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Subject: PCB Issues - August Highlights

Reference:

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I. Regulatory Issues

- U.S. EPA Office of Toxics Substance Staff have informally told the CMA PCB Panel Executive Committee that they plan to issue a new PCB rule to cover and clarify "all remaining" PCB issues including sludges, gas pipelines, fluff, and possibly Superfund and RCRA clean-up. An ANPR "is scheduled" for late 1990 - early 1991, and the rulemaking is estimated to take about two years. In addition, U.S. EPA intends to push as much enforcement as possible back to the states in order to "get out of the PCB business." EPA staff stated that they have no intent to pre-empt state regulations in order to establish workable, national clean-up standards.

- The California Prop 65 Scientific Advisory Panel announced August 17 plans to again consider PCBs as a chemical known to the State to cause reproductive toxicity. The hearing is scheduled for October 19 at Sacramento.

- The CMA PCB Panel proposed comments on the EPA RCRA Corrective Action proposal to be included in the general CMA comments.

- The AFL/CIO labor unions filed a petition in the D.C. 11th Circuit Court to review the final OSHA exposure limits citing PCBs as an example of a currently OSHA regulated substance posing "grave health risks" and asking for stricter standards for a variety of workplace chemicals.

II. Findette Corp. received a significant amount of media attention due to PCB remediation problems at their St. Charles, MO plant site. The Post Dispatch erroneously claimed PCBs were migrating from Findette to the St. Charles city water supply. A significant body of monitoring data refutes this allegation, yet EPA has made no move to defend Findette or to ease the public concerns.

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