

The assault on EPA's Love Canal report

Nearly four years ago, New York State health officials advised pregnant women and children under 2 who lived near the Love Canal to evacuate their homes to avoid the effects of leaking chemicals. Now expensive clean-up work has progressed to where most homes can once again be occupied, the Environmental Protection Agency told Niagara Falls officials last week. To prove the point, EPA released a two-year, \$4.5-million study that found "no significant contamination" of homes nearest the canal, an area of 227 houses.

But critics have already assailed the study as flawed and castigated the agency for delaying the release of the study for 18 months. Lois Gibbs, a former Love Canal resident and a prime mover in the battle to have the government relocate her neighbors, responded to EPA's release of the study with a 10-page statement denouncing the agency. "The EPA study itself was poorly done, resulting in questionable data, unsubstantiated conclusions, and an immense waste of taxpayers' money," she said. "Under no circumstances should this report stand alone as the definitive document when considering the revitalization of the Love Canal neighborhood."

The EPA study found that the levels of chemicals to which present residents are exposed are well below established regulatory limits. The biggest problem, the ground seepage of chemicals from the Love Canal area, has been stopped, the study said. A contractor has treated or removed the 22,000 tons of chemical residues, mostly chlorinated organics, deposited at the site. Still, there is more work to be done. Last week federal and state agencies allocated an additional \$7 million toward further clean up.

Highest doses. But other branches of government are far from convinced that the canal area is now habitable. Two days before EPA's report came out, New York Attorney General Robert Abrams released results of tests indicating that homes along the Love Canal contain some of the highest doses of the contaminant dioxin "ever found in the human environment." The tests were done at Abram's request as part of the state's \$635-million lawsuit against Hooker Chemicals and Plastics, which had used Love Canal as a dump site from the late 1940s to 1953.

The criticism is likely to induce Congress to step into the fray. Already senators Daniel P. Moynihan (D., N.Y.)



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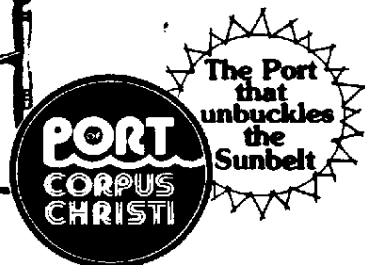
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and Alphonse D'Amato (R., N.Y.) have joined with Representative John LaFalce (D., N.Y.) in criticizing the EPA report. They made their positions clear after a meeting with EPA's assistant administrator for Solid Waste and Emergency Response, Rita Lavelle. D'Amato said, "EPA has been less than candid and not cooperative in developing the proper lines of communication" with Congress. And Moynihan said that "EPA never leveled with us about the differences of opinion" that lead to the 18-month delay in releasing the report. Moynihan said that "we had to blast the material out of EPA, and they never offered any explanation for the delay."

As a result, LaFalce has approached Representative James Florio (D., N.J.)

about the possibility of using one of Florio's subcommittees as a forum for hearings into the EPA study. If Florio's panel on commerce, transportation and tourism, part of the House Energy and Commerce Committee, fails to take up the cause, then the Senate Environment and Public Works Committee might respond to a similar request by Senator Moynihan.

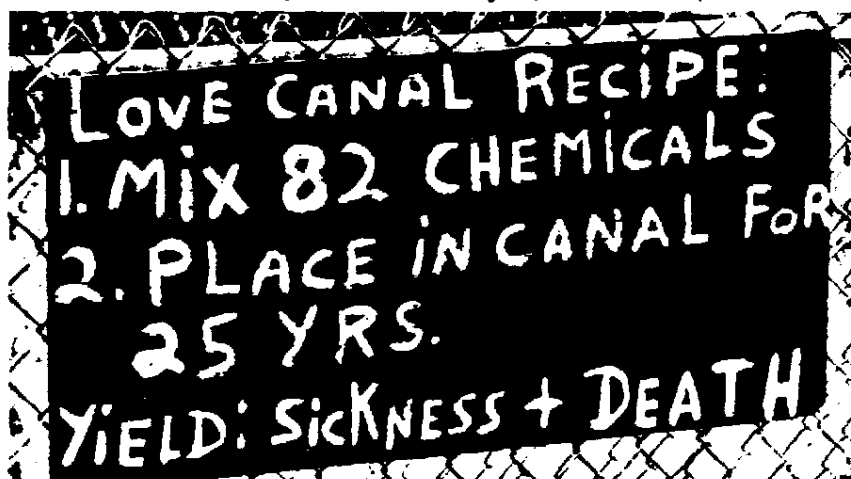
LaFalce, whose district includes Niagara Falls, is most annoyed about certain flip-flops in conclusions by the Health and Human Services Dept. LaFalce notes that in August 1981 HHS determined that the levels of contaminants at the Love Canal did not pose a significant threat to human health and that in December 1981 EPA reached a similar

through the soil.

One theory on how the hazard at Love Canal developed was advanced in 1978 by Hooker Chemicals and Plastics, which used the site for disposal before selling it to the Niagara Falls school board. In congressional testimony, the company suggested that after the land was sold, a lot of soil was removed from the surface and that rain and melted snow seeped into the canal, "which gradually filled up just like a bathtub and just overflowed."

Whatever the outcome of any hearings, whoever chooses to move into the homes around the Love Canal site will not face the risk of moving into the most heavily contaminated homes right next to the canal. Those homes are being demolished this summer under a contract let by the New York Transportation Dept. □

Residents of Love Canal, already bitter, are further outraged by the new EPA study.



Gibbe: "an immense waste of taxpayers' money."

conclusion. But, he adds, a report given to HHS in May 1982 by the respected National Bureau of Standards questioned the validity of the analytical techniques used by EPA in the Love Canal report. The upshot was that HHS told EPA that it was reluctant to let its earlier findings stand. But on July 13, without explanation, HHS abruptly reversed field and recommended that the area be declared habitable, LaFalce contends.

Although there is plenty of criticism of the EPA study, it's obvious that the agency put a lot of technical effort into producing it. EPA used 18 laboratories to analyze more than 6,000 samples of soil, air and water, says EPA Regional Administrator Richard Dewling. Among the numerous tasks researchers performed was the analyzing of samples of the 150 chemical compounds Hooker reported dumping into the canal. The researchers concentrated on substances, such as toluene, that migrate readily

No retrofit required for existing landfills

After two years of nervously awaiting the Environmental Protection Agency's hazardous-landfill rules, the owners and operators of the nation's 12,000 dumpsites were able to sigh with relief when the rules were made public last week. They cover standards for performance, design and operation, but EPA is not forcing a retrofit of existing facilities.

Industry was concerned that the agency would require companies operating existing facilities to install synthetic liners or systems for the collection and removal of leachate. However, any new hazardous landfill must have both a liner and a leachate control system, provisions that could inhibit development of needed facilities and drive up the cost of waste disposal.

The key elements of the rules, which will become final after a six-month interval for public comment, are the extensive measures for monitoring and protecting groundwater that must be instituted both at existing and new sites. These provisions will establish a three-stage program to detect, evaluate and, if necessary, correct groundwater contamination.

Cleanup requirements. The program requires the owner or operator to install a monitoring system around the perimeter of the site. If a hazardous substance is discovered seeping out of the site, it must be tracked to its source. A cleanup program will be required if concentrations of the substance exceed minimum local standards, or if the