

# Rachel's Environment & Health News

## #456 - Mysterious Motives at EPA

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In 1990, U.S. Environmental Protection Agency (EPA) funded the construction of an incinerator in a residential neighborhood in Jacksonville, Arkansas, to destroy dioxin-contaminated chemical-warfare wastes. At the time, EPA's decision raised eyebrows. For at least 100 years in the U.S., the basic philosophy of public health policy has been prevention. Since EPA studies show that dioxin damages the immune system and reproductive system of humans, and probably causes cancer as well (REHW #390, #391, and #414), no public health official favors exposing people needlessly to dioxin. At the same time, no one --not even the most ardent advocates of incineration --claim that hazardous waste incinerators break down 100% of the chemicals that are fed into them. Therefore, it seemed certain that people living near the Jacksonville incinerator would be exposed to airborne dioxins released during the burn. On the face of it, building the Jacksonville incinerator in a residential neighborhood violated long-established public health principles. This was perplexing.

EPA took the public position that there were no alternatives to building the incinerator in a residential neighborhood. On three occasions, a majority of voters in Jacksonville had voiced opposition to a dioxin incinerator nestled among their homes. One obvious alternative would have been to remove the waste by rail (a rail spur serves the site) or even by truck, to a remote location where fewer people would be directly exposed. Another obvious alternative would have been to build a reinforced concrete building on the site and store the waste in a secure fashion until better technology became available. But EPA officials said it would be too "dangerous" to move the dioxin-containing barrels of waste out of town, and too expensive to store them in a special building on-site. This didn't seem to make much sense at the time. The leaking waste drums had already been "overpacked" into larger non-leaking drums, which could have been readily loaded onto a train or a truck. And concrete buildings are not nearly as expensive to build and monitor as incinerators or landfills. (See REHW #260.)

Arkansas governor --later U.S. President --Bill Clinton personally promoted the unpopular incinerator for 12 years. "He's been beaten up pretty badly over this," one aide told the NEW YORK TIMES. Still, Mr. Clinton persevered, insisting on building a dioxin incinerator in a residential neighborhood. (See REHW #311.) From 1990 through 1992, citizens and government officials struggled bitterly over the incinerator as it failed its test burns but was nevertheless declared "safe" by EPA. (See REHW #311 and #312.) On October 27, 1992 --one week before he was elected President --Mr. Clinton took time out from his frenzied campaign schedule to sign an order officially commencing the incineration of 13 million pounds of dioxin-contaminated herbicides a stone's throw from homes occupied by families with children. The drums contained an estimated 75 pounds of dioxin --by any measure, a huge quantity of a supremely powerful poison. (See REHW #312.)

After he became President, Mr. Clinton's appointees continued to promote the Jacksonville incinerator. When citizens sued in federal court to have the incinerator shut down because of flagrant violations of EPA's own regulations, Mr. Clinton's EPA argued that loopholes in the law allowed them to continue burning and releasing dioxin into the neighborhood. Court documents reveal that the machine was unexpectedly emitting large "puffs" of white smoke from the boiler itself, which bypassed the pollution control system entirely --a clear indication of improper pressures inside the machine. Incinerator workers were issued gas masks, just 100 yards or so from families with children, who were not issued gas masks. Raw waste was reported bubbling through the boiler seals and baking onto the outside of the combustion chamber, creating black smoke and strong odors, which wafted offsite into the surrounding neighborhood --a malodorous caricature of how an incinerator is supposed to operate. (See REHW #345.)

By this time Greenpeace chemist Pat Costner had demolished EPA's decade-old claim that incinerators can destroy 99.9999% of the dioxin fed into them. (See REHW #280, #312, and #318.) Internal

EPA memos, leaked to the press, revealed that EPA's staff agreed with Costner's analysis. (RHWN #312) EPA's own monitoring data showed that the Jacksonville incinerator was emitting 800 times as much dioxin as EPA recommends as "safe." However, in court EPA argued that no court had a right to shut them down until after the burn was completed. A federal judge in Arkansas ordered the incinerator shut down as a public health hazard, but EPA appealed and won on the basis that citizens can't claim in court that they are being poisoned by a Superfund cleanup until after the cleanup is completed. (REHW #345.)

In the summer of 1993 it was revealed that the Jacksonville incinerator had done such a poor job destroying waste that the residual incinerator ash --heaps of salt, 43% larger in volume than the original liquids fed into the incinerator --were so contaminated with dioxin that they could not legally be removed from the incinerator site. EPA's incinerator had burned 9600 barrels of dioxin-contaminated liquid waste and in the process had created 13,730 barrels of dioxin-contaminated salts. (REHW #325)

EPA then built a 30,000-square-foot secure concrete storage building on the Jacksonville site to house the 13,730 drums of incinerator waste -- a solution which EPA had previously rejected as prohibitively expensive.

In February 1995, EPA shut down the Jacksonville incinerator down, even though not all the waste had been incinerated. The remaining 3260 drums of heavily-contaminated dioxin wastes are now being loaded onto trucks and driven across Oklahoma to a Westinghouse incinerator in Coffeyville, Kansas --an alternative that EPA had previously rejected as too dangerous.

In this story, Mr. Clinton's EPA would appear to be guilty of malfeasance, misfeasance and nonfeasance --all the 'feasances' possible. But there is more.

Despite all the problems at the Jacksonville site, a study funded jointly by EPA and by the federal Agency for Toxic Substances and Disease Registry (ATSDR), was released May 2, 1995, showing that dioxin in the blood of people living near the Jacksonville incinerator had actually DECREASED between 1991 and 1994. In other words, while the incinerator was releasing dioxin into the neighborhood, the dioxin levels in the blood of people living nearby had gone down, not up.

From this study, EPA officials immediately drew optimistic conclusions about incinerators in residential neighborhoods. The ST. LOUIS POST-DISPATCH reported, "The Environmental Protection Agency says the new study proves that dioxin could be burned safely at Times Beach." [1] Jacksonville went so well that it should be repeated in Times Beach, Missouri, EPA is now saying.

The ATSDR pulled together a "peer review panel" of outside "dioxin experts" who agreed that the new study showed that dioxin levels had gone down in people living near the Jacksonville incinerator.

Then Greenpeace chemist Pat Costner of Eureka Springs, Arkansas, sent a Freedom of Information Act request for the data and let it be known that she would be providing an independent analysis of the findings. With that, the EPA-funded researchers sharpened their pencils and examined their data again. A month later they announced they had discovered that their first conclusion was false; now they said dioxin levels in the blood of families living near the incinerator had gone up, not down. It turned out that the principle researcher, Dr. Morris Cranmer, had done his arithmetic wrong and ATSDR's peer review panel of "dioxin experts" had failed to notice the huge mistake. [3]

Pat Costner's 28-page analysis, published this month, leaves the Cranmer study in tatters. [4] For example, the incinerator had been burning for 8 months before the "pre-burn" blood samples were

taken-- and these were probably the "dirtiest" 8 months of burning because the incinerator was new and the company had never operated an incinerator before. The "control" group was selected from the town of Mabelvale, only 25 miles from Jacksonville. EPA says air pollution from an incinerator travels at least 50 kilometers (31 miles) --so the "control" group was almost certainly exposed to dioxin from the Jacksonville incinerator. In addition, there are several other incinerators that pollute Mabelvale with dioxin--one of them operated by EPA itself in Jefferson, Arkansas. A worse "control group" could not have been found.

Furthermore, the selection of the study group itself biased the study's results. Youngsters under 18 and people over 65 were excluded --the very people most likely to spend time at home and be most affected by the Jacksonville incinerator. People who had elevated levels of dioxin in their blood to begin with were excluded; these were the people who had been most-exposed by the site in the past and therefore would be most likely to be impacted by the incinerator, which was built directly on the old site.

In sum, the Cranmer study seems to have been DESIGNED to reach false or misleading conclusions. Dr. Cranmer was well-qualified for conducting such a study. In 1988 he had been convicted by a federal judge of bilking the federal government out of \$9.5 million dollars. He appealed his conviction and lost. While he was serving his sentence of "community service" he was hired to do the Jacksonville study.[2]

Costner offers many additional criticisms of the Cranmer study. And she shows that the data reveal a dioxin increase of 22% in the blood of the Jacksonville residents who participated in the study.

Despite these remarkable revelations, EPA today is still insisting in public that burning dioxin-contaminated wastes in residential neighborhoods is entirely safe, and is good public policy, pointing to Jacksonville and the Cranmer study as evidence. Today EPA is promoting dioxin burns in Times Beach, Missouri, in Holbrook, Massachusetts, at the Crab Orchard site in southern Illinois, and at other sites around the country.

What could possibly be motivating this \$7 billion-per-year bungling behemoth? Why in the world is EPA eager to burn powerful poisons, releasing the residuals directly into neighborhoods where families live? If readers can suggest possible EPA motives, we'd be pleased to hear them. We are perplexed.

--Peter Montague

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[1] Tom Uhlenbrock, "Researcher Reports Drop in Level of Dioxin in Blood," ST. LOUIS POST-DISPATCH June 10, 1995, pg. 4B. The POST-DISPATCH missed the actual public meeting May 2 but U.S. EPA officials made available to the paper's reporter a transcript of the hearing.

[2] Sandy Davis, "Defrauder still able to collect federal funds," [Little Rock, Arkansas] DEMOCRAT-GAZETTE July 8, 1995, pgs. 1B, 3B.

[3] Tom Uhlenbrock, "Dioxin Findings Reversed; Neighbors of Incinerator had Higher Blood Levels," ST. LOUIS POST-DISPATCH July 12, 1995, pg. 1B.

[4] Pat Costner, "The Incineration of Dioxin-Contaminated Wastes in Jacksonville, Arkansas: A Review of the Inhalation Exposure Study" (Greenpeace: Eureka Springs, Arkansas, August 7, 1995).

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