STATEMENT OF
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OFFICE OF RESEARCH AND DEVELOPMENT
ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE
SUBCOMMITTEE ON THE ENVIRONMENT
COMMITTEE ON COMMERCE
UNITED STATES SENATE
OCTOBER 21, 1975

Mr. Chairman and Members of the Subcommittee, I am John Buckley, ~~Director of the Office of Special Projects in~~ of the Environmental Protection Agency's Office of Research and Development. I am accompanied by Mr. Gilman Schmitter, Director of EPA's Office of Toxic Substances.

MONS 087698

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I appreciate the opportunity to discuss for the Subcommittee the concern of the Environmental Protection Agency over the recent developments which suggest that environmental contamination by Polychlorinated Biphenyls (PCBs) is a more serious problem than previously believed. For a number of years I have been directly involved in a broad range of Governmental efforts to reduce environmental levels of PCBs. In 1972 I thought that a real breakthrough had been made as a result of efforts by Government and by industry to curtail the use of PCBs, both domestically and internationally. However, I am now convinced that while we may have slowed the rate of growth of the problem, in the absence of ~~a new legislative basis along the lines of S. 776 which authorizes~~ legislative authority additional Governmental action, the PCB problem will not be adequately resolved.

I am submitting for the record the detailed answers to the Subcommittee's request of October 1, 1975, for information on current manufacturers, importers, and users of PCBs. This information is based on responses received to date to recent EPA requests to industry for data pursuant to section 114 of the Clean Air Act and section 308 of the Federal Water Pollution Control Act. Also, I am submitting for the record a recent detailed statement by Mr. Glenn Schweitzer, Director of EPA's Office of Toxic Substances, setting forth the history of the PCB problem, the past efforts of Government and industry to address PCBs, and the current thrust of EPA activities directed to reducing the problem. In my prepared statement I plan to highlight very briefly,

Some of our comment concerns and of course we will be pleased to elaborate in detail on these aspects of particular interest to the subcommittee

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We have known for some time that PCBs are a toxic group of chemicals which can cause serious effects on man and on our ecological resources. However, only during the past several years have we begun to appreciate the carcinogenic potential of PCBs and the extent of the potential adverse effect on fish reproduction of very low PCB levels. While we still have much to learn about the full range of toxic effects, their bioaccumulation potential, and their persistence and fate in the environment, there seems to be little doubt that in the past we have underestimated rather than overestimated the hazards associated with PCBs. At the same time, progress is being made in developing satisfactory substitutes for PCBs, which have been particularly important materials in electrical systems.

Recent reports from the Great Lakes area, the Hudson River valley, and other parts of the country underscore the urgency of the problem. In these areas alarmingly high levels of PCBs in fish -- levels which exceed FDA guidelines -- are not only threatening our ecological resources but are impacting directly on the jobs of local fishermen and on available food supplies. At the same time continuing PCB discharges are adding further to the total environmental burden of the chemical which degrades very slowly indeed.

PCBs reach man and the environment through many routes: as water effluents, air emissions, and solid waste from manufacturing activities; through leakages from products containing PCBs during their operation, transport, and disposal; and from contamination of raw materials and products exposed to PCBs. Thus, it has been recognized for a number of years that the only effective way to limit

MONS 087700

PCB contamination is through regulation of the manufacture, use, and disposal of the chemical rather than attempting simply to turn off those individual routes of environmental discharges, one by one, which can be addressed under existing laws. This approach was strongly recommended in the 1972 Interdepartmental Task Force on PCBs. It is embodied in the 1973 Decision of the Organization for Economic Cooperation and Development, and is currently being pursued in Japan. Of course, in the absence of the authority to control manufacture, use, or disposal, we will continue to address PCBs under existing authorities, and particularly the Federal Water Pollution Control Act, recognizing the inherent limitations in attempting to impact meaningfully on the problem through such a piecemeal approach.

In view of the severity of the PCB problem, and our expectation that toxic substances legislation will be soon enacted, EPA is in the process of preparing the necessary detailed documentation which would be required for proposed regulatory action under Section 6 of the proposed legislation. Our aim is to be in a position to propose specific measures as soon as the legislation is enacted. These measures would take into account not only the available information on toxicity and exposure levels but also the impact of regulatory steps on business, employment, and the economy. A key concern in this regard is the availability of acceptable substitutes for PCBs. An important step in the development of our regulatory approach is a National Conference on PCBs which EPA is sponsoring in cooperation with the Council on Environmental Quality, and the Departments of Interior, Agricultural, and Health, Education, and Welfare.

Note: Shouldn't be elaborate on this, since he's raised it twice?

This conference will be held in Chicago from November 19 to 21, 1975, and will cover the entire spectrum of concerns related to PCBs. We intend to bring together the leading experts ~~who have been concerned with~~ on PCBs to ~~help~~ insure that the latest and most authoritative information is carefully considered in developing ~~our approach~~ a possible regulatory program. Representatives of Federal and state agencies, industry, environmental groups,

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MONS 087702

In conclusion, in my view PCBs offer an excellent example of the need for the type of regulatory authority similar to that contained in Section 6 of the proposed Toxic Substances Control Act. Despite efforts by EPA and other agencies to use existing authorities to control PCBs, despite voluntary action restraint on the part of the sole U.S. manufacturers of PCBs in restricting sales to customers who have stated their intention to limit the uses of PCBs, and despite a formal international agreement embodying a multinational commitment to control PCBs, environmental contamination persists. All these factors ~~What better evidence is needed to~~ demonstrate the need for this legislation?