

Monsanto ..

FROM  
(NAME-LOCATION-PHONE)

M. F. Weishaar G5WA St. Louis (4-6631) J - A-20

PLAINTIFF'S  
EXHIBIT

MON-40

Xc ① ~~\_\_\_\_\_~~  
② J. Oshner / T. Bonner  
③ J.C. Edwards / J. Wilbanks  
④ D.E. Gonschinitz  
⑤ E. Fiesinger / J - A-20

DATE : December 26, 1984  
SUBJECT : ASBESTOS NOTIFICATION/REGULATION  
REFERENCE : PHS To WBP et al 12/18/84

cc: C. F. Callis G5WA  
R. H. Joslin G5WC  
W. W. Varnado G4WC

TO : S. G. Pappas - 1200 G. M. Renaldi - 1440  
C. M. Hancock - 1890 D. G. Williams - 1460  
R. B. Marquez - 1200 A. S. Klein - Putnam  
R. J. Kucera - 1260 R. C. Gary - Foley

*FYI*  
*The situation at Pensacola was very similar to the phenol units dismantling at Chem Bayou.*  
*1/2/85*

The attached memo refers to a recent incident at an MFI plant site. This is the second occurrence of a similar nature at an MFI location in the past six (6) months.

No matter how minor a compliance requirement may appear we should always be alert to potential problems with and monitoring of contractors.

Also in the development of contracts with outside firms (maintenance, construction, demolition, etc.) we should pay more attention to the environmental and regulatory requirements as well as contractor health and safety practices.

*Mike Weishaar*  
M. F. Weishaar

MFW/rms

C 000419

# Monsanto

FORM 100-1 (4-85)

LAW DEPARTMENT

P. H. Smith - G3WB (4-8509)

DATE: December 18, 1984

- J. H. Waldbeser -CS7H  
G. L. Jessee - G3WG

SUBJECT: EPA Asbestos Regulations

REFERENCE

TO: W. B. Papageorge - B3NA  
R. L. Harness - C2SD  
C. F. Callis - G5WA  
F. E. Kearney - E3NA  
D. A. Hathaway - CS1A

*1221*  
*DEC 19 1984*  
*Diehl Joslin*

*Please pass along  
to plants CFC 12/19*

The U. S. Environmental Protection Agency continues its increased attention to enforcement of regulations which have been promulgated pursuant to Section 112 of the Clean Air Act. This is particularly true with respect to asbestos, as evidenced by the issuance, by Region IV, of a Section 113(a) administrative order to Monsanto's Pensacola plant, and to its demolition contractor for violation of the asbestos control regulations (40 CFR 61.146). EPA applied to both parties the notice and procedures required to be followed in demolishing a structure containing asbestos.

It is important that all Monsanto sites be aware that as a general rule EPA's enforcement strategy is to proceed against both the site owner and the demolition/renovation contractor. For example, EPA has indicated that both parties should ordinarily be held responsible if there has been a violation of notification requirements. Thus, if a contractor is to perform the work and does not notify EPA, then Monsanto should. In other cases, EPA has indicated it may exercise discretion where an owner can show that the contract required that the contractor comply with the asbestos regulations.

I suggest that each of you see that every facility in your operating company is made aware of this EPA enforcement strategy and the importance of ensuring that demolition/renovation contractors comply with the asbestos regulations.

*P. H. Smith*  
Peter H. Smith

1jm/17/40

C 000420

RCF  
Let's discuss  
We need to communicate  
to troops - what is  
the question

Pls —  
Please look over,  
then we'll talk  
of MGR. REP

C 000418