FILED
2009 Jan-13 PM 03:29
U.S. DISTRICT COURT
N.D. OF ALABAMA

EXHIBIT D



Monsanto

FROM (NAME & LOCATION): Paul B. Hodges - St. Louis

DATE: September 18, 1970

SUBJECT:

REFERENCE:

TO: Toby Bell - Anniston

cc: J. R. Savage - JSAVA
W. B. Papageorge - WPAPA
D. B. Hosmer - DHOSM
G. L. Jessee - Anniston
G. Miller - Anniston
J. Landwehr - Anniston
J. L. Corder - Anniston

CONFIDENTIAL

In reviewing your proposed letter to Joe Crockett with Legal, et al, we requested latest emissions data on the flow to Snow Creek. We had hoped that it might show an improvement over the 1st week in September and thus demonstrate a favorable trend to Crockett. Instead, the emissions are considerably increased with 9/13/70 at 6.25 ppm (or about 80 lbs. of PCB for the day). From the Legal standpoint, there is extreme reluctance to report even the relatively low emission figures because the information could be subpoenaed and used against us in legal actions. Obviously, having to report these gross losses multiplies, enormously, our problems because the figures would appear to indicate lack of control.

.678125
1#
EHL

Realizing the extreme efforts the plant has gone to in order to curtail loss of PCB's, is there anything more that can be done to get the losses down? Is there a possibility that sampling practices are responsible for the wide variations shown (you might try duplicate effluent samplers)? Are there any practices in the manufacturing area which might result in the peak losses? Obviously, we cannot solve the problems from St. Louis but we do want to emphasize the concern from here.

Paul

Paul B. Hodges

/mp

DSW 014095

PLAINTIFF'S EXHIBIT 184