EPA takes action on two pesticides, PCB

Environmental Protection Agency administrator Russell E. Train has suspended the major uses of the pesticides heptachlor and chlordane, on grounds that their continued use would create an "imminent hazard" of cancer in man, and that this risk outweighs the benefits of continued use. In this action, Train has gone against the recommendation of the agency's administrative law judge Herbert L. Perlman, who 10 days earlier had dismissed a suspension order against the pesticides because he could not conclude that they are indeed imminent hazards to human health. In another action, Train has recommended a total ban of polychlorinated biphenyls, even though his agency doesn't have jurisdictional authority to enforce such a ban.

Whether the pesticides suspension will remain in effect will depend on the outcome of cancellation hearings that have not yet begun and may last for as long as 18 months when they do begin. Train issued a notice of intent to cancel heptachlor and chlordane in November 1974, and a notice of intent to suspend the pesticides last July.

In differing with Judge Perlman's recommendation, Train says that "it is not necessary to find conclusively that actual harm to man will occur if the use of the pesticides is continued; rather, the finding required is that continued use during the cancellation proceeding is likely to result in any unreasonable risk to man or the environment."

Train says in his decision that he is allowing minor uses of the chemicals, such as for control of the imported fire ant, the harvester ant, and for preplant soil treatment for strawberries. He also is allowing the major use of the pesticides on corn through Aug. 1, because, he explains, discontinuing their use now would create too much financial hardship on farmers. Train is suspending the major uses of the chemicals on lawns, gardens, turfs, and for household pest control.

On polychlorinated biphenyls, Train says that although the agency lacks the authority under existing laws to regulate these compounds, he is calling on "society" to totally eliminate the production, importation, and use of PCB's "as rapidly as possible." PCB's, he points out, are used primarily in transformers, capacitors, paints, inks, paper, plastics, adhesives, sealants, and hydraulic fluids. And, he adds, they are known to cause significant adverse effects in fish and aquatic life and have been found to cause reproductive failures, gastric disorders, skin lesions, and tumors in laboratory animals.

Among other things, Train recommends that major users of PCB's assume the responsibility for controlling the use and disposal of the compounds. The agency, he says, also has proposed to regulate spills of PCB's under the 1972 Federal Water Pollution Control Act. And he calls again on Congress to pass the Toxic Substances Control Act, which would give EPA the authority to ban the chemicals. □

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