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PCB CLEANUP COST PUT AT $20 MILLION

MONSANTO

State Planning to Ask G.E. to Pay for All Its Damage to Upper Hudson River

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By RICHARD SEVERO

It may cost more than $20 million to cleanse the upper Hudson River of the toxic chemical PCB's, and the State Department of Environmental Conservation plans to ask General Electric to pay "the entire cost of cleaning up the river it has damaged."

The estimate and strategy were indicated by Philip Gitlen, the department lawyer who is handling the state's case in an administrative hearing now under way in Albany. The hearing resumes today.

The company, which was found guilty of violating the state's water-quality standards last Feb. 6 because of its discharge of PCB's into the Hudson River from two capacitor plants north of Albany, has reportedly offered to pay the state at least $2 million in an out-of-court settlement.

Moreover the company has agreed to reduce its discharges of PCB's—polychlorinated biphenyls—to virtually none by July 1, 1977, to conform to new Federal standards.

Penalty Resisted

According to a statement made over the weekend by the Commissioner of Environmental Conservation, Ogden R. Reid, the major impediment to a settlement is the company's insistence in private negotiations that it not be required to pay a formal penalty for reclamation of the river, because that would constitute setting a national precedent. The money would be paid as a research grant or in some other way not onerous to the company.

Mr. Reid has not indicated what he thinks of General Electric's cash offer.

When the company's guilt

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State Puts Cost of PCB Cleanup in the Hudson at $20 Million

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was determined, the hearing examiner, Prof. Abraham D. Sofaer of the Columbia Law School, said that "the evidence that G.E. is responsible for the high concentrations of PCB's in the upper Hudson's water, sediment, organisms and fish is overwhelming." He added that the Department of Environmental Conservation had established "that other sources contributed negligible amounts of PCB's to the river."

"There is but one basic issue," said Mr. Gitlen. "Will the sediments already contaminated mean that, in the future, fish will be contaminated at unacceptable levels, long after General Electric stops using PCB's or reduces its discharges into the river to virtually nothing?"

The department believes it has the evidence to support that assertion. General Electric's lawyer, N. Earle Evans, a veteran of litigation in environmental matters in cases involving other companies, feels that the state has not yet presented the evidence it needs to make its case, and in the last week he has made it clear he plans to cross-examine each witness closely.

Pollution Near 2 Plants

According to a study prepared by the state, 458,000 pounds of PCB's are in the Hudson River, 81 percent of them within 10 miles of the two G.E. capacitor plants at Fort Edward and Hudson Falls. It is estimated that 84,000 pounds of the substance were discharged into the river by the company between 1966 and 1972.

A capacitor is an electrical device that stores a charge.

The company was able last year to bring its discharges down to two or three pounds a day, and a spokesman for G.E. said yesterday that the discharge level had been lowered even further, to about a pound.

The company would not be able to reduce the discharge much further without making major changes in the two plants, which it is apparently willing to do. The two plants are very old, with antiquated systems of pipes and drainage.

Even small amounts of PCB's in the water are regarded as quite serious by public health officials, since the chemical has caused cancer in laboratory animals. Morever General Electric conceded last November that at least 65 of its employes had become ill over a 15-year period from their work with PCB's. The illnesses included nausea, dizziness, eye irritation, allergic dermatitis, asthmatic bronchitis and fungus infections. More medical research is being conducted.

Testimony presented last week indicated that between 5,000 and 10,000 pounds of PCB's were moving down the Hudson River at a rate of between four and 10 miles each year, and according to research by the Department of Environmental Protection, types of PCB's that were abandoned years ago by the company are still being found both in the river sediments and in fish.

Commercial fishing for most species has been banned by Commissioner Reid, and people have been advised not to eat Hudson River fish.

The state has not yet decided just how the PCB's could be removed from the upper Hudson, between Troy and the two G.E. plants. The $20 million estimate is based on an approach that uses dredging, but no firm decisions have been made on that yet.

If dredging were used, about 1.5 million cubic yards of sediment would have to be removed, transported to a special site and incinerated with equipment capable of generating temperatures well in excess of 2,000 degrees Fahrenheit. PCB's are sticky but heavier than water.

It is thought that if dredging were used, dredgers would have to go down about a foot and a half to get most of the contaminant, and special care would have to be taken to avoid turbulence that would cause a redispersion of PCB's not picked up in the dredge. Because of the engineering problems involved, Mr. Gitlen regards the $20-million figure as conservative, whatever method of removal is used.

Nor has the state yet decided what should be done with the lower Hudson, where PCB levels are more modest but destined to increase as the river's action brings the PCB mass downriver.

The sole manufacturer of PCB's in the United States is the Monsanto Industrial Chemicals Company, which says it plans to phase them out "in a planned and orderly manner."

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