Monsanto

FROM (NAME & LOCATION) Pierre R. Wilkins - New York

DATE November 28, 1977

SUBJECT

REFERENCE

TO : J. T. Nolan

David Wood
Gary Barton
Dick Stolz
Gene Mollica

J. F. Hussey - Wash. D.C. 1920
[redacted] - B1ND
J. E. McKee - A3NB
Dr. L. A. Miller - B3SA
A. Navarro - A3NB

This is in response to your note and Jim McKee's on what initiative Monsanto can take to clean up PCB residues.

Without disputing E. T. Mollica's point about an absence of laws requiring environmental clean up (memo, Nov. 11), GE was required by a legal settlement with the state of New York to pay $3 million specifically for clean up and $1 million for research. See attached.

I don't know if that settlement established a legal precedent. But it may well point to a legal remedy that will be invoked by other public or private jurisdictions in the future.

Further, it isn't unreasonable to assume that the question of who has responsibility for clean up will surface elsewhere in the future -- in the Great Lakes, for example, or wherever PCB damage is claimed. We know the problem will be with us for decades. We can assume it will continue to crop up in the public arena, with attendant publicity, in the years ahead.

An initiative we could undertake is to join with GE, do ourselves or underwrite a new, major research effort to seek new ways to treat PCB wastes. We might carve out for ourselves a special area of research in which we have skills and which holds promise as a route to a practical solution. By financing a major program, we could offer a positive (and attention-getting) answer to any future criticism that Monsanto has "washed its hands" of the issue. Conversely, we risk severe public and governmental criticism and legal consequences if our follow-through doesn't appear at least proportional to our responsibility for the overall problem.

Whether such a research program organizationally belongs in our new toxicological laboratory is for others to say. But it would seem to be a program that socially fits the specifications of that new environmental facility.

Pierre R. Wilkins

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attachment

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