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PCB Project to fight new rule

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By JOHN LYNCH

The PCB Project Legal Team says it will challenge in court the Environmental Protection Agency's recent Final Rule on PCBs in an effort to expedite a ban of the highly toxic chemical.

Acting under court orders, the government last week handed down legislation that will require the replacement of 1½ million pieces of electrical equipment over the next six years. The EPA set Oct. 1, 1988 as the deadline for utilities to halt the use of electrical capacitors which use PCBs (polychlorinated biphenyls) as an insulating agent.

The ruling apparently applies only to PCB capacitors in areas where the public could be exposed to the chemical, such as those that operate atop utlity poles. Substation PCB capacitors and others in so-called restricted-access areas may continue to operate, according to the EPA ruling.

The Pacific Gas and Electric Company, which initiated its own "phase-out" of PCB capacitors two years ago, was predictably mum on the EPA ruling. Ed Slingland of the PG&E News Bureau in San Francisco remarked, "We haven't gone through all parts of it (ruling) yet. It sets a (time) limit on removing capacitors, but we're well ahead of that," he said, in referring to the company's voluntary phase-out plan. "We don't anticipate any difficulty in complying with the new rules."

When asked if PG&E expects to meets its self-set deadline of August 1983 for the complete phase-out of all PCB capacitors, Slingland answered, "I don't know about that, but we're proceeding with the plan."

Slingland estimated that the company is about half-way through its PCB capacitor phase out project.

Other utilities across the country reportedly are opposed to the final ruling because they consider it unfeasible to be able to replace that much equipment before the 1988 deadline.

THE SONOMA-based PCB Project, meanwhile, wasted no time in announcing that they would challenge the EPA rule in court. "It's outrageous," exclaimed PCB Project leader Chambier Bechtel. "You can't expect property owners, the citizenry and utility employees to put up with PCB capacitors for another six years. They're not disagreeing that PCBs are extraordinarily dangerous. They're just telling employees and the citizenry that they have to live with it a little longer."

Bechtel said the delay in outlawing the use of the chemical is being tolerated "because it's not cost-effective for the poisoners to clean up their poison."

She also was at odds with the EPA's decision to exclude substation PCB capacitors from the Final Rule because, she says, utility employees stand the chance of being exposed and then spreading the contamination to public areas.

"There is still no way to clean up PCBs, so why are we letting them completely blanket the earth for another six years?" she asked.

THE RULE, which goes into effect in 23 days, also orders the removal of transformers and electromagnets containing PCBs where food or animal feed could be contaminated. Deadline for compliance is Oct. 1, 1985. Weekly inspections for leaks are ordered until they are replaced.

A scientist for the Environmental Defense Fund, another group that has sought legal action for tighter controls of PCB use, argues that the replacement order will cover only a small number of the estimated 20 million PCB transformers in use. Environmentalists further point out that statistics prove that transformers may leak up to 25,000 pounds of PCBs annually throughout the country.

The EPA, arguing that it would cost industry billions of dollars, refused to initiate a wide-scale replacement of all PCB transformers, however.

The PCB Project was largely responsible for orchestrating a petition drive nearly two years ago that alerted the public to the dangers of PCBs. It also made certain demands of PG&E regarding more stringent controls of the substance.

The drive also was the key to a similar resolution eventually adopted by the Sonoma County Board of Supervisors.

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