

Monsanto

FROM (NAME & LOCATION)

N. T. Johnson St. Louis

DATE

February 16, 1970

CC:

SUBJECT

REFERENCE

POLLUTION LETTER

TO :

P. Craska - Wilmington
C. Clay - St. Louis
J. H. Davidson - Los Angeles
R. A. Damiani - Chicago
G. F. Fague - Detroit
R. A. Garcia - Akron
R. Garnsworthy - Melbourne
J. A. Heilala - Akron
R. Irwin - Houston
J. S. Pullman - New York
J. J. Roder - Chicago
R. Giles - Melbourne

P. J. A. Marsh - Brussels
R. Enhardt - New York
T. W. Oneson - Montreal
J. N. Haggart - Brussels
V. Morse - St. Louis
J. Brydon - Montreal
R. Graham - New York
P. G. Benignus
J. G. Bryant
D. E. Roush
J. R. Fallon
D. A. Hall
D. R. Pogue
D. F. Smith
D. A. Olson

Did WBP
assist in
drafting answers?

Attached is a list of questions and answers which may be asked of you by customers receiving our Aroclor-PCB letter. You can give verbal answers; no answers should be given in writing. If the customer asks a question you can't answer or if he wants an answer in writing, then send his questions to me and we will answer from here.

We want to avoid any situation where a customer wants to return fluid. The new reformulated products will be available within a month. We would prefer that the customer use up his current inventory and purchase Pydraul 625A, Pydraul ACA, Pydraul ACA Winter Grade and Pydraul 540A when available. He will then top off with the new fluid and eventually all Aroclor 1254 and Aroclor 1260 will be out of his system. We don't want to take fluid back. Sell him the replacement.

We must be very positive in our approach with each customer relative to our decision to eliminate the use of Aroclor 1254 and Aroclor 1260 in our Pydraul products. We (your customer and Monsanto) are not interested in using a product which may present a problem to our environment. We certainly have no reason to be defensive or apologetic about making this change. The decision to change makes good sense and our customers should commend us, not criticize our actions. No one has forced us to make this

PLAINTIFF'S
EXHIBIT

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EQU 003536

change. We have done it to keep our customers out of possible trouble. They should appreciate our effort, and stay with us as a customer on the reformulated Pydrauls. To make this change has cost us research monies and time. Fortunately, we possess the technical skills to make a change in our formulations without affecting the performance of products. Be positive. Take the offense. Don't let a customer or competitor intimidate you. I doubt if our competitors know whether their product could present a problem to our environment. You might ask your customer, if he has ever asked Houghton or Stauffer, Carbine, etc. about the effects of their products.

We should also recognize (point this out to your customer) we must clean-up. The Chemical Week article gives him an idea of laws in effect in his state. Read this yourself. Be familiar with the data on each state in which your customers are located. Use this in your discussions.

We have no replacement products for Aroclor 1254 and Aroclor 1260. We will continue to make these products; however, customers will have to use their own judgement on continued use.

We can't afford to lose one dollar of business. Our attitude in discussing this subject with our customer will be the deciding factor in our success or failure in retaining all our present business. Good luck.

(We have also attached a copy of the letter sent to transformer customers.)

N. T. Johnson

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EQU 003537

Monsanto

ORGANIC CHEMICALS DIVISION

Monsanto Company
800 N. Lindbergh Boulevard
St. Louis, Missouri 63188
Phone: (314) 894-1000

February 9, 1970

Dear Sir:

Recently several newspaper and magazine articles have been published indicating that Polychlorinated Biphenyls (PCBs) have been discovered at some points in some marine, aquatic and wildlife environments. The quantities detected are said to be in the parts per million and parts per billion categories.

It is claimed that the PCBs found strongly resemble chlorinated biphenyls containing 54% and 60% chlorine by weight. Products which are sold by Monsanto under the trade names of Aroclor® 1254 and 1260 do contain chlorinated biphenyls. In addition to Aroclor® 1254 and 1260, Monsanto sells certain functional fluids containing Aroclor® 1254. These include Pydraul® 625, Pydraul® AC, Pydraul® AC - Winter Grade, Pydraul® 540, Therminol® FR-3 and certain dielectric formulations. Several other companies around the world also produce products containing chlorinated biphenyls.

As your supplier of Aroclor® 1254 and 1260 and formulated products containing 1254, we wish to alert you to the potential problem of environmental contamination as referred to in the newspaper and magazine articles.

We would like to point out the following additional facts.

1. Products such as Pydraul® 90, 135, 230, 312, A-200, F-9, 150 and 60, Turbinol® 153 and Therminol® FR-1 and FR-2 are not formulated with Aroclor® 1254 or 1260.
2. PCBs with a chlorine content of less than 54% have not been found in the environment and appear to present no potential problem to the environment.

EQU 003538

We have developed, and are now testing, new formulations to replace the Aroclor® 1254 and 1260 components in our Pydraul® products. The new products appear to be equal in performance and to have similar physical properties.

We feel that all possible care should be taken in the application, processing and effluent disposal of these products to prevent them becoming environmental contaminants. Of interest to you may be an article in Chemical Week, October 29, 1969 regarding water pollution standards set by each state in the Union. It is attached. This article reflects that good manufacturing practice in the future may require that no products used by any company should find their way into waterways.

Sincerely yours,

Don Olson
Donald A. Olson
Director of Sales
Functional Fluids Group

nlc
Attachment

Monsanto

ORGANIC CHEMICALS DIVISION

Monsanto Company
800 N. Lindbergh Boulevard
St. Louis, Missouri 63168
Phone: (314) 694-1000

February 18, 1970

Dear Sir:

Recently several newspaper and magazine articles have been published indicating that Polychlorinated Biphenyls (PCBs) have been discovered at some points in some marine, aquatic and wildlife environments. The quantities detected are said to be in the parts per million and parts per billion categories.

It is claimed that the PCBs found strongly resemble chlorinated biphenyls containing 54% and 60% chlorine by weight. Products which are sold by Monsanto under the trade names of Aroclor® 1254 and 1260 do contain chlorinated biphenyls. In addition to Aroclor® 1254 and 1260, Monsanto sells certain functional fluids containing Aroclor® 1254. These include Pydraul® 625, Pydraul® AC, Pydraul® AC - Winter Grade, Pydraul® 540, Therminol® FR-3 and certain dielectric formulations. Several other companies around the world also produce products containing chlorinated biphenyls.

As your supplier of Aroclor® 1254 and 1260 and formulated products containing 1254, we wish to alert you to the potential problem of environmental contamination as referred to in the newspaper and magazine articles.

We would like to point out the following additional facts:

1. Products such as Pydraul® 90, 135, 230, 312, A-200, F-9, 150, and 60, Turbinol® 153 and Therminol® FR-1 and FR-2 are not formulated with Aroclor® 1254 or 1260.
2. PCBs with a chlorine content of less than 54% have not been found in the environment and appear to present no potential problem to the environment.

EQU 003540

We have developed, and are now testing, new formulations to replace the Aroclor® 1254 and 1260 components in our Pydraul® products. The new products appear to be equal in performance and to have similar physical properties.

We feel that all possible care should be taken in the application, processing and effluent disposal of these products to prevent them becoming environmental contaminants. Of interest to you may be an article in Chemical Week, October 29, 1969, regarding water pollution standards set by each state in the Union. It is attached. This article reflects that good manufacturing practice in the future may require that no product used by any company should find their way into waterways.

We realize that you have marketed or may now market transformers and other electrical equipment containing dielectric fluids which include Aroclor® 1254 and 1260. Although these fluids are sealed into such equipment it is recognized that occasionally the fluid may be lost through leaks resulting from equipment misuse or equipment repair necessitating replacement of the fluid. Since the dielectric fluid contained in this equipment is only an incidental part of the over-all unit manufactured by you, we are not notifying the purchasers of such equipment of the potential environmental contamination problem described in this letter. We do recommend, however, that you notify such equipment users of this problem.

Sincerely yours,

Don Olson
Donald A. Olson
Director of Sales
Functional Fluids Group

1b

Attachment

EQU 003541

POSSIBLE CUSTOMER QUESTIONS ON PCBs

PUBLICITY

Question 1

What articles have appeared on the PCB problem?
Will you send me copies?

Answer:

In the U.S., newspaper articles have appeared in the San Francisco Chronicle on Feb. 24, 1969, the San Francisco Examiner on Feb. 25, 1969, and the Hartford Times on Aug. 3, 1969. Numerous articles were generated by the Wisconsin "DDT Hearings" in May, 1969. At the hearings, witnesses discussed the problem of PCBs as "interfering substances" in their search for DDT in the environment. PCBs, they said, produced peaks on a gas chromatograph similar to the peaks produced by DDT. In no case was PCB indicted at the Wisconsin hearings.

Copies of the articles will be made available on request. Regional managers should contact E.V. John, Public Relations Manager Organic Chemicals Division, in St. Louis and copies will be forwarded to the customer through the regional manager's office.

In addition to the newspaper articles mentioned above, there have been radio broadcasts. At the time of the San Francisco Chronicle and Examiner articles, radios in the San Francisco area also carried the story. In August, the sports editor of the Hartford Times syndicated a radio broadcast on the subject of PCBs, and in Dec., 1969, the Canadian Broadcasting Co. (radio) carried an interview they taped with a member of our medical department.

Question 2

Were Monsanto's Aroclors specifically mentioned in these articles?
If so, which ones?

EQU 003542

Answer

Monsanto's Aroclors were mentioned in some of the articles but only in the San Francisco Chronicle story in Feb., 1969, was Aroclor 1262 specifically mentioned by number. In several of the articles, Monsanto was also identified as the sole U.S. producer of polychlorinated biphenyls, marketed under the tradename of Aroclor.

Question 3

What did the articles on the PCB problem say?

Answer

Since the outset of the "PCB problem", when the first article appeared in the U.S. press in Feb., 1969, the whole question has been closely interwoven with the question of DDT as a possible environmental contaminant.

The San Francisco Chronicle article carried a headline, "A Menacing New Pollutant." In rather sensational style, it identified PCB as a threat to birds and humans, highly toxic in a gaseous state and related to known cancer-causers. PCB presence in the environment is rising swiftly, the article stated.

The Examiner article called PCB a "plastic pollutant in the Bay and Mothers' Milk." This article called PCB an "alarming" new chemical pollutant that is playing a role in the declining peregrine falcon population, has been found in mothers' milk, and is the "latest addition to a growing list of chemicals in the ocean--- the newest symptom of man's chemical invasion of the ocean."

These two articles quoted Dr. Robert Risebrough, a researcher at the Institute of Marine Resources in the University of California's Department of Nutritional Scientists, on the detrimental effects of PCBs. Later Dr. Risebrough said he had been misquoted in some newspaper stories.

The Hartford Times story called PCB pollution a "new puzzle." Less sensational than the San Francisco articles, the Times gave an account of PCBs being found in the environment and the studies under way to determine their biological effects. This article, says Dr. Risebrough, tends to clear PCB of blame.

EQU 003543

Articles generated by the Wisconsin DDT hearings generally discussed PCB as an interfering substance discovered in scientists' search for DDT in the environment. Dr. Risebrough said at the hearings that there was no proof at the moment that PCB alone can cause thin eggshells, one of the phenomenon that he had discovered in studying the declining population of the peregrine falcon.

LEGISLATION

Question 1

Are there any Federal/State/local laws under which the use or discharge of Aroclors could be prohibited?

Answer:

No existing Federal, State, or local laws prohibit the discharge of Aroclors. However, in a number of states the basic water pollution control legislation is so broad that state agencies can prohibit chemicals, deemed necessary, from being discharged.

Question 2

Is the DDT and the PCB problem related?

Answer:

We are not a manufacturer of DDT or other chlorinated hydrocarbon pesticide and, therefore, have no knowledge of the seriousness of the charges against DDT other than what has been so widely publicized on TV, in the press and in technical journals. To the extent that both DDT and PCB are chlorinated hydrocarbons, then there is a similarity. They are sufficiently different in their chemical structures, however, that it would be entirely wrong to assume that both behave in the same way in the environment. There is another and more obvious difference. DDT and other chlorinated hydrocarbon pesticides were specifically designed for a job that obviously leads to their being scattered in wide spread fashion across the countryside. Rain, birds, wind, insects further scatter these pesticides in an uncontrollable manner. PCBs are not used in this fashion and

EQU 003544

Monsanto has never sought to promote this. This, we believe, is an important distinction that should not be overlooked if DDT and PCB are linked as a common pollutant of the environment. To our knowledge PCBs have never been identified in the absence of DDT or other chlorinated hydrocarbon pesticides.

Question 3

Could it be PCB that's causing the environmental problems and not DDT?

Answer:

We believe that present-day GLC and mass spectrometric techniques are sufficiently accurate to be able to differentiate between DDT, related pesticides, their metabolites and PCB.

Question 4

What authority do State and local governments have in banning/controlling the use of PCBs.

Answer:

They do have authority to ban or control use of any substances they consider harmful.

EFFLUENT AND ITS CONTROL

Question 1

How do I dispose of Aroclor 1254/1260, etc. effluent from my plant?

Answer:

We would suggest collecting all process effluent, equipment washings, tank or drum washings and then regularly taking to the nearest toxic materials dump. You may also be able to use a sanitary landfill if permits are issued for this in your locality. We don't recommend feeding this material to local sewage treatment plants or taking out to sea in drums for dumping. These methods do not

EQU 003545

solve the problem of contamination. We are working on the disposal of these materials by incineration and biodegradation. Our work in these areas has not yet reached the stage where we can offer practical suggestions. It is of interest to note, however, that research is underway to find catalysts to make DDT self-destructive. The possibility exists that we could find catalysts that would destroy PCBs in settling tanks constructed to catch all your effluents.

Question 2

Can I test my effluent to see if my effluent has no Aroclor 1254, etc.?

Answer:

Yes. Analytical equipment is available that can do this if the proper technique is used. The basis of the method is GLC or gas liquid chromatography. Are you or anyone in your company familiar with this? Do you have GLC equipment? If you do, we can send you a description of a method that could identify PCB. If not, there may be a good analytical testing laboratory in the vicinity where you could send samples and rely on the results if you want to test your effluent.

Question 3

What is a "safe" PCB level for effluent leaving my plant?

Answer:

As our letter points out, parts per million (ppm) and parts per billion (ppb) have been mentioned in the published articles. There is still a lot of doubt as to how absolute any quoted values are. To bring this into the realms of reality, this definition of ppm and ppb may help clarify things.

To give you a practical example, the escape of one-two gallons per day could lead to samples in a stream beside the plant showing 10-30 ppb on analysis.

EQU 003546

Question 4

You must have quite a control problem at your plants--I would think Monsanto's Aroclor plants are the major polluters--how are you handling control?

Answer:

avoid answering

The Aroclor products we make to sell at a profit, so economics dictate maximum housekeeping, minimum losses. The Aroclor process is a "dry process" or closed system.

Question 5

How does Monsanto think Aroclors can get into the environment and cause so much pollution?

Answer:

Disposal, leakage from systems using it, spills, etc.

Question 6

If I analyze my effluent stream and find ppb there, how do I know it didn't come from air-borne contamination or was present in the process water that I pump from the XYZ river into my plant?

Answer:

Analyze water entering your plant and compare. There is a method available for sampling air.

Question 7

You seem to think from the tone of your letter that the source of pollution is from effluent disposal into streams. In my process, Aroclor 1254, 1260, etc. vapors escape. What precautions can I take to prevent (a) employee problems and (b) escape of vapors into the atmosphere?

EQU 003547

Answer (7):

Articles on PCB interference with pesticides analysis have mentioned the possibility of loss to the atmosphere from vaporization when Aroclors are heated. We find this hard to believe and it warrants considerable investigation.

TOXICITY

— all toxicity questions on PCBs do WBP?

Question 1

If PCB is a danger to fish and birds, how about humans?

Answer:

The amounts being found in the environment are not considered a danger to humans or fish. The whole question on chlorinated pesticides relates to birds.

→ shrimp in Gulf of Mexico?

Question 2

Are Aroclor 1254/1260, etc. more toxic than other Aroclors? Why?

Answer:

There is a difference in toxicity depending on degree of chlorination. This is not to say that higher chlorination is more toxic than lower chlorination. The alleged PCB problem is not really related to degree of toxicity.

DIFFERENCES BETWEEN AROCLORSQuestion 1*

In your letter, you state that Aroclor [®] 5060, 5442 and 5460 are not PCBs. What are they?

Answer:

They are chlorinated terphenyls.

EQU 003548

Question 2*

What's the difference between a chlorinated biphenyl and a terphenyl?

Answer:

A terphenyl has three benzenes linked together and biphenyl only two. They are, therefore, similar but different, just as naphthalene is different from benzene.

Question 3*

Why should PCB be an environmental contaminant and chlorinated terphenyls not?

Answer:

I don't think there is any positive answer on this and I can't give you any theories. However, I would emphasize that not all PCBs appear to be contaminants. Those such as Aroclor 1221, 1232, and 1242 haven't been identified in marine, aquatic and wildlife environments. Chlorinated terphenyls - at least those made by Monsanto - have not been identified in the environment either.

Question 4

Since you sell other PCBs beside Aroclor 1254 and 1260, why are they not found in the environment?

Answer:

One reason could be that they biodegrade and hence never build up to a level where they can be labelled persistent contaminants. Therefore, although you would find it in an effluent stream if you analyzed it just after you poured PCB into it, its absence when a river, for example, is analyzed downstream at a later date would indicate degradation by bacterial organisms.

We are actively working on this aspect of biodegradability in our laboratories at this time. Results of this type of work won't come to hand quickly but our preliminary work on PCBs of less than 54% chlorine looks promising.

EQU 003549

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Question 5

In your letter, you make no mention of Aroclor 1262 and 1268. What is their status?

Answer:

It could be that their semi-solid/solid water insoluble nature means they are far, far less likely to become "mobile" contaminants. It could be that their structural differences from Aroclor 1254 and 1260 are responsible for the apparent lack of a problem. In any event, they have not been identified by scientists in the environment and--believe me-- a lot of scientists seem to be looking for PCBs.

Question 6*

Both Aroclor 5460 and 1260 contain 60% chlorine. Why is one a problem (1260) and apparently not the other (5460)?

Answer:

A terphenyl has three benzenes linked together and biphenyl only two. They are, therefore, similar but different, just as naphthalene is different from benzene.

I would emphasize that not all PCBs appear to be contaminants. Those such as Aroclor 1221, 1232, and 1342 haven't been identified in marine, aquatic and wildlife environments. Chlorinated terphenyls--at least those made by Monsanto-- have not been identified in the environment either.

Question 7*

Does this PCB problem mean that you have discontinued efforts to get Aroclor 5460 approved by FDA?

Answer:

No.

EQU 003550

Question 8*

Is the reason for not resubmitting your petition to the FDA for approval of Aroclor 5460 due to this PCB publicity?

Answer:

No.

Question 9

What's the problem then?

Answer:

We are bringing a new solid Aroclor plant on-stream in the next two-three months. We want to make sure it produces the same quality Aroclor 5460 we used in our feeding studies for the FDA. Once we're sure that's O.K. -- and we feel it will be -- then we'll get the petition moving again but FDA clearances do take time.

Question 10

Does this PCB publicity mean that FDA approval of Aroclor 5460 is not going to be obtained?

Answer:

We have no reason to think the two things are related. Aroclor 5460 is not chemically a PCB. The delay resulted from the need to set up certain analytical methods to satisfy FDA. This involved analytical instrumentation and is being completed now. It is my understanding we plan to resubmit our petition although I personally don't know the exact date.

CONTAINERSQuestion 1

Joe Doe buys all my used Aroclor drums without me having to wash them. I get \$3.00 a piece. I can't afford to wash them out. Even if I did, what would I do with the washings?

EQU 003551

(Question 1 con't)

What should I do? Should I tell Joe Doe? Will Monsanto take them back or pay me \$3.00 plus my costs to take them to a dump?

Answer:

Don't have an answer at this time. We just don't know.

APPLICATIONS

Question 1*

Could Aroclor 1254/1260 escape from my sealant/adhesive/coating whatever into the environment?

Answer:

This will depend entirely on the final use to which your product is used--its ultimate disposition.

Question 2*

My product X contains Aroclor 1254/1260. What should I tell my customers?

Answer:

Tell your customer--We want to advise you of a possible environmental problem. Without knowing what your customer does with product X, this is hard to answer. (We would say that it would not seem wise to use Aroclor 1254 or 1260 for keeping dust down on the roads, for use in dental sealing compounds or as carriers for pesticides.)*

*Only if you suspect or are told this is what the application is.

Question 3

Does Monsanto intend to continue manufacture of Aroclor 1254/1260, etc. ?

EQU 003552

Answer (3):

I have been given no indication otherwise.

Question 4*

Should I look for replacement for Aroclor 1254/1260, etc. ?

Answer:

I think only you can decide this. How easy would this be for you? Do you have any other replacement product in mind?

Question 5*

Does Monsanto have replacement products for Aroclor 1254 and 1260?

Answer:

As you know, we have over eighty plasticizers in our line and there's quite a bit of product interplay so it is possible that there is another product in our line that might replace them. What resin do you use? Perhaps we could look at these resin/plasticizer Selector Charts in the back of the Blue Book. I've got it with me.

Question 6*

Is Monsanto working on replacements for Aroclor 1254 and 1260?

Answer:

These research fellows are always busy on things like that. To some people Aroclor 1254 and 1260 have draw-backs.-- quite apart from present publicity on PCB. Aroclor 1254 is fairly volatile. Aroclor 1260 is very viscous and difficult to handle. For polysulfide sealants, for example, the technical people in St. Louis have just sent us data on products that will behave better than Aroclor 1254 in polysulfide sealants. Maybe there's something here for you to look at. Let's go over it.

EQU 003553