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RACHEL'S HAZARDOUS WASTE NEWS #47

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CHEMWASTE STASHES DIOXIN WASTES IN A PUBLIC STORAGE CUBICLE, THEN SHIPS THEM TO EMELLE ILLEGALLY AS FEDERAL EPA LOOKS THE OTHER WAY

Officials of Chemical Waste Management, Inc., are "either grossly negligent... or they don't know what's going on [in their own company]," says Buddy Cox, chief of the hazardous waste branch of the Alabama Department of Environmental Management (ADEM). Chemical Waste Management (ChemWaste), a subsidiary of Waste Management, Inc., runs America's largest chemical waste dump, at Emelle, in Sumter County, Alabama.

According to the Birmingham News (Sept. 27, 1987, pg. 1), Mr. Cox is asking himself, "If ChemWaste officials in Baton Rouge could so badly mishandle one of the most toxic of all chemicals [dioxin], then how much confidence should the public place in the company's other operations, including Emelle?"

This story begins in 1972 when surplus herbicide was shipped from Kelly Air Force Base in Texas to a federal surplus property outlet in Baton Rouge, LA. From there, it was sold to Louisiana hospitals, schools, and other public facilities.

A teacher at Capitol High School in Baton Rouge noticed that plants in the school's greenhouse were deformed with elongated leaves--a sign of exposure to 2,4,5-T, a weed-killer typically contaminated with dioxin. According to H.F. Calhoun, director of pesticide and environmental programs for the Louisiana Department of Agriculture and Forestry (LDAF), samples from a ruptured barrel of herbicide outside the greenhouse revealed 2,4,5-T, including "levels of dioxin that we would have expected of military-vintage 2,4,5-T at that time." The herbicide 2,4,5-T was widely used to defoliate jungles in Vietnam; thousands of American GIs are now suing the U.S. government and several chemical companies for exposing them to the hazardous, dioxin-containing herbicide. Because of the dioxin risk, all use of 2,4,5-T was banned in the U.S. in 1986.

During 1983, Mr. Calhoun's department traced and recalled 14 additional barrels of 2,4,5-T that had originated with that shipment from Kelly Air Force Base back in 1972. Not knowing what else to do with the dangerous wastes, LDAF asked their manufacturer to take them back. The manufacturer hired Chemical Waste Management, Inc. (ChemWaste) to take the drums away. Chemwaste hauled them away alright, but not to a proper waste disposal facility. Instead Chemwaste rented a mini-warehouse--a rental storage space intended for consumers to store household articles. A typical cubicle in David Min-U-Storage, where Chemwaste stashed the herbicide, rents for \$35 per month. Mr. Calhoun's records of the event include phone message slips, one of which reveals that ChemWaste officials told the manufacturer of the herbicide that they had found "secure storage" for the dangerous chemicals.

According to an official of LDAF, when ChemWaste arrived September 23, 1985 to pick up the chemicals, he asked them for a manifest. A manifest is an official paper that declares where hazardous wastes are being taken. The officials says he was told by ChemWaste that no manifest was needed--a statement the official now recognizes was false.

Chemwaste hauled the 14 drums of poison to their rented consumer cubicle, where it remained for two years. Storing chemicals in such a place is a violation of federal law and state law, and it also violated the rental contract on the space, which prohibited storage of chemicals and other "inherently dangerous materials."

As luck would have it, thieves or vandals broke into several of David Min-U-Storage's rental spaces, one of them ChemWaste's, and the jig was up. Manager of the rental spaces, Kerrie Lemieux, told reporters she entered ChemWaste's cubicle and smelled a "weird" odor. She saw all the drums, called ChemWaste and asked if the chemicals were toxic and, she says, "They told me no." Naturally, a flap ensued.

ChemWaste then shipped the wastes from the security of David Min-U-Storage in Louisiana to their landfill at Emelle, Alabama, where the wastes presently reside. Chemwaste's Emelle site is not authorized to store or dispose of dioxin wastes, so acceptance of the waste at the Emelle site was a further violation of federal law. The Alabama Department of Environmental Management (ADEM) has ordered ChemWaste to remove the wastes from the Emelle site and to pay a \$20,000 fine. ADEM is also holding up issuance of a permanent license for the Emelle site, which has been operating under a temporary license since 1980. According to the Birmingham News, the U.S. Environmental Protection Agency has ruled that Chem-waste violated its federal permit when it accepted dioxin-contaminated herbicides at Emelle; however, EPA has imposed no penalty on the company. EPA has a long, consistent record of ignoring this particular company's infractions of the law, and of fining the company amounts that are less than the profits the company has earned by breaking the law. One whistle-blowing EPA official has been widely quoted saying that it looks to him as if the EPA is a wholly-owned subsidiary of Waste Management, Inc.

ChemWaste has fired the man chiefly responsible for arranging the storage of hazardous chemicals in a flimsy public storage cubicle. They have brought charges him, claiming he was acting as an individual

and not on behalf of Chemwaste the corporation. However, Mr. Calhoun's telephone slips dating back to September, 1985, show that at least three separate Chemwaste officials negotiated with Louisiana Department of Agriculture over removal of the wastes and that Chemwaste, the corporation, not an individual, rented the cubicle at David Min-U-Storage. And by the time the federal permit at Emelle was violated by acceptance of the dioxin-contaminated wastes, the ousted Chemwaste official was long gone.

It looks as if Chemwaste is up to its old high jinx once again. It also looks as if the U.S. EPA is winking at the continued violation of the permit at Emelle, proving once again that where this particular company and this particular federal agency are concerned, crime pays.

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[Our thanks to Linda Wallace Campbell of Alabamians for a Clean Environment, P.O. Drawer 1526, Livingston, AL 35470, for alerting us to the facts in this matter. ChemWaste is Waste Management, Inc.'s hazardous waste subsidiary. They are expanding aggressively throughout the world. If you have a story about them, please contact us.]

--Peter Montague, Ph.D.

Descriptor terms: cwmi; al; adem; herbicides; dioxin; pesticides; hazardous waste treatment technologies; hazardous waste disposal technologies; emelle; la; epa; wmi;

[Next issue](#)