

St. Louis, Mo. -

March 22, 1957

Dr. R. Emmet Kelly

Memo EJP to FFW, 3/20/57

Medical - M.C. -

Mr. MacFarland's Recommendations Re Fluorosis Matters

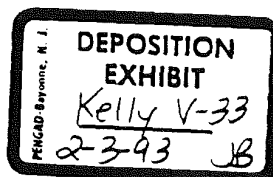
The following comments are pertinent to the subject matter discussed in subject memo and refer to the same numerical sequence:

1. It is our opinion that data is presently available indicating the quantity of fluorine discharged from each of our plants. Briefly, the two phosphorous furnace plants, Monsanto, Tennessee and Monsanto, Idaho, have the greatest problem. In addition there are lesser amounts of fluorides emitted in the phosphoric acid plants at the Krummrich, Trenton, Long Beach, and Kearny locations. It is thus apparent that fluorine problems are not a Company-wide problem but rather a problem of the Inorganic Division. It is our opinion that within the division there is detailed data summarizing the quantities of material emitted and a good understanding of potential claims.
2. A policy which "would assure that in the location of future company plants the question of possible fume, dust and smoke claims be given consideration" has been in existence for more than five years. To our knowledge the potential problems related to air pollution have been given consideration. Difficulties have arisen only because management has not agreed in all cases that pollution sources must be controlled or eliminated. In other words, at some time during the design stages management has decided that a calculated risk might be taken in the interest of conserving initial capital investment.
3. Pursuing the thoughts expressed in No. 2 above, control or recovery systems have been determined not only in the case of new plant locations but also in the case of new units within existing plants.

In connection with Company-wide pollution problems, Dr. Thomas directed at the November, 1956 meeting of the Medical Department representatives with the EJP that all future capital investment requests from divisions

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Would include reference to the amount of investment necessary for pollution abatement whether the effluent be discharged to the atmosphere or to streams.

The following item was to be added to the Appropriation Request Form:

Pollution and Toxicity Problems:

A statement should be provided indicating the extent, if any, to which air or stream pollution and/or toxicity is a problem in this project and what provisions have been made to handle such problems.
(Quoted from Minutes of Executive Offices Meeting on November 25, 1956).

It would appear that the above should indicate to division management that pollution abatement problems must receive their due consideration. Depending on how the division managers were informed of this directive, it might be desirable to supplement original notification to the division managers by a more detailed statement of policy.

In any case, it appears that this policy re-emphasizes the divisions' responsibility in connection with pollution abatement and at the same time, indicates Company managements' insistence that pollution must be eliminated.

Elmer P. Wheeler

EW:et

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TRANSCRIPT OF PROCEEDINGS

IN THE SUPERIOR COURT
OF THE STATE OF DELAWARE
IN AND FOR NEW CASTLE COUNTY

-----X	
MONSANTO COMPANY,	:
	:
Plaintiff,	:
	:
v.	:
	:
AETNA CASUALTY & SURETY COMPANY,	:
al.,	:
	:
Defendants.	:
	:
-----X	

Civil Action Number
88C-JA-118-1-CV
NON-ARBITRATION
CASE

KELLY DEPOSITION EXHIBITS

PROTECTED MATERIAL: MONSANTO
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Washington, D. C.

Thursday, February 4, 1993

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