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GE concedes to state

ALBANY, N.Y. (AP)—In a dramatic ending of its case, the General Electric Co. conceded that state surveys were more accurate than its own evidence regarding levels of the controversial chemical PCB in Hudson River fish.

As weeks of hearings were adjourned Wednesday, GE attorneys admitted their surveys of PCB concentrations in Hudson fish were in error.

They agreed to permit the use of findings by the state Department of Environmental Conservation, which is seeking to halt emissions of polychlorinated Biphenyls—PCBs—from GE plants at Ford Edward and Hudson Falls.

Meanwhile the federal Occupational Safety and Health Administration said it is investigating PCBs at the two plants and that the results should be available within a few weeks.

Spokesmen for GE argued however that both the state's data and GE's evaluation could be used to prove that the PCB concentrations in fish do not exceed the Federal Drug Administration standard of five parts per million in the edible portion of fish.

GE attorneys said that after discovering errors on a survey, the company commissioned and initially entered into evidence, it recently obtained a new analysis. The later findings were similar to those reached by the department, GE said.

Attorneys for the state had contended that PCB levels had reached as high as 900 parts per million in fish samples taken from the river below the two GE plants. GE's latest survey showed PCB concentrations, ranged to as high as 1,330 parts per million.

Asserting that the PCB concentrations endanger not only the fish but sport and commercial fishing, the state is seeking a halt to the discharges by Sept. 30, 1976.

Abraham Sofaer, a faculty member at Columbia University Law School, adjourned the hearing and said he would decide whether to proceed with further sessions.

Everett Mack, a commercial fisherman from Claverack, testified Wednesday that the state's warning on not eating Hudson River fish has put commercial fishers out of business.

Edward J. Bloch, a union spokesman, said GE has agreed to provide workers with protective gloves, smocks, "improve its housekeeping procedures, and initiate some form of medical testing program" at the Fort Edward and Hudson Falls plants.

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