

Exhibit 3

STATE OF NEW YORK
SUPREME COURT COUNTY OF RENSSELAER

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JAY BURDICK, CONNIE PLOUFFE,
EDWARD PLOUFFE, FRANK SEYMOUR,
EMILY MARPE, as parent and natural
guardian of E.B., an infant, and
G.Y., an infant, JACQUELINE MONETTE,
WILLIAM SHARPE, EDWARD PERROTTI-SOUSIS,
MARK DENUE and MEGAN DUNN,
individually, and on behalf of all
similarly situated,

Plaintiffs,

- Against -

INDEX NO:
00253835

TONOGA, INC. (d/b/a TACONIC),

Defendant.
----- :

VIDEOTAPED DEPOSITION of: KEVIN STEVENS
(Non-Party Witness)

Monday, June 18, 2018
10:06 a.m. - 3:56 p.m.

HELD: Bond, Schoeneck & King, PLLC
22 Corporate Woods Boulevard
Albany, New York 12866

Reported by: Deborah M. McByrne
Videotaped by: Corrine Gates
Job No. 2935025

1 when you started?

2 A. No.

3 Q. Do you know when the first fume eliminator was
4 installed at Taconic?

5 A. No.

6 Q. But it was sometime after you started?

7 A. Yes.

8 Q. When building six was first constructed, was there a
9 fume eliminator as part of the oven operation there?

10 A. Yes.

11 Q. And do you know when building six was constructed?

12 A. No, not the specific year.

13 Q. Okay. But it presumably was sometime before October
14 of 2000, since it's depicted on this map; is that a
15 fair assumption with you also?

16 A. Yes.

17 Q. Okay. Prior to the fume eliminator being installed
18 on building five, do you know if there were any
19 devices that were intended to reduce the amount of
20 releases into the air and discharge from the ovens?

21 A. Repeat the first part.

22 Q. Prior to the fume eliminator being put on in
23 building five, do you know if there were any other
24 devices that were used do to reduce the amount of
25 air emissions?

1 A. Yes.

2 Q. And what was that, if you know?

3 A. Smog hog.

4 Q. Okay. And after the fume eliminator was introduced,
5 was the smog hog then not used?

6 A. Correct.

7 Q. Okay. So we'll get into that later. I've got some
8 documents I want to show you about that.

9 I asked you about the wastewater UST
10 designation. Are you familiar with the term
11 wastewater?

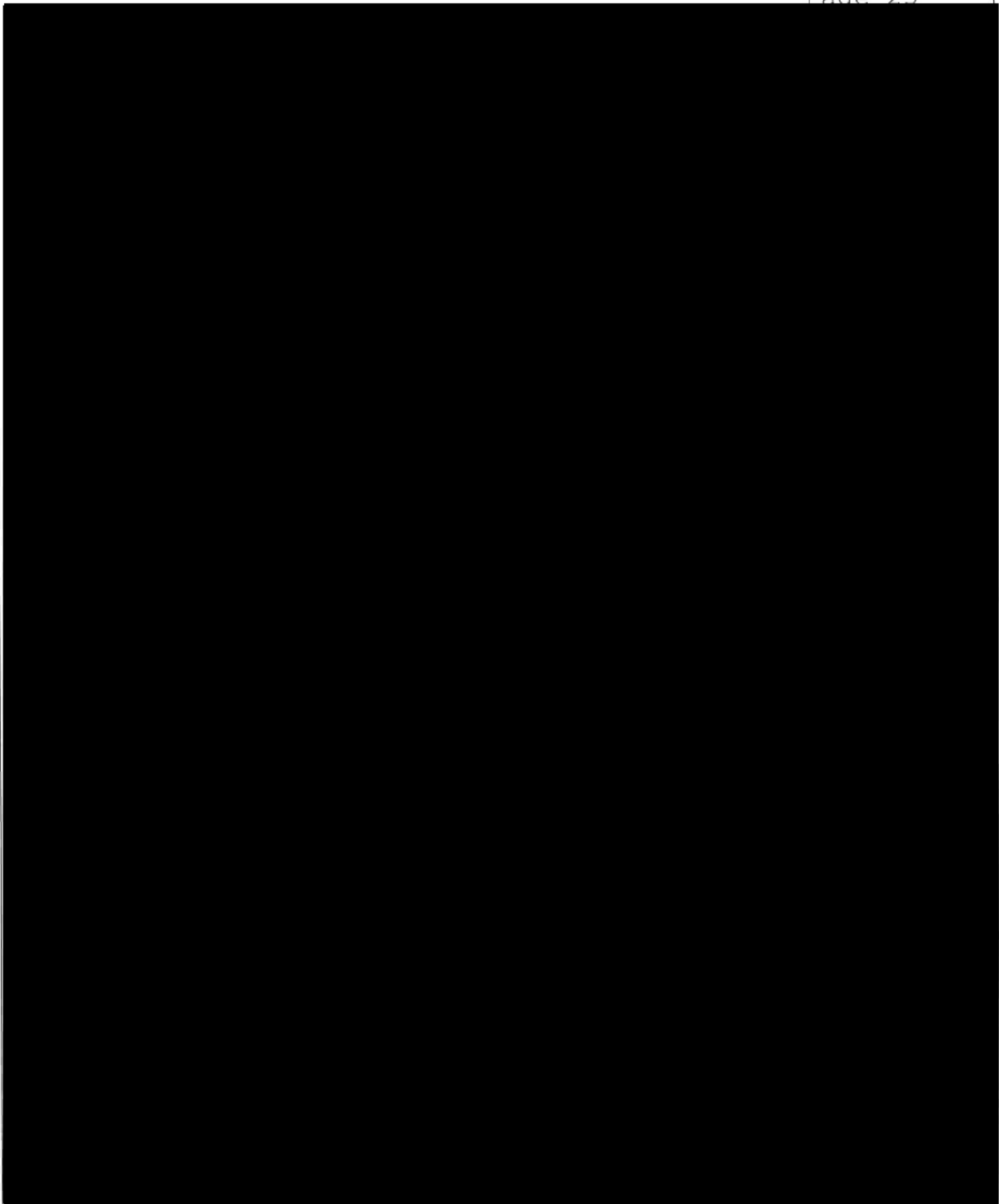
12 A. Yes.

13 Q. And can you describe for me with reference to
14 building six, what wastewater means to you with
15 regard to the operation of the ovens?

16 A. Wastewater is water that we use to clean the pans
17 after pumping out the PP -- PFE -- the
18 PFF -- Teflon. PTFE.

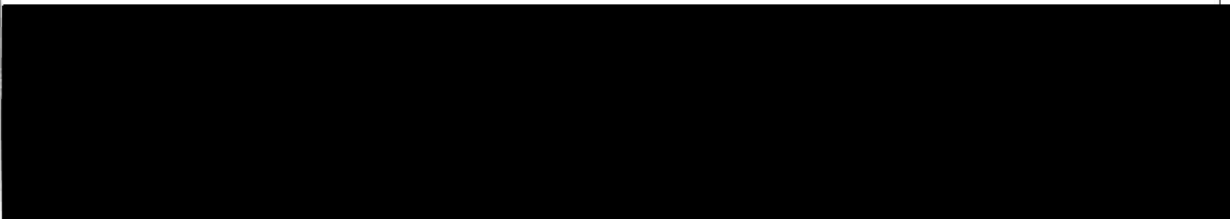
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Q. Okay. And do you know, approximately --
You don't recall exactly when building
six was built. Do you remember when a fourth oven

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In your work at Taconic, have you become familiar with the term dispersions?

A. Yes.

Q. Okay. And could you describe for the record what a PTFE dispersion is?

A. PTFE dispersion is dispersion that we get from our suppliers, and then the gravity is adjusted appropriately to what our specs are.

Q. Okay. And that would be the specific gravity of the dispersions?

A. Specific -- correct.

Q. Okay. Now, are you familiar with something called PFA?

A. Yes.

Q. And how does that differ, if at all, from a PTFE dispersion?

A. To the best of my knowledge, PF -- you said PFA; right?

Q. Yeah.

A. Is what is used for a topcoat, and it's got a lower melting point.

Q. Now, at Taconic, you would buy these dispersions

1 from suppliers, you indicated; correct?

2 A. Correct.

3 Q. And then was there an adjustment of those
4 dispersions into specialty dispersions that would be
5 used to do the coating in certain instances?

6 A. I don't think I follow you.

7 Q. Okay. Was there, sort of, a process where you would
8 take dispersions that were manufactured by others
9 and mix them in some way that would create some
10 unique dispersion you would use then for the
11 coating?

12 A. Yes.

13 Q. Okay. And where was that done?

14 A. In the mix room.

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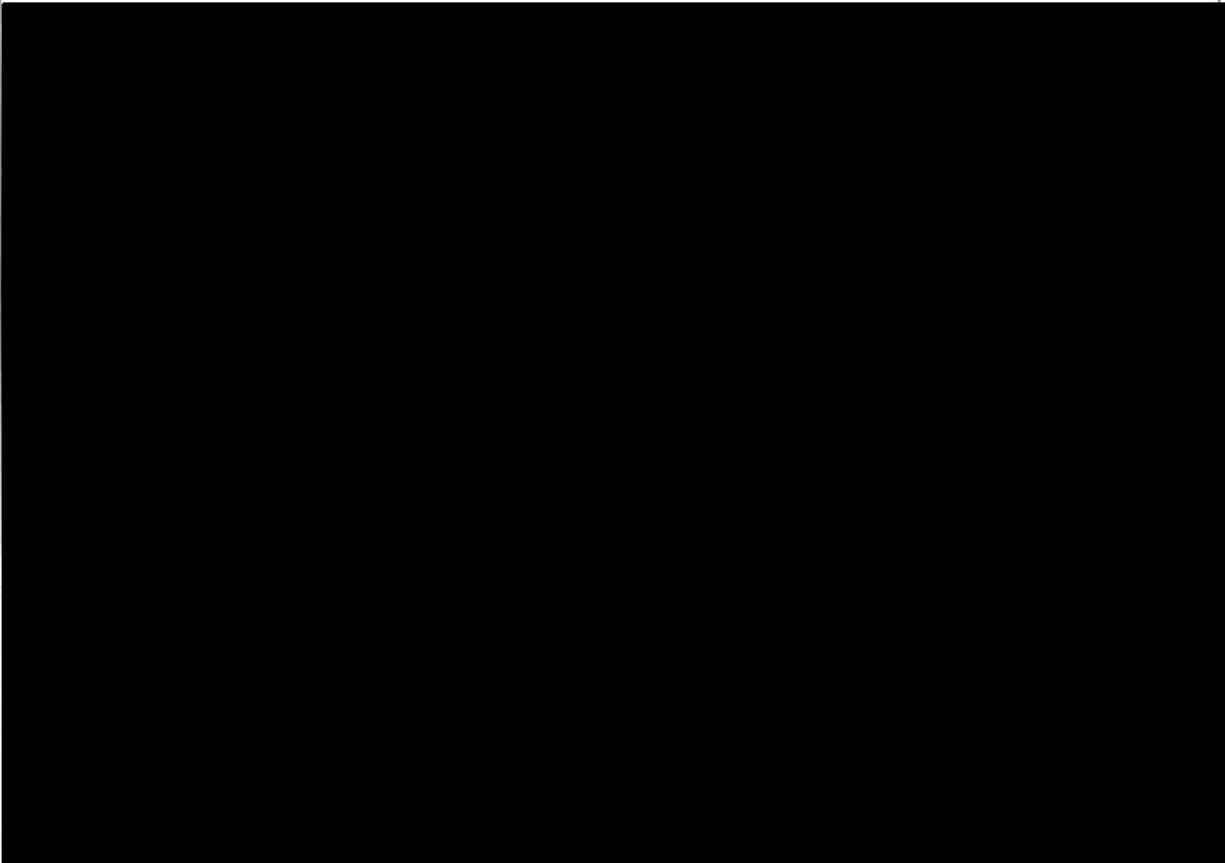
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Q. Okay. Now, the -- is it an accurate statement to say that some of the coatings that are used are specialty formulas that have been devised by Taconic?

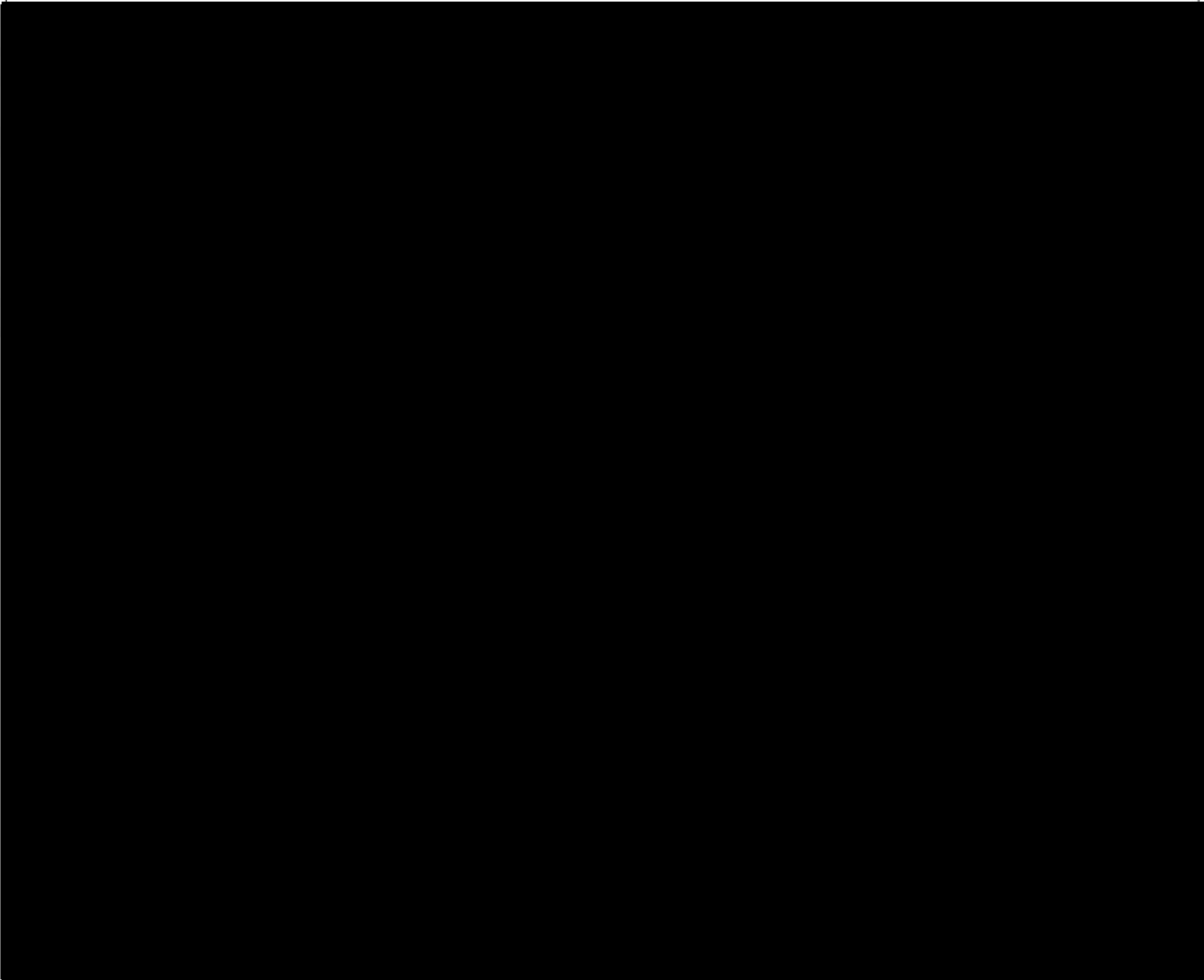
A. Yes.

Q. And that would involve then mixing several different components from some of these totes into a particular dispersion; is that an accurate statement?

A. To the best of my knowledge.



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Q. Okay. Thank you. I'll take that one back.
Are you familiar with a product called
FC-143?
A. 143?
Q. Yeah.
A. No.
Q. Were you familiar with an FC with another number?
A. Yes.
Q. Okay. And was that a product made by 3M?
A. Yes.

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Q. And so was this FC-114 product that you're talking about, mixed into dispersion in the oven room itself?

A. Yes.

Q. So where would you get that from, the FC-114 product?

A. We would have -- it would be in a container that we had on our shelf.

Q. Okay. And what size container would we be talking about?

A. A gallon, metal.

Q. And was it in a container that was labeled with the product information about FC-114?

A. Yes.

Q. And was that a product that you used on a regular basis?

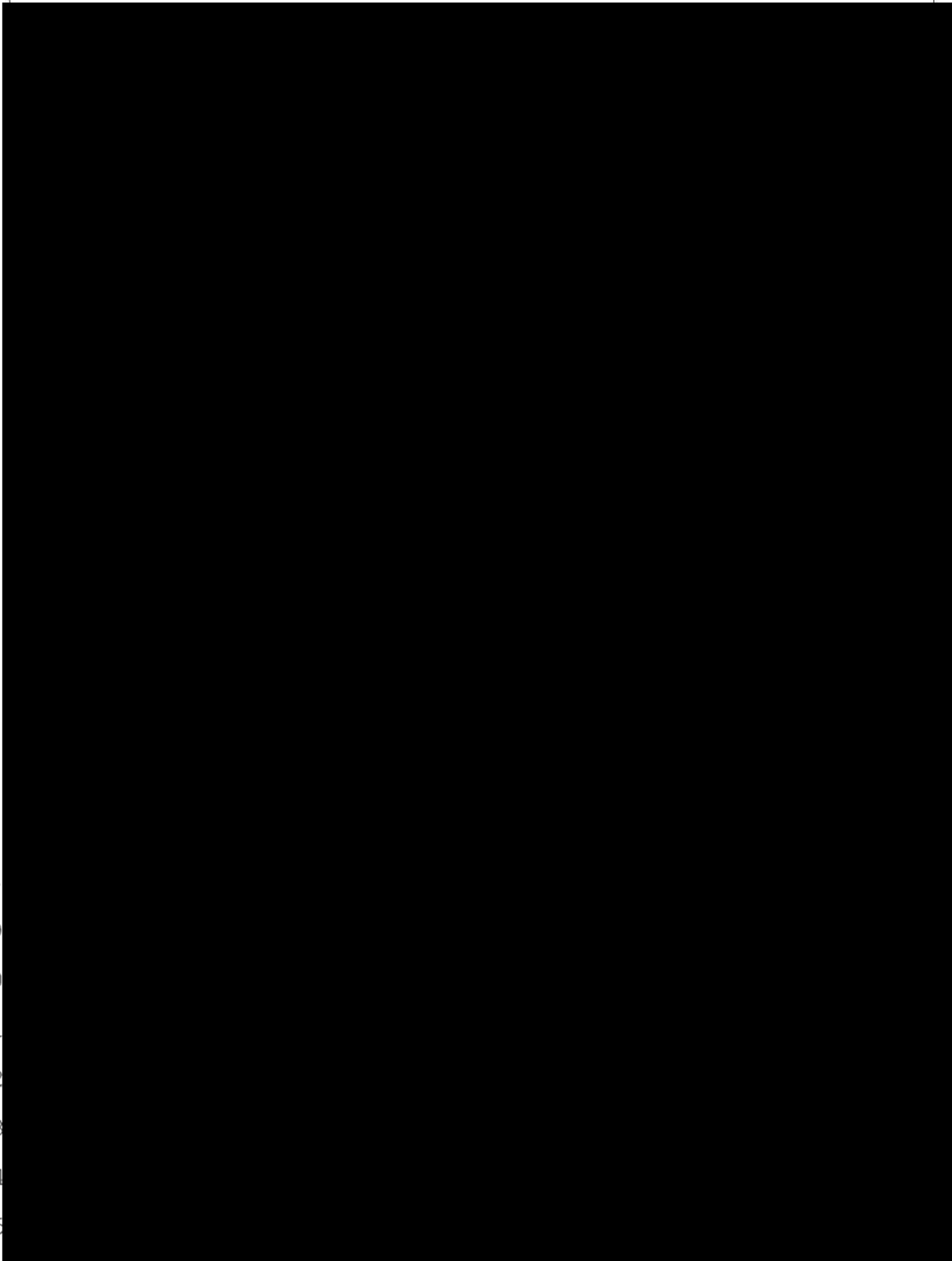
A. Yes.

Q. So in a typical month, how many containers of FC-114 would you typically use?

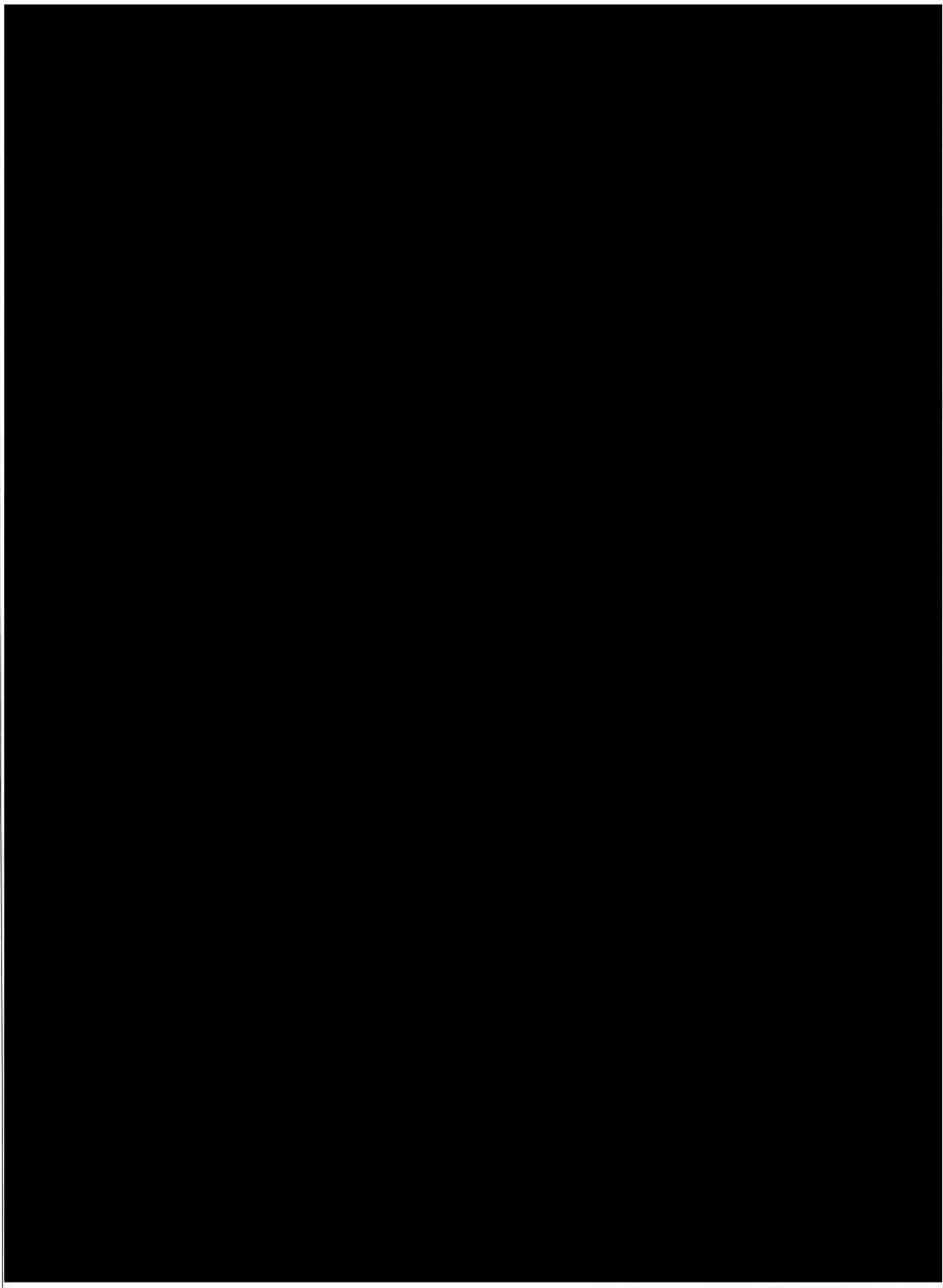
A. I can't answer that question.

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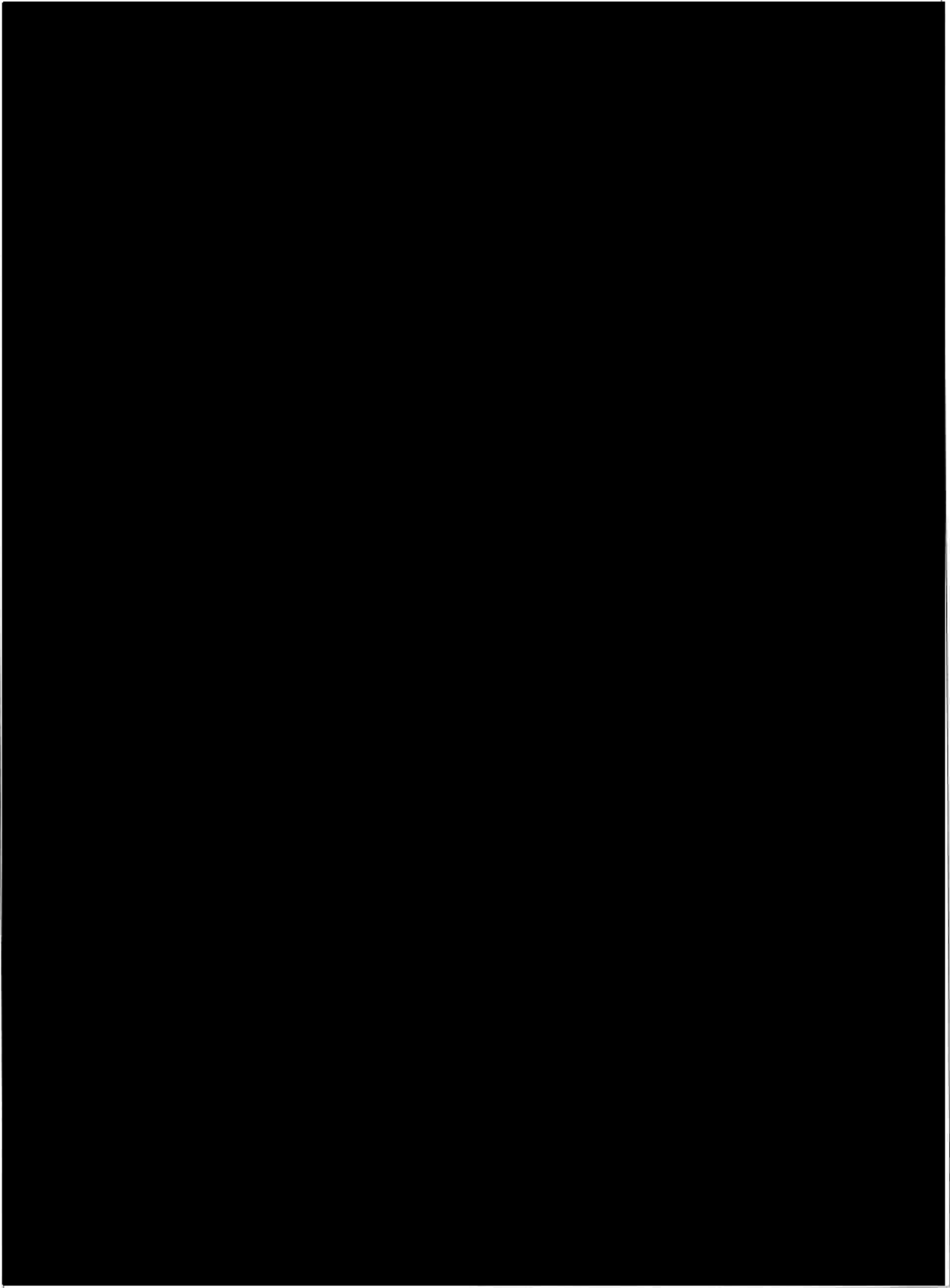
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19 Q. Are you familiar with a Taconic employee by the name
20 of Malcolm Green?

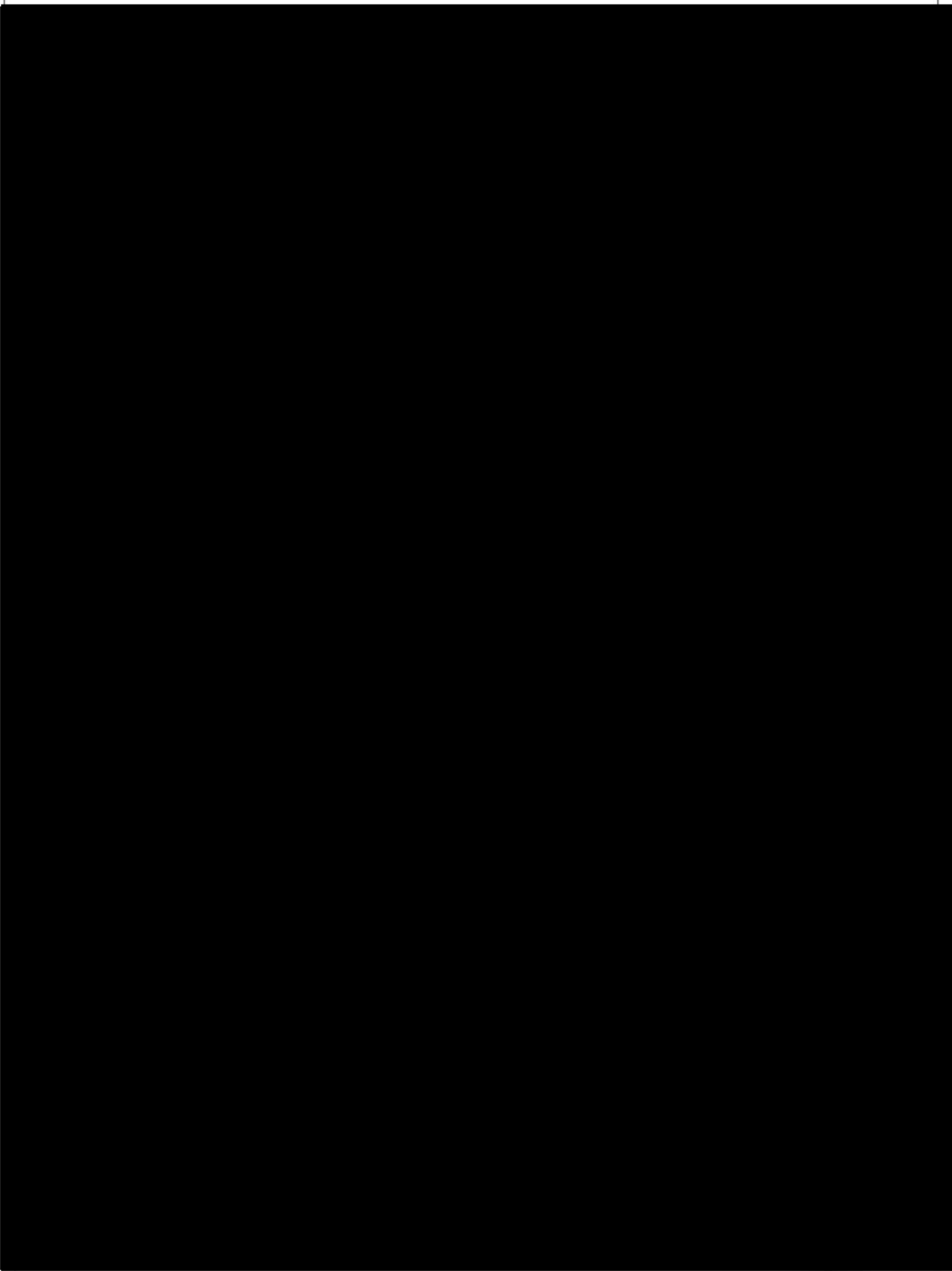
21 A. Yes.

22 Q. And can you tell me, is Mr. Green still employed at
23 Taconic?

24 A. Yes.

25 Q. And is he employed in Petersburg?

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Q. Certain components of the oven would have to be cleaned between passes; correct?

A. Correct.

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Q. In other words, you're passing the effluent, the hot effluent through liquid, there would be some evaporation of liquid; correct?

A. Correct.

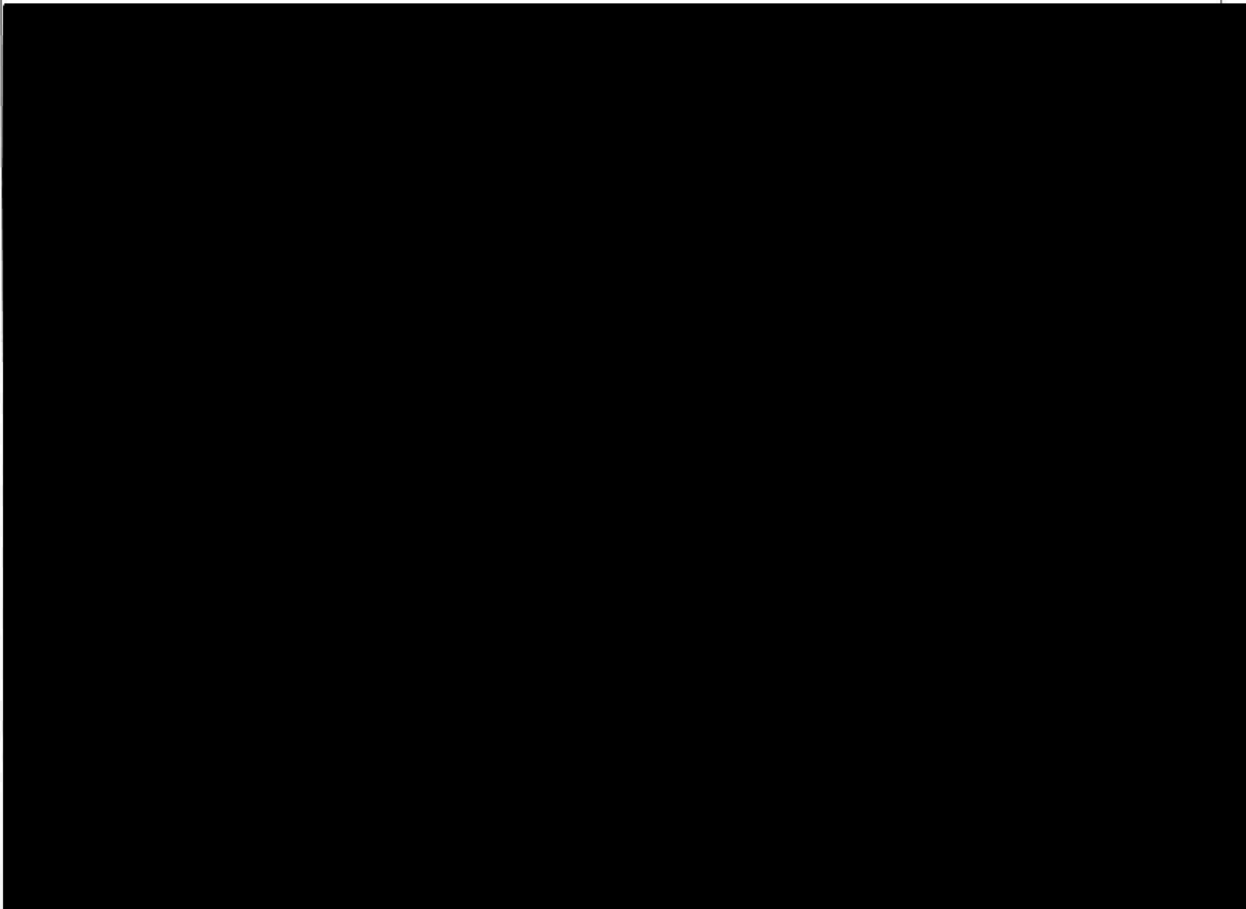
Q. So was it someone's job then to refill the fume eliminator liquid level to a certain level over different periods of time to make sure that that stayed at that level?

A. Automatic fill.

Q. It automatically filled?

A. Yes.

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Q. Okay. Now, where -- where was the gasses that passed through the fume eliminator released into the atmosphere?

MR. SKALABAN: Objection to form.

Foundation.

MR. KOENIG: Objection to form.

A. Correct.

Q. No, I said where. Where were they released?

A. Out of the stack.

Q. Okay. And was the stack above the fume eliminator?

A. Yes.

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