



Solutia Inc.
575 Maryville Centre Drive
St. Louis, Missouri 63141

P.O. Box 66760
St. Louis, Missouri 63166-6760
Tel/314-674-1000

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**PLAINTIFF'S
EXHIBIT**

Editor
The Nation
33 Irving Place
New York, NY 10003

Dear Editor:

The recent article "What Monsanto Knew" [May 29, 2000] presents a one-sided and very misleading version of issues relating to Monsanto's, and now Solutia's, former polychlorinated biphenyl (PCB) manufacturing facility in Anniston. It is clear that the reporter was furnished historical Monsanto documents by one or more of the attorneys representing plaintiffs in litigation against Monsanto/Solutia. Although Solutia representatives spoke with writer Nancy Beiles to provide information and answer questions, Solutia was not provided an opportunity to discuss the complete content of the documents or to put the documents in their historical context. The result is an incomplete and distorted picture.

Isolated quotations from selected documents were presented in a manner intended to put the company in a bad light. However, other parts of those same documents, demonstrating Monsanto's commitment to responsible action, are absent. For example, in the 1969 "Monsanto committee memo", which the author neglects to state was a draft, section XI presents the following "Recommended Course of Action":

Based on the information available today the only recommendation we can honestly make is respond responsibly admitting that there is growing evidence of environmental contamination by the higher chlorinated biphenyls and take action as new data is generated to correct the problem.

Notably, the company followed this October 1969 draft memo with a November 1969 Action Plan, implementing aggressive actions to better understand and deal with the emerging PCB issues.

The fact is that from the beginning Monsanto's responses to the finding of PCBs in the environment were swift and effective. Monsanto dealt with the emerging issues at the highest levels of the company and committed personnel and resources to learning as much as possible about PCBs, their environmental levels, their environmental behavior, and their potential health effects. Never before had a company responded as quickly and as fully to environmental concerns. A corporate committee was established which considered all the options available to the company to address the emerging issues. In the end, the company cut off sales to applications which could lead to releases to the environment; it established stringent control practices at its manufacturing facilities; it sponsored research to understand potential environmental and health effects; and it worked closely with regulatory agencies, both state and federal, including those in Alabama.

While a 1972 federal government task force report concluded that Monsanto could not cease manufacturing PCBs without causing severe disruption to electrical distribution systems, Monsanto committed to stop manufacturing PCBs as soon as substitutes were developed. Monsanto ceased manufacturing PCBs at the Anniston plant in 1971, and then, in 1977, Monsanto voluntarily ceased making PCBs altogether, a full two years before the EPA enacted regulations banning the manufacture of the materials. During the last 35 years, Monsanto and now Solutia have continued to respond appropriately to PCB issues, based on the weight-of-the-evidence of sound science, understanding of appropriate clean up measures, and response to regulatory concerns.

In 1993, when early information suggested that PCBs were present in fish in Choccolocco Creek and might be present on dirt particles in surface water leaving the Monsanto site, the company began an extensive investigation to determine any potential sources of PCBs and to understand the extent of PCB-impacted soils in areas near the plant. Upon finding that some PCBs were associated with drainage ditches leading away from the plant, Monsanto established a Property Purchase Program to acquire residential property to facilitate management and control of the PCBs. The Property Purchase Program generally provided owners of residential property about twice the appraised value of the property, as well as additional benefits, and it did not require that any legal releases be signed.

Two churches in the area were also offered generous relocation packages. Bethel Missionary Baptist Church worked cooperatively with the company to develop and implement a plan to relocate to a new church facility, with funding and relocation assistance provided by Monsanto. The congregation is now worshipping in a beautiful

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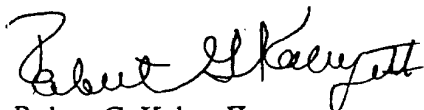
new church north of their former location. Mars Hill Missionary Baptist Church chose to enter into litigation against Monsanto, as reported in the story in *The Nation*. That lawsuit was settled under terms that were intended to assure that the church would be able to relocate to a site of its choice with a new facility comparable to that provided for Bethel Missionary Baptist Church, after their attorney's fees and expenses were taken from the settlement value.

The story in *The Nation* presents two Anniston families as illustrations of persons alleged to be adversely affected by PCBs and Monsanto's PCB manufacturing operations in Anniston. Both residents live on properties which were included in the Property Purchase Program areas, and both refused generous relocation offers. Solutia continues to stand ready to purchase those properties under the terms of the Program, and we are confident that the residents would be able to find equivalent or better housing, if the offers were accepted.

The Nation article implies that many of the health problems complained of by one family featured in the story are associated with exposure to PCBs. While we understand that the health problems mentioned are of deep concern to the family, there is no basis in the medical or scientific literature to suggest that exposures to environmental levels of PCBs are factors in adverse human health effects. Even in relatively highly exposed persons who worked with PCBs on a daily basis, the only reported health effects are skin conditions and possible elevations in some liver enzymes, both of which disappear if exposure is ended. It is notable that among the largest group of plaintiffs suing Solutia, not a single physician or other medical expert has opined that PCBs have caused a specific adverse health effect in a specific individual.

Since 1993, Solutia has implemented remedial measures at a cost of over \$30 million in the areas near the Anniston facility. The company also has several work plans for additional work awaiting approval from the state and federal regulatory agencies. Meanwhile, Solutia is continuing an extensive investigation of the waterways leading away from the Anniston facility. We are committed to continuing our efforts to manage and control PCBs which were potentially associated with our operations in Anniston. In addition, we are working to find fair and appropriate ways to resolve the many issues facing the community and us. We are convinced, however, that resolution of those issues is only possible if the issues are addressed in a fair and balanced manner. We do not feel that the article in *The Nation* contributed to that process.

Sincerely,



Robert G. Kaley, II
Director, Environmental Affairs