THE ATLANTA CONSTITUTION
ATLANTA, GA.
D. 213,212

DEC 30 1976

21 Sue GE, Monsanto Over Coosa

BIRMINGHAM, Ala. (AP) — A group of 21 people who depend on the Coosa River for their livelihood and sport filed a $1 billion pollution suit against General Electric Co. and Monsanto Corp. Wednesday.

The federal court action charges that pollution from a GE plant near Rome into the Coosa has ruined their businesses.

The plaintiffs said they filed on behalf of more than 3,000 northeast Alabama people who look to Weiss Lake on the Coosa, on the Alabama-Georgia line, directly or indirectly for their livelihood.

The amount could be the largest damages ever sought in an Alabama court.

The Environmental Protection Agency in September began warning people living and working along the Coosa that the GE plant near Rome was dumping polychlorinated biphenyls, or PCBs, into the river.

The chemical is used in the manufacture of electrical transformers. The EPA said it has been found to cause cancer in laboratory mice.

The EPA said tests showed heavy concentrations of PCBs, often well above the five parts per million limit set by the Food and Drug Administration, in fish taken from the Coosa as far south as Weiss Lake.

Commercial fishing was banned on the Coosa in Georgia, but not in Alabama.

Monsanto was named in the suit because it manufactures the chemical used by the GE plant.

A group in Georgia has a $500,000 suit pending against GE in connection with the PCB pollution.

FLORENCE, S. C.
NEWS
D. 20,000

JAN 1 1977

Huge PCB Lawsuit Dismissed by Judge

GREENVILLE, S.C.(AP)—A $1 billion dollar suit against the Sangamo Electric Co. of Pickens has been dismissed by a U.S. District Court.

Owners of property around Lake Hartwell had claimed in the suit that the company's discharge of toxic polychlorinated biphenyls (PCBs) into a tributary of the lake had caused their property to decrease in value.

U.S. District Judge Robert F. Chapman dismissed the suit Thursday, ruling that the class action failed to demonstrate that all persons named in the suit suffered enough damage to qualify for relief in federal court.

Citing a Supreme Court decision in a similar case, Chapman said it was "not credible that every such owner (alleged to be a member of the class) has suffered pollution damage in excess of $10,000."

He also ruled that enforcement of the Federal Water Pollution Control Act against the Sangamo plant, also sought in the suit, is the prerogative of the federal government and not subject to claims by private individuals.

Ross Anderson, attorney for the property owners, said Judge Chapman left open all avenues of recourse for his clients; however, he said he did not know what further action might be taken.

Sangamo, which uses PCBs in the manufacture of electrical components, has agreed to decrease its use of the chemical and to help clean up the lake.

The production of PCBs will end late this year, according to an agreement between Monsanto Industrial Chemicals Co., manufacturers of the substance, and the U.S. Environmental Protection Agency.