U.S. DEPARTMENT OF COMMERCE
National Industrial Pollution Control Council
Washington, D.C. 20230

18 November 1971

Mr. Charles H. Sommer
Chairman
Monsanto Company
800 North Lindberg Blvd.
St. Louis, Missouri 63166

Dear Charlie:

I thought you might be interested in the enclosed letters on PCB.

Sincerely,

Walter A. Hamilton
Deputy Assistant Secretary - Economic Affairs
Executive Director - NIPCC

DSW 019323

stinghouse Electric Corporation

Gateway Center
Pittsburgh, Pennsylvania 15222

October 1, 1971

The Honorable Maurice H. Stans
The Secretary of Commerce
Department of Commerce
14th and Constitution Avenue, N. W.
Washington, D. C. 20230

Dear Mr. Secretary:

At the October 1, 1971 meeting of the Electric and Nuclear Sub-Council of the National Industrial Pollution Control Council, the members discussed the current public concern over applications of polychlorinated biphenyls (PCB) which allow these substances to be released to the environment.

At its first meeting the Sub-Council identified PCB as potentially hazardous. A Sub-Council report, "The Use and Disposal of Electrical Insulating Liquids," published in June pointed out that some members of the PCB family are not biodegradable, accumulate in the environment, are toxic, and are believed to be ecologically hazardous. The report recommended that PCB use be limited to closed systems, such as transformers, in which it is retained and not released to the environment in normal usage. It also recommended handling methods which avoid releasing discarded PCB or PCB soaked materials to the environment. I enclose a copy of the report.

Two toxic substances control bills, S. 1478, with amendment 338 and H.R. 10085, propose restrictions that could prevent the use of PCB even in closed systems. The Sub-Council members agree that PCB use should properly be subjected to regulatory controls to protect the public. However, they strongly believe that it should not be banned from use in closed systems following recommended procedures. Suitable substitute products are not available for many essential electrical uses. We urge you and your Department to make this clear to the Congress and other bodies concerned with this problem.

Sincerely yours,

Enclosure

116187

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NIPCC files

THE SECRETARY OF COMMERCE
Washington, D.C. 20230

Mr. D. C. Burnham
Chairman
Westinghouse Electric Corporation
Westinghouse Building
Gateway Center
Pittsburgh, Pennsylvania 15222

Dear Mr. Burnham:

The views of the Electric and Nuclear Sub-Council of the National Industrial Pollution Control Council set forth in your letter of October 12 have been brought to the attention of my colleagues in the Administration who are concerned with the outcome of proposals currently under consideration with regard to the control of toxic substances.

We appreciate the importance of the Sub-Council recommendation. This is the kind of careful distinction that must be made if we are to avoid denying the economy useful and safe benefits from modern technology inadvertently and unnecessarily.

As you know, the report of your Sub-Council which also deals with the controlled use of polychlorinated biphenyls in closed systems has been distributed in accordance with regular procedures not only within the Executive Branch but to those in the Congress who have so requested.

Your work and that of your colleagues on the Sub-Council is of the utmost importance to us and I urge your continued cooperation and assistance.

Sincerely,

Secretary of Commerce

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Copy: ExSecretariat(2)
Secretary Stans
Mr. Casson
Mr. Letson
Mr. Hamilton
NIPCC files(2)

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U.S. DEPARTMENT OF COMMERCE
National Industrial Pollution Control Council
Washington, D.C. 20230

November 15, 1971

Mr. D. C. Burnham
Chairman
Westinghouse Electric Corporation
Westinghouse Building
Gateway Center
Pittsburgh, Pennsylvania 15222

Dear Don:

At the Secretary's request, I brought your letter of October 12 to the urgent attention of John Whitaker, Deputy Assistant to the President, and to Chairman Russell E. Train of the Council on Environmental Quality.

Mr. Whitaker has had this checked out carefully and reports that the Administration does not anticipate enactment of toxic substances control legislation in a form which would specifically prohibit the use of any specific industrial chemical. It is anticipated that final legislation will give the Administrator of the Environmental Protection Agency authority to exercise controls up to and including prohibitions. He further reports that EPA has no present plans to restrict the use of polychlorinated biphenyls in the kind of closed cycle systems employed with this material in the electrical industry.

Mr. Whitaker also suggests that you might wish to communicate this information directly to the members of your Sub-Council.

In addition, Chairman Train advises that he does not anticipate enactment of H.R. 10085 which is the only measure now under consideration in the Congress which would ban all uses of PCB's. He also indicates that he expects the Administration to look to the review of PCB's and substitute materials for various applications being performed by the National Bureau of Standards before taking any actions under such legislation as is enacted.

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I trust this will be helpful to you and the other members of your Sub-Council.

Sincerely,

/s/

Walter A. Hamilton
Executive Director

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Mr. Hamilton

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