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Herbicide cover-up suspected

Commissioners draft EPA inquiry request

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Lane County commissioners may call on Congress next week to investigate the possibility of an Environmental Protection Agency cover-up of dioxin hazards created by herbicide spraying in western Lane County.

A draft of the proposed 2½-page letter to House Speaker Thomas "Tip" O'Neill was released Friday by Commissioner Jerry Rust, who said he has the backing of a majority of the commissioners for action at Wednesday's board meeting.

The letter also asks Congress to order a moratorium on the use in the Coast Range "of all pesticides potentially capable of containing or breaking down into TCDD or structurally related compounds."

Rust said there is "a strong possibility that the EPA has engaged in many years of lies and deception and cover-up of this matter, and I think it's time to bring it all out in the open."

The accusations are based on EPA documents obtained under the Freedom of Information Act by Mike Axline, co-director of the University of Oregon Law School's Pacific Northwest Resources Clinic, for Carol Van Strum, a resident of the remote Five Rivers Valley in the Coast Range. She wrote the Sierra Club book "A Bitter Fog" about herbicide victims and their fight to stop the spraying of roadsides and forests.

Anita Frankel, chief of the pesticides and toxic substances branch of the EPA's regional office in Seattle, said EPA officials in Washington

learned too late Friday to prepare a response to the accusations. She said a response should be ready late Tuesday or sometime Wednesday. Monday is a federal holiday.

The draft letter that Rust proposes be sent to O'Neill begins by saying:

"Citizens in Lane County, Oregon, have presented the board of county commissioners with certain alarming information regarding the United States Environmental Protection Agency. On that basis, it appears that since 1979, the EPA has acted to suppress and delay the validity and test results of a major human health study covering a 1,600-square-mile area of Western Oregon. Recently obtained documents from the study suggest the presence of a public health emergency in Western Oregon. Furthermore, EPA's suppression of its own study may have had the practical effect of denying critical evidence to Vietnam veterans in their \$44-billion class action lawsuit over Agent Orange.

"Documents recently obtained under the Freedom of Information Act demonstrate that EPA has been aware since 1980 that this study showed dioxin in over 60 percent of deer and elk tissue samples taken from forests in Western Oregon, where an abnormal increase of birth deformities and reproductive problems in elk herds had been reported.

"Worse, dioxin was also identified in human mothers' milk samples and numerous domestic water samples taken from the same area," the letter continues.

The letter says that an EPA study, known as the Alsea Study, correlating miscarriages to herbicide spraying, triggered the EPA's emergency suspension of the use of 2,4,5-T and Silvex in 1979 for forestry and road spraying.

"For four years, while industry proclaimed the study invalid in the scientific, medical and popular media, EPA administrators and legal counsel' apparently ordered the scientists who conducted the study not to publish it or to defend it publicly in any manner," the draft letter says. "During this time, EPA suppressed — and in some cases allegedly misreported — results of laboratory analyses demonstrating widespread dioxin contamination in the study area mothers' milk, domestic water supplies, wildlife and in tissues of a baby born without a brain, as well

as in deer and elk hunted for human consumption.

"The best evidence available suggests that Western Oregon residents continue to be exposed to increasing levels of dioxin in their water, soil and food, associated with abnormal increases in birth defects, involuntary abortions, cancers and reproductive disorders," the draft says.

"Because of EPA's uncooperative and suspect behavior, we ask you to initiate a vigorous and thorough investigation of EPA's conduct of the Alsea Study and the 2,4,5-T cancellation proceedings and to authorize an independent study of dioxin exposure and human health in the Oregon Coast Range," the letter says. "We further ask that the study be subject to a citizen review board, with full public disclosure at all stages of design and execution.

"For the entire duration of this study, we ask Congress to order a moratorium on the use in the Coast Range of all pesticides potentially capable of containing or breaking down into TCDD or structurally related compounds," the letter concludes.

Axline said Friday that Van Strum "sought the documents because they contained the results of an EPA study of the effects on human health of herbicide spraying, which EPA has suppressed since 1980."

"We have begun to uncover some of the results of that study and those results show extensive contamination of the forest with dioxin," he said.

Axline said he and Van Strum "are seeking the commissioners' assistance in finding out how extensive the contamination currently is and in obtaining a congressional investigation into why EPA has not acted on this information."