

STATEMENT OF
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BEFORE THE
SUBCOMMITTEE ON THE ENVIRONMENT
COMMITTEE ON COMMERCE
UNITED STATES SENATE
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Mr. Chairman and Members of the Subcommittee, I am John Buckley, consultant to and former Acting Deputy Assistant Administrator for Program Integration of the Environmental Protection Agency's Office of Research and Development. I am accompanied by Mr. Glenn Schweitzer, Director of EPA's Office of Toxic Substances.

I appreciate the opportunity to discuss for the Subcommittee the concern of the Environmental Protection Agency over the recent developments which suggest that environmental contamination by polychlorinated biphenyls (PCBs) is more widespread, and that some concentrations are higher than previously believed. For a number of years I have been directly involved in a broad range of governmental efforts to reduce environmental levels of PCBs. In 1972 I thought that things were well in hand. The sole U.S. producer had already voluntarily restricted sales except for uses in closed electrical systems. ✓

The various agencies of the Federal Government each took actions within their regulatory authority. EPA's part of those efforts was support of the policy permitting use only in closed electrical systems and promulgation of a policy designed to restrict PCBs to very low levels in the aquatic environment. However, while we may have slowed the rate of growth of the problem, I am convinced that in the absence of legislation authorizing additional governmental action the PCB problem will not be adequately resolved.

I am submitting for the record a copy of our response to the Subcommittee's request of October 1, 1975, for information on PCBs. This information is based on industry responses received to date to recent EPA requests for data pursuant to section 114 of the Clean Air Act and section 308 of the Federal Water Pollution Control Act. Also, I am submitting for the record a recent detailed statement by Mr. Schweitzer setting forth the history of the PCB problem, the past efforts of government and industry to address PCBs, and current EPA activities directed at reducing the problem. In my prepared statement I plan to highlight very briefly some of our current concerns, and of course we will be pleased to elaborate in detail on those aspects of particular interest to the Subcommittee.

We have known for some time that PCBs are a group of chemicals which at certain levels can cause serious toxic effects on man and can adversely affect our ecological resources. During the past several years we have increased our understanding of the extent and nature of the human health threat of PCBs and the extent of the potential adverse effect on fish reproduction of very low PCB levels. However, we still have much to learn about the full range of toxic effects of PCBs and their movement, persistence and fate in the environment. At the same time, industry is working towards finding alternatives to PCBs, which have been particularly important materials in electrical systems.

Recent reports from the Great Lakes area, the Hudson River valley, and other parts of the country underscore the urgency of the problem. In these areas relatively high levels of PCBs in fish -- levels which greatly exceed FDA guidelines -- are not only threatening our ecological resources but are impacting directly on the jobs of local fishermen and on available food supplies. At the same time continuing PCB discharges are adding further to the total environmental burden of the chemical which degrades very slowly indeed.

PCBs reach man and the environment through many routes: as water effluents, air emissions, and solid waste from manufacturing activities; through leakages from products

containing PCBs during their operation, transport, and disposal; and from contamination of raw materials and products exposed to PCBs. Thus, it has been recognized for a number of years that the most effective way to limit PCB contamination is through regulation of the manufacture, distribution, use, and disposal of the chemical rather than attempting simply to turn off those individual routes of environmental discharges, one by one, which can be addressed under existing laws. This approach was strongly recommended in the 1972 Interdepartmental Task Force on PCBs and is embodied in the 1973 Decision of the Organization for Economic Cooperation and Development. We understand that Japan has banned the manufacture and import of PCBs. Canada expects to take action against PCBs under pending toxic substances control legislation. Of course, in the absence of adequate authority to regulate manufacture, distribution, use, or disposal, EPA will continue to address PCBs under existing authorities, and particularly the Federal Water Pollution Control Act, recognizing the inherent limitations in attempting to control the problem through a limited and piecemeal approach.

In view of the severity of the PCB problem and our anticipation that appropriate toxic substances legislation will be enacted along the lines of S. 776, including the amendments proposed by the Administration in its June 23, 1975

letter to the Chairman of the Senate Committee on Commerce, EPA is in the process of preparing the necessary detailed documentation which would be required for regulatory action under the legislation. Our aim is to be in a position to propose specific measures when the legislation is enacted. These measures would take into account not only the available information on toxicity and exposure levels but also the impact of regulatory steps on business, employment, and the economy. A key concern in this regard is the availability of acceptable alternatives to PCBs, which have not been demonstrated for all uses at this time.

An important step in the development of an approach to the PCB problem is a National Conference on PCBs which EPA is sponsoring in cooperation with the Council on Environmental Quality, and the Departments of Agriculture, Health, Education and Welfare, and Interior. This conference will be held in Chicago from November 19 to 21, 1975, and will cover the entire spectrum of concerns related to PCBs. We intend to bring together the leading experts on PCBs to insure that the latest and most authoritative information is available for careful consideration in developing a regulatory program. Representatives of Federal and State agencies, industry, environmental groups, universities, and other interested organizations will not only be invited to attend but will be

provided a platform to express their views on practical steps that are needed in the near-term, as well as the need for further study and research.

In conclusion, PCBs offer an excellent example of the need for the type of regulatory authority similar to that contained in the proposed Toxic Substances Control Act with the amendments to it proposed by the Administration in EPA's letter of June 23, 1975. Despite governmental efforts to control the PCB problem, despite voluntary action on the part of the sole U.S. manufacturer of PCBs to sell only to customers who have stated their intention to limit the uses of PCBs, and despite a formal international agreement embodying a multinational commitment to control PCBs, environmental contamination persists. All these factors demonstrate the need for this legislation now.

Mr. Chairman, that concludes my prepared statement. I will be glad to answer any questions the Subcommittee may have.