G.E. Report Says Company May Be Able to Lower PCB Discharge Into Hudson

By RICHARD SWEENO
Special to The New York Times

ALBANY, April 19—The General Electric Company filed with the state today an engineering report that indicates it may be able to lower to almost nothing its discharges of toxic polychlorinated biphenyls (PCB's) into the Hudson River, to comply with Federal orders that are to become effective July 1, 1977.

If a carbon-absorption system being considered by the company proves effective, it may be able to reduce the daily discharge to as little as 1/25th of an ounce, it says.

A few months ago Dr. Edward L. Simons, manager of environmental operations for General Electric, said he doubted that current technology could bring the level down to less than about 100 grams, or 3.5 ounces, a day.

The engineering reports became part of the public record today as Prof. Abraham D. Sofaer of the Columbia Law School resumed a hearing ordered by the states Department of Environmental Conservation into the PCB problem in the Hudson and G.E.'s role in creating it.

Last Feb. 9 Mr. Sofaer, a hearing officer [illegible] case, found the company had violated New York State's water-quality standards by its PCB discharges, and this phase of the hearing is to determine if and how G.E. should be required to make reparation.

The question of penalties now appears to be the major stumbling block to a settlement between the company and the Department of Environmental Conservation, which ordered the hearing last fall after high levels of PCB's were found in Hudson River fish.

Commissioner Ogden R. Reid at first advised people not to eat most species of Hudson River fish, then ordered the river closed to commercial fishing, exempting shad and larger sturgeon until the spring runs were checked. Those salt-water fish come to the river at this time each year to spawn.

Shad is a major commercial fish for the Hudson. The first spring runs of shad have been checked by the department and, although testing is incomplete, initial results for the shad are not promising, with levels of PCB's between 1.73 and 8.88 parts per million.

According to standards set by the United States Food and Drug Administration, fish containing five parts or more per million of PCB's are unhealthful to eat.

The prospect of a company's having to pay indemnification for damage it has caused to the river has attracted considerable interest, and as the hearing resumed today the Associated Industries of New York State, which says it represents 2,500 companies, petitioned to intervene in the hearing.

The petition said that the state's "extraordinary and unprecedented demand" that G.E. "restore the Hudson River and the natural resources of the state allegedly degraded by its discharges is without legal authority and, if granted, will have far-reaching and serious economic consequences to Associated's members."

General Electric expressed gratification that industry in the state "has recognized the importance and impact of these hearings for all business in the state."

Mr. Sofaer said he saw nothing inconsistent with the law if all parties to the proceeding were to negotiate independently, but he emphasized that "public interest demands that we proceed."

MONS 036950