

EPA Announces Toxic Waste Controls

Officials say the regulations will prevent waste dump calamities

Officials of the Environmental Protection Agency (EPA) intended to use the dramatic backdrop of a recent toxic chemical mishap to announce on 30 April their final regulations for the safe disposal of hazardous chemical wastes. In a publicity stunt to be envied by other bureaucrats, EPA officials were to present the regulations amid the smoldering remains of the Chemical Control Corporation waste dump in Elizabeth, N.J., where a toxic chemical fire erupted on 21 April.

EPA officials said the fire points up the need for more swift and diligent efforts to clean up waste dumps. During the blaze, toxic liquid metals, carcinogens, and environmental contaminants from 20,000 chemical drums spewed into the air and spilled into nearby water. Residents and schoolchildren from surrounding towns and nearby Staten Island, N.Y., were asked to stay indoors and fishing was suspended in portions of the Hudson River and New York harbor. Several dozen firemen experienced acute effects of chemical exposure.

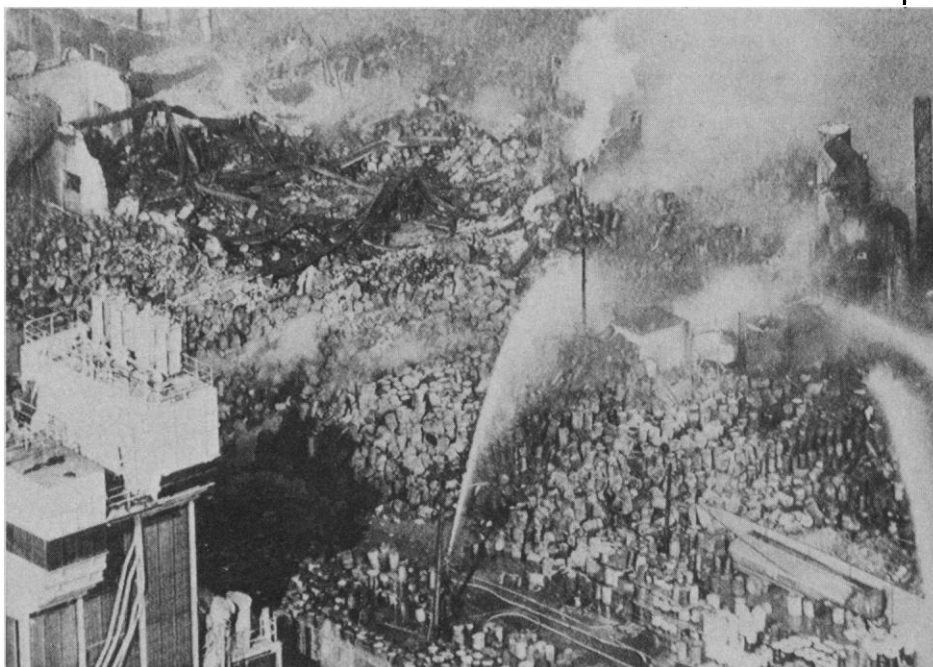
EPA officials had predicted the mishap in an internal report written after a visit to the dump site in November 1978. "Our staff people consider this to be a very hazardous situation," the internal report says. "The potential is there at any time for serious public health and environmental problems including explosions, fires, and violent reactions—any of which could conceivably release toxic fumes."

The report said that "action must be taken to prevent a calamity." Shortly afterward, New Jersey authorities began removing 8500 drums of toxic chemicals whose presence would have worsened the recent blaze, including drums of nitroglycerine, picric acid, cyanide, and mustard gas. No one has yet determined how the fire began, although spontaneous chemical explosions had occurred at the site before. The EPA's inspection had revealed that many of the drums on the site were rusted open and leaking their contents.

EPA officials said the new regulations would prevent the operation of a waste site similar to Chemical Control's. Specifically, the regulations identify 400 hazardous products and chemicals and 89 chemical processes that will require more careful disposal in the future. Other chemicals will be added to the list by EPA, and manufacturers must add to it as well if the chemicals they produce are ignitable, corrosive, reactive, or toxic. (Toxic chemicals are defined as those covered by the Safe Drinking Water Act, a total of only 14 chemicals so far.)

Some of the final rules are tougher than what EPA had initially proposed for public comment. Disposal site operators will be responsible for the wastes for 30 years after a site is closed, not 20. Groundwater monitoring will be required around all disposal sites, not just new ones. All liquid disposal in landfill sites is barred pending further EPA study.

Other provisions are weaker than what the agency had proposed. EPA decided not to attempt controls on chemical evaporation from surface disposal tanks, despite recognition by one official that it is a big problem. "We just don't have the technical capability to monitor and control it," says Steffen Plehn, EPA's assistant administrator for solid



AP Photo

Plumes of smoke rise from chemical drums in Elizabeth, New Jersey.

wastes. The agency also decided that industry lacks the capability to monitor directly the leaching of chemicals from a disposal facility. Finally, the agency broadened the regulations' exemptions enough to leave out such minor waste generators as painters, plumbers, electricians, and gasoline stations.

Environmentalists have criticized an exemption permitted for facilities that simply recycle waste by reselling it to industrial clients. They claim that the owners of disposal sites will escape the regulations through assertions that resales will occur sometime in the future; in the meantime, wastes might be unsafely stored, and monitoring of groundwater would not be required. EPA says the exemption is necessary to induce more of the industry to resell and reuse its waste, instead of just burying it. —R. JEFFREY SMITH