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**RACHEL'S HAZARDOUS WASTE NEWS #275**

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News and resources for environmental justice.

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**DIOXIN DETOXIFICATION CAMPAIGN EXPOSED**

A remarkable front-page story in the WALL STREET JOURNAL February 20 confirmed that the paper and chlorine industries have waged a successful two-year campaign to bamboozle the nation's media about the toxicity of dioxin, and that U.S. Environmental Protection (EPA) fell for it too.

The point of the campaign was to salvage the paper industry, which uses 15% of all the chemical industry's chlorine output, and which is facing billions of dollars in lawsuits brought by citizens claiming damages from dioxin released from paper mills.

The JOURNAL's story ("How Two Industries Created a Fresh Spin on the Dioxin Debate") by Chicago-based staffer Jeff Bailey, describes a bald-faced campaign by the American Paper Institute (API) and the Chlorine Institute to "revisit" the scientific evidence that dioxin is a potent carcinogen.

The JOURNAL says, "The paper industry scored its first major public-relations success in 1990, when paper companies arranged to challenge the findings of the most influential dioxin study ever done. That study, reported in 1978 by Richard Kociba, a Dow Chemical Co. pathologist, was done on 485 white rats, whose food was spiked with dioxin. Dr. Kociba found a strong link to cancer: a daily dose of billionths of a gram led to tumors."

To counteract the Kociba study, API hired five pathologists and brought them to a Maryland Lab in March, 1990, where for two days they reviewed Dr. Kociba's rat slides under a microscope. The pathologists voted on each slide--were they looking at a cancer tumor or at a "benign" tumor? At the end of the two days, they had voted for 50% fewer cancer tumors than Dr. Kociba had observed 12 years earlier. Robert A. Squire, the pathologist who oversaw the recount, told the JOURNAL, "There wasn't much unanimity. This was an uncertain finding."

Nevertheless API managed to ignore the uncertainties. Based on its "new evidence" that dioxin is less potent than previously believed, API wrote stern letters to the Food and Drug Administration (FDA), to President Bush's science adviser, and to William Reilly, chief of EPA. API told EPA, "All of the Agency's analyses are now out of date in light of the significant new evidence showing that the risks of dioxin has been overstated."

The JOURNAL does not say so, but almost immediately the API's publicity machine began cranking out the "news" that dioxin was no longer considered very dangerous. May 31, 1990 the WASHINGTON POST (pg. A3) surprised the world with the headline, "Scientists Temper Views on Cancer-Causing Potential of Dioxin." The story, by Malcolm Gladwell, said, "Dioxin--the chemical that forced the evacuation of Love Canal, sparked a wave of lawsuits over Agent Orange and became notorious as the most potent carcinogen ever tested--may be far less dangerous than previously imagined, according to new scientific evidence." Gladwell went on, "Enough experts have joined the revisionist chorus that some scientists consider a softening of the government's stance toward the chemical inevitable." Gladwell's "chorus" consisted of quotations from four scientists. Gladwell neglected to mention that three of them were consultants paid by the paper industry.

With the WASHINGTON POST on board, the "detoxify dioxin" campaign was rolling.

The JOURNAL goes on: "Next the Chlorine Institute... arranged to bring three dozen of the world's foremost experts on dioxin to a conference at the Banbury Center [on Long Island in October, 1990]." The JOURNAL continues, "Also present was George L. Carlo, a scientist but not widely regarded as a dioxin expert...." "Carlo is not a scientist with a long history of dioxin credentials," Dr. George Lucier of the National Institutes of Environmental Health Sciences told the JOURNAL. The JOURNAL goes on: "Why was Carlo there? Though described as a 'conference participant' by the Chlorine Institute, he was actually the industry's \$150-an-hour observer. Based on his account, the institute would later circulate reports that the scientists had reached an important consensus...."

Carlo's account, which the Chlorine Institute immediately circulated widely to journalists and to state regulatory officials, said that the scientists at Banbury had reached consensus that dioxin does no harm until a certain threshold of exposure is reached. In other words, Carlo claimed--and the Chlorine Institute sent out press statements claiming--that the Banbury meeting had reached agreement that there is some amount of dioxin that is safe. The JOURNAL continues, "The institute's statement, however, didn't accurately reflect what had happened at the conference....A Chlorine Institute official concedes its representations about the conference were a 'botched publicity effort.' The institute now agrees there was no conference consensus on whether a dioxin threshold exists."

However, before the world had a chance to learn that the Chlorine Institute was playing fast and loose with the facts, the Institute's disinformation about Banbury was fed to William Reilly, chief of EPA, who fell for it. Citing the Banbury "consensus," in early 1991 Reilly ordered his scientific staff to officially "reassess" the toxicity of dioxin.

The paper industry got help from other friends in high places. In May, 1991, a highly-placed federal health official just three years shy of retirement announced that dioxin was much less toxic than previously believed. Dr. Vernon Houk, Director of the Center for Environmental Health and Injury Control, announced that he believed dioxin was only "a weak carcinogen." Houk's statements formed the "news hook" that allowed the NEW YORK TIMES to climb on board with its own page-one story August 15, 1991: "U.S. Officials Say Dangers of Dioxin Were Exaggerated." With the POST, the TIMES, Houk and Reilly all speaking with one voice, the "detoxify dioxin" campaign was clearly succeeding.

But with the publication of the WALL STREET JOURNAL's story Feb. 20, the campaign has come unraveled. The scientist in charge of EPA's reassessment, Peter Preuss, is quoted in the JOURNAL saying that Vernon Houk's statements "misled" the public about the dangers of dioxin. Other scientists on EPA's reassessment team say dioxin seems to be just the tip of a nasty iceberg--that other chemicals in the environment seem to share dioxin's ability to interfere with the human reproductive and immune systems. If we all carry dioxin in our bodies at an average of 7 ppt [parts per trillion], when you add furans and PCBs [polychlorinated biphenyls], our average body burden of "dioxin equivalents" may be as high as 100 ppt.[\[1\]](#) This is not good news. And it means that any additional dioxins or furans added to the environment would worsen a situation that it already unacceptable from a public health perspective. Knowing this, anyone who intentionally emits dioxins into the environment seems like a logical target for a barrage of lawsuits.

It is now clear that dioxin lawsuits can devastate an industry. For example, the WALL STREET JOURNAL reported February 7, 1992 (pg. A5), that the Georgia-Pacific Co.--a major paper producer--recently lost two dioxin lawsuits in which juries awarded \$4.2 million to residents living downstream of its paper mill on the Leaf River in New Augusta, Mississippi. Georgia-Pacific has been named in 159 additional lawsuits filed by 8209 plaintiffs who claim they suffered emotional harm after eating fish contaminated with dioxins from the Georgia-Pacific Plant. Furthermore, according to the JOURNAL, Georgia-Pacific's insurance carriers say their policies don't cover damages in lawsuits like these. Georgia-Pacific has now sued Aetna Life & Casualty and seven other insurance companies in Mississippi federal court asking a judge to force the insurance carriers to pay. No matter how that lawsuit comes out, someone is likely to have to pay tens, or perhaps hundreds, of millions of dollars--and this represents the problems of only one mill owned by one company.

As the JOURNAL commented, "Other paper companies are likely taking note of Georgia-Pacific's setbacks. International Paper Co. and Champion International Corp. are among those who faced similar suits." Likely they are.

Other industries are also likely watching the paper's industry's dioxin troubles proliferate.

For example, cement kilns don't produce dioxin in substantial amounts until they start burning hazardous waste as a fuel, which many kilns have recently started doing. It is interesting to note reports that George Carlo has recently been hired as a consultant by a trade association representing the cement kiln

industry.

When will dioxin lawsuits against cement kilns and against municipal solid waste incinerators begin? And how big will the jury awards be in these cases? When your community is deciding whether to install a solid waste incinerator,[\[2\]](#) or whether to tolerate a cement kiln seeking permission to burn hazardous waste, ask your community leaders, "Have you been reading the WALL STREET JOURNAL lately?"

--Peter Montague, Ph.D.

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[1] David J. Hanson, "Dioxin Toxicity: New Studies Prompt Debate, Regulatory Action," C&EN [Chemical & Engineering News] Aug. 12, 1991, pgs. 7-14.

[2] A good discussion of dioxin emissions from solid waste incinerators appears in Donald J. Lisk, "Environmental Implications of Incineration of Municipal Solid Waste and Ash Disposal," SCIENCE OF THE TOTAL ENVIRONMENT Vol. 74 (1988), pgs. 39-66, and in the articles Lisk cites in his footnotes.

Descriptor terms: dioxin; detoxification; paper industry; chlorine industry; epa; api; dow chemical; cancer; malcolm gladwell; william reilly; georgia-pacific; cement kilns; incineration;

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