

diversions as police-baiting, shoplifting, kidnaping, daytime burglaries, drag racing and schoolyard bullying.

Historians note that an element of risk is built into American society. According to Michigan State University professor David Klein, its roots trail back to the pioneer days, when technology was simple, resources plentiful and class barriers few. Among early settlers, independence, autonomy and willingness to risk were useful characteristics.

These days, Klein notes, few encourage much innovation by crane operators, airline pilots or other functionaries in a mature economy. Even actions of corporate executives are carefully assessed by hierarchies of committees. Yet the call of the frontier still beckons, particularly to those in mundane occupations who are seeking to recapture a lost sense of autonomy through such recreations as hunting, motorcycle racing and snowmobiling. Unlike such sports as tennis, sailing and chess that demand patience and apprenticeship, the wilder outlets require little training and offer instant thrills.

They also have startling accident rates.

Klein sees such risk-takers "not as avoiders of health and longevity but as active seekers of satisfactions that are incompatible with health and longevity." Such a category might explain the actions of Winston Churchill, who tried and often failed to limit himself to 15 cigars a day; of Sigmund Freud, who puffed away after he developed cancer of the palate; and of the 100 Americans who die of asphyxiation each year during games of sexual bondage. Indeed, when it comes to what might ail them, few people these days seem to have rational perception. One problem, according to National Safety Council officials, is terminology: the words used to describe fatal occurrences.

Take plane disasters. They are called "crashes," a bluntly accurate term, not "accidents," as if no one was at fault. When one occurs, the Federal Aviation Administration, which has a staff of 40,000, including many whose sole duty is air-traffic control, tries to find a cause and see that it never happens again. By contrast, car collisions are called "accidents." Though equally fatal to those who die, they seldom make the news, because they seldom kill more than several people at a time. Reflecting the public perception of risk, the National Highway Traffic Safety Administration has a staff of about 850, though about 48,000 people a year die on the nation's highways, compared with 200 in plane crashes.

According to the council, which keeps copious notes at its national headquarters at 444 N. Michigan Ave., the risk of death or injury in automobile "accidents" could be cut substantially through the universal use of seat belts, by not drinking before driving and by slowing down. The council estimates that the chances of dying in a crash double with every 10 m.p.h. over 55 m.p.h. Equally cuttable are the odds of being hit on the street. A 1971 study of pedestrian accidents showed that "behavioral errors," such as crossing in midblock or being drunk, contributed to 70 percent of such cases, which kill 8,000 people and injure another 119,000 each year in this country.

Despite statistics, the sense of risk remains subjective. In a 1987 survey for the Children's Hospital National Medical Center in Washington, Peter D. Hart Research Associates asked 705 parents to list the risks to their preteen children that concerned them most. Forty-three percent said drugs; 37 percent kidnaping; 21 percent auto accidents; 1 percent drowning; and 1 percent fires or burns. Actual risks were almost reversed. In 1986, 7,800 children died from accidental injuries; 3,400 from auto accidents; 1,170 from fires or burns; and 1,200 from drownings. Despite fears reflected in "stranger/danger" programs, fewer than 100 children were murdered by people they did not know. The FBI reported 67 cases of children under 18 kidnaped by strangers. Only 2 children under 14 died from illicit drugs.

Not all danger is necessarily bad. "Great deeds are usually wrought at great risk," the historian Herodotus once suggested. "It is only by risking our persons from one hour to another that we live at all," observed psychologist William James. Indeed, when faced with great risk in real-life disasters, people seldom panic, notes Dr. George Benjamin, a council staff member specializing in health and environmental safety. Often they rise to bravery. Unlike horror movies in which crowds flee from monsters eating Tokyo, they do what needs to be done. They jump into cold lakes to rescue drowning children. They pull passengers from burning planes. They dig through rubble after earthquakes.

Most often, death comes as a result of a risky bad habit. Smoking. Drinking and driving. Carelessness that leads to a fall, drowning, fire or poisoning. Sometimes what gets people is the unperceived risk of simple dumbness. Since 1985, for example, five people have been killed by soda pop machines that tipped over and crushed them as they tried to shake cans free.

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01420712
DEADLOCK IN WATER HOOKUP ISSUE
3 WESTCHESTER TRUSTEES WANT TO ANNEX HOMES IN AREA
Chicago Tribune (CT) - TUESDAY June 21, 1988
By: David Ibata
Edition: SPORTS FINAL Section: CHICAGOLAND Page: 4
Word Count: 631

TEXT:

Homeowners in a small unincorporated area near Westchester say they are being held hostage by the town, which is refusing to sell them much-needed Lake Michigan water unless they agree to an annexation with the village.

The homeowners now rely on private shallow wells. Earlier this year, however, environmental authorities discovered two wells with dangerously high levels of vinyl chloride, an industrial solvent.

Health officials urged the residents to drink only bottled water and to switch to a safe municipal water source as quickly as possible. But when that proposal came before the Village Board last week, the issue deadlocked on a 3-3 vote, with 3 trustees insisting on annexation as part of the deal.

"If those trustees saw someone drowning, would they first cut him a deal before they threw him a life preserver?" asked Constantine P. Xinos, an attorney representing homeowners.

The board members who insisted on annexation are scheduled to meet with the homeowners Tuesday night in an attempt to reach a compromise; a special board meeting to rehear the issue is to be held Thursday evening.

George Lampere, who lives in one of the 12 homes in the area, a quiet unincorporated area along Hickory Lane, says the town wants the area so it can extend that street into the new Ashley Woods development.

This, he says, is one reason some Westchester trustees "are holding a gun to our heads," demanding that the homes be annexed. Westchester needs a second traffic outlet for Ashley Woods, and it could turn Hickory Lane into a conventional through street, Lampere said.

That possibility, he said, is something the 37 people who live on Hickory Lane, on the north side of 31st Street about a half-mile west of Wolf Road, want to avoid. But doing so may be difficult if the village insists on the annexation, he said, because the issue of water is unsafe.

Homeowners point to one resident, a mother of eight, who has been stricken with liver cancer, a possible symptom of vinyl chloride exposure.

The Hinsdale-Sexton Landfill immediately to the west, a closed dump suspected of being a source of the contaminants, has offered to pay an

estimated \$250,000 to run water lines from Westchester to Hickory Lane. Residents there would buy water at regular village rates, so the end cost to Westchester supposedly would be nil.

Hickory Lane residents like Lampere and his wife, Eileen, whose father and uncle started the development 50 years ago, oppose annexation to Westchester. They say they are satisfied with police protection from Cook County and fire protection from Oak Brook, and do not want to pay the taxes of being in a village.

They especially fear that annexation to Westchester would threaten their pastoral environment: large houses on rambling, rolling, 5-acre lots, sheltered by stands of tall, mature trees.

All the residents say they want is the same sort of arrangement the village previously agreed to for two other out-of-town users: a bowling alley and a shopping center.

Angelo L. Luciano, one of the trustees who voted no, said Hickory Lane residents should agree to eventually be annexed into Westchester, possibly when they sell their homes.

Otherwise, Westchester will have no control over future development of their 60 acres, Luciano said. The fear is that some developer would, under county zoning, build a project that would overload the municipal water system.

"It's absurd," said Xinos, who also grew up on the street and whose parents have lived there for 22 years.

State Sen. Judy Baar Topinka (R., North Riverside) apparently agrees. Topinka said that she's prepared to attach a rider to a bill pending in the General Assembly that effectively would order Westchester to sell water to Hickory Lane for public health reasons.

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01391077
ORDER MAY FORCE DUMP TO CLOSE
Chicago Tribune (CT) - WEDNESDAY March 2, 1988
By: Rob Karwath
Edition: SPORTS FINAL Section: CHICAGOLAND Page: 3
Word Count: 604

CORRECTION:

Additional material published Thursday, March 3, 1988:

Corrections and clarifications.

A story in some editions of the Chicagoland/Du Page section of the March 2 Tribune incorrectly quoted Kevin Moore, an assistant state's attorney for Cook County, as saying that the Illinois Environmental Protection Agency has assigned 95 percent probability that seepage from a Chicago Heights landfill is at least partly to blame for vinyl chloride found last year in a South Chicago Heights municipal well. What Moore actually said was that state EPA officials assigned 95 percent probability to the possibility that the landfill is contaminating groundwater, but aren't certain that the water is the same that feeds the municipal well, about 800 feet from the landfill. The Tribune regrets the error.

TEXT:

A south suburban landfill suspected of leaking a cancer-causing chemical into a drinking-water supply probably will have to close because of an order signed Tuesday by a Cook County judge, lawyers in the case said.

Circuit Judge Anthony Scottillo's order requires that the Fitz-Mar Landfill, owned by the City of Chicago Heights, dump trash only in areas of the landfill approved by the Illinois Environmental Protection Agency. The order takes effect March 29.

The 40-year-old landfill, near East End Avenue and Sauk Trail Road in Chicago Heights, is nearly full in areas approved for dumping.

Unless Monday's order is appealed or the state agency approves more land for dumping, the landfill will close, said Thomas J. Murphy, lawyer for Fitz-Mar Inc., the Lansing company that holds a contract to manage the dump for Chicago Heights.

"They'll probably be in trouble in three to four months," he said.

The 30-acre landfill is the suspected source of small amounts of cancer-causing vinyl chloride detected last year in a municipal well in South Chicago Heights. The well is about 800 feet from the Fitz-Mar Landfill.

Tests showed vinyl chloride levels of 4 parts per billion, twice the level the U.S. Environmental Protection Agency considers safe for drinking water. Subsequent tests have found vinyl chloride levels at or below the safety standard of 2 parts per billion.

Three months before the chemical was detected, Cook County State's Atty. Richard Daley filed suit to close the landfill, contending that Fitz-Mar was dumping trash in areas that the state had not approved.

Since the discovery of the vinyl chloride, wells sunk by Fitz-Mar on the site have turned up larger amounts of vinyl chloride, said Assistant State's Atty. Kevin Moore.

State officials "have assigned 95 percent probability" that the Fitz-Mar Landfill is at least partly to blame for the vinyl chloride in the South Chicago Heights well, Moore said.

Fitz-Mar owner Martin Wondaal contends that the chemical came from other sites around the landfill, Murphy said. The area is rife with heavy industry and other closed or operating landfills.

"This guy is probably the least likely candidate to be the source of the pollution," Murphy said of Wondaal, "yet this is the guy they're regulating."

Until Tuesday's ruling, Fitz-Mar had been ordered to accept only trash from Chicago Heights. Chicago Heights Disposal Co., a private firm that holds the contract for garbage pickup in the suburb, continued to dump there.

But Monday, Chicago Heights Disposal officials signed an agreement selling the company to John Sexton Contractors Co. of Hillside. Chicago Heights officials last week awarded Sexton a contract to pick up Chicago Heights trash through 1993, said City Administrator Rick Doggett.

Sexton plans to dump Chicago Heights trash in landfills it owns in Lansing and near Beecher, said Joseph Benedict, Sexton's director of regulatory affairs.

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01387491
TESTS FIND NO OTHER TAINTED WATER WELLS
Chicago Tribune (CT) - THURSDAY February 18, 1988
Edition: SPORTS FINAL Section: CHICAGOLAND Page: 6
Word Count: 122

TEXT:
New testing has found no more water wells in unincorporated Hickory Lane Estates contaminated with cancer-causing vinyl chloride, the Illinois Environmental Protection Agency said Wednesday. The tests were ordered after a well belonging to one home near Oak Brook was found to be contaminated with the chemical and the occupants were urged to stop drinking the water. John Orloff, an EPA spokesman, said the second round of tests found even higher levels of vinyl chloride in that home's water but none of the chemical in the water of neighboring homes. Orloff said the subdivision consists of about a dozen homes and that residents were considering asking the nearby Village of Westchester to extend a municipal water line to Hickory Lane Estates.

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01387160
LANDFILL CASE RAISES DISPOSAL POLICY ISSUES
Chicago Tribune (CT) - WEDNESDAY February 17, 1988
By: Casey Bukro, Environment writer
Edition: CHICAGOLAND Section: CHICAGOLAND Page: 11
Word Count: 544

TEXT:

A Chicago Heights landfill contamination case making its way through Cook County Circuit Court is raising a number of public policy issues involving waste disposal at a time when the metropolitan area is running out of dumps.

Fitz-Mar Inc. of Lansing is scheduled to appear Wednesday before Judge Anthony Scottillo on charges of operating a landfill, owned by Chicago Heights, without a proper state permit.

The Cook County state's attorney's office wants to close the 50-acre landfill, part of a garbage dump that has operated since the 1940s. The landfill, near Vincennes Road and Sauk Trail, poses a potential environmental threat, authorities contend. It has been implicated in a contamination incident of drinking water in neighboring South Chicago Heights, though it never has been proven that the pollutant, cancer-causing vinyl chloride, came from the dump.

The case began a year ago, when the Cook County state's attorney's office filed suit against Fitz-Mar for operating the landfill without a proper permit.

Kevin Moore, an assistant state's attorney, said Fitz-Mar was granted a permit in 1981 to operate a certain number of disposal "cells" in the landfill, but that Fitz-Mar went beyond that number. "They have to be stopped if they are not willing to operate within the bounds of the permit granted," Moore said.

Ernie Molyneaux, Chicago Heights director of public works, said the landfill once accepted refuse from throughout the south suburbs. But under a court order, it now accepts only Chicago Heights wastes. If the landfill is closed, said Molyneaux, Chicago Heights will be forced to spend an additional \$360,000 a year to dispose of its garbage elsewhere. This restriction, and the threat of closure, is linked to a May 29, 1987, discovery of 4 parts per billion of vinyl chloride in a South Chicago Heights municipal drinking water well that serves a population of 3,900. Federal drinking water laws set the limit at 2 parts per billion.

But Bernard Gromala, South Chicago Heights director of public works, says the chemical, used widely in plastic manufacturing, no longer is a problem. "We haven't had a trace of vinyl chloride for the last six months," Gromala said.

Because of that, state restrictions never were imposed against using the well, about 800 feet from the Fitz-Mar landfill.

Bob Casteel, a spokesman for the Illinois Environmental Protection Agency, said the agency is operating under the suspicion that the vinyl chloride "is coming from the Fitz-Mar landfill" though there is no proof. A test well at Fitz-Mar also showed the chemical.

Casteel noted that there are three other landfills adjacent to Fitz-Mar, either closed or operating.

Chicago Heights' ownership of the landfill raises some key questions in the case. "The one thing that came to light is that the agency does not have the ability, legally, to enforce corrective action at solid waste sites," said Casteel. "With municipally owned sites, it is difficult to compel cleanups because of the expense involved."

And there is a question of whether Cook County is suing the right party. Chicago Heights, owner of the landfill, is not named as a defendant in the suit against Fitz-Mar, the landfill operator.

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01384026
FAMILY TOLD NOT TO DRINK WELL WATER
Chicago Tribune (CT) - FRIDAY February 5, 1988
Edition: SPORTS FINAL Section: CHICAGOLAND Page: 8
Word Count: 451

TEXT:

The U.S. Environmental Protection Agency notified a west suburban family Thursday that it should avoid drinking its well water, which is tainted with the cancer-causing chemical vinyl chloride.

The unnamed family lives in a home in Hickory Lane Estates, an unincorporated area at 31st Street and Int. Hwy. 294 near Oak Brook.

Water sampling conducted by the agency in November found that the family's well water contained 15 parts per billion of vinyl chloride, six times more than federal drinking water standards allow.

Vinyl chloride is used in the manufacture of plastic and as a solvent, but state environmental officials said it is rarely found in Illinois as a toxic waste in ground water. It is known to cause cancer in humans, including liver and lung cancer.

The federal EPA acted on a recommendation from the Agency for Toxic Substances and Disease Registry in Atlanta, a federal health monitoring agency specializing in toxic chemicals.

"Their recommendation was that we inform the family that they use an alternate water supply," said Mary Ann Croce, an EPA community relations coordinator. EPA requested the recommendation on Wednesday.

This could include bottled water or water obtained elsewhere, she said.

Croce said the agency intends to sample other residential water wells in the area.

A telephone call from a concerned resident led to the discovery of vinyl chloride in two drinking water wells near the 275-acre Hinsdale/Sexton Landfill. The other was a public hand-pumped well on the Meadow Lark golf course in Westchester, which contained 10 parts per billion of vinyl chloride.

Douglas Yeskis, a federal EPA geologist, said exposure to vinyl chloride in such low amounts could cause cancer from drinking the water over a lifetime of 70 years.

Well water in three other homes that were sampled contained no vinyl chloride.

Before the agency can determine the extent of a public health threat, the

official said, it must learn the direction of ground-water movement and how much vinyl chloride might be involved.

The Sexton landfill was among 14 sites that the Illinois EPA proposed Jan. 4 to place on a state Superfund priority list for toxic waste cleanup.

The landfill operated from 1971 to 1980 as a household waste-disposal site and has been covered with 8 feet of dirt. Sexton leases the land from the Roman Catholic Archdiocese of Chicago.

Residential ground-water wells in the area are about 50 feet deep, according to authorities. Municipal water supplies often are drawn from ground-water sources 200 to 300 feet deep. Yeskis said the agency does not know how deep the vinyl chloride contamination goes, and therefore does not know if the drinking water source of nearby communities is endangered.

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01321920
NEW CLEAN-WATER RULES ORDERED
Chicago Tribune (CT) - THURSDAY October 8, 1987
By: New York Times News Service
Edition: SPORTS FINAL Section: NEWS Page: 30
Word Count: 701

TEXT:

WASHINGTON - The Environmental Protection Agency has announced it will impose new controls to reduce the discharge of a wide range of toxic chemicals into the nation's surface waters.

The pollution of waterways by these toxic chemicals, including such cancer-causing substances as benzene and vinyl chloride, is now virtually uncontrolled at the national level, EPA officials said.

According to estimates by the agency, compliance with the new rules would cost the industry about \$500 million a year. These costs could cause as many as 61 chemical plants to close and as many as 3,300 workers to lose their jobs, according to agency projections. A spokesman for the EPA said this week that the closure estimate was based on a plant-by-plant survey, but added that the agency could not disclose the names of the plants because the companies had been promised confidentiality. He added, however, that all 61 were located in four states: New Jersey, West Virginia, South Carolina and Alabama.

The new rules cover 66 pollutants, including organic chemicals, plastics and synthetic fibers. They will require polluters to adopt the best available or practicable technology to eliminate these pollutants from wastes dumped into the nation's waters.

Compliance with the new rules would result in a reduction of 23.6 million pounds of toxic pollutants and 108 million pounds of non-toxic pollutants discharged by the industry each year, the EPA said.

The agency said about 1,000 plants making over 25,000 different products will be subject to the new rules.

One agency official said the Office of Management and Budget was not happy about the new rule because of the high cost of compliance. The Reagan administration has generally opposed federal regulations that impose heavy costs on industry.

But the official said the budget office had no choice but to agree to the rules because the administration was facing a court-ordered deadline to establish limitations on these toxic water pollutants. The order was a result of a lawsuit brought by the Natural Resources Defense Council, an environmental group.

The official also said that the estimate of 61 plant closings was a "worst

case scenario" and it was just as likely no plants would close.

The agency also said the improvement in water quality caused by the new rules in areas such as commercial and sports fishing, boating and irrigation would result in benefits that range from \$178 million to \$330 million a year. The rules also would produce benefits that cannot be measured in dollars, the agency said, referring to such things as the esthetic improvement in bodies of water.

Lawrence Jensen, the agency's assistant administrator for water, called the new controls program "one of the most ambitious and important water pollution control regulations ever issued by EPA."

The new rules are final and will take effect 44 days after they are published in the Federal Register.

Chemical industry officials had no immediate reaction. A spokesman for the Chemical Manufacturers Association, an industry trade group, said the new rules had just been received Monday and were being studied by regulatory experts.

Ellen Silbergeld, staff toxicologist for the Environmental Defense Fund, a non-profit group that litigates and does research on environmental issues, said Monday she welcomed the effort to reduce pollution in the nation's waters. Silbergeld added, however, that the agency should not just require polluters to use the best available technology but to achieve a specific numerical reduction of each pollutant. For cancer-causing substances such as benzene, she said, the number should approach zero.

In a related development, the agency announced Monday other rules requiring most drinking water supply operators to inform their customers of lead levels in their drinking water and of the health impact of lead. Lead has been found to cause brain damage, particularly in children, and other health problems.

The agency's current rules permit lead levels of 50 parts per billion or lower in water. It has been considering reducing the permitted level to 20 parts per billion or less.

David Dickson, a spokesman for the American Water Works Association, an association of water suppliers, said the industry would be able to comply with the new reporting rules although it would entail some additional expense.

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01303689
BORK SHIFTS STANCE IN EPA RULING
Chicago Tribune (CT) - WEDNESDAY July 29, 1987
By: Chicago Tribune wires
Edition: SPORTS FINAL Section: NEWS Page: 6
Word Count: 622

MEMO:

This is a composite of stories appearing in the Sports Final and Chicagoland editions.

TEXT:

WASHINGTON - A federal appeals court, in a ruling by Supreme Court nominee Robert Bork, said Tuesday that the Environmental Protection Agency must consider safety first and not cost in setting emissions levels for cancer-causing vinyl chloride.

The unanimous ruling by the full U.S. Circuit Court of Appeals for the District of Columbia orders the EPA to consider reinstating 1977 rules governing emissions of the substance, a gaseous synthetic used in making plastics.

The judges said EPA Administrator Lee Thomas acted improperly in withdrawing the rules in 1985 after determining that the economic costs of reducing emissions to lowest possible levels outweighed the benefits.

The decision is significant, not only for environmental reasons but because of the turnabout in the views of Bork, who last November wrote the opinion in a 2-1 ruling upholding Thomas' action.

"The administrator has not exercised his expertise to determine an acceptable risk to health," Bork wrote for the 11-member court. "To the contrary, in the face of uncertainty about risks to health, he has simply substituted technological feasibility for health as the primary consideration."

Since the full court agreed to rehear the case, Bork apparently changed his interpretation of Section 112 of the Clean Air Act, which directs the EPA administrator to set emission standards "at the level which in his judgment provides an ample margin of safety to protect the public health."

Bork, awaiting Senate confirmation hearings on his nomination to the high court, initially adopted the EPA's position that the agency had discretion to weigh costs and available technology in determining what is safe. But Tuesday's ruling requires that a safety margin be established before other factors are taken into account.

"We find that the congressional mandate . . . requires the administrator to make an initial determination of what is safe," the court said. "Of course, if the administrator cannot find that there is an acceptable risk at any

level, then the administrator must set the level at zero."

The ruling is a partial victory for the Natural Resources Defense Council, which challenged the EPA's action. The council argued that all emissions must be prohibited by the EPA when the health and safety risks are uncertain.

David Doniger, an attorney representing the group, said the ruling means EPA "has got an obligation to assure that the standard makes people safe, and what is safe is not a function of balancing the cost and benefits. That is a very important thing we were after."

He predicted that the decision will force the EPA to "radically tighten coke-oven emission standards" proposed last month.

"I think it means they will have to issue much more stringent regulations than they have been issuing in most of these cases," he said.

EPA spokesman Chris Rice said the ruling simply means the agency needs "to better explain how the vinyl chloride standards protect public health."

"It is not correct to say we have to start all over again," Rice said. "In examining it, we will look to see if we can better articulate it or do we need to go back and re-examine the entire standard."

The case arose in 1975 when the EPA began rule-making procedures to establish an emissions standard for vinyl chloride. At the time, the EPA noted that vinyl chloride is "an apparent non-threshold pollutant," which means it creates a risk to health at all levels of emissions.

A statement from the Vinyl Institute, a plastics industry trade group, said it "is confident that, upon remand, EPA will affirm the current levels of vinyl chloride are not only safe but provide an ample margin of safety to protect the public."

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01301495
STATE EPA TOLD TO PROBE CARCINOGEN IN SOUTH SUBURBAN WELL
Chicago Tribune (CT) - TUESDAY July 21, 1987
By: Rob Karwath
Edition: SPORTS FINAL Section: CHICAGOLAND Page: 3
Word Count: 391

TEXT:

The Illinois Environmental Protection Agency must spend about \$100,000 to determine why high levels of cancer-causing vinyl chloride have turned up in a South Chicago Heights municipal well, the agency was told Monday.

State EPA officials plan to review the conclusion, made by a St. Louis engineering firm.

The officials also will determine whether the proposed study could be conducted with a similar investigation promised by the managers of a Chicago Heights landfill. The landfill has been found to contain vinyl chloride and is strongly suspected of contaminating the well, state EPA officials have said.

In June, state EPA officials found 4 parts per billion of vinyl chloride in the South Chicago Heights well--twice the federal EPA's recommended safety standard of 2 parts per billion.

Recent tests, however, have produced readings no higher than 2 parts per billion, said David Dunne, South Chicago Heights village manager. The well continues to operate at normal capacity.

Village officials never closed the well because even at the higher levels, the vinyl chloride never posed a danger to residents, state EPA officials have said. Although vinyl chloride is a known carcinogen, it is harmful at 4 parts per billion only after years of consumption, officials said.

The well is about 800 feet from the Fitz-Mar Inc. Landfill, at East End Avenue and Sauk Trail Road, Chicago Heights. The well is one of two supplying drinking water to South Chicago Heights' 4,000 residents. The landfill is owned by the City of Chicago Heights and managed by Fitz-Mar, of Lansing.

Lawyers for Fitz-Mar were in Cook County Circuit Court Monday working to prevent the state EPA from closing the landfill for allegedly violating licensing procedures. A hearing on the state EPA's request for a preliminary injunction to close the landfill has been set for Aug. 24.

The state EPA already has succeeded in limiting the landfill to accepting garbage only from Chicago Heights.

Although the presence of vinyl chloride in the landfill and the well appear related, state EPA officials have been reluctant to single out the landfill

as the source of the chemical in the well. The area around the landfill is rife with heavy industry.

"Fitz-Mar is certainly suspect," said Bob Casteel, state EPA spokesman. "But we can't say anything for sure until we get a lot more data."

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01296143

TOXIC WELLS AREN'T USED, TOWNS SAY

Chicago Tribune (CT) - TUESDAY June 30, 1987

By: Casey Bukro, Environment writer. Jessica Seigel contributed to this report

Edition: SPORTS FINAL Section: CHICAGOLAND Page: 1

Word Count: 713

TEXT:

The Illinois Environmental Protection Agency in April warned 32 towns, including 10 in northern Illinois, that some of their water wells may be contaminated with toxic chemicals, but many of those towns said Monday that they already had stopped using the wells.

In a briefing paper from Gov. James Thompson's office, the towns were listed as "major chemical contamination problem sites" based on water testing since 1985. The testing indicated that their drinking water contained solvents, pesticides or other chemicals that could be toxic or cancer-causing.

"Most of these compounds are synthetic . . . which should not be found in groundwater," Robert Clarke, the EPA's groundwater manager, said Monday.

Overall, Clarke said, 150 communities were found to have drinking water tainted with chemicals, but that the 32 had the highest levels. As the test results became available over the last two years, the towns were notified.

One of those towns was Naperville. But according to officials there, the problem was only a small one and the city corrected it after being notified.

"We think it is unfair" that Naperville was included on the list, said Charles Pajor, the city's community relations coordinator.

"The only problem that was uncovered by the EPA testing program is that one of our shallow wells, our smallest shallow well, was found to have trace amounts" of a solvent, he said.

That well, one of 20 used by Naperville, produced only 2.4 million gallons out of 3.5 billion gallons produced in the community, Pajor said. The well was used only for short times in the summer and was taken out of service in September, he said.

Other northern Illinois communities on the list are Rockford, Sandwich, Woodstock, New Lenox, Harvard, Carol Stream, Downers Grove and Fox River. State officials said South Chicago Heights also would be added because of a recent finding that well water there contains vinyl chloride, a cancer-causing chemical.

The EPA report lists communities with chemical levels above one part per billion (ppb), which the state considers the safety limit for these

chemicals.

The report showed that some wells in Rockford, the largest city it listed, have solvent concentrations of up to 385 ppb.

"We've been aware of the problem since the early 1980s," said George Brettrager, Rockford's water superintendent. The source of the contamination is not known, he said, but to correct the problem, eight tainted wells have been taken out of service.

In Carol Stream, officials questioned the EPA's finding.

Al Turner, the town's director of public works, said that although samples taken there in September, 1986, indicated traces of the solvent tetrachloroethylene (TCE), a sample in February showed none.

"We just figured it was a false sample, and that is was no problem," said Turner, adding that the well in question is used only during the summer and "does not show an immediate health threat."

Randall Siemaszek, Downers Grove water superintendent, said contamination levels there are only 3 or 4 ppb and that the Lake Michigan water pipeline, expected to be finished in 1992, will clear up even that problem.

Art Brenner, New Lenox director of public works, said the Will County community has abandoned the tainted well and is buying new ones.

David Niemeyer, Harvard city administrator, said the McHenry County town shut down three tainted wells and dug a new one to replace them. "Hopefully, we solved the problem by doing that," he said.

Despite the complaints of some towns on the list, the EPA insists that the list served a purpose.

"It put emphasis on an issue that has been pretty well ignored," Clarke said. "You don't see groundwater. You assume it is there and always drinkable. You take it for granted. You really can't. I've heard that some people prefer not to be told."

In addition, Clarke said, many of the 32 communities must deal with new drinking water standards adopted by the federal EPA last week. The agency announced rules to protect drinking water from vinyl chloride, benzene and six other chemicals that can cause cancer or other diseases, including TCE, which is found in many Illinois water supplies.

Because of these concerns, the General Assembly is close to approving a far-reaching program that will include a two-year survey of the toxic threat to drinking water.

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01295490
EPA SETS NEW LIMITS ON 8 CHEMICALS IN DRINKING WATER
Chicago Tribune (CT) - FRIDAY June 26, 1987
By: Chicago Tribune wires
Edition: NATIONAL Section: NEWS Page: 4
Word Count: 120

TEXT:

WASHINGTON - New limits were set for eight cancer-causing chemicals that have been found in public drinking water in national standards announced by the Environmental Protection Agency. EPA officials said Wednesday that states will have 18 months to comply with the new standards, which will be enforced starting Dec. 31, 1988. The EPA also issued new guidelines to help states protect wellhead areas against pollution. Assistant EPA Administrator Lawrence Jensen said the chemicals "pose a possible cancer risk to humans and at very high levels they can affect the central nervous system." He and other officials told reporters there are eight chemicals, including vinyl chloride and benzene, known to cause cancer in people who are exposed to them for long periods.

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01293274

STATE EPA PROBING LANDFILL CARCINOGEN
Chicago Tribune (CT) - THURSDAY June 18, 1987
By: Rob Karwath and George Papajohn
Edition: SPORTS FINAL Section: CHICAGOLAND Page: 4
Word Count: 588

TEXT:

The Illinois Environmental Protection Agency has released \$15,000 for an investigation into why a cancer-causing chemical has turned up in a south suburban landfill, agency officials said Wednesday.

EPA officials are concerned that the chemical, vinyl chloride, may be seeping into the ground at the Fitz-Mar Inc. landfill, at East End Avenue and Sauk Trail Road, Chicago Heights.

Officials also say the suspected seepage may be to blame for the contamination of a South Chicago Heights municipal well about 800 feet south of the landfill. The well is one of two that supply drinking water to South Chicago Heights' 4,000 residents. Last week, state EPA officials found 4 parts per billion of vinyl chloride in the well--twice the safety standard of 2 parts per billion recommended by the federal EPA.

On Monday, tests showed the level had fallen back to 2 parts per billion. But tests of the suburb's entire water system showed a level of 3 parts per billion, said Roger Selburg, manager of the state EPA's Division of Public Water Supplies.

Both South Chicago Heights' wells continue to pump water because state and local officials say the higher readings are not imminently dangerous. Persons would have to drink water with the higher levels for years for there to be a danger, Selburg said.

The \$15,000 that the EPA released Wednesday will hire a St. Louis company to find the source of the vinyl chloride, said William Child, manager of the EPA Division of Land Pollution Control.

Child said of the chemical, "It's not something we routinely find in landfills. It could be a decomposition compound from some solvent. Or it could have just been dumped in there." The chemical is an ingredient in the vinyl used to upholster car seats, Child said. Until the investigation is complete, EPA officials can't say for sure that the vinyl chloride that has turned up in the landfill's underground monitoring system seeped down from above. The area around the landfill is rife with heavy industry, and the chemical could have flowed underground from elsewhere, said Cinda Schien, a spokeswoman for the state EPA.

The landfill property is managed by Fitz-Mar, of Lansing, and owned by the

City of Chicago Heights, according to Eugene Sadus, commissioner of streets and public improvements for the suburb.

Martin Wondaal, Fitz-Mar's president, was not available for comment Wednesday. Chicago Heights Mayor Charles Panici and City Administrator Rick Doggett were out of town, Panici's secretary said.

Also Wednesday, the EPA and the state Department of Energy and Natural Resources said that a court ruling last week has crippled new programs intended to deal with the state's growing problems with disposing trash.

The state agencies said a special waste management fund set up through a landfill dumping surcharge has been frozen by a Cook County Circuit Court judge.

The surcharge has been challenged by E&E Hauling Inc., Browning Ferris Industries and other landfill operators and haulers as unconstitutional, and Circuit Judge Sophia Hall on Friday placed a preliminary injunction on the use of the fund, the agencies said.

The Illinois attorney general's office, which represents the state EPA, is appealing those rulings and will defend the constitutionality of the new fund. The surcharge was expected to raise about \$10 million this year for state grants, research and technical assistance.

The Department of Energy and Natural Resources has earmarked the money for grants for recycling programs and development of new technology for disposing waste.

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01219872
LANDFILL LAWS FAIL TO DO JOB
Chicago Tribune (CT) - TUESDAY December 22, 1987
By: Thomas M. Burton and George Papajohn
Edition: SPORTS FINAL Section: NEWS Page: 1
Word Count: 2,388

SERIES:

The Chicago area will soon face a crisis in dealing with its garbage. This is one of a series of articles on the problem.

TEXT:

In Wauconda, PCBs and other pollutants poured into a stream and contaminated residential drinking wells.

In South Chicago Heights, cancer-causing vinyl chloride was detected in a municipal drinking well.

In Waukegan, toxic heavy metals and cyanide seeped into a ditch and then into a park pond where youngsters fish. The seepage exceeded the maximum level considered safe by the state for several years until at least 1981, court records show.

Various organic pollutants have been found in underground water systems in Du Page County's Blackwell Forest Preserve, and fears that the pollution might spread have led to the closing of a nearby swimming lake.

In each of these cases of pollution, the proven or suspected culprit was a municipal landfill-one of the final resting places for most of the 31,500 tons of garbage generated daily in the Chicago area.

Yet federal and Illinois laws and regulations are inadequate to ensure that such landfills-more colloquially known as town dumps-are located, built and monitored properly.

"Our regulations are in terrible shape," said Lawrence Eastep, the Illinois Environmental Protection Agency official in charge of issuing landfill permits. "We don't have the authority to do things that 90 percent of our people in the field think are necessary."

The Pollution Control Board, a state rulemaking agency, is considering changes in the regulations that could go into effect by the second half of 1988 or early 1989, but many officials acknowledge that government has been slow to grapple with these problems. Environmental groups are urging sweeping rule changes to prevent future pollution of waterways and underground water systems, called "ground water."

Ground water is the drinking water supply for 5.5 million Illinois residents. Most Chicago-area residents get their drinking water from Lake

Michigan, yet an estimated 2 million of them still use well water, mostly in the five collar counties, according to figures from the Illinois Environmental Protection Agency.

Many of the worst cases of pollution involved older landfills that opened before the passage of environmental laws mandating that the most hazardous materials go to sites with special permits, not to municipal landfills.

Those laws effectively create two kinds of dumps, those for hazardous waste and those for solid waste. The solid-waste category includes city dumps and industrial ones.

Despite the distinction, many of the older municipal dumps contain the same materials as the hazardous-waste sites, and even newer ones contain highly toxic material not defined as "hazardous" under federal law. And, officials and environmentalists say, regulations do not yet provide the highest degree of safety at the nation's 9,284 municipal dumps.

Illinois regulations on solid-waste landfills, unchanged since 1973, "have cost us the ability to require state-of-the-art technology" on landfills under construction, said Harry Chappel, manager of the Illinois Environmental Protection Agency's compliance section.

The state EPA often has imposed tough restrictions on operators of new landfills anyway, even without the authority of stringent regulations, by making certain technological requirements a condition of granting a permit. But the state regulators say they cannot do so consistently or always make their requirements stand up in court.

Deficient state regulations make it difficult to find out about existing pollution problems from closed landfills and to ensure that new landfills include the best technology, officials say.

The key deficiencies in Illinois and federal laws and regulations as pinpointed by state officials and environmental groups include:

- Illinois law requires a landfill operator to monitor ground water quality by drilling wells for five years after a dump closes. But pollution of water systems can take place years later, officials say.

"The fact is, if you don't have accurate monitoring, you don't know what problems are there until a community water supply is contaminated," said Joan Anderson, a member of the state Pollution Control Board who is urging changes.

- State and federal regulations don't require a landfill operator to install an underground system of pipes to collect the toxic seepage, called leachate, that accumulates in all landfills. Nor do the regulations require operators to treat the leachate. Illinois environmental officials say such a system, and such treatment, are crucial to avoid having the stuff ooze into streams or underground water.

- Current state and federal regulations permit too wide a latitude over where a landfill may be located, officials and environmental groups say.

For instance, Eastep noted, landfills may still be started in abandoned rock quarries, despite blasting-induced cracks that can allow toxins to seep out.

- Illinois and federal regulations don't specify the steps a landfill operator must take immediately when pollution is found. Thus, said state EPA officials, clean-up may be delayed because of time-consuming court proceedings or negotiations.

In short, these city dumps-in contrast to the more than 400 heavily regulated landfills exclusively for hazardous waste-have oozed between the cracks of federal and state laws and regulations.

Further, many of the older landfills that closed when the state EPA started up in 1971 never had wells drilled to determine ground-water quality, agency officials said. According to a list made available by state EPA officials, there are about 1,500 closed landfills in Illinois. Hundreds were closed without ever having nearby ground water checked, state officials said.

Of Illinois' closed landfills, 79 are in Cook County, 23 in Du Page, 38 in Lake, 32 in Will, 28 in McHenry and 31 in Kane, records show.

Possible dangers from the closed sites diminish with time as their pollutant levels fall through natural processes, but the health risks of landfills are difficult to measure, said Louise Fabinski, who monitors such issues for the federal Toxic Substances and Disease Registry. It isn't known what levels of many contaminants in drinking water are safe for humans, she said, and it takes years for many cancers or other diseases to develop.

Money-or the lack of it-has been the root of many of the shortcomings in regulating solid-waste disposal. In 1981, the Reagan administration cut off the \$13 million in federal money that had been available to states for, among other things, dump inspections.

As a result, Illinois officials say their inspection of the solid-waste sites has been severely hampered. That may explain, in part, why a Waukegan municipal dump on Adelphi Road could accept what is believed to be hazardous material during the 1970s in violation of a state-issued permit, according to federal and court records.

That site leaked toxic leachate in 1985 into a ditch "believed to be a tributary of Lake Michigan" before court-ordered remedial measures were taken, according to Lake County court records. Federal records also show some lead contamination of residential well water nearby, though at levels below those allowed in state standards for drinking water. Robert Lessman, an attorney for the landfill operator, said his client, Henry Tewes, didn't know what haulers were putting in the dump.

One Illinois EPA official familiar with the state's inspection program said current staffing "does not allow us to respond adequately where we've been given information that leads us to believe there's a serious problem" with a solid-waste landfill.

And agency officials said lack of money and manpower stopped their 1984 effort to revamp Illinois regulations on solid waste landfills.

"We just didn't have the resources in terms of manpower to defend our proposed regulations," Eastep said of the 1984 effort.

The Pollution Control Board has held hearings on changing the regulations, but it could take at least a year before any new measures go into effect. Regulations proposed by the board's scientific staff would prescribe specific measures that a landfill operator must take when pollution is found, as well as setting standards for collection and treatment of the leachate.

"Our existing regulations are grossly deficient," said board member Anderson. "Enforcement is made much more difficult under these rules."

Meanwhile, the federal EPA, under pressure from Congress, is working on new regulations that could toughen standards on landfills where municipal waste is disposed. But critics say the process has taken far too long, and many state officials agreed in recent interviews.

"The federal EPA has really forgotten about solid waste," said Cliff Gould, who directs landfill inspection in northeastern Illinois for the Illinois EPA. "But the same problems that can happen at a hazardous-waste landfill can happen at a solid-waste landfill-with ground water contamination, and so on. People who have been in this business for quite a while have always realized solid waste is a serious problem."

"The federal government decided not to stress (regulation of) solid waste and not to fund it," said William Child, the state EPA official in charge of reducing pollution of underground water systems and land. "It's not that we made a decision that it wasn't important. We felt that it was."

Valdas Adamkus, the federal EPA's Midwest regional administrator in Chicago, said, "I believe we didn't have full realization of the gravity of the problem" until recent years. "But when we realized that improperly designed solid-waste landfills could also contain hazardous materials, we started focusing on solutions to the problem." But Adamkus said it's unlikely the federal government will come up with the money to adequately finance inspections and other stringent regulation of garbage landfills.

Many municipal landfills, including several currently operating in the Chicago area, accepted hazardous waste before 1980, according to officials and environmental groups. The Mallard Lake landfill in Du Page County is one of several sites that accepted what were then known as "special wastes." That category included materials that today are defined as hazardous, said Dr. Robert Ginsburg of Citizens for a Better Environment.

Many critics in environmental groups say that municipal landfills also may still be accepting hazardous waste, sometimes unknowingly, despite lack of such a permit, because some haulers may mix hazardous and household waste together and pay the less expensive landfill fees for household waste.

Various changes in federal and Illinois law and regulations are being urged.

For instance, the five-year cutoff of ground-water monitoring in Illinois is "ridiculous," said Kevin Greene, Chicago research director of Citizens for a Better Environment. Richard DiMambro, a staffer of the state pollution board, said five years is "way too low" to ensure no pollution takes place.

Illinois EPA officials also say that, while they often are able to persuade operators of new landfills to install leachate collection systems, there are cases where they haven't been able to do so.

In one older case where leachate wasn't collected-the closed municipal landfill on Adelphi Road in Waukegan-the highly toxic and foul-smelling leachate poured out onto the ground in several places in 1985, according to court files and interviews.

Marvin Grasswick, a neighbor to the east, said leachate ended up in his basement after being pumped into a storm sewer and backing up, and that the smell in his yard was sometimes "so bad you couldn't stay outside." He said conditions have improved as a result of court-ordered removal of leachate from the landfill.

At another closed Waukegan dump, on Yorkhouse Road, toxic heavy metals and cyanide seeped out at least from 1979 to 1981 into a ditch and then into a pond at Bevier Park used for fishing and swimming, according to court records and interviews with neighbors. Lake County health officials say the contaminants have since decreased to acceptable levels.

Some of the worst pollution sites in Illinois date to before the state EPA's inception in 1971, and the agency is trying to upgrade regulations to ensure they don't happen again.

At Wauconda, an abandoned quarry was used from 1950 to 1977 to receive both municipal garbage and toxic chemical wastes, according to federal records.

The first of three households near the Wauconda site whose well was polluted was that of Thomas and Jane Brown, of 28911 Garland Rd.

They had been drinking their well water for about eight years when the state EPA notified them in 1980 of pollutants, including carcinogens, in it. Such testing by the agency is available on request for people like the Browns living near landfills, though in their case the well testing was done on the initiative of state officials, Mrs. Brown said.

The Browns had a new well drilled and haven't had problems since. But "it was a nightmare," Mrs. Brown said, referring to the time when officials wearing gas masks tested on their property. "The EPA and the Lake County Health Department almost lived at our home for three years." The Browns went to various hospitals for testing, and while no obvious health problems have resulted from the water, "you're never certain," she said. "If my kids get up tomorrow and have some kind of symptoms, it will be in the back of my mind."

Illinois regulations aren't clear enough on what to do when pollution near landfills is found, state officials complain. As a result, said state EPA attorney Donald Gimbel, enforcement proceedings have been time-consuming and sometimes unsatisfactory.

"We have municipal sites where we've been unable to get corrective action taken under the regulations," said Robert Casteel, a state EPA spokesman.

For instance, carcinogenic vinyl chloride turned up in a South Chicago Heights municipal water well in June, and the well has been closed. The EPA concluded tentatively that a toxic plume was spreading underground from the Fitz-Mar municipal landfill in neighboring Chicago Heights, Casteel said, though an attorney for that city said there are other landfills nearby that could also be to blame.

The state EPA is seeking to get the operator and the City of Chicago Heights to clean up the site.

"New regulations would be helpful," said state EPA attorney Gimbel. If state law or regulations ordered specific cleanup steps in such cases, he said, "The judge wouldn't have to create his own relief."

WEDNESDAY: How a well-intended state law helped create a garbage crisis.

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01141977

RESEARCHS NEARS FUNDAMENTAL COMPLETE UNDERSTANDING OF CANCER

Chicago Tribune (CT) - SUNDAY March 9, 1986

By: Jeff Lyon and Peter Gerner

Edition: FINAL EDITION Section: TEMPO Page: 7

Word Count: 1,662

MEMO:

This story has been entered on the data base in 2 parts. This is part 2.

TEXT:

Not all cancers appear to be due to translocations. But for a cancer to develop, some kind of chromosome damage, or mutation, seems necessary.

For example, the c-myc gene has been implicated in certain colon cancers. However, rather than moving to the wrong place, the oncogene stays put, but because some outside force has caused it to mutate, it multiplies wildly. There will be anywhere from 30 to 50 copies of the c-myc gene in a single cell, urging the cell to divide, divide.

It is clear that some injury to the chromosome at the precise location of an oncogene is responsible for cancer. But what sort of things can break chromosomes and cause mutations?

Viruses, for one. They infiltrate cells and gouge their way into the DNA. As yet, few viruses have been linked to human cancer, but many animals' cancers are known to be virus-induced. It may well be that researchers have not yet used sensitive-enough methods to detect viral cancers in humans.

Cosmic rays and X-rays are another source of chromosome damage. So are certain carcinogenic chemicals such as pesticides, asbestos, vinyl chloride and the nicotine in cigarettes, which Leder calls a carcinogen "par excellence." All of these agents are known as "mutagens"--they have the power to make genes mutate and chromosomes break.

Scientists believe that one hit from a mutagen is not enough to cause cancer. That is because there are enzymes constantly present in cells whose job it is to quickly repair DNA.

"But sometimes these enzymes fail, and a mutation slips through," notes Leder. "And that mutation, if it's the first one, is going to wait around until the second one takes place. It's the second hit that appears to be crucial."

Leder says that if the cancer process required only one hit, "the disease would probably be a lot more prevalent than it is."

This scenario may explain why cancer is more common in the elderly. The older you are, the greater your odds of sustaining two hits. And the less efficient is your ability to repair DNA.

There is another factor weighing against the development of cancer. Mutagens are bombarding the body all the time, causing random breaks in the genes and chromosomes. Even if the damage goes unrepaired, in most cases it will not lead to cancer because a tumor forms only when the oncogene switches on in a cell that is susceptible to a specific kind of malignancy.

For example, if the c-ets-1 oncogene comes to rest alongside an interferon gene in a skin cell, it would most likely not induce a cancer. That's because interferon genes are switched off in skin cells. But in a bone marrow cell, where interferon is manufactured, the genes are active and ready to interact if an oncogene happens along.

So far, researchers have concentrated on blood cancers. They have learned comparatively little about solid tumors, because blood is much more accessible for study.

"We are using leukemias as a foot in the door to other kinds of cancer," says Rowley.

Both she and Leder emphasize that there will not be one single answer to cancer.

"There's not going to be one single cause or one single cure," says Rowley, "not only because you have so many different types of cells that become cancerous, such as lung, or breast, or bone marrow, but because for each one of those types of cancer there are going to be multiple ways in which normal regulation of cell growth can be altered to produce a malignancy."

Repair or control of oncogenes gone haywire appears to be many years away, if it ever comes to pass. But that doesn't mean there are no dividends in the offing from what scientists are learning about cancer at the molecular level.

On the contrary, both the sensitivity of cancer diagnosis and the effectiveness of cure will be enhanced greatly in the next few years. As more and more proteins manufactured by oncogenes are identified, chemical tests for those proteins will be devised. Early diagnosis for cancer will then be a matter of testing people for the presence of those proteins --perhaps by means of something as simple and convenient as a urine test.

A team of American and British scientists has already successfully detected some oncogene proteins in the urine of patients with cancer of the breast, prostate gland, bladder, lymphatic system and lungs.

The scientists from the Scripps Institute in California and Hammersmith Hospital in London sequenced the DNA of three oncogenes and used the knowledge to work out the matching protein sequence of each. The team then synthesized the proteins and made antibodies to each one by injecting them into mice.

When placed in the urine of cancer victims, the antibodies quickly zeroed in on the oncogenic proteins, which were in unusually high concentrations.

By contrast, the proteins were not elevated in a control group of normal persons.

Not only did the test reveal the presence of cancer, but it discriminated as to the kind of cancer. The protein pattern of lung cancer was different from that of breast cancer and so on.

Meanwhile, at the University of Tennessee, research continues into a possible blood test for cancer. Scientists there have discovered a protein, called B-protein, that appears to be present in all forms of cancer and whose level in the body increases as the cancer progresses. The function of B- protein, or the oncogene that produces it, is still unknown.

In tests of more than 2,500 patients with early-stage cancer, the B-protein assay was 87 percent accurate in confirming the presence of malignancy. Among more than 4,500 controls who did not have cancer, the test accurately gave a negative finding 90 to 95 percent of the time.

But having diagnosed cancer, how do you go about curing it?

One of the most exciting prospects in all of medicine is the coming treatment of cancer using monoclonal antibodies.

These antibodies are the so-called "magic bullets" of medical mythology, disease-fighting agents that, in theory, will home in on a specific target and kill it. The term magic bullet was coined at the turn of the century by pioneer microbiologist Paul Ehrlich, who had no idea that his fantasy would one day come true.

Antibodies are natural proteins, produced by white blood cells called B-lymphocytes to fight off foreign invaders, known as antigens. When an antigen, such as a virus, bacterium, or toxic chemical, enters the body, the immune system custom-designs an antibody to bind to and destroy it. The antibody will attack that specific antigen and no other.

Fortuitously enough, antibodies produced by one individual will work in another person. Antibodies are even interchangeable among species.

In 1975, two British scientists discovered a way to mass-produce antibodies to selected antigens, with the aim of using them pharmacologically to treat disease. The scientists, Cesar Milstein and Georges Kohler, first injected an antigen into mice, whose lymphocytes responded by producing the desired antibodies. These lymphocytes were then extracted in the hopes that they could be used as a "farm" to turn out large amounts of the customized antibodies.

So far, Milstein and Kohler had accomplished nothing that hadn't been thought of before. But previous attempts to make antibody farms had failed because lymphocytes die in a very short time in the lab dish. It was the Britishers' inspiration to fuse the lymphocytes to cancer cells, which are capable of reproducing forever in the lab.

The resultant hybrids, called hybridomas, had the best characteristics of both parental cells. They could make the same antibody as the lymphocyte

and they were as immortal as cancer cells. Each copy, or clone, of the hybridomas soon began churning out billions of antibodies, each one identical to the other, since they were all derived from a single ancestral lymphocyte. Hence, the term monoclonal antibody, or MABs.

Cancer researchers envision attaching a cancer-killing radioisotope or drug to a MAB. The MAB will then be injected into a patient and presumably will hunt down individual cancer cells, whereupon the radioisotope or drug will destroy them. The beauty of the MAB is that it will find cancer cells wherever they are in the body, even if they have spread far from the initial tumor site, even if they are just cruising through the bloodstream looking for trouble.

The first clinical trial of a MAB against lung cancer is now going on at the Scripps Institute. The results are expected next year. Meanwhile, Eli Lilly & Co. has devised a MAB specific to adenocarcinomas, a type of cancer cell that is seen in 94 percent of prostate tumors, 82 percent of breast tumors and roughly 37 percent of all cancers.

Since MABs are not 100 percent reliable, many authorities predict they will ultimately be used in conjunction with other therapies. Early diagnosis may permit a surgical excision of the tumor. Then MABs will be used to get what the surgeon didn't, including anything that has spread. Next, immune system boosters like interferon and interleukin will be administered to mop up the residue, and finally, in case a cell or two slipped through the net, a small dose of chemotherapy may be used.

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01066456
CANCEROUS LEGACY OF CHEMICALS FEARED
Chicago Tribune (CT) - SUNDAY October 13, 1985
By: Ronald Kotulak, Chicago Tribune
Edition: CITY EDITION Section: NEWS Page: 8
Word Count: 811

TEXT:

BOLOGNA, ITALY - Of the more than 65,000 chemicals in commercial use in the United States, fewer than 50 have been adequately tested for their ability to cause cancer in people.

That shocking statistic emerged last week as several hundred scientists from around the world met to express concern that living in a chemical world may be insidiously spawning new generations of cancers.

"We never used to be really worried about chemicals, because any toxic effects we knew about were reversible simply by removing the source of the offending agent," said Dr. Arthur Upton, former chief of the National Cancer Institute and now head of New York University Medical Center's Institute of Environmental Medicine.

"But now we are faced with the facts that there are an unknown number of chemicals that may cause cancer, and if we don't find them and eliminate them from the environment, we may be exposing future generations to unnecessary risks of cancer," he said.

Because of the seriousness of what many regard as a silent epidemic of chemically induced cancers, the scientists agreed that three major policy changes were urgently needed:

-- The idea that there is a safe threshold of exposure to toxic chemicals should be abandoned. There appears to be no level below which a cancer-causing chemical will not cause cancer.

-- Chemicals shown to cause cancer in animals should be considered cancer-causing agents in people. They should be considered guilty until proven innocent.

-- Massive efforts must be made to screen the most suspicious chemicals for their potential to cause cancer and to test any new chemicals before they are allowed into the environment. Thousands of new chemicals are created each year, adding to the more than 3 million invented.

"Since the beginning of the '70s, we have become more and more aware that there are many agents, in the form of industrial compounds, goods, pollutants and wastes, in our environment that may produce cancer," said Dr. Cesare Maltoni, director of the Bologna Institute of Oncology.

In 1972, Maltoni reported that vinyl chloride, a chemical commonly used in making plastics, caused a peculiar liver cancer, called angiosarcoma, in rats.

A year later, three vinyl chloride workers in Louisville were diagnosed as having angiosarcoma, causing the industry and the government to quickly develop programs to protect workers from vinyl chloride fumes.

"Since science now has the tools for identifying the environmental causes of cancer, and since the progress in technology makes feasible the control of many of these causes, prevention of cancer is now possible," Maltoni said.

The International Conference on Occupational and Environmental Significance of Industrial Carcinogens was sponsored chiefly by the Collegium Ramazzini in Bologna. Other sponsors included the National Cancer Institute and the American Cancer Society.

The first association between occupational exposure and cancer was made in 1775 by Percival Potts, a London physician who showed that chimney sweeps had a high rate of cancer of the scrotum because of their heavy exposure to soot and coal tar.

Dr. Irving Selikoff of the Mt. Sinai School of Medicine in New York, who found a link between exposure to asbestos and lung cancer in the 1960s, said 5 to 20 percent of all cancers are believed to be caused by chemical exposure.

The growing number of chemicals in the environment may be part of the reason the number of cancers in the world's population continued to increase during the last few decades while deaths from other major killers, such as heart disease and strokes, have declined dramatically, Selikoff added.

The International Agency for Research in Cancer based in Lyon, France, lists 30 chemicals as probable cancer-causing agents in humans. They include 4-aminobiphenyl; analgesic mixtures containing phenacetin, arsenic and arsenic compounds; asbestos; azathioprine; benzene; benzidine; chlornaphazine; bis ether and chloromethyl methyl ether; myleran; chlorambucil; chromium; conjugated estrogens; cyclophosphamide; diethylstilbesterol; melphalan; 2-naphthylamine; treosulphan and vinyl chloride.

The list also includes shale oils, betel quid with tobacco, tobacco smoke and smokeless tobacco products, soots and soot extracts, coal tars, coal-tar pitches, methoxsalen and ultraviolet therapy, certain mineral oils and some chemotherapeutic agents such as nitrogen mustard and vincristine.

"It is time to understand that it is not only important to know what dangerous compounds are out there in the environment, but even more, how much of each is present," Maltoni said.

For instance, Maltoni said, gasoline has not been adequately studied. Preliminary results from studies being done in the U.S. indicate that rats

exposed to gasoline vapors develop kidney cancers, he said. Additional tests are underway at the Bologna Institute of Oncology.

Maltoni also noted that benzene has been found to produce leukemia in rubber workers and has been shown to cause cancers in rats and mice when inhaled or injected. Of the 15 million tons of benzene produced annually worldwide, he added, 4 million tons are lost to the air.

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01031623
FINDING TRUTH IN CLAIMS ABOUT FOOD FRESHNESS
Chicago Tribune (CT) - THURSDAY May 23, 1985
By: Jane E. Brody, New York Times News Service
Edition: SPORTS FINAL Section: FOOD GUIDE Page: 15A
Word Count: 1,675

TEXT:

Most Americans enjoy their year-around access to an extraordinary variety of foods and would complain if they could not, for example, find tomatoes (fresh or canned) in January or orange juice in June. Still, many are concerned about the nutrient losses and health hazards that might result from treating foods so that they don't spoil before reaching a table 5,000 miles or 10 months from where or when the food was produced or packaged.

To the time-honored preservation techniques of salting, drying, smoking, canning and freezing, each of which has its own set of disadvantages, there have been added a dizzying array of newer chemical and physical methods to keep foods "fresh"---from fumigants and preservatives to waxes and plastic wraps to microwaves and radiation.

At one time or another, objections have been raised by consumers and scientists to each of these newer methods. While the objections are sometimes valid and raise health-protecting red flags, in other cases they have prompted people to act irrationally to avoid foods presumed to be unwholesome.

For example, to cater to the "no preservatives" mania spawned by the health food industry, many bread manufacturers stopped using the mold inhibitor calcium propionate in their products. This chemical is a harmless additive; it is naturally produced in large amounts in Swiss and other cheeses, and it is a dietary source of calcium. Without it or a comparable preservative, packaged breads get moldy faster, and toxins produced by molds can be far more dangerous than any preservative legally added to foods.

Some people pay premium prices for fresh produce, which they presume has the most nutrients. In fact, fruits and vegetables harvested at their peak and quickly frozen may contain considerably more nutrients. Orange juice prepared from frozen concentrate often contains more vitamin C than juice squeezed from fresh oranges. Frozen juice is made from tree-ripened oranges, which are richest in vitamin C; fresh oranges shipped north are usually picked underripe to prevent spoilage. The health-conscious consumer is easily confused by modern food preservation and packaging. Here are some factors to consider:

NUTRIENT CONTENT

While most Americans are aware that foods that look good are not necessarily good for them, they assume that dull, discolored or wilted foods are short on nutrients. To a large extent, this assumption is

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correct. In general, foods that look freshest are freshest and therefore have the highest nutrient content, at least until you get them home. Unfortunately, in many American kitchens, foods are mishandled: They are poorly wrapped, stored too long and often at the wrong temperatures, then overcooked. The result may be a food with fewer nutrients and less flavor than one out of a can, the preservation method that is hardest on nutrients.

While much of the vitamin C in a food can be destroyed by prolonged cooking at high temperatures, the brief, high-temperature processing techniques used in modern canning have helped to reduce such losses. The high temperatures are needed to destroy microbial cells and spores that could result in fatal food poisoning after vacuum canning. Nutrients that leach from foods into the canning liquid can be reclaimed if the liquid is added to a soup, stew or sauce. A further nutritional disadvantage of many canned foods is their high salt and low potassium content.

Plain frozen vegetables are processed with little or no added salt and tend to have considerably higher levels of potassium and other nutrients than their canned counterparts, at least until the consumer cooks them further. Before packaging, frozen vegetables are blanched with hot water or steam to destroy enzymes that would otherwise destroy vitamins and render the food nutritionally and esthetically undesirable. Frozen foods that have been defrosted can be refrozen safely if they were kept cold when thawed. The food's texture may suffer, but not its nutrient content or safety.

In pasteurization, a 15-second exposure of milk to high temperatures destroys harmful bacteria but leaves nutrients virtually intact. To retain maximum nutrients in milk, it should be stored in the dark in opaque containers. Milk in plastic bottles under fluorescent lights in the supermarket loses much vitamin A and riboflavin.

Canned and frozen foods also lose nutrients during storage; the higher the temperature, the greater the losses. Dr. Dennis D. Miller, food scientist at Cornell University's Division of Nutritional Sciences, advises that to maximize nutrients, "foods, whether fresh, canned, frozen or dried, should be stored at temperatures as low as possible." Leaving fruits and vegetables uncut until just before use also helps to preserve volatile nutrients like vitamin C.

Irradiation has attracted interest as a food preservation technique, in part because the treatment itself is not harmful to nutrients and irradiated foods lose fewer nutrients during storage. Applying a coating of wax to fruits and vegetables may also help to slow the loss of some nutrients.

Chemical additives are sometimes used to retard nutrient losses. For example, sulfites, which have drawn fire recently because some people suffer severe allergic reactions to them, protect vitamin C but accelerate deterioration of polyunsaturated fats and vitamin A.

Although BHA (butylated hydroxyanisole) and BHT (butylated hydroxytoluene) are avoided by some consumers because several studies have suggested they may be toxic or carcinogenic (they are banned in Britain), these

antioxidants have also been shown to inhibit the action of cancer-causing chemicals, and BHT has been shown to suppress the growth of harmful viruses.

SPOILAGE, DETERIORATION

The basic purpose of all food preservation and packaging techniques is to keep food in edible condition for as long as possible. Canning in tin cans and jars, dehydration (regular, sun- and freeze-drying) and freezing are most effective in this regard. However, dehydrated foods are often subject to insect attack, frozen foods eventually dry out, and even canned foods have an acceptable life expectancy of only a few years.

Among short-term preservation techniques, waxing helps somewhat to slow the loss of water from fruits and vegetables. The waxes used, derived from plant and petroleum sources, have all been tested in animal feeding studies and deemed safe in accordance with the Food and Drug Administration's food additives regulations. However, a special review committee said the data were insufficient to determine the safety of carnauba wax, a derivative of palm trees that is used to glaze candy. Other waxes include shellac, polyethylene, coumarone-indene resin and paraffins.

In addition to the wax itself, with some foods fungicides, bactericides, growth regulators and ripening inhibitors, as well as coloring agents (on Florida oranges), can be mixed with the wax when it is applied to the food. For waxed foods such as rutabagas, coconuts, pineapples, avocados, mangoes and bananas, the waxes are not consumed because the peel is removed before eating. But for others, such as cucumbers, apples, peppers, tomatoes, oranges, sweet potatoes and eggplant, the skin or rind, along with the wax and chemicals, is often eaten. According to Dr. Corbin Miles of the Food and Drug Administration, such consumption possibilities were taken into account when safety determinations were made.

Miles conceded that washing a waxed food--even scrubbing it in hot water--is not likely to remove the wax because it has a high melting point and is not soluble in water. One recently approved group of waxy coatings called sucrose fatty acid esters are derivatives of beef fat, which while not a health hazard per se, could cause concern among kosher Jews, Moslems and vegetarians.

Avoiding waxed foods isn't easy. Although FDA regulations require that waxed foods be so labeled, the labeling is on packing crates that are rarely displayed in stores. The agency says it does not have the personnel to police this "low priority" regulation.

Irradiation gets high marks as a spoilage deterrent, although it is presently not used by American food producers. At low levels, radiation kills some spoilage organisms and slows ripening and sprouting of fresh produce. Low-level irradiation can inhibit insect infestations and sprouting. The shelf life of meat, poultry and fish can be extended without significant nutrient losses. At high doses, radiation can totally sterilize a food, theoretically extending its life indefinitely.

At any level, radiation can help to reduce dependence on chemical preservatives, including such potentially harmful ones as nitrates and

nitrites.

However, the FDA says that in some cases the metabolic effects of radiation can increase a food's susceptibility to fungal attack and result in changes in flavor and texture.

CONTAMINANTS

Cans, plastic wraps and packs, irradiation and chemical preservatives can all introduce undesirable substances into foods. A one-time serious problem of lead leaching into foods from lead-soldered cans has been greatly reduced now that 60 percent of canned foods are being packed in nonsoldered cans.

However, Charles Jelinek, deputy director of the FDA's Office of Physical Sciences, advises consumers to take all foods out of cans after they are opened and store them in glass or plastic containers. This is especially important if the food is acidic because, once oxygen is present, acid can eat through the protective inner coating.

Plastic packages, both hard and soft, contain "loose" chemicals that can leach into the foods they enclose. The higher the fat content of the food, the more likely such leaching will occur. The FDA treats such migrants as food additives and requires that they pass stringent safety tests appropriate to the amount of the substance likely to get into foods.

Since the early 1970s, when the agency banned plastic liquor bottles made of polyvinyl chloride because cancer-causing vinyl chloride was leaching into the drinks, improved manufacturing processes have greatly reduced the amount of vinyl chloride in such bottles, according to Gerald McCowin, director of the Division of Food and Color Additives.

Nonetheless, when plastic is heated, as in boil-in or bake-in bags, higher levels of chemicals are likely to be released, according to Dr. Ellen Silbergeld of the Environmental Defense Fund.

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SAN GABRIEL VALLEY / COVER STORY
Who Will Be King of the Hill?
West Covina's Battle to Close Landfill Is Headed for a Courtroom Showdown

Los Angeles Times (LT) - THURSDAY February 9, 1995
By: RICK HOLGUIN; TIMES STAFF WRITER
Edition: Home Edition Section: San Gabriel Valley Page: 10 Pt. J
Story Type: Main Story
Word Count: 2,193

TEXT:

The afternoon rush is on as scores of trucks power up a hill and into the heart of the BKK landfill to dump their cargo--11,000 tons of garbage on any given day.

A worker fires a pistol loaded with blanks to scare off hungry sea gulls while earthmovers maneuver like soldier ants, preparing to spread a cap of earth over the day's haul.

Benjamin K. (Ben) Kazarian Jr. and his son Ken, second- and third-generation garbage men, sit in their tidy office on the landfill grounds and lash out at those who would shut down their \$40-million-a-year operation at the end of November.

"It's the fear-syndrome game," said Ben, 66, who owns the West Covina landfill with his four sons.

"We're literally fighting for our business and personal lives out here," added Ken, the eldest son at 45.

In a tidy neighborhood about a mile from the landfill, a trio of activists grouches about the truck traffic and the smell. They worry about toxic emissions, ground-water contamination from the dump and depressed housing prices.

"(The Kazarians) promised us it would close in 1995," said Jean Arneson, who has been pushing for closure of the dump since the early 1980s. "It's been nothing but broken promises."

The City Council agrees that BKK Corp. broke a promise, and the showdown is about to begin. The city sued the Kazarians in June, 1993, to force closure of the landfill, one of the nation's largest. After four months of failed mediation, the City of West Covina vs. BKK Corp. is scheduled to go to trial on Feb. 22 in Pomona Superior Court.

For the parties involved, not only will

the trial decide the legal dispute but it also will speak to questions of character and motivation that surfaced during the decade-long debate over the future of the dump.

Are the Kazarians money-grubbing businessmen or conscientious entrepreneurs? Are they flouting the environmental well-being of the city and a 1985 agreement? Or have they been unfairly targeted by a group of conniving residents and city officials who are willing to spend millions of taxpayer dollars on a misguided legal battle?

The trial centers on a single document, a "memorandum of understanding" signed by city officials and the Kazarians a decade ago. The city's lawyers argue that the agreement unconditionally requires the Kazarians to close

the landfill in November.

BKK's lawyers, including former state Atty. Gen. John K. Van de Kamp, contend that the agreement is not binding because the Kazarians, for various reasons, never realized their plan of building a corporate park. The park would have been built on virgin ground within the boundaries of the landfill to replace the revenue lost from the dump.

"There's no guarantee we'll win, but I think we have a decent chance," said West Covina Mayor Bradley McFadden, who was recently threatened with recall by a citizens group for suggesting a compromise that would have allowed the dump to stay open.

McFadden, one of the city's negotiators, said he abandoned negotiations last month after the Kazarians would not make any meaningful concessions. He voted with the council majority to spend \$1.24 million to go to trial.

Councilman Benjamin Wong, who told The Times he would prefer a negotiated settlement, abstained, citing the high cost. The city already has spent \$1.3 million on its legal battle with BKK.

The Kazarians have spent even more--about \$3 million, Ken Kazarian said. The stakes are high, with landfill space increasingly scarce and dumps able to command good fees. The landfill accepts household, commercial and nontoxic industrial trash from throughout Los Angeles County. The Kazarians do not divulge their annual profits, but the landfill grosses about \$40 million a year.

"Do you know anybody in his right mind who would throw away millions of dollars without receiving something for it?" Ken Kazarian said. "They can make a very credible argument that sounds terrific but, legally, it doesn't hold water."

The BKK landfill is viewed by the Kazarians as a birthright, of sorts. The late Benjamin K. Kazarian--Ben Jr.'s father and Ken's grandfather--started the operation more than three decades ago.

Home Savings & Loan once owned the 583 acres that make up the landfill. The firm contracted with the Kazarians to open and operate the landfill in 1962. The Kazarians bought the dump site in the mid-1970s.

In 1972, BKK began accepting hazardous waste. It took in more than 3 million tons of toxic substances, including cancer-causing vinyl chloride and benzene, before the Kazarians closed the toxic waste portion of their operation in 1984, citing a new era of stringent environmental regulations.

Over the years, the landfill proved a cash cow for West Covina, which receives 10% of the landfill's gross revenue. That is projected to amount to at least \$3.7 million this year, more than 10% of what the city will spend on general operations.

But the landfill also has had its dark side.

In 1984, 21 families were evacuated from their homes near the southeast portion of the landfill, the area where toxic waste was dumped, when high levels of methane gas were detected in their neighborhood. High levels of vinyl chloride also were detected.

And in 1987, BKK paid \$43 million to more than 500 neighbors to settle a lawsuit that sought damages related to the 1984 evacuation, including the fear of developing cancer. Dozens of homes sit near the landfill's northern and southern borders.

The environmental problems associated with the dump persist and are likely to stretch well into the next century.

The U.S. Environmental Protection Agency and state agencies are overseeing BKK-funded studies to determine how to reduce vinyl chloride emissions. The levels are high enough to trigger state-mandated warnings to residents in a neighborhood southeast of the dump. The studies also seek to pinpoint the extent of ground-water contamination from the landfill and come up with a remedy. A study on health risks associated with the dump is also in progress. After the 1984 evacuation, city officials and residents started pressing for BKK to close sooner than 2006, the expiration date of the permit granted by the city in 1971.

As an incentive, the city offered BKK a tax break and an opportunity for a commercial development at the landfill in exchange for closing in 1995. The Kazarians agreed, leading to the disputed memorandum of understanding.

Ken Kazarian and local officials are shown smiling in a local newspaper photo taken the day the document was signed in 1985. Former Mayor Forest Tennant was one of the smiling faces. Tennant said there is no question in his mind about the intent of the memorandum of understanding.

"It never dawned on anyone that we'd be having this controversy and discussion at this time," Tennant said in a recent interview. "1995 was the absolute, drop-dead, outside deadline."

The collective smile has definitely faded, replaced by the grimace of legal and political wrangling.

The sticking point is whether BKK has to close if it doesn't have its corporate park, which BKK proposed but never built. The Kazarians say the memorandum definitely links the two. The city disagrees.

The two sides also disagree on why the development never materialized.

The Kazarians say they presented various plans to city officials, who found problems with them--perhaps deliberately, the family says.

City officials contend that the Kazarians frequently changed their minds about what they wanted. They slowed down the process and, in the end, failed to present an acceptable plan.

The dispute dominated last November's council elections, with two candidates supporting BKK's efforts to postpone its closure and two others vowing to shut it down.

"That was the issue, the only issue, for many people," said former Councilman Richard N. Jennings, who lost his seat. "It's ridiculous; people are just leading an emotional parade out here in regard to the dump."

Jennings and candidate Stuart York argued that the city could not afford to lose BKK, its largest tax-revenue producer. They supported a settlement that would have allowed the dump to operate beyond this year.

Sensing the political ramifications of the race, BKK dived deeply into the political fray. It spent thousands of dollars on full-page newspaper ads and cable TV commercials that mostly touted the company's sizable contribution to the city's tax base. But BKK also accused Councilman Steve Herfert, who made dump closure a key issue in his reelection campaign, of being an irresponsible financial manager. The firm used phone banks, mailers and newspaper ads in an attempt to block Herfert's reelection, but it did not make any donations to council candidates more sympathetic to its cause.

BKK also filed a lawsuit against Herfert during the campaign, alleging that he had overstated the health risks associated with the landfill. A Superior Court judge ruled in favor of Herfert, but BKK is considering an

appeal, a BKK spokesman said.

"It was a very ugly election," said Herfert, who received the most votes of any candidate.

Landfill opponent Michael Touhey finished second, replacing Jennings and greatly increasing the odds that the city would eschew a last-minute settlement and proceed with the trial.

In retrospect, Ken Kazarian said, BKK's effort in the council race was a waste of money. But company officials consider it part of its ongoing line of political defense. In addition to entering the fray in local elections, the company has contributed to races for state and national office, including Gov. Pete Wilson's 1994 reelection campaign.

Election records show that since 1987, the Kazarians, their chief administrative officer and the corporation have contributed about \$350,000 to candidates in state and federal races, not necessarily landfill proponents.

"You have to make contributions to politicians," said BKK's chief administrative officer, Ronald R. Gastelum. "Not that we get something out of it but . . . there's always the fear people will come after you and use you for their political purposes."

The City Council's decision to go to trial carries some heavy political responsibility. First, the city would have to make do without taxes from the dump. But McFadden said the city has been preparing for the closure. About \$1.5 million was cut from this year's budget without layoffs or significant cuts in city services.

And city officials hope at least another million will be trimmed next year. That will involve contracting out some city services, possibly leading to layoffs, which officials say they will try to avoid.

"Yeah, we can use the money, but we're in strong financial condition," McFadden said.

Another consideration is the expense of maintaining the landfill after it closes.

BKK officials say they are making insurance payments to provide about \$60 million for closing the landfill and maintaining it afterward. But BKK officials contend they will be unable to meet the annual insurance payments of \$8 million to \$10 million a year if they are not allowed to stay open at least until 1999, when the last of the payments will be due.

If that happens, the Kazarians warn, the site could end up on the EPA's Superfund List for priority cleanup, triggering a series of lawsuits and countersuits to determine who will foot the bill to maintain the landfill.

So far, the Kazarians say they have spent \$68 million since 1984 on environmental investigation and remediation, including an extensive gas-collection system and water pumping and treatment.

"There are people out there who think we have more money than the U.S. Treasury," said Ken Kazarian.

Despite the pending trial, BKK is continuing work to expand into 24 untouched acres on the northern border of the landfill, the Kazarians said. They also have agreed to lease a landfill site to a private company that plans to use methane generated by decomposition at the dump to manufacture methanol.

But the city is also on the offensive, recently hitting BKK with a notice of violations for 31 alleged problems at the landfill. Those range

from failing to maintain an adequate gas-collection system to failing to properly maintain slopes. If not corrected, the city could fine BKK or seek to suspend its operations, an action that could end up in court, said Michael Miller, the city's environmental services director.

Ken Kazarian said he would work with city officials to resolve any problems, but he considered the notice of violations an attempt to make life difficult for BKK.

BKK also is proceeding with its plan to build a new landfill in Elsmere Canyon near Santa Clarita. An environmental impact report on the proposal is under review.

The Kazarians say they gladly would close BKK if they can open the Elsmere Canyon dump, but that is not likely to happen in the near future.

Santa Clarita residents have mounted strong opposition to keep BKK from securing the necessary permits. The proposed dump, which would take in 190 million tons of household waste during the next 50 years, would contribute to air pollution and traffic and threaten ground water, opponents contend.

"We're figuring on a couple of years of litigation on that," Ken Kazarian said.

"In our industry, we have a saying," his father said. "Everybody wants you to pick it up, but nobody wants you to put it down."

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State Not Enforcing Landfill Safety Laws, Suit Says

Los Angeles Times (LT) - WEDNESDAY February 1, 1995
By: FRANK CLIFFORD; TIMES ENVIRONMENTAL WRITER
Edition: Home Edition Page: 3 Pt. A Col. 2
Word Count: 486

TEXT:

Arguing that the state has done little to control leaking chemical waste and other hazards at a number of Southern California landfills, the Natural Resources Defense Council on Tuesday filed a lawsuit charging the California Integrated Waste Management Board with failing to enforce laws designed to protect public health and safety.

According to the suit, the state board has neglected its duties to shut down some landfills that have been filled beyond capacity and to stop contamination of ground water by benzene, vinyl chloride and other chemicals linked to cancer that are leaching out of several dumps. In a news release, the environmental group said the waste board's "disregard of state law has aggravated public health and environmental hazards, including allowing uncontrolled gas emissions and landfill leachate and the exposing of waste to disease transmitting rodents, flies and birds."

Maribel Marin, a Natural Resources Defense Council spokeswoman, said the lawsuit grew out of a study of the waste board's own records. Marin said that the study focused on poor enforcement of 190 notices of violation sent out to landfills around the state. She said that more than half of the notices cited unsafe conditions at Southern California landfills.

Marin said conditions were worst at six dumps in San Bernardino and Imperial counties.

For example, she said, a dump in Colton that has a permit to receive 180 tons of waste per day has been accepting at least 1,000 tons per day for more than a year, a period in which vinyl chloride has been leaking from the landfill into nearby monitoring wells.

Marin said nothing was done about an underground fire for two years after it was detected at a Callexico dump, and she said no action has been taken despite letters from the Regional Water Quality Control Board in the area stating that the Callexico dump and another in Brawley should be closed.

Specifically, the lawsuit contends that the waste board violated state law by neglecting to make the public aware of hazardous conditions, by failing to prepare cleanup schedules ensuring prompt remedies and by allowing overused, hazardous sites to operate without permit renewals or closure plans.

In addition, the suit challenges the waste board's recent decision to allow yard waste deposited at landfills to count toward the state's goal of reducing, recycling or composting 50% of California's waste by the year 2000.

Ralph Chandler, executive director of the waste board, said Tuesday he was surprised by the lawsuit because he had thought that discussions with the environmental group were leading to a resolution of its concerns.

He said that the board had agreed to speed up enforcement actions against landfills where there are hazardous conditions.

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"The only unresolved issue was whether we would reimburse them for their legal expenses," Chandler said. "They were asking for about \$40,000 to cover their research costs, and we felt it was inappropriate to cover that cost with public funds."

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02315303 12663
Suit Says State is Lax on Dump Safety Laws

Los Angeles Times (LT) - WEDNESDAY February 1, 1995
By: FRANK CLIFFORD; TIMES ENVIRONMENTAL WRITER
Edition: Valley Edition Section: Metro Page: 13 Pt. B Col. 5
Word Count: 313

TEXT:

Arguing that the state has done little to control leaking chemical waste and other hazards at a number of Southern California landfills, the Natural Resources Defense Council on Tuesday filed a lawsuit charging the California Integrated Waste Management Board with failing to enforce laws designed to protect public health and safety.

According to the suit, the state board has neglected its duties to shut down some landfills that have been filled beyond capacity and to stop contamination of ground water by benzene, vinyl chloride and other chemicals linked to cancer that are leaching out of several dumps. In a news release, the environmental group said the waste board's "disregard of state law has aggravated public health and environmental hazards, including allowing uncontrolled gas emissions and landfill leachate and the exposing of waste to disease transmitting rodents, flies and birds."

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Community News
REGION
3 Cities to Pay \$9 Million in Landfill Cleanup Case

Los Angeles Times (LT) - THURSDAY January 12, 1995
By: JOHN D. WAGNER; ENRIQUE LAVIN
Edition: Home Edition Section: Long Beach Page: 7 Pt. J
Story Type: Column; Brief
Word Count: 413

TEXT:
Three Southeast-area cities have agreed to pay \$9 million to help clean up a 190-acre landfill in Monterey Park where they and other local governments dumped tons of toxic waste for decades.

After more than five years of litigation, Compton, Lynwood and Montebello have agreed to give their share of the cleanup cost to the U.S. Environmental Protection Agency. Eleven other cities, the county and Caltrans are also part of the settlement.

Montebello, which is struggling financially after pouring millions of dollars into the Orange County investment pool, must pay nearly \$5 million. The city's insurance is covering about 77% of that, City Administrator Richard Torres said.

"Nobody wants to pay anything out but I think the settlement is about as fair and equitable as it could be," Torres said.

Compton will pay \$2.5 million. The city's insurance and the waste hauler, Murcole Rubbish Service, will pay about 78% of that, Deputy City Atty. Cal Saunders said.

Lynwood must pay \$1.7 million. City officials were unavailable for comment.

The EPA has estimated that the total cleanup cost could reach \$650 million over three decades.

Under the settlement filed Dec. 28 in federal court, the cities will no longer be liable for the Operating Industries toxic waste site after paying fixed amounts, said attorney Timothy P. Gallagher, who represented the municipalities.

After more than 100 companies and public entities, including Mobil, Exxon and General Motors, paid the EPA \$205 million to clean up the dump, they sued the cities, county, state Department of Transportation and 18 waste-hauling firms in 1989 to force them to share the costs.

Five years later, the 14 cities reached a tentative agreement to pay \$32 million. The December settlement called for the municipalities to give the money directly to the EPA.

The 11 other cities that signed the settlement are Alhambra, Bell, Cudahy, City of Commerce, Maywood, Monterey Park, Rosemead, San Gabriel, South Gate, South Pasadena and Temple City. Alhambra is paying the most, \$8.5 million.

About 170 companies dumped industrial waste at the Operating Industries site from 1948 to 1984. An estimated 22 to 31 tons of solid waste and more than 300 million gallons of liquid waste were dumped there, including such cancer-causing substances as vinyl chloride and trichloroethylene.

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The site was added to the Superfund priority list of toxic sites in 1986. A site is placed on the Landfill Superfund list when the EPA determines that it poses a long-term threat to public health or the environment.

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02307358 04623
Community News: Southeast
REGION
Five Cities Agree to Toxic Cleanup Costs

Los Angeles Times (LT) - SUNDAY January 8, 1995
By: ENRIQUE LAVIN
Edition: Home Edition Section: City Times Page: 8
Story Type: Column; Brief
Word Count: 638

TEXT:

Five area cities have agreed to pay almost \$4 million to help clean up a 190-acre landfill in Monterey Park where they and other local governments dumped tons of toxic waste for decades.

After nearly 10 years of litigation, Bell, the City of Commerce, Cudahy, Maywood and South Gate have agreed to give their share of the cleanup cost to the U.S. Environmental Protection Agency. Eight other cities, the county and Caltrans are also part of the settlement.

"This brings to a close what was an important and enormous piece of litigation for South Gate," City Atty. Arnold Alvarez-Glassman said. South Gate's bill of more than \$2 million is the largest among area cities.

Cudahy City Manager Jack Joseph said that insurance will cover roughly 50% of his city's share of the cleanup, but the settlement is still a financial burden.

Cudahy has already paid its \$350,000 penalty from the city's general fund, Joseph said. As a result, two staff positions will not be filled, the city newsletter has been eliminated and the Fourth of July celebration has been canceled.

The settlement is "just another hammer on the cities for something, in our opinion, we had no control over," he said.

The EPA has estimated that the total cleanup cost could reach \$650 million over three decades. Under the settlement filed Dec. 28 in federal court, the cities will no longer be liable for the Operating Industries toxic waste site after paying fixed amounts, said Timothy Gallagher, who represented the municipalities.

After more than 100 companies and public entities, including Mobil, Exxon and General Motors, paid the EPA \$205 million to clean up the dump, they sued the cities, county, state Department of Transportation and 18 waste-hauling firms in 1989 to force them to share the costs.

Five years later, the 14 cities reached a tentative agreement to pay \$32 million. The December settlement called for the municipalities to give the money directly to the EPA.

Area cities have agreed to pay the following:

- * Bell: \$415,000
- * Commerce: \$395,000
- * Cudahy: \$350,000
- * Maywood: \$550,000
- * South Gate: \$2,203,999

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Gallagher said if not for a compromise reached with insurance companies of the individual cities, the municipalities wouldn't have been able to settle. On average, insurance companies will pay 60% to 90% of the settlement, he said.

"With the insurance companies coming to the table with a large portion of the money, it made the settlement possible because smaller cities would not have been able to generate that amount of money without a major impact to their budgets," Alvarez-Glassman said.

South Gate's insurance will cover half its bill, he said. The rest of the money will come from trash collection fees; the city does not expect to cut services.

The eight other cities that signed the settlement are Alhambra, Compton, Lynwood, Montebello, Monterey Park, Rosemead, South Pasadena and Temple City. Alhambra is paying the most, \$8.5 million, followed by Montebello at \$4.8 million and Monterey Park at \$4.6 million.

About 170 companies dumped industrial waste at the Operating Industries site from 1948 to 1984. From 22 to 31 tons of solid waste and more than 300 million gallons of liquid waste were dumped there, including such cancer-causing substances as vinyl chloride and trichloroethylene.

The site was added to the Superfund priority list of toxic sites in 1986. A site is placed on the Landfill Superfund list when the EPA determines that it poses a long-term threat to public health or the environment.

"This negotiation between the cities and the generators of waste has speeded up the cleaning process," said Paula Bruin, the EPA's western region public affairs officer.

"A lot more time and money could have been wasted with this particular landfill, but instead the money will go directly to the cleanup and not be tied up in litigation."

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02275396 37826
West Ventura County
OXNARD
Dump Not Leaking Toxins, Tests Show

Los Angeles Times (LT) - THURSDAY October 6, 1994
By: IRA E. STOLL
Edition: Ventura West Section: Metro Page: 3 Pt. B Col. 2
Story Type: Column; Brief
Word Count: 196

TEXT:

Tests of water from 15 wells around the Bailard landfill near Oxnard show that the dump is not leaking dangerous chemicals, officials said.

The tests were required by the county as a condition for extending Bailard's operational permit through May, 1997.

Ventura Regional Sanitation District officials said they are encouraged because the tests did not detect any vinyl chloride. Presence of the chemical, which causes cancer at concentrations as low as two parts per billion, is "a good indicator that you've got a landfill problem," Solid Waste Director John Conaway said.

Other chemicals detected in well water may come from a variety of sources, but vinyl chloride almost always comes from a landfill, Conaway said.

Above-standard levels of vinyl chloride showed up in January at four wells on the Bailard landfill site, district spokeswoman Allison M. Maires said. On-site tests in April showed no problems from the chemical. And the most recent round of off-site tests is another encouraging sign, Maires said.

The test results showed above-standard levels of total dissolved solids in three wells. Authorities said the dissolved minerals are a problem linked to nearby ocean and farming activity and are not traceable to the landfill.

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02244269 06114
BOOK REVIEW / NONFICTION
Reporters Required to Lie, Author Argues
NEWS AND THE CULTURE OF LYING by Paul H. Weaver; Free Press \$22.95, 243
pages

Los Angeles Times (LT) - TUESDAY July 5, 1994
By: ALEX RAKSIN; TIMES STAFF WRITER
Edition: Home Edition Section: Life & Style Page: 5 Pt. E Col. 1
Story Type: Book Review
Word Count: 755

TEXT:

On the day in 1883 before Joseph Pulitzer took over the New York World, the paper's gray, forbiddingly dense front page contained a note dryly stating that 10 city groups would soon commemorate the opening of the Brooklyn Bridge. When the bridge opened two weeks later, a picture of its expansive deck and rolling beams soared dramatically across the World's redesigned Page 1, inviting readers into a three-column story about how the bridge's engineers triumphed over tragedy.

These two pages have long been compared to illustrate the way Pulitzer breathed life into a stodgy, spiritless institution, thereby setting the model that most journalists follow to this day.

But in this acrimoniously titled book, journalist and scholar Paul Weaver argues that the Pulitzerian framework--by insisting that news be defined as a daily drama wherein leaders, caricatured as good or evil, struggle to deal with unprecedented social and political crises--has done nothing less than require reporters to lie.

Drawing examples from the '80s, Weaver shows how journalists--by recording politicians' self-conscious, symbolic responses to fleeting crises rather than investigating the institutional and structural roots of the American malaise--managed to miss most of that decade's major news stories.

We heard tough congressional rhetoric about "tackling the deficit," for example, but few reports examined how the deficit was in fact "exploding to meltdown proportions." We read about American executives' devout faith in private enterprise, free markets and limited government, but not about how those executives broke that faith by lobbying for government interventions in the market, tax breaks and other special advantages.

To his credit, Weaver shares in the blame, describing how he himself began writing around "the real issues" as a 31-year-old staff writer at Fortune magazine. While covering his first story there--national efforts to issue new limits on exposure to vinyl chloride--he found that no one involved in the debate actually knew how big a dose of vinyl chloride it would take to cause cancer, but that everyone was "advocating specific levels as safe while attacking as dangerous the different levels urged by others." He wanted to write a story about how each side, rather than working collectively to arrive at a public health standard "intelligently reflecting the many considerations involved . . . was lying in order to benefit themselves at others' expense." But because he feared that such a story would prompt hostile letters from his sources and expressions of bemusement from his bosses, Weaver instead wrote a piece that defined the machinations as a "healthy" exercise in "vigorous political competition."

Weaver--who eventually was promoted to an assistant managing editor at Fortune--was clearly rankled by his experiences, for he delights in bashing the news media as "stupid and dysfunctional" and denouncing the nation's capital as "a mecca of hypocrisy, a Vatican of hypocrisy. . . ."

Still, he seems to genuinely respect most journalists, crediting them with a "nagging, fugitive, contrary awareness of a reality that is sharply at odds with the myth." And he quotes opinion polls that suggest that most Americans are aware that public discourse has become "a pasticcio of cheesy fabrications."

So then, one may ask, why do journalists continue to leave the capital's lies unchallenged? While he is now a fellow at the conservative Hoover Institution, Weaver offers an explanation usually proffered by leftist media critics:

When newspapers came to draw the majority of their revenue from ad sales during World War I, advertisers, wanting to reach the largest possible audience, pressured them to abandon their subjective, often adversarial styles. "Thus was born," Weaver writes, "the concept of the news as a story about crisis and of journalism as a purely factual discourse without point of view."

A better explanation for why papers haven't changed, however, is that critics such as Weaver have failed to offer any viable alternative. Weaver tries to hold up pre-Pulitzerian papers as a model of how to "invite readers to step into . . . constitutional and political processes," but scholars such as Leonard Levy and Edmund Morgan have shown that such papers usually did nothing of the sort.

Weaver's post-Pulitzerian guidelines, moreover, are rife with contradictions: He suggests, for instance, that papers expand coverage of "normal, formal political, social and economic events"--the kind that send most readers into slumber--but also that the media's "business strategy (be reoriented) toward readers." Contradictions like that speak volumes about the kind of confusion over the proper role of the news media that continues to keep the Pulitzerian model in place.

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02223885 50867
Community News: MONTEBELLO
Faulty Gas System May Have Released Toxins

Los Angeles Times (LT) - THURSDAY May 5, 1994
By: RICHARD WINTON
Edition: Home Edition Section: Long Beach Page: 4 Pt. J
Story Type: Column; Brief
Word Count: 390

TEXT:

Hazardous gases may have been released into the air this winter at the Monterey Park landfill by a deteriorating gas control system, according to the U.S. Environmental Protection Agency.

Landfill gases, including methane and cancer-causing vinyl chloride, may have been released into the atmosphere on a number of intermittent days from November, 1993, through March of this year from the Operating Industries Inc. landfill, a federal Superfund site, according to EPA officials.

A system of gas smokestacks designed to burn off the gases was not operating at a high enough temperature, EPA officials said. "This wouldn't be considered an immediate health risk," said Roy Herzig, project manager for the site. "A large proportion of the gases was still being destroyed."

An EPA monitoring program inside and outside nearby Montebello homes did not indicate a problem with the air in that period, he said.

The landfill, with its 300-foot-high mountain of waste on either side of the Pomona (60) Freeway, was closed in 1984 and placed on the EPA's list of Superfund sites after it was revealed that the 190-acre dump was contaminated with hazardous waste and polluting the area.

Since then, the EPA has persuaded about 65 blue-chip companies that dumped toxic waste to spend more than \$200 million to clean up the site through two specially formed companies, Cure Inc. and New Cure Inc. Last month, 14 cities that used the dump agreed to give the companies \$31 million toward the cleanup.

State Sen. Charles M. Calderon (D-Whittier) said he is concerned that the EPA has not directly rebutted concerns among nearby residents "that cancer-causing chemicals were being spewed out of the smokestacks."

Brian Ullensvang, an EPA project manager, said the agency will give more specific information about the number of days the temperature fell below 1,400 degrees Fahrenheit, the required temperature, when it receives the information from Cure Inc. However, he said, a January sample "showed a number of days with temperatures below 1,350 degrees." Bud Neumann, Cure project coordinator, declined to answer questions, deferring to the EPA.

Frank Caponi, an engineer for the Sanitation Districts of Los Angeles County, said a temperature below 1,400 degrees on a stack means higher exposure for nearby homes. "Whoever is downstream is exposed to greater level of toxics."

Without the gas system, landfill gases would migrate through the soil into nearby homes.

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02221000 47947
Faulty Gas System May Have Released Toxins

Los Angeles Times (LT) - THURSDAY April 28, 1994
By: RICHARD WINTON; SPECIAL TO THE TIMES
Edition: Home Edition Section: San Gabriel Valley Page: 3 Pt. J
Word Count: 610

TEXT:

Hazardous gases may have been released into the air this past winter at the Monterey Park landfill by a deteriorating gas control system, according to the U.S. Environmental Protection Agency.

Landfill gases, including methane and cancer-causing vinyl chloride, may have been released into the atmosphere on a number of intermittent days from November, 1993, through March of this year from the Operating Industries Inc. landfill, a federal Superfund site, according to EPA officials.

A system of gas smokestacks designed to burn off the gases was not operating at a high enough temperature, EPA officials said.

"This wouldn't be considered an immediate health risk," said Roy Herzig, project manager for the site. "A large proportion of the gases was still being destroyed."

An EPA monitoring program inside and outside nearby Montebello homes did not indicate a problem with the air in that period, he said. However, the EPA does not have sampling equipment on the stacks, he said.

The landfill, with its 300-foot-high mountain of waste on either side of the Pomona (60) Freeway, was closed in 1984 and placed on the EPA's list of Superfund sites after it was revealed that the 190-acre dump was contaminated with hazardous waste and polluting the area.

Since then, the EPA has persuaded about 65 blue-chip companies that dumped toxic waste to spend more than \$200 million to clean up the site through two specially formed companies, Cure Inc. and New Cure Inc. Last month, 14 cities that used the dump agreed to give the companies \$31 million toward the cleanup.

State Sen. Charles M. Calderon (D-Whittier) said he is concerned that the EPA has not directly rebutted concerns among nearby residents "that cancer-causing chemicals were being spewed out of the smokestacks."

"The EPA still (hasn't) satisfied me there's no ongoing hazard," he said. In addition, he said the EPA has yet to produce data showing when the burn-off problems occurred because it has to rely on Cure Inc., which operates the stacks, for information. "The EPA needs to be diligent in monitoring this program."

Brian Ullensvang, an EPA project manager, said the agency will give more specific information about the number of days the temperature fell below 1,400 degrees Fahrenheit, the required temperature, when it receives the information from Cure Inc. in about two weeks.

However, he said, a January sample "showed a number of days with temperatures below 1,350 degrees." Bud Neumann, Cure project coordinator, declined to answer questions, deferring to the EPA.

Frank Caponi, an engineer for the Sanitation Districts of Los Angeles County, said a temperature below 1,400 degrees on a stack means higher exposure for nearby homes. "Whoever is downstream is exposed to greater

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level of toxics."

Without the gas system, landfill gases would migrate through the soil into nearby homes. Herzig said even with the system, 48 percent of 197 homes near the landfill in Montebello tested for hazardous substances last year had high levels of vinyl chloride. The EPA installed special barriers under their foundations to prevent further problems.

"I don't think the EPA is protecting anyone. . . . There is no safe level of vinyl chloride," said Phyllis Rabins, a Monterey Park resident who was instrumental in forcing the landfill's closure. She said three schools are within a mile of the landfill.

EPA officials say the low temperature from the gas control system was solved in March by repairing pipes that had deteriorated.

Herzig said the system was mostly built by the old landfill owners; this summer Cure will replace a large number of gas pipes and in the future will install a new gas extraction system at a cost of \$6 million to \$14 million.

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02201326 27108
Accord Calls for Cities to Help Pay Landfill Cleanup

Los Angeles Times (LT) - WEDNESDAY March 2, 1994
By: ANDREW LePAGE; RICHARD WINTON; SPECIAL TO THE TIMES
Edition: Home Edition Page: 1 Pt. A Col. 3
Story Type: Infobox
Word Count: 1,115

TEXT:

In an unusual case that pits a host of blue-chip corporations against 14 cities in Los Angeles County, the municipalities have tentatively agreed to contribute about \$31 million to the cleanup of a Monterey Park landfill once considered one of the most toxic dumps in the country.

The settlement would climax a four-year legal battle between the corporations and 29 suburban cities over who was going to pay for the cleanup of the Operating Industries landfill. The landfill, with its 300-foot-high mountain of waste, was closed in 1984 and was placed on the federal Environmental Protection Agency's list of Superfund sites.

Of the 14 cities, councils in Monterey Park, Alhambra, Rosemead, Cudahy, Montebello, South Gate, Maywood and Lynwood have agreed to the settlement. Councils in Temple City, South Pasadena and City of Commerce have yet to take action. Officials in Compton, San Gabriel and Bell could not be reached for comment.

If approved by the cities' governing bodies, the money would be used to help finance cleanup efforts at the 190-acre dump where contaminants include such cancer-causing substances as vinyl chloride and trichloroethylene.

As part of the proposed settlement, several private waste hauling firms would also pay \$10.4 million. In addition, Los Angeles County and two sanitation districts in Mesa Heights and Walnut Park have tentatively agreed to pay \$62,400.

Estimates of the cleanup costs have ranged from \$500 million to \$650 million.

After the EPA sought to collect the money from a number of companies it accused of dumping millions of gallons of toxic materials, the companies tried to force the cities to pick up a share of the costs.

After agreeing to spend more than \$200 million to help remedy problems at the dump, about 65 companies, including General Motors, Mobil, Exxon and Georgia-Pacific, sued the municipalities, arguing that they too were responsible for the pollution. Five of the 29 cities were dropped from the suit. Ten agreed to pay about \$2 million in a partial settlement in 1992.

The remaining 14 cities contended that the suit was an attempt by corporate polluters to shift the cost of the cleanup to taxpayers. The cities argued that the household trash they contributed to the dump was not in the same category as the toxic waste deposited by industrial giants.

"They are saying the dirty diapers we threw away for years are as toxic as the hazardous liquids they dumped there for years," Pat West, deputy city manager of Paramount, said when his city earlier agreed to join the settlement. But late last year in a key ruling in the case, U.S. District Judge William M. Byrne Jr. declared that the cities could be found liable for cleanup costs, said Timothy Gallagher, one of several lawyers who has been representing the cities.

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That was enough to prompt his clients to try to reach a settlement, Gallagher said. "From that point on, the only issue left to be resolved was to establish how much each settling party allegedly disposed of at the site." Gallagher pointed out that the EPA has estimated that the cleanup could cost \$650 million and that the corporate plaintiffs were seeking \$312 million in their lawsuit.

"All of the cities are ecstatic because we were able to settle the case for about \$30 million when the potential liability was so much larger," Gallagher said.

The proposed settlement is the largest resolution of a Superfund dispute in which the EPA was not directly involved, he said.

Gallagher said insurance firms had agreed to pay a substantial share of the settlement, although he would not say how much. He also said that the cities would be able to pay the balance of the contributions from their insurance reserve funds.

"What is most important about this case is the money is actually going to the cleanup of the landfill," Gallagher said. "Usually, the money ends up being spent on litigation fees."

Gallagher said that each of the waste haulers, cities and agencies listed in the agreement must approve it before it is final. He emphasized that the settlement was not an admission of guilt by the cities.

EPA officials explained why they had not attempted to collect from the cities.

They said a 1989 agency policy on Superfund sites holds that EPA will not go after municipalities unless their waste can be proved to have contained hazardous substances from an industrial process. That policy applies to trash haulers as well.

"But we have no evidence these cities sent hazardous waste there," said Katherine Shine, an EPA attorney assigned to the landfill case. "And this is a site where we do have information on 4,000 waste generators."

"We have good evidence (the industries cited by the EPA) sent a lot of stuff to the site," she said. "Some individual companies sent millions of gallons of hazardous waste to this landfill. At the top was Chevron, with 15 million gallons of various industrial wastes."

But a lawyer for the companies said: "If there hadn't been ample evidence that the cities dumped hazardous waste, the judge would never have ruled as he did," referring to Byrne's ruling that the cities were potentially liable. The Superfund law allows polluters identified by the EPA to try to broaden responsibility for cleanup costs.

The cities had "no choice but to settle," said Monterey Park Mayor Marie Purvis, whose city has agreed to pay \$4.6 million.

"Our city is responsible for a very small percentage of the hazardous waste in the landfill compared to the big conglomerates who put mounds of the stuff in there," Purvis said.

South Gate City Manager Todd Agnow said his city had already spent nearly as much in legal fees as the estimated \$700,000 it will have to pay for its share of the settlement after its insurer provides its portion.

The Alhambra City Council has agreed to provide \$8.5 million.

"Our insurance companies are going to pay all but \$2 million," said Mayor Barbara Messina. "This goes back a long way, to when cities dumped

garbage at the landfill. It was a time when no one dreamed household waste would be ranked as hazardous waste."

Times environmental writer Frank Clifford contributed to this story.
Cleanup Costs

Fourteen cities in Los Angeles County have reached a tentative agreement with several corporations to pay about \$32 million to help clean up the Operating Industries landfill in Monterey Park. Under the agreement, the cities would pay approximately these amounts:

Alhambra: \$8.5 million

Bell: \$415,000

Commerce: \$395,000

Compton: \$2.5 million

Cudahy: \$350,000

Lynwood: \$1.6 million

Maywood: \$550,000

Montebello: \$4.8 million

Monterey Park: \$4.6 million

Rosemead: \$947,000

San Gabriel: \$2 million

South Gate: \$2.2 million

South Pasadena: \$641,000

Temple City: \$1.9 million

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02180173 05743
State Justices Require Medical Evidence in Cancer Fear Claims
Supreme Court: Victims of toxic pollution must show they are likely to contract the disease, ruling holds. An exception is made for particularly egregious cases.

Los Angeles Times (LT) - TUESDAY December 28, 1993
By: MAURA DOLAN; TIMES LEGAL AFFAIRS WRITER
Edition: Home Edition Page: 3 Pt. A Col. 5
Word Count: 660

TEXT:

SAN FRANCISCO - The California Supreme Court held Monday that victims of toxic pollution can generally recover damages for fear of cancer only if medical evidence shows they are more likely than not to contract the disease because of the exposure.

But the court also carved out an exception for particularly egregious cases. In a sharply divided ruling, the court held that victims need not prove they are likely to get cancer if they can show both that their fear is reasonable and that the polluter acted with a willful and conscious disregard of safety.

The decision represents a setback for victims of toxic pollution, who will have to show compelling evidence of substantial risk of disease or outrageous conduct by a polluter. It also has ramifications for other cases in which a victim alleges a fear of a disease but has not yet developed it.

The pollution case was brought by two Salinas couples who for years consumed well water contaminated by potentially cancer-causing toxics dumped by Firestone Tire and Rubber Co.

Although the couples have not contracted cancer, lower courts awarded them about \$4 million in damages for the emotional distress they suffer because they fear they may get the disease.

Testimony during the trial indicated that the victims had an enhanced but unquantified risk of developing cancer because of their prolonged exposure to such chemicals as benzene and vinyl chloride, which are known to cause chromosomal damage and to have deleterious effects upon the central nervous and immune systems.

The state high court held that the couples can be compensated for medical monitoring but must go back to the lower courts to show that their fear of cancer was reasonable and that Firestone's "extreme and outrageous conduct" was directed at them or undertaken with substantial certainty that they would suffer severe emotional injury.

In effect, the ruling reverses \$3.4 million of the \$4 million the couples had been awarded in fear-of-cancer and punitive damages, according to Robert Crawford, who represented the plaintiffs at trial.

But he said the victims still may recover those damages when the case returns to a trial court, which will examine their claims under the new guidelines set down by the state's high court.

"The court invites us to go back," Crawford said. "I feel comfortable that the trial court, when it gets a chance to review it again, will have sufficient evidence to support punitive damages and fear of cancer damages."

Justice Marvin R. Baxter, who wrote the majority opinion, was joined by Justices Malcolm Lucas, Edward Panelli and Armand Arabian.

Baxter said that permitting damages for fear of cancer based only upon a significant increase in risk could invite "unreasonable claims based upon wholly speculative fears."

However, he also said that Firestone's conduct in dumping toxics in a landfill not licensed to accept them displayed a conscious disregard for the safety of others.

Justices Ronald George, Joyce Kennard and Stanley Mosk wrote separate opinions, agreeing with the majority in parts of the cases and dissenting in others.

Justice George, for instance, said he agreed that the plaintiffs should be allowed to recover damages for their emotional distress because of Firestone's "egregious misconduct."

However, he said victims should not be required to meet the stringent test for their chances of developing cancer.

Someone who has consumed, cooked with and bathed in contaminated water "is likely to sustain a serious emotional distress relating to the fear of developing a serious illness in the future," regardless of whether their chance of getting cancer is more than 50% or only 25%, George wrote.

He complained that the majority opinion "eliminates an important legal protection to which all persons, including victims of toxic waste exposure, long have been entitled."

Charles G. Warner, a Monterey attorney who represented Firestone during the trial, said he was generally pleased with the decision.

"I suppose what will change is that everybody who is contending fear of cancer will now contend egregious conduct," he said.

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Dumping at Bailard Could Be Extended, Report Says
Environment: Officials seeking to keep the landfill open laud the
statement. Oxnard leaders disagree.

Los Angeles Times (LT) - TUESDAY February 2, 1993
By: MACK REED; TIMES STAFF WRITER
Edition: Ventura County Edition Section: Metro Page: 1 Pt. B Col. 5
Story Type: Infobox
Word Count: 814

TEXT:

An environmental impact report issued Monday says that dumping at Bailard Landfill could be extended 3 1/2 years past its Dec. 7 closing date with no more harm to the environment than the traffic, dust, noise, sea gulls and faint traces of carcinogenic runoff the landfill already causes.

Regional waste officials said the EIR backs their efforts to keep the county's main landfill open until a replacement is approved--or until they can finish raising \$21 million needed to close Bailard.

The EIR "says in a nutshell that there is no environmental reason not to extend Bailard," said Donald Gunderson, board chairman of the Ventura Regional Sanitation District, which runs Bailard and commissioned the \$1.2-million report.

More than 7,100 water tests last fall showed that only three of the landfill's 33 monitoring wells contained higher-than-acceptable traces of vinyl chloride. The cancer-causing chemical, a byproduct of decaying garbage, was found in amounts of 3.2 parts per billion in those wells, slightly more than the 2 parts per billion allowed by law, said Clint Whitney, general manager of the sanitation district.

"That's the equivalent of a shot glass full of vinyl chloride in a swimming pool that's 300 feet by 300 feet by 10 feet deep," Whitney said of runoff from the landfill, which lies on unincorporated land between Ventura and Oxnard, west of Victoria Avenue and south of Olivas Park Drive.

The sanitation district has raised \$15 million but could need \$6 million more to close Bailard because of the cost of complying with new state regulations, Whitney said.

County officials are considering a proposal by Waste Management Inc. to open a new landfill in Weldon Canyon between Ventura and Ojai, a process that could take up to two years, Whitney said.

Oxnard officials reached Monday disagreed vehemently with the Bailard extension plan, saying the county Board of Supervisors should vote against it and close the landfill on time.

"We've put up with it long enough," Oxnard Mayor Manuel Lopez said of the 100-foot-tall landfill, which would reach 119 feet in height if it runs until 1997. "Would you like to have that next to you? It's an unsightly project."

Lopez and Oxnard Councilman Andres Herrera said that if the landfill is kept open, it should be only until another landfill is operating or a transfer station is built to take the county's trash elsewhere.

"Oxnard has been, for too long, the dumping ground for the western waste shed," said Herrera, Oxnard's representative on the sanitation district board.

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County Supervisor John K. Flynn, who represents Oxnard, said the landfill should close for good on Dec. 7, whether or not a new facility is open.

The fact that Bailard has room for more trash allows county officials to put off solving trash problems, including state mandates to cut landfill use through recycling by 25% by 1995 and by 50% by 2000, Flynn said.

"In my opinion, we're not going to find any solution as long as we continue to keep Bailard open, because the pressure is removed," he said.

Flynn said that other cities do not care about the landfill's negative effect on neighboring Oxnard communities.

"They don't care whether Bailard has any impact on the water," Flynn said. "They don't care about sea gulls pooping all over River Ridge and dropping pork chop bones on River Ridge homes. They don't care about the odor that comes through River Ridge."

Ventura Councilman Gary Tuttle said that Venturans also complain about the smell and about traffic congestion at Victoria Avenue and the Ventura Freeway caused by Bailard-bound trash trucks.

Yet despite the complaints, he said, the landfill should be kept open until the district raises enough money through dumping fees to close and cover it properly.

"I think that economics calls for it to be extended so we can pay the bills of closing it," Tuttle said. "We don't have any alternatives other than Bailard at this point."

Supervisor Maggie Kildee agreed. "We need to close it as soon as possible, but by the same token, we need to keep it open until we've established another landfill. . . . I don't see Bailard as a pacifier, but I think the concern is that we not do something so precipitous that we make a decision that's not a good one."

NEXT STEP

The Ventura Regional Sanitation District board, representing Ventura County and all cities but Moorpark and Simi Valley, is scheduled to vote Feb. 18 on whether it should accept the EIR and recommend that Bailard Landfill stay open until May, 1997. The county Planning Department then would review comments on the plan from county health and safety departments and make a recommendation to the Planning Commission, which would forward its recommendation to the Board of Supervisors for a vote. The district also would have to gain permission from the Regional Water Quality Board to keep Bailard open.

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02041494 44826
Vinyl Chloride Detected in Houses Near Landfill
Environment: Low levels of the cancer-causing gas are discovered in three Montebello dwellings in the vicinity of a closed dump, one of the nation's most polluted sites.

Los Angeles Times (LT) - WEDNESDAY December 2, 1992
By: RICK HOLGUIN; TIMES STAFF WRITER
Edition: Home Edition Section: Metro Page: 4 Pt. B Col. 5
Word Count: 569

TEXT:

The U.S. Environmental Protection Agency has detected low levels of cancer-causing vinyl chloride in three Montebello homes near the now-closed Operating Industries Inc. landfill, one of the nation's most polluted sites.

The levels detected during testing last month did not require evacuation of the residents, EPA officials said Tuesday.

"It was below the evacuation level but it was above a level acceptable to the EPA," said Janet Whitlock, an EPA project manager.

The EPA has installed a vent pipe coupled with a fan under one of the homes to keep the contaminated air from seeping through the home's foundation and into living quarters, Whitlock said. Similar systems will be installed in the other homes later this week.

Only small amounts of the gas are expected to be vented into the atmosphere, amounts that do not present a significant health risk, Whitlock said.

The EPA, citing reasons of privacy, did not release the addresses of the homes where the toxic gas was found. No vinyl chloride was detected in 34 other homes tested last month.

The EPA decided to test the homes after monitors on the perimeter of the landfill detected small amounts of vinyl chloride.

Vinyl chloride is used in the manufacture of plastic products that may have been dumped in the landfill. It also is created as chemicals break down in the landfill.

Air samples will be taken from another 50 homes near the landfill beginning this weekend. In all, the EPA plans to test about 200 homes by February.

The EPA also is monitoring for methane, a potentially explosive gas that is generated by decomposing trash. But high levels of methane were not detected in any of the 37 homes.

Hank Yoshitake, a community activist who campaigned to have the former dump cleaned up, said residents were worried but thankful the EPA has taken action to protect their health.

Yoshitake's Yorktown Avenue residence, about half a block from the dump, was one of the 37 homes tested. No vinyl chloride was detected, he said.

"We're always concerned about anything that is bad for the neighborhood," Yoshitake said. "We're relying on the EPA to find these homes that do have small traces and to mitigate it."

The OII landfill is in Monterey Park, on Montebello's northern border. It accepted industrial, residential and commercial waste from 1948 until it was shut down in 1984 amid community protest. Hazardous liquid wastes were dumped there from 1976 to 1983.

The site is on the national Superfund list, which identifies the most contaminated sites for priority cleanup. EPA officials say it will cost more than \$200 million to make the site safe. That will include capping the landfill, which should be completed in about four years, and installing a gas control system to prevent leaks. Gas extraction wells are already on the borders of the landfill to limit emissions.

"The final remedy is under design," Whitlock said. "That will ultimately take care of the landfill gas problem."

A plant to treat leachate--a dark liquid generated by decomposing trash, liquid waste and rainwater--has been built at OII and is being tested. It is expected to go into operation in the next few months, said Roy Herzig, another EPA project manager at the site.

Testing continues to determine the extent of ground water contamination associated with the dump. Officials expect that the site will have to be maintained for at least 30 years.

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02028502 32071
Community News: Southeast
SOUTH GATE
Proposed School Site Causes Concern

Los Angeles Times (LT) - SUNDAY November 1, 1992
By: DUKE HELFAND
Edition: Home Edition Section: City Times Page: 15
Story Type: Column; Brief
Word Count: 513

TEXT:

The Los Angeles Unified School District plans to build an elementary-high school complex on a 33-acre industrial site despite concerns from state officials over possible environmental hazards.

The site, at Tweedy Boulevard and Adella Avenue, would provide classrooms for students from Tweedy Elementary as well as students now attending South Gate and other high schools. The students at Tweedy Elementary were forced from their Southern Avenue school about half a mile away in 1988 because of cancer-causing vinyl chloride and other chemicals that leaked from industrial firms nearby. The students are housed temporarily in 11 bungalows at South Gate Park at a cost of \$116,666 per year.

"We're concerned that the land (for the new site) may be contaminated to the point that clean-up would be cost-prohibitive," said Frank Harding, a deputy local assistance officer with the state Allocation Board in Sacramento, which allocates money for new schools. "Is there long-term liability? It is unclear who would be liable if anything happens on that site 10 or 15 years from now."

The school district has applied for \$67 million in state bond money to pay for the project, which would be completed after 1995, officials said.

The high school would have a total enrollment of 3,480, with as many as 2,700 students attending on single tracks. The elementary school would have 900 students total, with as many as 709 on single tracks.

Iron and aluminum foundries now occupy the site, as do a metal-plating company and several other industrial companies. A pesticide manufacturer had been on the site, district officials said. The school district would purchase the land from the existing businesses.

Bob Niccum, the school district's director of facilities planning and real estate, said the district plans to clean up any existing environmental problems at the site, including soil tainted by pesticides.

The school district has spent nearly \$1 million on a series of recent studies to examine environmental problems at each of the 44 parcels that make up the site. The studies list measures that would be needed to ensure the students' safety, Niccum said.

"We're confident that we are going in with our eyes open," Niccum said. "Our safety people have reviewed (the state's) concerns and ensure us they can all be dealt with. We know what the problems are." Niccum declined to specify the contaminants that would need to be cleaned up.

Tweedy Elementary Principal Leo Garcia said that he will be comfortable with the new site as long as school district, state and federal environmental officials are satisfied.

"In light of what happened at the old site, the authorities, I'm sure, are conducting the appropriate tests for environmental safety," Garcia said. "If it is environmentally safe for the students, I would have no objections for them to build the new school."

Meanwhile, the school district plans to sell the former Tweedy site at 5115 Southern Ave. Niccum said about a dozen parties have expressed interest in the three-acre property, which he has recommended selling for a minimum of \$1.3 million. Bids will be considered later this month, he said.

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02021421 24909
Homes to Be Tested for Toxic Gas
Environment: The EPA will check for carcinogenic vinyl chloride in 200
Montebello residences near a landfill.

Los Angeles Times (LT) - FRIDAY October 16, 1992
By: MAURA DOLAN; TIMES ENVIRONMENTAL WRITER
Edition: Home Edition Section: Metro Page: 4 Pt. B Col. 1
Word Count: 382

TEXT:

The U.S. Environmental Protection Agency announced Thursday that it will soon test about 200 homes in Montebello to determine whether a cancer-causing gas is seeping into them from a nearby landfill.

EPA spokesman Dave Schmidt said the agency already has detected "very low levels" of vinyl chloride, a known human carcinogen, over the dump owned by Operating Industries Inc., located in Monterey Park and bordering a Montebello residential neighborhood.

Fearful that the gas may be seeping underground into the foundations of the nearby homes, EPA officials will begin going door to door in the neighborhood today to advise residents that they will test for vinyl chloride in their homes starting Nov. 9.

"Nobody has reported any ill effects from these gases," Schmidt said. "If they had, we would have been looking for them a lot sooner."

He said the agency decided to investigate the insides of homes as a precaution after finding the gas in the outside air. If found in homes in amounts that exceed outdoor levels, the EPA will install a pipe and fan device to suck it out of foundations, Schmidt said.

"There is a possibility it might be there," he said. "But we don't expect to find high levels."

The EPA will pay for the removal of the gas.

Operating Industries Inc., a federal Superfund site, accepted industrial, residential and commercial waste from 1948 to 1984, when it shut down, and liquid hazardous wastes from 1976 to 1983.

Schmidt said the EPA also will test homes for methane, which is potentially explosive. He said the homes were checked for methane in the mid-1980s, and dangerous levels were not found then. As a permanent measure that will be completed within four years, the landfill will be capped and a gas control system installed to prevent leaks. Currently, there are gas extraction wells on the periphery of the landfill to limit the emissions.

Vinyl chloride is a breakdown byproduct of trichloroethylene, a solvent used to clean metals, and perchloroethylene, a solvent for cleaning metals and clothes. Schmidt said they may have been dumped into the landfill during its operation.

If significant levels are found within many of the 200 homes, additional dwellings will be tested. "I'm sure we will if a lot of the homes have it," the EPA spokesman said.

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01998675 01866
County Resists Push to Test for Toxic Waste at Old Dump Site
Health: State officials say the former Hawthorne Canyon Landfill, which now
lies under 10 homes, may be dangerous.

Los Angeles Times (LT) - THURSDAY August 20, 1992
By: RONALD B. TAYLOR; TIMES STAFF WRITER
Edition: South Bay Edition Section: Metro Page: 3 Pt. B Col. 5
Word Count: 1,007

TEXT:

State toxic waste experts and county dump operators are battling over who is responsible for the old Hawthorne Canyon Landfill, which state officials say may pose a health hazard to residents of an upscale neighborhood in Rolling Hills Estates.

The state is trying to force the Los Angeles County Sanitation Districts to conduct tests to determine if it contains dangerous substances that "may pose a (health) hazard" to nearby residents. If a danger is found, the state wants the county to clean up the site.

County sanitation officials, however, have refused to comply, maintaining that the state has no authority to issue such orders.

The small canyon dump was sealed and covered decades ago and now lies under the back yards of 10 homes on Moccasin Lane, just off Hawthorne Boulevard. As dump wastes slowly decomposed, parts of the back yards began sinking and gases seeped out of cracks and holes, according to homeowners in the area.

In tests conducted by the South Coast Air Quality Management District earlier this year, noxious levels of methane gas and traces of cancer-causing chemicals like vinyl chloride were detected in the gases, but experts said they pose no immediate health hazards.

Officials say no one is certain just what kinds of wastes were dumped in the landfill a quarter of a century ago, nor is it clear who should be liable for cleaning up the dump if that becomes necessary.

Both the county and the city disclaim any liability.

Homeowners, who have threatened to sue both the city and the county, say they were unaware of the sealed-over garbage dump when they bought their land. State toxic control officials contend that the dump may be hazardous and are continuing to push the county to drill test holes and take samples.

"We need to find out what's under there. We want the sanitation districts to see if there is a health risk," said Daniel Weingarten, staff attorney for the state Department of Toxic Substances Control.

The sanitation districts did fill and cap the old Hawthorne Canyon dump in the late 1960s, they said, but they note that the job was done legally under an agreement with the city. The county no longer has any responsibility for the site, they said.

Homeowners have contended that the canyon was supposed to have been filled with compacted dirt, not garbage, said attorney Ronald Beck, who represents the property owners. The land was then subdivided and sold.

"What is down there is rank garbage from the P.V. landfill next door . . . (and) that's not supposed to be there," Beck said.

Beck was referring to the much larger Palos Verdes Landfill operated by the county until it was closed and sealed in 1980. That dump, which does contain hazardous wastes, is maintained by the county sanitation districts.

The homeowners aren't the only ones questioning whether the P.V. dump may be leaking hazardous wastes into the old Hawthorne Canyon dump.

That possibility was raised by state toxic waste experts in a June 10 internal memo that revealed that the earth barrier built between the two dumps was not designed to stop the underground flow of liquid or gas wastes.

The memo stated that the earthen wall between the two dumps "is not an effective barrier to the migration of liquids or gases."

County sanitation districts experts disagree, contending that there is no connection between the two dumps. They also contend that no hazardous wastes were placed in the Hawthorne dump, saying the gases that are now escaping from the site contain traces of chemicals that occur naturally in the breakdown of municipal wastes.

"These are separate sites, and there is no indication of connection or migration of chemicals between them," said John Gullede, spokesman for the districts. The levels of methane, vinyl chloride and benzene escaping from the Hawthorne dump are "no different than from any other landfill," he said.

The districts have offered to install a gas collection system across the back yards of the 10 homes, similar to the collection system used to capture noxious gases at the Palos Verdes Landfill, he said. So far, he said the property owners have refused the offer.

The Hawthorne landfill, located in a small canyon between Hawthorne Boulevard and Moccasin Lane, was developed legally on private lands by the county sanitation districts in 1968, records show. Quickly filled with municipal wastes, it was capped by a layer of earth, and the land was subsequently subdivided and sold.

By 1981 decomposition of the yard trash and household garbage was causing yards to sink and crack and plants to die. Fences and barns collapsed, swimming pools were damaged, and residents said their yards became unusable.

Last February the residents petitioned the City Council for help in pressing their demand that the sanitation districts remove the dump by scooping out the contents and refilling the canyons and their back yards with clean dirt.

When the city refused to intercede on their behalf, the homeowners filed a claim against the city, alleging that it too was at least partly responsible for the problem because it was the city that approved the landfill.

The city denies that it has any liability in the matter.

"We have no responsibility for what is happening," said City Atty. Richard Terzian.

City Councilwoman Jacki McGuire believes county sanitation districts officials have been "dragging their feet" on the matter; she wants county officials to comply with the state order to drill test holes and take samples to determine what is in the dump.

"I want to know what exactly is under there, but so far we don't know.

We're still waiting," she said.

Negotiation between state and county officials over what to do are continuing.

County sanitation experts say there is no need to sample the landfill contents because they know it contains municipal wastes that pose no health hazards.

"We still see no reason (to bore test holes); all we'd find is (municipal) trash that we know is there. That's not going to help," Gullledge said.

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School Employees to Vacate Offices in Polluted Area

Los Angeles Times (LT) - THURSDAY March 26, 1992
By: RICK HOLGUIN; TIMES STAFF WRITER
Edition: Home Edition Section: Long Beach Page: 1 Pt. J Col. 5
Word Count: 754

TEXT:

SOUTH GATE - The Los Angeles Unified School District has decided to vacate its offices at a former school in an industrial area of South Gate after 15 employees complained of rashes, headaches and other health problems.

The last of the 20 employees at the former Tweedy Elementary School are scheduled to be moved to other district offices by the end of the week, Deputy Supt. Ruben Zacarias said. District officials said the move was precautionary and the district may decide to use the former school site in the future. The Los Angeles school district serves portions of the Southeast area, including South Gate.

"It's not because we think it's unsafe there," said Susie Wong, the school district's director of environmental health and safety. "Some people were getting rashes out there and I don't know what to attribute it to."

Training teacher Lee Saltz described the health problems to district officials in a Feb. 11 memo and asked that she and her co-workers be moved. Saltz and some of the other employees, including other teachers and clerical workers, said they believe they were being exposed to airborne contaminants from nearby industry.

"I am so thrilled to be out of here," said Saltz, who has had a rash on her right leg intermittently for more than a year. "The only thing I'm concerned about now is we don't know the long-term implications. My rashes are still on my leg."

Saltz said she will consider taking legal action against the district if her health problems continue.

Much of the health concerns focused on Cooper Drum Co., which is next door to the former elementary school. The firm, which recycles 55-gallon steel drums for industrial use, is a candidate for the national Superfund List that targets the nation's most polluted areas for cleanup. There is soil and ground-water contamination at Cooper Drum, according to U.S. Environmental Protection Agency officials.

But so far, EPA officials say there is no evidence linking Cooper Drum and the health problems of the school district's employees. An EPA inspector visited Cooper Drum and Tweedy school last month but was unable to detect any environmental hazards at the site.

Also, the South Coast Air Quality Management District sent out inspectors three times in January and February to investigate complaints of odors at the former school--the smell of solvents or burning wood. But the inspectors found nothing, a AQMD spokeswoman said.

Cooper Drum officials said the plant is operating in accordance with its permits and that it does not pose a health hazard.

Environmental pollutants have been a concern at Tweedy since the mid-1980s because the school is surrounded by industry.

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School employees and students complained of headaches, stomachaches, nausea, sore throats, swollen eyes, respiratory problems and allergies.

The school district, facing strong public pressure, closed the school in 1988 even though AQMD air monitoring at the school in 1987 found no dangerous pollution levels, officials said.

The district reopened the buildings in September, 1989, and assigned about 20 employees to work there full-time. District psychologists and nurses also used the former school occasionally to test students.

The employees said they started experiencing health problems more than a year ago. Fifteen of the 20 employees assigned to the site said they developed rashes, headaches and allergies since being assigned to Tweedy. Two workers said they sometimes have become nauseated on the school grounds.

Most of the employees said they saw private doctors, who were unable to pin down the cause of their problems. They were given ointments to treat the rashes, which recurred. Some of the employees said their rashes would clear up when they were away from Tweedy on vacation.

The employees' fears increased last month when the EPA announced that it has proposed putting Cooper Drum on the national Superfund list.

During limited testing, the last of which took place in 1990, environmental officials discovered tainted soil at depths of 30 feet below the ground and polluted water 53 feet below the ground at Cooper Drum. The soil and ground water contained the industrial degreasing solvent perchloroethylene, or PCE, and other chemicals, including cancer-causing vinyl chloride and benzene.

Environmental officials say they are most concerned because the pollution has the potential to reach a major aquifer 600 feet below the ground. The aquifer is the source of drinking water for South Gate and other cities in the Southeast Los Angeles County area.

The EPA will conduct extensive tests of the soil and ground water in and around Cooper Drum if the site is added to the Superfund List as expected in the next several months.

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01930677 63997
School Staffers Cite Ailments, Seek to Leave Polluted Area
Environment: Workers at the former Tweedy School are next-door to a firm
that is a candidate for toxic cleanup.

Los Angeles Times (LT) - SUNDAY March 1, 1992
By: RICK HOLGUIN; TIMES STAFF WRITER
Edition: Home Edition Section: Long Beach Page: 1 Pt. J Col. 5
Word Count: 959

TEXT:

SOUTH GATE - Fifteen Los Angeles Unified School District employees say they have developed rashes, headaches and allergies while working at a former elementary school that was closed to students in 1988 because of concerns over air pollution and other contamination.

Several of the 20 employees at the former Tweedy Elementary School site in South Gate say they have asked the district to move them away from the industrial area.

The former school is next-door to the Cooper Drum Co. site, a candidate for the national Superfund List that targets the nation's most polluted areas for cleanup. The company recycles 55-gallon steel drums for industrial use.

"We feel like the birds they used to send down into the coal mines to see if they live," said Lee Saltz, a training teacher who has been based at Tweedy since September, 1989. "It's an unsafe place to be."

Saltz said she has had a rash on her right leg intermittently for more than a year, and she treats it with a medicated cream. The rash clears up during vacations, she said. Saltz and some of the other employees said they have been examined by their doctors, but the physicians could not pinpoint the causes.

Dolores Perez, a secretary who has worked at the site for more than two years, said a rash has developed behind her ears in the last year. "We were assured that (the site) was a safe place to work," she said. "I started feeling that they just put us in here and didn't really care about us."

Two workers said they sometimes have become nauseous on the school grounds.

Some school district employees say they also notice odors similar to the smell of solvents or burning wood at their work site. The employees said they called the South Coast Air Quality Management District in January to complain about the odors.

The AQMD sent out inspectors three times--Jan. 21, Feb. 6 and Feb. 11--but could detect no odors, AQMD spokeswoman Paula Levy said. The AQMD has not monitored the overall air quality at Tweedy since 1987, but it would consider any requests to do so, Levy said.

Employees also described their health problems in a Feb. 11 memo to district officials.

An Environmental Protection Agency inspector was sent to Cooper Drum and the former Tweedy school site Thursday, but he said he could find no obvious sources of pollution.

"If there's a problem, it may be from air emissions," said EPA inspector Robert E. Bornstein. "It might not be from Cooper Drum. This is a

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heavily industrialized area, and it could be coming from another source."

Bornstein said he would contact the AQMD to determine whether the air at the school should be monitored for contaminants.

Lisa Gold, a lawyer representing Cooper Drum, said the firm, which is regulated by the county in addition to the AQMD, does not present a health risk to the school district employees. "They (Cooper) are operating in compliance with all their permits," Gold said.

When the school was open, Cooper Drum waited until 3 p.m.--about the end of the school day--to start its drum recycling operation. The company has continued that schedule, which reduces the employees' exposure to emissions. The workday for the school district employees usually ends at 4:30 p.m.

The AQMD monitored air at the school in 1987 but found no dangerous pollution levels, an AQMD spokesman said. The next year, however, the school district closed Tweedy after employees and students complained of headaches, stomachaches, nausea, sore throats, swollen eyes, respiratory problems and other allergies.

In September, 1989, the district reopened the site and assigned about 20 employees, including training teachers and secretaries, to work there. The site also is used occasionally by district psychologists and nurses to test students.

Susie Wong, the school district's director of environmental health and safety, said the site was never declared unsafe. As a result of employee complaints, school officials will investigate "to see if there truly is a problem out there," she said.

In 1987, a county Emergency Response Team was called to Tweedy Elementary after oil and sodium hydroxide, a caustic cleaning agent used by Cooper Drum, began oozing from the soil at the school. High levels of a solvent also were found.

Leaks were discovered in a building where Cooper Drum washes used barrels. The county cited Cooper Drum for the contamination and ordered the firm to remove the contaminated soil at the edge of the asphalt playground. Cooper Drum removed the tainted soil and spent about \$200,000 to re-pipe its drum-washing machine and fix cracks in the building that houses it, attorney Gold said.

But the employees at Tweedy school said they still fear exposure to fumes from hazardous liquids used at Cooper. A brick wall of the Cooper Drum building, on the school's northern boundary, is wet on some days, they said.

Gold said there were no liquids leaking from the drum recycling plant. But the EPA's Bornstein said his agency would test the wall to see if there were any recent leaks.

The EPA also will conduct extensive tests of the soil and ground water in and around Cooper Drum if the site is added to the Superfund List.

During limited tests, environmental officials discovered tainted soil at depths of 30 feet and polluted water 53 feet below the ground at Cooper Drum. The soil and ground water contained the industrial degreasing solvent perchloroethylene, or PCE, and other chemicals, including cancer-causing vinyl chloride and benzene.

Environmental officials say they are most concerned because the pollution has the potential to reach a major aquifer 600 feet below ground. The aquifer is the source of drinking water for South Gate and other cities

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01924886 56978
EPA Proposes Superfund Cleanup at Drum Recycling Co.
Environment: Officials fear that chemicals from Cooper Drum Co. may seep into the Silverado Aquifer. Limited tests discover extensive soil and ground-water pollution.

Los Angeles Times (LT) - SUNDAY February 16, 1992
By: RICK HOLGUIN; TIMES STAFF WRITER
Edition: Home Edition Section: Long Beach Page: 1 Pt. J Col. 2
Word Count: 814

TEXT:

SOUTH GATE - The soil and ground water under a South Gate company appear to be so contaminated with chemicals that the U.S. Environmental Protection Agency has proposed putting it on the national Superfund List, which targets the country's most contaminated sites for cleanup.

The premises of Cooper Drum Co., 9316 S. Atlantic Ave., are polluted with industrial solvents and other chemicals, including cancer-causing vinyl chloride and benzene, an EPA spokesman said.

Cooper Drum refurbishes 55-gallon barrels that are used by industry to hold chemicals. The site has a history of pollution problems, which include caustic liquid leaks onto the grounds of a neighboring elementary school.

Limited testing at Cooper Drum discovered tainted soil at depths of 30 feet and polluted water 53 feet below the ground. Environmental officials say the pollution has the potential to reach the Silverado Aquifer, the source of drinking water for South Gate and other cities in Southeast Los Angeles County. The aquifer is about 600 feet down.

More extensive testing will take place if Cooper Drum is added to the Superfund List, a process that takes about seven months. That testing would also determine the size of the Superfund site, which would include contaminated areas that extend beyond the firm's 3.8-acre boundaries, said Thomas Mix, the EPA's local chief of site evaluation.

The EPA uses a point-rating system, based on the evidence of pollution and the threat it poses to the public, to determine whether a site should be on the Superfund List. To be considered, a site must receive at least 28.5 points. Cooper Drum scored 50.1.

"The (Superfund List) is a national listing of the most serious sites nationwide," Mix said. "This seems to have the eligibility requirements for that."

A Cooper Drum spokeswoman acknowledged that the firm has had contamination problems in the past. But lawyer Lisa Gold said she and company officials would review documents supporting the proposed listing and meet with EPA officials, "to work out whether, in fact, Cooper Drum Co. is responsible for this contamination they're alleging."

Cooper Drum took over the site from another drum recycler in 1976, Gold said. The firm is in an industrial section of South Gate.

The EPA contends that the firm's machine that cleans the used drums is responsible for at least some of the contamination.

The company uses sodium hydroxide, a caustic soap, to wash chemicals from the drums that it recycles. Cleaning solutions and chemical residue from the drums has leaked out of the washing tank and through cracks in the building into the ground, EPA officials said.

Further investigation could turn up other sources of contamination in the industrial neighborhood, officials said.

"Cooper is one of the biggest facilities in the area," said Lisa Nelson, Superfund List coordinator. "We concluded that Cooper must be a major contributor, but we can't say the contamination is due solely to Cooper."

Cooper Drum has been an environmental concern for years.

Concentrations of the industrial degreasing solvent perchloroethylene, or PCE, were discovered in the soil at Cooper Drum in 1984. The company had to truck away 180 tons of soil, which was contaminated through discharges of hazardous wastes, according to county health officials.

PCE contamination forced South Gate to close four wells in 1986. The wells, which remain closed, are southwest of Cooper Drum, in line with the flow of underground water, officials said. They suspect that the pollution may have come from Cooper Drum.

In 1987, the county Health Department's Emergency Response Team was called to Tweedy Elementary School, adjacent to Cooper Drum, after sodium hydroxide and oil began oozing from the soil. Students have not attended the school since 1988 because of soil and airborne contaminants from nearby industry.

High levels of the industrial degreasing solvent perchloroethylene, or PCE, were also found in the soil near the block wall that separates the company and the school.

The county cited Cooper Drum for the contamination and ordered the firm to remove the contaminated soil and begin testing to determine the extent of contamination. A consultant hired by Cooper Drum has performed the most extensive soil and ground-water testing so far.

Shortly after the 1987 incident, Cooper Drum spent about \$200,000 to re-pipe its drum-washing machine and fix cracks in the building that houses it, Gold said.

Since then, "they haven't had a drop of wash liquids escape the system," she said.

If Cooper Drum is declared a Superfund site, it will be one to two years before cleanup work begins, said EPA spokeswoman Paula Bruin. The EPA will attempt to track down the parties responsible for the pollution and charge them for the cleanup.

South Gate officials, who have suspected Cooper Drum of being a source of water pollution for years, welcome the EPA involvement.

"As far as we're concerned, that seems to be another source of revenue to mitigate the problem," said Public Works Director James A. Biery.

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Common Solvent Added to Toxics List

Health: Dry cleaners fear new status for 'perc' will drive mom-and-pop operations out of business.

Los Angeles Times (LT) - FRIDAY October 11, 1991

By: JUDY PASTERNAK; TIMES STAFF WRITER

Edition: Home Edition Page: 35 Pt. A Col. 1

Word Count: 537

TEXT:

A solvent widely used as dry-cleaning fluid was named Thursday to the toxics list of the California Air Resources Board over the emotional objections of dry cleaners who maintain that the result will be frightened customers, higher insurance costs and failing businesses.

Perchloroethylene is a probable human carcinogen, according to the U.S. Environmental Protection Agency and the U.S. Public Health Service. Research shows increased rates of liver tumors and leukemia in rats and mice exposed to the compound.

But its potency, on the average, is much lower than that of cancer-causing compounds on the ARB's list, such as benzene, chromium, vinyl chloride and asbestos, said ARB spokesman Bill Sessa.

At a 12-hour hearing in Sacramento, the board expressed concerns over the uncertainties of calculating cancer risks, and called on California environmental authorities to review the health evidence on the compound.

Of 13,000 tons of perchloroethylene--"perc," for short--emitted into California's air each year, 11,000 tons come from dry cleaners. But the ARB's decision Thursday will not limit the use of perc immediately, although some controls are expected eventually.

Still, dozens of owners said at the hearing and in interviews that the consequences of adding perc to the toxics list would be fatal to their businesses, which they characterized as mostly mom-and-pop operations often run by immigrants.

"We are not criminals. We do not cause cancer," said Stephen Green, owner of dry-cleaning shops in Brentwood, Sherman Oaks and Pacific Palisades. He said he was unconvinced by the ARB's scientific findings.

"If anybody's going to get cancer from perc," he said, "it's us. But we aren't. Why is that being ignored?"

As the 16th compound to be placed on the state list, perchloroethylene must be regulated by the ARB. Framing a plan and specific rules could take more than a year, Sessa said.

Perc also becomes eligible for public-notice requirements of the South Coast Air Quality Management District, which has jurisdiction over Los Angeles, Orange, Riverside and San Bernardino counties.

This means that the AQMD will hold public hearings and workshops before deciding whether to require new businesses to inform neighbors that their operations will be using perc. That process is expected to take about six months.

The ARB estimates 600 excess cancer cases will occur statewide over 70 years due to perc use.

But "potentially, it's a much higher risk in isolated places for people

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that are exposed to the highest concentrations," Sessa said. A person who receives the maximum exposure--living in the same place for 70 years near one of eight Southern California facilities--could face a much higher risk. Of 1 million people, 480 of them exposed to high concentrations would be expected to develop cancer, he said.

Wayne K. Freedland, sales manager for a firm that markets perc, said: "Living involves risk assessment. Do I go out of the house today, do I drive a car, do I get in a plane? We're creating chemophobia in the population."

Dry cleaners rank with service stations as the most pervasive sources of toxic chemicals in most urban areas, said a U.S. congressional staff member involved in overseeing the federal Clean Air Act.

"No one has a political agenda to try and hurt dry cleaners," he said.

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Flynn Angers Landfill Operators
Environment: County supervisor says Bailard dump has contaminated nearby
ground water with vinyl chloride.

Los Angeles Times (LT) - TUESDAY March 12, 1991
By: HUGO MARTIN; TIMES STAFF WRITER
Edition: Ventura County Edition Section: Metro Page: 1 Pt. B Col. 2
Word Count: 893

TEXT:

The Ventura Regional Sanitation District and Supervisor John K. Flynn escalated their long-running feud over the Bailard Landfill on Monday, with district officials claiming that Flynn sent out "wrong information and some half-truths" in a letter to his constituents.

Flynn, a longtime opponent of the landfill near Oxnard, sent letters to 400 residents during the past two months, urging them to attend a meeting today in Oxnard on a proposal to extend the landfill's operating permit by two years.

Meanwhile, a proposed landfill that would replace Bailard met with harsh criticism at a meeting of about 40 Ojai residents Monday night.

In the letter, Flynn said he opposes the two-year extension because the landfill has contaminated nearby ground water with a "dangerously high level of vinyl chloride," a cancer-causing chemical used to make plastics.

The sanitation district, a public agency that operates Bailard and a landfill near Fillmore, has a permit to operate the Bailard dump until late 1993.

According to a memo to county Environmental Health Manager Donald Koepp from his technical services manager, Terry Gilday, at least one monitoring well at the dump indicated that the ground water contains 15 times more vinyl chloride than the state allows.

The state limits the amount of vinyl chloride in ground water and drinking water to 2 parts per billion, according to Gilday's memo. The level in one well was 32 parts per billion.

The memo said four other wells at the landfill had vinyl chloride levels above the state limit.

Kelly White, the district's environmental manager, acknowledged that the chemical has been detected in testing wells at the dump but said there is little danger that the vinyl chloride will contaminate drinking water.

She accused Flynn of exaggeration and of raising unnecessary fears.

"It's very important to note that the vinyl chlorides have been found only in the most shallow layer of water below the landfill," White said. "This water layer has already been polluted by other sources and is only used for dust control."

The dispute comes a month after Flynn and two Oxnard councilmen unveiled a plan to unite the county and four western cities in operating a landfill to replace the Bailard dump.

Flynn has often characterized the district as being inefficient and wasteful.

He has also spoken out against the continued operation of Bailard,

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saying the dump is an eyesore and should be moved away from populated areas.

Officials of the Ventura Regional Sanitation District defend the Bailard Landfill, saying it provides a competitively priced service to more than 300,000 county residents.

In an interview on Monday, Flynn said he fears that the ground-water contamination caused by the vinyl chloride can drift away from the landfill and reach nearby drinking water.

"I'm not saying that the chloride is yet in the drinking water, but I am saying that it is in the ground water," he said.

While the sanitation district has requested a two-year extension to give it enough time to find an alternative landfill site, Flynn said he believes that district officials want to operate the Bailard Landfill for another 20 years.

"That is their hidden agenda," he said. "That is what they are after. That is what they have always been after."

William Chiat, manager of the district's Resource Planning and Recovery Department, denies Flynn's allegation.

"The district does not in any way intend to seek a 20-year extension, as some have claimed," he said. "In fact, the district is actively looking for a new landfill site away from significant numbers of residences."

The meeting Monday evening at the Oak View Community Center was the first of several public hearings to review a draft environmental report for the proposed landfill on 551 acres at Weldon Canyon, about a mile east of California 33.

Residents, many of whom live within a mile of the proposed landfill, told the Ventura River Municipal Advisory Council that they oppose the dump because it would create too much traffic, noise and air pollution.

"Has anybody considered the traffic and noise we are going to get up there?" said Leo Gonzalez, a resident of the Valley Vista tract, the closest neighborhood to the proposed dump site.

"How is the community indemnified if there's a disaster there?" said Stan Greene, president of Citizens to Preserve the Ojai.

Scott Ellison, a spokesman for the Ventura County Planning Division, answered, "I cannot guarantee to you that the landfill is risk-free."

Waste Management of North America has proposed to operate the landfill to serve residents in western Ventura County for at least 27 years.

The Ventura River Municipal Advisory Council is a public agency that acts as an advisory board to the county Planning Commission and the Board of Supervisors.

The council will meet March 25 to decide on a final recommendation.

The environmental impact study for the Weldon Canyon landfill, which was released last month, recommended that the proposed landfill be reduced in size by 68% to ease the effects on neighbors and nearby wildlife.

Due to a mix-up in the printing of meeting notices, the meeting of the Ventura River Municipal Advisory Council had been canceled by county officials last week.

However, a spokesman for Supervisor Susan K. Lacey said a deluge of telephone calls from residents interested in attending the meeting forced officials to schedule two meetings--one for Monday and one for March 25.

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Metro Digest / Local News in Brief
Cancer Risk Reported for Neighbors of Landfill

Los Angeles Times (LT) - THURSDAY November 29, 1990
Edition: Home Edition Section: Metro Page: 2 Pt. B Col. 1
Story Type: Column; Brief
Word Count: 157

TEXT:

San Gabriel Valley residents living near the controversial BKK Corp. landfill face a risk of contracting cancer that is slightly above the U.S. average, according to a recently completed health-risk assessment by USC and the state Department of Health Services.

However, researchers also concluded that the cancer rate for those living around the West Covina landfill was essentially the same as for Los Angeles County overall. The studies involved 100,000 residents who lived around the landfill from 1972 to 1982, when it was one of the state's principal toxic waste disposal sites.

The heightened risk translates into an additional 2 people out of 100,000 who are likely to develop cancer as a result of the presence of vinyl chloride, a carcinogen present in the air, soil and water around the landfill, which is now closed to toxic waste.

About 33,000 people in the study area would be expected to contract cancer regardless of the landfill's proximity, researchers said.

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01723414 46992
Farrell's Vote on Smoking Ban in Restaurants

Los Angeles Times (LT) - SATURDAY October 27, 1990
Edition: Home Edition Section: Metro Page: 6 Pt. B Col. 1
Story Type: Letter to the Editor
Word Count: 284

TEXT:

Bill Boyarsky's column (Oct. 19) explaining Councilman Bob Farrell's courageous vote to ban cigarette smoking in Los Angeles restaurants was excellent journalism, a much-deserved plaudit to the City Council member.

If national polls and some local surveys are an indication, a majority of smokers favor increased regulation of smoking in public settings. More than two-thirds of smokers now acknowledge that smoking can harm nonsmokers.

A review of nine risk analysis studies of the health effects of environmental tobacco smoke showed a remarkable consensus that in the U.S. 5,000 lung cancer deaths a year are attributable to environmental tobacco smoke. This is 25% higher than indoor radon and is 57 times greater than the combined estimated cancer risk from all the hazardous outdoor air pollutants currently regulated by the EPA: radionuclides, asbestosis, arsenic, benzene, coke oven emissions and vinyl chloride.

We have established beyond a reasonable doubt that the risk of lung cancer increases with increased exposure to all sources of environmental tobacco smoke, including smoking spouses, smoking co-workers and, most recently, smoking parents.

As Farrell had the courage to acknowledge, the devastation to health caused by smoking has tended to fall the hardest on inner-city, ethnic minority residents. They are, indeed, besieged by the ill-health consequences of cigarette smoking, including low-birth-weight babies, heart disease, emphysema and decreased immune response to such diseases as cystic fibrosis and AIDS. If Farrell's vote to ban smoking from restaurants had been successful, that vote would have done more to improve his constituents' overall health and expected longevity than any amount of money appropriated for health. He exhibited genuine leadership on this important health issue.

WILLIAM J. MCCARTHY
Vice President, Public Issues, American

Cancer Society Coastal Cities Unit

Culver City

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Residents Use Meeting to Air Doubts on Plan for BKK Landfill

Los Angeles Times (LT) - SUNDAY June 24, 1990
By: BERKLEY HUDSON; TIMES STAFF WRITER
Edition: Home Edition Section: San Gabriel Valley Page: 6 Pt. J
Word Count: 584

TEXT:

WEST COVINA - About three dozen residents, many of them veterans of the long fight against the BKK Corp. landfill, last week warned state health officials that plans for a renaissance at the once-toxic dump may backfire.

"There should be a lot more thought given to this," George Tracy, chairman of the city's Waste Management and Environmental Planning Commission, told state health officials, who on Wednesday met with local residents to discuss the future of the dump.

Six years have passed since the BKK Corp. last accepted hazardous wastes at the landfill, once Southern California's primary spot to discard toxic chemicals, and BKK officials now have asked the state for what is known as a "post-closure permit."

The meeting, held at the West Covina Senior Citizens Center, was an informal preview of the permit proceedings that are expected to occur throughout the year.

As required by the state Department of Health Services, which enforces state laws regarding the dump, the company already has filed a draft of its plans for maintaining the closed, toxic portion of the landfill for the next 30 years. A formal hearing on the permit will be held later this year.

At Wednesday's meeting, Nancy E. Adin, who lives about a half-mile from the landfill and is a college chemistry teacher who often has questioned activities at the dump, gave an intense critique of BKK's plans for improvements, which company officials say have cost \$38 million. Some of her strongest comments involved landscaping on the 140-acre, clay-covered mound of hazardous trash that rises hundreds of feet above surrounding neighborhoods. "The vegetation and maintenance is a farce. I'm tired of looking at ugly slopes."

Alan Sorsher, an associate waste management engineer in the Department of Health Services, addressed the criticism by telling the audience that BKK "was doing a pretty fair job, landscaping notwithstanding," in complying with state and federal regulatory agencies.

BKK still operates a 443-acre municipal garbage dump at the site. But the 140-acre toxic chemicals section was officially closed last year and stopped accepting hazardous wastes in 1984.

The company plans to continue operating the landfill until 1995. Tentative proposals by BKK call for developing the land around the site as an industrial park. Also under consideration is a plan to build a subdivision of luxury homes on adjacent land in Walnut. The West Covina City Council, acting jointly as the city's redevelopment agency, on Monday will resume its earlier discussions on whether the area around the landfill should become a business park.

Several residents who spoke at the hearing questioned such development plans, citing issues that relate to toxic chemicals, including the cancer-causing substance vinyl chloride. Royall Brown, a West Covina

resident and a board member of the Upper San Gabriel Valley Municipal Water District, expressed his fears about the dangers the substance may pose.

Los Angeles Regional Water Quality Control Board records show that high levels of vinyl chloride have moved underground, said Brown, who blames the landfill. "It raises real questions," he said.

Sorsher said he hadn't seen the specific records cited by Brown, but is familiar with the situation. However, Sorsher said he saw no immediate public health hazard from the vinyl chloride.

Researchers are still in the process of conducting health studies to see how the landfill might have influenced residents' cancer rates, cancer risk and birth defects. Eleanor Blake, a community relations coordinator for the Department of Health Services, told those at the meeting that results of some of the studies may be released in September.

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COLUMN ONE

Polluters Directing Cleanups

The EPA is accused of abdicating its responsibility and sacrificing public health. Evidence shows private labs have falsified tests.

Los Angeles Times (LT) - SUNDAY June 17, 1990
By: DOUGLAS FRANTZ; TIMES STAFF WRITER
Edition: Home Edition Page: 1 Pt. A Col. 1
Story Type: Non Dup; Series; Main Story; Infobox
Word Count: 3,353

MEMO:

Series: Toxic Waste. A Federal Failure. First in a series. Next: U.S. military bases leave a legacy of toxic waste abroad.

TEXT:

WASHINGTON - Ten years after Congress declared war on toxic waste, the Environmental Protection Agency is allowing the same companies that created the most dangerous problems to determine the scope of contamination and propose how to clean it up.

And, since the companies also must pay for cleaning up the hundreds of hazardous chemical dumps that scar the national landscape and threaten the health of millions of Americans, they are generally advocating remedies far less stringent than those proposed when the EPA itself evaluates the problems.

The EPA's own officials in the field say companies are trying to save money by proposing only minimal cleanups, according to an internal agency report. At a Texas site, for example, companies--with EPA approval--will leave behind cancer-causing contaminants at levels 700 times higher than the agency's plan for the nearly identical adjoining site.

Moreover, an investigation by the EPA's inspector general has uncovered evidence that private labs relied upon nationwide to measure levels of contamination and other basic data have falsified test results for years. Ten such labs are under scrutiny, including one in San Diego and two in the San Francisco area, and criminal charges are possible, said John E. Barden, chief of investigations for the inspector general.

One major lab, United States Testing in Hoboken, N.J., was suspended from receiving new federal contracts in April after EPA officials accused the company of falsifying test results and dumping the hazardous material into city sewers and municipal dumpsters, according to internal EPA records.

But the Bush Administration last year adopted a strategy to increase sharply the number of sites turned over to polluters. As a result of this strategy, environmentalists and medical experts worry that public health and the environment are being sacrificed to speed cleanups and restrain skyrocketing costs, which some estimate could reach \$500 billion and stretch over 50 years or longer.

"It absolutely makes no sense to have the guys who are going to have to pay for the cleanup at the end make the determination on what will be cleaned up and how it will be cleaned up," said Linda E. Greer, a toxicologist with the Natural Resources Defense Council.

People who live near some of the worst chemical dump sites believe that the EPA has abdicated its responsibilities. They fear that they will never be safe.

"I wanted to believe it when the EPA told us it was safe to live here," lamented Cheryl Finley, the mother of a child born with birth defects three years after the EPA assured her Houston neighbors that they were not at risk living next to a toxic waste site. Fearing that there is a link between her daughter's condition and the toxic site, she said: "Now I will never be able to trust the EPA. And I definitely learned you cannot trust the chemical companies or anything they say."

Examples abound of companies underestimating dangers, suggesting the cheapest, least permanent remedies and obtaining approval from the EPA.

In Michigan, the state attorney general is asking a court to overturn a cleanup plan negotiated by the EPA and several companies, including Ford, General Motors and Chrysler. The plan relies on technology rejected as inadequate by the state. But it is cheaper: One report estimates that a cleanup method meeting Michigan standards would cost \$13 million, and the price tag on the EPA-companies' plan is \$1 million.

"They brag about cleanup settlements with companies, but that doesn't mean the EPA is doing a good job," said Sen. Frank R. Lautenberg (D-N.J.), chairman of the Senate panel that oversees the EPA's cleanup. "In fact, it could mean that they are taking the easier way out."

The problem's roots stretch back to 1980, when Congress put the EPA in charge of a new program called Superfund to clean up the nation's most threatening hazardous waste sites. In 1983, the EPA began turning over vital parts of the cleanup task on a small number of sites to the polluting companies.

From those limited beginnings, the pattern of farming out major tasks to the original polluters has mushroomed. Chemical companies and other polluters now lead half the Superfund site studies under way, and EPA Administrator William K. Reilly wants to increase the figure to at least 60%.

These two-step studies are pivotal in determining if a site will ever be safe again. The first phase, a risk assessment, identifies the hazardous material and gauges its threat to health and the environment. The second phase, an investigation of possible remedies, proposes the technology to clean up the mess.

Both steps depend on hundreds of judgments about chemicals and potential human risks, so the opportunity for bias and self-serving decisions is enormous.

The EPA defends its reliance on the companies for these complex tasks as the cheapest and quickest way to clean up the 1,218 toxic waste locations now on the Superfund list. The EPA maintains that environmental and public-health standards are ensured through its oversight of the work by the companies and by the agency's selection of the final cleanup method.

"It isn't like the companies do their thing and we aren't there overseeing them," said Don R. Clay, EPA's assistant administrator and top Superfund official. "There's been no major problem."

However, there are questions about whether the present system makes it possible for EPA to monitor the company-prepared risk assessments or evaluate adequately the resulting cleanup proposals.

The Superfund law caps the amount EPA can spend on its own employees, setting ceilings too low to permit the EPA to use its own resources to oversee and evaluate risk assessments and cleanup proposals by the companies.

Instead, the EPA must rely on private contractors for the oversight. And virtually every one of these contractors also does business with the companies whose work they are evaluating.

"It's the same as giving students the right to grade their own exams," warned Sen. David Pryor (D-Ark.), a longtime critic of the use of contractors for government work that requires judgments about the public interest.

What's more, the rising evidence of fraud among private laboratories has stirred concerns within EPA about whether cleanups planned for dozens of sites were based on faulty data.

EPA relies on such labs to perform thousands of tests to determine contamination levels at actual and potential Superfund sites.

One element in deciding whether a site gets on the Superfund list is the level of contamination. So the faked tests also have raised concern that some dangerous sites missed the list and could continue untreated for years--or forever.

This unfolding scandal is forcing reviews of sites nationwide. Worse yet, it threatens another black eye for the Superfund program.

"The whole thing gives you a credibility problem, but we don't know yet how widespread it is," Clay said.

Superfund's credibility has been weak almost from the start.

The program was created after the EPA's notable progress in tackling air and water pollution in the 1970s. With \$1.6 billion from Congress, Superfund was expected to bring quick results in eliminating decades of indiscriminate and illegal disposal of millions of tons of toxic, corrosive, carcinogenic and reactive wastes poisoning surface and underground water supplies and contaminating land.

The expectation was pure folly.

Early progress was hampered by political scandals. Faced with allegations of lax cleanups and sweetheart deals with polluters, senior EPA officials, including Administrator Anne McGill Burford, were forced to resign. Superfund chief Rita M. Lavelle was convicted of perjury in connection with the Stringfellow acid pits site in Riverside County, California.

By the time Superfund was to expire in 1985, EPA Administrator Lee M. Thomas was able to report to Congress that only six of the 552 Superfund sites had been cleaned up and removed from the list.

In 1986, Congress reauthorized Superfund for another five years and appropriated \$8.5 billion more. But the legislators demanded improvements and set tight goals for the program.

Politics was far from the sole cause of Superfund's problems.

The number of waste sites dwarfed projections. Cleaning them turned out to be more complex than anyone imagined. No proven technologies existed to eliminate contamination, and every site offered a unique mix of chemicals and types of pollution.

For instance, locating waste dumped for 30 or 40 years at a site has been compared to archeologists unearthing layers of human activity in a city whose history is a mystery. Unlike ancient artifacts, however, hazardous wastes do not stay in place; they follow unpredictable paths in soil, ground water and surface water.

Small wonder that cleanups average almost eight years a site and

cleaning many locations, particularly where ground water is contaminated, will take 20 years or longer.

As a result, after 10 years, Superfund's record is still abysmal: 28 sites have been cleaned and deleted from the list, and 22 others have been cleaned but are still being monitored.

California has 91 Superfund sites, ranking third behind New Jersey and Pennsylvania. No California site has been cleaned and removed from the list, although a Sacramento junkyard has been cleaned and may be removed soon.

At four Superfund sites in the San Gabriel Valley east of Los Angeles, the EPA has spent about \$13 million, mostly on consultants, studying ground-water contamination. But an EPA spokesman acknowledges that even selecting remedies remains "down the road," and the actual cleanup will take decades.

"This is a major contamination problem, very complex, and we are trying to approach it as best we can," said the official, Terry Wilson.

Angered by the slow progress, valley residents have raised a \$100,000 reward fund to identify companies responsible for the dumping. They hope that the EPA will go after the companies and speed the cleanup. But they still feel ignored by the agency.

"Maybe because we are a working-class area where people don't have time to focus on problems they can't see, our problems are not as important as those in more affluent areas," said Rep. Esteban E. Torres (D-La Puente), whose congressional district includes the sites.

Frustration with the gap between expectation and performance has scarred Superfund. A review ordered by Reilly after he took over the EPA in 1989 found that Superfund "operates without its once most valuable asset, the benefit of the doubt."

No example better illustrates that finding than the Brio Refining site, 20 miles southeast of downtown Houston.

For 25 years, the 58-acre Brio site was used alternately by about 100 companies as a chemical-processing plant, a refinery and a dump. Waste was stored in unlined pits up to 20 feet deep. When a pit filled up, the sides were pushed in to cover it and a new one was dug.

The result is a witch's brew of wastes. An analysis of 150 Superfund sites in 1988 by the Hazardous Waste Treatment Council, a treatment-industry group, found contamination levels at Brio among the nation's highest for six chemicals, including three that cause cancer in lab animals. Records show that a potent human carcinogen, vinyl chloride, is also present at high levels.

By the time the site was closed in 1982, the pits contained 245,000 cubic yards of contaminated material, enough to cover a football field to a height of 117 feet.

The same year Brio shut down, Gary and Carolyn Merrill moved into the Southbend subdivision. It was a new neighborhood, with rows of modest, neat, two-story homes. Across the back yards of many of the homes, separated by a wooden fence, was Brio, with its small outbuildings and dilapidated storage tanks.

"About 30 homes were sold within days of each other, and the couples, almost all of us young and without children, moved in within a day or so," Merrill remembered. "You could watch the moving vans pull up every couple of hours at a new house."

No one who moved in had an inkling of what lurked beneath the scrub grass and patches of bare dirt beyond the wooden fence at the edge of Southbend. Couples started having babies. An elementary school was built three blocks from the site. A hospital and a junior college went up half a mile away.

On Halloween in 1984, state officials and the EPA called a community meeting at the school and disclosed that Brio was going on the Superfund list as one of the nation's most toxic sites.

People were uneasy. Walking to a neighborhood Christmas dinner party a few weeks later, a joke about glowing in the dark silenced a dozen residents. But the anxiety was tempered by trust in the government.

From the start, the EPA and the companies responsible for the pollution assured residents over and over that they were safe. The federal agency created to examine health risks at Superfund sites, the Agency for Toxic Substances and Disease Registry, said there was no pathway leading from the contaminated site to the subdivision.

By 1987, unusual health problems were occurring among the nearly 600 families in Southbend. Among the victims was the EPA's credibility.

Carolyn Merrill had developed skin cancer at the age of 23, extremely young for a disease usually caused by too much sun but also linked to chemical exposure. Her second child, Brittany, was hospitalized with an unexplained fever five days after she was born in May, 1987, and was later diagnosed as having a weak immune system.

Another baby was born with a hole in its heart. A young mother developed a tumor that put her in a wheelchair. An insurance salesman developed a form of cancer usually seen only in chemical workers.

Fears escalated as rumors circulated. "For sale" signs started popping up. The community newspaper began raising questions about the adequacy of the site testing.

Last year, worried residents did their own health survey, with volunteers going door to door. They discovered a high rate of miscarriages, particularly among women pregnant in late 1986 and early 1987. That was when test burnings of contaminated material had been conducted at the pit nearest the subdivision.

"People were moving out on a daily basis," said Cheryl Finley, who initiated the survey after her daughter was born without reproductive organs and she lost faith in the government's safety assurances.

Establishing a link between hazardous wastes and health problems is extremely difficult. What appears to be incontrovertible proof to frightened residents is likely to be inconclusive evidence to scientists. And the results often fuel neighborhood apprehension.

When the administrators at the neighborhood grade school refused to allow anxious parents to transfer their children to another school, mothers set up picket lines. Others adopted a different tactic.

Convinced that school officials were withholding information, some women began stealing the trash every night from outside the administrative offices. To avoid detection, they replaced the white plastic bags with the bags they had taken and examined the previous night.

"You think I wouldn't rather be home reading to my kids than digging through this garbage?" demanded Pat Steinsholt, a policeman's wife with two children at the school, as she heaved bags of trash into her truck late one night in April.

Before the mothers were caught in May, the biggest find was an internal memo saying that 14 of the school's 31 teachers had requested transfers. The haul also yielded documents about the administrators' concerns over declining enrollment as families with enough money moved their kids to private schools.

Anxieties are natural among people who find themselves living next door to a Superfund site. Residents near Brio say their fears are magnified because the risk assessment and cleanup proposals were done by the companies responsible for the pollution, led by Monsanto Co., the St. Louis chemical and agricultural giant.

A civil lawsuit accused Monsanto of negligence in operating the site, but the four-month trial also focused on the way risks had been assessed at the location.

A soils expert said in court that Monsanto exercised too much control over the site studies, leading EPA to approve a remedy that he said will not leave Brio safe for nearby residents. A hydrogeologist testified that the study of contaminants was incomplete and inaccurate.

Veteran EPA official Hugh B. Kaufman testified that data had been destroyed and test results altered, including changing the amount of soil covering the pit closest to the subdivision from six inches to 78 inches.

"It's my opinion that this chemical company used those opportunities to basically cook the books to their potential financial interest," said Kaufman, who was testifying unofficially.

The Houston jury disagreed. In February, the jurors found no negligence by Monsanto. Instead, the jurors blamed the developers for not uncovering the dangers before building Southbend.

After the verdict, a juror told the Houston Chronicle: "I believe it is safe to live out there."

Stephen P. Krchma, a Monsanto attorney, defended every aspect of the study as honest and praised the cleanup plan as responsible.

"We have been suffering under unsubstantiated allegations," he said. "We don't know how to do a project any better than this and we haven't seen one done any better."

The EPA has backed Monsanto and defended its oversight at Brio. "We have confidence that what we have done is based upon sound science and will withstand the criticisms that have been brought to bear," said Phil Charles, an EPA spokesman in Dallas.

The oversight for EPA at Brio was performed by Roy F. Weston Inc., an environmental consulting and testing firm that also has worked for Monsanto elsewhere in the past.

Charles said the agency was unaware that Weston had worked for Monsanto previously. But he said it was not an issue because the previous work was not at Brio. Weston and Monsanto take the same position.

"What we are especially conscious of is that we are not representing opposing sides on the same site," said Thomas J. Tuffey, executive vice president of Weston. "We may well be working for Monsanto at another location. We don't consider that that gives us a conflict of interest. If the conflict of interest interpretations get that extreme, we will not have anyone to tackle this problem."

There is another twist to the Brio story. Weston is one of three companies disciplined so far in the investigation of falsified test results from Superfund sites.

Last February, the Justice Department accused Weston in a civil action of backdating tests of contaminated samples from Superfund sites for at least a year at one of its labs. The company denied any wrongdoing but settled the case by voluntarily withdrawing from bidding on new EPA work for four months and paying the government \$750,000.

The challenged tests did not involve Brio, but the questions linger there.

In late May, Rep. Jack Brooks (D-Tex.) asked the EPA to conduct new tests at Brio. The request came after the U.S. Geological Survey identified three types of potential ground water contamination that it said had not been addressed adequately by the previous studies.

"The cleanup effort at Brio must be done right and must be done right the first time," Brooks said. "Unfortunately, we are not there yet."

A few weeks ago, Carolyn Merrill was diagnosed as having a rare bladder disease that could be linked to chemical exposure. Excruciating pain awakens her repeatedly every night. For a while, she would lie awake considering suicide. Now she wonders why all this happened.

"How could every government agency fail and let this subdivision be built?" she asked, tears rolling down her cheeks as she clutched the hand of her daughter, Brittany. "How could they tell us it was safe to keep living here? It is dumbfounding and it is scary."

Superfund Costs

Far more Superfund monies are spent on outside contractors than on work the government does itself. Outside spending is represented by external figures; government workers are internal figures.

FY 1988

Internal: \$187,002,300
External: \$1,310,368,000
Total: \$1,497,370,300

FY 1989

Internal: \$178,521,000
External: \$1,365,143,300
Total: \$1,543,664,300

FY 1990

Internal: \$234,156,800
External: \$1,331,967,300
Total: \$1,566,124,100

FY 1991

Internal: \$272,405,600
External: \$1,480,700,800
Total: \$1,566,124,100
Source: EPA

Superfund Sites

The number of Superfund sites nationwide:

1983: 418
1984: 546
1985: 786
1986: 850
1987: 888
1988: 951
1989: 1,177
1990: (as of 6/1/90) 1,218
Source: EPA

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Firms Dump Toxics Suit on Cities, County
Environment: A consortium of major corporations seeks to spread the blame for the shutdown of a Monterey Park dump. It wants help in paying the cleanup bill.

Los Angeles Times (LT) - SATURDAY February 3, 1990
By: BERKLEY HUDSON; TIMES STAFF WRITER
Edition: Home Edition Section: Metro Page: 1 Pt. B Col. 2
Story Type: List
Word Count: 1,436

TEXT:

In what may be a landmark lawsuit, 29 cities in Los Angeles County have been sued by a consortium of high-powered corporations in an attempt to spread the blame for the lingering toxic contamination that closed a major Monterey Park dump site six years ago.

The companies, a virtual Who's Who of corporate America, already have been blamed by federal officials for the contamination, and have agreed under a previous federal court settlement to help finance multimillion-dollar cleanup efforts at the Operating Industries Inc. dump.

But now the corporations, in a novel approach to toxics litigation, are trying to get the cities to pay part of the bill as well. The cities named in the lawsuit filed in U.S. District Court in Los Angeles late last year range from Beverly Hills and San Marino to Cudahy and Walnut. Also named are the County of Los Angeles and the state Department of Transportation.

The suit argues that the municipalities, Caltrans and the county are partly responsible for the contamination because they dumped toxics there themselves, or hired companies to do it for them.

The attempt to establish a pollution trail is likely to be a landmark case, regardless of its outcome, federal environmental officials said.

"It's very unusual," said Lisa A. Haage, an attorney with the U.S. Environmental Protection Agency in San Francisco.

EPA spokesman Terry Wilson added, "It raises a lot of liability questions and ones of chain reactions."

A number of the corporations face clean-up claims at other landfills as well. If their suit regarding the Monterey Park dump succeeds, comparable claims may be made at similar sites elsewhere, legal and environmental experts said.

Among the 1,200 Superfund sites across the country, more than 200 are large, municipal landfills such as the one in Monterey Park.

The issue in the litigation is fairness, said David Giannotti, the Los Angeles attorney representing the corporations, including Fortune 500 firms such as Chevron, Exxon, General Motors, Hughes Aircraft, Texaco, TRW and Xerox. "All parties responsible should contribute their fair share," he said.

The Operating Industries Inc. landfill started as a sand and gravel pit on Monterey Park's southern edge. During nearly four decades after World War II, it grew from a local dump into a regional one. In addition to the garbage and trash buried there, oil companies, food processing firms, aerospace industries and waste haulers dumped a variety of hazardous

liquids, including such potentially cancer-causing substances as vinyl chloride, trichloroethylene, benzene and toluene at the site.

In 1984, in response to years of public outcry, environmental and health officials ordered it closed. By then, a mountain of smelly trash extended over 190 acres.

Some cities deny transporting waste to the dump. Others maintain their records on the subject are long lost, or never existed. Still others acknowledge that their trash may have been trucked there, but say it was non-hazardous.

The suit does not ask for a specific amount of money damages. Federal officials estimate the cleanup costs will run into hundreds of millions of dollars.

Stephanie Scher, Monterey Park's assistant city attorney, said an unfavorable ruling against the cities could bankrupt them. "I don't know what (the corporations) are aiming at, presumably to bring in insurance companies and get as much money from cities as they can. But they won't get much. Every city I know is operating on the edge."

Attorney Giannotti, however, said the cities would not be greatly burdened because "most cities may potentially have insurance." But officials in many of the cities dispute this, saying their municipal liability insurance policies do not cover pollution.

Maywood's Chief Administrative Officer, Leonard Locher, said the suit is puzzling to his community of 24,611 residents. Maywood lies about five miles southwest from the former dump site. "We knew about the landfill," he said, without saying his city had dumped there, "but we had no idea we'd be sued. Surprise! Twenty years later, we get sued."

The landfill has been ranked as one of the worst toxic dumps in the nation and is one of four federal Superfund sites in Los Angeles County.

Until now, the emphasis in cleaning up such sites has been on tracking down corporate polluters. Last year, as part of a federal court settlement with the EPA, more than 110 companies agreed to finance the cleanup at the Monterey Park dump, although they admitted no liability.

At the time of settlement, the corporations divided into two groups. About half of the companies, including the Firestone Tire & Rubber Co., Coca-Cola Co., and Times Mirror Co., the Los Angeles Times' parent firm, agreed to make combined cash payments of \$31 million. Most of those companies are not suing the cities.

The rest of the companies banded together and agreed to pay for a longer-term solution, spending up to \$34 million to oversee the cleanup, which EPA officials estimate could take 45 to 60 years. This second group of companies, joined by a few of the others, filed suit against the cities.

And the EPA, still on the lookout for more corporate polluters to fund the cleanup, is scouring records that show that more than 4,000 companies may have dumped waste at the site. But the agency did not choose to go after the cities because it does not consider them to blame for the problem, Haage said.

Although the corporations' suit has been filed, the defendants have not yet been formally notified. The deadline for that is April. Meanwhile, the companies are pushing for an out-of-court settlement.

And, although the defendants claim the corporations' charges are unreasonable, they are taking the lawsuit and its possible ramifications seriously.

"It seems to me it's kind of a novel lawsuit, but we have to take it seriously. These are big corporations," said David Kelsey, chief of the county counsel's public works division.

City Manager John Nowak of San Marino said records indicate that his city may have sent only one load of concrete rubbish to the dump. "We're a little dismayed that the Fortune 500 companies would make such an attempt. We're going to fight it."

BACKGROUND Before the 190-acre Operating Industries Inc. landfill in Monterey Park was closed in 1984, oil companies, food processing firms, the aerospace industry and waste haulers had dumped a wide range of hazardous liquids there, including such potentially cancer-causing substances as vinyl chloride, trichloroethylene, benzene and toluene. Although a 1988 federal study praised the cleanup efforts at the western San Gabriel Valley dump, a top federal environmental administrator nevertheless describes it as "one of the most complex and contaminated sites in the nation." The U.S. Environmental Protection Agency's latest remedy calls for placing an elaborate plastic cover over much of the site, combined with a system to dump out hazardous wastes.

(Southland Edition) WHO'S SUING WHOM

THE 31 DEFENDANTS

The State of California (Department of Transportation), the County of Los Angeles, Alhambra, Artesia, Baldwin Park, Bell, Bell Gardens, Beverly Hills, Commerce, Compton, Cudahy, El Monte, Huntington Park, Industry, La Puente, Lynwood, Maywood, Montebello, Monterey Park, Norwalk, Paramount, Rosemead, San Gabriel, San Marino, Santa Fe Springs, Sierra Madre, South El Monte, South Gate, South Pasadena, Temple City and Walnut.

THE 65 PLAINTIFFS:

Transportation Leasing Co., Allied-Signal Inc., American National Can Co., ARMCO Inc., Atlantic Richfield Co., Beatrice/Hunt-Wesson Inc., Bethlehem Steel Corp., Betz Laboratories Inc., Borden Inc., Borg-Warner Corp., Chevron Chemical Co., Chevron U.S.A. Inc., Conoco Inc./Douglas Oil Co., Continental Can Co. Inc., Cooper Drum Co., Deft Inc., Dunn-Edwards Corp., Exxon Corp., Flint Ink Corp., GATX Terminals Corp., General Latex and Chemical Corp., General Motors Corp., Georgia-Pacific Corp., Henkel Corp., Emery Group, Hughes Aircraft Co., Insilco Corp. (Sinclair Paint Co.), Jaybee/Ajax Manufacturing Corp., Kenosha Auto Transport Corp., Knoll International Holdings Inc. (formerly General Felt Industries Inc.), Liberty Vegetable Oil Co., Lockheed Aeronautical Systems Co. (a division of Lockheed Corp.), Wilmington Oil Field--California (operated in Long Beach by THUMS Long Beach Co., agent for Field Contractors), Martin Marietta Corp. (on behalf of Martin Marietta Carbon Inc. and Commonwealth Aluminum Corp.), McDonnell Douglas Corp., Mobil Oil Corp., NI Industries Inc., NL Industries Inc., Occidental Petroleum Corp., Oryx Energy Co., Owens-Illinois General Inc., PPG Industries Inc., Parker-Hannifin Corp., Procter & Gamble Manufacturing Co., ProMark Group West, Reynolds Metals Co., Safeway Stores Inc., Santa Fe Energy Co., Shell Oil Co., Soule'-Arnon Liquidating Agency, Southern California Gas Co., Southern California Rapid Transit District, Southwestern Engineering Co., Superior Industries International Inc., Supracote Inc., Texaco Inc., TRW Inc., USG Corp. (Hollytex Carpet Mills), Unocal Corp., Union Pacific Resources Co., Uniroyal Goodrich Tire Co., Van Waters & Rogers Inc., Welch's Overall Cleaning Co. Inc., Willamette Industries Inc. and Xerox Corp.

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EPA Proposes Plastic Cover for 190-Acre Toxic Landfill
Environment: It will never be a golf course, but cleanup efforts are making a difference at the toxic wasteland that once was considered one of the worst in the nation.

Los Angeles Times (LT) - SUNDAY January 14, 1990
By: BERKLEY HUDSON; TIMES STAFF WRITER
Edition: Home Edition Section: San Gabriel Valley Page: 1 Pt. J Col.
2
Word Count: 1,443

TEXT:

In the annals of toxic waste, a barren, 40 stories of trash in southeast Monterey Park ranks as something of a success story.

The defunct Operating Industries Inc. dump, once considered one of the worst toxic hazards in the state and nation, cleaned up its act enough to win favorable comment in a 1988 federal study. These days, some people, with a straight face, even mention the possibility of someday growing plants on the site, sandwiched between Monterey Park and Montebello.

However, the dump's toxic legacy runs deep. And its recovery is many decades away.

Officials of the U.S. Environmental Protection Agency now are presenting their latest solution: Top the 190-acre site with an elaborate plastic cover that could cost \$61 million to \$116 million.

Combined with an extensive system to extract and treat potentially harmful gases generated by the landfill, the cover would be designed to minimize malodorous emissions from the 30 million cubic yards of trash.

The idea is part of a proposal that could cost as much as \$300 million and could go on for the next 45 to 60 years, officials said. The EPA's master formula for treating the dump will not even be complete until 1993, said Shelley Sussman, a federal environmental engineer.

"This site won't look . . . pristine," Brian Ullensvang, Sussman's engineer colleague, told an audience of three dozen residents at Montebello's Schurr High School recently.

He turned to face a mural that covered the school cafeteria wall, with a colorful panoply of birds of paradise, jonquils, gladiolus in the foreground and verdant mountains behind. "It won't look like this."

Later Sussman added: "Realistically, it will not be a golf course and it will not be a park. But that does not imply it is not safe to be in the neighborhood."

Today, six years after closure of the controversial landfill and four years after the site's inclusion on the federal Superfund list, even those who were the most vocal opponents of the dump say the situation has improved and the acrid odors are not as strong.

"Many people are disappointed with the speed of the cleanup. We all would like it to be done yesterday," said Hank Yoshitake, the long-time leader of a Montebello homeowners group as he walked in his driveway a block from the site. "But you walk around here now and you don't smell anything very often."

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liquid wastes--and fewer regulations on dumping them. Oil companies, food companies, aerospace industries and waste haulers disposed of a vast range of toxic liquids, including such potentially cancer-causing substances as vinyl chloride, trichloroethylene, benzene and toluene.

At least 200 million gallons of hazardous waste were dumped by as many as 4,000 companies, federal officials say.

Significant progress has been made on the most obvious problems. And now, when concerned citizens assemble to hear the latest federal briefing, as they did 10 days ago in Montebello, they tend to look back almost nostalgically.

During a break in the meeting at the school, Leland T. Saito recalled that as a boy 25 years ago, he and his buddies would go down into the bottom of the dump, then little more than a deep garbage pit near their homes, and shoot birds with slingshots.

Today, he pointed out, the dump is a substantial hillock, rising 150 to 250 feet above the landscape and appearing as a natural land formation to passers-by on the Pomona Freeway. It is so large now, residents say, that television reception has been fouled up because the dump's height blocks signals to the area.

Montebello Councilman William Molinari walked up and told the story of a man who lit his fireplace in the early 1980s. The entire hearth, he said, became ringed with a Bunsen burner-like flame because methane gas had apparently filtered underground from the dump and seeped into his house.

Samuel Kiang joined the two men, and described a house-hunting excursion in Montebello around the same time. He said the stench assaulted his nose when he rolled down his car window. He decided to settle a good distance away in Monterey Park.

The men recalled a series of Monterey Park and Montebello city council meetings that were marked by one angry debate after another during the 1970s and early '80s.

Despite possible \$1,000-a-day fines and heavy criticism from state health and air quality officials, dump operators in 1981 defied orders to temporarily shut down.

EPA Regional Administrator Daniel McGovern has called it "one of the most complex and contaminated sites in the nation." The site is one of four in Los Angeles County and among 91 in the state on the federal government's list of more than 1,200 Superfund locations. Last year, in a federal court agreement, more than 110 companies agreed to pay \$65 million for the dump's cleanup. The companies included some of the nation's biggest: Chevron, Atlantic Richfield, Exxon USA, McDonnell Douglas, Union Oil, Occidental Petroleum and Times Mirror Co., parent firm of the Los Angeles Times.

Since the agreement, cleanup efforts have intensified and about 60 of the firms formed a company called CURE, Coalition Undertaking Remedial Efforts, to oversee their end of the bargain. As many as 75 people work at the landfill daily. Another 15 to 20 off-site employees, including federal environmental officials in San Francisco, work full time on the cleanup.

In an unusual attempt to find other companies that contributed to the contamination, the EPA last year ran newspaper ads headlined "Ever Worked Here?" Listing 51 companies, the ad solicited information from workers and former workers of firms that might have dumped hazardous wastes at the landfill.

Under federal law, companies that dump hazardous waste, even if they did so legally, still bear responsibility for helping to remedy problems related to the wastes.

The landfill has even played a role in elections. Gov. George Deukmejian, under attack for the generous political contributions from landfill companies, acknowledged in 1986 that the dump's owners, Mike Harabedian, Jack Arakelian and Tim Agajanian had been "friends of mine for a long, long time." But, the governor said, he had never discussed landfill operations with them.

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01585529 37721
Dump Cleanup to Take Years but It's Already a Success

Los Angeles Times (LT) - SUNDAY January 14, 1990
By: BERKLEY HUDSON; TIMES STAFF WRITER
Edition: Home Edition Section: Southeast Page: 1 Pt. J Col. 2
Story Type: Chronology
Word Count: 1,444

TEXT:

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METRO DIGEST / Local News in Brief
Lancaster Ground Water Contaminated by Landfill

Los Angeles Times (LT) - SATURDAY January 6, 1990
Edition: Home Edition Section: Metro Page: 2 Pt. B Col. 2
Story Type: Column; Brief
Word Count: 100

TEXT:

Contaminants have leaked into the ground water from a landfill in northern Lancaster, and state officials say they plan to order a cleanup.

The contamination at the 100-acre Lancaster Landfill, run by Waste Management of North America Inc., poses no immediate threat to drinking water, officials said. It is about 80 feet underground, more than 100 feet above the aquifer from which half a dozen nearby homes are supplied.

State-mandated testing found the cancer-causing chemicals trichloroethylene, perchloroethylene and vinyl chloride at the 35-year-old landfill, authorities said. State and company officials said the source might have been industrial waste or household refuse.

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SOUTHERN CALIFORNIA'S ENVIRONMENT At the Crossroads
Waste: THE DISAPPEARING SPACES FOR TONS OF TRASH
Landfills near capacity as alternative disposal methods are explored.
Mounds of Garbage and More to Come

Los Angeles Times (LT) - SUNDAY December 10, 1989
Edition: Home Edition Section: Special Section Page: 8 Pt. Q Col. 1
Story Type: Main Story
Word Count: 2,702

TEXT:

Men in "moon suits" have become a familiar sight in the back yards of a Westminster housing tract. Long before the 75 homes were built in the 1960s, acidic petroleum wastes were buried there. A black, coal-like substance eventually began oozing to the surface. It seeped into swimming pools and lawns and even appeared under an old carpet in one family's living room. The sludge, state health authorities say, is corrosive and may contain potentially cancer-causing chemicals.

Gloria Delzeith, 47, who has lived at the Orange County tract since 1978, recalls returning home from the hospital in May after treatment for severe asthma, a condition she developed two years ago. Workers in special protective clothing came two weeks after her release from the hospital to sample the soil in her back yard.

"When they dug over by the back fence, they had to back away," remembers Delzeith, an electronics inspector. "The odor was very intense. They didn't have their respirators on, but when they smelled it, they put them on." The white-suited workers warned Delzeith to stay out of her back yard.

Her situation, as horrifying as it sounds, is not unique. Southern California is afloat in garbage, much of it toxic. As health officials try to grapple with old waste sites, sanitation officials are looking to build new dumps. The region's landfills are running out of room, and Southern Californians are continuing to generate mountains of garbage. Recycling may eventually reduce the flow, but not before more dumps are added or current sites expanded. Already, plans are under way to create three hazardous dumps in the desert, one on land proposed for national park status. Officials are also considering transporting household garbage by train to the desert, filling inland canyons with it, even shipping it to the South Pacific.
Progress Slow

The most troublesome part of the garbage picture is toxic waste. Hazardous dumps cost hundreds of millions of dollars and take decades to clean. State officials have identified 12,700 abandoned toxic waste sites in Southern California, 84 of them on state or federal Superfund cleanup lists. Progress toward cleaning them has been agonizingly slow, and many communities are growing impatient. Despite a tripling of cleanup staff and a doubling of funds, the Deukmejian Administration completed cleanups at only seven sites from July 1, 1988, to June, 1989. Frustrated residents who live on abandoned petroleum wastes near the beach in Oxnard have taken to putting skulls and crossbones on their roofs to protest the government's sluggish pace. Others, such as the neighbors of Riverside County's Stringfellow acid pits, are filing class action suits against chemical dumpers.

In the meantime, communities near toxic dumps report nagging ailments they suspect may be related to hazardous substances buried there. Residents

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near Stringfellow, where solvents, acids and pesticides were dumped until 1972, complain of a bewildering array of health problems, including respiratory ailments, rashes, tumors, neurological disorders and learning disabilities in children. A family that lived in the Westminster tract moved a year ago because all five of the children were suffering from respiratory problems. Although state officials say the sludge poses immediate harm only if it is touched, residents of the Orange County community are frightened. Jerrel Haynie, 47, says his 23-year-old daughter suffers mysterious headaches and other pains. For years, he grew vegetables in his back yard. "We always ate a lot of the vegetables--who knows?" said the engineer, his voice trailing off. Aside from health fears, Haynie worries about his pocketbook. "I've got almost \$100,000 in equity in this house," he said. "It's my retirement. If I get stuck and can't get out, I don't know what I will do."

To prevent such conflicts in the future, hazardous waste management officials want to take toxic garbage to the most remote reaches of the desert. A proposal to create a low-level radioactive waste dump in the eastern Mojave Desert's Ward Valley is expected to win formal state approval next year.

Located between the Turtle Mountains to the east and the Old Woman Mountains to the west, the valley is largely untrampled desert, dotted by yuccas, barrel cactus, jack rabbits and rattlesnakes. All this would disappear. Two repositories for hazardous wastes have also been proposed in a region east of Barstow. Under one of the proposals, 450,000 tons of waste would be buried in concrete or steel silos in the secluded Hidden Valley in the Cady Mountains, a site proposed to become part of a new national park. Residents in the nearest town are furious. "This is an untouched valley, a natural place," said Melody Owings, 23, who lives in tiny Newberry Springs, 15 miles from the dump site. "There are so few places like this left, I just hate to see this one lost."

So-called sanitary landfills aren't much more popular. Aside from their offensive appearance and odors, these repositories of household garbage pose dangers of their own. They contain hazardous materials from the paints and batteries that residents nonchalantly toss out with their household trash. Some landfills are leaking and threatening precious underground water. They also produce flammable gases, most notably methane. In 1983 and 1985, methane gas leaks from the Sheldon-Arleta landfill in the San Fernando Valley forced school closures.

Despite such problems, the abundance of household trash is forcing officials to look for new dumping grounds. A coalition of San Gabriel Valley cities and the Sanitation Districts of Los Angeles County are studying four proposals to transport trash by train from Los Angeles County to San Bernardino and Riverside counties. "It doesn't surprise me that they are trying to get away with this," said San Bernardino County Supervisor Jon Mikels, who represents a portion of the desert. "If you could solve a problem and have another county feel the impacts of that solution, wouldn't you do it?" The Riverside Board of Supervisors has been more receptive. The county's waste management director called a proposal to dump the waste in an old abandoned mine in the county "pretty attractive." The garbage would fill the mine, now an eyesore, and could be used for the county's trash too.

If these plans falter, the trash could be dispatched to the Marshall Islands. The South Pacific nation has expressed interest in a proposal to use West Coast garbage to fill in reefs and provide footing for causeways connecting islands. "One person's garbage can in reality become another person's treasure," touts Admiralty Pacific, a company that wants to ship 35 billion pounds of West Coast garbage to the islands. Not surprisingly, environmentalists oppose the idea. Greenpeace contends that the plastic liners that would hold the garbage would inevitably leak, poisoning irreplaceable reefs.

Because of such potential problems, incineration of garbage is gaining renewed interest. State prison officials have proposed putting a plant that would convert trash to electricity at a San Diego County prison. Eight-hundred inmates would be paid 50 cents an hour to sort through tons of garbage each day. Prison officials admit that the plan faces significant hurdles, however. When other such plants were proposed in the past, concerns about health dangers doomed them. Dioxins and lead come out of the stacks, and the emissions contribute to smog.

Few of today's garbage problems were foreseen in 1961, the year Sam Yorty ran for mayor of Los Angeles and made the highly popular pledge to end curbside separation of trash. Homeowners at the time had to separate wet trash and place it on the curb one day for pickup, burnables on another day, glass and cans on still another. Three years after Yorty's pledge, on July 3, 1964, the era of combined collection began, providing the promised convenience to homeowners and businesses but laying the groundwork for today's crisis. The plan was considered environmentally safe, and other Southern California communities followed suit.

Planners now are trying to turn back the clock. There is a consensus that Southern Californians at the very least will have to resume separating trash for recycling or composting. Under a new statute, signed by Gov. George Deukmejian in September, local governments will have to reduce garbage 25% by 1995 and 50% by the year 2000, primarily through voluntary recycling, composting and reducing trash sources. Compulsory programs and higher costs for garbage disposal are likely to follow. Eventually, some state legislators would like to see fees levied against retailers or distributors of certain wasteful products, such as fast-food packaging.

Several Southern California communities already have voluntary curbside recycling programs, but these are not likely to reduce garbage significantly in the near-term. In Riverside County, for example, \$800,000 a year has been earmarked for recycling projects, "far short of what's needed to do the job right now," said the county's director of waste management. There are 15 recycling programs in San Diego County, including an ongoing effort by San Diego to implement curbside recycling citywide. In those neighborhoods with recycling, more than 50% of the homeowners participate. A waste management firm has developed a coloring book called "Captain Recycle" to teach children the value of recycling. "Captain Recycle wants us all to have a clean, green and drug-free America," concludes the book.

But the job is more than just to persuade homeowners to separate their trash. Government and sanitation officials must also find markets for the garbage. Paper mills, for instance, must convert to technology that will enable them to use recycled newspaper, which is now piling up at recycling centers. Uses for so-called "green waste" must also be found. In San Bernardino County, a consultant is studying how to grind up lawn cuttings, tree clippings and other plant material for mulch that could be used for erosion control. In Orange County, which generates more solid waste per person than any county in the country, officials are preparing a plan to compost plant wastes and sell it to golf courses, nurseries and cities. "It's a marketing issue," said Frank Bowerman, Orange County's director of waste management. "We've got to sell the idea before it works."

REPORT CARD

Average score: 5.3

Three views on our progress, rated on a one to 10 scale

* Mark Murray, policy director for Californians Against Waste: "The writing has been on the wall in terms of the need for recycling and source reduction for a long time in Southern California, yet we haven't seen the

region as a whole move very fast with programs to deal with the problem."
Score: 3

* John Gallagher, chairman of the California Waste Management Board:
"There has been a certain level of indifference on the part of local governments and county planners in including the siting and location of landfills . . . They have not required enough attention to be paid to it by developers." Score: 5

* Z. Harry Astor, a lobbyist for the southern district of the California Refuse Removal Council: "Part of the problem has been the so-called 'Not In My Backyard' syndrome, with people in various areas demanding restrictions on expansions of landfills. But I think industry has done a good job. Whenever it has been economically feasible, industry has engaged in recycling and source separation and has complied with the technological problems involving toxic waste disposal." Score: 8

TURNING POINTS

* 1990--San Bernardino County supervisors will decide whether to approve two proposed hazardous waste dumps, one in the secluded Hidden Valley in the Caddy Mountains and the other near the town of Ludlow.

* 1995--New state law requires local governments to reduce their communities' garbage by 25%, primarily through recycling, composting and source reduction.

* 1996--Unless more landfills are added or disposal of garbage declines, Southern California's dumps will be filled.

* 1999--The U.S. Environmental Protection Agency expects to have cleaned up Fullerton's McColl Toxic Waste Dump, Orange County's worst hazardous landfill.

* 2000--Communities must cut the amount of garbage they generate by 50% under new state law.

VOICES

"The first thing, you know, is it gives me a little money, and I like to help clean up the whole environmental schmeer. If I get maybe a couple hundred pounds of paper, maybe I can save one big tree. Those are the main reasons. It doesn't make me rich; I barely get gas money out of it."

--John Simon, 71, of South Pasadena, who each week collects newspapers and aluminum cans in his neighborhood and delivers them to a recycling center in Alhambra.

"I think we should get hazard pay. We're out there dealing with hazardous materials day after day. I have seen stuff that is so foul that just by smelling it you get sick. I have seen dead animals in the can. You name it--cats, dogs. I had one can with a dead rooster in it. People throw out a lot of hazardous materials that we are not supposed to take, but people get away with it. . . . It's just disgusting--battery acid, car parts, roofing material. Skin rashes are very common among us, and so is eye irritation."

--Jeffery Taylor, 31, Pasadena trash collector

TECHNOLOGY'S PROMISE

Although Southern California is quickly running out of room to bury its solid waste, here are some methods and technologies that can ease the problem:

* SOURCE REDUCTION and RECYCLING--These are two of the most practical and promising methods of reducing waste. Source reduction basically means manufacturing goods that last longer and making them with less toxic materials. More cities are requiring residents to recycle their newspapers, bottles and aluminum cans. Both methods will be required increasingly in years ahead.

* COMPOSTING--Composting is making a comeback. One third of all residential waste is yard waste or "green waste." Instead of burying it in a landfill, it is collected and composted by solid waste companies and local governments to make a type of fertilizer for public golf courses, highway median strips and schools. There is one drawback: Large acreage is required.

* PYROLYSIS--The chemical decomposition of a substance by heat is expected to play a role in waste management in the next five to 10 years. Waste such as tires, food, plastics and leaves are placed in a large container and closed. Air is pumped out to remove oxygen and replaced with an inert gas. The container is then heated, much like a pressure cooker. The waste does not burn, but the heat causes it to break down, generating gases such as methane and carbon monoxide which can be used as fuel. The solid residual material also can be used as a fuel.

* REFUSE DERIVED FUEL--RDF can be made from many types of solid waste. Unburnable waste such as cans and bottles are removed, leaving paper, plastic and other burnable waste that are compressed and cut into "fuel pellets" about the size of charcoal. RDF energy content is 27% less than coal but 37% higher than garbage. Air pollution emissions are comparable to those from burning coal. RDF can reduce solid waste volumes at landfills by about one third.

* GAS RECOVERY--Any time trash and garbage are buried, methane gas is formed. Methane is a potent "greenhouse" gas contributing to global warming. Increasingly, this gas is being tapped by pipe systems at landfills and used as fuel to generate electricity, or is burned off. When completely burned, methane is converted to water vapor and carbon dioxide, which is a less potent greenhouse gas. Burning also destroys small concentrations of air toxics, like vinyl chloride and benzene, which can cause cancer.

* BIOMASS--Waste is put into a closed container and water and bacteria are added to accelerate generation of methane gas. This technique was used to generate cooking gas 1,000 years ago by the Chinese. Today, it is a way of disposing of both solid waste and sewage sludge.

LANDFILL CAPACITY

* Southern California's landfill capacity has dropped sharply in just the last four years.

* Capacity is expected to drop in the 90s. In one case, California Waste Management Board estimates that Los Angeles County will run out of landfill space by 1994.

* Unless capacity is added or the rate of waste generated declines, the Waste Management Board estimates Southern California will run out of capacity by 1996.

SOURCE: California Waste Management Board

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CARSON MAYOR WANTS REVIEW OF CHEMICAL PLANT'S SAFEGUARDS

LOS ANGELES TIMES (LT) - THURSDAY June 15, 1989
By: GEORGE STEIN; Times Staff Writer
Edition: South Bay Edition Section: Metro Page: 8 Pt. 2 Col. 1
Story Type: Chronology
Word Count: 1,050

TEXT:

After a fire and three toxic sulfur trioxide leaks from Stauffer Chemical Co. last weekend, Carson Mayor Michael Mitoma said he is not satisfied with plant safety procedures and wants them re-examined.

"We need to look at the plant," Mitoma said.

Stauffer officials defended their safety program but acknowledged that they are changing the design of a pipe-heating unit to reduce the risk of the corrosion that they blame for the sulfur trioxide releases.

Purifies Acid
The 33-acre Stauffer plant, a part of the oil refineries complex in Carson for more than 60 years, purifies huge amounts of contaminated sulfuric acid used by the refineries. In a product line that is being phased out, the facility also produces lesser amounts of sulfur trioxide, which is used to manufacture detergents.

According to reports of acutely hazardous materials filed routinely with the Los Angeles County Fire Department, Stauffer typically has on hand 2 million gallons of concentrated sulfuric acid, 400,000 gallons of 30% strength sulfuric acid, 40,000 gallons of sulfur trioxide, 13,000 gallons of sulfur dioxide and 9,500 cubic feet of ammonia.

The leaking gas last weekend injured no one and did not result in residential evacuations.

Nevertheless, plant manager Pete Jurichko said the incidents were the worst at Stauffer since a massive acid vapor leak in August, 1973, forced the evacuation of 150,000 people in a 25-square-mile area, sending 38 to hospitals and curtailing airport operations in Long Beach and Orange County.

In the 1973 incident, 100,000 gallons of 30% strength sulfuric acid leaked. Jurichko said the amount that leaked last weekend was too small to estimate accurately.

The incidents began with a fire that broke out about 5 p.m. Friday afternoon in the roof of a building housing a 20,000-gallon tank of sulfur trioxide.

Mitoma said he came to the plant, in the 20700 block of South Wilmington Avenue, to monitor the fire on Friday.

"I was told on Friday that there is no problem, that it is all under control. And Saturday there was a problem," he said. "There is something wrong."

On Saturday, about 6:50 a.m., a pipe connected to the tank in the building that had been on fire began leaking, producing a plume of white sulfur trioxide vapor hundreds of feet long.

Employees at the nearby Shell refinery were evacuated. Streets were closed. And safety officials watched wind direction in preparation for the possible evacuation of residential areas within three-fourths of a mile of the plant.

'Total Coincidence'

Stauffer employees plugged the leak shortly after 8 a.m. Another leak occurred at 9:15 a.m., and was stopped about 10 a.m. The Shell employees returned to work at about noon. Jurichko said a third leak occurred at 4 a.m. Sunday and was quickly plugged.

Jurichko labeled as "total coincidence" the fact that the leaks occurred shortly after the fire. He said that subsequent examination of the pipe showed that the three pinhole-sized holes stemmed from a leak that occurred at an undetermined time, in a steam jacket around a pipe containing sulfur trioxide.

"Nothing that the fire did caused that," he said.

Once the leak in the steam jacket started, the steam and sulfur trioxide mixture combined to produce hot and extremely corrosive sulfuric acid, which attacked the weld on a pipe flange and caused the release, he said.

Plant officials have decided to abandon the steam jacket in favor of other configurations for steam heat for heating the pipe, he said.

"We are going to change some of that piping as a precaution," he said.

He added that initial inspections showed that the corrosion was restricted to specific piping segments but that the tank, which had last been inspected in 1983, will now be inspected thoroughly.

"We have a very extensive comprehensive safety program for the plant and its employees," he said. "The area I emphasize is emergency response. We put a lot of time (in) training employees. That worked for us on Saturday. We were prepared to handle it. And the fire department allowed us to do it."

Jurichko said he intends to contact the mayor to discuss the city's concerns about safety at the plant.

Mitoma said that he and Mayor Pro Tem Kay Calas had met with City Administrator Jack Smith, and that he and other council members would get a briefing on the incidents at Stauffer from the city's community safety director.

The mayor also said he wants to get an overall update on hazardous materials in Carson from the Los Angeles County Fire Department, which has a contract with the city to provide fire protection.

"We need to take a more aggressive position because of the amount of hazardous materials in our city," Mitoma said. "We need to meet with the fire department."

INCIDENTS AT STAUFFER

1973--A massive acid vapor leak forces the evacuation of 150,000 people in a 25-square-mile area, sending 38 to hospitals and curtailing airport operations in Long Beach and Orange County. In the incident, 100,000 gallons of 30% strength sulfuric acid leak out.

1978--A chlorine gas leak from a vinyl chloride plant in Carson near the company's sulfuric acid facility forces the evacuation of 50 people and the hospitalization of three workers.

1982--The South Coast Air Quality Management District insists that Stauffer close the vinyl chloride plant after ruling that the installation emitted too much cancer-causing vinyl chloride.

1984--Stauffer files applications to construct an \$8-million toxic waste incinerator that would burn 50,000 gallons a day of mostly

liquid waste. In 1986, after an uproar by neighbors, the city kills the plan.

April 1, 1987--20,000 gallons of 35% strength hydrochloric acid spill, sending one person who had breathed fumes to the hospital.

May 12, 1987--10 to 15 pounds of mercury spill.

Sept. 22, 1987--1,000 gallons of a 50% strength solution of caustic sodium hydroxide spill.

Oct. 1, 1987--The Whittier Narrows earthquake breaks a pipeline carrying sulfuric acid and 1,000 gallons spill.

March, 1988--The South Coast Air Quality Management District lists Stauffer as one of the 10 top violators of air quality regulations for the month of January, and fines the company \$1,750 for excessive sulfur oxide emissions.

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LAWYER SEEKS END TO SUIT AGAINST GAS COMPANY

LOS ANGELES TIMES (LT) - THURSDAY November 10, 1988
By: RICK HOLGUIN; Times Staff Writer
Edition: Home Edition Section: San Gabriel Valley Page: 4 Pt. 9 Col.
1
Word Count: 1,106

TEXT:

MONTEREY PARK - After nearly four years, about 300 area residents are being asked by their attorney to drop a class-action lawsuit that alleges they have been endangered by natural gas seeping from a Southern California Gas Co. storage field beneath their homes.

David B. Epstein, the attorney who filed the 1984 lawsuit on behalf of the Montebello and Monterey Park residents, said the plaintiffs cannot afford the costs of battling the utility and the co-defendant, Operating Industries Inc. He is recommending that the case be dropped.

Operating Industries operated a now-closed landfill in Monterey Park, abutting Montebello's northern border. The lawsuit alleges that the company has contributed to the problem because waste gas from the landfill has migrated into nearby neighborhoods.

"I have advised my clients in my judgment the lawsuit would probably go on for 7, 8, 9 years (including any appeals)," Epstein said in a recent interview. "Many of our clients have decided . . . the cost is so great that they can't afford to risk that expense."

Would Drop Suit

So far, about two-thirds of the 300 plaintiffs have authorized Epstein to drop the lawsuit, he said.

But one who does not want to drop the suit is Leo Escarcega, a retired barber who lives with his wife, Mary, on 19th Street in Montebello. Escarcega lives above an abandoned oil well and he fears gas from the storage facility could leak through the oil well, accumulate and explode.

Gas company workers come by periodically to monitor the well, but they have told Escarcega that so far only trace amounts that are not dangerous have been detected, Escarcega said.

"I'm just here playing Russian roulette with them," said Escarcega, who wants the gas company to buy him out. "When is it (an explosion) going to happen? It's a lot of stress."

Escarcega said he cannot afford to pay an attorney, so he is looking for a community organization willing to help pay the legal fees.

Firm Spent \$500,000

Epstein's former law firm--Margolis, McTernan, Scope & Epstein of Los Angeles--took the case on a contingency basis, and spent an estimated \$500,000 in legal services, Epstein said. The law firm has since split up and Epstein said he cannot sustain the lawsuit. He declined to comment specifically on the strengths or weaknesses of the case.

"These cases can only be handled if you have a firm that's in a

position to advance over a million dollars," Epstein said. "The sad reality is, homeowners have these problems and can't find any remedy unless they find someone who's willing to lay out that kind of expense."

Spokesmen for the gas company and Operating Industries said the lawsuit has no merit. The defendants have agreed not to seek reimbursement of legal fees if the case is dropped, Epstein said.

The gas storage area is about a mile long and half a mile wide. It is bounded by Wilcox, Poplar and Lincoln avenues and Beverly Boulevard.

Natural gas is injected through wells into porous formations that used to contain oil deposits, about 8,000 feet underground. The gas company has used the underground reservoir, which now has a capacity of 12 billion cubic feet, since the 1950s. Methane, which is highly explosive, constitutes the largest portion of the natural gas, and although it is not poisonous, it can be deadly if it builds up in a room and displaces the oxygen.

Monitors Wells

The utility monitors about 250 abandoned oil wells that once drew oil out of the area and are still connected to or are near the storage reservoir, said District Manager Richard Duran. Most of the capped wells are monitored once a month, but the gas company checks 66 wells near or underneath residential and commercial buildings every two weeks, Duran said.

Leaks from the storage facility that escaped through abandoned wells have resulted in the evacuation and demolition of five homes since the mid-1970s. The most recent leak occurred in 1985, when gas escaped through an abandoned well into a vacant area along Montebello Boulevard, just south of Jefferson Boulevard, Duran said. The leak was stopped and did not affect residents, he said.

"It (the lawsuit) has no merit," Duran said. "We're operating in a safe manner."

Ed Brannon, a spokesman for the state Department of Conservation's Division of Oil and Gas, said the operation is being run safely and the gas company is conscientious about monitoring for leaks and repairing those it finds. The state agency regulates the storage project.

The Operating Industries landfill was closed in 1984. It has been declared a hazardous-waste site and is on the federal Superfund list for priority cleanup by the U.S. Environmental Protection Agency. Methane and other waste gases from the landfill have been detected migrating from the site into residential neighborhoods. The dump generates mostly methane, but also small amounts of toxic gases, such as cancer-causing vinyl chloride, authorities said. The EPA is taking measures to keep the gas within the landfill's boundaries, and officials say the gases pose no immediate danger to area residents.

A 1984 health study performed by the state and county health departments did not detect an elevated incidence of serious disease, such as cancer, in area residents. But the study indicated that some residents suffered more minor health problems, such as sore throats and headaches, than people who lived farther away from the dump.

Daniel Spradlin, an attorney who represents Operating Industries said: "I don't believe the lawsuit has any validity at all. I don't believe the gas from the landfill constitutes any kind of a hazard."

Alleges Losses

The lawsuit alleges that the plaintiffs have been hurt financially

because they will not be able to sell their homes for top dollar. The plaintiffs contend that the value of their property will fall when they disclose that gas leaks have occurred in their neighborhoods and that gases have migrated from the landfill. It also alleges physical and emotional damage--headaches, stomach aches and stress--as a result of being exposed to leaking gas.

The lawsuit seeks \$200 million in damages from the defendants. It also seeks to enjoin the gas company from continuing to inject gas into the storage reservoir until it takes additional measures to ensure that residents are safe and fully informed of any problems.

In addition, the lawsuit asks for replacement housing for residents who live near or above leaking wells, and free medical exams.

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LAWYER SEEKS END TO LAWSUIT AGAINST GAS COMPANY, OII

LOS ANGELES TIMES (LT) - THURSDAY November 3, 1988
By: RICK HOLGUIN; Times Staff Writer
Edition: Home Edition Section: Southeast Page: 1 Pt. 9 Col. 5
Word Count: 1,116

TEXT:

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MCFARLAND CASES
CHILD CANCER CLUSTER POSES PUZZLE

LOS ANGELES TIMES (LT) - WEDNESDAY September 21, 1988
By: JANNY SCOTT; Times Medical Writer
Edition: Home Edition Section: ONE Page: 1 Pt. 1 Col. 1
Story Type: Non Dup
Word Count: 2,875

TEXT:

McFARLAND, Calif.--Ask a few scientists when they will know precisely why at least 13 children have come down with cancer in this tiny farming town in the San Joaquin Valley, and sooner or later most will say the answer may well be never.

Few cancer clusters have ever been explained, they say. And this one is especially puzzling. Some suggest McFarland may even be a fluke--the extremely rare case, like flipping a coin and having it consistently come up tails.

But put the same question to the politicians, union organizers and celebrities who have flocked to McFarland in recent months. They will say bluntly what others suspect but cannot prove: Agricultural chemicals, especially pesticides, are somehow to blame.

Contaminated Water

Perhaps chemicals contaminated the water in the past, they say. Maybe babies played in yards inadvertently dusted with pesticides. If scientists have found no evidence to support those theories, some residents and activists say, they should look a little harder.

Now the certainties of politicians and the uncertainties of science have torn this little town into angry pieces--factions adhering to one absolute or another, hungering for the kind of clear answer that the state's own scientists increasingly suspect may never emerge.

McFarland, a place that calls itself "the heartbeat of agriculture," has become the unhappy symbol of public fears about pesticide use--a challenge to public health officials that some say is not only scientific but also peculiarly personal.

"The way science works, you eliminate this, you eliminate this, you eliminate that," said Dr. Raymond Neutra of the state Department of Health Services. "And scientists always feel very good when we are able to say, 'Well, we really have shown you it's not (this).'"

'I've Eliminated the Butler'

"But then people say, 'But you haven't told me what it is !' " said Neutra, who until recently headed the McFarland investigation. "It's like a murder case: 'I've eliminated the butler. Don't you feel good?' But (the next question is), 'Well, who did it?'"

McFarland, population circa 6,200, straddles California 99, the long zipper that runs the length of the Central Valley, passing places with names like Weedpatch and Pumpkin Center and aging billboards for U-Pick pistachios.

The town, 25 miles north of Bakersfield, is little more than a dozen blocks wide or long, afloat on an ocean of cotton, almonds, kiwi and grapes. It has one dentist, three doctors and daily stops by the Greyhound

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bus. The town is mostly Latino; agriculture is the main employer.

Word of the cancers first got around McFarland in early 1984. Connie Rosales had begun counting cases. In addition to her teen-aged son, Randy, some nine other children had been diagnosed with cancer within a few years. That was three to four times the expected rate.

Since then, more cases have been diagnosed. Some parents put the total at 17, with eight children dead. The state, which counts only those children diagnosed while living within the boundaries of the town, puts the total at 13, with six children dead.

They range from toddlers to football players; five in one neighborhood, the rest scattered through town. In addition to the cancers, officials say the rates of infant deaths, fetal deaths and low birth weight babies doubled and tripled in 1981-1983 over previous years.

"I don't know whether you've ever seen a child die before, but we went through this eight times," Rosales said one morning, in her house in the subdivision that has been hardest hit. "Chemotherapy in an adult is bad enough. It absolutely tortures children."

In early 1984, Rosales notified the Kern County Health Department. The following year, she and other parents wrote to the Legislature. Public hearings were held in McFarland in 1985 and reporters began covering the story. McFarland became a national issue.

Now Jesse Jackson and Cesar Chavez march in McFarland. The United Farm Workers president spent 36 days fasting this summer, drawing attention to pesticide risks. Movie stars, Canadian labor leaders and various Kennedys turned out to support Chavez and call attention to hazards some of them say are symbolized by McFarland.

County and state investigators have tested the town's water, air and soil. They've measured radio frequency waves from the Voice of America transmitter north of town. They've examined pipes, household chemicals, auto emissions, radiation, insulation, ventilation.

They say there is no problem with the water (though they cannot say whether there was in the past). They say the air, the soil, the houses, the pipes appear to present no obvious threat. If something specific causes the cancers, they say, they have not found it.

'Science Just Way Behind'

"I think the science of epidemiology needs a real kick in the rear end," complained Rosales. " . . . We're getting into problems all over the country and it's obvious there are environmental causations. The science itself is just way behind."

Indeed, the history of cancer cluster investigations is less than illustrious. Few have ended in pinpointing a specific cause. The most successful involve clusters in which the exposure was direct and measurable, and the cancers were of a single type.

For example, a cluster of rare liver cancers in Kentucky was traced to workers' exposure to vinyl chloride while working in a tire plant. A cluster of vaginal cancers in Boston was traced to the anti-miscarriage drug, DES, used by the victims' mothers during pregnancy.

But investigations of environmental clusters are even more difficult. One of the few solved was a leukemia cluster in Woburn, Mass. Even there, scientists say new cases occurred after the town's contaminated drinking wells were closed, raising some doubt about the finding.

Most of the dozens of apparent clusters reported every year in

California alone turn out, upon close scrutiny, not to be clusters. And even some statistically significant clusters may occur simply by chance, according to the laws of probability.

What are the odds of a cluster like McFarland's occurring? Official estimates have ranged from 1 in 100 to 1 in 1,000. Some scientists say such a cluster could even conceivably occur in several dozen similarly sized towns or census tracts in California.

"Given what we know about how often childhood cancer occurs, some places in the U.S. are going to show increases over a period of time, at random, by chance," said Dr. Matthew Zak, an epidemiologist with the federal Centers for Disease Control and a scientific adviser on the McFarland case. "It's very possible that in McFarland that's what happened."

The McFarland case presents its own peculiar difficulties.

Childhood cancer is in many ways a mystery, even more so than adult cancer, which is also poorly understood. Without knowing what causes it, scientists say, it is difficult to know where in McFarland to look for explanations.

The variety of cancers in McFarland is also puzzling--liver, lymph nodes, bone, eye, adrenal, kidney. Could one cause lead to so many varieties? Some of the state's scientific advisers say they doubt that so many types could have come from a single agent.

Agricultural chemicals, too, are not well understood. More is known about their effects on animals than their effects on people. And state records on what pesticides have been used, and where and when, turn out to be incomplete and sometimes even illegible.

Finally, although the McFarland cancer cases are clearly excessive, scientists say there are fewer there than one would use in a solid, scientific study that looks for causes by comparing the lives of cancer patients to those of a control group of healthy residents.

"I want to emphasize, the state's inability to identify a single cause is not a result of bad science," said Robert W. Haile, an epidemiologist with the UCLA Cancer Center and a member of the state's advisory board on McFarland.

"There are probably multiple steps that lead to cancer and multiple factors that act together," Haile said. "So it makes it very difficult to tease out exactly what those factors are when you don't have large numbers."

Haile, like many others, believes pesticides must be closely scrutinized.

"My opinion is there is enough experimental and anecdotal evidence suggesting that some pesticides may have carcinogenic effects that I think it warrants careful study," he said. " . . . We need money, much more money, to be put into the study of pesticides."

People in McFarland share his suspicions.

"If pesticides kill bugs, then they probably have some effect on us," mused Ronald G. Huebert, the amiable, silver-haired superintendent of the McFarland Unified School District. "Because we're kind of a big bug."

The McFarland cluster fell initially to the Kern County Health Department, an agency more familiar with outbreaks of salmonella and sexually transmitted diseases than cancer. Officials admit frankly that the

case far exceeded the capacities of a county health department.

The agency had no epidemiologist at the time. There was one nurse who had taken a short course in the subject. The department had no experience in chronic disease epidemiology. The water quality program had no toxicologist on staff. Nevertheless, the department set about in 1984 investigating the cluster, beginning with a census of childhood cancer cases. Though there were informal reports of some 23, the study focused on the 10 diagnosed between 1975 and 1985 and living in McFarland at the time of diagnosis.

The county collected water samples from homes, wells and control sites. It tested them for approximately 100 chemicals. Officials scraped soil samples from yards, parks, playgrounds and water runoff sumps and tested them, according to the county, for some 80 chemicals.

Sanitarians also inspected the houses of the 10 cases and four control homes for asbestos, formaldehyde, household chemicals and other sources of indoor pollution. County air pollution officials later measured ambient levels of carbon monoxide from the highway traffic.

They found nothing, county officials say, that could account for the cancers.

Next, the state Department of Health Services did a case-control study, comparing the cancer victims to a healthy control group. Parents were questioned at length about their children's medical histories, habits and hobbies, as well as their own lives and jobs.

The state also looked into pesticide use around McFarland, relying on the reports applicators and farmers must file on certain pesticides. They concentrated on 1980 and 1981--the period when, they figure, something in the environment could have caused the cluster.

Initially, four pesticides caught their attention: They had been used heavily during the potentially critical 1980-81 window. One member of the scientific advisory panel strongly suspects those chemicals; but Neutra said further study of their effects suggests they probably could not be the cause.

A second striking finding was that 80% of the fathers of children with cancer, compared to 45% of the fathers of healthy controls, had worked in the fields during the period between shortly before their child's conception and his or her diagnosis.

To pursue that lead, health officials intend to re-interview the fathers. Sanitarians will tour their workplaces, looking for clues as to how they or their children might have been exposed to chemicals at work that might have been transported home.

The state is also expanding the study: It is collecting data on childhood cancers in all four counties of the southern San Joaquin Valley. If the McFarland cluster is too small to pinpoint a precise cause, officials hope they might find it by looking further afield.

A finding of a high childhood cancer rate regionwide might suggest a problem endemic to farming communities, perhaps related to chemicals, investigators say. Additional cases would then be added to the study group for a larger, maybe more revealing, case-control study.

A finding of no excess cancers in the four-county area, on the other hand, could be something of a dead end.

"I'm not sure what one would have to do next, if the problem appears to be unique to McFarland," said Haile of UCLA. "Launch even more exhaustive

studies in McFarland in hopes of finding something, knowing full well that the odds are against you?"

Meanwhile, the protracted uncertainty has shattered the town. Connie Rosales, among others, believes the county and state, at least initially, dragged their feet. Rosales said she is "not conspiracy-minded." But she does not underestimate the power of agriculture, property values and status quo in the public debate.

Though her son survived, she said she has been left with little. She said she is broke, her marriage has ended and she is unable to get work--a fact she traces in part to her bitter feud with the farm workers' union over what she charges is its exploitation of the cancer issue.

The union, she alleges, has used McFarland's misery to raise national support for its boycott of non-union grapes--a cause she does not support. At the same time, she said the union has offered little financial or medical help to the children and their families.

Some of the parents have left McFarland. Others say they would go but they cannot afford to make the move. Some have felt ostracized by the community, haunted by the loss of their children, obsessed with preserving the health of those who remain.

"Our goal is to never have this happen again," said Rosales, who with other parents is suing various agencies, officials and chemical manufacturers.

Active in Community

On the other side of town, Arturo Munoz lays considerable blame with the media. They are killing the town, he bitterly complains. They have singled out McFarland, branding it with a problem that, if it exists, exists throughout the San Joaquin Valley, he said.

Munoz, 66, came to McFarland 45 years ago as one of the first Mexican residents. He has raised seven children, served on the City Council, been active in his church. The reports about the cancer are a blight on his high hopes for McFarland's future.

He wants the press and politicians to leave health officials alone and let them explain the cancers. If there is a problem, Munoz is confident that government and science can fix it. Most of all, Munoz wants the issue resolved and his town left in peace.

What irks Ronald Huebert, the schools superintendent, is the steady ebb and flow of politicians, union organizers and others--people who Huebert says announce their presence with a press release. He calls them "human tornadoes": They blow in, do their damage and leave.

Their charges have bred distrust towards officials, Huebert says. They have encouraged conspiracy theories and blame. So in the absence of answers from science, Huebert is turning to faith--a community-wide prayer meeting next weekend called "Hands Around McFarland."

Was he saying McFarland's problems will be solved by faith, not science?

"Our Creator creates the scientists," Huebert said. "So I would say a little mutual work there."

Meanwhile, the state is continuing its search.

"I think there is no doubt that a lot of people in that community are under a lot of stress," said Dr. Lynn Goldman, who recently took over the

case from Neutra. "I feel it's incumbent on us to at least be able to establish for them that it's OK for them to continue living there, that they can raise their children there."

Both Goldman and Neutra say that as time passes and they turn up no clear cause, it looks increasingly as though the McFarland cluster is a chance occurrence. As Goldman put it, "More likely than not, what we're looking at is a kind of random aggregation of childhood cancers."

And chance, some point out, can be an unsettling answer.

"It's sort of a last-resort explanation," said Zak, the federal epidemiologist. "It really doesn't explain anything. All it says is it's possible it could occur; it doesn't explain why it occurred in McFarland. Maybe, in fact, we'll never know."

COMPARING MCFARLAND'S CANCER RATES

These are figures to compare childhood cancer rates in McFarland with those of other Kern County towns and with selected regions in the United States. Rates are computed per 100,000 children per year. In the Kern County figures, childhood is defined as infancy. In the national figures, it is defined as infancy to 19.

McFarland

Est. Pop. Aged 0 to 20: 2,475.0

Confirmed Cases 1975-85: 10.0

Rate/100,000 per year: 36.7

Delano

Est. Pop. Aged 0 to 20: 6,615.0

Confirmed Cases 1975-85: 6.0

Rate/100,000 per year: 8.2

Kern County

Est. rate: 11.5 to 14.7

Source: Kern County Health Dept.

HOW CANCER RATES COMPARE ELSEWHERE

There is no accurate figure for the national childhood cancer rate. An estimated national rate of 14 per 100,000 children per year is based on averaging known regional rates.

San Francisco

Rate/100,000 per year in children aged 0-19 in 1978-81: 16.3

Source: the San Francisco metropolitan tumor registry

New Mexico

Rate/100,000 per year in children aged 0-19 in 1978-81: 11.6

Source: the New Mexico state tumor registry

Utah

Rate/100,000 per year in children aged 0-19 in 1978-81: 14.8

Source: the Utah state tumor registry

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