DAYTON, OHIO
BEAVERCREEK DAILY
NEWS
D. 6,200

MAR 11 1976

Chemical regulation necessary

Clarence Brown

In several years of trying, Congress has been unable to agree upon a method for controlling what chemicals may be manufactured and used without endangering public health and the environment. The only point of agreement seems to be that some form of regulation is needed.

The first proposal to control toxic substances came from the Nixon Administration in 1971. The newly-formed Council on Environmental Quality had published a report concluding that no method existed to protect the public from hazardous chemicals despite the enactment of legislation dealing with air pollution, water pollution, product safety and occupational safety.

At that time, much of the concern focused on mercury in the environment. Since then, other chemicals have received attention. One of them is polychlorinated biphenyl (PCB), a substance used in electrical transformers and other products. Testing has shown PCB can produce serious disorders in animals and that it persists in the environment and builds up in tissues much like the pesticide DDT.

It's easy enough to say that government must protect us from such dangers, and that's why everyone--including the chemical companies--agrees that something must be done. It's not so easy to agree on what approach to take.

YOU COULD, for example, decide to go all the way in banning every substance that could conceivably have an adverse effect on human, animal or vegetable life. But this would ignore all other considerations--economic or social--and would put in the hands of a few bureaucrats the opportunity to destroy part of our economy and deny us access to many chemicals which have improved our standard of living.

As an opposite second possibility, all chemical marketing decisions could be left to industry in the hope that the companies would be responsible about environmental and safety considerations. But it seems unlikely that today's Congress and federal bureaucracy will let the US return to a total laissezfaire economic system.

A middle course would be to control the use of toxic substances which have demonstrated harmful effects, but do so with reasonable attention given to such factors as jobs and costs to consumers and taxpayers. No government regulation is free. Taxpayers must fund the additional government bureaucracy and consumers must absorb the added costs placed on industry.

In Congress now are three bills which would deal with toxic substances. The most stringent is being considered in the Senate. A measure that is very similar has been approved by a House subcommittee and will go very soon to the Commerce Committee, on which I serve.

THE THIRD BILL was introduced by the subcommittee's ranking Republican Thursday. It embodies the recommendations of an inter-agencya Administration task force, including the Environmental Protection Agency and the Department of Commerce.

The differing approaches can be illustrated in the important pre-market testing requirement. The Senate and House subcommittee bills require manufactures to notify EPA 90 days before the chemical is placed on the market and allow EPA to extend the waiting period for another three months. EPA can then order testing of the new substances.

The Administration-approved differs in that is requires EPA to prepare a list of chemical substances which pose a substantial danger and then require manufacturers to pre-market test only those products which are potentially dangerous. This distinction is important because it focuses the attention of the regulators on the dangerous substances and eliminates much costly an

(Continued on page 27)A

MONS 037195

Chemical --

A (Continued from page 9)

unnecessary testing on the great majority of products where do danger is expected.

The Manufacturing Chemists Association, which does recognize the need for toxic substances regulation, estimated that the Senate bill would cost the chemical industry $358 million to $1.3 billion a year. Even the federal General Accounting Office put the cost at $100 to $200 million a year. This cost would translate into a drop in the gross national product, a lost of foreign trade income, fewer future jobs by some 20,000 to 80,000, and increased pressures on inflation.

AS WE SEEK to protect the public from hazardous chemicals, we must consider the effect these costs and massive new red tape would have on the many smaller companies which make up so much of the chemical industry. Many of the safety studies could cost in excess of $500,000. For a small company doing up to $20 million in business, that is a big burden.

Killing off the small companies could only lead to less competition as the market is taken over by big conglomerates which would more easily deal with the myriad levels of government regulation. This was already happened in many over-regulated American industries where big government has lead to big business and big labor.

While the public health must be guarded, total control of our lives by a "Big Brother" type of government is not the answer. As we look for a solution to the toxic substances problem, we must be as wary of those who would plunge us into 1984 as we are of those who would return us to 1894.

MONS 037196