PCB Forward Planning

DRAFT
1/11/80

To: Dr. Louis Fernandez.

Ref: LF/MCT 12/13/79

Subject: Environmental Management of Defunct Product -- PCB

As directed, EPS has assumed management responsibilities and accountability for PCBs.

We made the following assumptions:

1. The Corporation's involvement with health/environmental effects -- alleged or real -- for PCBs of our manufacture does not cease until there are no further problems. PCBs are a learning model for determining most effective Corporate action in the event that other products, or by-products, are at some future time deleted from the product line; a forthcoming Policy will help decide the permanence of this PCB decision.

2. Appropriate budget resources will be proposed for assignment to EPS. Other budgeted funds in other parts of the Corporation may be left with those groups but will be pulled together for monitoring purposes by EPS.

The following action has been agreed to among Mr. Harbison, Dr. Nolan and me:

1. STAFFING

   A. One individual will be assigned EPS to become Manager, Environmental Product Responsibility reporting to

PLAINTIFF'S EXHIBIT 3066

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Director, Environmental Affairs, EPS. Responsibilities are shown on Attachment I.

This job should be a key management assignment filled by a mature manager with a technical background who is cognizant of government legislation affecting chemical toxicity and environmental protection, has superior written and oral communication skills, and who will be prepared to accept this assignment for a minimum of 5-7 years.

B. Add: One para-legal archivist to organize and catalog information from 400+ file cases. This need may exist until the completion of this task -- possibly two years. This archivist would be assigned to outside counsel required for such consolidation and would be expert in documentation ordering.

C. Add: One clerk/secretary.

2. SUPPORT

EPS will have ready access to the following support resources on an "ad hoc" basis:

A. Corporate PR -- Creeson & Bishop

B. Corporate Law -- Park, et al

C. MIC/MCI --

- Manufacturing know-how for
  - -- packaging & shipping
  - -- separations practices
  - -- handling intermediates, by-products, residues
  - -- safe disposal practices

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- Product Technology for any additional requirements for
  - -- physical and chemical data
  - -- application and use
  - -- environmental fate

3. POTENTIAL UNRESOLVED ISSUES (Supplied by Messrs. Mollica & Wood of MIC)

A. Contaminated "hot spots" e.g. Hudson River, Waukegan Harbor.

B. Litton Bionetics Primate Study.

C. WGK epidemiological study.

D. Selikoff New York epidemiological study.

E. North Carolina plant uptake study.

F. Possible chlorinated di benzyl furans in aged or incinerated PCBs.

G. Monsanto compliance with PCB rules.

H. Lack of consistent testing capacity for PCBs.

I. Lack of resolution of causes of Yusho, Japan, incident and up-to-date information on patient recovery rate.

J. Best technology for transformer, capacitor protection.

K. Reduction of PCB levels in other fluid systems.

L. Reduction of body levels of PCBs by absorbent drugs.

M. Medical examinations for low exposure cases.

N. Discussion of PCBs being possible carcinogens, etc.

O. PCBs in the food chain -- including mother's milk.

4. KNOWN CLAIMS & LAWSUITS

See Attachment II -- Supplied by Messrs. Mollica & Wood of MIC)

5. Scope of Areas Requiring Responses

a) The public, e.g. those directly involved with PCB spill incidents, and concerned members of the general public.

b) Agencies (Federal/state) EPA, FDA, DOT, Coast Guard, CPSC and legislators - Senate/Congressional staff members.

c) Industry - Previous PCB users.

- Users of devices containing PCBs.

d) Disposal companies.

e) Overseas chemical companies - seeking PCB technology.

f) Universities - wide range of PCB research.

g) Testing companies.

h) Transformer repair and scrapping companies.

i) Government contractors involved in regulatory procedures.

j) Lawyers.

k) Doctors treating PCB exposed workers.

l) Media.

m) Suppliers of protective equipment.

n) Transportation companies.

o) The military.

p) Inventors - seeking new removal, destruction techniques.

q) Chemical companies - market surveys of PCB replacement technology

- products to absorb, seal PCBs.

r) Waste oil dealers.

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