OCT 1 4 1994

Monsanto

LAW DEPARTMENT

Monsanto Company
800 N. Lindbergh Boulevard
St. Louis, Missouri 63167
Phone: (314) 694-1000

October 13, 1994

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

William J. Taylor
Chief Title III & Toxics Section
U.S. Environmental Protection Agency
Region IV
345 Courtland Street, N.E.
Atlanta, GA 30365

Re: Consent Agreement and Consent Order (CA/CO)
Docket No. IV-93-529

Dear Mr. Taylor:

Enclosed is the CA/CO as executed on behalf of Monsanto Company (Monsanto) in the matter referenced above. Please understand that Monsanto is now settling this matter to put behind us several long-standing allegations by the U.S. Environmental Protection Agency (EPA). Paragraph 5 of the CA/CO does recite that Monsanto neither admits nor denies the allegations of fact and conclusions of law as asserted by EPA. However, Monsanto reluctantly accepted this language only because EPA asserted that, under its CA/CO procedures, Monsanto could not explicitly deny the allegations in the CA/CO and still settle this matter.

As noted in Monsanto's Answer to the EPA's Complainant in this matter, Monsanto does deny the EPA's allegations. Paragraph 6 of the CA/CO specifies that "no taking of evidence and testimony, argument, adjudication on the merits and decree or judgment has taken place." Accordingly, nothing in this CA/CO shall be construed as an admission by Monsanto as to any violation or any issue of law or fact. This CA/CO may not be used against Monsanto as evidence of

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any violation or as an admission by Monsanto against its interest.

Please assure that a copy of this letter is filed with the administrative record of these proceedings. Your assistance and the courteous cooperation of the EPA staff personnel in this matter is very much appreciated.

Very truly yours,

Stephen P. Krchma
Environmental Counsel

cc: J. F. Mayausky
Lynda Crum

bcc: J. P. Hyland
R. Jones
B. Russert G4WF

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