Monsanto

FROM (NAME—LOCATION—PHONE) J. H. Craddock - St. Louis A2SA 4-4764

DATE : March 13, 1981

SUBJECT : EDF/EPA LAWSUIT
Court-Ordered Interim Measures Program for Inspection & Maintenance of PCB Transformers

REFERENCE :

TO :

cc: R. S. Nelson - A2SA
P. S. Park - E2NE
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Tuesday, March 10, 1981, EPA published in the FEDERAL REGISTER the related court order and enforcement notice pertaining to "The Interim Measures Program" to allow continued use of PCB transformers.

This court order:

1. Stays the issuance of the Court's mandate of October 30, 1980, for 18 months and allows PCB transformers to continue to be used during the period the user complies with the Interim Measures Program.

2. Defines the Interim Measures Program which requires

   a. weekly inspection, recordkeeping and reporting of leaks of transformers for products, including additives which will be ingested by humans or animals,

   b. quarterly inspections and recordkeeping for all other PCB transformers as defined.

3. Directs industry groups to gather data and conduct studies which will be provided to EPA for use in a new rulemaking. (Monsanto will participate in the CMA task force which will be made a part of this court order shortly.)

4. Directs EPA to publish an ANPR relating to PCB's use in electrical equipment and requires EPA to promulgate a final rule within six months of receipt of the studies and data.

5. Provides that failure of any parties to comply with the Court order may result in immediate remedies, including the immediate issuance of the October 30 mandate.

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Details of the notices are being studied by legal counsel to determine the full impact on Monsanto.

Certainly significant costs and expenditure of manpower will be required for weekly inspections of many of our plants and processes.

The Interim Measures Program takes effect May 11, 1981.

J. H. Craddock

jb
enclosures

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