Appeal filed on decision to store PCB

WARRENTON (AP) — A ruling allowing North Carolina to store toxic PCBs at a special landfill near here has been appealed by Warren County's commissioners.

The appeal was filed in the 4th Circuit Court of Appeals in Richmond, Va., and comes on the heels of U.S. District Judge Earl Britt's ruling in late November to allow the state to develop a landfill in Afton to store thousands of tons of PCB-laced soil.

The PCBs were illegally dumped along 210 miles of roadside in more than a dozen North Carolina counties. The chemical is used in electrical transformers and is thought to cause cancer in humans, but it has remained on the roadsides since it was spilled in June of 1978 while state officials tried to come up with a method of removing and storing the chemicals.

The state was restrained for many months from taking bids on the landfill while they were awaiting Britt's decision. The state had set Jan. 21 as the date bids would be opened after Britt ruled in its favor.

State officials say they will proceed with those plans unless they are notified the state is under another injunction barring the landfill's development.

"We're not in a position to stop the bidding process now," said David Kelly, assistant secretary of the N.C. Department of Crime Control and Public Safety.

"Our position has always been that we won't do anything if we are enjoined by the court," he said, adding that the state was under the impression that Warren County had only filed notice of intent to appeal.

Warren County elected officials and many of its citizens oppose storage of the PCBs in the proposed Afton landfill because they fear that toxic waste would escape into the ground water, contaminating streams and water supplies in Warren and nearby counties.

Opponents of the proposed landfill also fear it would open the door for further disposal of toxic wastes in the county.

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