MONSANTO

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Subject: PCB ISSUES - DECEMBER HIGHLIGHTS

Reference:

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I. Regulatory Issues

- EPA Rules - Congressional response to the new PCB Manifesting Rule has been good, even though publication has belatedly occurred in the Federal Register. Congressman Synar (OK), Senator Shelby (AL) and Congressman Flippo (AL) have stated their support for the EPA rule and will most probably not pursue bills that they had introduced to accomplish this purpose. The Alabama legislators had introduced new bills in September of this year to prod EPA.

- EPA Compliance - The latest TSCA enforcement report for 3rd Quarter of the fiscal year ending September 30 showed that PCBs remained the most dominant enforcement program:

Issue	No. Cases
PCBs	195
PMNs	20
Sec. 13 Import Certificate	2

The largest fine was a $4.5 million citation for PCB disposal and records violations. A case involving a Section 5 PMN plus an inventory certification resulted in a $2.1 million citation.

II. PLANTS

- A waste disposal permit was received from Illinois EPA granting approval for the burial of debris from the South Shore Drive site in St. Charles County in either of two Chemical Waste Management landfills. Use of these Special Waste Landfills vs PCB Landfill (at Emelle, Alabama) will result in significant cost savings.

III. LITIGATION

- The legislature on Guam did not hold a scheduled vote on a bill which would allow anyone exposed to any substance regulated under TSCA at levels exceeding any federal standard to bring an action for damages. Further debate on the bill is possible but not scheduled at this time. This action follows a visit by outside counsel and technical consultants to familiarize the Guamanian legislature on PCB issues.

IV. MISCELLANEOUS

- The Water Pollution Control Foundation (WPCF) made a broad solicitation for funds using PCBs as the prime example of a "toxic...that still presents a clear and present danger" to waters in general. The solicitation was written in a biased, sensational manner citing old and controversial and/or erroneous data. We responded to the WPCF Director and Board of Directors including Monsanto staff who are active members and supporters of WPCF.

- Dairy Cow Publication - Dr. Lynn Willett of Ohio State University submitted for publication a final paper that pulls together many of the present studies that Monsanto has helped support. Dr. Willett believes the information should be helpful if (when) cattle are perceived, to be, or are actually exposed to PCBs in the future.

- Superfund Conference - PCBs were a major topic of discussion in many papers presented at the annual Superfund Conference held in Washington. No standards for remediation of old spills are apparent in the future and many states are trying to establish significantly lower levels than in the current EPA Spill Cleanup Policy for new spills.

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