From the desk of
ELMER P. WHEELER

MAY 25 1971

TO:

W. B. Papageorge
Chas. Smith
Ed John
Howard Bergen
Phoclan Park
Dwight Miller (2)
Bill Richard
John Eck
R. Emmet Kelly

0474456

PCB-ARCH0750641

Monsanto

FROM (NAME & LOCATION) Washington, D. C.

MAY 24 1971

DATE: May 19, 1971

cc: J. L. Gillis, St. Louis

SUBJECT:

REFERENCE:

TO: Elmer Wheeler
William Papageorge

Congressman William Ryan (D-N.Y.) introduced on May 19, 1971 H. R. 8576, a bill to prohibit the introduction or delivery for introduction into commerce of PCBs. The bill was referred to the Committee on Interstate and Foreign Commerce. The print will probably not be available until Monday, at which time it will be forwarded to you.

I have discussed with Ryan the content of the bill. He quoted to me its exclusionary language insofar as closed system use is concerned. The quote follows:

> Section ii. (a) Except as provided in subsection (b) of this section, no person shall introduce or introduce into commerce any polychlorinated biphenyl.
>
> (b) The Secretary (HEW) may exempt from subsection (a) of this section, under such conditions and restrictions as he may prescribe polychlorinated biphenyl for use as dielectric fluid in capacitors, as coolant in transformers or as a fire resistant ingredient in heat transfer media.
>
> Section iii (a) The Secretary shall prescribe regulations, with respect to any PCB exempted pursuant to section ii of this act, to prevent (1) any occupational safety and health hazards to employees engaged in the manufacture or handling of such PCB or product containing such PCB; and (2) any environmental hazards present in the manufacture, transportation, or disposal of such PCB or product containing PCB.

Ryan further stated that he understood Monsanto was still recommending PCB's for plasticizer use; that the terphenyls which he understood would be a substitute product for PCB's had the same chemical properties as PCB's and lastly he queried me as to whether the incinerator we had earlier informed him of was in fact going into operation on July 1.

I would hope that after we have an opportunity to examine his bill, we consider further discussions with him for the purpose of explaining why terphenyls are different from biphenyls and further, if my understanding is correct, that we do not recommend PCB's for plasticizer use.

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You should have already received Ryan's remarks, made at the time of introduction of this bill.

It is difficult to exercise self restraint and not respond to Ryan's critical remarks, particularly when there are statements that border on untruths. Since we have acted in good faith during this whole episode, it may be that on solemn consideration we should prepare a rebuttal to those remarks although I am afraid it would amount only to getting it off of our respective chests.

Sam Pickard

SP/kv

Enclosures:

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