OMC

cc- John Craddock G4NA

# PRESS QUERY

FEB 8 1983

COMPANY (Unit or Corporate): Corporate

SUBJECT: EPA and Outboard Marine PCB Case

REPORTER & MEDIA: Margaret Freivogel
Post-Dispatch

TIME & DATE: 7:30 P.M., Feb. 7, 1983

QUESTION & RESPONSE:

2/10
WJMC (1)
JHC (2)
FYI
re Post Dispatch/
Washington Post Flap.

X J.F. Hussey
X G.D. Ingenthron
X J.v. Morse
X J.T. Nolan
X D.R. Bishop
___ A.N. Filippello
X S.Pickard-Washington, D.C.
___ New York PR
___ Brussels PR
___ MAP PR
___ MF&I PR
___ MIC PR
___ MPP PR
___ Eng'd. Prods. PR
___ Int'l. PR
X W. J. McCarville
X J. G. Nassif
X W. D. Carpenter

1Q: What is the status of the government's case against Monsanto regarding discharge of PCBs by Outboard Marine Company (OMC)?

A: Last September or early October, the judge hearing this case dismissed all of the government's claims against Monsanto on the grounds that the government had no basis for legal action against us. The government continues to pursue OMC to finance a cleanup of the PCBs in the harbor.

2Q: Did you ever meet with the government on Chem-Dyne dumpsite?

A: I believe we have. This probably would have been with Justice Department officials and EPA officials from the Chicago office. We have been interested in trying to work out a settlement with the government on this case.

3Q: Did we ever meet with EPA General Counsel Robert Perry regarding either of these cases?

A: In November, a meeting was held at the government's request in Washington to discuss the OMC case. Attending were Justice Department officials, U.S. EPA personnel from Chicago, and Washington EPA folks, including Robert Perry. Monsanto attorneys were not present but rather outside counsel who represent us in this case. The meeting's purpose was to discuss a settlement of the case, but no settlement emerged from this meeting.



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4Q: If the judge ruled in your favor on Outboard Marine in September, why were you represented at a meeting on this case in November?

A: We've maintained a continuing interest in this case because if the government should obtain cleanup funds from Outboard Marine, they in turn may attempt to recover their expenses from Monsanto.

5Q: Did you sell PCBs to Outboard Marine?

A: Yes we did, in good faith, at a time where no one was aware of their persistence or other possible problems. The government contends that Outboard Marine discharged some of these PCBs into Waukegan Harbor.

SOURCE OF ANSWER

J. G. Nassif
W. D. Carpenter

HANDLED BY:

L. J. O'Neill
D. R. Bishop



G-2967 (REV. 11/82)