

# Rachel's Environment & Health News

## #142 - Mr. Reilly's EPA Is Forcing States To Site 90 Hazardous Waste Incinerators

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The U.S. Environmental Protection Agency (EPA) has begun an aggressive program to force states to site 90 hazardous waste incinerators. If a state refuses, the EPA says it will cut off all Superfund aid for cleanup of toxic dumps. In essence, the EPA is holding hostages--the victims living near chemical dumps--and is threatening them bodily harm, saying, "If you (state governments) want us to help these unfortunate people, you will have to give industry what it wants, which is 90 incinerators to burn chemical wastes." If Mr. Reilly succeeds in this blackmail, industry will be able to burn all the hazardous waste it wants during the next 20 years, removing a major incentive to cut waste production.

In response, grass roots activists across the country will hold press conferences and demonstrations August 17 at many locations, urging state governments to resist EPA's arm-twisting on behalf of industry. To find out how you can participate in the August 17 activities, phone Linda Wallace Campbell in Alabama at (205) 652-9854. Ms. Campbell is coordinating these demonstrations for the National Toxics Campaign, headquartered in Boston [(617) 482-1477; ask for Michael Stein].

### Background: Capacity Assurance Plans

In 1986, industry could see that they were losing the battle to site new chemical waste facilities (dumps and incinerators). The people had spoken at site after site across the country and the message was clear: "Not in anybody's back yard, these things are too dangerous." So industry lobbied Congress to get a new provision added to the Superfund Law. As a result, by October 17, 1989, each state must prove to EPA that their state has sufficient waste management capacity to handle all the hazardous waste that will be created within the state during the next 20 years, or they must show that they have agreements with other states to send their wastes to other states. The proof that a state has sufficient capacity is called a "Capacity Assurance Plan" or CAP. Each state must produce a CAP by October 17 this year.

Naturally there are two ways to get sufficient capacity to manage wastes: build new facilities to keep up with rising waste production, or take steps now to reduce waste so that present facilities can do the job.

It must be obvious to everyone that reducing waste is the better way.

Wastes that are never produced can't hurt anyone; they can't harm workers; they can't poison unsuspecting families living near factories or dumps or incinerators. Wastes that are never produced won't require a high-priced EPA bureaucrat to measure them and evaluate their hazard; no EPA engineer will be required to argue with the company that this technology or that technology is the "best available control technology" for this particular waste. Wastes that are never produced won't require an EPA lawyer to take the polluter to court after the polluter digs in its heels and refuses to stop polluting. Wastes that are never produced cannot generate liability lawsuits against the waste generator. Wastes that are never produced do not require the expenditure of huge sums on doublelined landfills and much larger sums cleaning up those double-lined dumps after they start leaking in a few years. Wastes that are never produced are the cleanest, safest, cheapest wastes imaginable. Who would argue otherwise, except some pitiful waste junky hooked on the production of poisons for profit?

The Office of Technology Assessment (OTA)--the research arm of the United States Congress--estimates that 50% of all industrial wastes produced today could be avoided during the next five years with EXISTING TECHNOLOGY. No technical breakthroughs would be needed to cut today's industrial hazardous wastes in half in five years, says OTA. Obviously, with some effort, more than 50% could be cut.

Unfortunately, there are enormous forces pushing EPA to ignore common sense and to require states to build new incinerators, instead of requiring states to hammer industry to reduce wastes.

First, the "waste management industry" is now huge and is now dominated by some of America's leading industrial giants. Monsanto, Dow, Westinghouse, GE and many other Fortune 500 companies have all found business opportunities in end-of-the-pipe waste treatment technology. Another factor is the vast army of consulting firms that have sprung up within the last 15 years. These consultants are known as "beltway bandits" because their offices are clustered around the I-495 beltway that rings Washington, DC, and because they charge high prices for warmed over work that they store in their word processor and sell repeatedly to one community after another, merely typing the name of a new client on the cover sheet (in the trade this is called "boiler plate" and even the best firms rely upon it). You know the names of these consulting firms--because you've come up against their risk assessments in local fights: "Our state of the art assessment of this state of the art chemical incinerator [or dump or whatever] shows that this facility presents no immediate threat to health and safety; our mathematical models prove that living 100 yards from this [fill in the blank] is safer than eating two tablespoons of peanut butter and anyone who thinks otherwise is a dangerously uninformed, or is motivated by selfishness and greed. That will be \$186,000, please.") We are only exaggerating slightly to make a point. The "waste management" industry is now grossing \$80 billion per year, so proposals to reduce wastes are not well-received among their ranks. These people's jobs were created by the Clean Air Act, the Clean Water Act, the Toxic Substances Control Act, the Safe Drinking Water Act, and the Superfund Act. No wonder they aren't promoting sensible public policies to start making all these laws obsolete.

In addition, industry doesn't make serious efforts to reduce waste because of simple inertia. Industries that are making money don't want to risk any changes. For years, they have successfully run factories making aspirin tablets or paint or whatever, passing the costs of waste disposal onto future generations. Who knows? If they change how they do things, they may not succeed. At the very least, there would be an uncomfortable period when things were up in the air, which would mean fewer afternoons on the golf links and, when it was all over, who could guarantee it would work as well as the present system, which hums along like a self-propelled money machine?

At bottom, the strongest objection to waste reduction may be simple stubbornness. "Those damn nervous nellie nimbys and those power-hungry bureaucrats in Washington don't get to tell ME what to do!" So there you have it: many persuasive reasons why sensible public policies, like waste reduction, are never tried and, in their place, the EPA is pushing 90 hazardous waste incinerators.

But why would the EPA--especially the EPA headed by a professional environmentalist like William Reilly--turn its back on sensible public policy and cave in to irrational industry wishes? Only George Bush knows the answer. He is the one who gives Mr. Reilly marching orders and he is the one whose next fabulously expensive Presidential campaign begins about 18 months from now.

For an excellent new 66-page booklet on these issues get: Sanford Lewis and Marco Kaltfen, FROM POISON TO PREVENTION (Boston, MA: National Toxics Campaign, 37 Temple Place, 4th fl., Boston, MA 02111); \$15 for community groups. For others, price unknown. Phone: (617) 482-1477.

FROM POISON TO PREVENTION describes the EPA's plan for covering the nation with hazardous waste incinerators, details the hazards of these incinerators, offers specific ideas for fighting the plan, and gives detailed recommendations for industrial waste reduction.

--Peter Montague

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