Events at EPA on Tuesday provided no reassurance. Even as Browner's new policies were being announced, one was put to the test and it flunked embarrassingly. In a printed statement Browner said she was taking five actions to "immediately strengthen our program for the regulation of incinerators and industrial furnaces that burn hazardous waste." One immediate action was to "improve public participation." "Public participation is one of the principal cornerstone's of EPA's environmental programs. EPA is committed to meaningful public involvement in its permitting programs," Browner's document said.

Outside the EPA auditorium where the new policies were being announced, Terri Swearingen, just 24 hours out of the hoosegow, arrives accompanied by Joe Thornton, mild-mannered co-author of Greenpeace's technical study of incineration, PLAYING WITH FIRE. They arrive accompanied by Joe Thornton, mild-mannered co-author of Greenpeace's technical study of incineration, PLAYING WITH FIRE. They sign in, peaceably and openly, to hear Browner announce her new policies. Uniformed guards, on orders from higher-ups, throw them out and bar the door. So much for participation by the interested public. Does Ms. Browner have control of her agency? Did she herself order the door barred or was it worthy new "public participation" program sandbagged unkownst to her by bureaucrats of the Lowrance/Guimond ilk, grotesque remnants of an era when the agency was fully committed to secrecy and deception in the service of polluters?

What of the new moratorium? Officially, it goes this way: Currently there are 184 hazardous waste incinerators and 171 BIFs (boilers and industrial furnaces, including cement kilns) burning 5 million tons of hazardous wastes each year. Fifteen incinerators and 171 of the BIFs have "interim" but not "final" permits.

The moratorium means that these 186 existing burners without final permits will receive priority attention--they will be subjected to new risk assessments to examine their effects on the food chain and human health, and if the numbers turn out badly, permit restrictions will be tightened and some might even lose their permits. While this is going on, no "new" incinerators will be licensed unless a "new" incinerator is better than an old one it is intended to replace. That is the announced plan.

Unfortunately, there are numerous large loopholes.

** No "remedial" incinerators will be affected. No Superfund cleanup incinerators and no "soil burners" are subject to this moratorium. For them, it's business as usual, and many of them are among the dirtiest burners in America.

** EPA actually has authority to stop new incinerator permits in only 4 states (Wyoming, Iowa, Alaska and Hawaii) and in four other U.S.- controlled territories (Puerto Rico, the Virgin Islands, the Northern Mariana Islands, and American Samoa). In the remaining 46 states, the states themselves have been given authority to issue RCRA incinerator permits and Carol Browner has no permit-stopping authority in those 46.
** Even in the four states where Carol Browner HAS authority, Lowrance and Guimond told Tuesday's meeting, new incinerators that are "close" to having final permits will get a green light despite the so-called moratorium. (What "close" means will be decided on a case-by-case basis--which gives the Lowrance/Guimond axis full discretion.)

Discretion is everything, as shown by the WTI incinerator which failed its official "test burn" but was given a year-long operating permit by Ohio officials anyway. Lowrance told me WTI is a "fully permitted" facility, not subject to the moratorium. Guimond told me it had been "fully permitted" in 1985 (4 years before construction began) and will not be re-examined until 1995, when its permit comes up for renewal.

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At a meeting May 6th in his office in Chicago, EPA region 5 Administrator Valdus Adamkus told a group of citizens that, "Personally, in my heart, when I saw the location [of the WTI incinerator], I was shocked." He said he personally believed the elementary school, 1100 feet from the WTI smoke stack, should be bought out and moved by the incinerator owner, Swiss steel maker Von Roll. It was a devastating admission from a civil servant whose actions over the past 5 years have shown him to be fully committed to the Lowrance/Guimond religion of industrial promotion at any cost.

What about the homes where children live even less than 1100 feet from the stack? Should they be moved too? Should the whole town be moved to make the area safe for a dangerous incinerator? Mr. Adamkus had no answers for these questions when Terri Swearingen posed them, stabbing her finger in the air. But his damaging admission--that WTI is too dangerous to be sited where it is--is on the public record. How long can the President ignore this?

The vaunted incinerator moratorium made headlines, but the substance is small. Other, more important, announcements accompanied that one but got little press. EPA issued a "draft strategy for combustion of hazardous waste" that promises a completely fresh look at "how best to integrate source reduction and waste combustion." It's a worthy goal, and my hat is off to Carol Browner for putting it out. But events have convinced me that until some major house cleaning takes place, EPA is still not in shape to protect much besides polluters.

--Peter Montague

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Descriptor terms: incineration; carol browner; epa; policies; hazardous waste; public participation; terri swearingen; east liverpool, oh; civil disobedience; greenpeace; bill clinton; al gore; beth knapp; steve kretzmann; beth stenger; billie elmore; sue lieber; sylvia lowrance; richard guimond; joe thornton; moratoriums; superfund; soil burning; valdus adamkus; von roll; draft strategy for combustion of hazardous waste;