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G.E. ORDERED BY STATE TO STOP DUMPING TOXIC WASTE

By Richard Severo

The State Department of Environmental Conservation said yesterday "that the General Electric Company would be prohibited from dumping the toxic chemical PCB into the Hudson River from two upstate plants after Sept. 30, 1976."

However, the company has already indicated that it cannot comply with the state order and that as a result there might be litigation.

A spokesman for G.E. said over the weekend that the company felt it would be "a breach of integrity to make a commitment to achieve Zero discharge by a certain date because at this point in time, we know of no method of achieving such a goal."

Irreversible Damage

Ogden R. Reid, the Environmental Commissioner, says he regards that excuse as unacceptable and has ordered a hearing for Oct. 6. If the hearing officer heard both sides and decided in the state's favor, G.E. would be free to appeal the case to the courts.

In its order, the state is asking G.E. to post a $2 million performance bond, which it would forfeit if it did not meet the deadline. The amount involved in the request is unprecedented in the department.

"Tragically, we are now faced with what may be irreversible damage and serious economic (line missing in text) commercial fisheries on the Hudson River," Mr. Reid said.

He said G.E., although it has a federal permit to discharge wastes into the Hudson at the two plants, was violating the loss to recreational and (line missing in text) state's water quality standards and creating grave health problems. Water downstream of the discharges is rated as "acceptable" to processing and some of it is actually used for drinking water in Rhinebeck and Poughkeepsie, among other places, and the G.E. discharges violate these standards, Mr. Reid said.

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The company also will be asked to pay an undetermined amount to restore the river. "I don't know how much it will be," Mr. Reid said, "but it will be commensurate with the amount of damage they have done."

Mr. Reid emphasized the state's proposed orders could be carried out only if the hearing and any subsequent litigation upheld the state's position. "But the chief issue here," he said, "is how do we restore the health of a great river and eliminate the health hazards to the people of New York State."

Similar to DDT

PCB, polychlorinated biphenyl, a substance similar in molecular structure to DDT has been detected in fish in the Hudson. Mr. Reid issued an advisory on Aug. 7 warning the public not to eat striped bass and large-mouth bass from the Hudson as well as salmon from Lake Ontario.

As of yesterday, with dozens of fish of many species tested, Mr. Reid broadened the advisory.

"Based on the data we have collected," he said, "I would say it would also be unhealthy to eat small-mouth bass, white perch, white suckers and eel taken from the Hudson," in addition he warned against eating lake trout and brown trout from Lake Ontario.

A General Electric spokesman said the "grade of PCBs found to be predominant in the fish samples is not the same grade used exclusively by General Electric for the past four years."

Mr. Reid replied that two varieties of PCBs in question were "virtually indistinguishable." Moreover, he added that PCB used by G.E. years ago were still present in the fish and in the Hudson, as the substance is not readily soluble in water.

As it now stands, G.E. is being asked by the state to reduce its direct discharges into the Hudson to 2 pounds a day by this December and to "zero discharge" by Sept. 30, 1976. A G.E. spokesman says that the company is willing to commit itself "to a goal of three quarters of a pound of discharge a day by the end of 1976."

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Used for Transformers

PCB, which is used in the manufacture of capacitors and transformers, has been in use for many years but not until fairly recently has its presence in waterways around the world been detected. Research indicates that if taken in sufficient quantity, PCB is toxic to many animals and causes stillbirths, miscarriages and skin disease.

Mr. Reid also announced that his department was setting up a statewide monitoring network to determine the presence of PCB, mercury and various insecticides and pesticides. The department already has a series of core samples from Hudson River sediment ranging from Hudson Falls and Fort Edward on the north, where the two G.E. plants are, to the Tappan Zee Bridge, 20 miles north of Manhattan.

"The range is from 50 parts per million to one part per million," Mr. Reid said. He has called a meeting of scientists for Thursday to discuss what might be done to rid the river of PCBs.

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