Monsanto

FROM
(NAME—LOCATION—PHONE) J. H. Craddock - B3NA (4-4764)

DATE : November 1, 1983 CC.

SUBJECT : Monthly Report - October 1983
PCB Surveillance

REFERENCE :

TO : W. B. Papageorge

HIGHLIGHTS

- Litigation

[redacted]

- New Regulations

CMA PCB Task Force "previewed" the proposed new PCB rule scheduled for December 1 with EPA staff. The good news is that EPA has taken the industry/environmentalist proposal and used it as the framework for the new rule to provide a workable, acceptable regulation. The bad news is that working level EPA staff are trying to justify their actions (which CMA/EDF/NRDC believe is not totally necessary) using questionable techniques and practices that might have significant impact on future chemical regulations.

- Plant Activities

Analysis of samples by MIC Environmental Sciences Lab as part of a joint project with Alabama Regulatory Agencies to study Choccolocco Creek sediments near Anniston was completed. Samples were all significantly less than the 50 ppm regulatory cutoff (range 2.1 to 19.2 ppm, average 9.9 ppm).

DETAILS

1. [redacted]

[redacted]

2. Objective

Influence more reasonable regulation of PCBs by State and Federal agencies.

Status

New Federal PCB Rules

- CMA PCB Task Force "previewed" the proposed new PCB rule scheduled for December 1 with EPA staff. The good news is that EPA has taken the industry/environmentalist proposal and used it as the framework for the new rule to provide a workable, acceptable regulation. The bad news is that working level EPA staff are trying to justify their actions (which CMA/EDF/NRDC believe is not totally necessary) using questionable techniques and practices probably based upon poor science that might have significant impact on future chemical regulations. EPA is developing carcinogen and reproductive effect risk assessments on worst case ultra conservative scenarios not based on good health effects science!

- The CMA PCB Task Force is trying to marshall other industry groups and forces to attack the bad science risk assessment policies basis while the CMA PCB Group tries to preserve a workable regulation.

- EPA filed their quarterly report with the D.C. Circuit Court on progress in the new PCB rulemakings - scheduled to be published December 1. The agency re-affirmed to the Court that the consensus proposal for the new rule submitted by CMA and EDF "provides a satisfactory framework" for the new rule.

- EPA management in the Office of Toxic Substances indicated in a private contact that both OTS and the Enforcement Division would be interested in developing technically based PCB spill clean-up rule along the lines of the CMA/EDF consensus rule for incidental PCBs. Timing is such that the Agency would like to include it in the December 1 rule proposal package. Other members of the CMA PCB task force are interested in developing such a rule for clean-up as well as some EDF representatives.

3. Objective

Provide guidance to Monsanto facilities for cost effective compliance with PCB rules and regulations.

PCB-ARCH-EXT0381656

Status

Plant Activities

- Anniston - Analysis of samples by MIC Environmental Sciences Lab as part of a joint project with Alabama Regulatory Agencies to study Choccolocco Creek sediments near Anniston was completed. A draft report was prepared for submission to the state. Samples were all significantly less than the 50 ppm regulatory cutoff (range 2.1 to 19.2 ppm, average 9.9 ppm).

- Brazil - The Brazilian equivalent of U.S. EPA visited Monsanto-Brazil manufacturing management to "informally" discuss possible use of our San Jose benzyl chloride incinerator for disposal of Brazilian PCBs since there is "no other incinerator available in the country." A comparative review of the existing incinerator and U.S. EPA incinerator standards is being made. The design specs of the existing unit are expected to be too mild to handle PCB incineration effectively.

- General - Some confusion and disruption of our planned PCB disposal program at Monsanto plants due to EPA Enforcement Division's recent policy statement/interpretations effectively reducing storage time 90 days (270 days vs. 1 year) was resolved. Waste contractors are "jammed" with material. Contacts with Rollins Environmental Services management, our prime supplier of PCB disposal services, assured us that Monsanto commitments will be honored and given priority. PCB disposal problems at JFQ and MRC-Dayton were resolved.

4. Objective

Provide initiatives to reduce public hysteria and develop more reasonable understanding of PCB health and environmental effects.

Status

- The PCB bulletin for the Monsanto managers Public Issues volume was updated and published with the leadership and assistance of Corporate Public Relations Department.

- At the invitation of The Society of Diecasting Engineers, JHC wrote the feature article for the September/October 1983 issue of Diecasting Engineer entitled "PCBs: A Perspective For The Diecasting Industry," pages 12-18.

J. H. Craddock

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PCB-ARCH-EXT0381657