

Monsanto

FROM (NAME & LOCATION)

J.R. Savage - B3NH

DATE : December 10, 1975

CC:

SUBJECT : PCB Emergency Plan

REFERENCE :

TO : Messrs.

R.E. Beal	- B2SB
D.R. Bishop	- B1ND
R. Davis	- B2SF
W.H. Duffey	- E1SA
M.E. Gibbs	- W1A
C.P. Orr	- G2WD
W.B. Papageorge	- B3NB
C. Paton	- B2SK
C. Weber	- B2SK
D. Wood	- B2SD
J.J. Zeman	- B2SK

① X.C. JRS
plse note minor
points.

② X.C.
DLS.

③ CP.

Attached is the penultimate draft of our Emergency Plan on PCB's for your review. We will finalize this in our meeting on Monday, December 15 (9:00 AM - 11:00 --- B-291-S).

Also attached is a PCB Emergency Plan telephone list.

J.R. Savage
J.R. Savage

/bh
Attachments

DSW 185217

STLCOPCB4051463

P E N U L T I M A T E D R A F T

EMERGENCY PLAN - PCB's

Scenario - Immediate ban on production, sale or use of PCB before volume production of MCS 1238 is ready.

Responsibility for initiation of this plan and verification of acceptance of responsibilities: R.G. Potter

A. Immediate Actions upon notification of ban

1. Suspend chlorination operations. Suspend shipments from Krummrich Plant and warehouses (Santa Clara, Elizabeth, Los Angeles). Do not recall shipments enroute. Finish any distillation batches under way.

Responsibility: R.A. Pohl

Contacts: Krummrich Plant - A.E. Leisy
R.W. Flint

Warehouses - E.M. Potter
C.B. Sigler

2. Make preliminary press release (prepared in advance) stating that operations have been suspended and supplying background information on our PCB control efforts, status of replacements.

Responsibility: D.R. Bishop

Timing: Upon notification from R.A. Pohl
that item A.1 is complete.

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STLCOPCB4051464

3. Communicate situation to other affected Monsanto operations.

- a. Krummrich production planning - D.T. Mayer
- b. Process Chemicals Marketing (CS Acid, Muriatic) - J.F. Winkler
- c. Anniston Plant (biphenyl) - W.E. Voss
- d. Purchasing (TCB, drums) - B. Byrne

Responsibility: E.M. Potter

4. Determine precise details of ban -- Marketing (D. Wood), Product Acceptability (J.C. Weber), Washington Office (W. Easley), Legal (W. Withers/ T. Bottini), and report to Business Director.

Coordinating Responsibility: D. Wood

5. Review this plan to determine whether it fits the circumstances and make recommendations to the CAC on policy and implementation.

Responsibility: R.G. Potter

Timing: Within 2 business days

B. Follow-up Actions after CAC approval of detailed policy

1. Appoint Administrative Coordinator for 3-6 month period.

Responsibility: R.G. Potter

2. Briefing meeting (first day) to define policy and announce appointment of coordinator to:

Don't we need to identify co-ordinator ahead of time + brief him - otherwise he'll still be "all at sea" when emergency program goes into effect.

*Do we need
an Early Warning
System that
gives us info
up to of any
impending crises
leading to a ban?*

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- a. Business Group
- b. COP
- c. Sales Force
- d. Research
- e. P.R.
- f. Washington Office

Responsibility: R.G. Potter

3. Notify customers by:

- a. Telephone to most senior management contact -
Marketing (first day)
- b. Certified express letter to:
 - Office of the President
 - Purchasing Manager of use locations
 - Confirmation to telephone contact

(Note - direct all immediate customer responses to marketing group.)

Responsibility: D. Wood

4. Notify Corporate Engineering to minimize impact on operation of our Askarel units

Responsibility: C.P. Orr

5. Resume production and shipments as permitted by the approved policy, if any.

Responsibility: R.A. Pohl
E.M. Potter

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STLCOPCB4051466

6. Brief corporate marketing directors with other sales to dielectric customers on policy (second day).

Responsibility: D. Sliney

7. Notify Federal/State agencies of policies (3-5 days).

Responsibility: Washington Office - W. Easley

8. a. P.R. release on policy (second day)
b. P.R. prepare Q&A sheet on policy (third day).
c. Series of paid advertisements (7-15 days).

Responsibility: D.R. Bishop

9. Prepare form letters (third-fourth day).

- a. Transformer users
b. Capacitor users

Responsibility: D. Wood
Sent out by : C C P ?

Refer such enquiries to OEMs?

10. Brief U.S. Export Managers on export policy (fifth day).

Responsibility: C. Paton/D. Wood

11. Management/Marketing meetings with customers (second third/week). Responsibility: D. Wood

Let's not have unless it's essential.

12. Notify U.S. export customers of policy (second week).

Responsibility: Area Managers

13. Upon completion of final customer shipments, move all Monsanto PCB inventories to Krummrich incinerator.

Responsibility: E.M. Potter

14. Initiate decontamination of Krummrich PCB facilities (see detailed decontamination plan):

Responsibility: RA Pohl

They should be in hands before they read our policy in media.

Needs higher priority.

Depend on whether we are 1-2 mo. or 6-12 mo. away from non-PCBs.

DSW 185221

EMERGENCY PLAN - POLICY DECISIONS NEEDED FOR CAC APPROVAL

Domestic

1. Date of final production
2. Shipment of inventory.
3. Customer commitment to orders on books but unshipped.
4. Incineration returns (maximum rate 300,000 lbs. per month).
 - a. All returns invoiced a price to fully cover incineration cost.
 - b. All customers given equal opportunity to use service.
 - c. COP to be set up to handle.
 - d. Alert other incinerator services of our policy.
5. No change in policy on refusal to ship transformer makeup requirements to transformer users. They should still obtain product from Transformer manufacturer.
6. What assistance we will give on plant decontamination.
 - a. Capacitor/Transformer manufacturers.
 - b. End users - will refer to equipment manufacturers (let them know we will do this).
7. Position on replacement fluid from Monsanto.

U.S. Export

1. Recommend cease shipments two months after we cease domestic shipments.
 - a. Documentation/L of Credit/Import licenses involve longer lead time and possibility of legal liability if we shut off immediately.
 - b. Additional flexibility in inventory run down.
 - c. In meantime MESA should avoid commitment to long-term supply contracts.

DSW 185222

Preliminary Actions

1. Persuade customers (capacitors) to buy and increase inventory of Aroclor/Capacitors/Inventories at users to give 4-6 months bridge -- D. Wood
2. Persuade customers to accelerate MCS 1238 approval programs -- D. Wood
3. Confirm no continuing contractual obligations to supply -- D. Wood
4. CED to prepare survey of Askarel equipment used by Monsanto -- C.P. Orr
5. List corporate sales to all dielectric customers -- D. Wood
6. Prepare Tentative PR statement -- D.R. Bishop
7. List names of contacts to call at all customers -- D. Wood
8. Define detailed decontamination procedure for use at Krummrich and possible adaptation for customers -- J.R. Savage
9. Have list of correct addresses to send ~~let~~ customer letters spelling out our policy. -- D. Wood
10. Define implications of ~~PCB~~ PCB discontinuation on our hold-harmless agreements. Do they immediately become null & void? -- Legal.

PCB EMERGENCY PLAN - TELEPHONE LIST

	<u>Office</u>	<u>Home</u>
R.G. Potter	4-2142	469-1835
<u>Manufacturing</u>		
R.A. Pohl	4-2243	991-5455
A.E. Leisy	812-2019	966-5608
R.W. Flint	812-2043	849-0758
D.T. Mayer	812-310	618-286-3483
W.E. Voss	823-205-293	205-237-5834
<u>Marketing</u>		
C. Paton	4-2529	227-7581
D. Wood	4-2623	536-2161
→ R.E. HATTON		
<u>Medical/Prdt. Acceptability</u>		
J.C. Weber	4-2027	961-7693
Dr. G. Roush	4-2191	997-2234
W.B. Papageorge	4-2086	878-3513
<u>Legal</u>		
W.W. Withers	4-2851	227-8345
T. Bottini	4-2872	725-0677
<u>Distribution</u>		
E.M. Potter	4-2443	567-6043
C.B. Sigler	4-2428	618-234-9945
R.A. Sipes	4-2431	821-0938
<u>Washington Office</u>		
W.K. Easley	821-4548	301-299-9587
<u>Public Relations</u>		
D.R. Bishop	4-2891	469-1377

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STLCOPCB4051470

P E N U L T I M A T E D R A F T

EMERGENCY PLAN - PCB's

Scenario - Immediate ban on production, sale or use of PCB before volume production of MCS 1238 is ready.

Responsibility for ^{verification of existence of a ban,} initiation of this plan and verification of acceptance of responsibilities: R.G. Potter

A. Immediate Actions upon notification of ban

1. Suspend chlorination operations. Suspend shipments from Krummrich Plant and warehouses (Santa Clara, Elizabeth, Los Angeles). Do not recall shipments enroute. Finish any distillation batches under way.

Responsibility: R.A. Pohl

Contacts: Krummrich Plant - A.E. Leisy
R.W. Flint

Warehouses - E.M. Potter
C.B. Sigler

2. Make preliminary press release (prepared in advance) stating that operations have been suspended and supplying background information on our PCB control efforts, status of replacements.

Responsibility: D.R. Bishop

Timing: Upon notification from R.A. Pohl
that item A.1 is complete.

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STLCOPCB4051471

3. Communicate situation to other affected Monsanto operations.

- a. Krummrich production planning - D.T. Mayer
- b. Process Chemicals Marketing (CS Acid, Muriatic) - J.F. Winkler
- c. Anniston Plant (biphenyl) - W.E. Voss
- d. Purchasing (TCB, drums) - B. Byrne

Responsibility: E.M. Potter

4. Determine precise details of ban -- Marketing (D. Wood), Product Acceptability (J.C. Weber), Washington Office (W. Easley), Legal (W. Withers/ T. Bottini), and report to Business Director.

Coordinating Responsibility: D. Wood

5. Review this plan to determine whether it fits the circumstances and make recommendations to the CAC on policy and implementation.

Responsibility: R.G. Potter

Timing: Within 2 business days

B. Follow-up Actions after CAC approval of detailed policy

1. Appoint Administrative Coordinator for 3-6 month period.

Confirmation Check?
Responsibility: R.G. Potter

2. Briefing meeting (first day) to define policy and announce appointment of coordinator to:

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STLCOPCB4051472

- a. Business Group
- b. COP
- c. Sales Force
- d. Research
- e. P.R.
- f. Washington Office

Responsibility: R.G. Potter

3. Notify customers by:

- a. Telephone to most senior management contact -
Marketing (first day)
- b. Certified express letter to:
 - Office of the President
 - Purchasing Manager of use locations
 - Confirmation to telephone contact

(Note - direct all immediate customer responses to marketing group.)

Responsibility: D. Wood

4. Notify ^{Manufacturing, Company-wide,} ~~Corporate Engineering~~ to minimize impact on operation of our Askarel units.

Responsibility: ~~G.P. Orr~~ R.A. Pohl to G.L. Brutsche
to

5. Resume production and shipments as permitted by the approved policy, if any.

Responsibility: R.A. Pohl
E.M. Potter

DSW 185227

STLCOPCB4051473

6. Brief corporate marketing directors with other sales to dielectric customers on policy (second day).
Responsibility: D. Sliney
7. Notify Federal/State agencies of policies (3-5 days).
Responsibility: Washington Office - W. Easley
8.
 - a. P.R. release on policy (second day)
 - b. P.R. prepare Q&A sheet on policy (third day).
 - c. Series of paid advertisements (7-15 days).
Responsibility: D.R. Bishop
9. Prepare form letters (third-fourth day).
 - a. Transformer users
 - b. Capacitor users
Responsibility: D. Wood
10. Brief U.S. Export Managers on export policy (fifth day).
Responsibility: C. Paton/D. Wood
11. Management/Marketing meetings with customers (second-third week). Responsibility: D. Wood
12. Notify U.S. export customers of policy (second week).
Responsibility: Area Managers
13. Upon completion of final customer shipments, move all Monsanto PCB inventories to Krummrich incinerator.
Responsibility: E.M. Potter
14. Initiate decontamination of Krummrich PCB facilities (see detailed decontamination plan):
Responsibility: RA Pohl

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EMERGENCY PLAN - POLICY DECISIONS NEEDED FOR CAC APPROVAL

Domestic

1. Date of final production
2. Shipment of inventory.
3. Customer commitment to orders on books but unshipped.
4. Incineration returns (maximum rate 300,000 lbs. per month).
 - a. All returns invoiced a price to fully cover incineration cost.
 - b. All customers given equal opportunity to use service.
 - c. COP to be set up to handle.
 - d. Alert other incinerator services of our policy.
5. No change in policy on refusal to ship transformer makeup requirements to transformer users. They should still obtain product from Transformer manufacturer.
6. What assistance we will give on ^{customer} plant decontamination.
 - a. Capacitor/Transformer manufacturers.
 - b. End users - will refer to equipment manufacturers (let ^{our customers} ~~them~~ know we will do this).
7. Position on replacement fluid from Monsanto.

U.S. Export

1. Recommend cease shipments two months after we cease domestic shipments.
 - a. Documentation/L of Credit/Import licenses involve longer lead time and possibility of legal liability if we shut off immediately.
 - b. Additional flexibility in inventory run down.

~~Ex - U.S.~~

~~4 Coa.~~ In meantime MESA should avoid commitment to long-term supply contracts.

Q. Maintain U.K. production and take separate decision within 1 month of a U.S. ~~Base~~ law.

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Preliminary Actions

1. Persuade customers (capacitors) to buy and increase inventory of Aroclor/Capacitors/Inventories at users to give 4-6 months bridge -- D. Wood (First contact by 2/15/76)
2. Persuade customers to accelerate MCS 1238 approval programs -- D. Wood (~~first~~ contact by 2/15/76)
3. Confirm no continuing contractual obligations to supply -- D. Wood (12/31/75)
4. ~~GED to~~ Prepare survey of Askarel equipment used by Monsanto -- ~~C.P. Orr~~ G.L. Bratish (request to GED by 12/22/75)
5. List corporate sales to all dielectric customers -- ~~D. Wood~~ R E Hutton (12/31/75)
6. Prepare Tentative PR statement -- D.R. Bishop (1/1/76)
7. List names of contacts to call at all customers -- D. Wood (12/31/75)
8. Define detailed decontamination procedure for use at Krummrich and possible adaptation for customers -- J.R. Savage (~~12/1/76~~) (1/5/76)
9. ~~Develop~~ Develop list of publications for potential ad campaign. D R Bishop (12/14/75)
9. ~~Also~~ Prepare recommendation on advice to customers re ~~cont~~ decontamination -- D. Wood (2/1/76)

PCB EMERGENCY PLAN - TELEPHONE LIST

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R.W. Flint	812-2043	849-0758
D.T. Mayer	812-310	618-286-3483
W.E. Voss	823-205-293	205-237-5834
<u>Marketing</u>		
C. Paton	4-2529	227-7581
D. Wood	4-2623	536-2161
<u>Medical/Prdt. Acceptability</u>		
J.C. Weber	4-2027	961-7693
Dr. G. Roush	4-2191	997-2234
W.B. Papageorge	4-2086	878-3513
<u>Legal</u>		
W.W. Withers	4-2851	227-8345
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E.M. Potter	4-2443	567-6043
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R.A. Sipes	4-2431	821-0938
<u>Washington Office</u>		
W.K. Easley	821-4548	301-299-9587
<u>Public Relations</u>		
D.R. Bishop	4-2891	469-1377

Revised at interview *pre-replacement* *modified* **DRAFT**
Emergency Dielectric Plan - Marketing

Scenario - ~~Immediate ban~~ on production of PCB at W.G.K.
2-6 months before volume production of MCS 1238
is available.

A. Action 1. Determine precise details of ban - Marketing,
Product acceptability, Legal (immediate).

2. Review emergency plan, make detail policy
recommendation to CAC - Marketing/Business
Director (Day 2). *(Does plan fit?)*

B. Following CAC approval of detail policy:

1. Briefing meeting to define policy to:

- a) Business group
- b) COP
- c) Sales force
- d) Research
- e) P.R. (B.1)
- f) Washington office. *initial*

2. Notify customers by:

- a) telephone to most senior management contact -
Marketing (B.1)
- b) Certified express letter to:
 - Office of the President
 - Purchasing manager of use locations
 - Confirmation to telephone contact.(B.2)

(Note - direct all immediate customer responses to
marketing group.)

3. Brief corporate marketing directors with other sales
to dielectric customers on policy (B.2) - Marketing
Director.

4. Notify Federal/State agencies of policies (B3-5) -
Washington Office

5. a) P.R. release on policy plus series of paid
advertisements (B-2 and B2-7).
b) P.R. prepare Q&A sheet on policy (B-3).

6. Prepare form letters

- a) Transformer users
- b) Capacitor users - Marketing (B3-4).

7. Appoint Administrative Coordinator for 3-6 month
period - Business Director (B-1).

8. Establish Central Record Center (B-2).

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STLCOPCB4051478

9. Management/Marketing meetings with customers (B7 - B21).
10. Brief U.S. Export Managers on export policy (B-5).
11. Notify U.S. export customers of policy - Area Managers (B7-B14).
12. Notify corporate engineering (to minimize impact on operation our Askarel units (B-1).

DSW 185233

STLCOPCB4051479

Policy must cover following items.

Domestic

1. Date production will stop.
2. Can we ship inventory. | *Legal*
3. Shipments in transit should move to customer | *Legal*
4. Customer commitment to orders on books but unshipped | *Legal*
5. Incineration returns (man rate 300,000 lbs. per month?)
 - a) All returns invoiced a price to fully cover incineration cost.
 - b) All customers given equal opportunity to use service.
 - c) COP to be set up to handle.
 - d) Alert other incinerator services of our policy.
6. No change in policy on refusal to ship transformer makeup requirements to transformer users. They should still obtain product from T manufacturer.
7. Indemnification agreements (termination). | *✓*
8. What assistance we will give on plant decontamination.
 - a) Capacitor/Transformer manufacturers. ((
 - b) End users - will refer to equipment manufacturers (let them know we will do this).
9. Position on replacement fluid from Monsanto.

U.S. Export

1. Recommend cease shipments two months after we cease domestic shipments.
 - a) Documentation/L of Credit/Import licenses involve longer lead time and possibility of legal liability if we shut off immediately.
 - b) Additional flexibility in inventory run down.

Ex U.S.A.

- A. Recommend we maintain U.K. production and take separate decision in 1 month following U.S. ban on future of U.K. production.
- B. If we decide to cease production minimum 2 months after U.S. production shutdown.
- C. In meantime MESA should avoid commitment to long-term supply contracts.

DSW 185234

STLCOPCB4051480

A number of preliminary actions should in any event be put in hand immediately.

1. Persuade customers (capacitors) to buy and increase inventory of Aroclor/Capacitors/Inventories at users to give 4-6 months bridge - Marketing.
2. Persuade customers to accelerate MCS 1238 approval programs - Marketing.
3. In face of government ban define our legal position vs. (a) customers, (b) users, (c) government agencies who may file suit for supply or in case of agencies invoke defense priorities - Legal.
4. Confirm no continuing contractual obligations to supply - Marketing.
5. Define action to be taken on cancellation of indemnity agreements and legal status of these agreements following a ban - Legal.
6. Advise corporate engineering to prepare survey of Askarel equipment used by Monsanto - Marketing.
7. List corporate sales to all dielectric customers - Marketing/MISD.

8. Prepare Tentative PR statement.

9. List names of contacts to call at all customers.

DSW 185235

STLCOPCB4051481

D R A F T II

PCB EMERGENCY PLAN - MANUFACTURING

Scenario: U.S. Government ban on PCB's without any lead time for compliance. MCS 1238 availability 2-4 months away.

Resp: RCP

- X (1) Suspend chlorination operations. Finish any distillation batches underway. If at night or weekend, ^(who?) call A.E. Leisy (966-5608) or ^{RW Funt} ~~G.L. Johnson~~ (487-4141).

Responsibility: Manufacturing (*Bob Potter*)

Timing: Immediate (Teletype + Telephone)

- L (2) Suspend shipments from Krummrich and warehouses (Santa Clara, Elizabeth, Los Angeles). Do not recall shipments enroute.

Responsibility: Materials Management

Timing: Immediate (Teletype + Telephone)

- X (3) Communicate situation to WGK Production Planning (Mayer) so that CS Acid/Muriatic priorities can be assessed and new schedules drawn up. Communicate to Process Chemicals Marketing. Communicate to Anniston re biphenyl schedule. Cancel orders for trichlorobenzene and special drums.

Responsibility: Materials Management (*Potter*)

Timing: Immediate (Telephone) *(but after (1))*

- (4) (Detailed Marketing Plan will replace this item)
Determine customer requirements, if any. Will any customers fight the ban, can we produce for export, etc.?
Can/will Monsanto supply a customer who is fighting a ban on use?

DSW 185236

STLCOPCB4051482

Responsibility: Marketing
Law Department
Washington Office

Timing: Within 7 days

Decision: Via General Manager

- X (5) Upon resolution of Item (4), restart production to complete agreed-upon requirements, if any.

Responsibility: Manufacturing

Timing: As required.

- X (6) Upon resolution of Item (4), resume shipments as agreed, if any.

Responsibility: Materials Management

Timing: As agreed.

- (7) Ship PCB inventory from warehouses to Krummrich incinerator. Transfer any production department inventory to incinerator. Reassess incineration priorities in rest of plant.

Responsibility: Materials Management
Manufacturing

Timing: Within 14 days of completion of Item (6).

- (8) Upon completion of Items (5), (6), and (7), commence the decontamination procedure. Incinerate all combustible waste materials. Mothball equipment pending dismantling or conversion to other service.

Responsibility: Manufacturing

Timing: Within 30 days of final production.

- (9) Disperse work force with Krummrich Plant. Establish *continue* tracking system to follow medical records, *history of workers* *indefinitely.*

Responsibility: Manufacturing

Timing: Upon completion of Item (7).

DSW 185237

Other Plausible Scenarios (the "what-if" game)

- Insurance companies refuse to back small capacitor makers. *Don't talk to ins com*
- Ban is applied to higher homologs only.
- Effluent regulations in one or more states make capacitor manufacture impossible within their jurisdiction.
- Government uses (e.g. defense priorities) demand a continuing supply.
- State of Illinois action against Krummrich
 - ban on PCB manufacture;
 - ban on bringing in waste PCB for incineration from outside Illinois;
 - operating permit for incinerator withdrawn.
- Government imposes extended moratorium on replacements pending safety/environmental testing.
- Plant disaster (Krummrich or Anniston) destroys PCB manufacturing capability (several \$M to restore).
- Government or Industry asks us to take the 1043/1016 route.
- Selective ban on transformer application (or transformer makers drop out).
- Major customers consider the ban illegal and want us to supply while fighting it.

- 90-120 days to ban

DSW 185238

STLCOPCB4051484

Types of Emergency plan

Monsanto
unilateral
Withdrawal

Down &
out

Customer problem
- commitment
harder to get

Government
Action
for Force quilt
phase - out.

Temporary -
cash
replacements
(try to buy on go
Lamp from govt)

Orderly
replacement

Our replacements
not ready

Our replacement
ready at
commercial volume

This is ^{what} our emergency plan should cover

DSW 185239

STLCOPCB4051485