

Everyone's Backyard

CITIZEN'S CLEARINGHOUSE FOR HAZARDOUS WASTE, INC.

Vol. 4 No. 2 — Spring, 1986



Residents contemplate buying landfill.

"I Just Thought You Were Egging Us On"

I've been in community organizing work since 1972. I thought I'd seen it all. What I hadn't seen, I figured other organizers had told me. But nothing in my experience prepared me to deal with Lorena Harting and the resolute folks of Waterloo, Iowa. It began with a phone call in December, 1983. It seemed like it was going to be the usual, first contact—the

kind of call that begins almost every relationship with groups in our network.

"Hello, are you the people who were involved at that Love Canal?" she asked. I told her, yes, CCHW was started by Lois Gibbs and other folks who fought to get people out of Love Canal.

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News Briefs

Upcoming LCDs

On March 21, 22, and 23, CCHW will hold a Leadership Development Conference (LDC) in Baton Rouge, LA, co-sponsored by LEAN. Leaders from LA, TX, AR, and MS will sharpen their organizing skills, receive technical training, and get a chance to develop working relationships.

On April 19th CCHW will work in GREO's LDC in New Jersey. Like the LDC in Louisiana, leaders will gather together to further develop their skills and network with each other to build a stronger base.

CCHW is also planning an LDC with the Maine People's Alliance to be held in June in Maine. Please contact Cathy Hinds at P.O. Box 2490, Augusta, ME 04330, if you're interested in attending. There will be many workshops which are now being planned. Please let Cathy know if you're interested in attending and would like to see a particular issue discussed.

Sometime in June or July CCHW will be holding our first Virginia-based LDC. This LDC is being funded by the Virginia Environmental Endowment and is still in the planning stages. Keep an eye out for our announcement of the confirmed date and location.

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"What can we do for you?" I asked.

"Well, we live next to Iowa's only hazardous waste landfill and we want to close it down."

Great, I thought. "You've called the right place," I told her, "we help groups do just that." Part of my usual routine with new contacts is to sniff them out: what are they about, what do they know, how far are they willing to go. So I asked, "Why don't you tell me what you've done so far?"

The story Lorena told me ruined my day. "We've decided that we'll get the county to buy the landfill from the private owner and then close it down. We took up a petition and have a special referendum coming up before the voters in February?"

I couldn't believe it. This was the stupidest plan I'd ever heard. I tried to be up-beat: "*WHY THE HELL DID YOU DO THAT!?!?!?*"

"Gee, isn't that what you do? You know, use the political process?"

"Yes, you get political?" I tried to stay calm, "but *NOT LIKE THAT!*. How do you plan to win a special election that's only two months away?"

Innocently, Lorena said, "That's why I called. Can't you help us figure out what to do?"

I put her on hold, screamed, took a deep breath and came on again. "OK, we've never done this before," I said, "so Step 1 is find some people who have. Do you know anybody who worked on the Iowa Caucuses? You're gonna need them." The Iowa Democratic caucuses had just taken place and I hoped some sharp politicians might be willing to take this awful case off our hands.

"Yes, I think I know some people who were active in those."

"Find them." I said, "Call me when you do, because we've got a lot of work to do. Let's talk in a few days."

A couple of days later, Lorena had good news: "I found some people. Now what?"

"This is an election campaign. With the resources you have, you ought to run it like a campaign. Talk to the folks with the experience. In



C.C.H.W. continued its Roundtable series on disposal options with meetings on Source Reduction and new Emerging Technologies.

the meantime, let's figure out: (1) how are you going to convince taxpayers that they should vote to spend tax dollars to buy a leaking landfill and (2) what will your group do on the offchance you lose," which, of course, I figured was a sure thing.

"Gee, I dunno," Lorena admitted, "won't everyone want to close the dump?"

"*NO!* they won't and I'll prove it to you." Over long-distance, I role-played "Joe Toxic," a Waterloo resident. I had Lorena take her best shot at getting me to vote to buy a leaky toxic dump. She failed.

"Let's try it again tomorrow and, in the meantime," I suggested, "let's think about 'Plan B,' you know, what to do if you lose the election?"

She tried again the next day, the next and the next. Finally, she got me! She got "Joe Toxic" to vote "Yes" to buy a leaking toxic dump.

"I guess you've got the argument down. Can you teach other folks in the group how to do it?"

"Oh, yes," she said, "in fact, we've already started. We opened up the store-front, got the phones in and we've started training volunteers. Our sessions have been very helpful!"

"Let's talk 'Plan B,'" I insisted. Plan B became an obsession at CCHW. We'd talked to Lorena and became very attached, even though we hadn't met. We *had* to keep that wonderful spirit alive after certain, crushing defeat at the polls.

Lorena and I arranged for Lois to come speak at a rally and help with last-minute plans. Plan B became a scheme to rationalize defeat: no matter what the vote was, Concerned Citizens of Blackhawk County would say it showed a large and growing number of residents were becoming aware of the dumpsites' problems and, despite the loss, the group would fight on.

Lois came back from Waterloo, shocked, shaken and angry. "Well, they've got a great organization—big phone bank, good materials and lots of volunteers handing out flyers and making phone calls. But they're weird! I kept wanting to talk about Plan B and they kept giving me this blank look!"

We were in trouble. Nearly all of the groups who work closely with us win, but this looked bad! We take this very personally and hate to lose. "I'm worried," I confessed to Lorena, "What happens after Tuesday? Are you all prepared? By the way, how're you doing?"

"Oh, pretty good. People have been very friendly on the phones."

"Sure," I thought, "and if you can sell a leaking dump to Iowans, maybe I can sell them a bridge."

We talked every day, fine-tuning, talking about the Chamber of Commerce's counter-campaign, moaning about the smugness of the county commissioners.

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WATERLOO, from page 2

On Election Day, I stayed busy and tried not to think about Waterloo. The next day, I was buzzed and told Lorena Harting was on the line. Should I disappear or invent a meeting to go to? I didn't want to take the call. I did, though.

Lorena was very low-key. Prepared for the worst, I asked the question even though I didn't want to hear the answer: "How did it go?"

"Oh, fine. We won. The vote was 3 to 1 in favor of buying the dump. It was the largest turn-out ever for a special election in Blackhawk County."

I let out a shriek, asked her to repeat the news, congratulated her and hung up, which was all I could handle. Lois had the same reaction. After I composed myself, I called her back: "Lorena, I hate to admit I was wrong, but this time, I'm glad I was dead wrong. I was sure you were going to lose."

"Gee, Will, did you really feel that way?"

"YES!, Lorena, I told you 22 ways I thought you were going to lose."

"Wow, and did Lois feel that way, too?"

"YES! she told you 50 different ways she thought you're going to lose."

"Oh my, and I thought you guys were just saying that to egg us on."

It took months of hard fighting with the county commission and lots more phone calls before the county obeyed the voters and bought the landfill. The commissioners were just as shocked at the victory as we were. But, "Plan A" (buy-out and close-down) is now reality. Concerned Citizens continues to watch to make sure the closure is done properly.

Lorena Harting and her group taught me important lessons, like *never* underestimate what determined, well-organized housewives, farmers and blue-collar workers can do. And, no matter how much you think you know or think you've seen, there's always something new to learn. I'll always be indebted to Lorena and the good people of Blackhawk County for teaching me this. ●



Lots of you have asked about Ryan, C.C.H.W. Director Lois Gibbs' new baby, was he in any way harmed by his mom's exposure at Love Canal? Well, the answer is he's fine mainly 'cause he's not at Love Canal. Ryan and his mom come to work almost everyday.

NEWSBRIEFS, from page 1

CCHW's last Roundtable on disposal options was held on February 28-March 1, 1986, on Emerging Technologies for Destroying Hazardous Wastes. Nine new technologies including plasma arc, supercritical water, infrared thermal destruction and vacuum extraction were described along with presentations by EPA and OTA on their efforts in this area. After a day of presentations, the participants talked about their impressions, listed barriers to the use of these technologies and developed strategies for encouraging their use. Participants left realizing that permanent treatment and cleanup options do exist, but also recognizing that it isn't going to be easy to convince government and industry to use them. All of this will be written up in a report and made available before the big convention.

Convention/5th Anniversary

The date is set! CCHW's First National Grassroots Convention will take place on May 31-June 1, 1986, at the Rosslyn Westpark Hotel in Arlington Virginia. The Convention will bring together hundreds of leaders from across the country to celebrate the last five years of our movement and our many accomplishments. We will also look at what we would like to accomplish in the next five years.

Ralph Nader and Lee Thomas have been invited to speak at the Convention. There will be awards presented to leaders of our network and 26 workshops on everything from how to get people involved to understanding risk assessments. Space is limited, so if you plan to attend, watch the mail for an application and return it as soon as possible to secure your place at the Convention.

FIVE YEARS OF PROGRESS 1981 — 1986



CITIZENS CLEARINGHOUSE FOR HAZARDOUS WASTES

CCHW

Make your plans Now! May 31-June 1 is the date for the First National Grassroots Convention. Watch for our special mailing.

Organizing Toolbox: Structure

By Will Collette

Spring is a good time for—for taking stock. During the winter, many leaders spend a lot of energy dealing with burn-out, infighting, group inactivity and all of the other big and little problems that'll creep into most groups, sooner or later. The three most common and most serious complaints I hear are:

- "I feel like I have to do all the work. Nobody helps me and I'm tired and I want to just quit, but I can't!"
- "Nobody responds. They just sit there. Even when I tell them what to do, they don't do it!"
- "The three of us on the executive committee are getting on each other's nerves. Everybody wants to pull a power play. We're not getting anything done except fight with each other?"

In most cases, all three of these problems have their roots in how the organization is set up, its *structure*. Solving these problems calls for a good, close look at structure (and maybe some major changes).

Question: How much structure do you need?

Answer: Enough. Enough to make decisions and enough to effectively involve your members so that (a) they feel needed and (b) you and the other core group members don't do it all.

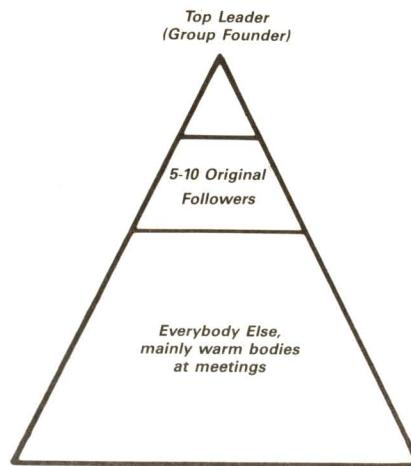
You don't have to incorporate! In fact, there are lots of reasons to remain an "unincorporated association" (if you haven't incorporated, that's what you are now). CCHW's "Should Your Group Incorporate?" (#16 on our list, \$5.25) gives more detailed advice.

Most groups make decisions by setting up a pyramid structure that looks like this:

This structure is very efficient for decision-making, since decisions are mainly made by the leaders at the very top. Exception: occasionally, leaders of a pyramid will take a decision to the general membership. The general membership, unaccustomed to being asked, sit there like mushrooms, confirming the top leadership's impression that, for most of the

members, "the lights are on but nobody's home!"

I talk to leaders who tell me that, after six months of a fight, "only a handful of us are left to do the work, nobody's coming to meetings and they're all stupid or apathetic." How long would you stay active in a group if your only function was to warm a seat? These problems are the price to be paid for a top-down decision-making structure.

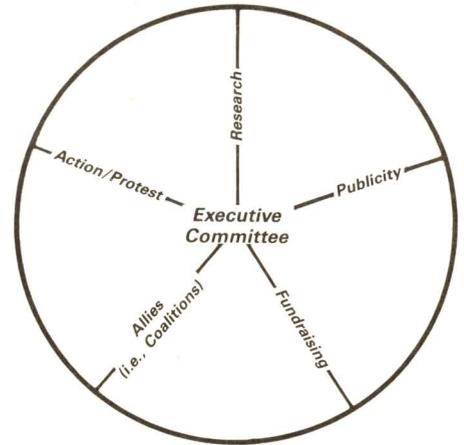


The opposite extreme is a freeform, leaderless structure (often called a "collective") where decisions are made only by consensus. Everybody's at the same level. Very democratic. The problem is that decision-making becomes agony. Even though everyone feels like an important part of the group, such paralysis may occur that the group's destroyed as a functioning organization. How often is it that *everyone* in *any* group will agree on critical issues? In a true collective, all big decisions have to have everybody's approval. Some of the anti-nuke groups of the 70's used this model.

Here's a compromise model we've seen at work with CATS (Citizens Against Toxic Sites) of New Castle, PA that balances the two extremes:

When new people become members, they're asked to join one of the committees. There, they get a specific task that matches what they know how to do and like to do. This is a great way to spread around the

work and prevent burn-out. Each committee has a general "mission" and can set up sub-committees if it



needs to (e.g., Public Relations has a squad of folks who do the CATS newsletter, another that's their Speakers' Bureau, others that do flyers, etc.) Coordination comes from the Executive Committee which is comprised of two delegates from each committee, plus the two elected co-chairs. Committees report in, compare notes and take "marching orders" back out to the committee membership. Regular membership meetings are held to give everybody a share in "owning" the organization.

Think about ways you can set up your organization in a way that encourages people to join, get active and stay active. People quit when they feel useless. They also quit sometimes if they're asked to do things that are either too much for them to handle or too vague or un-directed (leaving them feeling that "I don't know what I'm supposed to be doing?").

Maybe your organization is doing fine. If so, "if it ain't broke, don't fix it." But if any of the problems we've talked about or their symptoms are creeping into your group, think about it. Before you start blaming yourself for doing something wrong, (or worse, blaming the people for being somehow "mentally defective;") look to see if a good organizational shake-up might be in order. ●

LEGAL CORNER

By Ron Simon

Q. For years we've been having trouble with a local hazardous waste facility. Our dump was one of the over 1,000 closed down under RCRA in November. We had a big party to celebrate the closing of the dump. At the party someone suggested that, after the dump closes, the operator will escape and we may not have any more leverage over him at all. Is there anything we can do about this? Do we need a lawyer to do it?

A. Under the Resource Conservation and Recovery Act (RCRA), dumps, that could not meet certain standards, had to be closed in November 1985. The dump operator is required to prepare a "closure plan." The plan must then be approved by E.P.A. (except in those states "authorized" by E.P.A. to make these determinations).

The closure plan is supposed to guarantee safe closure and that the party operating the facility will be financially responsible for whatever problems exist. Once the government has approved the plan, the owner of the facility is free to leave. The owner could then dissolve the corporation and leave behind no assets or resources beyond what is called for in the plan.

This scenario creates potential problems. If the closure plan does not consider all the possible problems with the site, then the finan-

cial responsibility (insurance or assets) required might be inadequate to cover problems that occur.

What you need to do is to get the closure plan and determine whether it considers *all* the contaminants and *all* the problems that this contamination could cause. Review the plan carefully to determine its adequacy. If you are not satisfied, notify the governmental agency in charge and let them know what is wrong. You should demand that the government agency change the plan and that they make a "corrective action order" to require the things you want done.

You do not need a lawyer to do any of this. You can demand the plan, review it, and deal with the government without a lawyer. Getting the government to review the plan and insist on a stronger one is primarily a political issue.

What's important is letting government know that you insist that the government do as you say.

You will have to fit these activities into your overall strategy and goals. Look particularly at whether the closure plan includes responsibility for off-site contamination (since this is what is most likely to affect you). If you have a legal action for compensation for personal or property damage, you should talk with your attorney about how this activity is tied to your strategy in the compensation case.

If there is a continuing problem after the site closes, then the legal jurisdiction shifts from RCRA to Superfund (CERCLA). In some instances, both laws and bureaucracies become involved in the same site.

Laura Kaffenbarger, a community activist working on a Springfield, Ohio site, has been quite successful in challenging a closure plan. Her group brought in some photos, aerial maps, corporate histories, and other evidence to show that a proposed closure plan did not adequately consider the site problems. The lengthy history she presented proved to government officials that the testing proposed by the company was inadequate in a wide variety of ways. The government requested that the owners of the site take a variety of corrective actions. (For more information, contact her at (513) 969-8549).

Susan Egan at the Environmental Defense Fund in Washington (202-387-3500) is quite knowledgeable about RCRA closure policies. She has offered her assistance with problems if you call her.

Ron Simon is special counsel to the Citizens' Clearinghouse for Hazardous Waste. He is on the faculty of American University Law School and represents citizens around the country exposed to hazardous chemicals. He represents workers who are exposed to chemicals in the workplace. He is also counsel to the White Lung Association (asbestos victims).

WHAT WE CAN'T
DO ALONE
WE CAN DO
TOGETHER



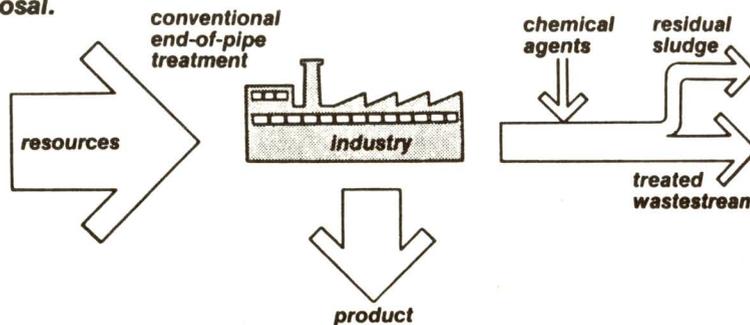
replacing old equipment. Traditionally, industry has only considered making process changes to save money (or increase profits). Yet these same techniques and approaches can be used to generate less wastes. Most process changes are plant-specific and are not applicable industry-wide.

- **Source Separation** simply separates hazardous waste streams from non-hazardous mixtures, thus reducing the amount of wastes requiring disposal. The segregated waste mixtures can then be recovered or recycled. An example is the removal of toxic metals from metal rinse waters. This is the simplest and least expensive waste reduction method.
- **Recycling and Reuse** involves reusing waste following treatment or recovery. The simplest application is reusing a waste from a process directly as a raw material in that or another process. The most common types of recycling is of waste solvents, using a process called distillation to separate and collect solvents evaporated at different temperatures. Clean solvents are separated from impurities and recycled. Recycling can be done in plant or between different companies. Waste exchanges help identify and match waste generators with users (see Baffled).
- **Material Substitution** involves replacing a hazardous substance used in a process with a non-hazardous substance, such as substituting solvent-based inks with water-based inks.

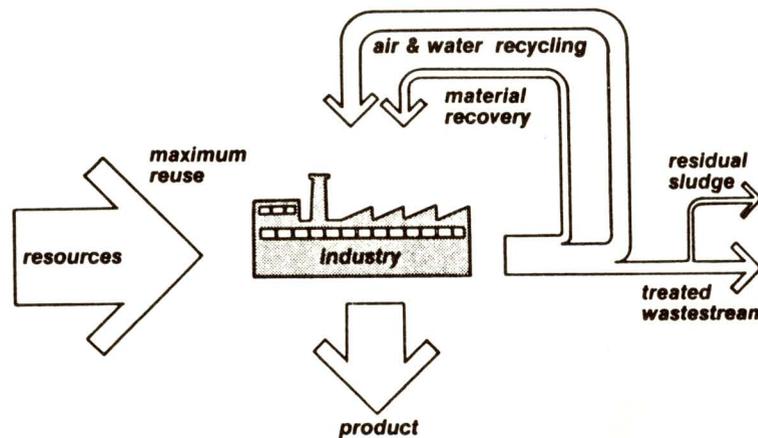
Other methods which can reduce waste generation include:

- Conducting a **Waste Audit** to identify where material and contaminant losses occur, and where waste reduction opportunities exist.
- Increasing **Housekeeping** habits so that less waste is generated.
- **Replacing** old inefficient equipment.
- **Concentrating Wastes**, thus reducing the volume of waste needing treatment or disposal.
- **End-Product Substitution**, where products which involve generation

In conventional end-of-pipe waste treatment, large amounts of sludge, slurries and other residual material are generated that require additional disposal.



Industries that maximize material and water re-use generate relatively small volumes of wastewater and residuals requiring disposal elsewhere.



Credit: Profit from Pollution Prevention, Pollution Probe Foundation, 1982.

of significant quantities of hazardous wastes are substituted by products that don't (such as replacing asbestos pipes with clay).

These waste reduction methods have been successfully applied by many companies, the most successful of which is probably 3M. 3M credits saving of \$845,000 a year to a process change in their sandpaper manufacturing operation resulting in a waste reduction of 400 tons/year. US Steel reduced acidic wastes called pickled liquor (used to clean steel) by almost 50% in 4 years by recycling the acids.

These and other waste reduction success stories have been carefully documented by Dr. Donald Huisingsh, Professor of Environmental Sciences at North Carolina State University. Dr. Huisingsh has published several detailed reports on the theme of "Pollution Prevention Pays," showing that industry can save money while reducing generated wastes, and thereby decreasing environmental

damage and reducing public health risks.

The efforts of Huisingsh and others will hopefully help industry recognize that waste reduction is not too costly, is technically feasible and is in their own best interest. Industry benefits from reduced waste transport, storage and disposal costs, reduced pollution costs, reduced liability, energy savings from more efficient production processes and less testing and record-keeping requirements. At the same time, society benefits from less environmental damage, reduced public health risks, less pollution, and the conservation of resources and energy.

Waste reduction is a waste management strategy that few, if any, can argue with. Why not start in your community with any waste generators or plants that handle hazardous wastes? Adopt ordinances or policies that encompass waste reduction methods *before ANY other disposal method is even considered*. Encourage

Continued on page 7

industry to use these methods and pat them on the back when they do. Support people like Huisingsh who are actively encouraging use of these methods. And, most important, ask your state and local governments why they're not using or encouraging use of these methods. They need to know what you think and why.

It's time for government and industry to stop dealing with the problems of toxic chemicals by trying to find ways to get rid of what's left after a product is made, and to start looking at the whole process in order to minimize the waste that is generated. This is one instance where the old saying, "An ounce of prevention is worth a pound of cure," couldn't be more true.

For more information:

- *Waste Reduction. . . A Better Way To Go.* CCHW publication on hazardous waste reduction methods, including materials from CCHW's Roundtable. April 1986
- *Proven Profits From Pollution Prevention, Case Studies in Resource Conservation and Waste Reduction,* Dr. Huisingsh et al. Available from Institute for Local Self Reliance, 2425 18th Street, N.W., Washington, DC 20009.
- *Profit from Pollution Prevention, A Guide to Industrial Waste Reduction and Recycling,* M. Campbell and William Glenn. Available from Pollution Probe Foundation, 12 Madison Avenue, Toronto, Ontario, Canada M5R 2S1. ●

BAFFLED BY THE TERMS

Distillation — A process by which liquids are heated to produce gases. These gases can then be separated and collected separately by condensing the gases to form liquids again. The separation step is possible because of the different boiling point of chemicals. As the original liquid is heated, different chemicals will boil at different times and their gases can then be collected separately.

Housekeeping — General in-plant cleaning and maintenance of equipment which reduces chemical losses due to spillage, leaks or pollution. Good housekeeping practices will also reduce workplace exposures, plant emissions, and the amount of wastes generated by a plant. This is one of the easiest waste reduction methods to implement.

Reclamation — The recovery of a usable product from a waste following extensive pretreatment.

Segregation — A system of keeping waste streams that are generated by different processes separate. Good segregation systems enhance materials recovery as well as energy and heat recovery.

Waste Audit — A thorough analysis of a company's processes and wastes to generate detailed information on the types and quantities of wastes that the company generates. Completion of an audit identifies problem areas and provides baseline data needed to determine the potential for waste reduction and to establish a waste reduction program.

Waste Exchange — The transfer of either information concerning waste materials or the waste directly from one company to another. In order to do this, the user must find the waste generator. This matching can be achieved by a general clearinghouse which provides information about materials and services or by a brokerage which gets directly involved in the negotiation and often directly handle the wastes. Waste exchange is essentially a form of recycling between companies.

Adapted in part from Profit from Pollution Prevention, Pollution Probe Foundation, 1982.

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Waste Reduction. . .A Better Way To Go

You're against everything! Landfills, incinerators, deep wells, land farming. What are we supposed to do with the stuff? It's got to go somewhere!

Are you tired of this senseless and hopeless argument? It *doesn't* "have to go somewhere" if the people who generate hazardous wastes and those who regulate its disposal decide to stop trying to build a better landfill or incinerator and instead put their resources and energy towards the best alternative of all: not producing wastes in the first place. While this may put some very close friends of EPA out of business, and it may cost more money (in the short run) to achieve, the technology to reduce as much as 80% of what is now disposed of is available *today*. And the prospects for future development and new applications of old techniques is an inventor's paradise.

Waste can be reduced right at the source, at the plant where it is generated. This is often referred to as source reduction, waste reduction, waste minimization or volume reduction. There are essentially 4 ways to do this:

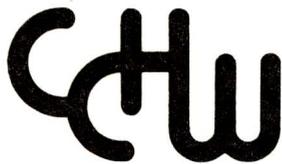


This does not have to be your backyard if source reduction methods are adopted.

- *Process Changes*, changes in design and/or operation to reduce the generation of wastes. These can include changes in raw

materials, reaction conditions and procedures, and retrofitting or

See REDUCTION, page 6



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