

EPA Fights, Pentagon Buys PCBs

By Carol Ann

While the Environmental Protection Agency and defense companies polluting the environment with PCBs, the General Services Administration and the Defense Department reportedly require the use of PCBs in their own contract specifications.

PCBs, or polychlorinated biphenyls, are the chemicals that General Electric has dumped into the Hudson River in such volume that the State Department of Environmental Conservation just last month banned nearly all fishing in the river. The problem is that PCBs—a chemical similar to DDT in its persistence in remaining in the environment and in accumulating in human fatty tissues—also accumulate in fish, especially fatty ones like striped bass.

The EPA is now in administrative hearings to try to stop General Electric from discharging all PCBs. It is expected to act within a month against other companies polluting with PCBs, whose sole producer is the Monsanto Co. of St. Louis.

But while these actions are going on at EPA, the Defense Department specifically requires the use of PCBs when it lets contracts. "PCBs are the only acceptable substance which complies with existing fire codes and regulations," said a defense department spokesman, Lt. James Britt, yesterday. "Therefore our specifications to the manufacturers obviously include that substance."

EPA officials say that the GSA similarly requires the use of PCBs. A GSA spokesman yesterday confirmed that the chemical "appears in the products that we buy," but denied it is a specification. "It is not in our specifications

but we procure transformers that contain it—because they're the best for the job," the spokesman said.

There are more than 200 variations of PCBs. They went into production in the U.S. in 1929 as an electrical insulating fluid for transformers and capacitors, replacing mineral oil—which did not have the fire-resistant properties of PCBs. PCBs are also used in the manufacture of carbonless "carbon" paper, printing inks and special adhesives.

At a conference on PCBs in Hagerstown yesterday organized by Rep. Thomas Downey (D-West Islip), the EPA's chief of water enforcement,

Richard Elzer, said that pollution by direct discharges of PCBs was only a small part of the problem. "There is an estimated 100 million pounds of the stuff in landfill," he said, adding that PCBs leach into underground waterways.

Downey called the meeting to urge support for the toxic substances control bill, which has been pending for five years. The bill would give the EPA the power to screen potentially toxic substances, instead of acting only after the damage has been done, as is now the situation. Unlike rodenticides and insecticides, which the EPA has the pow-

er to ban, the agency can only regulate other toxic chemicals used in manufacturing.

As of now, the federal government has set a tolerance level for PCBs in fish and in the waterways at five parts per million, which is higher than in Canada, where only two parts are tolerated, or Japan, where the tolerance is three.

GSA officials said yesterday they intend to stop using PCBs but could not say when. Defense Department officials said they have no intention of changing their requirements for its usage.

EPA Rule on Lead Upheld

Washington (AP)—The U.S. Court of Appeals ruled 5-4 yesterday that the Environmental Protection Agency can order reductions of lead in gasoline to head off potential—but not fully proven—public health hazards.

The ruling appeared to uphold EPA authority to regulate a broad range of environmental issues where danger to human health seems likely, even though not scientifically proven.

The decision cited as similar examples such recent environmental controversies as the discharge of asbestos fibers into water, occupational exposures to vinyl chloride and the ban of pesticides DDT, aldrin and dieldrin.

The decision authorized EPA to enforce regulations first issued in 1973 requiring the staged reduction of lead in gasoline starting this year and increasing through 1979. The majority deci-

sion agreed with EPA that lead emitted by auto exhaust is absorbed by human beings from the air they breathe and, added to lead from other sources, can build up poisonous levels of body lead. In small amounts, sufficient lead can cause brain damage; in large enough amounts it can cause illness or death.

The EPA regulations were challenged in court by gasoline refiners and by manufacturers of lead additives, who claimed that EPA had to demonstrate a direct cause-and-effect connection between gasoline lead and harm to human health before it could restrict lead additives, and that EPA had not done so. But the court said EPA was assigned by Congress to prevent damage to public health, not to wait until the damage was done. And it added that, to do this preventive job, EPA

may have to make decisions early, before full scientific evidence of health damage is available.

With regulators required to head off potential dangers without awaiting the final, perhaps disastrous, proof, the court said, "speculation, conflicts in evidence and theoretical extrapolation" typify their every action. How else can they act, the court asked.

Lead has been added to gasoline for years, as an "antiknock" feature that promotes smoother engine operation.

A division of the appeals court overturned the EPA regulations in 1974. Then EPA asked all nine judges of the appeals court to reconsider the case as a full court. Yesterday's decision reversed the earlier ruling and upheld the EPA rules. A further appeal to the Supreme Court was considered likely.

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