

May 5, 1976

CERTIFIED MAIL -
RETURN RECEIPT REQUESTED

John E. Sarbaugh, Esquire
Antitrust Division, Midwest Office
U. S. Department of Justice
Room 2634 Everett M. Dirksen Building
Chicago, Illinois 60604

Re: VCM Investigation

Dear Mr. Sarbaugh:

The attached are documents submitted voluntarily in response to your letter of February 19, 1976.

The information enclosed herewith is Restricted Company Information. It is submitted and identified as a trade secret or privileged commercial or financial information under the confidential restrictions established by 5 USC 552(b)(4). Other than to respond to the Government's request for such information, it would not be released. Any release of this information to other than the Government could cause severe damage and place the submitter at an unfair competitive disadvantage in its commercial marketing activities.

Kindly return all of the above described documents when they are no longer needed by the Department of Justice.

Very truly yours,

Staff Attorney

Jeffrey P. Albert

attachments

bcc: James S. Wolff
R. A. Heuerman
A. E. Ullé
R. D. Savage

BGH20233

22342001

ORIGINATOR RETAIN 1 COPY

UTILITY ORDER PREPARE 4 COPIES DISTRIBUTION: FORWARD 3 COPIES WITH PACKAGE

CHARGE DEPT. OR E.A. 0012	ROUTING	DATE ORDERED 5/5/76	DESIRED SHIP DATE As soon as possible	ORDER NO.
☐ PREPAID ☐ COLLECT	SHIP VIA	☐ FREIGHT ☐ EXPRESS	☐ PARCEL POST ☐ AIR	☐ CHEAPEST WAY

		TO John E. Sarbaugh, Esquire		Note: To be sent	
		Antitrust Division, Midwest Office		CERTIFIED MAIL RETURN RECEIPT REQUESTED	
		U. S. Department of Justice			
		Room 2634 Everett M. Dirksen Building Chicago, Illinois 60604			
		ORIGINATOR'S SPECIAL SHIPPING INSTRUCTIONS:		SPECIAL ROUTING (Reserved for Shpg. Rm.)	
CHECK APPLICABLE NON-SALABLE ITEMS BEING SHIPPED ON THIS ORDER					
☐ PRODUCT SAMPLES ☐ NON-CHARGEABLE ADVERTISING STOCK & PRINTED MAT'L ☐ GIFTS ☐ FILM & PAPER PRODUCTS, EXCLUDING STATIONARY ☐ ENGINEERING DRAWINGS ☐ FORWARDED MATERIAL (RECEIVING DEPT. ONLY)					
QUAN.	DISTRICTS	QUANTITY	CODE NO.	DESCRIPTION OF ITEM(S) BEING SHIPPED	LOC. OF STOCK
	ATLANTA				
	BOSTON				
	CHARLOTTE				
	CHICAGO				
	CINCINNATI				
	CLEVELAND				
	DALLAS				
	DENVER				
	DETROIT				
	HOUSTON	1 box		Documents being submitted re VCM Investigation	
	JACKSONVILLE				
	KANSAS CITY				
	LOS ANGELES				
	MEMPHIS				
	MINNEAPOLIS				
	NEW ORLEANS				
	NEW YORK				
	OMAHA				
	PHILADELPHIA				
	PORTLAND				
	ST. LOUIS				
	SALT LAKE CITY				
	SAN FRANCISCO				
	SYRACUSE				
	WASHINGTON				

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22342002

WORK INSTRUCTIONS		FILLED BY	CHECKED BY
ORIGINATOR	DEPARTMENT	APPROVED PACKAGE PASS SIGNER	

March 29, 1976

Mr. R. A. Heuerman

Re: VCM Investigation by Department of Justice

On Wednesday, March 24, 1976, I spent the day at the Chemical Company reviewing documents for response to the above investigation. The documentary evidence requested is voluminous and will be Xeroxed and forwarded to me by April 2, 1976.

After review of all documents a submittal letter will be prepared for forwarding with the documents. A one month extension has been requested of the DOJ and I will advise you before actual submittal is made.

Jeffrey P. Albert

22342003

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*Glennco
DOT-VCN*

March 26, 1976

Mr. Richard J. Braun
U.S. Department of Justice
Room 2634 Everett M. Dirksen Building
Chicago, Illinois

Re: Investigation of Vinyl Chloride Monomer Market

Dear Mr. Braun:

In a letter dated February 27, 1976 from John E. Sarbaugh, Mr. Sarbaugh requested our response to the above inquiry by March 19, 1976. Although we are in the process of gathering the requested information it has become necessary for us to request at least a 30 day extension.

Very truly yours,

Jeffrey P. Albert

cp

bcc: Kendall Greene
R.A. Heurman
E.K. Bean

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22342004

To JFC
Jeff, would you
please copy all of
myself on all
correspondence on
this & the chloro-
acetaldehyde in-
vestigation. Thanks
February 26, 1976
194H
3/2

Mr. Richard J. Braun
U. S. Department of Justice
Room 2634 Everett M. Dirksen Building
Chicago, Illinois 60604

Re: Investigation of Vinyl Chloride Monomer Market

Dear Mr. Braun:

Please be advised that this office is in receipt of your letter dated February 19, 1976 in the above matter. Before making the submittal, however, I must request certain information from you.

Specifically, 15 USC Section 1312, Civil Investigative Demand, requires that you advise us as to:

1. The nature of the conduct constituting the alleged antitrust violation which is under investigation and the provision of law applicable thereto.
2. Prescribe a return date which will provide a reasonable period of time within which the material so demanded may be assembled and made available for inspection and copying or reproduction; and
3. Identify the custodian to whom such material shall be made available.

In addition to the foregoing, I would appreciate having some assurance that the documents and information to be submitted will be held in confidence and that they will be returned when no longer needed by the Department.

Very truly yours,

Jeffrey P. Albert
Staff Attorney

cc: Mr. E. K. Bean
Mr. V. G. Goss

22342005

BFG20237

U.S. DEPARTMENT OF JUSTICE
Room 26 Everett M. Dirksen Building
Chicago, Illinois 60604

60-122-104

February 27, 1976

Jeffrey P. Albert, Esq.
Staff Attorney
The B. F. Goodrich Company
500 South Main Street
Akron, Ohio 44318

Dear Mr. Albert:

This will acknowledge receipt of your letter dated February 26, 1976 requesting certain information pursuant to 15 USC Section 1312, Civil Investigative Demand.

Our letter dated February 19, 1976 was not submitted pursuant to 15 USC Section 1312 but was a request for the submission of information on a voluntary basis. However, we shall respond to your request.

We are investigating prices, terms and conditions of the sale of vinyl chloride monomer under the federal antitrust laws with particular focus on possible violations of Section 1 of the Sherman Act. We would appreciate receiving the information requested within 30 days from the date of our letter, but if there are any special problems in responding within that time, we would like to be advised.

The information submitted should be submitted to the Midwest Office under the general custody of John E. Sarbaugh, Chief of that office. The information will not be disclosed outside of the Department of Justice except in connection with a legal proceeding or as otherwise required by law.

If you have any questions feel free to call or write us.

Sincerely yours,

THOMAS E. KAUPER
Assistant Attorney General

By John E. Sarbaugh
John E. Sarbaugh
Chief, Midwest Office
Antitrust Division

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22342006

February 26, 1976

Mr. Richard J. Braun
U. S. Department of Justice
Room 2634 Everett M. Dirksen Building
Chicago, Illinois 60604

Re: Investigation of Vinyl Chloride Monomer Market

Dear Mr. Braun:

Please be advised that this office is in receipt of your letter dated February 19, 1976 in the above matter. Before making the submittal, however, I must request certain information from you.

Specifically, 15 USC Section 1312, Civil Investigative Demand, requires that you advise us as to:

1. The nature of the conduct constituting the alleged antitrust violation which is under investigation and the provision of law applicable thereto.
2. Prescribe a return date which will provide a reasonable period of time within which the material so demanded may be assembled and made available for inspection and copying or reproduction; and
3. Identify the custodian to whom such material shall be made available.

In addition to the foregoing, I would appreciate having some assurance that the documents and information to be submitted will be held in confidence and that they will be returned when no longer needed by the Department.

Very truly yours,

Jeffrey P. Albert
Staff Attorney

cc: Mr. E. K. Bean
Mr. K. Greene

BFG20239

22342007

Ken Green
R.A. Newman

U DEPARTMENT OF JUSTICE
Room 2634 Everett M. Dirksen Building
Chicago, Illinois 60604

60-122-104

February 19, 1976

President
B. F. Goodrich Chemical Division
B. F. Goodrich Company
500 S. Main Street
Akron, Ohio 44318

REC'D

FEB 23 1976

A. D. ONG

Dear Sir:

The Midwest Office of the Antitrust Division is conducting an investigation of the vinyl chloride monomer market. In connection with this investigation, we would appreciate your providing us with the following documents and information.

1. Copies of all price lists, price change notifications or similar documents relating to vinyl chloride monomer issued, published or made by your company during the period from January 1, 1974 to and including December 31, 1975.

2. Copies of all price lists, price change notifications or similar documents relating to vinyl chloride monomer issued, published or made by other companies during the period from January 1, 1974 to and including December 31, 1975.

3. The name and position of each person in your company who, during any part of the period from January 1, 1974 to and including December 31, 1975, had authority to control or in fact exercised any control over the list price or actual prices charged by your company for vinyl chloride monomer. State the period of time during which each such person had authority to control or actually exercised control over vinyl chloride monomer pricing for your company and, if any such person no longer has or exercises such authority, state his present position with your company or, if not presently employed by your company, his last known address and the reason or reasons for his termination.

4. Copies of all corporate business plans, divisional business plans, product business plans, budgets and similar documents relating or referring to the production or sale of vinyl chloride monomer made, revised or received during the period from January 1, 1974 to and including December 31, 1975.

5. Copies of all documents referring to or reflecting upon actual, suggested, proposed or contemplated changes in the list price or actual prices for vinyl chloride monomer made or received by your company during the period from January 1, 1974 to and including December 31, 1975.

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6. Copies of expense account records, appointment records, diaries, calendars and other logs of activity during the period from January 1, 1974 to and including December 31, 1975 for each of the persons named in response to Paragraph 3 of this request.

7. State the telephone number or numbers assigned during the period from January 1, 1974 to and including December 31, 1975 to each of the persons named in response to Paragraph 3 of this request.

8. Copies of all long distance telephone records relating to calls made by any of the persons named in response to paragraph 3 of this request or from telephone numbers provided in response to Paragraph 7 of this request during the period from January 1, 1974 to and including December 31, 1975.

9. Copies of all documents referring or relating to meetings, contacts or other communications between any person employed by your company and any person known or believed by your company or any employee of your company to have pricing authority or responsibility for vinyl chloride monomer for any other company, during the period from January 1, 1974 to and including December 31, 1975.

10. Copies of all documents which refer or relate to the market structure, or production or sales shares of companies producing vinyl chloride monomer made or received during the period from January 1, 1974 to and including December 31, 1975.

11. Copies of all documents made or received by your company which refer or relate to the effect on the vinyl chloride monomer market, the polyvinyl chloride market, the polyvinyl chloride pipe market or the pipe fittings market that any actual, proposed, suggested or contemplated change in the list price or actual prices of vinyl chloride monomer might have or has had, from January 1, 1974 to and including December 31, 1975.

12. Copies of all salesmen's call reports or other documents which reflect calls upon customers or potential customers of your company for vinyl chloride monomer which refer or relate to:

- a) notification of price change in vinyl chloride monomer by your company;
- b) explanations of or reasons for any actual, suggested or proposed price change in vinyl chloride monomer;

- c) complaints by any customer or potential customer due to any price actual, suggested or proposed price change in vinyl chloride monomer;
- d) any proposed, contemplated, suggested or actual change in the price of vinyl chloride monomer by any other producer or seller of vinyl chloride monomer during the period from January 1, 1974 to and including December 31, 1975.

13. Copies of all documents which refer or relate to suggested or contemplated action by any producer of vinyl chloride monomer as a result of any actual, contemplated or proposed change in the price of vinyl chloride monomer by any other producer made or received by your company during the period from January 1, 1974 to and including December 3, 1975.

14. Copies of all minutes, notes, or records of any meeting of your company's directors, employees or representatives relating to prices of vinyl chloride monomer, made during the period from January 1, 1974 to and including December 31, 1975.

15. State your total production of vinyl chloride monomer in pounds and sales in pounds and in dollars separately for each of the calendar years 1974 and 1975. State the number of pounds of vinyl chloride monomer used or consumed by your company during each of the calendar years 1974 and 1975.

16. Any additional documents or information which you believe would be helpful to the Antitrust Division in determining the reason or reasons for the recent increases in the selling price of vinyl chloride monomer.

Your cooperation in providing us with the requested documents and information will be appreciated. If you have any questions regarding your response feel free to contact Richard J. Braun, telephone 312-353-6685, an attorney in this office.

Sincerely yours,

THOMAS E. KAUPER
Assistant Attorney General

By


John E. Sarbaugh
Chief, Midwest Office
Antitrust Division

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22342010

U.S. DEPARTMENT OF JUSTICE
Room 2634 Everett M. Dirksen Building
Chicago, Illinois 60604

60-122-104

March 30, 1976

Jeffrey P. Albert, Esq.
The B. F. Goodrich Company
500 South Main Street
Akron, Ohio 44318

Dear Mr. Albert:

This letter acknowledges your letter dated March 26, 1976 requesting additional time to respond to our letter dated February 19, 1976. We would appreciate your response by April 20, 1976.

Your cooperation in this matter is appreciated.

Sincerely yours,

THOMAS E. KAUPER
Assistant Attorney General

By


John E. Sarbaugh
Chief, Midwest Office
Antitrust Division

BFG20243

22342011

Inter-Organization Correspondence

BFGoodrich

TO	FIELD POINT OR DEPT. & BLDG. NO.	DATE YOUR LETTER
J. Albert	Akron, WHB-6 Dept. 0012	
FROM	FIELD POINT OR DEPT. & BLDG. NO.	DATE THIS LETTER
M. G. Winter	Cleveland, D/5445	4/1/76
SUBJECT		

Attached please find two copies of the following 1974 and 1975 VCM related correspondence:

Contact Reports
Letters
Price Authorizations
Sales Authorizations
Purchase Authorizations
Conversion Authorizations
VCM Sales Contracts - Abbott Labs, Air Products
VCM Purchase Contracts - PPG
VCM Price Lists
Purchase and Sales Activity - VCM, EDC, Chlorine
Estimated Industrywide Capacities - PVC, VCM
J. S. Wolff's 1974 and 1975 Appointment Calendar

There may be duplications of the same piece of correspondence, for example a contact report with Air Products which is also contained in the Air Products contract data.

Please let me know if you require any further data or explanation of anything contained herein.

Michael G. Winter
Michael G. Winter

/njr

cc: Mr. E. F. Barker
Mr. K. Greene
Mr. J. S. Wolff

Attachments

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