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Their objections, they said, were that HR 6444 would restore more patent time than is actually lost through the regulatory process.

The opponents said there was too much controversy over the bill to put it through a House vote under suspension of the rules. They said it should be opened for amendments.

Some consumer advocates, including Esther Peterson, former President Carter's consumer advisor, and Sidney M. Wolfe, director of Public Citizen's Health Research Group, appeared at the press conference alongside the Congressional opponents to the bill.

Heptachlor

EPA RECOMMENDS REDUCED ACTION LEVEL FOR RESIDUES AND METABOLITE IN MILK

A lowering of Food and Drug Administration action levels for residues of the pesticide heptachlor and its metabolite, heptachlor epoxide, in milk and milk products was recommended Sept. 16 by the Environmental Protection Agency.

The discovery of significant levels of heptachlor epoxide in milk of Hawaiian dairy cattle earlier this year led EPA to review the existing action level and recommend that it be lowered from 0.3 to 0.1 parts per million.

Most uses of heptachlor were canceled in the 1970's, but continued registration was permitted for use on Hawaiian pineapple crops. The milk contamination apparently resulted from the use of pineapple leaves as cattle feed, according to the agency.

A federal court in May rejected a request by a Hawaiian resident that pineapple growers be barred from further heptachlor use (Current Report, May 14, p. 249).

Dioxins

EPA OFFICIAL CALLS RISK FROM EXPOSURE LOW; SCIENTIST CALLS FOR MORE STUDY OF ISOMERS

KANSAS CITY, Mo. -- (By a BNA Staff Correspondent) -- The more toxic dioxin emissions from incinerators are so low as to present no public health risk, an Environmental Protection Agency official said Sept. 13 in calling for precision in differentiating between the extremely toxic and less harmful dioxin isomers.

A scientist, however, cautioned that destruction of much of the waste burned in municipal incinerators has the potential for creating significant dioxin emissions whose effects are unstudied and unknown.

John A. Todhunter, EPA assistant administrator for pesticides and toxic substances, told a symposium at the 184th annual meeting of the American Chemical Society that risk assessments carried out by the agency indicated incinerator emissions of the 2,3,7,8 TCDD isomer are extremely low. They present virtually no public health risk, he said, adding that care must be taken to eliminate confusion between this highly toxic isomer and other much less toxic dioxins.

Thomas O. Tiernan, Brehm Laboratory and Department of Chemistry at Wright State University, Dayton, Ohio, however, said that poor incineration practices and increasing disposal of substances that can create dioxins during combustion mandate a thorough study of the hazards posed by the entire dioxin family.

Tiernan said pentachlorophenol when burned seems to convert the less toxic dioxins to the more toxic forms. Combustion of such wastes often produced chlorodibenzodioxins and chlorodibenzofurans. In addition, 209 different polychlorinated biphanyls are capable of producing dioxins when burned, he added, thereby increasing the risk of dioxin exposure for those near municipal incinerators.

Todhunter agreed that more study of the effects of the dioxin family is needed. He noted that the agency's new chemical review program is geared in part to determine whether the byproducts of combustion would include dioxins.

Tiernan cautioned, however, that it appears the less toxic dioxins that may occur as products of combustion may in fact convert to more toxic or unstudied dioxins during destruction, especially in municipal incinerators. Such incinerators often have uneven heat and must destroy a variety of products, he noted. Polyvinyl chlorides and other materials which make up a substantial part of municipal wastes can produce dioxins when burned, especially when burned under less than ideal heat and retention conditions, he said.

Ferriamicide

BROWN URGES CAUTION ON EXEMPTION REQUEST FOR FIRE ANT USE, CITES 'DISTURBING TREND'

Pending requests for emergency exemption from federal pesticide regulations to allow use of ferriamicide against fire ants should be viewed with caution, according to Rep. George Brown (D-Calif).

In a Sept. 10 letter to Environmental Protection Agency Administrator Anne M. Gorsuch, Brown suggested that the agency publish the exemption applications for public comment. EPA should be particularly careful in determining whether the pending applications meet the Federal Insecticide, Fungicide, and Rodenticide Act criterion that no alternative registered pesticide or other control method is available to control the pest.

Brown noted the development of several other promising fire ant control chemicals.

Emergency Exemptions Studied

Brown, chairman of the House Agriculture Subcommittee on Department Operations, Research, and Foreign Agriculture, noted that his subcommittee has been conducting an investigative study of EPA's pesticide registration program (See related article, p. 737.). While the study is not complete, Brown said, "several disturbing trends regarding the issuance of Section 18 emergency exemptions have become clear."

"Specifically, it is apparent that sizable emergency exemptions are being granted with rapidly increasing frequency for pesticide uses which the agency would not otherwise approve or has previously disapproved," he added.

While this is not necessarily inconsistent with the intent of FIFRA, Brown said, many individuals and organizations have expressed concern about the pending ferriamicide request and EPA should be particularly thorough and cautious in this case.

Hazardous Materials

LEWIS SAYS ADMINISTRATION PREFERS NOT TO ALTER, PREEMPT EXISTING LAWS

The Reagan Administration prefers not to alter existing laws on hazardous materials transportation, if it can be avoided, Transportation Secretary Andrew Lewis said Sept. 14.

However, the government will abandon its policy of new federalism and support preemption if a whole series of local

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memorandum from Environmental Protection Agency Associate Administrator and General Counsel Robert M. Perry.

Removal actions are exempt from impact statement requirements of the National Environmental Policy Act, according to the memorandum, because there is a fundamental conflict in statutory purpose between the NEPA requirement and EPA's removal authority. The conflict arises, the memorandum stated, "from the fact that it would be virtually impossible for EPA to follow the lengthy EIS process and at the same time expeditiously undertake removal actions."

The memorandum, which is in response to an inquiry from EPA Assistant Administrator for Solid Waste and Emergency Response Rita M. Lavelle, also stated that an impact statement is unnecessary for remedial actions under superfund, provided the agency complies with the standards for a "functional equivalent" exception to the impact statement requirement of NEPA.

Under the "functional equivalent" exception to the NEPA impact statement requirement, an agency with expertise in environmental matters is not obligated to comply with the formal impact statement process prior to taking a particular action if the agency's authorizing statute provides "substantive and procedural standards [that] ensure full and adequate consideration of environmental issues," and if the agency affords an opportunity for public participation in the evaluation of environmental factors prior to arriving at a final decision, the document stated.

Polychlorinated Biphenyls

LANDFILLS, INCINERATORS MINOR SOURCES; DECHLORINATION USING LIQUID AMMONIA REPORTED

KANSAS CITY, Mo. — (By a BNA Staff Correspondent) — Recent experiments involving polychlorinated biphenyls indicate that dechlorination is possible by reacting the PCBs with sodium in liquid ammonia.

Other experiments indicate that landfills and municipal incinerators are minor sources of PCBs in the ambient air, but that polychlorinated polynuclear aromatics and polychlorinated dioxins and dibenzofurans may be generated when PCBs are burned.

The findings were reported in three technical papers presented at the 184th annual meeting of the American Chemical Society.

In the first experiments, Thomas J. Murphy, assistant professor of chemistry, DePaul University, reported measurements taken at six municipal refuse and sewage sludge incinerators. With one exception, the average PCB concentration in the incinerator emissions was 0.8 nanograms per cubic meter. The exception, a plant in Detroit, appeared to have received a slug of pure Aroclor 1260 at the time the sample was taken, Murphy said.

Similarly, measurements taken at six municipal landfills showed PCB emissions in ambient air at an average of 190 ng/m³.

According to Murphy, the results indicated that landfills contribute about 18 kilograms of PCBs to the atmosphere each year. Compared to the 10,000 kilograms of PCBs estimated to be in the air over the United States, "emissions from municipal incinerators and landfills do not seem to be a significant source of PCBs to the atmosphere at this time," Murphy said.

Dechlorination Reported

In another paper, Wei-Fang Su, senior engineer with Westinghouse Electric Corporation, reported successful dechlorination of PCBs by reacting the substance with sodium in liquid ammonia.

According to Wei-Fang, 100 percent dechlorination was obtained when the molar ratio of sodium to chlorine in the PCB used (Aroclor 1016) is two.

The dechlorination was carried out in a high vacuum system using purified ammonia in order to stabilize the sodium in the liquid ammonia solution. The reaction was fast and smooth at -33° Centigrade, the boiling point of liquid ammonia, he reported, adding that the extent of dechlorination decreased when the ratio of sodium to chlorine in the PCB decreased.

Incineration Byproducts

Christoffer Rappe, chairman of the organic chemistry department at the University of Umea, Sweden, measured byproducts from the burning of PCBs. Included in the measurements were emissions from a municipal incinerator, an industrial boiler, a rotary cement kiln incinerator, and three accidental fires involving PCBs.

In addition to polychlorinated dioxins and dibenzofurans, Rappe found polychlorinated biphenylenes, pyrenes, benzopyrenes, and chrysenes.

The scientist announced several findings:

- Dioxins are only one part of the problem of the formation of toxic polychlorinated polynuclear aromatics (PCPNAs) during incineration and other thermal reactions. The same interest should be given to the polychlorinated dibenzofurans.
- The highest levels of polynuclear aromatics are found when technical products are thermally converted directly into dioxins or dibenzofurans. For example, chlorophenols create dioxins; PCBs create dibenzofurans and biphenylenes; chlorobenzenes create dioxins and dibenzofurans; and chlorodiphenyl ethers create dioxins and dibenzofurans.
- Dechlorination of octachlorodioxin to the less chlorinated (and more toxic) dioxins is a major factor.
- Lower chlorinated compounds like dioxins, dibenzofurans, pyrenes, benzopyrenes, and chrysenes can be formed in most incineration reactions.
- Flue gas is the major source of the polychlorinated polynuclear aromatics.

Hazardous Materials

REQUESTS FOR RULE EXEMPTIONS PUBLISHED; COMMENTS REQUESTED

Industry requests for exemptions from the Department of Transportation's hazardous materials transportation regulations and applications for exemption renewal or to become party to an exemption were published Sept. 16 by the Materials Transportation Bureau (47 FR 40971).

The lists include 29 applications for new exemptions, 98 requests for exemption renewal, and 25 requests to become party to an exemption.

Comments on the applications may be submitted to the MTB Dockets Branch, DOT, 400 Seventh St. S.W., Washington, D.C. 20590.

The deadline is Oct. 18 for comments on the applications for new exemptions and Oct. 1 for comments on the renewals.

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