

THE NEW YORK TIMES
THURSDAY, DEC. 18, 1975

G.E. Withdraws Its Figures on 'Low' Levels of PCB

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ALBANY, Dec. 17—In an unexpected move, the General Electric Company publicly disassociated itself today from much of the testimony presented by its own expert witnesses on PCB with the explanation that "the reliability of the data is extremely doubtful."

The company said instead that it now would accept what it previously contested—data compiled by the state's Department of Environmental Conservation showing exceedingly high levels of PCB — polychlorinated biphenyls—in fish in the Hudson River.

N. Earl Evans, counsel for General Electric, told a hearing that there was "a dated overview of the data" previously presented by the company showing levels of the chemical in fish, sediment and water and that General Electric "wants nothing in evidence about which it cannot have confidence in its testimony."

Mr. Evans did not move formally to withdraw the evidence, but said he would

be glad to consent to a withdrawal motion if it was made by any of the other lawyers in the proceeding.

Neither Philip Glavin, counsel for the state environmental agency, nor Sarah Chalk, counsel for the Natural Resources Defense Council, which is intervening for public interest groups, made any comment. It appeared they saw a tactical advantage in leaving the discredited testimony where it was.

Changes by Reid

The hearing was called after the Environmental Conservation Commissioner, Gordon R. Reid, accused General Electric of violating the state's water-pollution standards by discharging PCB directly into the Hudson from two operating plants north of Albany. Mr. Reid ordered the company to stop the discharges by next Sept. 30.

The company, which says it has lowered its daily discharge to around two pounds, contends "it cannot meet the deadline set by Mr. Reid. Company spokesmen have said, however, that they

are being the discharge down to a matter of ounces in 1977. Today's development was an outgrowth of testimony given Dec. 8 and 9 by Dr. Gerald Lauer, vice president of Ecological Analysis Inc., consultants of Middletown, N. Y., retained by General Electric to conduct independent sampling of fish, water and sediment in the Hudson.

In his initial testimony, Dr. Lauer presented data that he said indicated PCB levels in edible parts of fish were well below the five parts per million established by the Food and Drug Administration as the maximum allowable limit for human consumption.

Errors Conceded

Then, in nearly eight hours of cross-examination by Dr. Gordon and Mrs. Chalk, Dr. Lauer conceded there had been mistakes, omissions and confusion in the way he collected data.

General Electric, in an effort to prove the integrity of the data, suggested that a representative of the state visit the company's lab.

Woodson-Tinsot Laboratories in Memphis, where Dr. Lauer's samples had been tested. The state accepted and Dr. Nelson Smith of the Health Department spent two days there. Those originally referred to by Dr. Lauer were done again with remaining parts of original fish samples.

But Mr. Evans, the G.E. counsel, said he did not want to submit the new data as evidence. An inspection of the data showed wide discrepancies with what Dr. Lauer had originally testified to.

For example, the edible part of one fish that he said contained only 0.36 parts per million of PCB was retested twice. One test showed it had 1,064 parts per million and the other showed 1,338 parts per million.

In a press release, General Electric acknowledged what it called "incongruities," but added: "G.E. believes that its other evidence already presented, coupled with [the state's] findings, has proven the company's case."