Monsanto

FROM (NAME & LOCATION) St. Louis - General Offices

DATE : March 5, 1969 CC:

SUBJECT : Inquiry from Langerman, Begam and Lewis (legal firm), Phoenix, Arizona, Concerning Inhalation of Chemical Vapors from 54201KA

REFERENCE : Letter 2/25/69 to Monsanto Chemical Company

TO : H. S. Bergen-HBERG
P. G. Benignus-PBENI
D. A. Olson-DOLSO
W. R. Richard-WRICH
E. P. Wheeler-EWHEE
N. T. Johnson-NJOHN
J. R. Fallon-JFALL
Los Angeles - C. L. Bradford-CBRAD

To insure that everyone is not caught as cold as I was upon receiving this inquiry, I would like to pass on what background information I have obtained. Since the inquiry came from Phoenix, where Westinghouse has a large manufacturing facility and the subject was a Westinghouse mix of 70% Aroclor 1254 and 30% trichlorobenzene, I called John Fenwich at the Phoenix Plant to obtain any background information they may have. John turned me over to Ben McGowen who related the entire story to me. The story goes as follows:

Westinghouse Phoenix has no railroad siding, so the fluid is taken from the tank car in a tank truck (capacity 1500 gallons per load) to the plant storage tank. It was in this transfer from the tank car to the plant storage that the difficulty occurred. In April 1967, the tank truck ruptured in the alley behind the plant where the entire 1500 gallons emptied on the dirt. Most of the fluid soaked into the dirt but some of it puddled. The next day they hauled in dirt and dumped it on the puddles to absorb the remainder. However, in the meantime the driver of the steel hauling truck (type with half cab) drove through some of the puddles. The fluid either splashed on the muffler or was picked up on the tires and thrown on the muffler. In any case the fluid flashed off the hot muffler system. The driver claims he received considerable lung conjestion from the exposure and in turn sued Westinghouse.

McGowen was not sure which side these lawyers were on, so he referred me to Wilbur Spiker at Pittsburgh who had done all of the Westinghouse correspondence in the case. I called Wilbur Spiker and since he was talking with Elmer Wheeler at the time I called, I bowed out and told them Elmer would be our contact. Later I talked with Elmer

DSW 552729

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and he will answer the request after he obtains some additional information from Spiker.

If anyone feels he has anything further to contribute, please let Elmer know. Pollution control is becoming a very active subject. Certainly this request (and I am sure we will see others) is loaded.

The original request is attached. If there is further question, please do not hesitate to let me know.

J. G. Bryant

JGB/mjs

Enclosure

DSW 552730