

PCB fights heating up across Louisiana

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Louisiana has been inundated in recent months by companies that want to incinerate PCBs or use the state as a staging ground for burning the highly toxic material at sea.

Across the state, citizens and public officials are concerned about the health, environmental and economic effects of having such an industry.

The companies all maintain the safety of their proposals — but outside experts,

including a federal science advisory board, have questioned the long-term safety of both land and sea incineration.

"An accident of an incineration ship could put Louisiana's seafood industry out of business indefinitely," said Willie Fontenot, an environmental specialist with the attorney general's office.

Land-based incinerators offer more of a direct threat to human health, and, if the companies are wrong about the long-term health effects, the costs to the state could be tremendous, he said.

The industries could also tarnish the

public image of the state, some officials have maintained, making it a less desirable place for high technology industries to locate for fear of health hazards.

Meanwhile, PCB wastes are building up across the nation, presenting potential health and environmental dangers until they are properly disposed of, and Louisiana has become a focal point for proposed new PCB incinerators. There are currently only three commercial incinerators in the nation approved to burn PCBs.

Louisiana's history of lax environmental enforcement is one of the reasons that

companies are looking at Louisiana, Fontenot said.

The new head of the state's Department of Environmental Quality, Pat Norton, gained her job through the support of environmental groups. So far, she has been the stumbling block to the first proposed test burn by these firms, issuing an order to Rollins Environmental Services that has blocked its first two attempts at such a burn.

She said she feels disposal companies are coming to Louisiana because some already

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PCBs

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have footholds here from previous hazardous waste operations and because of the availability of transportation, other industry and ports that provide access to the Gulf.

Five cities and towns — Baton Rouge, Lake Charles, Carlyss, Union and Morgan City — are facing PCB sites in their midst, and all are expressing opposition. Most persons in the regulatory arena agree that the odds are against the communities being able to prevent the disposal companies from receiving federal approval of their sites, but they say the communities may have more luck at the state level.

If the state blocks one or more of the proposed facilities, a court fight on the state's jurisdiction is a sure bet.

The state has jurisdiction over most hazardous wastes; but, because of their high toxicity, PCBs come under a separate program that the U.S. Environmental Protection Agency has never delegated to the state.

Ms. Norton maintains that DEQ has authority over PCBs not under state hazardous waste law, but under its air quality regulations.

Ms. Norton said she is facing some tough decisions on the matter.

On one hand, PCBs are piling up all over the nation and they must be dealt with in a responsible manner, she said.

"We can't just reject all PCB applications," because there is a real need to get rid of the cancer-causing materials.

On the other hand, she said, she doesn't want to put the health of the people of Louisiana at risk.

Last week's report from EPA's Science Advisory Board, which gives EPA's incineration monitoring program black marks and questions the long-term safety of the incineration

broad-based opposition.

Rollins has hired firms with long political ties to Gov. Edwards to handle the company's governmental relations and its potential legal battles with the state.

Ms. Norton serves at the pleasure of the governor, but there has been no evidence that Edwards has done anything to sway her position on Rollins, which has included the order that caused the company to miss two planned test burns.

The DEQ secretary said the governor has applied no pressure. She said she plans to inform him before announcing a decision on whether to allow Rollins to test burn PCBs.

Ms. Norton said that Rollins' proposed incineration program does not compare well with that of Chemical Waste Management, which wants to incinerate PCBs near Lake Charles.

Instead of using an old incinerator that has been in place for a number of years, the way Rollins is doing, "Chem Waste is building a new arc furnace," she said. "It's a whole new state-of-the-art package."

Rollins maintains that it has the best incinerator in the nation at its Baton Rouge site, but a team of engineers from LSU's Hazardous Waste Research Institute questioned whether the incinerator can meet EPA's emission standards over a long period, and noted that there are no plans for continuous monitoring of PCBs coming from the Rollins stack.

Ms. Norton said her staff is still evaluating the technical aspects of the Rollins application.

She said that there are a lot of new PCB disposal technologies on the horizon, but that incineration appears to be the only one that is economically feasible at the moment. Some of the