Train Decides to Get Tough On Industries Leaking PCB's

CHEMICAL MARKETING REPORTER, DEC. 29, 1975

Environmental Protection Administrator Russell Train last week set in motion a seven-point program of pressuring industries which are the source of polychlorinated byphenyls (PCB's) contamination of the environment to lower their discharges of the chemical on land and in the air and waters to a zero level.

No time table is being set to accomplish this goal and the administrator readily admitted that even if this could be done—which it can't, he said, without additional legislation—it will not solve the present problem of PCB-contaminated environment which promises to remain for years to come because of the persistence of the chemical.

He cited the PCB problem as another reason for early Congressional approval of the Toxic Substances Control Bill which he understands will be taken up for "mark up" by the House Interstate Commerce Committee in February or March. It is understood that the Senate Environment Subcommittee will consider its bill, the Tunney bill, S 776, soon after Congress returns January 19.

The Administration favors the McCollister bill HR 7084 with amendments, he said, over the Eckhardt bill HR 10318 that the House Environment Subcommittee approved last session and reported to the full committee. Mr. Train said that the amendments the Administration wants made to the McCollister bill have been agreed upon and will be sent along to the House Committee.

NOT THAT OPTIMISTIC

Mr. Train was anything but overly optimistic that Congress will pass a toxic control bill in the new session. He pointed out that EPA has been trying to get final action on the legislation since 1971 and 1976 being an election year, he expects that it will be harder and harder to keep the pressure on Congress to act on the legislation.

In announcing a comprehensive action plan of regulatory and administrative actions to reduce the discharge of PCB's in the environment, Mr. Train cautioned that many years may pass before a significant decline in the level of PCB's occurs.

"The public should be under no illusions as to the difficulty of dealing with this problem," he said. "We have absolutely no authority under existing law to stop or restrict uses of PCB's. Until the passage of Toxic Substances Control legislation by Congress,

Continued on Page 35

MONS 033470

Train Gets Tough

Continued from Page 1

we must rely heavily on voluntary actions by industry.

"In any event, it will not be possible to eliminate the use of PCB's overnight. Even if we could eliminate these uses immediately, we would have to face the fact that there are hundreds of millions of pounds of PCB's out there in the environment—in landfills, soils and bottom sediments of rivers, lakes and estuaries—which will be there for years, like a delayed-action bomb, and which we have no way to keep from moving into life systems, including humans."

Mr. Train said that EPA has been in numerous conferences with Monsanto Company, sole producer of PCB's, but he has no intention of asking the company to stop production of the chemical. Such drastic action, he said, would probably shut down the electricity industry, and halt rail transportation. Monsanto has been cooperative in its efforts to reduce the PCB's problem, he added.

Mr. Train said that the actions EPA is taking to turn the tide of PCB contamination are these:

EPA regional offices have been directed, in active cooperation with the states, to immediately establish requirements to virtually eliminate PCB's from the process wastes of all manufacturers of PCB's and of capacitors and transformers that utilize PCB's.

• The leadership of the manufacturers of PCB's and the major manufacturers of transformers and capacitors are being called on to develop safe and environmentally acceptable alternatives for PCB's as rapidly as possible. Mr. Train is meeting in January with representatives of these manufacturers to discuss and lay out specific plans to achieve this end.

• The presidents of major electric utility companies and other major users of large capacitors and transformers, such as railroads are asked to assume responsibility for controlling the use and disposal of their PCB's. To this end, Mr. Train invited representatives of the companies and their principal industrial associations to meet with him in January to discuss how this might be accomplished as rapidly as possible.

• Regulations are being proposed to control the environmental damage that results from spills of hazardous substances including PCB's. EPA will move as rapidly as possible to finalize these regulations after a public comment period. These are regulations under Section 311 of the Water Pollution Control Act that impose a $5,000 fine for spills of any one of about 300 hazardous materials, plus a clean-up fine of as much as $5 million.

• State governors are asked to carefully examine and apply their authorities to deal with the PCB problem.

• Selected Federal agencies are asked to inventory immediately their uses of PCB's and PCB-containing materials and to develop plans to assure adequate management and safe disposal of these materials.

• In addition, Mr. Train initiated a number of other programs to find ways of eliminating the environment discharges from other sources of PCB's including, recycling operations, the investment casting industry, and the disposal of electrical consumer products which contain PCB's.

Mr. Train said that an estimated 700 million pounds of PCB's have been produced and used in the US since 1930, and over half of this amount has already entered the environment. About 160 million pounds have degraded, it is believed, while about 290 million pounds are in PCB-containing products buried in landfills and 100 million pounds are present in the air, soil, water and the bottom sediments of waters, and in the body tissues of living organisms, including man.

The rest, 300 million pounds, are currently in use. Mr. Train said that only about 10,000 pounds are discharged annually by the Monsanto plant, located at Sauget, Ill., and thirty-seven manufacturers of electrical transformers and capacitors.

EPA will be conducting air, land and water monitoring around plants using PCB's, he said, but there is no reason for concern in communities surrounding these plants. He added that the "market basket"—a periodic check made by EPA of chemical contamination, chiefly pesticides, in human foods—shows a general lowering of PCB levels, except for fish.

Permits approved by EPA for discharge of waste waters are to be tightened up, relative to the permissible discharge of PCB's, to try to reach a zero discharge level, he added, although he expects that this action may lead to legal challenges of EPA's authority.

Just before the Congressional adjournment, Sen. Gaylord Nelson of Wisconsin introduced legislation that would severely limit and then ultimately ban the use of PCB's.

The Senator said that as in the case of DDT "it is apparent that the risks to human health and the environment far exceed the benefits." He added that alternatives to commercial use of the substances are being developed.

MONS 033471