

EPA, Dow near deal on dioxin-laced poison

By ED PETYKIEWICZ
Newhouse News Service

WASHINGTON — Lawyers for the Environmental Protection Agency and Dow Chemical Co. have reached agreement on key parts of a proposal that would permit increased use of a herbicide containing traces of the deadly waste product dioxin.

Described by sources as a "draft document," the preliminary agreement would reduce the acceptable limit of dioxin within the herbicide 2,4,5-T in exchange for easing restrictions on its use.

The EPA curbed use of 2,4,5-T in 1979 when an agency study linked it to miscarriages in seven women shortly after the weedkiller was used near their homes in Oregon. While that study has been widely criticized as scientifically weak, others concluded that the herbicide caused cancer in laboratory animals.

Dioxin has been found in several sites across the country, including Times Beach, Mo., where the federal government has announced it will buy dioxin-contaminated land from homeowners. Recently published studies indicate dioxin also is present in small quantities in numerous rivers and streams in Michigan.

Dioxin is an unwanted but unavoidable byproduct of several chemical manufacturing processes, including that for 2,4,5-T, and is considered by numerous researchers and scientists to cause cancer in humans.

Negotiations between Dow and EPA started after Dow sued the agency over the 1979 restrictions ordered during the Carter administration. Shortly after the Reagan administration took office, EPA was instructed to reach an out-of-court settlement with Dow, once the chief maker of 2,4,5-T in the United States.

"It is fair to say that we have made progress," an EPA attorney said Wednesday. "but I have to emphasize that this is not completed. There are issues to be resolved."

Spokesmen for Dow also stressed that a final settlement has not been reached. Several other chemical companies besides Dow have participated in the negotiations, but the Michigan-based company has taken the industry lead.

Both EPA and the chemical companies are reviewing the areas of preliminary agreement, according to sources who say the adverse publicity surrounding allegations of mismanagement within EPA as well as the dioxin contamination of Times Beach have slowed the rush to reach a final settlement.

"I don't see how EPA, in today's environment, could announce a settlement on this; the politics are just not right," a source said.

Industry guidelines established several years ago recommend that dioxin levels in 2,4,5-T should not exceed 0.1 part per million. Most chemical companies kept the level at 0.01 part per million, 10 times lower than the industry standard.

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