

Army Corps to dump dioxin in unlined pit

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Dow's clout hinders cleanup efforts, critics say

Politics at both state and federal levels has interfered with regulation of dioxin contamination from Dow Chemical, critics say.

After the behind-the-scenes intervention of Lt. Gov. John Cherry late last month, state environmental regulators backed down on their objections to a dioxin disposal plan proposed by the Army Corps of Engineers. The Corps of Engineers is going ahead with plans to start dumping thousands of tons of dioxin-contaminated sediment in an unlined pit in Saginaw County this summer, according to a corps' spokesman.

Environmental groups are harshly criticizing the decision, claiming Cherry wrongly introduced politics into a environmental regulation decision and has endangered public health by ignoring the research and recommendations of the state Department of Environmental Quality.

Dioxin, a highly toxic substance that is also a known carcinogen, is a byproduct of the chemical manufacturing process. It has spread 50 miles downriver from Dow headquarters in Midland.

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The second instance of alleged political interference came as Dow's dioxin problem made national headlines last week. EPA's former Midwest administrator, Mary Gade, said she had been forced from her job by her superiors in Washington because of her efforts to call attention to Dow's dioxin problem in central Michigan. Congressman Bart Stupak responded to Gade's firing with a promise to expand his efforts to investigate the suppression of a government report that linked health problems in the Great Lakes to industrial contamination. Gade was fired on May 1st.

Cleanup of the contamination has been stalled for decades as Dow argued with regulators, though limited emergency cleanup was carried out in areas of the Saginaw River last summer when tests revealed a hot spot of dioxin contamination at 1.6 million parts per trillion -- the most severe dioxin pollution ever recorded.

The corps' plan was devised to solve a problem of clogged shipping channels. Ships have been bottoming out in some areas of the Saginaw River in recent years. Because shipping is seen as critical to the industries along the river -- which include Dow -- the corps has developed a plan to dredge soil from the clogged areas of the river's navigational channel and dispose of it in an unlined pit that straddles rural Zilwaukee and Frankenlust townships.

Scientists with the state Department of Environmental Quality (DEQ) objected to the plan for disposal of the dredgings. Over the three years that the corps planned and then dug the pit, the DEQ studied the disposal plan and determined that the corps should seek a groundwater permit for the disposal facility and construct a slurry wall to line the pit and protect against seepage.

The corps refused. DEQ spokesman Bob McCann said that the \$1.5 million cost of constructing a slurry wall liner was unacceptable to the corps, which argued that clay in the soil would be able to contain the toxins from the 90,000 cubic yards of soil it plans to begin dredging this summer.

On April 28, Cherry gathered the DEQ and Corps of Engineers together for a closed-door meeting on the plans for soil disposal.

Cherry spokesman T.J. Bucholz said the aim of the meeting was to "get both parties to the table" and emphasized that the lieutenant governor "has no decision-making power in the matter."

McCann said that contrary to some media reports, the agencies were actually still in discussions about the disposal plan and that Cherry's intervention was intended to "ensure that a resolution was reached" in time for the dredging project to begin this summer.

Township officials, concerned citizens and environmental groups appealed to the lieutenant governor not to intervene in the DEQ's efforts to regulate the corps.

Dr. Neil Varner told Michigan Messenger that he is worried that dioxin from contaminated soils will become airborne during disposal activities at the pit.

Varner works as medical director of the Saginaw County Department of Public Health -- though he carefully noted that he spoke as an individual when he wrote an April 30 public letter to Cherry urging him not to let politics dictate cleanup.

"It appears that the local decisions are being displaced from community-wide ones to political ones ... a method that will

be unlikely to serve any good long term solution...," Varner wrote, " ... [the] current debate cannot be underestimated since it is the question of pollutants biologically active at the parts-per-trillion level, pollutants that cannot be seen or even easily measured as they waft into the atmosphere or wash along the flood plain where wildlife, fish and game can carry them into the food chain ... Please proceed with utmost caution in this area of public interest and concern ... public health and human lives depend upon it."

Following the meeting with Cherry on May 1, the DEQ issued a press release stating that the project would go ahead, without permits and without a liner for the pit.

"This is clearly and wrongly political intervention in the regulatory process at its worst," said Lone Tree Council's Michelle Hurd Riddick, an environmental activist. "Why do we have regulations, permits, laws, and research if elected officials can just step in for political expediency?"

"Lt. Governor John Cherry defied the experts and intervened to use a hole in the ground in people's backyard to dump dioxin for the next 20 years," said Cyndi Roper of Clean Water Action. "We'll be footing the bill for generations. Instead of showing leadership and designing real solutions that are win-win for the watershed, Lt. Governor Cherry caved in to a corporate report -- paid for by Dow -- instead of listening to the advice of his MDEQ experts ... This is a sad day for the health of area residents and the well-being of the Great Lakes."

Corps' spokeswoman Lynn Duerod said that the corps will now put out an open bid to dredging companies in the area. She said that the corps does not know how much dioxin is in the soil.

"They are testing it before they dredge it," she said. "Once they finish testing, it may require some special handling. There won't be a slurry wall, but they can put plant material in there and it will grow, or they will put the worst stuff on the bottom."

No matter how contaminated the soil is, Duerod said, the Corps of Engineers is confident it can be safely contained in the earthen pit -- the only such pit disposal system in Michigan.

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