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WTI [Waste Technologies Industry] - Letter and Press Release December 7, 1992

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United States Senate

WASHINGTON, DC 20510

December 7, 1992

Mr. Charles A. Bowsher
Comptroller General of the United States
General Accounting Office
441 G Street N.W.
Washington, D.C. 20548

Dear Mr. Bowsher:

We are writing with regard to the WTI incinerator plant in East Liverpool, Ohio. It has come to our attention that many questions remain unanswered over the process by which the EPA approved the plant construction and initial stages of operation. Moreover, we are deeply concerned that potential impacts on the health and safety of area residents have not adequately been examined.

Accordingly, we are requesting a thorough and immediate investigation by the GAO of the EPA approval process. This would serve as a follow up and expansion on a previous GAO report conducted at the request of Congressman Mollohan of West Virginia. It should address all questions left unanswered by the previous report, and there should be no doubt that the incinerator plant is prepared to operate in full compliance with the law and in the interest of the health and safety of area citizens and their families.

We request that the following issues be addressed in detail:

*Did the federal Environmental Protection Agency properly handle the original request for a permit required under the federal Resource Conservation and Recovery Act?

*Has the ownership of WTI substantively changed enough to warrant permit review?

*What was the role, if any, of the Competitiveness Council in allowing the EPA to approve "shakedown" procedures and allow hazardous waste on site? It is our understanding that WTI officials contacted and met with the Council last summer. Just days after that meeting, a temporary permit was granted to WTI by the EPA.

*Have the health and safety concerns of the area residents and their families been adequately addressed by the EPA and the state of Ohio?

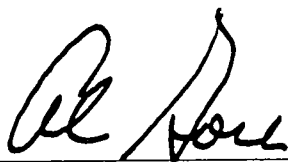
*Does the plant meet all federal and state environmental, and health and safety requirements, particularly the 1990 Clean

Air Act Amendments and the Resource Conservation and Recovery Act? The WTI plant has been in the planning process for a number of years and a question is raised as to whether the permits applied for in the past are adequate in meeting current standards.

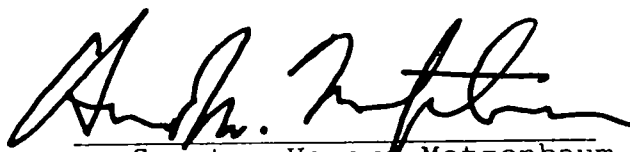
We ask that this investigation be given prompt attention.

Thank you for your assistance.

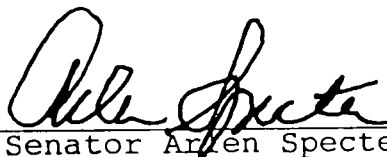
Sincerely,



Senator Albert Gore, Jr.



Senator Howard Metzenbaum



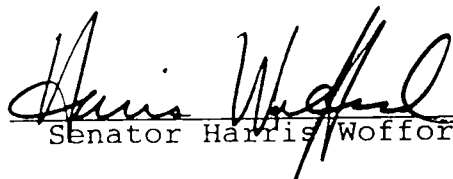
Senator Arlen Specter



Senator John Rockefeller



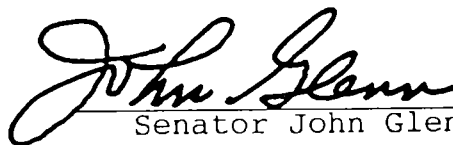
Senator Robert Byrd



Senator Harris Wofford



Congressman Alan Mollohan



Senator John Glenn

NEWS FROM

U.S. Senator Al Gore



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OFFICE OF THE VICE PRESIDENT-ELECT

FOR IMMEDIATE RELEASE
MONDAY, December 7, 1992

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GORE ASKS FEDERAL WATCHDOG AGENCY TO INVESTIGATE OHIO INCINERATOR With OH, WV, PA Lawmakers, Says Questions Must Be Answered CLINTON-GORE ADMINISTRATION WOULD NOT ISSUE TEST BURN PERMIT

WASHINGTON, D.C. -- Serious questions concerning the safety of an East Liverpool, Ohio, hazardous waste incinerator must be answered before the plant may begin operation, Vice President-elect Al Gore said today (12/7), announcing that he and his colleagues from Ohio, West Virginia, and Pennsylvania are asking the General Accounting Office for a thorough investigation. And, Gore said, the new Clinton-Gore Administration would not issue the plant a test burn permit until these questions are answered.

"For the safety and health of local residents rightfully concerned about the impact of this incinerator on their families and their future, a thorough investigation is urgently needed. Too many questions remain unanswered about the impact of this incinerator and the process by which it was approved," said Gore, who is requesting the GAO investigation with Sens. Robert Byrd, D-WV, Jay Rockefeller, D-WV, John Glenn, D-OH, Howard Metzenbaum, D-OH, Harris Wofford, D-PA, and U.S. Rep. Alan B. Mollohan, D-WV.

Gore's request follows efforts by the Ohio, West Virginia, and Pennsylvania lawmakers over several years to persuade government regulators to comply with state and federal environmental laws. Controversial issues relating to the legality of the federal permit, ownership of the corporation involved, health effects of lead and mercury emissions, construction standards, and facility location have consistently been downplayed or ignored by the Environmental Protection Agency.

Keeping his promise to local residents made during visits to the area in recent months, Gore had instructed his staff to conduct a preliminary investigation into the incinerator and questions that have been raised about its safety. Gore said

(MORE)

information gathered in that effort convinced him a full investigation by the GAO is warranted and necessary.

In addition, Gore said that when he and President-elect Bill Clinton take office, their Administration will not issue the permit needed to allow test burns of the incinerator.

"Until all questions concerning compliance with state and federal law have been answered, it doesn't make sense to grant any permit," Gore said. "The potential impact on the people of this community -- on their health, on their children's health, on the investment they have made in their homes and businesses -- is too great to proceed without study and caution."

The incinerator operated by WTI, Inc. has been the center of a more than decade-long controversy in the East Liverpool, Ohio, area. Over the years, questions have been raised about the process by which the incinerator was approved and about the safety of the incinerator, with the operators paying more than \$100,000 in fines.

While Gore, Byrd, Rockefeller, Glenn, Metzenbaum, Wofford, and Mollohan are asking GAO for a comprehensive investigation, issues they raised for study by the GAO include:

- ** How the Environmental Protection Agency handled the original request for a permit required under the federal Resource Conservation and Recovery Act;

- ** Ownership of WTI, since over the years, name changes and buy-outs have reshaped the original groups that had sought the permits;

- ** The role of the Competitiveness Council in allowing the EPA to issue a temporary permit. WTI officials had contacted and met with the Council, and just days after that meeting a temporary permit was granted to allow test burns;

- ** Safety and health concerns of area residents and their families;

- ** Whether the plant meets all federal and state environmental standards.