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Westinghouse will finance Bloomington PCB cleanup

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BLOOMINGTON, Ind. — To avoid a lengthy legal battle over PCB contamination in Bloomington, Westinghouse Electric Corp. has agreed to spend at least \$13 million to destroy soil and materials where the cancer-causing chemical has been found.

Westinghouse and Bloomington officials announced a "conceptual agreement" last night that calls for the company to build and operate an incinerator in Bloomington that can destroy PCBs.

The site and design of the proposed incinerator have not been selected, according to the officials. But they said a more detailed and final agreement is expected by year's end.

Although the agreement provides few details of Westinghouse's incineration plan, the announcement is the first confirmation in eight years that company officials would be willing to finance the PCB cleanup.

Polychlorinated biphenyls — a toxic chemical banned by the U.S. Environmental Protection Agency in 1979 — were discovered in Bloomington in 1975.

But Robert Pugliese, vice president and general counsel for Westinghouse, said yesterday that the company is not accepting responsibility for widespread PCB contamination in the city and Monroe County.

Pugliese and Joseph Karaganis, a Chicago attorney representing Bloomington, said two lawsuits pending against Westinghouse in U.S. District Court over PCB contamination will continue, despite the agreement.

Both the U.S. Justice Department and the city of Bloomington have filed suits against the company to recover damages and cleanup costs involving several PCB-contaminated sites.

But both men said they hope the proposed plan will eventually eliminate the need for costly court battles. They said future negotiations will be aimed at settling the pending suits.

"We're going to get rid of the PCBs," Pugliese said during a news conference in Bloomington to announce the agreement. "We have no responsibility ... we're still in litigation ... and will continue to work with the city."

The agreement, which Mayor Tomi Allison said has the informal approval of the Bloomington City Council and the city's Utilities Service Board, says that:

Westinghouse will remove and incinerate designated PCB-contaminated soils and materials from the city's former sewage-treatment plant and from four other sites involved in the pending federal litigation.

The sites are Neal's Landfill, Lemon Lane Landfill, Bennett's Quarry, and the former Winston-Thomas treatment plant in Monroe County, and Neal's Dump in Owen County.

The Monroe County Landfill, where PCBs have also been discovered, is not named in any of the lawsuits.

Pugliese said the county landfill or any new sites where PCBs may be discovered will be reviewed case by case for inclusion in the incineration plan.

✓ The city will provide an acceptable site for the incinerator's construction and operation.

Leo Duffy, general manager and waste technician in Westinghouse's service division, said the approximately 150-foot-square incinerator would require only "a few acres."

Duffy said preliminary plans are for two incinerator modules capable of processing a total of 100 tons of material a day. Duffy said Westinghouse will provide access roads, utilities and perhaps a rail spur to the incinerator.

✓ The incinerator will be fully licensed and permitted by appropriate local, state and federal authorities in a cooperative effort by Bloomington and Westinghouse.

Karaganis said officials will ask EPA to provide engineering assistance in developing the incinerator.

The incinerator will be fueled by garbage, refuse and solid waste. Mayor Allison described the plan as

an "effort to use one environmental concern — garbage — to destroy another environmental concern — PCBs."

Once the PCBs are destroyed, the incinerator will be available for the city to use for refuse disposal.

Officials said it will be designed, located and constructed to generate both steam and electricity for use by the city and by local industries.

For nearly 20 years, until at least 1976, Westinghouse used PCBs as an insulating fluid in electrical equipment manufactured at its Bloomington plant.

And for years waste haulers dumped discarded equipment contaminated with the chemical in several local landfills and other sites.

The chemical is known to cause cancer in laboratory animals and has been linked to cancer in humans.

PCBs initially were discovered in city sewer lines leading from the Westinghouse plant and in thousands of tons of treated sludge that for years had been provided free as fertilizer for local farms and gardens.

During the past several years, PCBs have been found at several area sites. Neal's Landfill, the Lemon Lane landfill and Bennett's Quarry are on the EPA's priority list to receive federal cleanup money.

In early September, Mayor Allison said tests also have found trace levels of the chemical in the city's drinking water.

Previous negotiations with Westinghouse to clean up the chemical have been unsuccessful. But local authorities said yesterday that they are willing to forget the past.

And they promised vigorous efforts — through community forums, public meetings and news briefings — to keep the public informed of developments.

Mayor Allison and others repeated assurances that Bloomington is eager to work with Westinghouse and to maintain good relations with the company, despite unfavorable publicity over PCBs in Bloomington.

"We're trying to put all that behind us," Pugliese said, "and get on with progress."