:18] [227:9] [229:3] [233:9] [234:20] [236:7] [242:3] [249:22] [257:10] [259:17,19] [261:10] [265:1,2] [274:10]
- means** [89:13] [7:8]
- meant** [81:17] [145:5]
- measurement** [186:19]
- measuring** [115:12]
- meat** [135:4]
- meats** [130:19]
- mechanism** [203:19]
- medical** [66:22,23] [88:9] [130:9]
- meet** [36:14] [93:15] [108:16] [160:5]
- meeting** [82:17,23] [98:4,6] [108:6] [202:12,15]
- meetings** [83:5,9,17,18] [93:8]
- melted** [19:23]
- member** [14:9]
- members** [16:18] [83:6] [202:7]
- memory** [72:8]
- memos** [25:2]
- mention** [229:8,10] [270:22]
- mentioned** [48:19] [71:7] [73:10] [79:15] [111:6] [129:20] [134:5] [136:11] [145:22] [151:17] [177:8] [188:1] [207:22] [208:15] [210:3,22] [254:11] [260:5] [264:11] [265:9]
- merrill** [2:]
- met** [35:23] [108:9,22] [202:8] [205:17] [209:8] [210:18]
- metal** [19:23] [20:1]
- method** [128:1] [188:23] [222:4] [226:8,9,16] [230:20] [231:5]
- methodology** [47:19] [48:13]
- methods** [225:11] [227:4,7]
- michael** [3:]
- mid** [102:18] [103:11,15] [107:19] [112:5] [158:6] [183:12] [212:1] [213:22] [214:13] [219:5,8]
- migrate** [210:8]
- migrated** [95:17] [100:21]
- migration** [100:15] [120:16]
- mike** [136:17,19] [138:6,23]
- mile** [272:4,5,9]
- miles** [100:21] [101:2,3]
- mill** [12:17]
- miller** [34:17] [48:21,22,23]
- million** [76:2] [96:19,21] [98:15,20] [99:3] [104:3] [107:10,13,16] [110:11] [111:22] [112:9,10,16] [117:20,22] [205:23] [206:3,6,8] [230:9] [239:4,12] [250:2,9] [264:7,21] [267:22] [272:17] [273:14,19]
- mind** [50:13] [69:22] [139:2] [182:16] [236:4]
- minor** [41:7]
- minus** [17:20] [174:1]
- minute** [40:11] [94:9] [115:22] [119:18,21] [171:3,6] [231:17] [235:21] [236:2] [264:10]
- minutes** [11:21]
- missing** [217:23]
- missionary** [2:] [46:22]
- misspeak** [114:21]
- misstating** [18:1]
- mistaken** [190:22]
- misunderstood** [58:23] [78:11] [114:4] [145:6]
- mixed** [265:18]
- mixture** [31:15]
- mobile** [61:1]
- moderate** [114:23]
- molecule** [132:5] [210:2] [229:4] [249:4]
- molecules** [143:11] [249:11]
- monday** [202:6]
- monitor** [49:23] [145:2] [147:10] [148:3]
- monitored** [44:21] [45:3] [54:17] [114:2] [115:4]
- monitoring** [49:22] [60:22] [62:2] [69:16] [78:20] [79:6] [84:10] [112:20] [113:3] [144:21] [145:14,19] [146:2,4,7] [220:5] [235:5]
- monitors** [144:13,15] [145:11]
- monsanto** [2:] [6:12] [8:4,5,6] [9:20] [11:11,14] [15:2,11,13] [19:21] [24:17,18,22] [25:4] [26:1] [41:13] [47:9,16] [49:10] [51:3] [56:6] [64:8] [67:10] [71:13] [80:16,20] [81:7] [82:8,18] [87:11,13] [91:1] [92:9] [95:8] [97:4,8] [104:6] [113:20] [121:19] [125:2] [130:10] [133:18] [134:11,22] [135:13] [136:16] [139:17] [140:7] [146:6,23] [147:11] [148:2] [154:1] [162:8] [174:20] [184:9] [187:17] [200:5,10] [202:9] [203:2] [204:10,15] [207:5,14,23] [211:11] [217:14] [220:14] [222:16,17] [223:3,5] [226:15,21] [230:23] [232:12] [240:22,23] [242:21] [243:11,23] [245:22] [255:6] [257:6,22] [258:9] [259:2,20] [260:21] [262:18] [263:9]
- monsanto/snow** [270:21]
- monsantoowned** [134:22]
- monsanto-owned** [134:22]
- monsantos** [90:22] [96:9] [97:1] [200:12] [231:18] [247:7,8] [261:1] [265:6] [267:16]
- montgomery** [209:8]
- monthly** [211:16]
- months** [52:3]
- moore** [3:16]
- moot** [69:2]
- morgan** [12:21]
- morning** [199:8]
- morris** [260:6]
- mostly** [231:21]
- motion** [235:21]
- mountain** [184:19]
- mouth** [78:13] [81:15]
- move** [33:18] [54:3] [112:18] [143:13] [208:16] [210:7] [223:19] [231:23]
- moved** [19:7,20] [21:19,21] [27:4] [52:10] [54:6] [61:3,4] [157:20] [158:3] [169:2] [179:2] [212:15,19] [224:10] [239:2] [263:2]
- movement** [136:22] [187:10]
- movements** [234:2]
- moves** [132:1]
- moving** [190:9,12]
- mr** [4:] [6:8,9] [7:8,10] [8:23] [12:6] [13:9] [14:22] [16:20] [19:18] [20:23] [21:2] [22:16] [24:2] [26:4] [28:16] [33:4,20] [37:7,14] [39:7,12] [40:3,15] [41:2] [42:1] [45:16,19] [48:3,18,21,23] [49:13] [50:8,15,23] [52:17] [54:4] [56:5] [57:13] [58:23] [59:6,9,23] [60:2,3,6] [61:6] [63:11,17] [64:20] [65:2,18,22] [66:3,5,6,13] [67:6,11,16] [69:5,11,21] [77:3,19] [78:11] [79:2,3] [80:2] [82:13] [83:22] [84:3,13] [85:9,14] [87:16,17] [88:5,16] [90:22] [91:1,3,4] [92:7,18] [94:9,13,23] [95:10,12] [96:1,19] [97:7] [98:7] [100:8,12] [101:18] [102:13,16,19,20] [103:12] [105:19] [107:3] [109:22] [110:9,19,22] [111:17,19]

[112:12,13,19] [114:7,19]  
 [115:20,21] [116:1,3,5,14,19] N  
 ,20,23] [117:2,8,10,11,14,15  
 ,17] [121:2,18] [122:22]  
 [125:15,21] [129:11] [130:  
 8,10] [132:4] [134:1,2,6]  
 [135:5] [137:3,8] [138:5]  
 [139:13] [140:9] [141:3,17]  
 [143:2,18] [144:20] [145:3  
 ,7] [146:8,9,11,14,19]  
 [147:6,9,23] [148:8,22]  
 [149:1,3,15,16] [150:20]  
 [151:5] [152:14,17,20,23]  
 [153:3,4,16] [154:18]  
 [155:4,13,15] [156:3,8,12,13]  
 [158:9,10] [159:2] [160:22]  
 [164:3] [165:20] [166:19]  
 [167:4,9] [168:4] [169:18]  
 [170:1,9,15,17] [171:23]  
 [173:14] [177:5] [181:13,19  
 ,21] [182:7] [184:3,7,16]  
 [185:9,15] [186:2,7,10]  
 [188:5] [189:7,18] [190:3]  
 [191:11] [192:13] [193:8]  
 [194:1] [195:2] [197:5,23]  
 [200:4,11,17,22] [201:23]  
 [203:15] [204:19,23] [205:  
 1] [206:15,22] [208:19]  
 [209:4,16] [210:10,16]  
 [212:10,11,19] [213:2,14]  
 [215:17,22,23] [216:1]  
 [217:6,10,15,16] [220:6]  
 [221:8,17] [222:8,13,18]  
 [225:9] [227:15] [228:16]  
 [229:18,19] [230:14,21]  
 [231:9,20] [232:17,19]  
 [233:4,9,12,20] [234:15]  
 [235:8,20] [236:6,10,17]  
 [237:1,5,6,11,13,15] [239:  
 5,10,18] [240:5,10,15]  
 [241:1,9,10,22] [243:1]  
 [244:3,4,18,22] [245:1,2,5]  
 [246:15] [247:20] [248:6]  
 [250:11] [252:6] [253:2,9,12  
 ,14] [254:18,22] [255:8]  
 [259:12,18] [260:14] [261:  
 3,8,23] [262:1] [263:3]  
 [264:4] [265:5] [266:11,14  
 ,16,20] [267:15] [268:16,21]  
 [270:22] [271:11,12,18,23]  
 [272:1,6,12,23] [273:6]  
 [274:1,17,21,23]  
 mrc [71:11]  
 mullally [136:18,19] [138:7  
 ,9] [150:20,21] [152:14]  
 [166:19] [167:9] [170:1]  
 [185:15] [215:23] [216:4]  
 [217:15]  
 m-u-l-l-a-l-l-y [138:9] [150:20]  
 mulliss [3:16]  
 multi [104:23]  
 multiagency [104:23]  
 multi-agency [104:23]  
 munford [248:18]  
 myself [87:5]  
 naked [145:1]  
 name [10:2,15] [11:6] [16:21]  
 [22:10] [50:18] [65:7]  
 [70:17,19] [88:7] [93:6]  
 [136:4] [138:8] [150:21]  
 [207:16] [208:4] [221:4]  
 [222:21] [226:4,5] [255:1,3]  
 [260:5,9,10] [262:8] [265:22  
 ,23]  
 named [151:15] [207:10]  
 names [8:12] [27:1,5] [50:13]  
 national [66:1,21] [213:15]  
 nature [9:12] [160:15]  
 near [46:21] [47:2] [115:8]  
 [139:22] [145:12] [263:9,15]  
 nebulous [211:15]  
 necessarily [126:13] [267:8]  
 necessary [5:16]  
 need [7:12] [63:15] [64:17]  
 [104:6] [117:9,12] [137:22]  
 [208:11] [235:13] [245:14]  
 [273:2]  
 needed [92:20] [95:4] [104:  
 19] [108:14] [109:1] [110:13]  
 [257:6] [258:1]  
 needs [18:19] [43:10]  
 neighborhood [181:10]  
 neighbors [83:2]  
 nerve [38:20] [39:18]  
 nervous [38:22] [39:10,19]  
 [40:1]  
 new [42:4] [43:12,13] [47:22]  
 [51:19]  
 next [9:9] [92:8] [102:10,13]  
 [124:16] [131:22] [162:5]  
 [168:13] [205:19] [206:4]  
 [214:14] [229:14] [230:1]  
 [265:5]  
 nine [29:5]  
 ninety [90:5]  
 ninetysix [90:5]  
 ninety-six [90:5]  
 no [4:] [8:22] [9:14] [10:9,17  
 ,20,22] [12:1] [13:20] [14:5  
 ,9] [15:6,22] [19:9,22]  
 [21:14] [23:4,20] [29:16]  
 [30:14] [44:2,19] [51:17]  
 [53:9] [55:11,21] [56:1,11]  
 [59:11,15] [60:7] [61:17]  
 [63:23] [64:16] [69:11]  
 [70:22] [71:1,3,6,23] [74:4  
 ,12,16,17,18] [75:2,5]  
 [77:13,15] [78:1,22] [79:14]  
 [80:13,18,21] [82:2,22]  
 [84:2] [86:19] [87:15,23]  
 [90:14] [94:16] [101:7]  
 [103:2] [106:3] [112:20]  
 [113:13,15,16] [114:16]  
 [115:11] [116:23] [118:12]  
 [122:7,19,21] [123:15,19]  
 [124:13] [127:3] [130:15]  
 [132:22] [136:7] [139:2,4,7]  
 [140:5,8] [141:9,11,14]  
 [142:18] [144:1,9,11] [145:4]  
 [147:7,21] [152:1,7] [154:21]  
 [155:6] [157:11] [159:8]  
 [161:19] [170:3,8] [171:18]  
 [173:12] [174:6] [186:19]  
 [202:16] [204:7] [210:5]  
 [215:19] [216:10] [217:17,20  
 ,21] [218:16,20,22] [219:17]  
 [221:15] [225:13] [228:9]  
 [229:1,12] [237:17] [238:3  
 ,22] [239:1,8] [242:4,8,10]  
 [244:7] [247:15] [249:1]  
 [252:20] [253:8] [259:3,18]  
 [263:8,11,13,16,20,23]  
 [264:22] [266:10] [267:13]  
 [268:10] [270:3] [271:4]  
 [273:2] [274:10]  
 nobody [75:3]  
 nods [266:18]  
 non [16:14] [35:19] [69:19]  
 nonaspirin [16:14]  
 non-aspirin [16:14]  
 nondetects [69:19]  
 non-detects [69:19]  
 none [55:19,21] [72:16,17]  
 [99:6] [133:15]  
 nonhazardous [180:19]  
 nonregulated [35:19]  
 non-regulated [35:19]  
 noon [149:14]  
 nor [70:1] [121:18] [15:  
 normally [125:8]  
 north [3:17] [108:4] [128:22]  
 [129:20] [133:7] [135:7,20  
 ,22] [139:20] [172:22]  
 [184:18,20,22] [218:14]  
 [263:17,18]  
 northeast [107:23]  
 northwest [140:3]  
 notarial [18]  
 notary [5:6] [23]  
 note [261:13,16,19]  
 nothing [35:12] [58:21]  
 [64:9] [239:1] [4]  
 notice [5:22] [270:22]  
 noticed [103:22] [145:4]  
 npds [213:12]  
 number [2:] [14:11] [72:2]  
 [76:7,8] [161:1] [162:14]  
 [164:18] [174:19] [191:19]  
 [201:16] [221:5] [247:22]  
 [258:17] [271:17]  
 numbers [166:2]  
 numerous [9:23]  
 O  
 object [7:6] [39:7,12] [40:3]  
 [45:16] [59:6] [77:3] [80:2]  
 [94:9,23] [95:10] [100:8]  
 [102:20] [103:12] [110:9,19]  
 [112:13] [121:2] [125:21]  
 [139:13] [168:4] [169:18]  
 [185:9] [186:2] [191:11]  
 [197:23] [222:8] [228:16]  
 [229:19] [231:9] [237:15]  
 [239:18] [240:5,10] [241:10  
 ,22] [243:1] [244:4,18]  
 [252:6] [253:9] [261:8]  
 [268:21] [271:12] [272:1,6  
 ,12,23] [274:1,17]  
 objection [116:13] [237:14]  
 objections [5:16,19]  
 observation [163:1]  
 observations [87:2]  
 observed [123:3]  
 obvious [87:4]  
 obviously [38:21] [42:2]  
 [57:9] [112:15]  
 occur [20:8] [36:16] [158:5]  
 [258:3]  
 occurred [140:15] [211:18]  
 [213:23] [247:13]  
 occurrence [36:16]  
 off [36:3,10] [38:5] [49:9]  
 [62:9,14,16,23] [90:1]  
 [100:15] [113:7] [117:4]  
 [119:19] [120:2] [124:7]  
 [135:1] [150:6] [153:13]  
 [184:17,18,19] [185:21,23]  
 [191:16] [192:11,12] [193:  
 16,20] [195:15] [196:12]  
 [197:1,6,20] [218:18]  
 [219:9] [220:1] [234:5]  
 [254:23] [275:4,6]  
 offered [4:21] [5:21]  
 office [105:3,7,22] [148:19]  
 [199:12] [200:15] [202:10,21]  
 [216:22] [223:14] [242:8]  
 offices [2:]  
 official [82:17] [206:17]  
 officials [82:7,15,19] [105:16  
 ,17] [106:1] [122:10] [208:22]  
 offsite [62:9,14,16,23]  
 off-site [62:9,14,16,23]  
 offspec [36:3]  
 off-spec [36:3]  
 often [208:9] [213:9,11]  
 [214:1]  
 oh [18:17] [32:10] [34:15]  
 [39:6] [70:4] [174:7] [191:16]  
 ohio [71:11,16] [72:23]  
 oil [85:17]  
 oily [103:22]  
 okay [6:19] [8:6,12] [9:5]  
 [10:23] [11:20] [21:19]  
 [24:2] [26:23] [28:14,23]  
 [30:1,12] [32:8] [40:10]  
 [42:8] [43:4] [45:1] [46:21]  
 [47:8] [49:4] [52:8,13]  
 [56:13] [60:8] [61:5,23]  
 [62:5] [66:20] [69:4] [70:16]  
 [77:18] [81:19] [89:22]  
 [90:15] [91:19] [92:1]  
 [95:5] [97:17] [101:4]  
 [103:19] [105:9,15] [115:19]  
 [118:18] [119:6] [121:6]  
 [127:8] [130:6] [135:11]  
 [140:19] [145:10] [148:8,12]  
 [150:6,13] [155:7] [156:8]  
 [158:8] [163:11,18] [164:1]  
 [168:9,14] [172:11] [173:2]

- [174:11] [177:1] [179:7]  
[180:15] [182:1] [185:12]  
[186:9] [198:5,20] [204:21]  
[213:12,17] [214:4,13]  
[215:10,14] [219:19] [221:  
16,23] [222:12] [223:21]  
[225:16] [229:14] [237:15]  
[238:17] [240:7] [246:23]  
[257:2] [259:8,11] [262:15]  
[265:23] [269:2] [273:5]  
**old** [15:20] [168:15,23]  
[177:19] [182:9] [196:16]  
[252:16]  
**older** [56:14] [114:5] [171:19  
20]  
**once** [225:5] [228:4]  
**one** [4:] [6:10,23] [8:23]  
[9:9] [12:2,4,5] [13:5]  
[23:14] [29:18] [37:11]  
[38:23] [44:5] [53:13]  
[61:17] [65:6] [67:23]  
[68:1,2,6] [70:9] [72:4]  
[73:7] [74:17] [76:1] [85:15]  
[90:4] [116:13,14] [123:13]  
[124:10] [126:4] [127:21]  
[131:20] [134:7,21] [136:11]  
[144:16] [145:8,9] [151:21]  
[153:23] [155:4] [157:9]  
[160:16] [161:2,6] [165:20]  
[166:8] [174:16] [180:1,16]  
[181:20] [182:4] [187:16]  
[195:21] [209:1] [217:21]  
[225:22] [226:12] [228:10]  
[231:14] [238:5] [239:4,22]  
[243:21] [246:17] [259:9,19]  
[262:7] [268:1]  
**ones** [34:18] [241:4] [245:5]  
[247:9]  
**ongoing** [24:15] [26:7]  
[41:13] [62:4] [63:14]  
[69:2] [78:22] [187:15]  
[188:9,10]  
**onsite** [62:15] [77:17] [214:  
6,18] [218:12]  
**on-site** [62:15] [77:17]  
[214:6,18] [218:12]  
**onto** [119:15]  
**open** [30:22,23] [158:11,22]  
[167:20] [211:7,19]  
**operated** [28:17] [182:22]  
[183:1] [214:15]  
**operating** [19:9] [25:23]  
[26:1] [123:1] [150:8]  
**operation** [16:7,9] [19:5]  
[24:9,10] [25:15] [52:20]  
[56:2] [90:2] [112:22]  
[150:10] [167:20,21] [170:  
12,16,18,19] [176:11]  
[185:18] [198:14] [203:16]  
[218:2,3]  
**operational** [27:16] [55:15]  
[160:12] [183:3]  
**operations** [15:1] [21:6,17,21]  
[24:15] [25:13,16] [62:4]  
[150:1] [152:9] [155:8]  
[186:11] [187:3,4,5,15]  
[188:9,11] [215:21] [216:19]  
[254:14]  
**operator** [181:14,16] [182:17]  
**opinion** [126:5]  
**opportunity** [85:8] [157:21]  
[260:3]  
**opposed** [18:22] [19:2]  
[126:20] [147:23]  
**options** [225:13,19]  
**order** [36:21] [111:21]  
[268:1] [272:16]  
**ore** [173:8,9]  
**organic** [36:8] [41:7] [143:14]  
**organization** [13:18] [14:7]  
[23:9] [49:6] [80:19,23]  
[154:23] [157:22] [212:13]  
**organizations** [12:11]  
[13:8,12]  
**organophosphate** [176:17]  
[234:2]  
**orient** [192:18]  
**original** [67:9]  
**otherwise** [8:5] [14:10]  
[39:5] [39:14]  
**ought** [198:23] [200:9]  
[271:14]  
**outfit** [82:21]  
**outflow** [160:14,17]  
**outlawed** [88:19]  
**outlying** [127:9]  
**outside** [12:7] [17:2] [235:11]  
[236:12,13,23] [237:2,9]  
[238:2,5,11] [239:4,22]  
[240:4] [243:21] [251:9]  
**overall** [20:20] [152:16]  
[156:2] [201:3]  
**own** [34:2] [78:2] [87:1]  
[271:7]  
**owned** [56:6] [104:4] [137:18  
20]  
**owner** [138:11] [173:11,16]  
[198:21]  
**owners** [108:18]  

---

**P**

---

**p.m** [149:14] [275:10]  
**package** [72:11]  
**page** [4:2] [161:21] [168:13  
17] [181:22,23] [260:4,19]  
[264:2]  
**paid** [87:14] [140:15,17]  
**pain** [16:14]  
**papageorge** [65:2,18]  
[66:3] [82:13] [85:9] [87:16]  
[125:15] [130:10] [137:6,8]  
[138:5] [152:20,23] [153:3  
17] [216:1,5] [221:2,8,17]  
[230:14,21] [231:20]  
**paper** [179:14] [187:10]  
**paperwork** [214:6]  
**para** [16:12] [176:15]  
**paragraph** [162:5] [166:20]  
[168:10] [169:14] [181:23]  
[264:3] [265:5] [268:15]  
**paranitrophenol** [16:12]  
[176:15]  
**para-nitrophenol** [16:12]  
[176:15]  
**parathion** [9:16,18] [15:19,20]  
[18:12] [19:10] [21:5]  
[22:1] [25:10] [26:6] [29:13  
14] [30:7,14] [31:11,18]  
[35:6,11,13,22] [36:13]  
[37:12,17,23] [38:2,14]  
[57:7] [127:1,7] [176:11,12  
13] [177:7,12,14,16,18,20  
23] [178:7] [179:2] [186:23]  
[226:18]  
**pardon** [48:11]  
**parking** [193:2]  
**part** [20:23] [21:15] [24:20]  
[25:9] [26:13] [28:10]  
[35:2,3,14] [40:2] [41:13,18  
19] [49:5] [54:21] [55:22]  
[58:8] [62:7,18] [65:3,5,12]  
[72:6,10] [73:14] [88:21]  
[91:17] [95:23] [119:10]  
[122:19] [131:21] [132:3]  
[133:16] [163:12,22] [183:  
21] [192:16] [194:17] [197:  
3] [198:21] [199:15,21]  
[204:5] [212:13] [213:6]  
[215:15] [216:12,13] [220:  
3] [223:3] [231:3] [234:9,11]  
[235:4,19] [236:8] [242:7,8  
10] [243:11] [245:11]  
[250:22] [255:12] [256:15]  
[266:6]  
**partially** [255:21]  
**participate** [42:10] [83:17]  
[105:4] [106:23]  
**participated** [14:6]  
**particles** [249:5]  
**particular** [15:14] [23:13]  
[33:7,19] [41:3] [43:4]  
[44:1,15] [52:17] [56:18]  
[57:17] [64:19] [65:6]  
[80:14] [83:7] [84:4,8]  
[86:7,13] [102:13] [108:18  
20] [112:22] [127:10,23]  
[128:11] [130:12,18,21]  
[132:5] [133:10] [134:12]  
[138:4] [165:3] [169:16]  
[180:3] [188:6] [193:21]  
[194:13] [201:11] [204:1]  
[222:15] [225:11] [244:12]  
[245:8] [246:19] [255:17]  
[261:11] [262:3,6,19]  
[272:20]  
**particularly** [140:2]  
**parties** [5:3] [8:13] [64:13]  
[69:9] [97:21] [114:  
14]  
**parts** [16:7,9] [96:19,20]  
[98:15,19] [99:3] [104:3]  
[107:10,13,16] [110:11]  
[111:21] [112:9,10,16]  
[115:2] [117:20,21] [205:23]  
[206:2,6,7] [230:9] [233:1]  
[239:4,12] [250:2,9] [264:7  
21] [267:21] [272:17]  
[273:14,19]  
**past** [127:22] [156:10]  
**pastor** [12:20]  
**pcb** [9:3,13] [12:3] [53:10]  
[55:17,21] [56:3] [58:18]  
[60:18,22] [61:19] [62:6,11  
12,15] [63:5] [71:20] [72:5  
10] [73:21] [75:9] [77:1,10]  
[79:6] [80:17] [81:11]  
[82:3,10] [85:3] [88:3]  
[91:3,4] [92:8,21] [94:1,15]  
[95:16] [99:5] [103:9,14]  
[104:1] [110:21] [112:12]  
[113:21] [115:6] [118:23]  
[119:11,13] [122:23] [123:  
14] [124:12,14] [125:18]  
[126:19] [130:13] [133:3]  
[134:9] [139:11] [144:6]  
[151:23] [152:4] [160:17]  
[162:1,4,6,8] [165:4] [166:  
5,21] [167:6] [168:17]  
[170:22] [172:10] [176:1]  
[185:8] [186:23] [198:23]  
[200:9] [205:14] [216:3]  
[221:5,18] [223:9] [224:16  
18] [225:14,15,19] [226:13]  
[229:3,13] [234:19] [236:4]  
[238:15] [248:6] [249:16]  
[252:16] [263:12] [271:21]  
[273:18]  
**pcbs** [43:21] [44:13,23]  
[47:10] [48:1] [49:8,21]  
[53:8] [55:10] [56:18]  
[58:1,21] [59:3] [63:19]  
[64:9] [65:11] [68:6,22]  
[69:13] [72:4] [73:5,9,23]  
[74:22] [75:17] [78:6]  
[79:21] [83:4,22] [84:5]  
[85:7] [86:5,18,23] [88:15]  
[90:19] [91:18,23] [94:3]  
[95:7] [98:20] [100:15]  
[102:1,14] [107:6] [108:13]  
[111:4] [113:3] [114:10,15]  
[115:17] [120:1,16,22]  
[122:6] [125:6] [127:4,7,14]  
[128:2,14] [130:20] [131:3  
11] [132:8] [135:5] [136:9]  
[137:16] [138:13] [140:8,20  
23] [141:8,10,12] [143:21]  
[144:3] [148:4] [167:7]  
[170:11] [173:4] [175:21]  
[185:17] [187:21] [190:1]  
[197:21] [198:8] [202:10]  
[203:13,17,18] [204:9,13]  
[205:17] [207:3,11,21]  
[209:20] [211:5,8] [215:17]  
[218:14] [219:2,9,14]  
[220:8,15] [222:4] [224:1]  
[226:10,17,22] [230:6,9,15]  
[231:2] [232:14] [233:18,22]  
[234:12] [235:3,11] [236:18]  
[237:2,9,21] [238:3,17]  
[239:22] [248:10,22] [249:  
2,7,19,21] [250:19] [251:9]  
[252:14] [254:12] [260:23]  
[261:6] [264:4] [266:8]  
[270:21] [271:9]

- peck** [3:11] [7:10] [8:23]  
[39:7,12] [40:3] [45:16,19]  
[59:6,23] [60:3] [67:16]  
[69:5] [77:3] [79:2] [80:2]  
[84:13] [90:22] [91:3]  
[94:9,23] [95:10] [96:19]  
[100:8] [102:20] [103:12]  
[110:9,19] [111:17] [112:13]  
[115:21] [116:3,14,20]  
[117:2,10,14,17] [121:2]  
[125:21] [134:1] [139:13]  
[146:9,14] [149:1] [155:13]  
[168:4] [169:18] [170:15]  
[171:23] [177:5] [181:19]  
[185:9] [186:2] [191:11]  
[193:8] [197:23] [217:6]  
[222:8] [228:16] [229:19]  
[231:9] [237:6,11,15]  
[239:18] [240:5,10] [241:10,22]  
[243:1] [244:4,18]  
[252:6] [253:9,14] [259:12]  
[261:8] [266:14,20] [268:21]  
[271:12] [272:1,6,12,23]  
[274:1,17]
- pen** [165:2] [172:19] [257:3]  
**penalties** [239:20] [240:8,15]  
**pens** [140:3]  
**people** [7:6] [20:16] [26:14]  
[30:4] [44:3] [48:10,12]  
[63:4] [66:16] [79:17]  
[83:21] [86:23] [87:2]  
[88:3] [89:17] [93:4,15]  
[95:20] [97:9] [101:15]  
[105:18] [108:21] [120:8]  
[123:8,21] [128:5,21]  
[129:6,12,14,19] [130:18]  
[140:15] [146:6] [150:15]  
[151:7,15,16,17] [155:19]  
[157:5] [208:17] [211:12]  
[217:18] [231:19] [241:16]  
[246:10] [254:17] [259:10]  
[260:8]
- per** [68:5,6] [96:19,20]  
[98:15,20] [99:3] [104:3]  
[107:10,13,16] [110:11]  
[111:22] [112:9,10,16]  
[117:20,22] [186:20] [205:23]  
[206:2,6,7] [230:9]  
[233:1] [239:4,12] [250:2,9]  
[264:7,21] [267:21] [272:17]  
[273:14,19]
- perceived** [64:12]  
**percent** [148:16,17]  
**perfectly** [6:18] [100:4]  
**perform** [44:8,16] [142:6]  
**performed** [29:8] [44:14]  
[97:17] [250:13]  
**perhaps** [9:10] [34:11]  
[57:20] [81:10] [85:20]  
[130:1] [131:20] [132:10]  
[142:12] [145:15] [166:8]  
[188:19] [251:8] [262:20]  
**period** [59:19] [67:18] [78:21]  
[80:11,14] [119:5,8] [120:13]  
[121:1] [129:9] [138:3]  
[140:7] [147:4] [151:22]  
[158:11,17] [167:8] [182:18]  
[207:6] [208:17] [209:2,6]  
[215:18] [221:10] [238:4,11]  
[239:9] [261:7] [262:19]  
**periods** [89:15]  
**permission** [106:18] [109:2]  
**permit** [213:15,16]  
**permits** [211:17]  
**permitted** [27:16] [30:23]  
[229:13]  
**permitting** [28:9,10] [35:7]  
[74:6] [212:18] [213:13,18,20,22]  
[214:5]  
**person** [21:23] [23:18]  
[24:10] [26:18,19,20]  
[37:14,22] [64:3] [65:6]  
[93:6] [126:4] [137:12]  
[153:8] [154:16,18] [155:4]  
[159:21] [181:16] [182:4]  
[183:22] [205:10] [207:15,19]  
[208:4] [212:17,18,21]  
[220:13]  
**personal** [52:20] [78:2]  
[126:5] [138:19]  
**personally** [26:21] [44:2]  
[60:10] [89:23] [90:14]  
[92:10] [145:8] [212:2]  
**pertained** [214:14]  
**pertaining** [140:8,9]  
**pesticide** [15:21] [37:23]  
**pesticides** [38:1] [39:23]  
**phase** [60:15,17] [65:13]  
**phased** [15:22] [23:3] [62:20]  
[81:21] [183:10]  
**phasedown** [65:13]  
**phase-down** [65:13]  
**phone** [255:4]  
**phosphate** [172:9] [254:14]  
**phosphates** [254:13]  
**phosphorus** [172:9]  
**phrase** [205:8]  
**physical** [41:6]  
**picked** [131:20] [178:11]  
[198:12] [205:17]  
**piece** [10:1] [35:20] [187:10]  
[256:18]  
**pigs** [134:14]  
**pile** [109:23]  
**pilot** [52:19] [53:1]  
**pin** [159:19]  
**pine** [12:15]  
**pipe** [31:15,17] [109:5,13]  
**pit** [32:20] [33:1] [34:22]  
[168:1] [174:4,14,16]  
[262:23] [263:1]  
**pits** [99:23] [174:16,19]  
**place** [20:9] [25:7] [27:20]  
[28:9,11] [29:2] [50:19]  
[54:1] [68:16] [71:13]  
[93:12] [100:3,5] [125:10,12]  
[134:17] [150:17] [156:14]  
[160:9] [183:20] [213:21]  
[230:15] [234:1] [238:9]  
[252:1] [269:8]  
**placed** [20:3] [32:20] [99:23]  
[180:7,10]
- places** [16:4] [249:6] [267:19]  
**placing** [268:11] [269:4]  
**plaintiff** [10:16]  
**plaintiffs** [2:1] [3:3] [4:1]  
[6:11] [161:1,5] [162:12,14]  
[164:17] [167:2] [172:17]  
[175:20] [181:20] [191:19]  
[192:1] [193:15] [194:21]  
[201:16] [235:7] [236:12]  
[238:6] [247:21,22] [248:8]  
[253:17] [256:4] [258:16,17]  
**plan** [95:22] [244:16]  
**plans** [29:2]  
**plant** [15:2,11,17] [16:3,5]  
[17:18] [18:15,18,19,20,21,22]  
[19:1,2,15] [21:7]  
[23:1,5] [24:4,5,8] [25:9,15]  
[29:22] [30:16] [36:8]  
[43:7,10] [44:9] [45:13]  
[46:7,10,15,16,19] [49:1,9]  
[51:12] [55:6,11] [56:11]  
[57:21] [58:1,5,19] [59:14,20]  
[60:16] [61:12] [62:1]  
[63:7,18] [64:6,11] [65:14,16,19]  
[66:8,10] [67:14,15]  
[68:6,14] [69:1,13,15,20]  
[73:3,18] [74:6] [75:1]  
[79:12] [82:10,13] [83:5,20]  
[84:9,16,18] [88:14] [90:23]  
[91:2] [92:9] [94:16,19,22]  
[95:9,17] [100:23] [101:2]  
[107:22] [118:10] [119:6,22]  
[120:2,17] [123:1,20]  
[124:5,7] [125:8,20] [126:6,10,22]  
[127:6,16] [128:12,22]  
[129:13,21] [133:7,8,18,21]  
[136:22] [137:5,6] [139:20,22]  
[141:14,17] [142:7,14]  
[144:7] [147:10] [149:18]  
[151:2,7,11] [152:18]  
[153:1,9,10,16,18] [154:3,10,15,19]  
[156:3,10,20] [157:10]  
[158:4,14] [159:22]  
[164:7] [172:5,6,7] [178:9]  
[179:12] [184:1,13,18]  
[191:16,17] [192:2,7,11,12,17,20]  
[193:20] [194:1,3,10]  
[195:15,17] [196:2] [197:20]  
[201:6] [203:7,9,11,13]  
[204:16] [205:5] [207:4,5,13]  
[209:21,22] [214:8] [215:4,20]  
[216:1] [220:2] [223:3,9]  
[228:1] [242:13] [261:2]  
**plantissued** [123:20]  
**plant-issued** [123:20]  
**plants** [19:21] [81:20] [132:14,15,16,19,21]  
[140:18,21]  
**play** [242:8]  
**please** [195:6]  
**plots** [140:21]  
**plus** [72:10] [173:23]  
**pnp** [176:13,14]  
**point** [10:6] [26:11] [27:3]  
[29:18,19] [30:13] [32:20]  
[33:8,15] [43:18] [44:5]  
[47:10] [48:8] [55:9,12]  
[60:11] [61:22] [63:8,15]  
[64:16] [66:5] [68:1] [69:3,17]  
[73:16] [74:4] [78:17]  
[81:23] [82:3] [84:4,8]  
[92:5] [114:21] [120:21]  
[134:7] [138:21] [150:9,11]  
[152:10,15] [163:10,20]  
[174:15] [190:2] [191:13]  
[192:9] [193:18,21] [194:14,19]  
[195:18] [196:7,14,22]  
[197:15,16,19] [199:13]  
[201:4,10,15] [202:1]  
[204:23] [208:5] [210:16]  
[212:17,18] [215:22] [219:15,17]  
[220:20] [221:22]  
[222:3] [223:2] [225:17]  
[226:1,7] [228:21] [229:11]  
[241:15] [245:16] [260:23]  
[268:4] [270:1,8,10,23]  
[272:21] [273:4] [274:5,8]  
**points** [219:13,21,23]  
**politically** [155:14]  
**pollutant** [70:10,13] [71:8,19,22]  
[72:10] [73:11]  
**pollutants** [72:3,7] [73:13]  
[219:14]  
**pollution** [140:11] [152:6]  
[162:9] [166:23] [185:18]  
**polyfoam** [180:18]  
**polyphenyl** [18:10] [52:19]  
**polyphenyls** [53:7,9]  
**poole** [210:21]  
**poorly** [201:20] [268:18]  
**porch** [2:1]  
**porous** [33:9]  
**portion** [15:10] [46:20]  
[49:2] [163:14] [178:10]  
[194:20] [270:3]  
**pose** [85:4]  
**posing** [185:18]  
**position** [21:2,3,7] [22:17]  
[23:8,15] [51:1,10] [55:1]  
[61:20] [62:17] [64:8]  
[67:6] [89:20] [157:4,5]  
[158:1] [159:15] [183:10]  
[184:11] [221:9] [223:1]  
[231:19] [246:4,5] [247:14]  
**positions** [50:16]  
**possibilities** [15:9]  
**possibility** [204:17]  
**possible** [75:13] [84:6]  
**possibly** [64:14] [122:3]  
[188:22]  
**potential** [38:23] [84:11]  
[87:18] [88:12,14] [95:3,5]  
[120:16] [121:13] [128:13]  
[136:14] [152:5] [231:15]  
**potentially** [89:10] [135:4]  
**poultry** [140:4]  
**pound** [67:23] [68:2,6]  
[76:13]  
**pounds** [76:2,14] [77:20]  
[186:23] [187:21]  
**pour** [103:6]  
**powell** [151:6]  
**power** [256:6,10,16] [257:5]

- pr [52:4,6,10] [53:23] [54:5]  
**practical** [185:19] [203:12]  
**practice** [77:17] [131:1]  
 [147:8,11,15] [153:21]  
 [190:18] [243:4,22]  
**practices** [150:17]  
**precaution** [124:9]  
**precautions** [124:20] [125:16] [126:8]  
**precipitated** [103:16] [199:19]  
**predecessor** [156:12]  
**predecessors** [156:9]  
**preparing** [92:12]  
**presence** [49:19] [148:3]  
 [261:6] [266:8] [6]  
**present** [47:10] [49:8] [122:6] [168:18,21] [197:22]  
 [212:21] [262:12]  
**pretty** [27:20] [59:4] [112:11]  
 [174:3]  
**previous** [21:14] [64:7]  
 [173:11,16] [187:3,4]  
**previously** [21:13,16,17]  
 [57:7] [114:8] [164:3]  
 [169:17] [185:6] [189:2]  
 [191:10] [192:5] [253:23]  
**primarily** [17:14] [45:10]  
 [57:1] [111:10] [176:10,16]  
 [201:7]  
**primary** [16:10]  
**principal** [97:14]  
**printed** [201:20]  
**prior** [5:21] [9:9] [141:13,16]  
 [142:7] [172:6] [184:6]  
 [212:5]  
**priority** [70:10,13] [71:8,19]  
 [22] [72:3,7,9] [73:11,13]  
 [219:14]  
**private** [185:17]  
**probable** [162:7]  
**probably** [11:1] [14:19]  
 [48:7] [53:16] [73:8] [127:22]  
 [152:15] [182:21] [183:12]  
 [188:7] [189:1] [201:2]  
 [220:14] [254:6] [255:13]  
 [270:16] [272:4,9] [274:21]  
**problem** [58:18] [81:9]  
 [83:19] [87:4,8] [88:1,2]  
 [90:18] [102:14] [103:9,14]  
 [104:5,9] [114:9] [120:22]  
 [121:9,13,19] [122:1,11]  
 [130:12,17] [135:3] [140:11]  
 [153:7] [166:23] [185:19]  
 [191:4] [198:23] [200:9]  
 [201:11] [205:11,13,16]  
 [206:14,15,19] [211:5]  
 [217:4] [220:22] [221:18]  
 [228:3] [232:11] [246:13]  
 [254:4] [275:4]  
**problems** [15:15] [38:12]  
 [39:4] [86:16] [92:8] [151:21]  
 [231:16] [245:6]  
**procedures** [160:12]  
**process** [17:9] [18:7] [27:18]  
 [28:9,10] [29:8,19] [30:8]  
 [31:1] [33:21] [35:4,7,15]  
 [37:1] [51:12,21] [52:7]  
 [53:2,3] [60:20] [119:2]  
 [128:4] [213:21,23] [214:5]  
 [215:16] [219:21] [226:21]  
 [236:8] [238:18] [241:7,8]  
 [242:6] [246:1] [247:13]  
 [249:15] [265:15]  
**processes** [51:20] [74:6]  
**processing** [203:22]  
**produce** [139:18] [140:6]  
**produced** [43:6] [125:7]  
 [204:6]  
**producing** [15:5] [16:8]  
 [43:6] [56:2] [90:21]  
**product** [16:10,20] [25:11]  
 [36:3] [40:6] [51:15] [53:6]  
 [54:17] [55:4] [62:3] [64:4]  
 [74:23] [91:4,14] [126:21]  
 [127:15] [128:10] [204:5]  
**production** [15:18] [19:12,16]  
 [22:2] [58:6] [75:22] [76:11]  
 [13,17] [77:1,8,11] [78:14]  
 [81:20] [89:5] [90:17]  
 [122:23] [123:7,14] [124:18]  
 [22] [125:4,6,19] [126:20,21]  
 [128:4] [170:20] [255:10]  
**products** [16:11,22] [17:12]  
 [16] [24:17,20] [25:12]  
 [90:16] [223:4,6]  
**professional** [2:] [41:9,15]  
 [1]  
**program** [20:21] [59:18]  
 [67:9] [68:21] [99:15]  
 [108:15] [109:20] [234:1]  
 [235:5] [245:8] [267:13]  
**programs** [69:2]  
**progressed** [106:7]  
**project** [222:15] [253:3]  
 [262:6]  
**promotional** [157:20]  
**pronounce** [152:12]  
**proper** [92:15,22] [93:19]  
**properly** [27:16]  
**properties** [53:14] [228:12]  
**property** [9:17] [10:1] [56:5]  
 [84:11,12] [139:10,12]  
 [145:2,12] [146:7] [192:17]  
 [194:9,10,11] [195:15,17]  
 [196:13] [222:4] [238:18]  
 [247:7] [254:2] [256:8,18]  
 [263:15]  
**proportion** [193:3]  
**proposal** [268:3,19,20]  
 [269:19,22] [270:18]  
**proposed** [109:1] [112:18]  
 [267:13] [268:5,9,10]  
 [269:3]  
**proposing** [99:16]  
**protect** [125:17]  
**protection** [74:21]  
**protocol** [73:14] [97:19,23]  
 [104:21] [267:14]  
**protocols** [110:3]  
**prove** [210:13]  
**proven** [86:5]  
**provide** [122:8] [235:17]  
**provided** [97:18] [125:13]  
 [126:5,9]  
**public** [5:6] [214:16] [218:5]  
 [23]  
**publications** [86:11]  
**purchase** [139:17]  
**purchased** [134:15,20]  
 [135:9,14] [136:6] [137:13]  
**purchases** [140:20]  
**pure** [104:3]  
**purports** [162:17]  
**purpose** [33:17] [101:17]  
 [189:17,22] [227:22] [233:14,15]  
**purposes** [81:10]  
**pursuant** [2:]  
**put** [28:2,11,12] [32:6,11,16]  
 [17] [34:22] [35:5,18] [36:6]  
 [68:16] [78:12] [95:19,21]  
 [104:21] [109:5,13] [149:17]  
 [150:16] [167:23] [169:17]  
 [171:12,14] [172:22] [182:19]  
 [190:14] [197:4,8]  
 [213:21] [233:15] [238:9]  
 [239:6] [249:22] [254:9]  
 [257:11,21] [269:8,9,17,20]  
**puts** [236:4]  
**putting** [127:17] [189:20]  
 [193:10] [229:17]  


---

**Q**  


---

**qualified** [240:3]  
**qualify** [240:18]  
**quality** [54:17] [55:5] [62:3]  
 [64:4]  
**quantitate** [267:9]  
**quantitated** [118:22]  
**quantities** [204:10]  
**quantity** [75:23] [186:19]  
**quarter** [218:10]  
**quarterly** [214:17,23] [215:10]  
 [216:20] [218:4]  
**queenly** [184:13]  
**question** [6:14,23] [7:16,20]  
 [39:8,13] [40:4] [45:17]  
 [57:16] [58:11] [59:7]  
 [60:1,5] [73:6] [77:4] [80:3]  
 [82:12] [92:11] [94:10]  
 [95:1,11] [100:9] [102:21]  
 [103:13] [110:20] [112:14]  
 [115:23] [116:2,7,10,16,21]  
 [117:7] [121:3] [125:22]  
 [135:8,9] [136:12] [139:14]  
 [146:13] [148:21] [168:5,6]  
 [169:19] [185:10] [186:3]  
 [198:1] [200:11] [205:7]  
 [211:23] [214:1,14] [222:9]  
 [228:17] [229:20,23] [231:10]  
 [237:4,16] [240:11]  
 [241:11,14,23] [243:2,7]  
 [244:5,19] [253:10] [261:9]  
 [267:1] [268:16] [271:13]  
 [272:2,7,13] [273:1] [274:2,18,22]  
**questioning** [99:21] [138:18]  
**questions** [5:17,18] [6:13,20]  
 [7:2] [11:8] [117:3] [146:21]  
 [161:9,23] [168:12] [233:11]  
 [245:4,10] [248:3] [258:7,12]  
 [260:2] [261:16]  
**quick** [69:5] [253:14]  
**quintard** [2:]  
**quite** [141:21]  


---

**R**  


---

**radiator** [17:4]  
**raging** [17:14]  
**rags** [177:15]  
**railroad** [109:17]  
**raised** [129:21] [130:1,13]  
**ralph** [260:7,9]  
**ran** [113:9] [185:1] [241:3,16]  
 [246:14]  
**range** [17:21] [264:6] [265:3]  
**ranged** [107:8]  
**ranges** [17:1,14,19]  
**ranging** [265:1]  
**ranked** [227:6]  
**rare** [36:15]  
**rates** [141:7]  
**rather** [114:23] [166:17]  
 [204:9] [220:13]  
**raw** [16:12] [32:2] [62:2]  
**ray** [260:6]  
**rcra** [20:4] [27:16] [28:10]  
 [30:20] [178:6] [188:12,17]  
 [283:14] [60:13]  
**reaction** [228:10]  
**read** [71:2] [86:11] [92:5]  
 [165:11] [168:11] [169:21]  
 [186:5] [193:6] [258:21,22]  
 [259:6,8] [260:3] [261:14,17]  
 [267:15] [268:14,17]  
**reading** [5:10] [169:14]  
 [260:22]  
**readings** [107:15] [250:6]  
**real** [16:5] [17:19] [127:6]  
 [248:15]  
**really** [14:23] [23:20] [27:1]  
 [41:12] [58:8] [69:23]  
 [70:7] [80:5] [149:3] [159:10]  
 [195:17] [211:23] [213:4]  
 [222:14] [235:1]  
**rear** [47:17]  
**reason** [119:12] [134:21]  
 [139:4] [169:23] [170:3]  
 [245:3,9] [259:18]  
**reasonable** [38:6]  
**reasons** [233:22]  
**recall** [74:8] [80:15] [92:7]  
 [101:22] [122:12] [123:16]  
 [127:23] [129:11] [151:10]  
 [266:1]  
**received** [162:7] [208:23]  
**recent** [14:13] [236:9]  
**recognize** [149:22]  
**recollect** [102:8] [208:2]  
**recollecting** [149:20]  
**recollection** [48:6] [50:11]

- [59:19] [61:8] [78:19] [114:5]  
[161:8,11,18] [200:1,2]  
[265:16]  
**recommendation** [99:20]  
[166:17]  
**recommendations** [99:18]  
[168:3]  
**recommended** [93:14]  
[100:7] [102:19] [168:20]  
**record** [11:6] [103:4] [114:21]  
[138:12,14] [156:1] [186:12]  
[261:15,18] [275:5,6]  
**records** [76:11] [186:14]  
[189:7,8,13]  
**rectangle** [256:9]  
**recycled** [20:1]  
**reduced** [18:18] [6]  
**reducing** [67:23]  
**reductions** [68:13]  
**refer** [67:21]  
**reference** [138:1] [162:4]  
[243:14]  
**referred** [172:2] [198:6]  
[199:8,22]  
**referring** [150:14] [181:19]  
[197:2] [202:17] [208:3]  
[227:11] [256:1,8] [262:2]  
**refers** [168:9] [264:4] [270:6,7]  
**refining** [53:13]  
**refresh** [161:8]  
**reg** [99:1]  
**regard** [160:7]  
**regardless** [123:21]  
**regional** [2:]  
**registered** [2:] [1]  
**regular** [28:15] [214:12]  
**regulate** [237:20]  
**regulated** [88:19,21] [98:20]  
[169:11] [219:17,22] [224:19]  
[226:13] [236:13,16]  
[237:9] [238:21] [239:7,13]  
[242:19] [273:17,18]  
**regulates** [224:1]  
**regulation** [153:13] [225:1,4]  
[236:21] [243:12] [274:14]  
**regulations** [42:6,7] [72:1]  
[88:22] [100:3] [123:6]  
[153:20] [167:17] [224:17]  
[240:13] [252:2,9]  
**regulator** [208:8]  
**regulators** [65:10,15] [153:8]  
[156:5] [245:6]  
**regulatory** [26:3] [27:11]  
[50:10] [64:22] [72:6]  
[80:16] [82:1] [88:17]  
[92:19] [98:12] [187:18]  
[206:16] [215:16] [219:20]  
[230:4] [245:20] [246:21]  
[253:5] [273:11]  
**rehash** [121:7]  
**related** [55:9]  
**relates** [84:5]  
**relating** [5:14]  
**relation** [35:5]  
**relationship** [213:2]  
**release** [78:23]  
**releases** [79:7] [218:8,9]  
**reliever** [16:14]  
**religious** [12:12]  
**relocate** [16:3]  
**relocated** [178:12] [179:6]  
**remained** [76:15]  
**remaining** [16:7,8] [20:2]  
**remediating** [234:2]  
**remediation** [108:15] [241:8]  
[242:6,11] [244:15]  
[245:23]  
**remember** [8:14,15,17]  
[11:3] [20:22] [22:6] [23:14,19]  
[24:1] [27:1,5,9] [35:8]  
[48:14] [66:11,23] [67:2,20]  
[70:18,20] [72:5] [75:6,15]  
[80:22] [81:6,13] [85:21]  
[86:1,15] [88:22] [92:6]  
[94:5] [96:8] [97:13] [99:9]  
[103:15] [105:13,23] [106:22]  
[110:12] [111:20] [120:9,10]  
[121:5,14] [122:14]  
[128:9,15,18,19] [129:18]  
[130:3] [133:11,14] [134:8,11,16,19]  
[136:20] [140:1,2,3]  
[142:16] [143:22] [149:16,19,23]  
[151:14,21] [152:1,3]  
[160:4,19] [175:14] [182:16]  
[188:17] [198:5] [200:19]  
[201:3] [202:14] [207:7,8,15]  
[209:23] [221:13] [252:21]  
[259:1,6] [260:13,14]  
[262:8] [265:22] [266:2]  
**remembering** [26:16] [68:20]  
[143:4] [223:18]  
**removal** [29:4] [30:7] [68:22]  
[269:23] [270:4]  
**remove** [18:5] [31:1] [80:10]  
[92:22] [110:13] [121:23]  
[206:10] [224:5] [231:6]  
[268:10] [269:15,16] [272:21]  
[273:9] [274:16]  
**removed** [19:12,17] [29:10]  
[77:20,22] [80:7] [90:16]  
[91:6] [93:21] [109:4,11,16,22]  
[220:9] [225:1] [251:17]  
**removes** [17:5]  
**removing** [106:13] [222:4]  
[231:5] [269:3] [273:3]  
**reorganization** [24:14]  
**reorganized** [18:17] [158:18]  
**repeat** [6:16] [243:9] [252:7]  
**replaced** [158:8]  
**reply** [74:19]  
**report** [24:2] [53:18] [75:11]  
[154:15] [156:9,19] [158:3]  
[166:17] [170:7] [183:5,17]  
**reported** [50:20] [66:17]  
[103:18] [152:14,17] [153:4]  
[183:6,11,13,15]  
**reporter** [2:] [22,]  
**reporters** [4:4]  
**reporting** [2:] [50:7] [53:20]  
[220:4,5]  
**reports** [154:14]  
**representative** [105:2,6,8]  
[206:23] [207:18]  
**representatives** [108:9]  
[202:8] [215:4] [240:23]  
**represented** [105:9,10,12]  
**represents** [6:10]  
**reps** [209:1]  
**request** [93:18] [188:20]  
**requested** [93:3]  
**requests** [93:2]  
**require** [17:8] [274:15]  
**required** [110:15] [123:11]  
[186:11]  
**requirements** [220:5]  
**rerouting** [214:7]  
**research** [51:13] [52:7]  
[71:13]  
**reservoir** [120:7,18] [122:4]  
**resident** [133:5]  
**residential** [128:20]  
**residents** [83:10,20] [129:16]  
[232:13] [261:21]  
**residual** [75:20]  
**residue** [35:13] [57:1] [76:14]  
[170:23] [177:12,13] [254:12]  
[263:12]  
**residues** [76:4] [172:10]  
**resolved** [104:10]  
**resource** [244:12]  
**resources** [47:18]  
**respective** [5:3]  
**respond** [155:7]  
**responds** [155:5]  
**response** [25:14]  
**responsibilities** [54:14]  
**responsibility** [52:16]  
[53:19] [62:19] [63:1]  
[66:9] [128:6] [153:15,19]  
[154:13] [155:16] [157:7]  
[158:16] [182:4] [183:2,22]  
[223:8]  
**responsible** [20:11] [24:9]  
[25:14] [30:5,6] [62:2]  
[64:3,14] [65:16] [74:14]  
[84:10] [153:9] [154:10]  
[156:4] [209:19] [216:17]  
[221:4] [222:6]  
**rest** [11:21] [16:3] [148:17]  
[172:23]  
**restate** [269:1]  
**restrictive** [225:20]  
**result** [273:20]  
**resulted** [200:3]  
**results** [59:21] [61:18]  
[72:14] [97:18] [98:3,5,7]  
[267:16] [271:15]  
**retire** [221:12] [255:14]  
**retired** [182:20,21] [183:18]  
[212:11] [221:3] [255:6]  
**retroactively** [187:13]  
**review** [70:3,6]  
**reviewed** [70:4] [98:5,7]  
**rice** [85:16]  
**rid** [137:22]  
**right** [6:15,17] [19:4] [22:9]  
[25:3,6] [27:11] [50:22]  
[58:15] [62:10] [65:4,18]  
[68:8] [95:12] [97:5] [107:14]  
[109:19] [115:5] [118:18]  
[124:18,21] [125:3] [136:23]  
[139:12] [142:5] [149:11]  
[158:23] [159:6] [165:14]  
[166:11] [177:22] [179:3,4,16]  
[180:12] [186:5] [189:16]  
[191:15] [192:21] [193:13]  
[195:22] [196:15] [197:8,12]  
[202:5] [206:11] [225:3]  
[228:6] [243:7] [247:17]  
[251:11] [257:8] [261:13]  
[266:17] [269:16]  
**rightofway** [179:3,4]  
**right-of-way** [179:3,4]  
**ring** [127:21] [150:21]  
**risks** [85:3,6]  
**river** [230:18]  
**road** [121:21] [129:15]  
[197:10] [254:23]  
**robert** [22:6,7] [26:9,17]  
[133:22] [154:14] [156:14,15]  
[157:3,7,9] [158:18] [159:12]  
[184:2] [245:19] [247:13]  
**rock** [174:12]  
**role** [52:15,17]  
**roles** [66:7] [158:17]  
**room** [124:23] [125:1,5]  
**rooms** [124:17]  
**rotary** [14:3,11,14,18]  
**roughly** [148:15]  
**route** [192:9]  
**routine** [126:16] [145:20]  
[160:12] [216:18] [220:4]  
**routinely** [222:1]  
**rpr** [5:5]  
**ruled** [117:6]  
**rules** [5:13] [42:6,7] [123:5]  
**run** [16:5] [184:18,20] [265:20]  
[269:13]  
**running** [52:19] [53:1]  
[269:11]  
**runs** [184:23]  

---

**S**  

---

**safe** [37:5]  
**safety** [67:7] [123:10] [154:12]  
**sake** [171:23]  
**salers** [2:] [5:5] [1]  
**sample** [99:12] [177:15]  
**sampled** [81:14] [110:1]  
[111:12] [251:2,3]  
**samples** [43:19,20] [44:16]  
[45:4,5] [46:4] [47:6] [98:2]  
[104:12] [108:13] [250:21,23]  
**sampling** [49:16] [95:21,22]  
[97:19] [110:10] [120:4,5,12]  
[141:4,5,6,11,12,15] [235:5]  
[251:6,13] [266:4] [267:7]  
[274:3]  
**samplings** [107:4]  
**sandstone** [33:9,17]  
**santotire** [180:17]

- sat** [248:12]  
**save** [7:18] [15:10]  
**saw** [34:3] [127:20] [161:15] [168:7]  
**say** [6:22] [7:17,22] [11:1] [18:9,20] [19:8] [22:11] [24:22] [25:20] [30:19] [32:14] [36:17] [42:16] [46:8,16] [49:15] [53:1] [63:18,21] [71:21] [77:7] [79:2] [83:1] [93:13] [97:6,7] [103:3] [104:17] [109:7] [125:2] [127:16,20] [132:9] [135:12] [144:4] [145:23] [146:3,5] [148:5] [159:15] [167:13] [168:22] [169:13] [177:12] [180:8] [183:1] [186:23] [187:17] [198:2] [202:19] [203:19] [204:12] [205:1] [211:13] [222:12] [226:22] [227:18] [232:9] [246:8] [249:23] [250:3] [252:3] [254:5,8] [255:23] [256:7] [257:17] [263:18] [267:16]  
**saying** [56:1] [58:12] [83:14] [95:2,3] [100:13] [113:18,19] [120:11] [125:19] [143:6] [188:23] [193:17] [197:18] [198:17] [199:2] [237:2,3] [250:10] [266:13] [267:3] [269:10,14]  
**says** [162:6,23] [168:10,15,19] [170:6] [182:2] [202:6] [239:1] [256:10] [261:21] [265:1] [272:4,10] [273:13,17]  
**scaled** [19:5]  
**scan** [70:10,13] [71:9,19,22] [72:10]  
**scheme** [152:16] [156:2]  
**school** [13:12,19]  
**science** [40:17]  
**sciences** [96:7]  
**scientific** [90:12] [267:4] [269:7]  
**scientist** [90:6]  
**scoop** [104:18]  
**scoot** [275:1]  
**scott** [48:16] [207:11,16]  
**scrap** [19:23] [20:1]  
**screening** [104:12,16,17] [199:7,16] [202:16,19] [203:10] [205:16]  
**scrubbers** [141:22]  
**scs** [99:16]  
**sd** [183:6]  
**se** [186:20]  
**seal** [1:18]  
**search** [137:18]  
**secret** [94:17]  
**section** [106:14,16] [109:4,7,9] [111:12] [135:18] [162:18] [174:3,6] [179:19] [205:20] [272:16]  
**sections** [105:2] [108:19]  
**security** [162:2]  
**sediment** [49:16] [72:22] [79:21] [80:7,10] [92:22,23] [94:4] [96:17] [100:6] [106:14] [107:5,17] [108:12] [109:5,11,16] [110:7] [112:3,18] [113:21] [115:13,16] [117:19] [118:6,12] [119:8,12] [121:23] [202:11] [203:4,10] [204:13] [207:3,12,21] [210:19] [211:6] [217:2] [218:14] [220:7] [222:10] [224:6] [228:22] [264:5,12] [268:11] [269:15,16] [270:1,4,9] [273:9] [274:16]  
**sediments** [49:20] [95:7] [99:4,22] [111:11,14] [115:17] [118:2] [191:5] [222:6] [249:18] [269:3] [272:15] [274:6]  
**seeing** [195:20]  
**seeking** [67:13]  
**seems** [93:9]  
**seen** [69:23] [76:20] [85:5] [132:18] [141:1] [144:13,15,23] [145:1,8] [213:5] [216:7,11] [235:15] [243:10] [259:15]  
**segment** [104:15] [113:4] [131:22] [148:13]  
**segments** [270:5]  
**selection** [226:20] [227:2]  
**sell** [15:8]  
**seminar** [42:10]  
**sense** [172:14] [269:12]  
**sent** [98:2]  
**sentence** [268:15] [269:18]  
**separate** [7:1] [25:21,23] [26:1] [62:8]  
**series** [93:7] [141:22]  
**serious** [38:11] [152:5] [162:9] [166:23]  
**serve** [52:8]  
**served** [186:10] [191:8]  
**service** [2:] [49:6] [92:12]  
**set** [2:] [61:1] [68:18] [150:4] [1:17]  
**setting** [110:13]  
**settled** [132:8]  
**seven** [9:10] [11:2] [17:15] [90:5] [107:11]  
**seventy** [148:17]  
**seventyfive** [148:17]  
**seventy-five** [148:17]  
**several** [75:22] [261:19]  
**sewer** [29:14] [31:13] [45:13,14]  
**sewers** [29:4,10,12,13,20]  
**shade** [195:6]  
**shaded** [257:18]  
**shaky** [257:12]  
**shall** [5:16]  
**share** [63:5] [92:2] [131:6]  
**shared** [63:13] [69:8]  
**sheer** [224:17]  
**shipments** [136:22]  
**shipped** [110:4]  
**shipping** [136:20]  
**shoes** [123:10]  
**short** [41:15,16] [42:11,13] [91:10] [149:4] [270:13,14]  
**shorthand** [2:] [22:]  
**show** [161:4] [172:16] [191:22,23] [192:15,22] [201:19] [253:17] [256:20] [258:14] [271:16]  
**showed** [160:21]  
**showing** [178:19]  
**shown** [191:17] [192:4] [261:19]  
**shows** [260:19] [264:18]  
**shut** [39:2] [59:20] [65:9,10] [66:18] [69:1] [112:21] [119:6] [219:10]  
**shutdown** [65:13]  
**shutting** [64:11] [65:12,16]  
**sicced** [200:5] [205:12]  
**side** [10:19] [20:6] [46:15,16] [111:17] [193:16] [196:2] [220:3]  
**signature** [5:10] [156:7]  
**signed** [153:13]  
**significant** [120:22]  
**significantly** [142:19]  
**similar** [57:6] [268:22]  
**simple** [6:21]  
**simply** [11:2] [24:1] [54:15] [58:10] [75:15] [92:6] [130:23] [137:10] [143:15] [228:19] [231:22] [238:12] [260:12] [270:4]  
**simulation** [261:10]  
**simultaneously** [119:7]  
**sir** [8:22] [27:11] [39:6] [109:19] [153:11] [222:1]  
**sit** [125:9,12] [149:10] [240:21]  
**site** [29:7] [31:3] [49:9] [58:19,22] [64:6] [75:1] [78:23] [79:1,3,5,7] [109:22] [120:2,17] [124:5,7,19,22] [129:13] [159:23] [160:2] [168:18] [173:6] [191:16,17] [192:2,11,12] [193:20] [205:5] [213:11] [219:9] [224:8] [231:7] [238:16] [252:5]  
**sites** [44:15,20]  
**sitting** [59:9] [252:11]  
**situation** [36:15] [85:16] [129:1] [166:13] [198:6] [199:22] [206:20] [244:13] [250:4] [267:9] [271:7] [273:18]  
**situations** [37:9]  
**six** [4:] [107:11,13] [258:16,18]  
**sixty** [17:20]  
**size** [204:10]  
**sketch** [256:14]  
**sketched** [256:9]  
**skin** [37:19] [38:4,15]  
**slag** [254:13]  
**slags** [172:9]  
**sloped** [33:7]  
**slow** [249:15]  
**small** [16:5] [18:18,20,21]  
**smith** [3:16]  
**snow** [59:16] [74:3] [79:19] [80:8] [100:17] [102:11,12] [103:16,23] [104:12] [106:16] [107:17,18] [109:18] [110:7] [113:10,22] [120:17] [121:20,22] [185:13] [186:1] [191:5] [196:3,5,9] [197:22] [198:7,9] [199:1,7] [202:10] [203:1,7,9,11] [205:6,20] [206:10] [207:3,12,21] [209:20] [211:5] [213:10] [217:3] [220:8] [222:7,11] [228:23] [260:20,21,22] [261:6] [263:21] [264:6,13] [266:8] [270:7,9,10] [271:8,22] [273:23] [274:6]  
**soap** [38:5]  
**social** [12:12]  
**soil** [30:15] [31:17,19] [43:19] [45:3,5] [46:4] [47:6] [92:11] [93:3,8,15] [94:4] [96:2] [97:3] [98:8,16] [109:21] [111:1] [112:12] [117:19] [218:14] [234:3]  
**soils** [29:3] [31:16] [234:16]  
**solar** [17:11]  
**sold** [19:20]  
**solid** [57:1,5] [105:12] [176:6] [182:2] [201:9] [214:16] [218:5,7] [223:16]  
**soluble** [210:4]  
**solutia** [11:12] [184:10]  
**solutias** [193:4]  
**solve** [231:16]  
**somebody** [53:18] [82:12] [89:23] [105:12] [125:15] [126:11,14] [133:22] [134:3,4] [199:11] [200:14] [220:23] [235:14] [244:10,11] [245:15,17]  
**someone** [37:14] [130:12] [143:6] [146:22] [147:9] [183:20] [260:15]  
**someplace** [18:6] [110:14] [115:9] [126:12] [127:16] [190:12] [224:18] [231:7] [251:23]  
**something** [7:7] [27:19] [34:1,11] [36:17] [37:20] [78:15] [107:12] [110:11] [119:15] [148:23] [149:21] [151:18] [153:12] [157:23] [158:6] [161:14,22] [165:21] [171:3] [178:23] [188:18] [189:6] [203:20] [217:23] [224:20,21,22] [229:2] [230:18,19] [241:3,16] [242:18] [244:2,15] [245:17] [246:8] [251:23] [252:10]

- [253:1] [255:15] [257:15,17]  
[258:10] [259:7] [268:22]  
[269:8] [270:16] [273:13]  
**sometime** [25:7] [131:14]  
[252:23]  
**sometimes** [6:23]  
**somewhat** [22:11]  
**somewhere** [67:22] [85:22]  
[159:9] [182:15] [228:15]  
[229:17]  
**sorry** [150:6] [265:21]  
**sort** [41:14] [65:8] [161:10]  
[198:13] [199:23] [201:20]  
[257:3]  
**source** [152:6] [162:10]  
[167:1] [261:5]  
**sources** [259:23]  
**south** [20:5] [56:9,19] [75:18]  
[77:22] [113:6,23] [129:14]  
[15,20] [133:8] [135:21,22]  
[164:14] [172:16] [187:22]  
[192:6] [196:13] [197:6]  
[218:15,19] [232:7] [233:13]  
[254:2]  
**southern** [12:22] [115:9]  
[145:13] [162:20,21] [163:  
3,12,16] [194:16,21] [196:12]  
[219:16,18] [250:16]  
**speak** [14:21] [228:5] [230:  
21] [231:1]  
**speaking** [14:15]  
**speaks** [272:14]  
**spec** [36:11]  
**special** [21:3] [60:23] [61:2  
19] [62:11] [71:12,15]  
[123:12,18,23] [124:9,19]  
[125:16] [126:3,7,11,15]  
**specialist** [246:22]  
**specialized** [41:1]  
**species** [45:2] [73:1] [81:14]  
**specific** [42:9] [44:12]  
[75:23] [123:17] [133:14]  
[138:1] [158:19] [201:8]  
[219:22]  
**specifically** [42:20] [46:11]  
[66:11] [70:9,17] [85:10]  
[86:15] [93:6] [99:15]  
[121:5] [128:18] [147:1]  
[166:1] [207:9] [212:1]  
[224:1,19] [250:3] [251:5]  
[262:4]  
**specifications** [36:14]  
**specifics** [161:16]  
**specified** [110:3]  
**specifying** [97:20]  
**spectrum** [231:14] [244:9]  
**speculate** [45:20] [253:13]  
**speculating** [45:18]  
**speculation** [94:11] [229:21]  
[243:3] [244:6] [253:11]  
**speculative** [231:12] [235:18]  
**spell** [138:8] [226:5] [255:1]  
**spill** [36:17] [103:5] [199:19]  
**spin** [35:20]  
**spinning** [17:10]  
**spoke** [30:18] [178:5]  
**spot** [33:19] [195:21] [248:7]  
[250:7] [251:10]  
**squatting** [134:22] [136:11]  
[139:10,11]  
**st** [24:11] [48:14] [61:3]  
[76:23] [77:2] [81:8] [96:7]  
[148:10] [157:11] [184:8,15]  
[222:23] [246:22] [265:12]  
**stability** [84:19] [91:22]  
[119:14]  
**stable** [89:8,12] [131:13,19]  
[249:4,12]  
**staff** [202:8]  
**staffing** [18:19]  
**standard** [112:17] [123:20]  
[150:10] [274:15]  
**standards** [35:23] [160:6]  
[215:14]  
**standpoint** [13:23] [50:9]  
[55:15,16] [72:6] [143:10]  
[183:3] [223:13,15] [230:4]  
[267:4] [269:7]  
**stands** [176:14]  
**start** [38:19] [54:22] [174:12]  
[211:20] [229:5] [250:1]  
**started** [52:2] [89:23] [138:18]  
[142:9] [173:6] [174:20]  
[175:11] [220:21] [232:3]  
[255:12]  
**starting** [142:12] [187:8]  
**starts** [38:17,19]  
**state** [2:] [6:1] [11:6] [50:12]  
[82:7,19,20] [97:18] [100:10]  
[101:10,23] [103:17] [105:  
18] [113:1] [197:18] [198:2]  
[206:16] [218:5] [222:16]  
[242:20]  
**stated** [119:13] [268:18]  
**statement** [61:15] [75:7]  
[90:9] [119:17] [137:14]  
[147:5] [232:2] [253:23]  
[264:1,2]  
**statements** [167:16]  
**states** [239:9] [266:4,5]  
[267:2,17]  
**stating** [193:6]  
**statistically** [110:2]  
**status** [14:23] [15:2]  
**stay** [54:4] [89:14] [143:12]  
**stayed** [119:16] [217:21]  
[255:20]  
**staying** [43:11]  
**steam** [17:2]  
**steel** [57:1] [170:22] [180:17]  
[254:12]  
**stenography** [7]  
**step** [102:10]  
**stewart** [3:5] [4:] [6:8,9]  
[7:8] [60:2,6] [79:3] [91:1,4]  
[111:19] [116:1,5,19,23]  
[117:8,11,15] [134:2]  
[146:11,19] [149:3,15]  
[155:15] [160:22] [170:17]  
[181:21] [217:10] [237:13]  
[247:20] [253:12] [274:23]  
**sticking** [145:9]  
**stipulated** [5:2,9,15,22]  
**stipulations** [2:] [4:3] [7:9]  
**stop** [116:18,22] [117:1,4]  
[119:2]  
**stopped** [57:23] [60:7]  
[63:8] [90:17,21] [114:16]  
[188:9,13]  
**stopping** [64:12]  
**stops** [39:19]  
**store** [224:6]  
**stored** [74:23] [109:23]  
[166:7] [251:16]  
**storm** [194:6,7,15]  
**story** [134:14]  
**straight** [51:3] [103:5]  
**stream** [72:20,21] [106:14]  
[108:20] [113:4,8] [118:19]  
[21] [119:1,3] [200:10]  
[207:13] [230:17] [231:5]  
[268:7] [269:4] [270:3]  
**streams** [46:6,8] [95:21]  
[214:7]  
**street** [2:] [3:] [109:10,12,17]  
[110:8] [111:6] [117:22]  
[121:22] [144:16] [193:2,8]  
[262:11] [263:14,18]  
**strictly** [44:17] [235:16]  
**stroud** [260:6]  
**structure** [142:4]  
**studied** [41:22]  
**studies** [42:9] [87:9,11]  
[92:1,3] [206:4] [271:6]  
**study** [43:4] [69:10] [86:21]  
[87:17] [96:23] [97:1,2]  
[99:14] [102:12,13] [104:14]  
[16,17] [199:7,16] [202:17,19]  
[203:10] [205:17,19] [267:  
5] [271:15]  
**stuff** [19:21] [20:2] [31:21]  
[32:1,12,13] [42:11] [52:20]  
[104:3] [156:23] [161:19]  
[179:13,14] [210:7] [233:2  
5] [248:16,21]  
**stupid** [73:6] [248:15]  
**subject** [126:4] [270:20]  
**submitted** [35:1]  
**subsequent** [199:6]  
**subsequently** [196:8]  
**substance** [37:5,16] [94:7]  
[237:9] [242:19] [247:8]  
**substances** [98:13] [223:23]  
[237:21] [273:12]  
**substitute** [18:13,14]  
**successor** [152:21]  
**sued** [10:3]  
**sufficient** [169:6]  
**suggested** [128:1]  
**suggestion** [181:15]  
**suggests** [226:21]  
**suit** [8:15,19] [80:15]  
**suite** [2:]  
**sulfur** [140:12] [141:9]  
[176:16,18,22] [177:2,23]  
[178:10] [234:5]  
**summary** [41:23] [270:19]  
**superintendent** [21:18,20,22  
23] [61:13] [66:15] [152:10]  
[183:7]  
**supervised** [97:11]  
**supervising** [22:12] [23:10]  
[52:21] [54:16]  
**supervision** [44:4]  
**supervisor** [52:11,15]  
[53:23] [54:5,9,12,15]  
[61:12] [136:21]  
**supply** [230:16]  
**support** [176:11]  
**supposed** [192:21] [230:10]  
[236:18]  
**supposedly** [134:17]  
**sure** [29:9] [32:10] [61:16]  
[83:16] [101:11,12] [117:16]  
[118:14] [119:7] [128:17]  
[156:22] [157:1] [158:7]  
[166:8] [213:4,8] [227:22]  
[240:1]  
**surface** [174:7,8] [176:17]  
[184:21] [185:22] [234:13,15]  
**surmise** [138:15]  
**surprise** [121:17] [122:5,7]  
**suspicious** [216:23]  
**swap** [256:13]  
**swapped** [256:23]  
**sweden** [92:3]  
**sweet** [46:17] [113:11]  
[129:7] [133:6] [139:19]  
[232:13]  
**switchyard** [255:22,23]  
[256:1,11]  
**sworn** [6:4] [3]  
**synthetic** [17:10]  
**system** [29:15] [38:22]  
[39:11,20] [40:1] [86:7]  
[87:21] [163:2] [204:3,4]  
[213:16,18]  
**systems** [100:16]
- 
- T**  
**taffee** [182:6,7] [186:10]  
[188:5] [218:3] [262:20]  
**taffees** [189:7]  
**taken** [2:] [5:5] [45:8,15]  
[46:1,5] [47:7] [64:15]  
[69:7] [111:2] [124:9,20]  
[139:16] [149:13] [195:9]  
[200:4] [250:21,23] [251:19]  
[253:16] [270:10] [2]  
**taking** [5:14] [21:6] [31:12]  
[140:16] [229:16] [246:9]  
**talk** [6:18] [85:8] [93:4]  
[106:4,8,10] [175:18]  
[179:7] [204:21] [208:9,13  
22] [221:16,20,23] [226:7]  
**talked** [66:16] [75:10] [82:8]  
[88:16] [106:12] [122:13]  
[129:4] [164:4] [170:13]  
[187:6] [191:10] [217:2]  
[222:18] [223:7] [225:23]  
[226:15] [243:8] [245:2]  
[249:3] [262:21] [264:10]  
**talking** [15:4] [18:21] [25:21]

[27:6] [28:3] [29:20,23]  
 [42:13,17] [46:9] [51:22]  
 [60:3,19] [67:17] [69:8]  
 [85:10] [95:5] [102:5]  
 [109:8] [115:15] [117:18,23]  
 [118:2,5,7,9] [125:11,14]  
 [133:17] [134:1,2] [135:14]  
 [141:10] [144:16] [148:5]  
 [150:3] [151:13] [152:3]  
 [163:11] [164:5] [166:20,22]  
 [167:1,11,22] [169:8]  
 [170:21] [172:15] [174:5]  
 [175:19] [177:13] [178:14]  
 [179:8] [185:16,17,20,22]  
 [186:6] [192:10,13] [195:3]  
 [198:2] [199:18] [202:12,20]  
 [203:5,13] [219:6] [220:21]  
 [222:13,14] [227:3] [235:1  
 ,8,10,12] [237:18] [242:4,5]  
 [262:16]  
**talks** [161:4,22] [162:1]  
 [168:17] [169:5]  
**target** [112:15]  
**task** [149:16] [150:4] [151:10]  
 [160:1] [161:5] [166:18]  
 [168:2] [170:1] [182:19]  
 [185:16] [190:12,14] [217:  
 19]  
**tasked** [170:2]  
**team** [96:1]  
**tear** [28:2]  
**technical** [18:9] [41:16]  
 [49:5] [143:10] [210:14]  
**technician** [54:16]  
**technicians** [51:17]  
**technique** [188:2]  
**technologies** [43:13,14]  
**technology** [33:14] [34:10,13]  
 [37:10] [42:4] [43:9] [44:1]  
 [47:14,16,23] [51:19]  
 [57:10] [68:15,21] [71:13]  
 [100:11] [141:18,20] [211:  
 18] [229:1,7,12,22] [232:23]  
 [233:16] [249:15]  
**teens** [254:7]  
**tell** [7:14] [8:12] [13:14]  
 [15:12] [16:19] [26:3]  
 [33:16,20] [37:14] [38:13]  
 [39:17] [40:10] [42:8,20]  
 [45:7,9] [49:18] [57:12]  
 [70:8] [71:8,23] [75:16]  
 [76:10] [82:6] [86:14]  
 [87:11,16] [90:15] [94:2]  
 [103:21] [108:11] [110:22]  
 [113:17] [114:10,14] [117:  
 18] [119:18,21] [128:13]  
 [129:23] [131:17] [132:23]  
 [135:11,17] [136:4] [141:3]  
 [143:18] [144:19] [148:8]  
 [156:13,15] [164:23] [170:  
 9] [176:4,9] [179:17] [181:1  
 ,6,13] [184:16] [189:11]  
 [194:13] [208:21] [209:18]  
 [210:16] [216:2,6,10,21]  
 [217:4,6] [224:4] [225:23]  
 [234:23] [236:10] [253:6]  
 [261:23] [266:11,20] [4]  
**telling** [28:4,8] [29:6] [61:17]  
 [63:4] [69:22] [115:6]  
 [164:11] [190:4,6,8] [218:1]  
 [239:6,8,23] [242:7]  
**tells** [7:13]  
**temperature** [17:6,13,19]  
**temperatures** [17:8]  
**temporarily** [224:6]  
**ten** [14:19] [76:1] [96:17,19  
 ,20] [99:9,10] [111:23]  
 [206:9] [250:9] [272:17]  
 [273:14]  
**tenth** [109:10,12] [110:8]  
 [111:2,5,6] [117:22] [121:22]  
 [262:7] [263:14,18]  
**term** [131:5,6] [227:1] [232:  
 21]  
**termed** [155:3]  
**terphenyls** [91:7,11]  
**test** [71:4] [142:3] [215:12,17]  
**tested** [30:12] [45:3] [47:5]  
 [73:17] [104:19] [219:13]  
 [264:12]  
**testified** [6:5] [9:6] [11:23]  
 [12:2]  
**testimony** [55:20] [58:20]  
 [114:12] [118:11] [126:1]  
 [249:8] [5,11]  
**testing** [29:7] [30:1,7] [43:22]  
 [44:12] [47:1] [48:4,5]  
 [51:14] [53:4] [59:3,16,18]  
 [61:7] [62:9,12,15,22]  
 [65:11] [71:15,17,20]  
 [72:14,19,23] [73:2,8,12,14]  
 [74:5] [78:7] [79:18] [81:21]  
 [82:2] [84:22,23] [90:12]  
 [93:19] [94:3] [96:11]  
 [97:12,17] [101:5,8] [104:20]  
 [117:23] [118:6] [119:5,9,22]  
 [122:17,18,19] [144:3,5]  
 [200:12] [215:2] [218:13,23]  
 [219:9,15]  
**tests** [44:8,14,16] [60:21]  
 [61:19] [92:2,3] [104:18]  
 [118:12] [142:6] [250:13]  
**texas** [9:11]  
**thank** [240:7]  
**thats** [9:19] [11:1,15] [13:23]  
 [22:3] [28:22] [33:12]  
 [39:22] [41:12] [50:18]  
 [55:8] [58:16] [82:5,12]  
 [88:7] [95:2,13] [96:22,23]  
 [99:1,8] [109:14] [110:16]  
 [113:4] [115:3] [147:4]  
 [164:15] [175:22] [191:18]  
 [192:14] [195:14] [196:1]  
 [199:4] [200:16] [213:15]  
 [220:11] [223:23] [224:11]  
 [225:7] [226:3] [228:6]  
 [232:6,8] [247:11] [253:22]  
 [258:2] [259:18] [260:17]  
 [266:2] [268:17]  
**themselves** [115:18]  
**theory** [132:12]  
**thereabout** [53:16]  
**thereabouts** [107:9] [171:10]  
**thereto** [5:21]  
**therminol** [16:11,17,19]  
**therminols** [18:4]  
**thing** [7:17] [24:21] [25:16]  
 [65:16] [73:11] [84:17]  
 [119:13] [128:7] [132:14]  
 [154:21] [179:23] [182:19]  
 [188:21] [195:11] [228:11]  
 [250:20] [267:6]  
**things** [12:13] [26:13] [28:12]  
 [35:17] [39:22] [40:12]  
 [41:22] [66:22] [68:23]  
 [72:2] [85:12] [86:14]  
 [126:16,19] [131:19] [152:  
 16] [156:2] [160:15] [189:23]  
 [190:5,16] [228:18,19]  
**think** [15:13] [23:20] [26:23]  
 [39:15] [58:8] [64:1] [70:9]  
 [88:10] [104:5,8] [106:9]  
 [134:5,6] [138:23] [150:14]  
 [164:9] [165:12] [172:1]  
 [175:9] [188:1] [193:8]  
 [198:22] [199:9] [200:8]  
 [208:20] [213:4,5,6] [249:3]  
 [251:14] [253:19] [257:6]  
**thinking** [155:13]  
**third** [268:15]  
**thirty** [11:17] [143:5] [148:16]  
 [175:7,10] [181:7,11]  
 [227:16] [250:15]  
**thirtyacre** [250:15]  
**thirty-acre** [250:15]  
**thirtyyear** [227:16]  
**thirty-year** [227:16]  
**though** [25:11] [156:2]  
 [242:20] [268:20]  
**thought** [16:2] [60:2,6]  
 [86:4] [94:6,12] [114:12]  
 [115:15] [119:1] [121:8]  
 [145:5]  
**thousand** [77:20] [107:8,16]  
 [112:9] [115:1] [117:20]  
 [206:7]  
**thousands** [250:20,23]  
**three** [4:] [18:22] [19:2]  
 [52:22] [101:1,2] [105:1,20]  
 [185:4] [191:20] [192:1]  
 [193:16] [194:22] [208:16]  
 [220:3] [223:19] [252:22]  
 [260:19]  
**throughout** [162:2]  
**tied** [195:22] [196:20]  
**ties** [121:11] [197:8,15]  
 [263:21]  
**time** [5:20] [6:17] [7:5]  
 [8:11] [11:13] [14:21]  
 [15:5] [20:8] [21:8] [24:6,7  
 ,16] [26:12] [27:14] [30:13,21]  
 [32:16,21] [33:15,22]  
 [34:10,12,14] [38:6] [43:18]  
 [44:5,7,18] [47:10] [48:8]  
 [49:2,18] [50:8,12,19]  
 [51:15] [52:23] [53:13,21]  
 [55:10,13] [56:6] [59:17]  
 [60:11] [61:9,22] [62:21]  
 [63:9,16] [64:16] [65:19]  
 [66:6] [67:11,16] [68:1]  
 [71:18] [73:16,23] [74:4]  
 [75:19] [78:21] [80:11,14]  
 [82:1,3] [83:7] [84:4,8,14,15]  
 [85:1,2] [86:3] [89:15]  
 [92:4,5,20] [95:19] [98:11]  
 [99:12,19,21] [100:4,11]  
 [101:6] [102:4] [112:21]  
 [113:20] [119:5,8] [120:6,21  
 ,23] [121:14] [122:15]  
 [127:10] [129:9] [134:7]  
 [136:9] [138:21] [139:22]  
 [140:7,12,13] [143:19]  
 [150:9,12] [151:3,11,23]  
 [152:10,15,19] [157:6]  
 [158:11,17,21] [159:11]  
 [163:10,20] [167:8,13,17]  
 [170:12,17] [182:18] [186:  
 9] [187:6] [189:14] [191:2]  
 [199:13] [200:20] [201:4,6  
 ,12,15] [202:1] [204:23]  
 [206:15] [207:6,17] [208:5  
 ,17] [209:2,5] [210:17]  
 [212:12] [214:11] [215:18,22]  
 [216:7,14,23] [220:20]  
 [221:10,11,21] [222:3]  
 [223:2,17] [225:18] [226:1  
 ,7] [228:22] [229:11] [232:10]  
 [237:17,18] [238:4] [243:15  
 ,16,21,22] [246:10,11]  
 [249:14] [255:10] [257:7]  
 [258:13] [262:3,19] [265:8  
 ,17] [268:4] [270:1,10,23]  
 [273:4] [274:5,8] [275:1]  
**times** [14:12] [206:9] [215:9]  
 [217:12] [228:11]  
**tip** [165:21]  
**tissue** [132:9,13,16]  
**title** [52:1]  
**toby** [48:8] [49:2] [53:20]  
**today** [11:12] [23:5,8] [30:21]  
 [55:21] [56:16] [59:10]  
 [61:15] [70:3] [100:13]  
 [110:21] [141:20] [143:23]  
 [148:7] [149:5] [154:7]  
 [163:7] [198:5] [220:19]  
 [232:23] [240:22] [249:20]  
 [268:13] [274:16]  
**today's** [147:13]  
**together** [95:20,21] [104:21]  
 [149:17] [150:16] [182:19]  
 [190:14]  
**told** [28:18] [33:20,23]  
 [34:12,18] [49:19] [61:18]  
 [74:17] [77:19] [84:21]  
 [92:20] [107:3] [108:7,12]  
 [114:8,13,18,22] [130:8,16]  
 [138:17,20,22] [143:6]  
 [145:18] [147:1,2] [166:2]  
 [175:12,13] [187:7] [216:4  
 ,9] [217:11] [254:15,17]  
**tom** [97:13]  
**took** [25:7] [27:13] [31:19]  
 [54:1] [62:17] [110:7]  
 [111:7] [125:16] [134:17]

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| [157:4] [158:1] [159:3,4]<br>[167:23] [195:10] [220:9]<br>[225:5] [246:4] [247:14]                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <b>trucks</b> [31:5]<br><b>true</b> [110:17] [129:3] [267:3]<br>[9]                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <b>understand</b> [6:14,21] [7:3]<br>[30:19] [55:20] [61:16]<br>[68:17] [84:7] [86:10]<br>[90:8] [100:12] [112:1,19]<br>[116:5] [117:16,17] [119:17]<br>[131:15] [132:8,20] [147:17]<br>[153:15] [156:6] [159:20]<br>[166:4,13] [167:3,7] [169:5]<br>[171:20] [178:22] [195:12]<br>[203:15] [205:7,9] [206:1]<br>[220:12,13] [240:1,2]<br>[241:14] [252:18] [254:3,9]<br>[257:14] [266:15]                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | [173:6] [174:21] [175:11]<br>[247:1]<br><b>usual</b> [7:8]<br><b>usually</b> [88:4]                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>top</b> [32:13,18] [33:10] [144:17]<br>[145:9] [171:12,13,14]<br>[234:20] [252:11]                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <b>truth</b> [4]<br><b>try</b> [6:20] [7:21] [15:10]<br>[149:8] [193:6]<br><b>trying</b> [20:21] [22:6] [47:21]<br>[70:9] [119:18,21] [120:1]<br>[164:1] [207:7] [229:5]<br>[249:23] [253:12] [257:1]<br>[259:1,21]                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <b>understanding</b> [60:11]<br>[81:19] [86:20] [114:7]<br>[115:19] [131:17] [135:18]<br>[136:17] [137:17] [153:6]<br>[164:3] [171:1] [173:7]<br>[181:10] [188:4] [194:4]<br>[216:16] [227:14] [242:17]<br>[251:4] [256:17] [264:9]<br>[272:18]                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <b>v</b><br><br><b>vaguely</b> [149:19] [260:11]<br><b>valley</b> [46:18] [113:11]<br>[129:7] [133:6] [139:19]<br>[232:13]<br><b>value</b> [19:22]<br><b>various</b> [131:2] [259:22]<br><b>vask</b> [80:23]<br><b>vegetation</b> [140:13]<br><b>versus</b> [2:]<br><b>vicinity</b> [139:21] [207:22]<br><b>viewed</b> [226:16]<br><b>violate</b> [243:12]<br><b>violating</b> [240:9]<br><b>violation</b> [237:1,8] [238:7,10]<br>[239:14]<br><b>violations</b> [240:17]<br><b>visual</b> [218:12]<br><b>visualize</b> [31:12]<br><b>voiles</b> [23:14,17]<br><b>v-o-i-l-e-s</b> [23:17]<br><b>voss</b> [183:11]<br><b>voyles</b> [23:16]<br><b>v-o-y-l-e-s</b> [23:16]                                                                                                                                                                                                                                                                                           |
| <b>tore</b> [58:3]<br><b>torn</b> [19:15] [55:12] [57:22]<br>[60:16] [180:4,5,11]<br><b>tort</b> [8:7]<br><b>tosca</b> [88:21] [98:21] [223:22]<br>[224:20] [237:21] [240:6,17]<br>[252:8] [274:10]<br><b>totally</b> [18:17] [37:6] [242:3]<br><b>tour</b> [262:5]<br><b>toward</b> [200:10] [235:21]<br><b>town</b> [46:17] [113:11] [129:7]<br>[133:5] [139:18] [232:13]<br><b>toxic</b> [8:7] [88:19] [98:13]<br>[127:2] [223:23] [242:18]<br>[273:11]<br><b>toxicity</b> [38:2,3] [127:3]<br><b>trace</b> [234:5]<br><b>track</b> [31:14] [109:17]<br><b>tract</b> [250:16]<br><b>trade</b> [16:21]<br><b>traded</b> [257:4,15,23]<br><b>trailers</b> [128:23] [129:8]<br><b>trained</b> [157:12,15]<br><b>training</b> [34:4] [41:8,10,19]<br><b>transcribed</b> [8]<br><b>transcript</b> [10]<br><b>transcription</b> [9]<br><b>transfer</b> [16:11] [17:9,22]<br>[18:2,3] [39:18] [203:18,19]<br>[204:3,4]<br><b>transferred</b> [25:18] [256:5,15]<br><b>transformer</b> [203:20]<br><b>transformers</b> [127:17]<br><b>transition</b> [25:10] [26:14,15]<br>[17] [27:10] [151:12] [158:12]<br>[169:10] [187:12]<br><b>transmission</b> [39:19]<br><b>transmissions</b> [38:21]<br><b>transmitted</b> [131:22]<br><b>transpired</b> [138:20]<br><b>transport</b> [31:2]<br><b>transported</b> [143:17]<br><b>trash</b> [179:13]<br><b>traveling</b> [98:22]<br><b>treat</b> [128:15]<br><b>treated</b> [171:7] [228:2]<br><b>treatment</b> [36:7,20,23]<br>[220:2] [228:1]<br><b>tremendous</b> [141:7]<br><b>tremendously</b> [225:20]<br><b>trial</b> [5:20]<br><b>tributary</b> [106:15,17] [107:18]<br>[21] [196:4,8] [260:20,23]<br>[262:10] [263:15,17,21]<br>[264:6,11,15] [266:9]<br>[270:8,12]<br><b>trigger</b> [259:7]<br><b>trillion</b> [233:1]<br><b>trouble</b> [7:18] [162:22]<br><b>truck</b> [31:8] [32:6] [136:21] | <b>tull</b> [199:2,19] [202:23]<br>[203:7,8,11] [204:14]<br>[205:12] [207:4,13,23]<br>[209:22] [271:3]<br><b>turned</b> [242:20]<br><b>twelve</b> [181:9] [267:21]<br><b>twenty</b> [17:20] [143:5]<br>[148:16] [174:1,9] [175:5]<br><b>twentyfive</b> [143:5] [148:16]<br><b>twenty-five</b> [143:5] [148:16]<br><b>twothirds</b> [15:17] [19:14]<br><b>two-thirds</b> [15:17] [19:14]<br><b>type</b> [12:12] [23:18] [31:9]<br>[42:11] [52:15] [58:6]<br>[91:4] [129:8] [154:22]<br>[177:20] [178:1] [186:16,17]<br><b>types</b> [42:14,16]<br><b>typically</b> [13:10] [42:13]<br>[72:9] [107:8] [124:23]<br>[145:22] [150:2] [215:8]                                                                                                                                                                                                                                                                      | <b>underway</b> [22:8] [145:15]<br>[146:2] [235:6] [242:12]<br><b>unfair</b> [148:21]<br><b>uniforms</b> [123:20]<br><b>unique</b> [126:18]<br><b>unit</b> [25:23] [26:1] [52:19]<br>[118:20]<br><b>units</b> [57:6] [176:7]<br><b>universities</b> [42:12]<br><b>university</b> [40:17,18]<br><b>unlikely</b> [73:20]<br><b>unloading</b> [128:3]<br><b>unprofitable</b> [15:14]<br><b>until</b> [7:19,21] [57:21] [66:17]<br>[112:22] [142:13] [171:5]<br>[182:20,21] [183:7,9,17]<br>[186:20] [208:15] [215:6]<br>[229:22] [255:21]<br><b>upgrading</b> [160:4] [161:14]<br><b>upper</b> [109:4,7]<br><b>upstream</b> [204:14] [210:7]<br><b>uptake</b> [132:19] [141:1]<br><b>us</b> [41:21] [69:10] [77:19]<br>[93:9,19] [96:2] [98:8]<br>[104:13] [105:22] [146:12]<br>[176:4,9] [181:1] [195:2]<br>[225:22] [245:3] [270:15]<br>[275:3]<br><b>usd</b> [66:15]<br><b>use</b> [17:4] [31:2] [37:3]<br>[43:18] [101:16] [128:2]<br>[147:18] [203:23] [204:5]<br>[238:15]<br><b>used</b> [16:23] [17:13,19]<br>[19:20] [33:21] [43:16]<br>[91:12,15] [114:6] [127:14]<br>[142:3] [147:14] [177:19]<br>[188:3,7] [189:1] [196:16]<br>[203:17] [204:3] [248:18]<br>[254:4] [267:14]<br><b>using</b> [43:23] [128:2,3]                                                                             | <b>wait</b> [7:19,21] [94:9] [115:21]<br>[266:14,15]<br><b>waived</b> [5:11,23]<br><b>walk</b> [218:12]<br><b>walkaround</b> [218:12]<br><b>walk-around</b> [218:12]<br><b>walls</b> [112:2]<br><b>walnut</b> [2:]<br><b>want</b> [7:1] [61:16] [63:20]<br>[73:1] [78:12] [93:13]<br>[114:20] [116:10] [117:15]<br>[121:7] [125:9] [131:1]<br>[146:16,20] [149:1,4]<br>[161:22] [163:19] [165:1]<br>[166:7] [189:2] [195:5]<br>[211:13] [214:22] [235:20]<br>[240:1] [247:18] [248:2]<br>[258:7,14,15] [260:1]<br>[261:15]<br><b>wanted</b> [233:11]<br><b>wants</b> [237:7]<br><b>war</b> [212:20]<br><b>warden</b> [106:9,10] [107:3]<br>[122:9,13]<br><b>warning</b> [127:13] [128:11]<br>[133:1,4,9] [137:12]<br><b>warnings</b> [133:14] [134:9]<br><b>washed</b> [38:5] [124:2]<br><b>washington</b> [74:21]<br><b>wasnt</b> [57:20] [58:9] [60:9]<br>[83:13] [88:9] [101:14,19]<br>[119:10] [125:19] [126:18]<br>[139:22] [161:20] [167:15]                 |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <b>U</b><br><br><b>u.s</b> [88:18]<br><b>uh</b> [22:15] [43:17] [45:6,12]<br>[85:11] [89:1] [124:8]<br>[130:7] [136:1] [144:18]<br>[154:4] [159:16,18] [169:4]<br>[181:12] [183:16,19] [194:8]<br>[198:10,16] [204:11]<br>[215:11] [264:14]<br><b>uhhuh</b> [22:15] [43:17] [45:6,12]<br>[85:11] [89:1] [124:8]<br>[130:7] [136:1] [144:18]<br>[154:4] [159:16,18] [169:4]<br>[181:12] [183:16,19] [194:8]<br>[198:10,16] [204:11]<br>[215:11] [264:14]<br><b>uh-huh</b> [22:15] [43:17]<br>[45:6,12] [85:11] [89:1]<br>[124:8] [130:7] [136:1]<br>[144:18] [154:4] [159:16,18]<br>[169:4] [181:12] [183:16,19]<br>[194:8] [198:10,16] [204:11]<br>[215:11] [264:14]<br><b>ultimate</b> [247:5]<br><b>ultimately</b> [24:8] [113:9]<br>[153:9] [156:4] [157:2]<br>[185:1,11,12] [186:1]<br><b>unclear</b> [72:8]<br><b>underground</b> [29:4,10,12]<br>[31:13]<br><b>underneath</b> [29:3] [178:9]<br>[234:3] | <b>understood</b> [86:8] [97:6]<br>[164:13] [171:4] [172:11]<br>[272:19]<br><b>underway</b> [22:8] [145:15]<br>[146:2] [235:6] [242:12]<br><b>unfair</b> [148:21]<br><b>uniforms</b> [123:20]<br><b>unique</b> [126:18]<br><b>unit</b> [25:23] [26:1] [52:19]<br>[118:20]<br><b>units</b> [57:6] [176:7]<br><b>universities</b> [42:12]<br><b>university</b> [40:17,18]<br><b>unlikely</b> [73:20]<br><b>unloading</b> [128:3]<br><b>unprofitable</b> [15:14]<br><b>until</b> [7:19,21] [57:21] [66:17]<br>[112:22] [142:13] [171:5]<br>[182:20,21] [183:7,9,17]<br>[186:20] [208:15] [215:6]<br>[229:22] [255:21]<br><b>upgrading</b> [160:4] [161:14]<br><b>upper</b> [109:4,7]<br><b>upstream</b> [204:14] [210:7]<br><b>uptake</b> [132:19] [141:1]<br><b>us</b> [41:21] [69:10] [77:19]<br>[93:9,19] [96:2] [98:8]<br>[104:13] [105:22] [146:12]<br>[176:4,9] [181:1] [195:2]<br>[225:22] [245:3] [270:15]<br>[275:3]<br><b>usd</b> [66:15]<br><b>use</b> [17:4] [31:2] [37:3]<br>[43:18] [101:16] [128:2]<br>[147:18] [203:23] [204:5]<br>[238:15]<br><b>used</b> [16:23] [17:13,19]<br>[19:20] [33:21] [43:16]<br>[91:12,15] [114:6] [127:14]<br>[142:3] [147:14] [177:19]<br>[188:3,7] [189:1] [196:16]<br>[203:17] [204:3] [248:18]<br>[254:4] [267:14]<br><b>using</b> [43:23] [128:2,3] | <b>W</b><br><br><b>wait</b> [7:19,21] [94:9] [115:21]<br>[266:14,15]<br><b>waived</b> [5:11,23]<br><b>walk</b> [218:12]<br><b>walkaround</b> [218:12]<br><b>walk-around</b> [218:12]<br><b>walls</b> [112:2]<br><b>walnut</b> [2:]<br><b>want</b> [7:1] [61:16] [63:20]<br>[73:1] [78:12] [93:13]<br>[114:20] [116:10] [117:15]<br>[121:7] [125:9] [131:1]<br>[146:16,20] [149:1,4]<br>[161:22] [163:19] [165:1]<br>[166:7] [189:2] [195:5]<br>[211:13] [214:22] [235:20]<br>[240:1] [247:18] [248:2]<br>[258:7,14,15] [260:1]<br>[261:15]<br><b>wanted</b> [233:11]<br><b>wants</b> [237:7]<br><b>war</b> [212:20]<br><b>warden</b> [106:9,10] [107:3]<br>[122:9,13]<br><b>warning</b> [127:13] [128:11]<br>[133:1,4,9] [137:12]<br><b>warnings</b> [133:14] [134:9]<br><b>washed</b> [38:5] [124:2]<br><b>washington</b> [74:21]<br><b>wasnt</b> [57:20] [58:9] [60:9]<br>[83:13] [88:9] [101:14,19]<br>[119:10] [125:19] [126:18]<br>[139:22] [161:20] [167:15] |

- [168:1] [207:10] [209:6]  
[216:13] [217:16] [221:14]  
[247:6] [252:10,16,17]  
[271:11]
- waste** [20:13] [31:2] [35:13,18]  
[36:7,9,20,23] [37:13]  
[54:20] [56:3,4] [57:5]  
[74:23] [75:7,9,12] [77:8,10]  
[79:1,3,5,7] [105:13] [110:  
21] [113:14,15] [159:22]  
[165:4] [170:22] [172:7]  
[175:23] [176:2,6] [178:1]  
[182:2] [186:17] [187:11]  
[201:9] [214:16] [218:5,7]  
[220:1] [223:16] [225:12,14  
15,20] [226:13] [227:11]  
[228:1] [230:7,12] [255:10]
- wastes** [166:6] [172:6]  
[176:14] [177:21] [224:16]
- watched** [34:8]
- water** [17:2] [29:18] [37:13]  
[38:5] [43:19] [44:13,21]  
[45:8] [47:4,11] [49:21]  
[50:2,12,17] [54:20] [55:7]  
[59:13] [60:14] [68:9,22]  
[72:1] [73:2,3,8,17,22]  
[74:3,7] [78:5,16] [79:21]  
[94:18] [100:16] [105:11]  
[113:7] [115:3,4,13] [118:8  
9,19,21] [119:1,3,23]  
[120:2,9] [152:5] [160:13,14]  
[162:1,3,9] [166:21,23]  
[184:17] [185:2,18,23]  
[193:19,23] [194:6,7,15]  
[198:11] [201:8] [208:12]  
[209:14,15] [210:4] [211:21]  
[212:4,6] [213:7,19] [214:10]  
[215:7,8,14] [224:3] [230:16]  
[261:22]
- watson** [20:19] [24:2]
- watsons** [21:2]
- ways** [267:5]
- wear** [123:8,13,17,21]  
[124:10]
- well** [13:10] [16:10,21]  
[18:9,15] [19:22] [20:15]  
[21:3] [23:4] [24:22] [25:9]  
[26:7] [27:14] [28:8] [31:12]  
[32:4,14] [34:23] [35:16]  
[36:23] [37:10,23] [38:17]  
[40:10] [41:5,12] [42:2,22]  
[43:8] [44:17] [46:11,19]  
[47:13] [48:6] [49:12,22]  
[52:10,18] [54:8] [55:19]  
[56:4] [57:9,14,18] [58:11,13]  
[63:10] [64:21] [65:12]  
[67:2,20] [69:23] [70:8]  
[71:10,19] [75:16] [76:11,12]  
[78:19] [79:10] [81:13]  
[83:8] [84:15] [85:1,15]  
[87:1] [89:12] [91:9,21]  
[92:11] [94:8,14,17,19]  
[95:19] [96:2] [98:12]  
[101:22] [103:3,22] [104:5]  
[105:20] [113:6,17] [121:7]  
[123:9] [124:3,16] [125:8]
- [126:23] [127:19] [132:1,5]  
[133:13] [135:6,16] [136:17]  
[138:17] [140:10,19] [141:  
11] [142:7] [144:13,23]  
[145:20] [146:14] [148:1]  
[149:3] [154:6,7,9] [155:1]  
[160:4,11] [161:13] [162:22]  
[163:6] [167:14] [171:9]  
[172:8] [173:4] [177:9]  
[179:12] [180:1,2] [181:5]  
[187:7] [188:1,8] [190:11]  
[197:2,4] [204:18] [205:21]  
[208:7,13] [209:13] [211:20]  
[212:4] [215:7] [216:12]  
[217:13] [218:11] [219:15]  
[220:20] [221:3] [222:20]  
[224:15] [225:19] [226:12]  
[227:4] [228:14] [232:1,17]  
[233:9,18] [234:21] [239:10]  
[248:10] [249:2] [251:2,22]  
[252:18] [262:20] [267:15]  
[268:14] [269:1] [274:14,21]
- wells** [162:23] [163:1]  
**went** [8:17,19] [26:14]  
[27:4] [29:1] [36:19] [46:19  
23] [47:4] [51:2] [54:8]  
[88:6] [97:6] [112:3] [113:8]  
[123:6,14] [127:16] [135:16]  
[136:2] [168:7] [179:5]  
[183:3] [186:17] [196:18]  
[209:8] [214:8] [265:3]
- werent** [53:10] [73:5,12,22]  
[74:13] [102:9] [106:1]  
[111:11] [117:18] [122:23]  
[126:7] [129:15] [167:16]  
[190:4,13] [207:17] [209:18]  
[217:18] [239:20] [241:5]
- west** [56:11] [77:23] [128:21]  
[129:12,20] [133:7] [139:19]  
[140:2] [164:6] [172:4,5]  
[253:21]
- western** [56:15] [77:21]  
[162:18,20] [163:1,3,7,12,14  
22] [164:5,8] [171:1,6,21]
- westinghouse** [128:2]
- whatever** [17:1] [104:8]  
[117:9,12] [127:18] [163:19]  
[166:6] [174:18] [189:10]  
[226:18] [273:22]
- whats** [12:8] [174:11]
- whatsoever** [87:5,8] [242:10  
16]
- wheeler** [88:5,16] [130:8]
- whenever** [208:11]
- whereof** [17]
- whether** [45:21] [55:6]  
[62:15] [68:11] [88:17]  
[89:4] [99:22] [121:20]  
[129:11,18,23] [135:7]  
[136:13] [139:9] [144:2]  
[153:16] [156:14] [165:22]  
[174:14,18] [203:4] [226:17]  
[227:5] [240:14] [250:18]  
[255:16]
- white** [3:]
- whoever** [152:18] [156:13]
- [188:6]
- whole** [24:10] [29:5] [248:20]  
[250:20,21] [10]
- whom** [26:20] [136:5] [137:  
13]
- whose** [10:2] [82:14] [128:5]  
[2]
- why** [10:7] [28:14] [37:7]  
[91:19] [92:17] [94:6]  
[102:12] [112:18] [134:19]  
[147:22] [233:9,11] [234:7]  
[251:21] [252:13]
- wide** [250:15]
- wilkerson** [260:7] [265:11,23]  
[266:11,16]
- will** [7:5,17,19] [117:2,4]  
[148:22] [149:10] [161:8,9  
21] [172:23] [187:10]  
[192:19] [240:18] [258:20]  
[261:14] [269:1]
- william** [221:2]
- williford** [50:14,15]
- wise** [16:5]
- withdraw** [57:15] [127:12]  
[215:2]
- within** [16:16] [19:21] [38:6]  
[67:10] [91:17] [181:4,5,7]  
[214:7] [222:16] [257:18]
- without** [28:3] [87:3] [195:20]  
[172:21] [173:1] [177:6]  
[193:10] [195:8] [236:3]  
[259:14] [266:18] [1,11,17]
- witness** [4:] [5:11] [96:20]  
[172:21] [173:1] [177:6]  
[193:10] [195:8] [236:3]  
[259:14] [266:18] [1,11,17]
- witnesses** [7]
- wont** [73:7] [116:15] [191:7]  
[253:13]
- wooded** [235:2,22]
- woods** [135:19]
- word** [244:8]
- words** [28:1,18] [78:12]  
[156:18] [260:11] [266:5]  
[272:8]
- work** [11:18] [22:14,21]  
[23:23] [40:7] [41:4] [51:2,6  
18] [52:18] [53:12] [63:5]  
[65:9] [72:11] [79:16]  
[80:7] [96:4] [123:9,22]  
[124:4] [147:20] [155:2]  
[175:3] [199:14] [212:6]  
[233:13] [234:7] [243:14,16  
17] [255:9,18]
- worked** [11:16] [22:4] [23:12]  
[27:7] [78:15] [81:23]  
[87:2,5] [90:1] [124:11]  
[126:14] [151:7] [158:2]  
[159:3] [186:10] [189:14]  
[205:4] [206:11] [212:9]  
[241:7]
- worker** [124:11]
- workers** [123:16] [125:2,17]
- working** [15:9] [20:16]  
[21:13] [23:6] [44:17]  
[51:12,19] [52:14] [79:11]  
[88:5] [90:1] [151:2,10]  
[184:9] [201:7,14] [207:15]  
[213:2] [216:23] [217:15,19]
- [259:20]
- workplace** [141:13,16]
- world** [148:18] [233:19]
- worldwide** [227:9]
- worried** [103:10]
- wouldnt** [38:7] [63:2] [110:18]  
[122:4] [126:15] [204:16]  
[205:1] [210:1,6] [230:2]  
[232:9] [238:8] [241:1,18,21]  
[273:23]
- wright** [48:7] [138:23] [151:  
6]
- write** [253:5]
- writing** [106:21] [6]
- written** [97:20] [138:12,14]
- wrong** [114:20] [167:16]  
[243:7]
- 
- Y
- yall** [15:5] [18:11,12] [26:4]  
[27:12] [28:1,18] [29:6,10]  
[30:10] [32:11] [43:5]  
[50:2,7,20] [58:17] [59:2,3]  
[67:12] [73:5,22] [74:11,19]  
[78:13,15] [82:2] [90:17,20]  
[91:6] [92:7] [93:1,16,22]  
[95:14] [96:22] [98:22]  
[100:7,13,14] [102:5]  
[108:5] [110:15,23] [111:4  
7] [112:2,4,20] [113:2,17]  
[114:9,22] [119:22,23]  
[121:19] [122:11] [123:5,6]  
[125:14,16] [126:19] [127:  
5,13,23] [133:9] [138:12]  
[142:6] [144:5] [147:9]  
[167:16] [173:5] [175:11]  
[185:6] [188:13,14] [189:17]  
[190:1,11,23] [200:6]  
[201:11] [204:8] [205:4,13]  
[206:3] [209:17,18] [213:1]  
[216:2,3,22] [218:21]  
[219:9] [220:6,9] [222:12]  
[224:4] [225:10,23] [226:7  
8,15] [228:21] [232:1,3]  
[233:12] [235:10] [241:4,20]  
[244:16] [245:8] [247:3,6]  
[250:17] [266:11] [267:10,12]  
[268:3,5,8,20,23] [269:19]  
[270:1] [271:5] [273:7,20]  
[275:2]
- yalls** [145:2] [243:22] [272:19]
- yards** [29:5] [273:22]
- yeah** [36:4] [53:20] [67:5]  
[85:10] [93:18] [99:1]  
[131:4] [155:12,15] [171:15]  
[182:14] [198:4] [264:19]  
[268:17]
- year** [61:13] [91:17] [102:7]  
[215:9] [252:21]
- years** [8:11] [9:10,11] [11:2  
17] [14:19] [57:10] [64:7]  
[75:22] [76:19] [86:12]  
[87:3] [90:2,3] [118:21]  
[127:21] [143:5] [159:15,17]  
[183:19] [211:9] [212:14]

[213:5] [214:19] [221:5]  
[234:14] [236:9] [243:5]  
[251:16] [252:22] [255:20]  
yes [7:10] [8:3,9] [9:4,22]  
[10:11] [12:23] [13:4]  
[15:3] [18:5] [19:14] [20:7]  
[21:1,6,11,14] [22:15,19]  
[23:2,7] [24:13] [26:2]  
[27:9] [29:11] [30:5,9,11,17]  
[32:22] [33:2,14] [34:7,19]  
[36:12,19] [37:6] [38:23]  
[39:6] [41:14,20] [42:19]  
[43:14,17] [44:5,10] [45:6,12]  
[46:3] [48:2,13,17] [50:3,6]  
[51:5,9,23] [53:5] [54:2]  
[55:15] [56:7,17,22] [57:4]  
[58:2,4] [62:13] [63:3]  
[65:23] [66:7,12] [68:3,10]  
[69:16] [70:15] [72:13,18,21]  
[73:4,19] [74:2] [80:12]  
[83:12,16] [86:9] [89:1,21]  
[91:1,5] [95:13] [96:10,13]  
[99:11,14] [100:11,19]  
[101:3] [102:3,10,15]  
[103:8] [105:5] [106:7,17,20]  
[107:2,20] [108:23] [110:21]  
[111:8,19] [112:7] [113:12]  
[115:3,4] [118:4] [120:9,14]  
[121:16] [123:2,4]  
[124:8,21] [129:2,5,10,17,22]  
[130:7] [131:8,16] [136:1,3]  
[139:15] [143:9] [144:8,18]  
[150:23] [151:4,9,20]  
[152:22] [153:5,11,22]  
[154:5,8] [156:7,11] [159:16]  
[164:22] [167:5,12]  
[169:4,12] [173:10] [175:17]  
[176:8,23] [177:4] [178:18]  
[179:9,23] [180:23] [181:12]  
[183:16,19] [184:4,21]  
[185:14] [191:3] [193:22]  
[194:8,12] [196:10] [197:17]  
[198:10,16] [201:7,13]  
[202:13,22] [203:3] [204:11]  
[205:17] [206:8,13]  
[210:9,15] [212:8,23]  
[214:21] [215:11] [217:10]  
[222:1] [224:9] [234:21]  
[236:20,22] [237:4] [239:16]  
[241:2,6,19] [243:19]  
[246:6,12,16] [247:4]  
[248:13] [251:18] [253:4]  
[254:21] [255:5,7] [256:3]  
[257:20] [262:14] [263:6,19]  
[264:14,16] [265:13,16]  
you'd [188:21]  
youknowwhat [149:10]  
you-know-what [149:10]  
young [207:10]  
you're [150:14] [193:17]  
yourself [43:22] [160:3]  
[243:23]  
you've [79:15]