

Editorial

Toxic Chemical Wastes

Toxic chemical waste is exploding onto the nation's consciousness as the public health issue of the decade. Abandoned and poorly managed chemical waste disposal facilities are blowing up and burning, often threatening metropolitan areas with clouds of toxic gases. Other chemical dumps are silently leaching cancer-causing chemicals into underground aquifers, contaminating public and private drinking water supplies.

Compounding the problem is that, currently, no one is capable of responding to most of these disasters, or of cleaning up the deadly mess that has been negligently, or in some cases, intentionally, created. This is why Congress must pass legislation to create a "superfund" to deal with hazardous waste problems quickly and efficiently.

The problems with chemical waste disposal are not new. They have been building for years as generators of these wastes, often large chemical companies, were casually selling their wastes to disposal companies that did little more than stockpile the drums of waste. Another common disposal method was simply to pour the chemicals onto the ground or to bury them in 55-gallon drums in out-of-the-way locations.

One such waste disposal facility was operated by Chemical Control Corporation in Elizabeth, New Jersey. Explosions ripped through the facility on April 21, 1980, the eve of Earth Day. Fire raced through the 30,000 to 50,000 drums filled with organic chemical and acid waste that were piled four and five drums high on the property. Huge clouds of toxic gases threatened the population of New York City's Staten Island, but favorable winds averted a disaster.

In June, this same site was rocked by a second series of explosions and fire, though less extensive than the first. Then, in July, another waste chemical disposal operation in Perth Amboy, New Jersey, exploded, caught fire, and forced the temporary evacuation of homes in the area as benzene and toluene fumes — both proven carcinogens — were detected in the air.

At the time of the first Chemical Control Corp. fire, the State of New Jersey was already engaged in the slow, methodical task of segregating and removing waste chemicals from the site to an incinerator for destruction. The state was involved because a state court judge had found the company

management incapable of cleaning up the dangerous situation it had created and had ordered the state to do the job.

Ground water contamination from improperly disposed chemicals is another serious health hazard. In many areas of the country, chemicals have simply been poured on the ground and allowed to sink into the soil where they eventually are carried by the ground water into aquifers from which entire communities draw their drinking water. The results are horrible: high incidence of leukemia among children, and liver and blood ailments at near epidemic levels.

The United States Environmental Protection Agency (EPA) estimates that as much as 57 million tons of chemical waste are produced annually, and that 90 percent of it is disposed of improperly. The agency also estimates that there are 5,500 disposal sites which present health problems, both now and in the future, since many of the man-made chemicals that are in these dumps are virtually indestructible in the environment.

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The EPA has promulgated detailed regulations to guide the disposal of hazardous waste in the future, and is attempting to force owners and operators of current disposal sites to clean them up. But often no one can be found to pay for the proper disposal of the wastes. Many of the worst sites were operated by people acting through corporate shells that were quickly abandoned when the land was filled to capacity, or the disposal buildings burned down. Organized crime has been linked to some of these companies.

Congress is considering three bills that would establish a "superfund" to pay for the clean-up of abandoned sites and to provide quick compensation to innocent victims of spills for damage to their property and economic livelihood. The bill that is given the best chance for enactment is H.R. 7020, introduced by Rep. James Florio (D-N.J.), whose district in southern New Jersey has more than its share of problem sites. The bill would establish a fund of \$600 million over four years. The money would go to EPA which could use it to clean up

sites that are presenting emergencies now as well as sites that pose the potential for future problems.

A tax on oil and chemical manufacturers and importers would provide 75 percent of the income for the fund with the balance coming from general tax revenues. The exact tax rate will be determined by production and import levels, but would be only a fraction of a cent per drum of oil and chemicals produced or imported. EPA would be authorized to spend money from the "superfund" to dispose of waste chemicals without first establishing liability. EPA could also sue parties believed responsible for the dangerous sites in order to recover funds expended in cleaning up a site.

The Florio bill passed the House Interstate and Foreign Commerce Committee and was sent to the Ways and Means Committee, where an amendment to double the fund to \$1.2 billion was proposed. The amendment will be considered when the bill reaches the floor of the House of Representatives.

The chemical and oil industries appear to have abandoned their opposition to the Florio bill, apparently favoring it to the more generous bill in the Senate that would create a \$4.1 billion fund available for six years.

The superfund will not clean up all the dangerous sites. Current estimates place the total clean-up cost at \$44 billion. But the fund will make a start. The frightening truth is that there are now no resources to deal with this serious health problem that is causing widespread fear, illness, and even death.

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