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State Seeks To Stop General Electric From Dumping Chemicals Into Hudson

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ALBANY—State Commissioner of Environmental Conservation Ogden R. Reid said today he will seek to prohibit the General Electric Company from dumping the toxic chemical PCB into the Hudson River after Sept. 30, 1976.

He charged that the company's disposal of polychlorinated biphenyls, a toxic pollutant similar in structure to DDT, "has done serious, if not irreparable damage to the Hudson" and said the company's past and ongoing discharges are "a hazard to human health and the natural resources of New York State."

He further urged all citizens not to eat any fish taken from the Hudson River and said the department has not yet determined whether Hudson River water is unsafe for drinking. Currently, at least four communities, including the Town and City of Poughkeepsie and Rhinebeck, take their drinking water from the Hudson.

But Michael Masterpool, a spokesman for General Electric said the company would battle the state's order in court if necessary. "It is a breach of integrity to make a commitment to achieve zero discharge" by a certain date because at this point in time we know of no feasible method of achieving this goal," he said.

According to state and federal records, General Electric has routinely been discharging PCB's into the upper Hudson at its Fort Edward plant since 1942 and at its Hudson Falls plant since 1951. Environmentalists have estimated that about 209,000 pounds of the chemical have been dumped into the river since that time.

However, it has only been since 1966 that scientific evidence has begun to accumulate showing that PCB's taken in large quantities can produce skin lesions known as chloracne, cause lesions of the liver, and produce nausea, vomiting, loss of weight, jaundice and abdominal pain. Some studies have also shown that the consumption of PCB's can cause reproductive maladies such as stillbirths and in October 1974 a report by the Environmental Protection Agency said the long-term effects of the chemical may be "much more insidious and devastating" than DDT.

Reid has set Oct. 5 as the date for a hearing on the department's suit to halt General Electric's discharges. He said continued PCB discharges are "likely to cause irreparable damage to the Hudson and likely to result in substantial injury to the river's commercial and recreational fishery."

"This is a hazardous condition which requires extraordinary and immediate efforts to solve, particularly in view of the possible irremedial environmental degradation which the company's practices threaten and the widespread adverse social and economic impact upon the river's recreational and commerical fisheries."

At the hearing, the department will seek an abatement order requiring the company to reduce discharges of PCB's from its upstate facilities to two pounds per day by Dec. 31, 1975 and to achieve "zero" discharge by Sept. 30, 1976.

In addition, the proposed order would require the company to eliminate PCB discharges from all sources on its premises including residuals in the ground which could cause a leachate problem in wet weather.

The department is asking G.E. to post a $2 million performance bond—an unprecedentedly high amount—which the company would forfeit if it does not meet the state's compliance schedule. The company will also be required to pay an undetermined amount of money to restore the Hudson.

Currently, GE is discharging less than five pounds of PCB's into the Hudson River each day, down from the level of 50 pounds per day from several years ago. A GE spokesman said the company was willing to commit itself to a goal of a daily discharge of three-quarters of a pound by the end of 1976.

Reid said recent fish sampling in the vicinity of GE's two upstate plants have found concentrations of PCB's greatly exceeding the maximum allowable level of five parts per million (ppm) standard set by the federal Food and Drug Administration. These samples included a composite of two rock bass with 27.3 ppm, a smallmouth bass with 127 ppm, a walleye with 157.27 ppm and four white suckers ranging from 20.8 to 51.39 ppm.

In the complaint against GE, the department maintains the company is expressly prohibited by at least four regulations in the state's Environmental Conservation law from discharging toxic or deleterious substances in amounts injurious to fish life or which would impair classified best usages of the river.

The section of the river in which GE directly discharges its wastes has been classified by the state as suitable for boating and fishing. This section of the Hudson flows into areas classified for swimming and where the water may be used for drinking and food processing purposes.

The abatement schedule requested by the department is much more restrictive than a discharge permit which has been issued by the Environmental Protection Agency. The EPA permit does not require "zero" discharge and allows the company until May 31, 1977 to achieve a daily discharge maximum of 3½ ounces.

David Seymour, president of the Hudson River Fishermen's Association, applauded Reid's actions in general but said the discharges should be halted immediately. "If GE is discharging less than five pounds per day now, why can't they halt it immediately?" he asked.

He said his organization, along with a number of other environmental organizations are currently planning to sue GE, the EPA, the state Department of Environmental Conservation and Monsanto Corp.—the only manufacturer of the chemical in the country.

"General Electric's absolutely total lack of concern about the citizens of the Hudson Valley is incredible," he said.

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