

Rachel's Environment & Health News

#182 - Chemical Dumps Make Good Homes For Poor Families, EPA Decision Indicates

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William Reilly, chief of U.S. Environmental Protection Agency (EPA), last week declared homes bordering the Love Canal chemical dump in Niagara Falls, NY, safe for families to move back into. Some 200 families have already taken the bait and are standing in line to buy the dilapidated, boarded-up buildings abandoned 12 years ago by terrified residents. One of the houses soon to be rehhabited is the former home of Jon Kenny, a child who died in 1978 at age seven, despite a history of apparent good health, after he played in heavily-contaminated Black Creek, which bordered his back yard. Black Creek has since been dredged to remove the worst contamination, but the house itself stands as it did 12 years ago, its basement still embedded in the same contaminated ground, a boarded-up symbol of sickness, death and unregenerate corporate crime. The door of Jon Kenny's brick home will get a shiny coat of paint, and the community in which it stands will be given an upbeat new name, "Sunrise City." The 236 homes are being offered at 10% to 15% below market value, compared to homes not built near chemical dumps. Apparently, the nation's housing shortage is so urgent that young families desperate for a home will settle almost anywhere, even next to the notorious Love Canal, where the New York State Health Department found birth defects and miscarriages occurring at twice the national average 12 years ago. And equally apparently, the Bush administration is determined to send a message to the nation that chemical dumps will not be cleaned up, but nevertheless can still be packaged as useful property because dumps can be given new names by public relations slicksters, then can be successfully peddled to the poor and the poorly-educated. Welcome to environmental protection in the '90s.

The toxic chemical dump at Love Canal, which drove families out in 1978, has not been cleaned up. Twenty thousand tons of paint residues, dyes, epoxy byproducts, solvents, glop, crud, and black oily goo laced with dioxins, still lie buried in the ground. New York state environmental officials have covered the chemicals with a temporary clay cap to try to keep rain out, and have installed drains and pumps in the ground to divert the flow of chemicals that would otherwise continue seeping into the basements of nearby homes. President Bush's EPA and the New York State Department of Environmental Conservation (DEC)--indeed, all scientists and engineers who understand the second law of thermodynamics--agree that these are temporary measures which will eventually fail, allowing chemicals to flow from the dump as they have flowed in the past, which is into the basements of the homes now being sold to families who are being bamboozled and misled by use of the words 'habitable' and 'safe.' But these government burrowcrats evidently judge it more important to send a message to America-- "Chemical Dumps Make Good Homes for Poor People"--than to protect all Americans equally. It's a very '80s message, begun by the me-me Reagan regime and followed up with vigor by understudy George Bush, who says he wants to be remembered as "the environmental President." He will be remembered all right.

Would-be residents of Love Canal express two thoughts: an abiding faith in their government, and resignation that the earth has been totally contaminated anyway, so Love Canal is no worse than anywhere else. Philip Palmisano, a retired tavern owner in nearby North Tonawanda told the New York Times, "I'm no scientist or chemist, but you have to take someone's word on it. The government wouldn't let us move in there if it weren't safe, would they?" He ended with a verbal shrug of the shoulders: "We live in a contaminated world anyway."

What of this persistent notion that our government will protect us? How quickly we forget. There were actually three separate evacuations of people from homes at Love Canal. After each evacuation, the government declared the remaining homes "100% safe" and pigheadedly refused to study the health of the remaining residents. Residents, who knew they themselves, their children, and their neighbors were getting sick at unusual rates, had to find outside experts to do their own health assessments because

government at all levels doggedly refused. When the residents came forward with maps showing clusters of birth defects, urinary tract disease, miscarriages and crib deaths, all suspiciously linked to the chemical dump, New York State Health Department officials first said they would take the data seriously, but within hours announced to newspapers that the data were not worth studying because they were based on interviews with sick people and not on interviews with doctors treating the sick people. It was as cynical a manipulation of science and medicine as has ever been witnessed in America.

Fortunately, the story of Love Canal cannot be completely rewritten by William Reilly and his smiley-faced public relations counterfeiter because the true story has been recorded on an excellent video tape, available for commercial sale or rental. Bullfrog Films distributes IN OUR OWN BACK YARD: LOVE CANAL, produced and directed by Lynn Corcoran in 1981. It is the story of a three-year fight by residents to escape from their contaminated homes, some of which are about to be sold once again to gullible families, creating the next Love Canal disaster.

IN OUR OWN BACK YARD records government officials providing explanations--back in 1978--of why governments tried not to study the health of residents, and providing forward-looking explanations of why, a decade later, Love Canal must now be rehhabited by the poor. The video opens with New York's attorney general, Robert Abrams, saying, "Love Canal, tragically, has become a national symbol of corporate irresponsibility. Industrial producers and users of chemicals have too often disposed of highly toxic materials with utter disregard for the danger which these materials pose to the environment and to future generations." U.S. Representative Joseph Tyree explains why it was important for the federal government not to buy homes at Love Canal: "Once they set a precedent of giving the money to buy out these houses, then they've got the whole country [to consider buying out] because these wastes are all over." These are still the true meanings of Love Canal and these are the meanings that George Bush, William Reilly and their public relations muggers have set out to blur or, better yet, to erase. Anyone who remained awake through earth day knows that the smiley-faced new slogan from the Chemical Manufacturers' Association is "Responsible Care of the Earth" (with the implied assumption that the earth is theirs, and they get to 'care' for it as they see fit). Although the chemical industry continues to bury millions of tons of toxic chemicals in the ground each year with the fawning collaboration of William Reilly's EPA, their public relations mercenaries now call this not "poisoning the planet" but "responsible care." George Orwell is winking at us from his grave.

The Bush administration on May 8 issued a major landfill regulation that guarantees the creation of many more Love Canals throughout the '90s. The new regulation cuts the heart out of a six-year effort, initiated by Congress in 1984, to stem the flow of raw toxics into underground burial sites. Congress had ordered EPA to require that wastes be treated with "best available technology" prior to landfill burial. The May 8 regulation simply abandons all pretense of complying with Congress's directive. "This proposal ensures that the waste management practices of today will become the Superfund sites of tomorrow," says a critique of the regulations issued jointly by Natural Resources Defense Council (NRDC) and the Hazardous Waste Treatment Council (HWTC), an incineration industry trade association. Richard Fortuna of HWTC termed the new Bush-Reilly regulations the "What-me worry?" approach to hazardous waste management, pointing out that the new rule--called the "third-third" rule--allows hazardous wastes to continue to be placed in unlined and leaking lagoons, and treatment residues (such as ash) can be placed in unlined, unmonitored, and leaking landfills. It represents the biggest step backward in 20 years or more.

For our part, we feel relieved that a Bush-Reilly pattern has finally and unmistakably emerged: poor people, middle-class people, and the natural environment had better watch out because the chemical industry and its public relations goons have taken control in

Washington. It's gloves off time for advocates of environmental justice. And it's opportunity time for the Democrats, who, if they play their cards right, can sweep into office like crusaders against Satan. (If NY Governor Mario Cuomo isn't careful, Republican PR bandits will hang Love Canal around his neck, a toxic mill-stone to drag him down into the ooze of oblivion. Remember Boston harbor.)

Get: A most valuable video about Love Canal IN OUR OWN BACK YARD from: Bullfrog Films, Oley, PA; phone (800) 543-3764. \$200 purchase, unless you're a citizen action group, in which case it's \$75 purchase or \$25 rental. We recommend you buy this video and show it everywhere you can until you just plain wear it out.

For a copy of the "third-third" rule (which has not yet appeared in the FEDERAL REGISTER though it became effective May 8, 1990), call the EPA's RCRA/Superfund hotline at (800) 424-9346. NRDC's and HWTC's critique is available from Jackie Warren (NRDC) at (212) 727-2700, or from Rich Fortuna (HWTC) at (202) 783-0870. Environmental Defense Fund (EDF) has also critiqued the rule; phone Karen Florini at (202) 387-3500.

--Peter Montague

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