SOLUTIA

Applied Chemistry, Creative Solutions

Anniston Site Issues
September 4, 1998

Issue: The Anniston, Alabama plant was built in 1917 in an area with other industrial facilities. When Monsanto acquired the plant in 1935 from Swann Chemical Company, PCBs were one of the products manufactured there. The manufacture of PCBs at the site was discontinued in 1971. PCBs were used primarily as fire resistant insulating and cooling fluids in electrical equipment.

Over the past several years, the Anniston plant, under the oversight of the Alabama Department of Environmental Management (ADEM), has been conducting sampling and analysis for the presence for PCBs in several areas near the plant in a program to assure that any PCBs will be managed and contained. To facilitate that program and other remediation activity, Monsanto established a voluntary Property Purchase Program for residential property in two areas near the plant. Most of the owners of the residential property within the areas accepted Monsanto's offers, which included appraised value plus an additional substantial premium, an early sign up bonus, allowances for legal and miscellaneous expenses, and assistance in locating alternate housing. No release of legal claims was sought in connection with these relocations. Residents who chose not to participate in the Property Purchase Program were offered temporary relocation and cleaning of their homes.

Monsanto also offered the two churches in the area east of the plant comparable opportunities. We relocated the Bethel Missionary Baptist Church, building to their specifications a new facility with new equipment and furnishings on land chosen by them. Mars Hill Missionary Baptist Church received the same offer, but unfortunately chose to file a lawsuit. A proposed settlement gives Mars Hill the opportunity to relocate to a new site in Anniston and construct and furnish a new facility.

PCBs have also been detected in fish in Choccolocco Creek, Lake Logan Martin and Lay Lake. The Alabama Department of Public Health (ADPH) has issued fish consumption advisories on portions of those waterways. These advisories advise people not to eat certain fish from the waterways, because they may contain more than the FDA tolerance level of 2 ppm for PCBs.

Importance: Various lawsuits are pending against the company in state and federal courts in Alabama, precipitated by the fish consumption advisories and the detection of PCBs in areas around the plant. Several of these lawsuits have been filed on behalf of persons who own property on Choccolocco Creek, Lake Logan Martin and Lay Lake. In one of those cases, the state court has certified a class of approximately 4,000 property owners along Choccolocco Creek and Lake Logan Martin. In another of the cases, the plaintiffs seek to certify a class of property owners along Lay Lake. Others of these lawsuits have been filed on behalf of approximately 3,000 persons who claim that they have owned or have resided on or near properties on which PCBs may have been present in neighborhoods near the plant, or who claim that they have otherwise had sufficient contact with those neighborhoods to have some potential for exposure to PCBs. There are also several lawsuits filed by owners of commercial property near the Anniston plant.

Context: Monsanto has acted reasonably and responsibly with respect to PCBs.

Historically, we undertook basic research for detection of PCBs in the environment and shared that work with the government and other researchers. In 1970, we voluntarily approached the Alabama regulators then responsible for environmental matters and provided them with the information we had on PCBs at that time. We closed the Anniston PCB manufacturing unit in 1971. We limited our sales of PCBs to closed uses by 1972. We were in compliance with all environmental regulations before relevant deadlines. We ceased all production of PCBs in 1977 voluntarily. (EPA prohibited their production in 1979.)

Solutia's actions today continue the record of responsible action. When we discovered the presence of PCBs in adjacent areas, we notified the community and ADEM. We undertook a comprehensive sampling program. We undertook the Property Purchase Program and the relocation of the churches. We undertook an extensive remediation program, under the oversight of ADEM, to address the issues. We will continue to take responsible action.

Status: We have been a responsible part of the Anniston community for many years and continue to contribute to the community. We have undertaken to relocate residents on whose properties PCBs have been detected. We have relocated the Bethel Missionary Baptist Church to a new facility and provided the Mars Hill congregation with the same opportunity. We have spent more than $25 million in our property purchase, relocation and remediation programs.

Solutia's Position: PCBs have not been shown to cause significant adverse human health effects. PCBs are environmentally persistent and have been shown to cause cancer in laboratory animals, but only at doses far in excess of any exposures to anyone in or around the Anniston plant.

Workers who were exposed to high levels in PCBs in the jobs have been extensively studied. They showed no adverse health effects other than occasional dermal effects, which cleared up when exposure stopped. Scientific studies do not support the claim that PCBs cause reproductive problems or disruption of the endocrine system in humans.

PCBs were a useful product which saved lives and protected property. The principal use of PCBs was as a fire resistant fluid in transformers and other electrical equipment. Their use in these applications was required for many years by building codes for commercial buildings and other places where fire safety was critical.

We have acted reasonably and responsibly and will continue to do so. We will defend our record in court as required.

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