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EPA SEEKS ACCESS TO WAUKEGAN HARBOR, IL

U.S. Environmental Protection Agency (EPA) Region V Administrator Valdas V. Adamkus today announced that the Agency is filing a motion in U.S. District Court to dismiss a suit brought by Outboard Marine Corp. (OMC) to deny EPA access to the Superfund site in Waukegan, IL.

Also, because of OMC's refusal to give EPA access to its property, EPA is forced to shift \$10 million ear-marked for the cleanup of the harbor to other Superfund projects. The cleanup was to have started September 1985. EPA retains the funds allocated for designing the cleanup once access is obtained.

Adamkus said: "EPA has made this decision because OMC has obstructed progress at every opportunity for the last seven years. OMC would rather spend money on legal fees than meet its responsibility to clean up the harbor."

The OMC site, near the intersection of Grand Avenue and Sheridan Road, Waukegan, IL, is on the National Priorities List. There are at least 1.1 million pounds of polychlorinated biphenyls (PCBs) distributed about the site. Movement of PCBs through the groundwater, surface water, and past direct discharges have contributed to the contamination of Waukegan Harbor.

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In May 1984, EPA developed a conceptual plan to clean up the Superfund site, which is now estimated to cost \$27 million. To successfully implement the cleanup, EPA sought access to perform soil borings and establish land markers to complete the engineering design.

OMC denied EPA access to the site. EPA sought to obtain access by way of a court-ordered warrant which OMC did not honor. OMC has filed suit against EPA to prevent access for both the design and implementation of the cleanup action. Action taken today by EPA requests that the OMC suit be dismissed.

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FYI:

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THE WALL STREET JOURNAL MONDAY, MARCH 25, 1985

Reeling Science

Striped-bass fishermen may soon become the next endangered species if the environmentalist lobby has its way. Its members claim that the striped bass in the New York area are contaminated by polychlorinated biphenyls, or PCBs, and that this industrial chemical poses a cancer risk. Therefore, the environmentalists insist, striped-bass fishing should be banned.

New York's Gov. Mario Cuomo is currently on the brink over this issue. He must decide by the start of his state's fishing season, April 1, whether to limit or even totally ban commercial and recreational fishing for striped bass. Before he makes his decision, we recommend that he, and the many other parties to this long-running dispute, read a new report by the American Council on Science and Health, a group devoted to separating bogus health scares from real dangers like cigarettes.

PCBs were produced in the U.S. for nearly 50 years, mainly for use as a noncombustible, insulating fluid in electrical transformers. These chemicals, which haven't been produced in the U.S. since 1977, do tend to linger for an unusually long time in the environment before degrading. But stable substances are often nontoxic, and the American Industrial Hygiene Association classifies PCBs as only "slightly toxic to practically nontoxic."

Concern about PCBs arose from a 1969 accident in Japan. After eating rice oil contaminated with PCBs, about 1,300 Japanese fell ill, with symptoms including nausea, fatigue, swelling of the extremities, and in some cases, liver disorders. As the victims were allowed they showed other health problems, including 11 cancer deaths, slightly higher than a normal rate. U.S. manufacturers stopped producing PCBs, though traces still appear in the environment where they had been produced or were disposed of, including the Hudson River breeding grounds of striped bass.

Subsequent studies of the Japanese

tragedy, the ACNH relates, showed that the oils were contaminated not only with PCBs but also with much more toxic-related substances produced in certain manufacturing processes. Most researchers now agree that the incident provides an uncertain basis for worries about PCBs themselves.

Meanwhile, toxicological studies on laboratory animals have failed to provide replicable evidence that PCBs cause cancer or birth defects. Moreover, several occupational-health studies of workers heavily exposed to PCBs found no evidence of ill-health effects and no excess incidence of cancer, even after as much as 40 years of exposure to the chemicals. And the ACNH report adds that public-health studies in Michigan and Connecticut show that "fish eaters have suffered no known ill effects from PCBs."

In addition, federal statistics indicate that, whatever the health dangers from PCBs, the number of Americans with high levels of PCBs has already declined sharply. That figure is probably below 1%, and presumably will drop further now that the compound is not in widespread use. The ACNH report concludes that "time itself is an important factor in resolving the situation."

It's hard to see from the evidence, then, that PCBs are a major health hazard. Any kind of risk and benefit balancing would tip the scales in favor of the Long Island fishery industry, sports anglers and fans of striped bass, one of the sea's most succulent fish. But such balancing is not part of the environmental movement, which presupposes that once there is any hint that something is a "demon"—whether it's chemicals in fish or nuclear power or whatever—everyone is expected to hop to comply, no matter what the cost or how scanty the evidence. Since Gov. Cuomo is being eyed as a potential Democratic presidential nominee, it will be interesting to see his line, not by mention health and safety.