

Panel to hear claims against Dow executive

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Documentation of improper involvement by a Dow Chemical Co. executive in a U.S. policy decision on international controls governing testing of toxic chemicals will be presented at a congressional hearing Thursday, a congressional aide said.

However, the Dow executive, Donald D. McCollister, director of international regulatory affairs, will not be able to attend the meeting because he will be in Paris on business.

Also, a Dow spokesman today denied there was anything improper in McCollister's actions on the issue.

"I think it would be more essential for Mr. McCollister to be there than for us to have him," the congressional aide said today. The aide asked not to be identified.

The Natural Resources Subcommittee of the House Science and Technology Committee is holding the hearing to determine whether the U.S. Environ-

mental Protection Agency and the U.S. State Department intentionally excluded environmentalists from contributing to a decision not to change international controls over toxic chemicals.

At a December 1982 Paris meeting of the Organization of Economic Cooperation and Development, the U.S. decided it would stick with the Toxic Substance Control Act policy of testing toxic chemicals before they are manufactured in foreign nations. During the Carter administration, a decision had been made to switch to a different policy of testing toxic chemicals destined for export, a scientific consultant to the House committee said. The new policy would have made the testing more uniform, the consultant, who also asked not to be named, said.

The aide for subcommittee Chairman Rep. James H. Scheuer, D-N.Y., said the decision to maintain the status quo on international controls over toxic chemical testing was a "substantial departure" from U.S. policy.

However the decision is what the

chemical industry had hoped for and urged, according to Dow spokesman Dean Wakefield.

McCollister, who Wakefield says did not attend the December Paris meeting, previously had recommended the U.S. stick with the Toxic Substance Control Act policy. McCollister was acting in his capacity as a member of the Business and Industrial Advisory Committee to OECD, Wakefield said.

"There were absolutely no improprieties of any sort involved," Wakefield said, adding, "There is no substance to the allegations."

The substance the subcommittee claims to have is communications from former EPA international division chairman Richard Funkhauser which document conversations he had with McCollister concerning the policy decision.

The documents from Funkhauser reveal "not only was there no environmental voice, but also there were great lengths taken to exclude it," the consultant said.

"We're concerned with how they arrived at the final position," he added.

Dow has indicated McCollister could not be available on Thursday because of previous business travel plans. Wakefield says Dow received notice on Friday from the subcommittee requiring McCollister's testimony at the hearing. That was not adequate notice, he added.

Dow told the subcommittee McCollister could testify Wednesday morning or sometime during the month of November.

The consultant to the subcommittee said it is a "real possibility the hearing will be continued at a later date to include McCollister's testimony."