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Bill for PCB cleanup won't be sent to state

By Joan Zyda

A FEDERAL JUDGE has dismissed a suit filed by Outboard Marine Corp. which sought to have the state pay for cleaning up the tons of dangerous PCB chemicals the firm discharged into Waukegan Harbor from 1963 to 1971.

Illinois Atty. Gen. William Scott said the recent ruling by Judge Julius Hoffman of United States District Court saved Illinois taxpayers hundreds of thousands of dollars in litigation.

Outboard Marine, based in Waukegan, used PCBs or polychlorinated biphenyls in the manufacture of outboard motors. It contended that federal law required state and federal governments to pay for cleaning up existing pollution.

Scott argued that the law was only applicable when the party responsible for the pollution could not be located and the law did not intend to make taxpayers responsible for assuming a polluter's cleanup costs.

THE RULING DOES not affect another suit filed by Scott last year, demanding that Outboard Marine finance the expensive research in an effort to solve the problem and, if necessary, remove and dispose of the contaminated sediment.

The PCBs in Waukegan Harbor are rated as the most serious and most complex water pollution problem in the Great Lakes. It probably won't be cleaned up for several years because of a web of lawsuits and countersuits and conflicting environmental and engineering studies, federal officials have said.

Medical scientists have documented that among the long-term effects of PCBs are severe skin and eye irritation, cancer, and reproductive disorders.

In another decision that is expected to improve the quality of Lake Michigan water, Scott Paper Co. recently agreed to pay $1 million in fines for polluting waters of the Oconto River, north of Green Bay.

IN AN UNUSUAL settlement of federal and state actions, the state and federal governments each will receive $500,000. However, of the federal money $250,000 will represent criminal penalties for violation of federal clean water laws. The rest will go into a special trust fund for Wisconsin, which has been set up to help restore water quality in the state.

Of the state's half of the settlement another $300,000 will go into the same trust fund and the balance of $150,000 into the Wisconsin state treasury.

Atty. Gen. Bronson La Follette said the size of the settlement "is an important precedent underscoring Wisconsin's firm policy of cracking down on polluters and protecting our environment. In general the paper industry in this state has made exemplary progress in complying with state law."

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