

FOSHEE & TURNER COURT REPORTERS

1 IN THE UNITED STATES DISTRICT COURT

2 NORTHERN DISTRICT OF ALABAMA

3 EASTERN DIVISION

4
5 WALTER OWENS, et al.,)

6 Plaintiffs,)

7)

8 vs.) CIVIL ACTION NO.

9) CV-P-440-E

10 MONSANTO COMPANY,)

11 Defendant.)

12
13 DEPOSITION OF: BILL HUGHES

14
15 In accordance with Rule 5 (d) of The

16 Alabama Rules of Civil Procedure, as Amended,

17 effective May 15, 1988, I, TAMMY JENNINGS

18 GREGORY, am hereby delivering to MR. LARRY WRIGHT

19 the original transcript of the oral testimony

20 taken on the 21st day of October, 1999, along

21 with exhibits.

22 Please be advised that this is the same and

23 not retained by the court reporter, nor filed

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1 with the Court.

2 The deposition of Bill Hughes was taken
3 before Tammy R. Jennings Gregory, commencing at
4 1:30 P.M. on the 21st day of October, 1999, by
5 the Plaintiffs, at the law offices of Fite &
6 Miller, Anniston, Alabama pursuant to the
7 stipulations set forth herein.

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1 A P P E A R A N C E S

2

3 Appearing For The Plaintiffs:

4 MITHOFF & JACKS, LLP

5 By: Larry Wright, Esquire

6 111 Congress Avenue, Suite 1010

7 Austin, Texas 78701

8

9 Appearing For The Defendant:

10 LIGHTFOOT, FRANKLIN & WHITE

11 By: Buddy Cox, Esquire

12 The Clark Building

13 400 20th Street North

14 Birmingham, Alabama 35203-3200

15

16 FITE & MILLER

17 By: Arthur Fite, Esquire

18 The SouthTrust Bank Building

19 Suite 400

20 Anniston, Alabama 36201

21

22 Court Reporter:

23 Tammy R. Jennings Gregory

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

2

3 IT IS STIPULATED AND AGREED by and
4 between the parties through their respective
5 counsel that the deposition of Bill Hughes may be
6 taken before Tammy R. Jennings Gregory, at the
7 law offices of Fite & Miller, Anniston, Alabama
8 on the 21st day of October, 1999.

9

10

11 IT IS FURTHER STIPULATED AND AGREED that
12 the signature to and the reading of the
13 deposition by the witness is waived, the
14 deposition to have the same force and effect as
15 if full compliance had been had with all laws and

16 rules of court relating to the taking of
17 depositions.

18

19

20 IT IS FURTHER STIPULATED AND AGREED that
21 it shall not be necessary for any objections to
22 be made by counsel to any questions, except as to
23 form or leading questions, and that counsel for

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1 the parties may make objections and assign
2 grounds at the time of trial or at the time said
3 deposition is offered in evidence or prior
4 thereto.

5

6

7 IT IS FURTHER STIPULATED AND AGREED that
8 the notice of filing of the deposition is waived.

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1 STATE OF ALABAMA, CITY OF ANNISTON,
2 OCTOBER 21, 1999,
3 1:30 P.M.,

4

5 BILL HUGHES,

6 having been first duly sworn, was examined and
7 testified as follows:

8

9 COURT REPORTER: Usual stipulations

10 okay?

11 MR. WRIGHT: Yeah. Now, Buddy, one

12 thing I was just thinking about during lunch
13 -- are usual stipulations -- I don't
14 remember what all the requirements are in
15 Federal Court.

16 MR. COX: Same.

17 MR. WRIGHT: I don't remember all
18 the local rules, but can we agree that if
19 it's not read or signed that it can be used
20 at a hearing?

21 MR. COX: Yeah. We do.

22 MR. WRIGHT: Okay.

23 MR. COX: Other than, I mean, with

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1 possible -- just whatever the normal rule is
2 in terms of, you know, if he's within the
3 subpoena power of the Court --

4 MR. WRIGHT: When you can use a
5 deposition, right.

6 MR. COX: We're not waiving any of
7 those requirements.

8 MR. WRIGHT: Yeah. In the old days
9 in Texas, you'd get up to trial and he signed

10 it twenty-two days after the deposition
11 instead of twenty days, and they can move to
12 exclude it, and there goes half your case.

13 You thought you had --

14 MR. COX: No, if we waive
15 signature, then you can use it just for
16 whatever -- however purposes you can normally
17 use a deposition.

18 MR. WRIGHT: Okay. So with that
19 understanding, the usual stipulations.

20 MR. COX: Did you contact Burr
21 Forman people about these deposition too?

22 MR. WRIGHT: I don't know to be
23 honest. I don't know. I'm assuming they

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1 are.

2 MR. COX: They haven't given any
3 indication they intend to be here?

4 MR. WRIGHT: No. So I don't know.

5 All right.

6

7 EXAMINATION BY MR. WRIGHT:

8 Q. All right. Mr. Miller, have you ever given a
9 deposition before?

10 A. Hughes.

11 Q. I'm sorry. What did I say? I'm sorry, Mr.
12 Hughes. I'm confused.

13 A. No, sir, I haven't.

14 Q. Okay. I'm going to give you the long version
15 of the instructions then. If you'd given a
16 deposition before, I'd give you the short
17 version.

18 I think you understand this, but I
19 just need to make sure that this testimony --
20 you understand that this testimony can be
21 used at a trial or hearing in the Court?

22 A. Yes, sir.

23 Q. And you understand that the oath you've taken

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1 is the same oath and has the same effect and
2 so forth as it would if you were right there
3 in front of the Judge and jury in the
4 courtroom?

5 A. Yes, sir.

6 Q. Okay. I'd like to ask you if I ask you a
7 question that you don't understand, stop me,
8 and let me know, and just say I didn't
9 understand that question; could you ask it a
10 different way, and I'll do that. Okay?

11 A. Okay.

12 Q. And try to make sure that you understand my
13 question before you answer it because we
14 don't want you answering questions that you
15 don't understand. Okay?

16 A. I understand.

17 Q. And you're doing a good job of this, but let
18 me just remind you to speak out loud so our
19 court reporter can write down the answers.

20 A. Okay. I'm a little horse. I've had a cold.

21 Q. That's okay. We'll go nice and slow. And
22 we're close enough that I think that she'll
23 be able to hear you and I'll be able to hear

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1 you.

2 I assume you're retired now?

3 A. Yes, sir.

4 Q. When did you retire?

5 A. 1st of August of '98.

6 Q. So you recently retired?

7 A. Little over a year.

8 Q. When did you start at Monsanto?

9 A. April of 1962.

10 Q. How old were you then?

11 A. Twenty-two.

12 Q. What had you been doing just generally before

13 you started with Monsanto?

14 A. I worked for a radio and television repair

15 shop.

16 Q. Okay. Are you from this area --

17 A. Yes, I am.

18 Q. -- originally?

19 MR. COX: The only other admonition

20 is to make sure he finishes his question

21 before you answer.

22 You'll often anticipate where he's

23 going, but just so the record -- you aren't

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1 both talking at the same time and making her

2 mad, it's easier if you let him finish.

3 Q. (By Mr. Wright) What was your first job at

4 Monsanto?

5 A. I was an operator in the aroclor department.

6 Q. So you were hired straight in as an operator?

7 A. Yes, sir.

8 Q. Okay. Who was your supervisor then?

9 A. My foreman was Mark Williams. The supervisor

10 was Burns Severson.

11 Q. Are either of those people still alive?

12 A. Mr. Williams is, I'm pretty sure.

13 Q. Mr. Severson you think is deceased?

14 A. I think Mr. Severson is deceased.

15 Q. When do you think he died? Just your best

16 estimate.

17 A. Couple years maybe.

18 Q. Couple years ago?

19 A. Yes.

20 Q. Okay. Do you know what he died of?

21 A. No, sir.

22 Q. I imagine you probably worked the night

23 shift, didn't you?

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1 A. I worked all of them.

2 Q. Okay. Y'all rotated?

3 A. Yes, sir.

4 Q. Did you always work with the same

5 supervisors? In other words, did they rotate

6 with you, or did they stay at whatever shift

7 they were at?

8 A. I don't understand what you mean about the

9 supervisors. Are we talking about the

10 foremen?

11 Q. Well, you mentioned there was a foreman and a

12 supervisor, and I was just asking did they --

13 A. No, sir, they were always on day shift.

14 Q. Okay. How many operators were there on a

15 shift when you first started?

16 A. Just in the aroclor department itself?

17 Q. Yes, sir.

18 A. The two departments were kind of combined

19 polyphenol, but just in the aroclor itself,

20 there was three.

21 Q. Three operators?

22 A. Yes, sir.

23 Q. And then one foreman; right?

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1 A. Yes, sir.

2 Q. Okay.

3 A. Three to the shift.

4 Q. That's right.

5 A. Right.

6 Q. Three operators and one foreman per shift?

7 A. No, sir, the foremen was just on day shift.

8 Chief operator -- the chief operator was over
9 both departments.

10 Q. Okay. So there was -- for each shift, there
11 was one chief operator and three operators?

12 A. For the aroclor department?

13 Q. For the aroclor Department.

14 A. True.

15 Q. How many chlorinators were there at that
16 time?

17 A. Eight.

18 Q. How long did you stay in the aroclor
19 department?

20 A. About five years.

21 Q. Until '67 or thereabouts?

22 A. Thereabouts.

23 Q. Then where did you go?

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1 A. I went to the chlorine plant.

2 Q. And what did you do at the chlorine plant?

3 A. Chief operator.

4 Q. Were you an operator that entire five years

5 at the aroclor department?

6 A. Yes, I was.

7 Q. And then in '67 -- and how long did you stay

8 at that job?

9 A. Now these times are --

10 Q. I know. Just your best estimate?

11 A. About a year, maybe. Give or take a little.

12 Q. '67 to '68 you were at the chlorine

13 department thereabouts?

14 A. Yes, sir.

15 Q. As chief operator. And then where did you

16 go?

17 A. Back to the aroclor department.

18 Q. As what job?

19 A. Chief operator.

20 Q. And how long did you stay there?

21 A. Well, --

22 Q. My understanding is that they shut operations

23 down in May of '72?

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1 A. But I left before then. I'm not just sure

2 when, but I left for some period of time

3 because they had a cutback.

4 Q. Okay.

5 A. And I left -- I left the aroclor department

6 and went to the aroclor packaging for some

7 few months. Then I left. After the layoff,

8 I was gone a couple weeks, and I came back

9 and went to the niran department.

10 Q. Was the aroclor department shut down when you

11 came back and went to the niran department?

12 A. No, sir.

13 Q. So it was still going for a little while

14 after that?

15 A. It was still going.

16 Q. So that had to have been -- well, sometime

17 between '68 and '72, you had chief operator,

18 and then you also had a job in the Aroclor

19 packaging department?

20 A. Right.

- 21 Q. What was that job?
- 22 A. Chief operator.
- 23 Q. Okay. Okay. And then sometime in, what,

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- 1 '72, you think --
- 2 A. I think it was before then.
- 3 Q. '71 then?
- 4 A. Maybe. Maybe '70 maybe. I don't know. It
- 5 was --
- 6 Q. Somewhere along in there you went to the
- 7 niran department?
- 8 A. Yeah.
- 9 Q. As --
- 10 A. -- chief operator.
- 11 Q. Chief operator. And how long did you stay
- 12 with the niran department?
- 13 A. Less than six months.
- 14 Q. Then where did you go?
- 15 A. Back to Aroclor.
- 16 Q. Okay. As what job?
- 17 A. Chief operator.
- 18 Q. Then how long that time?

19 A. I stayed there until it closed in '72.
20 Q. Do you remember how long it was that last
21 tour?
22 A. Probably a couple years.
23 Q. Okay. All right. Then where did you go?

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1 A. I went back to niran.
2 Q. As chief operator again?
3 A. As an operator.
4 Q. As an operator. Okay. How long did you stay
5 in that job?
6 A. Probably two years.
7 Q. Okay. Then where did you go?
8 A. Shipping.
9 Q. And what was your job there?
10 A. An operator.
11 Q. And how long did you stay in that job?
12 A. I stayed in that job probably three, maybe
13 four year.
14 Q. Okay. I know it's hard to remember all this,
15 the dates anyway. What did you do after
16 that?

17 A. I went to chief operator in the shipping
18 department.
19 Q. For how long?
20 A. It was until about '78 maybe.
21 Q. Okay. And then where did you go?
22 A. Maintenance.
23 Q. And how long did you stay in maintenance?

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1 A. Until about '86 maybe. Somewhere along there
2 when they shut niran down.
3 Q. You were involved in shutting the niran
4 plant?
5 A. No, I stayed in maintenance until niran
6 closed, and they had a reduction.
7 Q. Okay. Then where did you go?
8 A. I went to waste treatment.
9 Q. And how long did you stay there?
10 A. About a year.
11 Q. Then where did you go?
12 A. Back to maintenance as an electrician.
13 Q. Okay. That was about '87, you think?
14 A. Maybe, or '88. I'm not sure. I'm not sure

15 just how it was.

16 Q. Back to maintenance as an electrician?

17 A. Uh-huh (indicating yes).

18 MR. COX: You need to say yes.

19 THE WITNESS: Yes. Excuse me.

20 Q. (By Mr. Wright) And how long did you stay in
21 that job?

22 A. About five years.

23 Q. Then where did you go?

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1 A. I went back into operations as a chief
2 operator.

3 Q. For -- was that the last job you had until
4 you retired?

5 A. Yes, it was.

6 Q. So '88 to how long as the electrician? About
7 what year do you think you switched out?

8 A. Maybe '92, '93.

9 Q. Okay. And then '93 to '98 chief operator in
10 any particular department?

11 A. Well, for the first couple years, it was
12 probably split between the polyphenol and the

13 PNP department. The last three years was
14 shipping.
15 Q. I know it was hard to walk through that after
16 all the years and all the different jobs.
17 But I'm not going to ask you about all your
18 jobs, but I'm going to go back and ask you
19 about some specific ones.
20 A. Okay.
21 Q. I want to start in the aroclor department.
22 What did an operator do in the aroclor
23 department?

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1 A. You had one operator that ran the
2 chlorinators, and you had one operator that
3 assisted him and also ran the acid
4 department.
5 Q. Okay.
6 A. And you had one operator that ran the aroclor
7 stills.
8 Q. Did you do any one particular jobs, or did
9 you do them all at various times?
10 A. I did them all at various times.

11 Q. Did you do one more than another?
12 A. Probably chlorinators more than the others.
13 Q. Can you describe how the chlorinators worked?
14 A. Yes, sir.
15 Q. For somebody that was never there, kind of
16 paint us a picture.
17 A. Well, we had -- we started with two different
18 products, either started with santowax, which
19 was a terphenly base or biphenyl, and --
20 whichever product you wanted to make.
21 And you'd put certain amounts of
22 this material into the chlorinator, then
23 you'd add chlorine to it. And you'd sample

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1 it at various times to make sure that it had
2 completed its range where it had a certain
3 range to finish within.
4 And you'd -- you had to keep check
5 on temperatures and so forth. Then when it
6 finished, you would set the valves manually,
7 pump the chlorinator to a blowing tank which
8 was for that particular product.

9 Q. About how long would the process take?

10 A. It would depend on which product you were
11 running.

12 Q. Give me kind of a range. I assume the 1212
13 would have been the quickest?

14 A. Okay. On the chlorinators, it was 1121 would
15 have been the biphenyl that had the least
16 amount of chlorine in it, and it took about
17 an hour.

18 Q. I'm sorry. You mean 1221?

19 A. Well, the raw product was 1121. The finished
20 product was 1221.

21 Q. Okay.

22 A. After it went through the stills, it became
23 1221.

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1 Q. Okay.

2 A. Took between an hour to hour and a half
3 probably.

4 Q. For the 1121?

5 A. Right.

6 Q. Okay. And then how much for the other

7 products?

8 A. Well, the 1142 was -- it was on a continuous
9 basis.

10 Q. Even in the early '60s?

11 A. Yes, sir. Fed in one end and just continued
12 on down through four chlorinators and came
13 out the other end. You had to sample these
14 and keep them within range for each
15 chlorinator.

16 Q. Okay.

17 A. Then you had 1148, 1154, 1160, 1162, and
18 1168. And each one just progressed on up the
19 line. It took a little longer for each one.
20 All these are biphenyl base products.

21 Q. Right.

22 A. It took a little longer for each one because
23 that last number was the percentage of

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1 chlorine.

2 Q. How long would it take for the 1168?

3 A. It would take -- sometimes it would take
4 twelve hours or more.

5 Q. Okay. And then the 11 --
6 A. The 5460 was terphenyl base, and it usually
7 took -- sometimes it would take eight to ten
8 hours.
9 Q. Okay. Now, once it left the chlorinator,
10 where did it go to?
11 A. To the blowing tanks.
12 Q. What happened at the blowing tanks?
13 A. You had air introduced in there to drive off
14 the HCL, the gas, off the product.
15 Q. Okay. Where did the HCL off gas go to?
16 A. It went to a scrubber or through a scrubber
17 onto -- they call a drowning tower that you
18 made acid.
19 Q. Muriatic acid?
20 A. Right.
21 Q. What happened in the scrubber?
22 A. Well, it would trap any organics or anything
23 or the aroclor that was in the product. It

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1 would drop it out into that -- into the --
2 Q. By "scrubber," you mean they just ran water

3 through it, or what else?

4 A. No, it was -- I don't know just what the --

5 it had different screens or filters or

6 something in there to catch the solids.

7 Q. What did it look like? What did the scrubber

8 look like?

9 A. It was -- it was -- it was just a big iron

10 pot.

11 Q. Okay. Was it covered?

12 A. Yes.

13 Q. So it was an enclosed iron pot?

14 A. Yes.

15 Q. What size?

16 A. Well, we're talking about in the early years.

17 Q. Right now, I want to focus on the early

18 years, your '62 to '67 time frame. And then

19 later on, we'll get to the later years.

20 A. Okay. Well, sometime in that period, things

21 were changed around too, '62 to '67, but when

22 I first -- the first -- when I first went --

23 Q. Okay.

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1 A. -- they call it a Coke scrubber. I assume
2 there was Coke in there to help filter this
3 material out into the bottom of the tank.
4 And we would, in turn, drain this
5 material into drums and store it for reuse.
6 Q. By "this material," you mean the Coke
7 material?
8 A. The material that was trapped --
9 Q. Okay.
10 A. -- in train with the HCL gas it went over.
11 Q. Okay. How did you reuse that?
12 A. We'd carry it back into the department and
13 pull it up. We had a pump that would suck it
14 up. Put a lance down in it and suck it down
15 into the charge tank. And we'd reuse that
16 material.
17 Q. To make aroclor?
18 A. Right.
19 Q. Okay.
20 A. That was mostly used to make 1148, the
21 reclaim material.
22 Q. Okay. Now, I stopped you at the scrubber
23 phase. What happened after -- I'm sorry. I

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1 stopped you at the -- I can't remember where

2 I stopped you.

3 MR. WRIGHT: Where did we get off

4 talking about the HCL off gas?

5 MR. COX: Scrubber into the

6 drowning tower.

7 Q. (By Mr. Wright) Okay. What happened in the

8 drowning tower?

9 A. It was water added to the HCL.

10 Q. To make the muriatic acid?

11 A. To make the muriatic acid.

12 Q. Where did -- I've seen indication in the

13 documents about water coming off the HCL off

14 gas process somehow and going into the sewer

15 system. What water would that have been?

16 MR. COX: Object to the form.

17 Q. (By Mr. Wright) You can answer.

18 A. Pardon?

19 MR. COX: That's just an objection

20 to the question. You can go ahead and

21 answer.

22 THE WITNESS: At times when you had

23 -- when you had your tanks full or no room

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1 to put the acid, you would dilute the system
2 with water to drown all the fumes, and all
3 this would go out.

4 Q. (By Mr. Wright) Okay. Would you say that
5 again? I'm sorry. I was --

6 A. When your tanks were full or for some reason
7 -- or if you had to work on a piece of
8 equipment or something that you couldn't go
9 to the tanks or couldn't make acid for
10 storage, then you would just put a larger
11 amount of water to kill all the acid fumes,
12 to kill all the HCL fumes.

13 Q. Okay.

14 A. And drown that, and that would go out.

15 Q. Okay. So what you're saying is: When you
16 didn't need to make acid or when for some
17 other reason you needed to do so, you'd run
18 more water than was necessary just to make
19 acid into the drowning tank?

20 A. Yes, sir.

21 Q. And then that would flow out and into the
22 sewer system?

23 A. Yes, sir.

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1 Q. Okay. Where did it flow out? Well, let me
2 ask you this: Can you describe the drowning
3 tank?

4 A. No, sir. As far as the internals, I
5 couldn't.

6 Q. What did it look like on the outside?

7 A. It was -- it was just a probably two foot
8 diameter cone shape or upright tank.

9 Q. How high was it?

10 A. Probably fifteen feet maybe.

11 Q. So it would have been a long, thin -- or
12 tall, thin column kind of thing?

13 A. Yes, sir.

14 Q. Where did the -- when you would use enough
15 water to have the water come out, where would
16 it come out?

17 MR. COX: Object to the form.

18 MR. WRIGHT: What's wrong with
19 that?

20 MR. COX: I'm not sure you laid a
21 foundation that he would know that, but go

22 ahead.

23 Q. (By Mr. Wright) You can answer. Where did

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1 the water come out of this fifteen-foot

2 tower?

3 A. Well, you'd have to set the value -- open the

4 valves to go to the sewer.

5 Q. Was it a valve you could open in the bottom

6 of the tank?

7 A. Right.

8 Q. The water would go in and come out this valve

9 and on into the sewer?

10 A. Right.

11 Q. Okay. About how often did you do that? And

12 by "that," I mean, where you open the valve

13 and let the water run on through.

14 A. Well, it -- it would depend. There's no set

15 pattern. It would depend on sales or how

16 many cars or trucks or -- that we had to

17 load.

18 Q. Who would --

19 A. In those years, it was -- we used most of it,

20 used most of the acid.

21 Q. How would you know whether or not you needed

22 any more acid?

23 A. Well, you had gauges on the tank.

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1 Q. Okay. But no, I mean, would they just tell

2 you when you come in to work a shift we only

3 need two thousand gallons of muriatic acid or

4 whatever?

5 A. No, sir. You just -- you just ran to keep

6 the tanks full.

7 Q. Keep the muriatic acid tanks full?

8 A. Right.

9 Q. And when the muriatic acid tanks were full,

10 then that's when you'd open the valve and let

11 the water run on through?

12 A. Right.

13 Q. Where were the muriatic acid tanks?

14 A. They were south of the aroclor department.

15 Q. How many muriatic acid tanks were there?

16 A. Originally, there was three.

17 Q. How big were they to the best of your

18 recollection?
19 A. I couldn't say. I don't know what gallons.
20 I don't remember.
21 Q. Just ballpark dimensions, were they more than
22 six feet diameter?
23 A. Yes, sir.

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1 Q. More than twelve feet? In other words, could
2 you lay -- if you were to lay down twice,
3 would you go all the way across?
4 A. Well, they were long. They were horizontal
5 tanks, not vertical tanks.
6 Q. I got you.
7 A. And they were probably maybe ten feet high.
8 Q. Okay.
9 A. And maybe thirty feet long.
10 Q. Okay.
11 A. So forth.
12 Q. And so muriatic acid would go straight from
13 the HCL drowning tower? It was piped
14 directly to those tanks?
15 A. We had a regular tank. I'm trying to think.

16 We had twenty-two -- we had twenty degree and
17 also twenty-two degree.
18 Q. Oh, two different kind of muriatic acid?
19 A. One was stronger than the other.
20 Q. I got you.
21 A. Less water, it was stronger. We'd go to
22 those regular tanks first, and then you take
23 it out of the regular tanks and run it

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1 through a treatment tank, which had carbon
2 added, and through a filter and exchanger and
3 on back to whichever -- to the -- we called
4 it water white tank then.
5 Q. By "regular tanks," what do you mean when you
6 say there were regular tanks?
7 A. That was -- that was the material that came
8 directly off of the column.
9 Q. Right. That went into what you called a
10 regular tank?
11 A. Yes, sir.
12 Q. How big were those regular tanks?
13 A. Same size. They're all the same size.

14 Q. As the --
15 A. They were horizontal.
16 Q. Ten feet and thirty feet long?
17 A. Yes, sir.
18 Q. Okay. Let me get it straight. How many
19 regular tanks were there?
20 A. There was two.
21 Q. And then how many storage tanks were there?
22 A. There was two, but they were all -- I guess
23 just consider them all storage tanks.

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1 Q. You just called them different things?
2 A. Right.
3 Q. Okay. Was it two tanks for the twenty-two
4 and two tanks for the twenty muriatic acid?
5 A. Yes, sir.
6 Q. Okay. Now, were you involved in changing the
7 filters on those lines that you were just
8 describing? Was that part of your job?
9 A. No, sir, you didn't change them. You
10 backwashed the filter.
11 Q. Where did you backwash it to?

12 A. Backwashed into the ditch.

13 Q. Okay. About how often would have you to

14 backwash it out of the filter into the ditch?

15 A. I think it was every twenty runs for every --

16 I told you we took it from the regular tank

17 and filled the treater tank up.

18 Q. Yes.

19 A. For every twenty times. I believe that's

20 what it was.

21 Q. Okay. Now, I'm not sure I remember the

22 treater tank. It came out of the tower into

23 the regular tank; is that right?

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1 A. Right.

2 Q. And then it came out of the regular tank, and

3 then where did it go?

4 A. To the treater tank.

5 Q. Okay. How big was the treater tank?

6 A. It was probably eight feet across, maybe --

7 maybe about same height.

8 Q. Eight feet across and about eight feet high?

9 A. Probably. It stood up kind of on legs.

10 Q. Okay. Just one treater tank?

11 A. Yes, sir.

12 Q. So both regular tanks would feed into the

13 treater tank, and then where would it go?

14 A. It would go from there through the filter.

15 Q. Okay. Can you describe the filter?

16 A. No, sir. It was just -- the internals, I

17 couldn't describe it.

18 Q. No, no. I'm sorry. I didn't mean to try to

19 get you to do that. What did it look like on

20 the outside?

21 A. It was probably about three feet across.

22 Three by three.

23 Q. Was it circular or --

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1 A. Circular.

2 Q. All right. And I guess it had a valve on the

3 bottom for when you backwashed it?

4 A. You had to change a series of valves there to

5 backwash it.

6 Q. What does that mean, change the series

7 valves?

8 A. Well, I don't remember exactly how it did,
9 but it was a couple of valves you had to
10 change simultaneously --
11 Q. Okay.
12 A. -- even when you started through the filter.
13 But I don't remember what sequence you'd have
14 to go through or anything like that, but you
15 had to change some valves to backwash the
16 filter.
17 Q. And then I guess there was just a pipe coming
18 out of the bottom of the tank?
19 A. Either the top or the bottom of the filter.
20 Q. Okay.
21 A. I'm not sure if it came in the bottom or out
22 the top or out -- which way.
23 Q. Okay. Now, which ditch was it that it went

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1 into? Is this the drainage ditch?
2 A. Yes, sir.
3 Q. It went on down to those, I guess, what y'all
4 called the limestone pits?
5 A. Yes, sir.

6 Q. And then on out under Clydesdale and -- or on
7 out of the plant and under Clydesdale and on
8 down to Snow Creek?

9 A. Yes, sir.

10 Q. How long would it take you to do twenty runs?

11 I guess what I'm asking -- an easier way to
12 ask that is: Did you backwash once a day
13 or --

14 A. No, sir.

15 Q. About how often would you have to backwash?

16 A. Probably about every -- maybe once a week
17 maybe.

18 Q. Okay. Once a week on your shift?

19 A. No, the whole thing.

20 Q. For everybody?

21 A. (Witness nods head.)

22 Q. Okay.

23 A. Maybe a little less.

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1 Q. By "little less" --

2 A. Little less time. I'm not sure. Let's see.

3 It took a while going through the manual

4 process that way to make a run.

5 Q. Okay. So once a week, maybe a little bit

6 less than one -- I mean maybe a little more

7 often than once a week?

8 A. Right.

9 Q. And then can you give any estimate at all of

10 how often on an average basis -- maybe that

11 would be the easiest way to do it -- the

12 water would run out the bottom of the

13 drowning tower?

14 A. No, sir.

15 Q. No estimate at all on that?

16 A. No.

17 Q. Okay. Was there any other escape of water

18 into either the sewers or the drainage ditch

19 from the aroclor operation other than those

20 two sources that we talked about?

21 Right now I'm not talking about

22 your washing when you wash the area down, but

23 I'm just talking about any other --

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1 MR. COX: -- normal production

2 generation of water?

3 MR. WRIGHT: Yes, yes.

4 THE WITNESS: In the aroclor

5 department itself?

6 Q. (By Mr. Wright) Yes.

7 A. You had cooling towers on -- cooling coils on

8 the chlorinator.

9 Q. Okay.

10 A. That temperature was controlled by water

11 manually, and that went into a ditch.

12 Q. Okay. Describe that system for me if you

13 would.

14 A. The ditch?

15 Q. No, no, no.

16 MR. COX: Cooling tower.

17 Q. (By Mr. Wright) Cooling coils on the

18 chlorinators.

19 A. The chlorinators were just -- they went from

20 a matter of two floors, two stories. Inside,

21 they had a circular coil from top to bottom,

22 and the water went in the bottom and came out

23 the top and came back down through like a

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1 two-inch pipe, like a two-inch coil.

2 Q. Came down on the outside of the chlorinator?

3 A. Yes, sir.

4 Q. Okay.

5 A. Down into a concrete ditch that flowed -- on

6 four of the chlorinators, the ditch flowed

7 south, and then it went west and came back

8 north and back east, just came around the

9 pad.

10 Q. Let me try to draw it. Dicky Walker drew the

11 chlorinator area, and I'm trying to remember

12 -- there were eight chlorinators?

13 A. Four here.

14 MR. COX: Your spacing is a little

15 off.

16 Q. (By Mr. Wright) Yeah. Better yet, let me

17 let you draw it rather than me trying to draw

18 it based upon my understanding of his

19 thirty-year-old memory. Let me let you draw

20 it.

21 A. (Witness drawing.)

22 Q. Okay. Were these the actual numbers of them?

23 A. Yes, sir.

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1 Q. Okay. Now, you've drawn -- what's this?

2 A. That's the ditch.

3 Q. Okay. Would you label that for me?

4 A. (Witness complies.)

5 Q. Was it a concrete trough?

6 A. It was concrete.

7 Q. Okay. When you first started, was the

8 chlorinator area concreted?

9 A. Yes, sir.

10 Q. With -- how -- can you describe the ditch?

11 Like, how deep was it?

12 A. It was probably about a foot deep by maybe a

13 foot wide.

14 Q. Okay. So you walked across it easily?

15 A. Sure.

16 Q. Okay. And --

17 A. It was more or less kind of under the

18 chlorinators too. You weren't stepping right

19 over the ditch to get to the chlorinators.

20 This should have been even closer

21 than that, the way I drew it.

22 Q. So the ditch should be closer to this line of

23 chlorinators?

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1 A. Right.

2 Q. Almost under them, you said?

3 A. Right.

4 Q. Now, it only went under the one through four

5 chlorinators, or was there another one over

6 here that went under the five through eight

7 chlorinators?

8 A. I think these just came out -- there was a

9 sidewalk --

10 Q. Okay.

11 A. -- came up through here, concreted sidewalk,

12 and I think it just came off into this ditch

13 here.

14 Q. So they drew water from the ditch that ran

15 around the perimeter of the -- all right. I

16 say, "drew water." They fed water into the

17 ditch that ran around the perimeter?

18 A. Right.

19 Q. And then over here on the north side, what

20 did you draw?

21 A. That's where the drain was.

22 Q. Okay. And as far as you knew, it went into

23 the sewer system at this point?

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1 A. Yes, sir.

2 Q. Okay. I'm just going to write sewer drain

3 there. And then so this is where it went,

4 the cooling water went out. It came in

5 through pipes, I assume?

6 A. Yes, sir.

7 Q. Each chlorinator had its own pipe?

8 A. Well, there was a common header, but each one

9 had a -- fed off that header.

10 Q. Okay. Where was the header located? Don't

11 remember?

12 A. I don't remember exactly, but I know that

13 where we turn the water on -- you had to

14 manually turn the water on each one of them

15 -- was about shoulder high to me.

16 Q. Okay. Was that one of the things that varied

17 depending on what product you were making,

18 how much cooling water you let in? I guess

19 what I'm asking: Is that how you regulated

20 the heat?

21 A. That's how. And also by the chlorine, the
22 amount of chlorine you fed.
23 Q. Okay. So basically the way you cooked it, if

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1 you let me use that term, was you would vary
2 the amount of cooling water that it got,
3 which regulated the heat in the process, and
4 you would determine how much chlorine or how
5 long it was exposed to the chlorine to
6 determine it's chlorine content; is that
7 fair?

8 A. Say that again.

9 Q. Okay. Depending on which product you wanted
10 to make, you would vary the chlorine content
11 in order to make the different products;
12 right? You'd take the biphenyl, and you'd
13 add chlorine --

14 A. Yes, sir.

15 Q. -- to make either 1121 or 1142 or so forth?

16 A. (Witness nods head.)

17 Q. Is that fair?

18 A. That's fair.

19 Q. And the way you added chlorine was you ran
20 chlorine into the chlorinator, and you would
21 determine how much chlorine went into the
22 chlorinator; right?
23 A. Yes, sir. You had a rotormeter.

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1 Q. Okay. And then you would also determine how
2 hot the process was, and you would do that by
3 letting in more or less cooling water; is
4 that true?

5 A. Yes, sir.

6 Q. Okay. Are those the two primary things that
7 the operator did to make a batch of aroclor
8 was regulate the heat and regulate the
9 chlorine?

10 A. We had to sample it.

11 Q. And then you sampled it to figure out when it
12 was done?

13 A. And charge it and pump it out.

14 Q. Okay. Now, when it came out of the
15 chlorinator, where did it go to?

16 A. To the blowing tanks.

17 MR. COX: Product or work?
18 Q. (By Mr. Wright) Product.
19 MR. COX: He knew; I didn't.
20 MR. WRIGHT: No, he might not have
21 either. That was a good point.
22 Q. I changed the subject on you. When the
23 product came out of the chlorinator, where

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1 did it go to?
2 A. To the blowing tanks.
3 Q. Where were they located?
4 A. They were located north.
5 Q. So --
6 A. It was on another level kind of in between.
7 This was two levels.
8 Q. Okay.
9 A. You had a bottom floor, concrete floor, and
10 you had steps going up and --
11 Q. Catwalks up there?
12 A. Well, it was grated.
13 Q. Okay.
14 A. Solid grated up there. Solid floor, I mean.

15 Not solid floor, but grating over the whole
16 floor.
17 And the blowing tanks were about
18 midway between. They were back to the north
19 this way.
20 You had a set of steps come up here
21 in this area, and this had a landing, and
22 then they went up to this --
23 Q. Okay.

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1 A. -- to this step.
2 Q. Go ahead.
3 A. You had a tank here that the continuous
4 chlorinators came into. Then you had a
5 number three and number four.
6 Q. Tell you what. Let's do this. Take this
7 piece of paper off and set it like that, and
8 then go ahead and continue your drawing to
9 the north.
10 A. (Witness complies.) I'm trying -- they
11 changed all this up. And I'm trying to
12 remember how it was originally.

13 Q. What you're drawing right now is the way it
14 was when you started; right?

15 A. Right.

16 Q. Okay.

17 A. This is the in between level where you came
18 down. There was also -- you came on the same
19 level upstairs. You kind of came across a
20 little catwalk and number two.

21 Number two blower tank was up
22 there. It would have been approximately in
23 this area, but it was a higher elevation.

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1 Q. Let's do a kind of dotted, and then we'll
2 just make a note that would have been -- that
3 was higher?

4 A. Higher.

5 Q. Okay. Higher level. Okay. What was this
6 one?

7 A. I'm trying to think what we called it. But
8 that was really -- it was the catch tank for
9 the continuous chlorinator.

10 Q. Okay.

11 A. They came in here continuously.
12 Q. Can you write that? Write catch tank for
13 continuous chlorinator.
14 A. (Witness complies.)
15 Q. And which were the continuous chlorinators?
16 A. Five, six, seven, and eight.
17 Q. Okay. And by continuous chlorinator, do you
18 mean that you'd start at five and then go
19 into six and go into seven and then go into
20 eight and then come out eight and go into the
21 catch tank?
22 A. Right.
23 Q. And you told me, but I forgot. Which

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1 products did you make generally through the
2 continuous chlorination process?
3 A. 1142.
4 Q. That's the only one?
5 A. That's the only one on the continuous.
6 Q. Okay. Was that the single most popular
7 aroclor that y'all made?
8 MR. COX: Object to the form.

9 Q. (By Mr. Wright) Was that the one you made
10 the most of?
11 A. I would say so, yes.
12 Q. What happened in the melting pot or the melt
13 pot?
14 A. That could be charge tank. We would draw a
15 charge for whatever product we were going to
16 charge the chlorinators.
17 Q. Yes.
18 A. We'll either draw biphenyl from the biphenyl
19 stills or santowax from the santowax stills
20 into this.
21 We would measure with a rod so many
22 inches for the charge and then close off --
23 this is the same tank that we would pull the

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1 trappings or that we got out of the Coke
2 scrubber we'd pull back into this tank.
3 Q. Pour it back into here?
4 A. We'd pull it back.
5 Q. By "pull it back" --
6 A. Suction.

7 Q. Okay. You'd put that in a drum and then take
8 the drum over here and suck it into the melt
9 pot?
10 A. Right.
11 Q. Is that right?
12 A. Right.
13 Q. Okay.
14 A. Or charge tank.
15 Q. Okay.
16 A. I'll call it a charge tank.
17 Q. Okay. And then as I understand it, you would
18 take it -- this is where you basically got
19 your raw material to put into the batch of
20 chlorinators?
21 A. From the charge tank, yes, sir.
22 Q. Okay. And you could pump it from the charge
23 tank into any chlorinator you wanted to?

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1 A. Yes, sir.
2 Q. Through a system of valves, I guess, valves
3 and pipes?
4 A. Right.

5 Q. Now, going back here one, two, three, and
6 four, what are they called again?

7 A. Blow tanks.

8 Q. Okay. And what would happen in the blow
9 tank?

10 A. Air would go into it, drive off the HCL
11 fumes.

12 Q. Okay. And is that where you captured the HCL
13 fumes from to go to the muriatic acid
14 production process?

15 A. From there and also from the chlorinators.

16 Q. Okay.

17 A. You reduced it also there.

18 Q. Okay. So you'd draw straight off of the
19 chlorinators and then some off of the blow
20 tanks?

21 A. Yes, sir.

22 Q. Okay. What happened after that had occurred?

23 MR. COX: To the product or to the

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1 acid?

2 MR. WRIGHT: Well, we talked about

3 the acid process a minute ago. I'm going to
4 leave that for a second, so let's focus on
5 the product.

6 Q. After the product goes into the blow tanks,
7 the air comes in, blows the acid off, and
8 then what happens to the product?

9 A. It's then transferred to the stills.

10 Q. Where are the stills located?

11 A. They're located to the east, to the east of
12 the chlorinators.

13 Q. Okay.

14 A. East of the chlorinators. East of this area
15 (indicating).

16 Q. Okay. I'll just do an arrow and say to
17 stills.

18 A. Okay.

19 Q. How many stills were there?

20 A. Three.

21 Q. Were they circular tanks?

22 A. Yes, sir.

23 Q. Can we draw -- do we have enough room to draw

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1 them here?

2 A. Well, not really.

3 Q. Okay.

4 A. They were -- you can draw them like this

5 (indicating).

6 Q. So they were a line going to the east?

7 A. Going to the east.

8 Q. Okay.

9 A. One, two, three.

10 Q. And what happened in the stills?

11 A. Again, you charge them to a certain level and

12 put a vacuum on them, put fire on the coil,

13 circulated them to the coil, heated the

14 material up, and distributed it over to a

15 column into a receiver.

16 Q. Let's do it on another sheet of paper.

17 That's a little more complicated than I

18 originally thought.

19 A. (Witness drawing.)

20 Q. Okay. And what happened in the stills now?

21 The product goes into it?

22 A. Product goes into it, vacuum and fire.

23 Q. By "fire," what do you mean?

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1 A. Heat on the coil. You circulate it through a

2 column and --

3 Q. Where is the coil?

4 A. The coil is in the column.

5 Q. Okay.

6 A. Well, actually there is a fire box right next

7 to the still, kind of in behind it and comes

8 out and goes through the spiral coil, and

9 you've got fire against the coil heating it

10 up.

11 Q. Okay.

12 A. And it comes off there and goes into the

13 column.

14 Q. Is the aroclor circulating through the coil,

15 or is there some kind of --

16 A. Yes, sir.

17 Q. -- heat exchange. Okay. Okay.

18 A. And then vacuum is on it to lower the boiling

19 point as I understand it.

20 Q. Okay.

21 A. The lighter material comes off first, comes

22 over the column, down through a line into the

23 receiver, which would be just north.

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1 Q. East still had its own receiver?

2 A. Yes.

3 Q. Okay. And is that the final product now in
4 the receiver?

5 A. No, it's filtered then from there.

6 Q. Okay.

7 A. We added earth to these receivers.

8 Q. Okay.

9 A. And then came out the bottom through a
10 filter.

11 Q. Was the filter right there at the receiver?

12 A. The filter was -- there was just one filter
13 for all of them.

14 Q. Okay.

15 A. But mainly, it was for two and three still,
16 the filter was. Mainly number one still was
17 primarily for the solid, which that was
18 terphenyl base. No biphenyl in it at all.
19 It was not filtered.

20 Q. Okay.

21 A. Then from -- into a filtered receiver.

22 Q. Would you mind labeling those things? As
23 soon as you say it, I'm going to forget it if

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1 we don't.

2 And then this was your filter?

3 And what did you call that?

4 A. Filter receiver.

5 Q. Okay. And what happened after it got to the
6 filter receiver?

7 A. From here, pumped to storage tank.

8 Q. Okay. So at this point, it's basically done
9 and ready to go?

10 A. Right.

11 Q. What did the fire box use for fuel, do you
12 know?

13 A. Natural gas.

14 Q. Okay. Would you do the directions on there
15 so we know which way that should be oriented?

16 A. (Witness complies.)

17 Q. And this would be the --

18 MR. COX: -- east side of the
19 chlorinator.

20 Q. (By Mr. Wright) Chlorinator department.

21 Okay. Okay. Good deal. Okay.

22 Going back now to the chlorinator
23 area. When you wash this area down, my

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1 understanding is you washed this down every
2 shift?
3 A. Yes, sir.
4 Q. When you washed it down, would you wash it
5 into the ditch?
6 A. Yes, sir.
7 Q. Okay. So there weren't any -- necessarily
8 any drains here? The ditch was basically one
9 big drain?
10 A. Yes, sir.
11 Q. And then it all got routed over here to the
12 sewer drain?
13 A. (Witness nods head.)
14 Q. Were there any -- well, let me ask you this:
15 Was the still area concreted?
16 A. Yes, sir.
17 Q. Was it in a building?
18 A. Yes, sir, it's covered.
19 Q. So this was -- all of these three areas that

20 we've talked about: The chlorinator area,
21 the blow tank area, and the stills were all
22 in a building?
23 A. No, sir.

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1 Q. Okay. Which was not in the building?
2 A. The chlorinator area was not in the building;
3 the still area was.
4 Q. Okay.
5 A. Under roof.
6 Q. The chlorinator area wasn't under roof at
7 all?
8 A. No, sir.
9 Q. Okay. I thought it was. Okay.
10 Okay. So did the building start --
11 building started here with the blow tank
12 area?
13 A. No, sir.
14 Q. Okay. I'm confused because I thought we had
15 stairs going up?
16 A. You do.
17 Q. Okay.

18 A. But that's outside still.
19 Q. Oh, the stairs are on the outside?
20 A. Uh-huh (indicating yes).
21 Q. Okay. I got you now.
22 A. The building started -- it was a walkway
23 between the chlorinator area. Come on down,

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1 and the control room was just east of the
2 blow tank area here.
3 Q. Okay.
4 A. Just a small area.
5 Q. Okay.
6 A. Under, you know, that's where the building
7 starts.
8 Q. So the stills -- this is wrong when I say two
9 stills here on the blow tank area?
10 A. It would be right, but it would be for the
11 upstairs. This would be going upstairs too
12 also.
13 Q. Okay. Oh, okay. So the control room was on
14 the ground floor, and directly above the
15 control room was the stills?

16 A. No, because the control room -- it was -- it
17 was kind of like under a shed, the control
18 room off the front of the building. Then the
19 building was two story or three story,
20 whatever. It would have been further behind
21 the control room.
22 Q. Okay. I'm going to go ahead and mark these
23 1,2, and 3.

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1 (Plaintiffs' Exhibits Numbers 1,2
2 and 3 were marked for
3 identification, and copy of same is
4 attached hereto.)
5 Q. Number 1 we'll mark the one we talked about
6 first, which is the chlorinator area.
7 Number 2 will be the one we talked
8 about second, which is the blow tank area to
9 the north of the chlorinator area. I'm just
10 going to write to Exhibit Number 2.
11 And then I'll do another one
12 generally to Exhibit Number 3. Is that fair?
13 Is that about the way they would be situated?

14 See what I've done? Start with
15 Exhibit Number 1, and Number 2 is drawn to
16 the north of it, and then Exhibit Number 3
17 would be over here somewhere about like that?

18 A. Right, and upstairs.

19 Q. Okay.

20 A. Now this -- well, actually, the stills
21 themselves, the top where they stuck through
22 the floor, part of them hung beneath the
23 floor.

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1 Q. Okay.

2 A. And part was above the floor, and part was
3 beneath the floor.

4 Q. Okay.

5 A. All the rest was on -- except for the
6 filter. The filter was sitting up there.

7 Q. Okay. Can you draw the walls of the building
8 generally around the still area?

9 A. (Witness complies.) Steps down here.

10 Q. Okay.

11 A. Steps are down here. Control room's --

12 Q. Okay. Would you write that in there, control
13 room?
14 A. (Witness complies.)
15 Q. Okay. Now, where did the -- where was the
16 acid production facility located, which
17 direction?
18 A. It was --
19 Q. To the south of the chlorinator area?
20 A. To the south of the chlorinator area.
21 Q. Just write that in there. Let me ask you one
22 other favor.
23 A. Okay.

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1 Q. Let's draw the acid production area, and I'm
2 going to label that Number 4. I'll say see
3 Exhibit Number 4.
4
5 (Plaintiffs' Exhibit Number 4 was
6 marked for identification and
7 copy of same is attached
8 hereto.)
9 A. (Witness complies.)

10 MR. WRIGHT: I'll take a break as
11 soon as he's done.
12 A. A little thing here called an ion exchange.
13 I never did know what it was, but it's
14 something --
15 Q. Okay. Did those tanks have numbers?
16 A. Well, that's the reason I didn't put anything
17 down because I'm not for sure. I think this
18 was twenty-two regular.
19 Q. Okay.
20 A. Twenty regular, twenty-two water white,
21 twenty water white. Could be right backward.
22 Q. Let's write that down, and we'll just --
23 A. Would that matter?

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1 Q. I don't think it matters, but I do want to
2 show basically how they related to each
3 other.
4 MR. COX: And WW stands for?
5 THE WITNESS: Water white.
6 MR. COX: Water white.
7 THE WITNESS: Do I need to write

8 that down?

9 MR. COX: No, that's fine. It will

10 be on the record.

11 Q. (By Mr. Wright) Okay. Now, was there a

12 drainage ditch in that area?

13 A. It came out of down this area.

14 Q. Did it go underground? I guess what I'm

15 asking is: You've drawn it kind of ending

16 here.

17 A. It was open here. It stopped somewhere in

18 this area. I'm not sure exactly where.

19 Q. Okay.

20 A. But it could have been further on out, but --

21 Q. And then ran back that way towards the tower.

22 Did the tower kind of sit over it?

23 A. Yeah.

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1 Q. Or right almost over it?

2 A. Yes, sir.

3 Q. And so when the water ran out of the tower,

4 that's where it would go is right into that

5 drainage ditch?

6 A. Yes.

7 Q. Where did the drainage ditch go after the

8 tower?

9 A. It went underground here.

10 Q. Okay. It went into a drain right there at

11 the tower?

12 A. Yes.

13 Q. Okay. Now the filter, did you backwash this

14 filter also?

15 A. Yes, sir. That's the one we backwashed.

16 Q. And when you backwashed it, it just went

17 right into the ditch?

18 A. Right.

19 Q. Okay. The filter over here in the -- off the

20 batch receivers --

21 A. Yes, sir.

22 Q. -- I can't remember, did you describe it?

23 A. I didn't describe it, no.

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1 Q. Okay. Tell you what, let's take our break,

2 and when we come back, we'll start talking

3 about the filter so at least we'll know where

4 we left off.

5 (Short recess.)

6 Q. (By Mr. Wright) Let me just make sure that I

7 remember how -- well, would you do me a favor

8 -- and I know you've already done this --

9 but would you just kind of summarize the flow

10 of the HCL off gas through the acid area

11 that's shown on Exhibit Number 4 just so that

12 I get it down in my mind one more time?

13 A. Just from this point forward?

14 Q. Yes, sir.

15 A. From the drowning tower forward?

16 Q. Is that the first place where the gas goes?

17 A. After it comes off scrubbers, chlorinated

18 scrubbers.

19 Q. Where is the scrubber? That's the step we're

20 missing.

21 A. It's just south of the tower. This is --

22 Q. You've drawn it outside.

23 A. Right. It is outside. This was one long

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1 building from this area on up to here

2 (indicating).

3 From the aroclor department -- from
4 where you made the aroclor, you also made the
5 biphenyl in that same building.

6 Q. Right.

7 A. The building carried on up. At the end of
8 the building, south end of the long building,
9 was the scrubber for the HCL.

10 It was a railroad track and spur
11 loading docks and so forth. And the scrubber
12 was right there by the tracks.

13 Q. Okay.

14 A. But the HCL came down the building, all the
15 way down the building, and came onto the
16 scrubber.

17 Q. Okay. This was down here at this end; right?

18 A. This? Right.

19 Q. Yeah. Okay. And it sat like this?

20 A. Uh-huh (indicating yes).

21 MR. COX: You need to say yes or
22 no.

23 THE WITNESS: Yes.

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1 Q. (By Mr. Wright) Let me see your pen there
2 for a second. This is the edge of the
3 chlorinator area?
4 A. Well, actually from the edge of the
5 chlorinator area, you had a maintenance
6 shop. Then you had biphenyl still area and
7 biphenyl control room, hydrogen compressors
8 and all that in between before you got on up
9 to the end of the building.
10 Q. Okay. So this is just the end of the
11 building?
12 A. Right.
13 Q. Did you call it the aroclor building?
14 A. (Witness shakes head.)
15 Q. Do you remember what you called it?
16 A. (Witness shakes head.)
17 Q. All right. Okay. Now, I interrupted you. I
18 was going to ask you to walk me through the
19 processing of the HCL gas. And it came from
20 the chlorinators, and it was piped into
21 the --
22 A. Came through the scrubber.
23 Q. Okay. Let's label that scrubber.

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1 A. (Witness complies.)

2 Q. And let's label this HCL off gas. Is that

3 what y'all called it?

4 A. (Witness nods head.) (Witness complies.)

5 Q. Okay. And then after going to the scrubber,

6 where did it go?

7 A. Just came across the road to the tower.

8 Q. Okay. And then from the tower, it went

9 where?

10 A. That's where the water was mixed.

11 Q. Right.

12 A. It went either --

13 Q. Went to one of the tanks?

14 A. One or the other.

15 Q. One of the regular tanks?

16 A. One of the regular tanks.

17 Q. Okay. Then where did it go?

18 A. Came out of the regular tank to the treater

19 tank.

20 Q. Okay. Just for the record, we're looking at

21 Exhibit Number 4 now is what we're working

22 on.

23 So it came out of the regular tank

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1 to the treatment tank, treater tank?

2 A. Right. Yes, sir.

3 Q. And then out of the treater tank to the

4 filter; is that right?

5 A. Right. In this treater tank, we had carbon

6 that it was treated with. You agitated it

7 for a couple hours and then settled it and so

8 forth.

9 Then you went through the filter

10 through the ion exchange back to the treater

11 tank.

12 Q. Okay.

13 A. Circulated it for thirty minutes or so until

14 it cleared up, everything cleared up.

15 Q. Okay. Okay.

16 A. Then you'd switch those valves, closing off

17 coming back to here and opening up -- coming

18 back to the treater tank, and then you, in

19 turn, would open up to the water white tank.

20 Q. Okay. So the treater tank is actually the

21 process that you had to go through?

22 A. Yes.

23 Q. It wasn't just a step in the journey to the

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1 water white tanks. Okay.

2 Now, going back to the aroclor

3 production area. You mentioned at one point

4 from time to time you had to clean out the

5 chlorinators, I think?

6 A. (Witness shakes head.)

7 Q. Did I misunderstand that?

8 A. You misunderstood.

9 Q. So that wasn't one of the things you

10 regularly did was clean out the chlorinators?

11 A. No, sir.

12 Q. Did you ever clean out the chlorinators?

13 A. I don't remember ever cleaning them out

14 myself.

15 Q. Now, when I say, "you," I don't necessarily

16 mean you, Mr. Hughes. I mean any --

17 Monsanto. Did anybody have to clean out the

18 chlorinators?

19 A. Occasionally they might if they had to change

20 a coil or something like that in there if

21 they had a coil leaking or had to do some
22 repair inside the chlorinator.
23 Q. Okay.

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1 A. Usually you could drain them. You could
2 drain the chlorinator, and it would pretty
3 well get everything out. Drain it out the
4 bottom.
5 Q. Okay. Did you ever -- and again, when I say,
6 "you," I'm not talking about you personally
7 necessarily -- did y'all ever have to change
8 or clean out the catch tank?
9 A. Not that I remember.
10 Q. What about the blow tanks?
11 A. No, sir.
12 Q. The stills?
13 A. The stills were routinely -- they called it
14 drawing bottoms. The heavier material was
15 left after so many runs.
16 Q. Right.
17 A. And they would draw those in drums.
18 Q. Okay. And then what happened to the drums?

19 A. Some of them were sold as products, and the
20 others, I don't know. I assume they were --
21 I don't know.
22 Q. Okay. Did you ever work at the landfill or
23 do anything at the landfill?

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1 A. I never worked up there. I've carried stuff
2 there.
3 Q. I'll ask you about that later then.
4 Did the receivers ever have to be
5 cleaned out?
6 A. No, sir.
7 Q. Now, I was going to ask you about this
8 filter, and the filter I'm talking about is
9 the filter on Exhibit 3 that was in the still
10 area. Could you describe it?
11 A. It was made up of plates. Probably plates
12 were probably an inch thick. You put paper
13 between plates.
14 The plates had holes, a hole in the
15 corners for the material to come through,
16 which forced the material through the

17 papers. And the plates were probably two
18 feet by two feet, maybe two and a half by two
19 and a half and square.

20 Q. Okay. So was it kind of box shaped on the
21 outside?

22 A. Right.

23 Q. Okay. Did y'all ever have to change those

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1 filters?

2 A. Always.

3 Q. Okay. How often would you have to change
4 those filters?

5 A. Well, some people changed them more often
6 than others. You changed them when you had
7 to or when the material slowed down and you
8 couldn't filter it through there.

9 Q. About how often would that --

10 A. Probably ever couple of batches you put
11 through there.

12 Q. So you might have to change the filter a
13 couple times on a shift?

14 A. Could, or maybe more.

15 Q. Okay.

16 A. Sometimes. Depending.

17 Q. Okay. At the very least, it was a daily

18 thing?

19 A. This was removing the earth that was added

20 into the filter -- I mean to the batch

21 receivers.

22 Q. Okay. What happened to the old filters?

23 A. They were put in the drums.

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1 Q. Along with the collected earth, I assume?

2 A. Yes, sir.

3 Q. Okay. Was there -- was there a drainage

4 ditch in the stills area?

5 A. No, sir.

6 Q. Were there sewer drains?

7 A. No, sir.

8 Q. Did you ever wash -- well, was this

9 concreted, the still area?

10 A. Yes, sir.

11 Q. Did you ever wash it down?

12 A. No, sir, not that I -- I can't remember

13 washing the still area down. If you did,
14 you'd wet everything down below.

15 Q. Oh, that's right.

16 A. There were people working below you.

17 Q. All right. I forgot. Okay. I got you.

18 So anything -- for example, if
19 anything leaked, it would drip down to what
20 area of the plant?

21 A. Well, it wouldn't necessarily. We kept sand
22 boxes around. Any leaks or anything was
23 absorbed with sand and then --

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1 Q. I may be confused. This is not the area
2 where you had grating --

3 A. No, sir.

4 Q. -- all across? This was a solid floor?

5 A. Yes, sir.

6 Q. Okay.

7 A. Grating was in the chlorinator area.

8 Q. Okay.

9 A. In the blow tank area.

10 Q. Okay. So the floor to the stills area was,

11 you said, concrete?

12 A. Yes, sir.

13 Q. How did you get the drums -- for example,

14 when you emptied out your filter and put it

15 in a drum, how would you get the drums out of

16 the stills area?

17 A. We'd just take them down the stairs.

18 Q. Take them down the stairs?

19 A. Yes, sir.

20 Q. How did you take them down the stairs?

21 A. Just on -- with drum trucks or manually or

22 however.

23 Q. I may have a bad image. When you say,

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1 "drum," I'm thinking of, like, a fifty-five

2 gallon drum. Is that what you're talking

3 about?

4 A. Yes, sir. They weren't real heavy drums.

5 They were light weight drums.

6 Q. Could one man carry a drum downstairs?

7 A. Yes, sir. And also, we had -- we had

8 laborers that helped, that would help at

9 times, if you needed help.

10 Q. If you had a spill up there, how did you
11 clean it up? And by "up there," I'm talking
12 about in the stills area.

13 A. Usually with sand.

14 Q. Could you kind of describe that process for
15 me?

16 A. Well, you'd just put sand down on it, absorb
17 it, shovel it up, and put it in the drums.

18 Q. Is that the same process you would use in any
19 of these other areas that were concreted
20 where you'd have a spill or a leak?

21 A. Yes, sir.

22 Q. Was it someone's job to sweep that still area
23 out on a regular basis?

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1 A. The operator. Every operator was responsible
2 for his own area.

3 Q. Every shift?

4 A. Yes, sir.

5 Q. So if you were working, at the end of your
6 shift, would you sweep up the whole area?

7 A. Yes, sir.

8 Q. Where did you sweep it to?

9 A. Just sweep it into a pile. Shovel it up.

10 Q. Okay. What did you do with the pile after

11 you shoveled it up?

12 A. Put it in the trash drums.

13 Q. Was there any area that you washed down other

14 than the chlorinator area, on a regular

15 basis I mean?

16 A. No, sir.

17 Q. Was the blow tank area on the bottom floor?

18 A. It was -- the tank was suspended between

19 floors, the blow tanks were.

20 Q. Okay. So underneath the blow tanks was the

21 first floor?

22 A. Right.

23 Q. Was it concreted?

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1 A. It was concreted.

2 Q. Did it have a drainage ditch through it?

3 A. No, sir.

4 Q. Did it have sewer drains?

5 A. That one same drain that was at the corner of
6 the chlorinator area.

7 Q. This one here?

8 A. Yes, sir.

9 Q. Were you able to wash -- for example, if you
10 had a spill or leak or something, were you
11 able to wash this area, the blow tank area?

12 A. Yes, sir, you could wash it.

13 Q. Okay. And when you washed it, that would go
14 to the sewer drain as well?

15 A. Yes, sir.

16 Q. Okay. Dicky Walker mentioned steam cleaning
17 from time to time.

18 A. Yes, sir.

19 Q. How often would you steam clean?

20 A. You might -- you might have something like a
21 corporate inspection maybe once a year,
22 something like that, you know, wanted
23 everything to look real good and steam off

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1 handrails and grating and so forth and so on.

2 Q. Okay. And I guess if there was a big spill

3 or something, you might steam clean for final

4 clean up of that?

5 A. Usually if you had much of a spill, you'd put

6 sand down and get it up with sand.

7 Q. Right.

8 A. And it'd pretty well take care of it.

9 Q. Well, but there would still be a residue,

10 wouldn't there?

11 A. Well, you put sand down on top of it. That

12 would pretty well absorb it for the most

13 part.

14 Q. I'm sorry. What I'm saying is: For example,

15 I've spilled a can of motor oil before, and

16 I've done something similar to that where I

17 either put sand down or put down that -- what

18 do you call that stuff?

19 MR. COX: Oil dry?

20 Q. (By Mr. Wright) Yeah. And that gets most of

21 it up, but there's still a spot of oil on the

22 concrete. And I've never yet gotten every

23 grain of sand up or every grain of oil dry.

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1 Did you routinely wash those areas
2 off or --
3 A. Yes, sir, we'd wash under the blow tanks.
4 Q. Okay.
5 A. Routinely.
6 Q. Okay. Now, Dicky mentioned something that
7 you might be able to explain a little bit
8 better. He said sometimes, I guess when
9 things would get caked or something, that
10 they would take a hose with natural gas and
11 run it under a drum lid and burn that stuff
12 or heat it, I guess, with that flame?
13 A. (Witness nods head.)
14 Q. You're nodding your head. Do you remember
15 that?
16 A. I sure do.
17 Q. Can you describe that better? I didn't quite
18 understand it.
19 A. That was more on the bottom level of the
20 still area --
21 Q. Okay.
22 A. -- where this took place.
23 Q. Okay.

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1 A. And the laborers did that occasionally.

2 Q. Okay.

3 A. Where it would kind of get packed down.

4 Q. Where what would get packed down? Stuff

5 falling out of --

6 A. Different materials and sand and so forth.

7 Q. All right.

8 A. And that area, the bottom floor, that was

9 where your drums were that you drew the

10 bottoms, and you might get some splash or

11 whatever.

12 Q. Okay.

13 A. And they would take a drum lid or a piece of

14 tin, something like that, and they would put

15 sand down also.

16 Q. Okay.

17 A. And put the hose under there and let it heat

18 it up and melt it. And then they had a

19 scraper just like a hoe flattened out --

20 Q. Okay.

21 A. -- where they scraped it up.

22 Q. So after they put the flame on it, it would

23 sometimes melt, you say?

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1 A. Right.

2 Q. Okay.

3 A. Or mix with the sand.

4 Q. And how long would they have to leave the
5 flame on it -- any ballpark idea -- before it
6 got loose enough to where they could hoe it
7 up?

8 A. Usually wouldn't leave it long. If it did,
9 the concrete would start popping and bust or
10 flake off.

11 Q. Okay. Any feel for how often they would do
12 that?

13 A. No, sir, I couldn't say. I'd just see them
14 doing it occasionally.

15 Q. Okay. And you say that the laborers were
16 mostly responsible for that?

17 A. Yes, sir.

18 Q. How many laborers were there generally on
19 duty?

20 MR. COX: In the aroclor unit?

21 Q. (By Mr. Wright) In the aroclor department.

22 A. Well, it was all kind of combined. The
23 laborers -- it was all one department,

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1 aroclor, biphenyl together, and they worked
2 for -- you had one chief over it, and the
3 labors worked, you know, just one for the
4 other.

5 But there's always two, and
6 sometimes there's three to a shift.

7 Q. Okay. Now, that stuff we were talking about
8 where they'd burn it off the floor or heat it
9 up under the stills area, that would be
10 aroclor material that had accumulated over a
11 period of time?

12 A. Yes, sir.

13 Q. Okay.

14 A. As well as sand or whatever.

15 Q. Sand, dust, whatever else fell on the floor
16 there?

17 A. Right.

18 Q. And it would just get all packed together?

19 A. Right.

20 Q. Okay. Now, the -- you mentioned that things
21 changed over time in the aroclor department.

22 I don't want to walk through in great detail,
23 but can you kind of give me some of the

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1 different changes over time?
2 A. Well, over time, there was a new control room
3 added upstairs adjacent to the still room.
4 There was a big -- two big solid chlorinators
5 added.
6 Q. Do you remember when they were added?
7 A. I couldn't tell you the year.
8 Q. Okay. Was that the expansion that was not
9 too long before the production shut down?
10 A. Probably.
11 Q. Okay. Where were they added, by the way?
12 A. Where were they added?
13 Q. Where were they added?
14 A. In relation to --
15 Q. Yes, sir, to Exhibit Number 1. We've got the
16 old chlorinators. Where were the new ones
17 added?
18 A. They were added kindly to the blowing tanks.
19 More in relation to them.

20 Q. Here's the blow tanks here.
21 A. They were more east of the blow tanks.
22 Q. Okay. Okay.
23 A. And then the building was extended on the

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1 north end, and there was an elevator put in
2 for bringing up lime and drums and carrying
3 stuff down and so forth.
4 Q. So that helped y'all. Y'all didn't have to
5 haul those drums down the stairs anymore.
6 A. Also, there was a large still and receiver
7 added for the solids.
8 Q. Okay. What did those new chlorinators make?
9 Do you remember was it any particular
10 product?
11 A. It was 5060 and 5032. That's mainly what
12 they were used for.
13 Q. Are those the solid aroclor?
14 A. Right.
15 Q. Now, I also understand there was a flaking
16 and drumming area added; is that right?
17 A. It was -- there was a new one added down to

18 the end of the chemical warehouse. That was
19 called -- they named that aroclor packaging.
20 Q. Okay. And you actually worked there for a
21 little while?
22 A. Yes, sir. But they also did away with this
23 filter when they did this expansion.

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1 Q. Okay. That filter we were talking about, the
2 box shaped one?
3 A. Yes, sir.
4 Q. Let's see. Yeah, here.
5 A. Here.
6 Q. Okay.
7 A. And added -- they call them porocell columns.
8 They were added north of the building.
9 Q. What did they do? They took the place of the
10 filters?
11 A. They took the place of the filters. And --
12 Q. How did they work?
13 A. Well, you didn't have to change the material
14 in those but just very seldom. It was some
15 kind of pellets or something in there. And

16 they also added a tank farm, a new tank farm.

17 Q. To hold the liquid aroclors?

18 A. Right. And the solid.

19 Q. Okay. Was all of that part of the same

20 expansion?

21 A. All part of the same expansion.

22 Q. Between the time when you started and that

23 big expansion, were there any significant

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1 changes?

2 A. You mean in the way we operated or --

3 Q. Well, yeah. I made that a broad question,

4 and I kind of intended it to be.

5 You walked me through the process

6 as it existed when you started.

7 A. Yes.

8 Q. And then we just now talked about the big

9 expansion --

10 A. Right.

11 Q. -- in the later years.

12 A. (Witness nods head.)

13 Q. In between when you started and this big

14 expansion, were there any significant changes
15 in either the way you did things or new
16 equipment or new processes or anything like
17 that?

18 MR. COX: Solely in the aroclor
19 department?

20 MR. WRIGHT: Yeah. All I'm talking
21 about right now is the aroclor department,
22 which would include the muriatic acid
23 process.

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1 MR. COX: Object to the form to the
2 extent that part of the time, I don't think
3 he was in that department.

4 MR. WRIGHT: I know.

5 Q. You can add to my question that you know
6 about.

7 A. The acid department was changed up probably
8 along the same period of time this new
9 expansion was added. It was completely
10 revamped.

11 Q. Okay.

12 A. New storage tanks, new column.
13 Q. Okay. I'll ask you about that in just a
14 second. Other than that, which was about the
15 same time as the big expansion, any other
16 changes?

17 A. At some point, we started charging our
18 chlorinators from cars, from chlorine cars,
19 instead of the chlorine plant.

20 Q. Okay. Did that make any difference to you as
21 the operator? I mean, I assume the chlorine
22 came through the same pipes and everything?

23 A. (Witness nods head.)

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1 Q. It's just that now it's being hauled in, and
2 before it came from the chlorine plant; is
3 that fair?

4 A. That's fair.

5 Q. Any other changes?

6 A. Not that I can remember.

7 Q. Okay. Any equipment changes? For example,
8 did y'all ever get new pumps or new pipes or
9 any upgrade like that?

10 A. Well, you know, it was an ongoing thing,
11 change pumps and pipe and so forth.
12 Q. I guess what I mean is: Did you get any new
13 style?
14 MR. COX: Other than routine
15 maintenance?
16 Q. (By Mr. Wright) Yeah. Other than routine
17 maintenance of what you already had, did you
18 ever get any new style of equipment, or was
19 it just new equipment of the same old style?
20 A. At some point, we got a new type seal on the
21 chlorinator pumps.
22 Q. Do you remember when that was?
23 A. No, sir, I don't.

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1 Q. Would it have been in conjunction with the
2 big expansion we talked about?
3 A. Might have been before that. I couldn't say
4 for sure, but I think it was maybe. Had a
5 mechanical seal to put on the pumps.
6 Q. Okay. Rather than the old packing gland
7 stuff?

8 A. Yes.

9 Q. Did that cut down on the leaking?

10 A. Yes, sir.

11 Q. A whole lot?

12 A. Well, yes, sir. The packing glands, they

13 were designed to leak.

14 Q. Right.

15 A. The others weren't.

16 Q. Okay.

17 A. But we had pans to catch the leaks. Of

18 course we still had the pans with the other

19 ones, but it cut down quite a bit, sure.

20 Q. Okay. From time to time, did aroclor either

21 get spilled or get poured into the ditch or

22 into the other sewers?

23 A. I'm sure it spilled from time to time.

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1 Q. Okay. What were some of the sources of

2 larger spills?

3 MR. COX: Object to the form.

4 Q. (By Mr. Wright) The reason I ask you that, I

5 mean, I know the pumps dripped, and probably

6 from time to time the pipes dripped and
7 things like that. But did you have things
8 happen that caused larger spills than just
9 drips here and there, like a pipe breaking or
10 barrels spilling over, getting turned over or
11 something like that?

12 MR. COX: Same objection.

13 Q. (By Mr. Wright) You can answer.

14 A. Yes, sir, we did have occasional spills.

15 Q. What are some of the ones you remember?

16 A. I don't remember any specific incidents, but
17 I know from time to time you might run over a
18 blow tank.

19 There weren't any -- still talking
20 about the early years -- there weren't any
21 gages on them for level purposes. You had to
22 measure.

23 Q. So you might fill it too full is what you're

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1 saying?

2 A. You might fill it too full, or with the air
3 blowing in there, it would -- had the

4 material rolling in there pretty good, and
5 sometimes it's hard to measure with a ruler
6 at night and so forth.

7 But anyway, occasionally you'd have
8 something like that, or occasionally they
9 might run a drum over, drumming out valve
10 stems. You'd have leaks around those from
11 time to time.

12 Q. Just more things like that?

13 A. Yes, sir.

14 Q. Okay. This may not be a good question, but
15 did you ever have bad batches for one reason
16 or another, batches that couldn't be used as
17 Monsanto product?

18 A. I don't remember any.

19 Q. Okay.

20 A. Usually you could blend it.

21 Q. That's what I was going to say. You can
22 always put it back into the process one place
23 or another, couldn't you?

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1 A. Yes.

2 Q. Did the chlorinators ever -- I mean other
3 than the pumps leaking that we've talked
4 about, did the chlorinators ever leak or
5 overrun or blow a pipe or things like that to
6 cause aroclor to spill out?

7 A. I can't say that it never happened, but it
8 didn't happen routinely.

9 Q. Okay. What kind of things like that do you
10 remember --

11 MR. COX: Object to the form.

12 Q. (By Mr. Wright) -- in the chlorinator area?

13 Let me just ask it again. What
14 kind of larger spills in the chlorinator area
15 do you recall?

16 A. I don't really recall any large spills in the
17 chlorinator area.

18 Q. Now, you spent a little bit of time in the
19 chlorine plant?

20 A. Yes, sir.

21 Q. Let me go back. About a year or two as a
22 chief operator over there?

23 A. Yes, sir.

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1 Q. What -- I'm going to do the short version.
2 I'm not going to walk you through it like we
3 did the aroclor operation, but my
4 understanding is that there was a series of
5 long cells?
6 A. Yes, sir.
7 Q. Kind of like this?
8 A. Yes, sir.
9 Q. And my understanding there were about twenty
10 of them?
11 A. There was thirty-six.
12 Q. Thirty-six. Okay. And mercury ran through
13 the bottom, and the brine ran over the
14 mercury, and an electric charge was passed
15 down through it to create the chlorine gas?
16 A. DC currents.
17 Q. Okay. I'm sorry. Yeah, made chlorine gas.
18 A. Uh-huh (indicating yes).
19 Q. What water -- what waste water was generated
20 by that process, and what happened to it?
21 A. I can't say that there was.
22 Q. You don't remember a stream of waste water
23 coming off of that process?

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1 A. No, sir. Most of that water went back to the
2 culminator.

3 Q. Okay.

4 A. I know there was water continuously covering
5 the mercury in the pump tanks and the ditches
6 on the ground floor, whatever, and all this
7 water --

8 Q. I'm sorry?

9 A. All this water just went to the waste stream.

10 Q. To the sewers?

11 A. Uh-huh (indicating yes).

12 Q. Okay. Maybe I need to get you to draw that.
13 I didn't think I would, but we won't go into
14 great detail. But can you just draw the
15 general layout of the chlorine -- was it all
16 in the building?

17 A. Right.

18 Q. Draw the general layout of the chlorine
19 building. You don't have to draw the
20 individual cells.

21 A. It's just a cell room where all the cells
22 were. There's a lot of equipment outside.

23 Q. Okay. Let's just draw some lines showing how

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1 the cells were situated.

2 A. (Witness complies.)

3

4 (Plaintiffs' Exhibit Number 5 was

5 marked for identification and

6 copy of same is attached

7 hereto.)

8 Q. Okay. We'll just know there were thirty-six

9 of them. Were they in two rows?

10 A. Right.

11 Q. Two rows of eighteen. And then you mentioned

12 some ditches in here?

13 A. This was on a wooden floor on this level --

14 Q. Okay.

15 A. -- where the cells sit.

16 Q. Okay.

17 A. Underneath was a concrete floor.

18 Q. So the cell sat on the second floor?

19 A. Right.

20 Q. Underneath the cells, there was a first level

21 that had a concrete floor. Let's do that.

22 Let's just write cell room in there.

23 A. (Witness complies.)

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1 Q. Okay. And then here's the first floor. Well

2 go ahead, and I'll let you do that.

3 A. (Witness complies.) I don't remember exactly

4 where all the ditches were in relation to the

5 building, but I know there was one came down

6 the center.

7

8 (Plaintiffs' Exhibit Number 6 was

9 marked for identification and

10 copy of same is attached

11 hereto.)

12 Q. Okay. Did it run the whole length or just

13 part of it?

14 A. Yeah, pretty much the whole length.

15 Q. Okay.

16 A. And there was some came in from the side, but

17 I don't remember.

18 Q. So there were other ditches that came --

19 A. The floors all sloped toward the center.

20 Q. Okay. What went into that? What went into

21 those ditches?
22 A. Well, it would be water, and there would be
23 some mercury carried over.

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1 Q. Where did that mercury come from?
2 A. From the cells or from --
3 Q. Leaking or dripping?
4 A. Well, yeah. Sometimes you'd have leaks or
5 drips or might just carry over with the water
6 sometimes. I don't know.
7 Q. By "carry over with the water," what do you
8 mean?
9 A. Well, you had water on the pump tanks that
10 pumped the mercury into the cells.
11 Q. Yeah.
12 A. Kept water on that.
13 Q. By "kept water on it," you mean just --
14 A. Constant level --
15 Q. Mercury is heavier than water, so it's on the
16 bottom, and you kept water on top of it?
17 A. Right. And there was an overflow pipe off of
18 that.

19 Q. Okay. So if that --
20 A. Into this ditch.
21 Q. -- got too full for some reason -- or was
22 water continuously going into the tank?
23 A. Water was continuously going into the --

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1 Q. And then flowing out?
2 A. Right.
3 Q. Why did you have to circulate the water? Did
4 the mercury get hot or something? I'm just
5 curious.
6 A. No, just to keep the mercury covered for
7 health purposes, I suppose.
8 Q. What I'm saying though is: Why couldn't you
9 just pour water in there and let it sit?
10 Where did the water have to go in and come
11 out is what I'm wondering?
12 A. Well, you'd pump some water off with the
13 mercury. As you pumped the mercury up into
14 the cells, some would go with it, so you had
15 to keep water going in there to keep it
16 covered.

17 Q. Okay. And I guess so somebody didn't have to
18 stand there and add water all the time, it
19 was just a continuous -- you continually
20 pumped water in there, and then if the water
21 -- the water would come off the top?
22 A. Yeah.
23 Q. And into the drain system on the floor of the

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1 building?
2 A. Yes, sir.
3 Q. Okay. And so sometimes mercury would spill
4 out of the top of the pump tank in the water
5 is what you're saying?
6 A. Through the overflow pipe.
7 Q. Okay. And then other times, mercury would
8 drip out of the cells which were above this
9 area?
10 A. Yes, sir.
11 Q. Okay. How else did the mercury get into the
12 drain system?
13 A. That would pretty well be it. Just from
14 leaks and carry over, over fill. If you over

15 fill it, put too much in the pump tank.
16 Q. Okay. How many pump tanks for the mercury
17 were there?
18 A. One for each.
19 Q. One for each cell?
20 A. For each cell.
21 Q. How big were the pump tanks for the mercury?
22 A. Probably about three, four feet in diameter,
23 but they weren't that deep. Maybe couple

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1 feet deep.
2 Q. Okay. By "deep," you mean from the bottom to
3 the top --
4 A. Right.
5 Q. -- couple feet and three or four feet in
6 diameter?
7 A. Right.
8 Q. How much mercury would there be in the tanks?
9 A. I don't remember. I don't remember how many
10 flasks it would take to fill one up. I can't
11 say. I don't remember.
12 Q. Were they open with -- I mean, was it like a

13 pot that you sit on the top of your stove?
14 A. It had a lid on it.
15 Q. Had a lid. Okay. A metal lid?
16 A. Yes, sir.
17 Q. Did you ever have to add mercury?
18 A. Yes, sir.
19 Q. How did you add the mercury if you had to add
20 it?
21 A. We got it either from a flask and poured it
22 into there or transferred it from one pump
23 tank to another, if we didn't have that cell

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1 working at the time.
2 Q. Okay. How did you know -- since it was
3 covered, how did you know if it needed
4 mercury or not?
5 A. Well, you could tell if the cell was
6 surging. It had an end plate at the end
7 where the mercury came in, and you could see
8 before it went in under the cover to the
9 cell. You could tell if it had a good flow
10 or if it didn't have a good flow.

11 Q. Okay. Are there any pictures that you're
12 aware of of either the mercury -- I mean the
13 chlorine operation or the aroclor operation?
14 A. Any pictures?
15 Q. Yeah. Photographs or movies or videos or
16 anything like that?
17 A. No, sir, I don't know of any.
18 Q. Okay. Let me write -- was there a drain hole
19 here?
20 A. No, sir.
21 Q. Okay. Where did the ditch empty, down at the
22 end?
23 A. Came on out of the building. You had traps

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1 along too at various places.
2 Q. Yeah.
3 A. You had mercury traps. That sole purpose --
4 stuff was expensive.
5 Q. Right.
6 A. And we tried to recover every bit of it we
7 could.
8 Q. Well --

9 A. And we'd rob these traps occasionally to get
10 the mercury out of them.

11 Q. Okay. Did it go into a drain, or did it just
12 go on in a surface pit on down to the exit
13 from the plant?

14 MR. COX: Object to the form. You
15 can answer.

16 THE WITNESS: I don't remember. I
17 don't know just where --

18 Q. (By Mr. Wright) Okay. I'm just going to
19 put --

20 A. I don't know where it went from here outside
21 the building. We had the traps in here, but
22 I don't know. Outside the building, I don't
23 know what part of sewer system it went into.

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1 Q. Okay. I'm just going to put concrete
2 ditches.

3 A. These ditches were fiberglass. I think they
4 were fiberglass.

5 Q. Okay. Fiberglass ditches.

6 A. It was some material like that.

7 Q. Okay. And then I'll just put to sewers. You
8 don't remember whether there were -- there
9 was only one cross ditch, or were there more
10 than one?

11 A. I think there was more than one.

12 Q. Okay. Any feel for how many?

13 A. I know there was one.

14 Q. Okay.

15 A. And possibly more. Quite sure there were
16 more, but I don't know how many.

17 Q. Okay. Now, is down here where all the
18 mercury vats and pumps were?

19 A. Yes, sir.

20 Q. Okay. So there would be thirty-six --

21 A. There were more in here.

22 Q. Okay. Closer to the ditches?

23 A. Uh-huh (indicating yes).

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1 Q. So there would be thirty-six of these circles
2 that I'm drawing here?

3 A. Yes, sir.

4 Q. Okay. I'm just going to put "M" in there to

5 stand for mercury. And then thirty-six

6 cells. Were there normally thirty-six cells

7 working?

8 A. No, sir, never. I don't remember ever having

9 all thirty-six going at the same time the

10 same time.

11 Q. Was there an average number that you would

12 have going when you were in full operation?

13 A. There was not -- there was not an average

14 that we were required to keep going because

15 you constantly had repairs on them.

16 We had a crew on day shift that did

17 nothing but work on cells. They were always

18 some of the cells down.

19 Q. Okay. By the way, was there a continuous

20 flow of water in these ditches?

21 A. Pretty much.

22 Q. Okay. Now, you went to the landfill a couple

23 times, you said?

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1 A. Not in early years, I didn't.

2 MR. COX: You said you'd carried

3 material up to the landfill, I think, was the
4 answer to the question.

5 MR. WRIGHT: Yeah, that's what I
6 thought.

7 THE WITNESS: I did after I went to
8 the shipping.

9 Q. (By Mr. Wright) Okay. And didn't go to
10 shipping until '74 or thereabouts?

11 A. Yes, sir.

12 Q. Okay. Tell me about taking stuff up to the
13 landfill. First of all, how often did you do
14 it?

15 A. Well, we had somebody that did it every day,
16 carried paper, just, you know, general type
17 trash. Of course usually the same man was
18 assigned to that. Might go once a month.

19 Q. You personally?

20 A. Yes, sir.

21 Q. Okay. When you went to the landfill -- I
22 guess what I'm asking is: Just describe the
23 process to me if you would. I mean, did you

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1 have a big truck, or did you have a
2 hand cart, or how did it --
3 A. It was a big truck. It was a flat stake
4 truck, stake bed truck. We would load drums
5 on and carry to the landfill.
6 Q. How did the drums get loaded on the truck?
7 A. We'd load them with a forklift. One man
8 would put them up to the back of the truck
9 with a forklift, and we'd roll them off then,
10 just roll them off by hand over into the
11 truck, to the bed of the truck.
12 Q. Okay. How many trucks did the shipping
13 department have that carried stuff to the
14 landfill?
15 A. To start with, they only had the two. One
16 carried the dumpsters, paper skips and so
17 forth, and they had the stake truck.
18 Maintenance also had a tractor and
19 trailer. They would carry pipe and so forth.
20 Q. To the landfill?
21 A. To the landfill.
22 Q. Was the TP incinerator there when you were
23 going to the landfill?

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1 A. Yes, sir.

2 Q. Did you take stuff to the TP incinerator?

3 A. It wasn't in use when I -- it was still

4 there, but it wasn't in use.

5 Q. Do you know when it was used? Let me ask it

6 this way: How long had it been out of use to

7 the best of your knowledge when you started

8 going up there in '74?

9 A. Not long.

10 Q. Okay. Was it old?

11 A. I'm not sure just what the age was of it. It

12 wasn't very -- real old.

13 Q. Let me ask it this way, and you may not know

14 the answer, but was it there when you came in

15 '62?

16 A. No, sir.

17 Q. That TP incinerator was not there?

18 A. No, sir.

19 Q. About when did it get put in?

20 A. I'm not sure.

21 Q. Let me ask it this way and it might stimulate

22 your memory: Was it while you were still an

23 aroclor operator?

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FOSHEE & TURNER COURT REPORTERS

1 A. Well, I didn't really know when it was put

2 in.

3 Q. Okay.

4 A. Because I didn't, you know, I didn't go up

5 there during that period of time.

6 Q. How do you know it wasn't there in '62, or

7 why do you think it wasn't there in '62?

8 A. Well, just from, you know, from what people

9 said. I'd hear them talk about the TP, but I

10 never did --

11 Q. Who did you hear talk about the TP?

12 A. Just different operators or different --

13 Q. What kind of operators?

14 A. Shipping, folks from shipping.

15 Q. Okay. So even when you were not in the

16 shipping department, you'd talk to the

17 shipping guys from time to time?

18 A. Yes, sir.

19 Q. And they'd talk about the TP incinerator?

20 A. (Witness nods head.)

21 MR. COX: You need to answer out

22 loud.

23 THE WITNESS: Yes, sir. I'm sorry.

FOSHEE & TURNER COURT REPORTERS

1 Q. (By Mr. Wright) What kind of things did you
2 hear about the TP?

3 A. Well, I know they put the fiber drums or
4 paper drums and wood pallets and stuff like
5 that in there and burned them. And I don't
6 know. That's about it.

7 That's all I ever heard about it.

8 You know, just carried a load and put in the
9 TP and burn whatever.

10 Q. What things did you hear them talk about
11 putting in the TP?

12 A. Just what I said, the pallets, wooden pallets
13 or fiber drums, paper drums.

14 Q. What do you mean by fiber drums?

15 A. Well, they were paper. That's what they
16 called them, fiber drums, but they were
17 actually cardboard drums.

18 Q. Heavy cardboard?

19 A. Right.

20 Q. Well, what was in the fiber drums?

21 A. For the most part, it would probably have

22 been drums PNP had been in.

23 Q. Okay.

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1 A. They used -- before the PNP department was
2 constructed, they used it strictly from drums
3 from another plant.

4 Q. So that's how it came to Anniston was in
5 these cardboard drums or fiber drums?

6 A. Right.

7 Q. Okay. What else would be in the fiber drums
8 or would have been in the fiber drums?

9 A. I don't know of anything else.

10 Q. Did they use the fiber drums for trash cans
11 or waste cans or things like that?

12 A. No, sir, I don't think so. I can't say that
13 nobody ever did, but it wasn't a practice to
14 use them.

15 Q. Were those fiber drums the drums that you
16 were talking about that you'd carry down the
17 stairs?

18 A. No, sir.

19 Q. What kind of drums were those? I'm still

20 unclear about that.

21 A. They were a light weight metal drum, a thin

22 metal. The term that was always used is the

23 caustic drums.

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1 I don't know where that came from

2 or how they arrived at that name, but that

3 was what -- they were just a very thin gauge

4 drum.

5 Q. What else did you hear about the TP or do you

6 remember hearing about the TP?

7 A. Well, the only thing that I heard was the

8 reason they quit using it was because they

9 got it too hot. They got -- damaged the TP.

10 That's the only thing I ever heard.

11 Q. Do you remember specifically who you heard

12 talking about the TP?

13 A. No, sir, I don't remember any names

14 specifically, just some of the people that

15 worked in shipping.

16 Q. That would have been shipping's operation;

17 right?

18 A. Right.
19 Q. I interrupted you. You were telling me about
20 how the landfill operation worked when you
21 were doing it. You would load up either the
22 stake truck, or you said there was another
23 truck that hauled dumpsters?

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1 A. Yes, sir.
2 Q. How many dumpsters -- did it actually -- I
3 mean, did you lift the dumpster up onto the
4 truck --
5 A. Yes, sir.
6 Q. -- and then drive the dumpster over there to
7 the landfill? And how did you empty the
8 dumpster?
9 A. It had chains on it. The bottom chain would
10 catch. When you let it down, the bottom
11 would open up and drop it out the bottom.
12 Q. Okay. How many pits were there when you were
13 going up there? Was there just one in
14 operation at any one time?
15 MR. COX: Talking cells?

16 MR. WRIGHT: Pits, yeah.
17 THE WITNESS: Well, we had a
18 different place for paper, to put the skips
19 in, a different place than that and --
20 Q. (By Mr. Wright) What's a skip? I'm sorry.
21 A. The paper. The ones we carried with the
22 dumpster.
23 Q. Okay. So anything that went into the

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1 dumpster went to one place?
2 A. And also the cardboard drums would go to that
3 same place.
4 Q. Okay.
5 A. You'd take those on the stake truck, but they
6 would go to the same place you put the paper.
7 Q. Okay. What went some place else then?
8 A. Well, you'd have different -- from the rest
9 of the plant, if you had something from niran
10 or something, it would go in a different
11 area.
12 Q. Were there only two areas during those years?
13 A. No, it would change from time to time, you

14 know. Place where you dump would change. It
15 was always in the same general area, but, you
16 know, they'd close that one and open another
17 one.

18 Q. Who ran that?

19 A. Who actually did the work? Is that what
20 you're asking me?

21 Q. Well, who was in charge of it? Let me start
22 there. Who was in charge of the landfill
23 operations? I mean who was making the

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1 decisions about dump here or don't dump
2 there?

3 A. Well, I know at one time Mr. Taffee was.

4 Q. Okay. Anybody else you can think of?

5 A. That -- he's the main one that I know.

6 Q. Okay. Is there anybody else that worked over
7 there full time?

8 A. No, sir, not that I know of. None of our
9 people.

10 Q. If you were me and you wanted to talk to
11 somebody who knew the most about the landfill

12 operations in the '60s and '70s, who would
13 you talk to?
14 A. Mr. Taffee.
15 Q. If I couldn't talk to him, who should I talk
16 to?
17 A. Well, the man, Mr. McGinnis, was the
18 contractor that did the work.
19 Q. Okay. He was not a Monsanto employee?
20 A. No, sir.
21 Q. Is he still around?
22 A. I don't know.
23 Q. Do you know his first name?

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1 A. No, sir, I can't think of it offhand.
2 Q. What did he do?
3 A. He ran a company just down the road from the
4 plant. I think it was Anniston Concrete and
5 Asphalt or something like that. Had heavy
6 machinery.
7 Q. And so he had his people up there running the
8 bulldozers, I guess?
9 A. Yes.

10 Q. Did he do that for a long time?
11 A. Yes, sir.
12 Q. The whole time you were there?
13 A. The whole time -- as far as I know, the whole
14 time that the landfill was in operation.
15 Q. Okay.
16 A. There's some other people worked on it in
17 recent years, but --
18 Q. Right. Right. I'm talking about --
19 A. To my knowledge, he was.
20 Q. Okay. Is there anybody from his company that
21 you knew or you know their names that were up
22 there a lot?
23 A. No, sir.

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1 Q. Okay. When did you first hear of PCB
2 contamination off of plant property?
3 A. I couldn't say for sure. It was later on,
4 much later.
5 Q. Like '80s or '90s?
6 A. No, sir. It was in -- not long before we
7 ceased operation of liquid aroclor.

8 Q. What did you hear about PCB contamination
9 being off of plant property?

10 A. The main thing that I remember was the --
11 environmental concern was that it was -- made
12 egg shells soft, the birds or something to
13 that nature.

14 Q. I guess what I'm asking is: When did you
15 hear -- or not when because we talked about
16 that -- but what did you hear about PCBs
17 being found outside of the Anniston plant
18 boundaries?

19 A. Well, I suppose it was in that same time
20 frame because it was all tied together, you
21 know. About what the effects were.

22 Q. Okay. I was asking you about what you heard
23 about the PCBs being off the Anniston plant

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1 property. For example, did you hear where
2 they were finding PCBs off of the plant
3 property?

4 A. No, sir. The -- I guess the first thing I
5 heard about was maybe Choccolocco Creek or

6 something. That was first talk that I heard

7 of it.

8 Q. Do you remember when that was that you heard

9 about PCBs being in Choccolocco Creek?

10 A. No, sir, I don't.

11 Q. Was it after the plant shut down?

12 A. Probably.

13 Q. Okay. Before the plant shut down, did you

14 hear about PCBs being found any place

15 downstream of the Monsanto plant or outside

16 of the Monsanto plant boundaries?

17 A. I can't say. I can't say if I did or not.

18 Q. Okay. For example, one thing -- one of the

19 things that makes me ask this question is:

20 I've seen memos where some people were sent

21 out to walk the drainage ditch and see how

22 far they could see aroclors in the drainage

23 ditch downstream from the plant. Did you

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1 ever hear about that?

2 A. No, sir. We weren't advised on a lot of that

3 kind of stuff.

4 Q. Okay.

5 A. The only thing we did was we sampled the
6 stream down to the fence, but we always did
7 that.

8 Q. How did you sample the -- by "the stream,"
9 you mean the drainage ditch that went on out?

10 A. Limestone bed. At different points, various
11 points.

12 Q. How did you sample that?

13 A. In glass bottles.

14 Q. That was part of the operator's
15 responsibility?

16 A. Yes, sir.

17 Q. When did that start?

18 A. On the day shift. It was that way when I
19 started work there.

20 Q. In '62?

21 A. Yes, sir.

22 Q. What were you -- what did you do with the
23 samples when you collected them?

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1 A. Carried them to the lab.

2 Q. Do you know what they tested for?

3 A. No, sir.

4 Q. Did you ever get any results back from the
5 lab?

6 A. No, sir.

7 Q. Did the process stay the same? By "the
8 process," I mean the sample collecting
9 process stay the same from when you got there
10 to when the plant shut down?

11 Do you understand what I'm
12 asking? That's kind of a bad question.

13 Basically, I'm just asking you --
14 you described -- you said when you started
15 there, it was the operator's responsible to
16 collect samples every day?

17 A. Yes, sir.

18 Q. Did that stay the same until the plant shut
19 down, or did it change in some way over the
20 years?

21 A. We caught the samples on up until we shut the
22 plant down.

23 Q. Okay. Did you do it with the same frequency

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1 and in the same places generally, or did that
2 change?

3 A. Things were always changing. But to say that
4 we caught the samples in the exact same spot
5 every day, I couldn't say that.

6 But the limestone pit might change.
7 They may change and put an extra one in or
8 might catch an extra sample.

9 At some point, we started taking
10 samples to a trailer. It was situated behind
11 the lab.

12 Q. Do you remember when that was?

13 A. No, sir, I don't.

14 Q. Was it before the plant shut down?

15 A. Yes, sir.

16 Q. Do you remember how long before?

17 A. No, sir, I don't.

18 Q. Any other way the sampling procedure changed
19 over the years?

20 A. No, sir.

21 Q. Did you sample one time per shift or one time
22 per day?

23 A. This was -- pretty sure it was just on the

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1 day shift.

2 Q. One time though?

3 A. Yes, sir.

4 Q. Okay.

5 A. Now, the lab did some sampling too, but now I

6 couldn't -- I don't know what their routine

7 was. They would do sampling at times.

8 Q. But your sampling at least always stopped at

9 the fence?

10 A. Yes, sir.

11 Q. Did you ever talk to any of the people in the

12 neighborhood there around the plant?

13 A. No, sir.

14 Q. Where did you live back in those days?

15 A. Pretty much where I live now, which is about

16 eight miles north of the plant.

17 Q. We kind of fell off into the sampling

18 business when I was asking you about what you

19 heard about PCBs being located off of the

20 plant property. And you mentioned you heard

21 something about them being in Choccolocco

22 Creek, but you think that was probably after

23 the plant shut down?

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1 A. I think it was probably before.

2 Q. Oh, okay.

3 A. I'm not sure.

4 Q. Okay. Who did you hear that from, do you
5 remember?

6 A. I don't remember. It was just --

7 Q. -- talk around the plant?

8 A. Talking around the plant, I suppose.

9 Q. What else did you hear other than that one
10 particular thing?

11 MR. COX: Object to the form.

12 Q. (By Mr. Wright) About PCBs being off the
13 plant property?

14 A. That's about it.

15 Q. When did you hear the plant was going to shut
16 down?

17 A. They was always rumors. That went on from
18 the time I went there till I left.

19 MR. COX: He's talking specifically
20 about the aroclor plant.

21 Q. (By Mr. Wright) Yeah, the aroclor plant is
22 what I mean.

23 A. It was about the time that it shut down. Not

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1 long before.

2 Q. Who did you hear it from?

3 A. I don't remember if it was a plant meeting or

4 what. Could have been -- could have been a

5 plant meeting informed.

6 Q. What did you hear about the reasons for why

7 it was shutting down?

8 MR. COX: I don't mean to

9 interject, but --

10 MR. WRIGHT: Oh yes, you do, Buddy.

11 MR. COX: I do mean to interject,

12 but I don't mean to interrupt. I don't mean

13 to be intrusive.

14 Are you talking about the shutdown

15 of the liquid aroclors or the solid aroclors

16 or both because there's a timing sequence in

17 there? I just want to make sure. I just

18 want to make sure that he's talking about --

19 MR. WRIGHT: I understand.

20 MR. COX: -- the same thing you're

21 talking about.
22 MR. WRIGHT: I'm talking about the
23 shutdown of all aroclor operations.

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1 Q. But if you heard about them at different
2 times and if you heard different reasons,
3 then go ahead and tell me that, but --

4 A. It was at different times we heard about it.

5 Q. Okay. What did you hear first then and when?

6 A. I don't remember when, and I don't remember
7 specifically what it was, but it was just
8 something to the effect, you know, that there
9 was an environmental concern.

10 Q. Okay. Was that in relation to --

11 A. -- to the liquid aroclor.

12 Q. How long did the liquid aroclors shut down
13 before the solid aroclors shut down?

14 A. Maybe a year.

15 Q. Now, when you heard the plant was going to be
16 shutdown completely, what did you hear about
17 the reasons for that occurring?

18 A. I don't remember -- recall anything other

19 than they said they were going to shut it
20 down. If it was cost or what. Just the one
21 product line there.
22 Q. When the liquid shut down, did any of the
23 chlorinators go out of use?

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1 A. Yes, sir.
2 Q. Which ones?
3 A. One through eight.
4 Q. And what was left operating?
5 A. Nine and ten.
6 Q. The big new ones?
7 A. Right.
8 Q. Did the process change any other way?
9 A. Well, there was a different process for the
10 liquid and for the solid.
11 Q. Yeah, I -- that was a bad question. Did the
12 process for the solids change any way before
13 they -- before the plant was shut down?
14 A. I don't remember. I know one time they tried
15 making a different product with it, with the
16 caustic soda, but as far as the process, I

17 mean, that was a process change, but it
18 didn't work out, didn't sell the product or
19 whatever.

20 Q. Was that the 1016?

21 A. I don't remember what they called it.

22 Q. Okay. After the aroclor plant shut down, did
23 they continue sampling the drainage ditch?

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1 A. Yes, sir.

2 Q. Again, on an everyday basis?

3 A. Yes, sir.

4 Q. Who was responsible for it?

5 A. The lab.

6 Q. So the lab -- after the aroclor plant shut
7 down, the lab would send its own person out
8 there every day to sample?

9 A. Yes, sir.

10 Q. As far as you know, did they sample in
11 basically the same places you'd been sampling
12 before?

13 A. I couldn't say.

14 Q. Okay. All right. Here's the last stage. I

15 want to walk through the other people that
16 worked in the aroclor department --
17 A. Okay.
18 Q. -- and get you to give me their name and
19 whether they're still alive or not to the
20 best of your knowledge -- you may not -- if
21 you don't know, say I don't know if he's
22 still alive or not -- whether they're still
23 in the area, and if they've died, if you know

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1 what they died from, for example, a heart
2 attack or got run over by a truck or cancer
3 or whatever, let me know. Okay?
4 A. Okay.
5 Q. So let's walk through them. And you
6 mentioned a couple of guys.
7 A. There were a lot of them over the years.
8 Q. I know.
9 A. And all these were intertwined between the
10 two departments. Some would work sometimes
11 here and, you know --
12 Q. By "the two departments," you mean the

13 biphenyl?
14 A. Biphenyl/Aroclor.
15 Q. Okay.
16 A. It was just Biphenyl slash Aroclor at the
17 time.
18 Q. Yeah.
19 A. But you want the ones mainly that worked in
20 the aroclor; is that what you want?
21 Q. Yeah, and if there's somebody that worked in
22 both places, just tell me.
23 A. Okay. Dicky Walker, you mentioned him.

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1 Q. Right.
2 A. He primarily worked in the still room.
3 Willie Key, he's deceased.
4 Q. How do you spell his name?
5 A. K-e-y was his last name.
6 Q. Okay. Do you know about when he died?
7 A. He's been dead several years. I don't know.
8 Q. Any idea what he died from?
9 A. No, sir. I know he had a heart bypass at one
10 time.

11 Q. Okay.

12 A. These -- I'm trying to remember the ones that

13 were there when I first went there, and then

14 I'll come forward.

15 Q. Yeah. Any way that's convenient for you.

16 A. And then a man by the name of Don Wilson.

17 Q. Okay.

18 A. He worked in the still room. I have no idea

19 if he's still alive or not. I haven't seen

20 him in years.

21 Q. Okay.

22 A. And then a man by the name of Ed Adams.

23 Q. Do you know anything about him?

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1 A. He's dead. I don't know the cause of death.

2 Q. Dead a long time ago?

3 A. Most of these people were pretty elderly when

4 I went to work there.

5 Q. I understand.

6 A. Or I thought they were, but I don't think so

7 anymore.

8 Q. I understand. I understand that phenomena

9 too.

10 A. Those were your main four still operators

11 when I went there.

12 Q. Okay.

13 A. Then you had Bill Lloyd that ran

14 chlorinators. Dutch Amos -- Bill Lloyd is

15 still alive. Dutch Amos; he's deceased.

16 Dutch retired first year I was

17 there, so that tells you about how -- Bill

18 Cambron; he's still alive.

19 Q. Okay. I'll tell you what. Let me let you do

20 this. Why don't we go off the record --

21 A. Okay.

22 Q. -- and let you just continue that list there,

23 and then after you've got your list, then

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1 we'll go back on the record and just read the

2 names, and that will -- I think that --

3 MR. COX: -- might speed things up.

4 Q. (By Mr. Wright) Might speed things up and

5 might be easier to you.

6 (Short recess.)

7

8 (Plaintiffs' Exhibit Number 7 was
9 marked for identification and
10 copy of same is attached
11 hereto.)

12 Q. (By Mr. Wright) Okay. I'm going to label
13 this "Former Aroclor Department Workers" with
14 the understanding that some or maybe even all
15 of these people worked in the biphenyl
16 department as well as the aroclor department;
17 is that true?

18 A. Well, these were mainly -- they were mainly
19 aroclor workers.

20 Q. Okay.

21 A. The chiefs -- some of chiefs I've got down,
22 and the laborers they worked, and I've got an
23 "L" by their names, the ones I remembered on

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1 the laborers.

2 Q. Right. Are the only ones that are dead the
3 ones that you put "Ds" by that you know to be
4 dead?

5 A. So far as I know.

6 Q. Would you put question marks by the ones that
7 you don't know whether they're still alive or
8 not?

9 A. Well, I think they pretty well --

10 Q. Are you pretty sure about everybody else?

11 A. I'm pretty sure about the rest of them.

12 Q. Okay.

13 A. Unless they've just died lately.

14 Q. Would you -- let's put a star or something by
15 the ones that don't live in this area. And
16 by "this area," I don't mean just Anniston,
17 but I mean somewhere in the nearby area.

18 MR. COX: Are you aware of any guys
19 that are still living on that list living out
20 of the state?

21 THE WITNESS: No. I think most of
22 them are fairly well local.

23 Q. (By Mr. Wright) Still in the area. Okay.

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1 Let me ask you this then: Are there any that
2 aren't in Calhoun County that you can think

3 of?

4 A. I don't think Nolen Sims is.

5 Q. Okay. I've already deposed him, so I'm not

6 going to worry about him. Dicky Walker I

7 know lives about thirty miles away.

8 A. Yeah, he does. Charles Chatman lives in

9 Talladega County, but he's still working.

10 He's still working at the plant.

11 Q. Okay.

12 A. Jim Price is not in Calhoun County. I think

13 he's in Talladega County.

14 Q. Is he near a certain town?

15 A. I'm not sure, but he was working with

16 contractors out there.

17 Q. On the cleanup?

18 A. Maintenance contractors in the plant. He was

19 working with -- I can't think of his name

20 now -- McCloud.

21 Q. What are they doing?

22 A. They do projects and so forth. They're

23 contracting.

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1 Q. He's still with them?

2 A. He was.

3 Q. Okay.

4 MR. COX: Is that the electrical
5 contractor?

6 THE WITNESS: (Witness nods head.)

7 MR. COX: McCloud's the electrical
8 contractor for the plant.

9 THE WITNESS: They do electrical
10 and also mechanical.

11 Q. (By Mr. Wright) I've got another question
12 that I just forgot.

13 A. Okay.

14 Q. Which ones -- let's mark which ones are still
15 working at the plant, and let's just put a
16 "W" over here on this other side. Here, I'm
17 going to circle all these and just put a "W"
18 next to the number if they're still working
19 at the plant.

20 A. (Witness complies.)

21 Q. No, I'm sorry. Oh, you're fixing the name.
22 Let me give you that pen because I think it
23 will show up better.

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1 A. (Witness complies.)

2 Q. Okay. Mr. Hughes, thank you very much.

3 A. You're welcome.

4 Q. I'm amazed at your memory after all these
5 years, and I really appreciate the time.

6 A. Don't talk to my wife. She says I forget
7 things.

8

9 (Deposition concluded at 4:50 p.m.)

10 FURTHER THE DEPONENT SAITH NOT.

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C E R T I F I C A T E

STATE OF ALABAMA)

CALHOUN COUNTY)

I HEREBY CERTIFY that the above and

foregoing transcript was taken down by me in
stenotype, and the questions and answers thereto
were transcribed by means of computer-aided
transcription, and that the foregoing represents
a true and correct transcript of the testimony
given by said witness.

I FURTHER CERTIFY that I am neither

of counsel, nor of any relation to the parties to
the action, nor am I anywise interested in the
result of said cause.

TAMMY R. JENNINGS GREGORY
Notary Public, State of Alabama
MY COMMISSION EXPIRES: 9-12-2001

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