

STATE OF ALABAMA
IN THE CIRCUIT COURT OF CALHOUN COUNTY

MARS HILL MISSIONARY
BAPTIST CHURCH, et al.,

Plaintiffs,

versus

CIVIL ACTION NUMBER

CV-96-243

MONSANTO COMPANY, et al.,

Defendants.

COPY

-----/

DEPOSITION OF WILLIAM B. PAPAGEORGE, P.E.

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

Regional Reporting Service, Inc.
755 Walnut Street
Gadsden, Alabama 35901-0755

1 the company's operation and that his
2 opinion ought to be kept confidential
3 and for use within the company to manage
4 its affairs.

5 Q. Okay.

6 A. It is the author's judgment call.

7 Q. Okay. To your knowledge, sir, did
8 Monsanto ever disclose to the residents
9 of Anniston in 1968 or 1969 that
10 twenty-seven pounds of organic and acid
11 waste from the Aroclor and HCl
12 departments were being lost from the
13 plant?

14 A. There was no reason to talk those
15 numbers. They were meaningless.

16 Q. But the answer is no?

17 A. That is correct.

18 Q. Thank you. Did anyone ever tell the
19 residents of Anniston at that time that
20 Monsanto was visually checking Snow
21 Creek and Choccolocco Creek to determine
22 the effects of the PCBs in the plant
23 effluent water?

1 A. Sir, this is no different than a service
2 station man telling his neighbors he has
3 got motor oil on the curb by his service
4 station. Those things are just
5 nonproductive comments that one can make
6 to others.

7 Q. I'm going to move to strike. But the
8 answer, though, is no; is that right?

9 A. Yeah.

10 Q. Okay. Did anyone ever tell the
11 residents of Anniston that Monsanto had
12 taken samples of mud and water
13 downstream from the plant in Choccolocco
14 Creek and Snow Creek in 1968 and 1969?

15 A. Again, there was no rational reason for
16 talking to anybody, so they didn't do
17 it.

18 Q. Okay. The answer is no; is that right?

19 A. That is what you heard me say. We
20 didn't do it.

21 Q. Okay. And did Monsanto ever disclose to
22 the residents of Anniston in 1968 or
23 1969 that it had taken fish samples to

1 Q. Okay. What was your involvement?

2 A. I was involved in the wording of the
3 paragraph that referred to the findings
4 of PCBs in the environment and the
5 precautionary statements included in
6 that paragraph, to handle it carefully
7 and not allow it to escape into the
8 environment. And eventually there was a
9 phrase or a sentence included referring
10 to prevention of entry into animal feed
11 and human food.

12 Q. And one of the things that Monsanto did
13 tell its customers was they should avoid
14 prolonged breathing of PCB vapors or
15 mists, correct?

16 A. Oh, yes, definitely.

17 Q. That's all I have on that document.

18 Before we go on to Thirty-one, did
19 Monsanto ever provide the residents of
20 Anniston with any data concerning the
21 health hazards of PCBs in humans?

22 A. Uh-uh (indicating no). Why would they?

23 Q. The answer is no?

1 included representatives from the
2 Department of Agriculture, the Interior
3 Department, the Department of Commerce,
4 FDA. I'm sure I left out some, but it
5 was supposedly representative of any
6 federal activity that might be involved
7 with PCBs.

8 Q. Did Monsanto ever tell any of the
9 residents of Anniston, Alabama about the
10 Utsu incident?

11 A. Not that I know of.

12 Q. Can PCBs cause certain toxic and
13 systemic effects as indicated in
14 paragraph two of this memorandum?

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

17 A. Yes.

18 Q. Okay. And did Monsanto ever tell any of
19 the residents of Anniston, Alabama, that
20 PCBs could cause certain toxic and
21 systemic effects?

22 A. No.

23 Q. Okay. The next to last sentence in the