

UNL 'keeping close tabs' on PCB cleanup

By Kevin Dugan
Daily Nebraskan Staff Reporter

Weather permitting, work crews will finish cleaning up PCB contamination at the UNL field laboratories near Mead before semester break, the director of the UNL environmental health and safety division said.

Earl Brown said PCB is a synthetic oil that is an excellent insulator used to cool electrical transformers.

The spills at the Mead site are, he said, "historical spills," that happened "before the university took over the land."

Brown said spills occurred because transformer casings cracked when dropped or struck

by lightning. Also, seals have deteriorated over the years and leaked the coolant onto the ground, he said.

The transformers initially were used for powering the ammunition manufacturing and storage depot that were on the grounds before UNL acquired the property.

Brown said the ground at the base of transformers, which are near buildings, was tested for contamination. He said crews directed by Biological Safety Engineer Del Week are following all Environmental Protection Agency safety guidelines for the removal, storage in barrels and eventual disposal of the tainted soil at approved sites outside the state. UNL already has spent about \$150,000 on the cleanup, Brown said.

UNL previously had contracted the General Electric Co. to remove the oil from unserviceable trans-

formers to be burned at an approved incinerator "back East," Brown said. The transformers were rinsed and removed, he said.

EPA spokesman John Horton in Kansas City said PCB, or polychlorinated biphenyls, is known to cause skin lesions, swollen limbs, eye and liver problems and is suspected of causing cancer and birth defects. Horton said production of PCB is banned in the United States, but that installations where the electrical coolant was used before the ban may legally continue using the substance.

Brown said it will not be too dangerous to remove the low concentrations of PCB left at the Mead site. Workers wear protective clothing because contact with the soil "might cause a skin rash on certain individuals who may be sensitive to it," Brown said.

"Only when PCB is burned to the point of decomposition do we

get dangerous by-products," Brown said. This danger was first discovered when the oil was used in Japan for cooking, he said. A hazardous dioxin-like compound also is released when PCB is heated, Horton said.

Horton also said the EPA takes PCB spills seriously because the chemical does not readily decompose in the environment and because it moves up through the food chain.

Brown said the contaminated areas near Mead are isolated by fences, not near crops or livestock.

Transformers in which the oil still is used as a coolant are in many buildings at UNL and on many sites around the state, Brown said. But where they are owned by the university, the UNL environmental health and safety division has tested them following EPA guidelines, he said.

"We are keeping very close tabs on them," Brown said.

THINK THINK THINK



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Notifying landlord lessens expense of breaking lease

By Shelley Stall
Student Legal Services Lawyer

Question: Last August I signed a one-year lease on my apartment. I just got offered a job in Dallas and have to be there Feb. 1. Is there any way I can get out of my lease?

Answer: Dear L.J.: You may not be able to "get out of" your lease, but there are steps you can take to minimize the cost of breaking it, if that is what you decide to do. You should have an attorney look at the particular lease you signed. He or she may find something important that can help you. In the meantime, here is some basic information.

- Give written notice to your landlord of the date you will be vacating ASAP. Keep a copy of the notice. Receipt of your notice triggers the landlord's legal obligation to try and rent the apartment to a new tenant.

- Once the landlord rents the apartment to new tenants, you are relieved of your obligations under the lease in most cases. A landlord cannot collect double rent because you signed a lease. It's a good idea, however, to have the landlord void your lease.

- If the landlord rents the apartment for Feb. 1 and does not lose any rent because of your breach of the lease agreement, the only money you may have to

pay are the reasonable costs of re-renting the apartment, such as advertising.

- Clauses in the lease that say you automatically forfeit your damage deposit or incur a fine if you move out early are probably not enforceable in court if the landlord sues you for breach of the lease.

- If the landlord makes a reasonable effort to rent the apartment but is unable to do so, you can be sued on the lease, but only as rent becomes due. For example, you can't be sued for February rent until it becomes due on Feb. 1 and you fail to pay, or March rent until March rent is due.

continue making the payments. I was contacted by a collection agency a few times, but then I moved and didn't hear from them. Last week a sheriff's deputy came to where I work and served me with legal papers. I guess I'm being sued for \$500 on the dental bill. I know I owe the money, but I don't have \$500.

Signed: H.S.

Answer: Dear H.S.: Don't put off dealing with this matter any longer. If you ignore the lawsuit that has been filed against you, the attorney representing the collection agency can set a trial date and possibly get a default judgment against you. Once a judgment is entered, it is possible for your creditor to take steps to garnish your wages or bank accounts or attach your property.

It is a good idea to discuss this matter with an attorney. Bring the legal papers to the attorney's office as soon as possible. The paper labeled "summons" will have a clause saying that an appropriate written response or answer must be filed with the court by a certain date. You should contact an attorney well in advance of this date so the attorney has time to look into your case before the answer has to be filed.

Look at your finances before your meeting with the attorney and figure out how much you can afford to pay on the bill each month. It may be possible for your attorney to negotiate a settlement with the collection agency's attorney, whereby you pay small monthly payments until the bill is completely paid. If an agreement is reached, you will be asked to sign a stipulation, which will be filed with the court. A stipulation in a collection case usually contains: 1) An admission by you that you are indebted to the creditor in a certain amount. 2) The details of the payment plan that has been agreed on. 3) That the lawsuit will be dismissed when the payments are completed. 4) That if a payment is missed, the creditor will take a judgment for the amount still due plus court costs and attorney fees.

If you really can't afford to make any payments at all, it's not the end of the world. There is no debtor's prison in the United States — yet. If you have no money, job or property, you are what we call "judgment proof," and there is not much the creditor can do until you acquire those things. However, in the interest of preserving some semblance of a credit rating, you should try to pay off the debt.

Ask Your Attorney

- The worst thing a tenant can usually do is ignore the problem and hope it will go away. In many cases, with adequate notice and the cooperation of the landlord, the tenant can break a lease at little expense.

Question: About two years ago I had to have some dental work done costing about \$700. After I made a few payments on the bill, I lost my job and I couldn't con-

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