

methods are unvalidated and Dow's evidence is "weakly circumstantial."

EPA says its own conclusions are not final, and it has asked Dow for further clarification of the company's methods and findings.

EPA acknowledges that "it is possible that some portion, likely quite small," of the dioxins found in river fish "may have originally been formed and released to the environment as a combustion by-product," rather than from the Midland plant.

However, EPA argues that levels of dioxins found by Dow in Midland are hundreds of thousands of times greater than reported at other locations.

Midland: Dioxin 'Hot Spot'

"The levels of TCDDs identified in Midland soil and dust samples indicate that this area represents a definite TCDD 'hot spot,'" according to the agency.

EPA concludes that the evidence provided by Dow continues to suggest that Dow's Midland plant is the major source of the TCDD contamination in the Michigan rivers.

EPA has treated the three Dow reports as "substantial risk notices" under Section 8(e) of the Toxic Substances Control Act. The agency has issued an evaluation of each report.

Copies of the Dow reports and EPA's evaluations are available from the agency's Office of Public Awareness or from the Industry Assistance Office, Office of Toxic Substances (TS-799), EPA, Washington, D.C. 20460.

Pesticides

EPA TO CONSOLIDATE SCHEDULES FOR CLASSIFYING RESTRICTED USES

The Environmental Protection Agency's Office of Pesticide Programs plans to consolidate the schedule for classifying the third group of pesticides for restricted use and the granular formulations, and to publish both together.

The agency has been looking at this third group of active ingredients for some time (Current Report, January 12, p. 1802). However, pressure from the agency's State FIFRA Issues Research and Evaluation Group (December 22, 1978, p. 1618) caused the agency to consolidate the schedules, rather than postpone a decision on the granulars until after a decision on the Group III chemicals.

According to EPA, present plans are to publish a proposed classification in June and a final rule classifying the ingredients for restricted use by October. EPA says this schedule will allow most affected products and uses to be restricted by the time of the 1980 growing season.

EPA says it still plans to publish final rules restricting Group II ingredients by July.

Polychlorinated Biphenyls

CANADA TO CONSTRUCT FACILITIES AS U.S. MOVES TO PROHIBIT IMPORTS

OTTAWA, Can. — (By a BNA special correspondent) — Anticipating the closing of the U.S. border to importation of waste polychlorinated biphenyls (PCBs), Canada has launched a national plan to construct facilities for the destruction of unwanted PCBs.

"Recent initiatives by the United States to close its borders to the importation of PCBs, the lack of any suitable destruction facility in Canada, and the increase in inter-

provincial shipments have raised the issue to one of national concern," Canada's Federal Environment Minister Leonard Marchand said in outlining the plan.

While waste disposal is a responsibility of the 10 provinces, both provincial governments and industry had asked the Canadian Government to help work out a solution to the problem, Marchand said.

The plan involves adapting a number of cement kilns in various areas of the country to burn waste PCBs.

"A full-scale demonstration in 1975 involving federal and provincial governments and industry showed that liquid PCBs could be totally destroyed by burning in a cement kiln. In addition to being environmentally safe, cement kilns offer a potential for recovering valuable energy from the wastes," Marchand said.

However, Canada's Environment Department conceded that the safety of burning waste PCBs has not been completely accepted by the public.

"Despite the positive findings of a number of studies and demonstrations, efforts by industry to establish liquid PCB destruction facilities have not yet been fully accepted," the department said. The public worries about mishandling or incomplete burning of PCBs by industrial firms, it said.

"The Federal Government will be asking the provinces and industry to look at the possibility of equipping a number of cement kilns for the handling of liquid PCBs in strategic areas across the country," it added.

The federal plan proposes a cooperative effort with the provincial governments to establish criteria for plant siting; to develop standards for the necessary equipment, instrumentation, and operating conditions; and to initiate negotiations leading to the designation of a number of regional disposal facilities across Canada.

Some Canadian industries previously shipped waste PCBs to destruction facilities in the United States.

"The U.S.A. does have thermal destruction facilities in existence capable of destroying liquid PCBs and some solids contaminated with PCBs. However, under existing regulations of the U.S. Toxic Substances Control Act, the U.S. border is likely to be closed very soon to the importation of waste PCBs," Canada's Environment Department said.

Officials estimate that approximately 20,000 metric tons of PCBs are currently in use in Canada, most of it in non-aqueous liquid form. The Environment Department has restricted the use of PCBs, and Marchand has announced his intention to completely phase out all uses of PCBs.

"At the present time, substantial quantities of PCBs are being stored across the country in a variety of storage facilities. In fact, an estimated 400 metric tons of PCBs per year will need disposal, but this quantity, distributed across the country, is insufficient economic justification for a commercial facility devoted solely to the destruction of PCBs," the Environment Department said.

"Kilns now exist which require relatively little modification, hence, destructor facilities could be made available in the near future at reasonable costs," it added.

"The modifications to existing kilns to enable them to destroy PCBs would also permit the facilities to handle many waste chlorinated and non-chlorinated hydrocarbons (including waste oils). It would cost an estimated \$250,000 to \$350,000 to modify each plant. These plants could burn the wastes, resulting in fuel savings which could be translated into financial benefits to defray costs of these modifications," the Environment Department said in an outline of its "Plan of Action." It added that "The use of these energy-rich wastes would also reduce the demand for regular fuels."

The Canadian Government, at a meeting of federal and provincial deputy ministers January 11, proposed that both senior levels of government and industry proceed with a plan of action to identify and modify selected cement kilns across the country to provide them with the capability of destroying PCBs.

A steering group composed of federal, Ontario, and British Columbia ministers was named to establish criteria for selecting sites for the cement kilns, which will report its findings to the other provinces at an as yet unspecified date.

"If accepted by the provinces and industry, this plan will eliminate the current disposal problems associated with these unwanted substances," March said.

A federal Environment Department official said the agreement at the January 11 meeting to select a group to establish siting criteria indicated at least initial acceptance of the federal plan by the provinces.

Premanufacture Notification

PROPOSAL WOULD ALLOW CLAIMS TO BE MADE DIRECTLY TO EPA, NOT THROUGH IMPORTERS

Environmental Protection Agency proposed regulations for premanufacture notification for chemicals would permit foreign manufacturers and suppliers to assert claims of confidentiality directly to EPA rather than through their importers.

EPA said its proposal was made to encourage cooperation of foreign companies in submitting information about new substances and test data to the agency. In its preamble to the proposed regulations, EPA said it "recognizes that foreign companies may have legitimate concerns about the confidentiality of information which they submit to the agency."

In addition, the proposed rules, provide reporting forms for use by domestic manufacturers, manufacturers of substances designed solely for export, and for importers (Current Report, January 12, p. 1843).

Domestic manufacturers would have to give notice to EPA at least 90 days before manufacture begins of their intention to produce a substance. Notice forms would require background information about the substance and testing and exposure data. Companies also would be asked but not required to submit information about structure-activity correlations, engineering safeguards, industrial hygiene measures, and non-risk data including economic factors and chemical substitutes.

Importers would use a form similar to the one proposed for domestic manufacturers, except it contains no questions about human or environmental exposures that may occur abroad as a result of the manufacturing process.

In addition, importers would be required to request certain information from their foreign manufacturers and suppliers. Importers would send them a form asking for information about the new substance, including all existing test data. Although foreign manufacturers would not be legally obligated to supply the information, the preamble notes that "in many cases foreign companies would find it in their best interest to cooperate, to avoid possible EPA regulatory actions."

Therefore, EPA suggests that foreign companies send their information directly to the agency so it can make confidentiality determinations.

Basically, the agency does not plan to honor requests for access to information without notice to the submitter of the information. Companies may claim that any or all information is confidential and should submit information to document such claims. If a person asserts a valid claim of con-

fidentiality for information about uses of the substance, EPA plans to protect this information.

EPA has been listing only generic names for chemical inventory substances claimed to be confidential.

However, Section 14(b) of the Toxic Substances Control Act states that health and safety studies including chemical identity are public information unless disclosure includes information on the processes used in manufacture or on the proportions of components in a mixture.

Therefore, the Office of Toxic Substances has proposed that chemical identity for substances claimed as confidential be withheld until manufacture begins, whether a health and safety study was filed or not.

The agency proposed that once manufacture has begun, however, the identity would be disclosed in the health and safety study if such a study has been submitted. Disclosure of information revealing a process or mixture composition would remain an exception.

Persons who intend to manufacture substances solely for export would have to submit premanufacture notices and would have to use the same premanufacture notification forms as manufacturers for domestic use, except that questions on end uses and exposures outside the U.S. that do not present risks to the U.S. would be optional.

A public meeting on the proposed forms and rules will be held March 7 and 8 in Washington, D.C. and March 9 in New York City (February 9, p. 2051).

Chemicals

TOXICS MONITORING, CONTROL TECHNIQUES EXAMINED AT SPECIFIC POLLUTANT CONFERENCE

GAINESVILLE, Fla. — (By a BNA staff correspondent) — The latest techniques for monitoring and control of toxic pollutants were examined at a conference jointly sponsored by the Air Pollution Control Association and the Water Pollution Control Federation.

Among research results reported to the conference:

- ▶ The "priority" pollutants that were the subject of a legal settlement between the Environmental Protection Agency and the Natural Resources Defense Council (*Truitt v. NRDC*) are widely found in most industrial waters;

- ▶ A wet oxidation process using high temperatures and pressures can be used successfully to remove toxic components of waste streams, leaving no problem residues;

- ▶ Test incineration of polychlorinated biphenyls (PCBs) in an electric utility boiler shows promising results;

- ▶ Thermal incineration to control hydrocarbon and carbon monoxide emissions from maleic anhydride plants has shown benzene destruction efficiencies of 98.5 percent.

EPA representatives told the conference of some of the steps the agency is taking in programs to control toxic pollutants under a variety of statutory programs. Among approaches the agency is considering, they said, are the development of a three-level "chemical fate assessment" to identify chemicals for which full analysis is unnecessary under the Toxic Substances Control Act.

The agency also is looking into the possibility of using measures of traditional pollutants (total suspended solids and biological oxygen demand) as indicators of the levels of toxic pollutants in waterways.

Specific Pollutant Control

Conference chairman Leo Weitzman, of EPA's Industrial Environmental Research Laboratory, in Research Triangle Park, N.C., emphasized the growing importance of control of specific pollutants in environmental regulations.