

COMMENTARY

Scandal And Deceit In Dioxin Cleanup

By Steve Taylor

Citizens at odds with the Times Beach incineration policy were recently informed that EPA administrator Carol Browner had removed herself from the Missouri dioxin cleanup. Browner removed herself because her sister, Michelle Browner, is employed by the company responsible for the Times Beach cleanup.

This maneuver places politics over public health. Citizen appeal to the Environmental Protection Agency has been severely restricted for reasons incompatible with the responsibility of safeguarding public health and the environment. Yet, the management of the eastern Missouri dioxin sites and the Times Beach incinerator by federal and state agencies has been embroiled in scandal from Day One.

Shortly after the Times Beach story began to unfold, several EPA officials alleged that authorities did not take action or inform citizens until almost a decade after state and federal authorities were well aware of the contamination. The debate culminated in the controversial replacement of Dan Harris, EPA's regional dioxin coordinator. Harris, who was responsible for initiating the dioxin investigation in the 1980s, stated to the *Post-Dispatch* at that time, "I got the feeling that they [EPA] were trying to bury the whole investigation."

In 1982, as flood waters forced the evacuation of dioxin-contaminated Times Beach, Congress investigated the negligence of the EPA and Centers for Disease Control in responding to dioxin contamination in eastern Missouri. President Ronald Reagan ordered EPA administrator Ann Gorsuch to withhold documents under "executive privilege." Rita Lavelle, head of the hazardous waste program, began to shred documents.

Gorsuch was forced to resign along with 19 other appointees, and Lavelle served six months in jail for perjury and obstruction of justice in an investigation into political use of waste cleanup funds. Pollutant data from many of the Missouri sites remain "lost" according to the EPA.

In 1990, a report by the Committee on

Government Operations, "The Agent Orange Coverup," was submitted to Congress. It said: "The Centers for Disease Control study [of exposed veterans] was controlled and obstructed by the White House because the Reagan administration had adopted a legal strategy of refusing liability in military and civilian cases of contamination involving toxic chemicals and nuclear radiation."

Some of Missouri's dioxin contamination resulted from Agent Orange production. The CDC study was investigating the health effects of Agent Orange on Vietnam veterans, in particular the toxic effects of dioxin in the herbicide. This year, President Bill Clinton signed a bill expanding compensation to veterans and

executive vice presidents eventually pleaded guilty; one was sentenced to five years in prison.

On May 2, 1995, a researcher funded by the Agency for Toxic Substance and Disease Registry testified to the St. Louis Dioxin Monitoring Committee that blood levels had decreased in citizens living next to an incinerator in Arkansas. The researcher, Morris Cranmer, reversed his findings after the federally funded report's data were obtained by Greenpeace. In 1988, a federal court had found Cranmer guilty of defrauding the Farmers Home Administration of nearly \$10 million.

This August, the EPA met with Missouri citizens to hear evidence that a laboratory owned by the same company that operates the incinerator held for more than a week samples from sensitive trial burns. The samples were later analyzed to determine if the incinerator was performing within EPA guidelines. The laboratory, Quanterra, was 50 percent owned by International Technologies, the owner of the Times Beach incinerator. International Technologies formed Quanterra several years after acquiring metaTrace. metaTrace was suspended from EPA contracts in 1990. The location and phone number, along with some equipment and employees are the same as metaTrace's.

The Department of Natural Resources is investigating a possible conflict of interest.

If all goes as planned, Times Beach will soon be a park with the ash from 27 eastern Missouri dioxin sites buried along the Meramec River. State and federal authorities hope that a blood study soon to be released will allay the concerns of those living near the incinerator. They hope that past indiscretions will be forgotten. But for many of us who have lived through the Times Beach saga, we will know that among the toxic ash is buried the integrity of officials and agencies that the public has entrusted to safeguard our health and environment.

Steve Taylor, Manchester, is co-founder of the Times Beach Action Group.



their children for debilitating effects of exposure to Agent Orange. To date, there has been no compensation to citizens exposed to the same chemicals as a result of the improper disposal of dioxin in Missouri.

In 1990, metaTrace, a St. Louis-based analytical laboratory in Earth City, was suspended from EPA contracts. The regional EPA official's request for suspension cited many violations including charges that metaTrace "had falsified and fraudulently submitted computer generated pesticide/polychlorinated biphenyls (PCB) test data." The request also said, "EPA has made policy decisions that are potentially life threatening relying on this invalid data."

metaTrace handled large contracts for work at Times Beach and Weldon Spring, including a dioxin analysis designed specifically for Times Beach. Two former

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Half-Truths On Dioxin Incineration

By Steve Taylor

As state and local authorities draw near to permitting the Times Beach incinerator, Syntex and the Environmental Protection Agency are providing half-truths about the incinerator's performance.

Despite overwhelming evidence that the permitting process for Superfund incinerators is inaccurate and misleading, old, worn-out arguments that were used to deceive the citizens of Arkansas are being repackaged and presented to Missourians as proof of the project's safety.

In Arkansas, the Vertac superfund incinerator had passed all the same requirements that the Times Beach incinerator is expected to meet. The Arkansas incinerator was eventually shut down for numerous safety violations, but only after contaminating the neighboring community. The incinerator caused marked increases in the blood levels of dioxin and other toxins.

In 1992, the EPA's own policy analyst, William Sanjourn, strongly criticized the agency's method of determining an incinerator's efficiency in destroying and removing hazardous waste. The efficiency rating is the cornerstone of any incinerator's permitting process and is invaluable in calculating its efficiency and safety. In his memo, Sanjourn noted that using a surrogate material rather than the real contaminant to calculate destruction-and-removal efficiency allowed EPA to "issue permits to operate hazardous waste incinerators which do not meet EPA minimum performance standards and places the public health in jeopardy."

At Syntex's press conference in January a destruction-and-removal efficiency report on a surrogate — not dioxin — was presented as its evidence of the incinerator's performance.

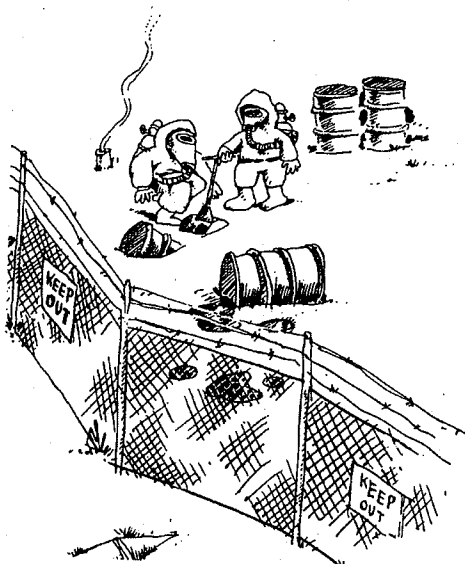
Syntex also made surprising claims that stack emissions were hundreds of times lower than local permit standards. A cursory inspection of the data reveals several misrepresentations.

First, no actual destruction-and-removal efficiency was calculated for diox-

in. Second, data were not provided for the actual amount of dioxin in the kiln when emission samples were taken. There is, in fact, no evidence that dioxin was being destroyed when stack gases were sampled.

Finally, data were not provided for periods of operational upsets. The incinerator experienced an average of five kiln overpressurizations per eight hours of operation. Kiln overpressurizations are a cause of fugitive emissions through the venting of untreated material directly into the environment. The EPA's risk assessment allowed for only one emergency venting a week.

After local agencies grant the final



permits, there will be no continuous monitoring of dioxin emissions. In fact, local governments will be handing over the wheel to the two parties, Syntex and the EPA, that challenged and defeated a county ordinance designed to monitor and hold dioxin emissions to the EPA's own risk assessment.

Though dioxin dominates the current debate, the Times Beach Action Group has discovered that polychlorinated biphenyls (PCBs) are also a major part of the waste to be burned. An obscure document from the Centers for Disease Control talked about soil samples from the

horse arenas that started the original investigation. The death of animals and the acute illness of several children at these sites brought the matter to federal attention. Russell Bliss was the hauler of hazardous-waste oil who was responsible for contaminating the 27 dioxin waste sites. EPA claims that the dioxin originated from a Syntex plant in Verona, Mo. Samples from the horse arenas had PCBs ranging up to 1.5 million parts per billion.

The same document from the Centers for Disease Control shows that no PCBs were found at the Syntex plant in Verona. This challenges EPA claims that all the "pollution came from the same source." It appears that if the EPA were to do an accurate risk assessment on site soils, it would be forced to admit to other sources of hazardous waste — sources that could be held liable under Superfund law.

Soil from the horse arenas represents more than 20 percent of the soil to be incinerated at Times Beach. On Oct. 26, EPA's regional director admitted that PCBs exist in site soils at "greater concentrations than dioxin."

The laboratory that was hired to complete the incinerator's risk assessment noted that the EPA did not, however, provide information on PCBs or relevant sampling data. PCBs were not included in the risk assessment or permit application as required by law.

The EPA recently announced that some non-dioxin waste at the Bliss farm will be taken to another facility permitted to burn non-dioxin waste. The agency will literally try to separate dioxin-contaminated top soil and leaching effluent from buried drums. It is a desperate attempt to separate not only chemicals but also avoid questions about legal liability and the waste hauler's clients.

It appears that not only is the EPA relying on smoke and mirrors to sell the burner to the Show Me State; it is now forced to juggle chemical waste sites and their constituents to maintain the public trust.

Steve Taylor is a representative of the Times Beach Action Group.

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Burned Up About Times Beach

By Steve Taylor

A federal judge recently overturned a St. Louis County ordinance written to ensure that the Times Beach incinerator would be held to a toxic emission standard based on the Environmental Protection Agency's own risk assessment. This ruling in favor of the plaintiffs, Syntex, the company liable for the clean-up, and the EPA, typifies the disregard federal agencies have historically displayed toward Missouri citizens.

The exclusion of the county in the process symbolizes what many of us have known for long; although the federal and state governments publicly solicit input from citizens, there is no room for their concerns. No one, no fact, no threat to public health will be allowed to interfere with the agenda to close the door on the dioxin debate in Missouri. In the words of Syntex spokesman Gary Pendergrass, "The people of Times Beach have lived with this problem for a long time. I'm confident we will be able to solve this problem once and for all."

To those of us who have lived in one of the 27 Missouri dioxin sites, a lack of straight answers on the health effects of dioxin on people is a continuing source of frustration. Federally funded reports are consistent only in their mendacity.

In 1990, a report by the Committee on Government Operations, "The Agent Orange Coverup: A Case of Flawed Science and Political Manipulation," was submitted to Congress. According to the report's executive summary, "The Centers

for Disease Control study was controlled and obstructed by the White House primarily through its Agent Orange Working Group and the Office of Management and Budget, because the Reagan administration had adopted a legal strategy of refusing liability in military and civilian cases of contamination involving toxic chemicals and nuclear radiation."

The CDC will be responsible for the dioxin blood level tests run on residents near the Times Beach incinerator.

On May 2, 1995, a researcher funded

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by the Agency for Toxic Substance and Disease Registry falsely reported to St. Louis County's Dioxin Monitoring Committee that dioxin blood levels in residents near an Arkansas incinerator had decreased. This was touted by local EPA official Bob Field as evidence that the planned Times Beach incinerator is safe.

When the Arkansas researcher, Morris Cranmer, was forced to reverse his findings after citizens groups acquired the study's raw data, federal and state officials accepted the incident as a simple error. Cranmer's federal funding to perform the study — despite his pre-exist-

ing felony fraud record for giving false statement to two banks — inspired less than confidence in residents near the proposed Times Beach facility.

The state of Missouri maintains the only registry of residents exposed to dioxin in the nation. According to the Missouri Department of Health, the federal toxic substance agency is considering canceling its funding. Also the Department of Health has admitted that it has "been doing no real studies" on previously exposed Missourians.

With such dubious research on the effects of dioxin on civilians and veterans, it is easy to see how liability-driven corporate-bureaucratic scientists can state that there is no direct evidence that dioxin harms humans. To those of us who have been contaminated and know of the high rate of disease in the exposed population, this is one of the greatest tragedies. It is also difficult to believe that any agency, including the EPA, could produce an accurate risk assessment for burning dioxin. For residents whose community is about to host the final solution, the Times Beach incinerator, it is a source of unrest.

Gov. Mel Carnahan must try to reopen the consent decree that orders incineration as the means of remediation. To not do so, or to trust the health of Missouri residents to these renegade agencies, is an affront to the Show-Me state's motto: "The welfare of the people shall be the supreme law."

Steve Taylor, Ellisville, is a member of the Times Beach Action Group.

