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11 Chemical Companies Sued by U.S. on Dumping

WASHINGTON, July 15 (AP) — The Federal Government sued 11 of the largest American chemical corporations today to force them to clean up two hazardous waste dumps in Louisiana that were said to present a danger to human health.

It marked the first time the Government has named companies that have generated hazardous wastes as defendants in a suit aimed at forcing such a cleanup, Barbara Blum, deputy administrator of the Environmental Protection Agency, said.

Petro Processors of Louisiana Inc., which owns and operates the two sites five miles north of Baton Rouge, was also named in the suit.

In papers filed in Federal District Court in Baton Rouge, the Justice Department said: "Here the injury is not merely imminent, it is already taking place. Every day humans and the environment are accumulating toxic chemicals and being subjected to ever higher risks of eventual death or injury from hazardous chemicals."

The Justice Department filed the suit at the request of the environmental agency Miss Blum said it was the 30th suit filed as a result of "the hundreds of hazardous waste site investigations currently under way across the country as part of a joint E.P.A. and Department of Justice legal offensive." Previous suits have been against dump operators.

The suit charges violations of the Resource Conservation and Recovery Act, the Clean Water Act and the Refuse Act.

Officials estimated that the cost of cleaning up the swampland and parts of the Mississippi River would run into millions of dollars.

At issue are the 54.5-acre Brooklawn dump site, which still receives wastes, and the 8.5-acre Scenic Highway site, which stopped receiving wastes in 1974.

Named as defendants in the civil suit are Petro Processors and 11 chemical corporations charged with disposing of hazardous wastes at the sites. Those companies are the U.S.S. Chemical Company, which is a subsidiary of the United States Steel Corporation; Copolymer Rubber and Chemical Corporation, Uniroyal Corporation, Dow Chemical Company, Ethyl Corporation, Shell Chemical Corporation, American Hoechst Company, Exxon Corporation, Exxon Chemical Company, Allied Chemical Corporation and Rubicon Chemical Corporation.

Sued on Nearby Lands

Miss Blum said that all the concerns except U.S.S. Chemical had been sued by the owner of nearby lands contaminated in a spill from the sites in 1969. In 1978, a state court issued a judgment against several of the companies, she said.

"We believe that some of the named firms, including some of the largest chemical firms in the country, either knew or should have known about the questionable and dangerous disposal practices at this site," she said.

The Government asked the court to issue a temporary restraining order, and preliminary and permanent injunctions requiring the defendants to cease all dumping at the sites.

It also asked that the companies be required to repair dikes and protective covering, to fence the sites adequately and post signs warning of the chemical danger, and ultimately to remove and properly dispose of the wastes from all contaminated areas in a manner approved by E.P.A.

Civil Penalties Sought

It also asked for civil penalties of $10,000 a day against Petro Processors for discharging pollutants from the site without a permit under the Clean Water Act.

The suit said that dangerous concentrations of hydrocarbons, chlorinated hydrocarbons, heavy metals and other chemicals were being released from the two sites into Bayou Baton Rouge, Devil's Swamp and the Mississippi.

"The chemicals have been deliberately discharged from pits on the Brooklawn site into Bayou Baton Rouge and have further escaped from the site by flooding and by leaking through dikes and soil," Miss Blum said. "Chemicals have escaped from the Scenic Highway site by erosion of a protective covering intended to prevent such releases."

The suit said the chemicals were found in the water, in sediment and on land near the three bodies of water, and that considerable acreage had been destroyed.

The discharge has killed many plants, trees, fish, alligators, turtles, cattle and birds, it said, adding that the hazardous chemicals would be absorbed by other animals, thus spreading the danger up the food chain.

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