## EPA approves liquid PCB disposal sites

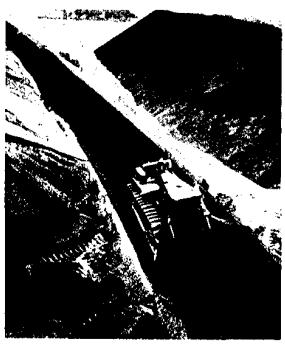
The Environmental Protection Agency has approved the first two landfills for disposal of liquids containing concentrations of 50-500 ppm. of polychlorinated biphenyls (PCBs). The sites also are approved for disposal of solid wastes contaminated with PCBs; five others already have been approved for solid-waste disposal.

Owners of the two new sites are Waste Management of Alabama, Inc., whose landfill is in Livingston, Ala., and Newco Chemical Waste Systems of Ohio, whose site is in Williamsburg, O. The other five disposal sites may accept small and large capacitors, properly drained transformers, drums and other containers, dredge spoils, municipal sludges and contaminated soil, dirt, rags and other debris. However, they can't accept liquids. The owners and landfill locations are: SCA Chemical Services, Model City, N.Y.; Casmalia Disposal, Santa Barbara County, Calif.; Nuclear Engineering, near Beatty, Nev.; Chem-Nuclear Systems, lington, Ore.; and Wes-Con, Grand ew, Ida.

Under EPA rules for PCB disposal, oil and most other materials containing more than 50 ppm. of PCBs must be disposed of at an EPA-approved site. Liquids containing more than 500 ppm. of PCBs must be incinerated at a facility approved by the agency. So far, however, no such facilities exist, but the EPA Region VI is awaiting the results of two trial incinerations, one of which was held at Energy Systems Co. in Eldorado, Ark., and the other at Rollins Enviromental Services in Deer Park, Tex. Pending EPA approval of incineration facilites, all liquid with PCB concentrations greater than 500 ppm, must be stored.

**Enforcement Actions:** EPA recently released an account of its PCB-disposal enforcement actions taken in the 1979 fiscal year. In 679 inspections the agency found 248 violations. EPA issued formal complaints for 56 of those violations and initiated legal action on 27 others. So far, 13 cases have been decided, resulting in penalties totaling $96,000. Among the firms fined are General Electric (two fines totaling $39,300) and the two firms who have approved disposal sites—SCA Chemical Services ($15,000) and Newco mical Waste Systems of Ohio ,500).

Although PCB manufacturing and distribution was banned last July, EPA estimates that the amount of PCBs disposed of each year will continue to rise until the middle of the 1980s. The agency estimates that the 125,000 transformers and 2.9 million capacitors now in service in the U.S. contain some 750 million lbs. of PCBs. □



**Phosphates:** GAO wants a better study.

## GAO pushes hard for study of phosphates

The General Accounting Office says Washington isn't paying enough attention to the eventual depletion of U.S. phosphate resources. GAO, in a report to congress last week, recommends that "the highest levels of government" begin promptly to study "impediments" to phospate minerals, largely in the environmental and land-use areas, and review the nation's long-range phosphate availability.

GAO's report states that the Secretary of the Interior should be given instruction to comprehensively study the phosphate reserves of the U.S. and other nations by Dec. 31, 1981. GOA says Interior should also find out how much environmental and land-use restrictions are hampering phosphate development, and should evaluate alternatives to dependence on phosphate imports. The report suggests that the Dept. of Agriculture estimate future needs for phosphates, or alternatives, for food production.

In response, Interior, the Commerce Dept. and the White House's Office of Science and Technology all agreed there is no need for the special study. They claim the issues raised by GAO already are being considered by the Cabinet-level task force on Non-fuel Minerals Policy Review, which was appointed by President Carter in December 1977.

But GAO countered that it has been monitoring the work of the task force, at the request of Congress, and has found "to date, no serious attention has been paid to phosphate problems." The task force originally selected for study 12 minerals industries, including phosphates.

GAO noted, for instance, that when a long-overdue (by one year) draft report was issued last August, it was "roundly criticized by a variety of interests at public hearings."

GAO further adds: "Despite repeated promises that the situation (phosphates) would be analyzed in-depth, there is not even a reference to the issues cited in this (GAO) report." □

## FTC and Du Pont spar over 'price signaling'

The Federal Trade Commission intends to ask the U.S. District Court in Wilmington, Del., this week to dismiss Du Pont's suit charging the FTC with First Amendment violations. Du Pont claimed, in its suit filed last October, that the FTC's action on alleged "price signaling" on antiknock compounds has "chilled and restrained the exercise of free speech." (*CW, Oct. 10, p. 18*).

Lawton A. Burrows, Du Pont's supervising attorney said, "We are asking the courts to say two things: first, that the Commission's complaint is based on allegations that don't establish a violation of the FTC Act, and therefore that the complaint is outside the Commission's authority; and, second, that the complaint contravenes our rights under the First Amendment." On Nov. 27, Du Pont filed a motion for summary judgment on its suit.

The FTC will ask the court to dismiss Du Pont's suit and motion for summary judgment on the grounds that judicial review can take place only in the court of appeals after an FTC cease-and-desist order is entered.

A FTC representative said Du Pont stopped making public announcements about its prices before FTC proceedings began and that the company admitted in the Wilmington proceedings that "nearly all" of its own suppliers have not been affected in any way by the FTC proceedings.

The FTC administrative hearing is tentatively scheduled for April 14, 1980. Du Pont's Burrows expects the Wilmington suit against the FTC to come to trial in the first quarter of 1980. □



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**Senator Long** moves to a vote on oil tax.

## Compromise seen on oil-profits tax

Even though President Carter's "windfall profits" tax remained locked in the halls of Congress last week, the outlines of an eventual compromise gradually began to take form. The basic components are likely to be a tax rate of at least 60% on production from existing oil wells and a minimum tax on newly discovered production.

With Senator Russell Long (D., La.), head of the Senate Finance Committee, playing a key role, the Senate moved toward a final vote last week on the legislation, which actually carries a misnomer. Rather than a tax on profits, the proposed law would impose an excise tax on the sale of domestic oil—more specifically, on the difference between the actual selling price and what the price would have been under price controls, which are being phased out.

Following approval in the Senate, a House-Senate conference committee must mold one law from the two versions (*CW, Oct. 31, p. 17*). A lengthy fight could result in committee, but a compromise could have these elements:

- A tax rate of at least 60% on existing oil production. Carter had sought a 50% rate, which the House raised to 60% and the Senate to 75%—a level some Administration officials believe approaches confiscation.
- A minimum tax, probably no higher than 20%, on newly-discovered oil. The House has approved a 50% tax, and the Senate may choose between 10% and 20% this week.
- The bulk of the revenues from the tax, expected to build up to a total of $200-225 billion by the early 1990s, will probably go into the general revenues of the Treasury. Carter wanted the money for mass transit and energy development, but House and Senate couldn't agree on how it should be spent. □

## Du Pont puts new $TiO_2$ plant onstream

Du Pont, the world's biggest titanium dioxide producer, is putting a new world-scale, 150,000-tons/year $TiO_2$ plant onstream at DeLisle, Miss., this week. The $150-million plant gives Du Pont more than 50% of U.S. $TiO_2$ capacity.

Startup has been conducted over the past few months, and the plant's production will be increased gradually as $TiO_2$ demand grows, Du Pont says. But it adds that operation at full capacity may not be reached for several years. The factory uses Du Pont's chloride process, a key part of its strong market position (*CW, Sept. 26, p. 18*).

"We see an increase in demand in $TiO_2$ in this country, and the plant is designed to meet that demand," the company says. "It will also serve the international market, and we would expect a gradual growth in that market."

U.S. titanium dioxide capacity was 885,000 tons/year prior to the Du Pont startup, according to the Stanford Research Institute (Menlo Park, Calif). It put Du Pont's previous $TiO_2$ capacity at 425,000 tons/year, or 48% of the total, and the DeLisle plant increases Du Pont's nameplate capacity to 575,000 tons/year, or 55.5% of the total. World $TiO_2$ capacity for 1976, in the latest figures presented, was 1.8-1.9 million metric tons/year.

Meanwhile, titanium dioxide producer SCM Corp. (New York) says chances are "very remote" that it will appeal a $TiO_2$ import ruling by the U.S. International Trade Commission. SCM entered a complaint on Sept. 18, 1978 against low-priced $TiO_2$ imports from Belgium, Britain, France and West Germany (*CW, Nov. 15, 1978, p.42*). But the commission ruled that the U.S. $TiO_2$ industry is not being injured by the imports coming in from those countries.

SCM says, "We were very surprised [by the ruling] because we felt the staff report indicated the industry had been damaged." It says it has no plans to appeal. □

## Du Pont has buyers for 80% of dyes business

Du Pont sold its paper dyes business to Mobay Chemical (Pittsburgh) last week, and said that it has an agreement in principle with three companies for the sale of several other major segments of its dyes operation.

The other three companies involved in the sale: Morton-Norwich Products (Chicago); Ciba-Geigy (Greensboro, N.C.); and Crompton & Knowles (New York). Prices weren't disclosed, but the accords represent about 80% of Du Pont's $110-million/year (sales), 45-million-lbs./year dyes business. Du Pont stressed that it will continue to supply those dyes purchased through June 1980 to provide sufficient time for customers to find alternate supply sources.

Earlier this year, Du Pont said it would pull out of the dyes business and sell its technology (*CW, June 13, p. 21*).

The agreement with Mobay includes all manufacturing, technology, patents, trademarks and commercial information relating to Du Pont's organic paper dyes, including the Pontamine series. T technology transfer will begin imme.. ately, said the company, but it will continue to manufacture these dyes during the transition period, to assure customers continuity of supply.

Morton has agreed in principle to buy technology and related information to manufacture and sell Ink Black A liquid dye and "Luxol" solvent soluble dyes for ink, plastics and coatings.

The Ciba-Geigy accord calls for the company to manufacture and sell under license selected dyes for polyester fibers and polyester-cotton blend fabrics, and dyes for nylon sold under the trademarks "Latyl" and "Merpacyl."

And Crompton & Knowles has agreed to buy technology to make the "Sevron" cationic textile dyes used in acrylics, cationic dyeable polyester and nylon, and specialty carpet-styling yarns. It also agreed to buy the technology to manufacture "Merpacyl" orange RAR acid dye for nylon carpeting and Rhodamine WT, a specialty dye used in water tracing. The company will also sell the materials.

William J. Ferracone, president of Crompton & Knowles, said the purchase would significantly expand the compa-ny's dyes and chemicals operations i "profitable and growing segment of t.. textile market."

Du Pont declined to reveal which, if any, of the four agreements represented the largest segment of the sale. □



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