



KELLY AFB  
TEXAS

---

ADMINISTRATIVE RECORD  
COVER SHEET

AR File Number 3241.2



**DEPARTMENT OF THE AIR FORCE  
AIR FORCE REAL PROPERTY AGENCY**

AFRPA/COO-Kelly  
143 Billy Mitchell Blvd Ste 1  
San Antonio TX 78226-1816

AUG 01 2006

Dear Kelly Restoration Advisory Board Members

The following is an action items report for the 11 July 2006 Kelly Restoration Advisory Board meeting.

*1. Mr. Quintanilla requested the KellyRAB be provided copies of signed minutes, January 2005 through September 2005 for further review and approval of the entire RAB.*

During the 11 October 2005 Executive Committee meeting, both cochairs signed and approved the minutes for the December 2004 through September 2005 meetings, including RAB and Technical Review Subcommittee (TRS) meetings. Copies of these signed minutes were distributed in RAB member meeting packets for the 18 October 2005 RAB meeting. RAB members who need additional copies of the minutes may obtain them from the Information Repository or RAB Cochair Library.

*2. Mr. Garcia asked to be provided with instruction on how to be added to the Chief Clerk's mailing list for the State of Texas.*

To be placed on the mailing list of the Chief Clerk, please contact the Office of the Chief Clerk at:

Office of the Chief Clerk  
MC 105  
TCEQ  
PO Box 13087  
Austin TX 78711-3087

You may request to be added to: (1) the mailing list for a specific application; (2) the permanent mailing list for a specific applicant name and permit number; and/or (3) the permanent mailing list for a specific county. Clearly specify which mailing list(s) to which you wish to be added when sending your request. The permit number for the former Kelly AFB is 50310.

*3. Mr. Silvas requested the Cadmium/breast cancer study be added to a future meeting agenda.*

The Cadmium/breast cancer study is outside the scope of the environmental restoration program at the former Kelly AFB. For issues regarding health concerns, you may contact the Public Center for Environmental Health at 2513 Kennedy Circle, Building 180, Suite 105, Brooks City-Base, TX 78235.

4. *Mr. Quintanilla requested AFRPA provide a briefing on the final RAB Rule.*

AFRPA is currently reviewing the Final RAB Rule and developing discussion items for Kelly RAB members.

5. *Mr. Silvas would like AFRPA/CREC Kelly to add State Representatives Jose Menendez and Robert Puente to its mailing list.*

AFRPA has added Representatives Menendez and Puente to the RAB mailing list.

Thank you for your continued interest in the Kelly Restoration Advisory Board.

Sincerely



ADAM G. ANTWINE  
Senior Representative

## Cadmium/breast cancer study stirs memories of Kelly probe

On the Sleuthing Trail ...  
**CASE:** "Roddy, the June 21, 2006, issue of the Journal of the National Cancer Institute featured a report of a study, 'Cadmium Exposure and Breast Cancer Risk.'

"According to a Reuters summary of the report, which I read on a Web health site, 'Women with the highest levels of cadmium in their urine have more than a two-fold higher risk of breast cancer than women with the lowest levels. ... This held true after accounting for established risk factors.'

"That news brought back memories of your investigation of Kelly AFB contamination several years ago.

"Didn't you write about Kelly workers' exposure to cadmium ... and about a high incidence of breast cancer among Kelly workers?"

"Do you think there is a link?"

**INVESTIGATION:** After reviewing my Kelly-contamination files, here is what I can report with certainty:

In 2001, during a months-long effort to identify environmental/health hazards at the former Air Force base, I learned:

- For nearly 30 years, a plating facility in Building 301 contained vats of cadmium in which aircraft parts were dipped. Occasional leaks in the vats led to contamination of soil and groundwater.

- At various times, buildings 258 and 259 were used for cadmium plating.

"These plating shops were very small and quite old," a former Kelly worker told me. "During the Vietnam conflict,



**RODDY  
STINSON**

were discharged into Leon Creek."

- "Cadmium was used in every Air Force plating shop," an Air Training Command old-timer recalled. "And vapors always boiled off the (cadmium/cyanide) solution."

Regarding breast cancer ...

In 2002, the Air Force published the results of a study of the mortality of civilians who worked at Kelly AFB between 1981 and 2000. The most troubling findings:

- Breast cancer occurred more often than expected in both men and women. ("Three men died from breast cancer, where one or no deaths would be expected. There were 18 breast-cancer deaths among women in the study, where only eight would have been expected.")

- "Elevated mortality" was noted among female "blue collar" workers.

While Air Force researchers expressed some concern about the findings, they concluded:

"This study could not determine any common exposure or risk factor for the men and women with breast cancer."

And:

"It is unknown whether the excess (of breast cancer deaths) was occupationally related. ...

"Because the study population was relatively young —

"follow-up," and as far as I know, there are no plans to conduct additional studies of the mortality of Kelly workers and/or their families.

I mention "families" because of a warning from Tara Bergeson, an environmental toxicologist at the Wisconsin Department of Natural Resources, who was quoted in a report of the cadmium/cancer study published in the Milwaukee Journal Sentinel:

"... people who work with cadmium should take precautions to avoid carrying cadmium-containing dust home from work on clothing, skin, hair or tools."

Bergeson's comment caught my eye because while preparing to write this piece I came across this question and answer in an April 3, 2001, column:

"What did Kelly workers touch, breathe and take home on their clothes? ...

"An educated guess about Bldg. 301 would include cadmium and chromium."

It seems safe to assume that plating-shop workers at Kelly took cadmium home on their clothes day after day, year after year — in some cases, for decades.

I understand that such columnizing assumptions can be more worrisome than helpful to Kelly workers and their families. But I'd rather be guilty of scaring folks unnecessarily than withholding information that could motivate those workers and family members to put regular medical checkups high on their lists of priorities.

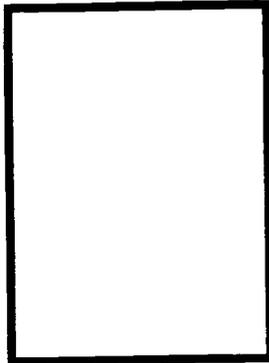
To contact Roddy Stinson,



# House Membership

79<sup>th</sup>  
Legislature  
2005-2006

## Representative Carlos Uresti



### District 118

- ★ Biography
- ★ Send Email
- ★ News
- ★ District Map

**Capitol Office**  
 Room EXT E1.306  
 P.O. Box 2910  
 Austin, TX 78768  
 (512) 463-0714  
 (512) 463-1448 Fax

**District Office**  
 1114 SW Military Dr.,  
 #103  
 San Antonio, TX 78221  
 (210) 932-2568  
 (210) 932-2572 Fax

### District Analyses

Population and Household  
 Education and Employment  
 Income and Housing  
 Population Analysis  
 Precincts within Districts  
 Cities and Census Designated Places  
 School Districts  
 Election Analysis

### Committee Assignments

Government Reform, Chair  
 Local Government Ways & Means

### Bills Authored/Sponsored

**79th Legislature**  
 Authored (including Joint)  
 Co-Authored

Co-Sponsored  
 [ other sessions ]

### Counties Represented

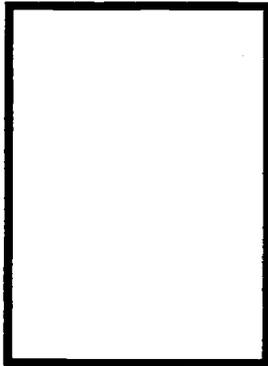
Bexar (part)

Copyright 2006 © Texas House of Representatives  
<http://www.house.state.tx.us>

# House Membership

79<sup>th</sup>  
Legislature  
2005-2006

## Representative Jose Menendez



### District 124

- ★ Send Email
- ★ News
- ★ District Map

*Richard Garcia  
Don Jones*

### Capitol Office

Room EXT E1.220  
P.O. Box 2910  
Austin, TX 78768  
(512) 463-0634  
(512) 463-7668 Fax

### District Office

7121 U.S. Hwy 90 West  
Suite 240  
San Antonio, TX 78227  
(210) 673-3579  
(210) 673-3816 Fax

### District Analyses

Population and Household  
Education and Employment  
Income and Housing  
Population Analysis  
Precincts within Districts  
Cities and Census Designated Places  
School Districts  
Election Analysis

### Committee Assignments

Appropriations  
House Administration  
Urban Affairs, Chairman of Budget and Oversight

### Bills Authored/Sponsored

**79th Legislature**  
Authored (including Joint)  
Co-Authored

Co-Sponsored  
[ other sessions ]

### Counties Represented

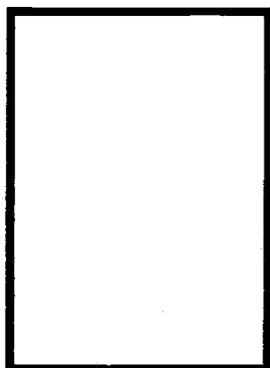
Bexar (part)

Copyright 2006 © Texas House of Representatives  
<http://www.house.state.tx.us>

# House Membership

79<sup>th</sup>  
Legislature  
2005-2006

## Representative Robert Puentes



### District 119

- ★ Send Email
- ★ District Map

*Xamara*

#### Capitol Office

Room CAP 4N.07  
P.O. Box 2910  
Austin, TX 78768  
(512) 463-0452  
(512) 463-1447 Fax

#### District Office

2823 E. Southcross  
San Antonio, TX 78223  
(210) 532-8899  
(210) 532-4964 Fax

#### Committee Assignments

Local Government Ways & Means  
Natural Resources, Chair

#### Bills Authored/Sponsored

**79th Legislature**  
Authored (including Joint)  
Co-Authored

Co-Sponsored  
[ other sessions ]

#### Counties Represented

Bexar (part)

#### District Analyses

Population and Household  
Education and Employment  
Income and Housing  
Population Analysis  
Precincts within Districts  
Cities and Census Designated Places  
School Districts  
Election Analysis

69999

1000

# saw what appeared to be several 50-gallon drums'

gets never sleep ...  
**JS RANGER:**

s some digging going that was once the Base golf course. (last Friday) I saw adjacent to the road Security Hill. I saw what appeared 50-gallon drums."

ders who aren't familiarly-contamination in-lished by this news-1990s might won- me took the time anonymously report going on" at the for- base golf course.

er of 1999, a former ker told the an Ex-fer: "There are some elf course that have sity stuff under

them."  
A subsequent investigation found

... ■ In the 1960s, carcasses of animals used in radiological research at nearby Brooks AFB were buried at a disposal site at Kelly

An Air Force document described the site as "an excavated area with dimensions approximately 50 feet by 100 feet. The wastes, sometimes buried in 55-gallon drums, were material."

In 1969, a golf course was built on top of the site, and prior to construction, the Air Force put 10 to 12 feet of "fill material" over the animal carcasses.

■ At a second site, the Air Force disposed of "low-level radioactive waste," including electronic tubes, oxygen equipment, dials marked with radio-luminescent paints, etc.

That waste was sealed in reinforced concrete pipes and then buried vertically and covered with fill material at a site that eventually became the sixth fairway of the golf course.

In 2001, an Air Force official informed the Express-News that all of the radioactive waste had been removed from the base and transported "to an EPA-approved California landfill."

I reported the good news in an Oct. 30, 2001, column and joked that in California no one would notice if exposure to the radioactive materials led to an increase in strange-looking mammals.

That was the last time the Air Force Golf Course of Horrors was discussed at length in the Express-News. But someone apparently remembered the newspaper's investigation and figured that evidence of

"digging" at the site should be reported. (Kudos to that citizen.)

According to information provided by Air Force officials:

■ The current excavation site is near the 15th tee of the former Kelly golf course.

■ The drums contain chlorinated solvents, such as trichloroethylene.

■ The site is one of several landfills being investigated to determine (1) the number of drums, (2) how far down the drums are buried and (3) the best procedures for removing the drums or "stabilizing" them.

■ Investigators will produce a "Corrective Measures Study" by Sept. 30.

Adelina Carrillo, chief of community relations for the 37th Training Wing Public Affairs Office at Lackland AFB, was particularly cordial while helping me obtain that infor-

mation. She also stressed:

1. There is nothing secretive about the 15th-tee landfill excavation.

2. Members of the Lackland Community Council on Restoration have received regular updates on drums in the landfill areas, and such briefings will continue.

So ...

While the "digging" at the golf course site is intriguing, the information did not lead to (and will probably never produce) any electrifying news under a catchy headline about radioactive aircraft dials or glowing monkey bones.

To contact Roddy Stinson, call (210) 250-3155 or e-mail [rstinson@express-news.net](mailto:rstinson@express-news.net). His column appears Sundays, Tuesdays and Thursdays.

## NewsBreak

### Against the U.S.

Nicaragua's president, Daniel Ortega, has preached an anti-U.S. message since first taking to the streets as a 13-year-old activist against a U.S.-backed Nicaraguan dictatorship. He can be expected to sound the theme again when he addresses the U.N. General Assembly in New York on Oct. 6.

Perspective/1B

### Setting for a tie

Johnny Majors wasn't second-guessing himself Saturday after setting for a 20-20 tie with Auburn. "I would do the same thing again 100 times out of 100," the Tennessee coach said after going for a tying placekick instead of a two-point conversion with 1:20 to play.

Sports/1C

### Fight and switch

The Alabama Consumer Federation wants to fight — and switch. It wants to combine fighting for consumer rights with a switch to dropping ties to the Alabama Trial Lawyers Association that founded it last year to fight tort reform.

Money/1D

### Corporate day care

More and more parents are faced with finding day care for their children, and some corporations are seeking ways to help their employees achieve this. There are various approaches to this issue.

Life/Style/1E

### 'My Two Dads'

If one dad is great, two are twice the fun. That's the premise of a new NBC TV show that premiered last week and is expected to be a ratings winner for the network.

Lively Arts/1F

### From our first year:

Sept. 27, 1988

### A NEW POSTAL CLERK

Through the influence of Congressman John B. Bonbrake, Mr. Ben Marshall, a young man of this city, has been appointed railroad mail clerk in this division. Ben Marshall is a well known and popular young man of this city, of sterling character and worth, and is deserving of the position. His appointment is a good one and he will fill his new position in a creditable and satisfactory manner. He will be placed on the run between Nashville and Montgomery, which is quite an important one. Ben leaves tonight for Nashville, where he will engage at once upon the discharge of his duties.

### Weather

BIRMINGHAM: Partly cloudy today with a high in the mid 80s. Fair tonight with a low near 60. Much of the same Monday with partly cloudy skies and high in the mid 80s.

Weather/12A

### Inside

- Main news/A
- Perspective/B
- Sports/C
- Money/D
- Life/Style/E
- Lively Arts/F
- Travel/9F
- Real Estate/G
- Books/H
- Classified/4B
- Crossword/4B
- Dear Abby/9E
- Deaths/34A
- Editorials/2B
- Horoscope/9E
- Manners/2E
- Market review/11D
- Markets/7D
- Movies/9F
- Outdoors/22C
- Scoreboard/2C
- Television/15F
- All Van Hoose/7C
- Weddings/20E

### Today's Chuckle

You work hard all your life to keep the wolf from the door, then your daughter brings him home for supper.

# Agonized Reagan agrees to sign debt bill

By Merrill Hartson

WASHINGTON (AP) — President Reagan said Saturday he will sign legislation restoring the automatic deficit-reduction provisions of the Gramm-Rudman Act, but he charged that Congress managed to "force my hand" by bringing government "to the edge of default."

In his weekly radio address to the nation, Reagan said his decision to sign the measure was agonizing one. But he said that because the bill increases the government's borrowing authority to \$2.8 trillion, it was needed to protect the market's stability and maintain American "reliability and credibility."

Reagan warned that under the Gramm-Rudman amendment, he essentially would be forced either to "sign a tax bill or to accept massive cuts in national defense — or both. This decision is not easy. I have no choice but to sign this bill, to guarantee the United States government's credit."

Sen. Phil Gramm, R-Texas, one of the act's authors, said the president's decision to sign the legislation "was carefully considered and demonstrates both his courage and his determination to deal with the deficit crisis."

"I congratulate the president and I pledge to work with him for the sake of ourselves and our children, to bring government spending under control and to balance the budget," Gramm said.

Sen. Carl Levin, D-Mich., said Saturday he was pleased that Reagan had decided to sign the measure.

"The fact is that Congress, on a bipartisan basis, won this round," Levin said. "The country and the American people won this round."

"It will force the president and his people to sit down with the leaders of Congress and talk rationally about how we're going to reduce this deficit. Hollow rhetoric like the president uses isn't going to do it anymore," Levin added. "It's going to

take some action, some deeds, not some more words."

The Gramm-Rudman amendment was attached to urgently needed legislation to increase the Treasury's debt limit so it can continue to finance the deficit.

A temporary debt bill expired at 11:00 P.M. Thursday, forcing the Treasury to begin using up its cash reserves. Without legislation allowing the Treasury to resume its borrowing by Oct. 1, the government could default for the first time in its history.

Reagan requested the bill's increase of the debt limit to \$2.8 trillion, the largest single boost in the statutory debt limit in history up from the current limit of \$2.111 trillion. That boost would carry the Treasury's borrowing needs until May 1989, past the end of Reagan's term.

"The debt was less than \$1 trillion when Reagan took office," Levin said.

See Reagan, Page 12A



### High cotton

It's still hard work, but cotton picking isn't quite the backbreaking effort it used to be, thanks to modern technology. Harold Farmer of Emore County uses this machine to pluck the fluffy white fibers now ready for fall harvest. Farmer's cotton fields cover 225 acres in the Lightwood community.

## Prayer & politics

### Arrington, black preachers form dominant force in city elections

By Rick Bregg and Greg Garrison News-staff writers

The Rev. Jesse Jackson — tall, gruff, impeccably dressed — glided into St. Luke's Episcopal Church last Sunday as a crowd of churchgoers stared at the man who may be the most popular black preacher and black politician in the nation.

A procession of prominent Birmingham ministers followed him inside. Jackson moved to the podium, smoothing the lapels of his black suit, and the applause reverberated off the walls.

The minister and presidential candidate had come to preach and talk politics — about his own campaign and the re-election campaign of Birmingham Mayor Richard Arrington, another nationally known black politician.

Arrington and Jackson had split in the 1984 presidential election when the Birmingham mayor supported Walter Mondale. But Jackson stood before the city's pulpit power brokers and told them that "no one stands taller for the prospect of a new South" than Arrington. Jackson said he had not met with Arrington to discuss supporting the mayor, but that wasn't necessary. "I just support him categorically," he said.



As played over and over again in churches and community settings all across Birmingham — prayer and politics melded together. The black and white communities both have this mix of church and state — but it is in the city's black community where the followers of Arrington have shaped it into an effective tool.

Critics and candidates for Arrington's office have said Arrington controls the vast majority of the city's black ministers — a claim the mayor denies and that political experts say is probably inflated.

With lesser-known figures, the scene

See Politics, Page 10A

## Suspect snared after high-speed chase; dragnet seeks 2nd man

By Joe Kiefer News-staff writer

A manhunt involving police dogs, a helicopter and a Birmingham-based tactical squad landed one armed robbery suspect and authorities were searching for another in a wooded area west of Tuscaloosa late Saturday night.

following a high-speed chase. The fugitives, who fled from an armed robbery in Mississippi into Alabama, reportedly fired on a Reform police officer who was giving chase. The officer was not hurt, according to Alabama State Troopers.

See Manhunt, Page 4A

## Study gives identity to stereotyped mass of homeless in city

By John Margolis News health/science writer

They are always there, but, like solitary streetlamps, are more visible at night. Downtown traffic thins, buildings and sidewalks empty, the camouflage of crowds disappears and at dusk you begin to notice them — alone or in small clusters, in alleys and stairwells, crouched in the dark niches of overpasses or huddled on city park benches.

The sameness of their rumpled clothes and somber expressions gives the homeless a facelessness as well. A homelessness study they say feel.

When a random sample of Birmingham's homeless was asked what the most prized of their few possessions is, the majority said they valued something that identified them as a person — a driver's license, a Social Security card, anything with their name.

In a society that defines people by where they live or what they drive, the homeless not only lack shelter, they lack identity.

A new study of Birmingham's homeless attempts to provide some of that identity, by going beyond the stereotypes and finding out who the people in the shelters and on the streets are, how they got there and what keeps them there.

See Homeless, Page 12A

### Project HELP

#### Girl with diabetes needs glucometer

A 17-year-old girl who suffers with diabetes and recently was discharged from the hospital needs a glucometer to accurately measure her blood sugar level.

She must keep an accurate track of her sugar level to control it. The machine costs about \$300, and her family can't afford it. Because of problems in the home, the teenager and a sister are being raised by a grandmother with a limited income.

To help purchase the machine, send donations for Case 149 to the American Red Cross for Project HELP, P.O. Box 11033, Birmingham, 35202. The family also would accept the donation of a used glucometer.

The Red Cross-administered Project HELP is sponsored by the United Way to help people who don't qualify for other programs.

See Help, Page 6A

## Dioxin trail is laced with allegations of criminal wrongdoing

By Michael Jennings News-staff writer

BATON ROUGE, La. — Something strange was happening to plants in the greenhouse at Capital High School. An agriculture teacher at the Baton Rouge school noticed that the leaves of the plants were distorted and wondered why.

The discovery began a train of events leading to recent claims that Chemical Waste Management Inc. illegally stored a hazardous waste in Louisiana and later improperly shipped it to Alabama.

The controversy centers on 14 drums of waste, most of them containing military surplus weed-killer and all of them now at ChemWaste's giant hazardous waste landfill at Emelle in Sumter County.

The story of the waste's handling is laced with allegations by ChemWaste and Louisiana officials of criminal wrongdoing by ChemWaste employees who stored the dioxin-contaminated waste in a mini-warehouse open to the public.

Dioxin has been called one of the most toxic of all man-made substances and Louisiana officials say its storage in the mini-warehouse was illegal.

See Dioxin, Page 5A

# My 'I saw what appeared to be several 50-gallon drums

Roddy's Rangers never sleep...  
**ANONYMOUS RANGER:**  
 Today there is some digging going on in the area that was once the Kelly Air Force Base golf course.  
 "(Around noon last Friday) I saw a large hole adjacent to the road that leads up to Security Hill.  
 "In the hole, I saw what appeared to be several 50-gallon drums."  
**RODDY:** Readers who aren't familiar with Kelly-contamination information published by this newspaper in the late 1980s might wonder why someone took the time and trouble to anonymously report some digging going on" at the former Air Force base golf course.

**Explanation:**  
 In the summer of 1999, a former Kelly AFB worker told the San Antonio Express-News staffer. "There are some places on the golf course that have some pretty nasty stuff under

them."  
 A subsequent investigation found...  
 In the 1960s, carcasses of animals used in radiological research at nearby Brooks AFB were buried at a disposal site at Kelly.  
 An Air Force document described the site as "an excavated area with dimensions approximately 50 feet by 100 feet. The wastes, sometimes placed in 55-gallon drums, were buried with three to four feet of fill material."

In 1969, a golf course was built on top of the site, and prior to construction, the Air Force put 10 to 12 feet of "fill material" over the animal carcasses.  
 At a second site, the Air Force disposed of "low-level radioactive waste," including electronic tubes, oxygen equipment, dials marked with radio-luminescent paints, etc.

That waste was sealed in reinforced concrete pipes and then buried vertically and covered with fill material at a site that eventually became the sixth fairway of the golf course.

In 2001, an Air Force official informed the Express-News that all of the radioactive waste had been removed from the base and transported "to an EPA-approved California landfill."

I reported the good news in an Oct. 30, 2001, column and joked that in California no one would notice if exposure to the radioactive materials led to an increase in strange-looking mammals.

That was the last time the Air Force Golf Course of Horrors was discussed at length in the Express-News. But someone apparently remembered the newspaper's investigation and figured that evidence of

"digging" at the site should be reported. (Kudos to that citizen.)

According to information provided by Air Force officials:

- The current excavation site is near the 15th tee of the former Kelly golf course.

- The drums contain chlorinated solvents, such as trichloroethylene.

- The site is one of several landfills being investigated to determine (1) the number of drums, (2) how far down the drums are buried and (3) the best procedures for removing the drums or "stabilizing" them.

- Investigators will produce a "Corrective Measures Study" by Sept. 30.

Adelina Carrillo, chief of community relations for the 37th Training Wing Public Affairs Office at Lackland AFB, was particularly cordial while helping me obtain that infor-

mation.

She also stressed:  
 1. There is nothing about the 15th-tee landfills.

2. Members of the community Council on Landfills have received regular drums in the landfills such briefings will continue.

So...  
 While the "digging course site is intriguing information did not lead to probably never producing news under a glowing monkey boom.

To contact Roddy call (210) 250-3155 or rstinson@express-news.com. Column appears Saturdays and Thursdays.

# Suspect snared after high-speed chase; dragnet seeks 2nd man

By Joe Kiefer  
News staff writer

A manhunt involving police dogs, a helicopter and a Birmingham-based tactical squad landed one armed robbery suspect and authorities were searching for another in a wooded area west of Tuscaloosa late Saturday night

following a high-speed chase.

The fugitives, who fled from an armed robbery in Mississippi into Alabama, reportedly fired on a Reform police officer who was giving chase. The officer was not hit, according to Alabama State Troopers.

■ See Manhunt, Page 4A

News staff photo by He

ackbreaking  
Farmer of  
fibers now  
acres in the

## Project HELP

### Girl with diabetes needs glucometer

A 17-year-old girl who suffers with diabetes and recently was discharged from the hospital needs a glucometer to accurately measure her blood sugar level.

She must keep an accurate track of her sugar level to control it.

The machine costs about \$240, and the family can't afford it. Because of problems in the home, the teenager and a sister are being raised by a grandmother with a limited income.

To help purchase the machine, send donations for Case 140 to the American Red Cross for Project HELP, P.O. Box 11003, Birmingham, 35202. The family also would accept a donation of a used glucometer.

The Red Cross-administered Project HELP is sponsored by the United Way to help people who don't qualify for other programs.

■ See Help, Page 8A

# Dioxin trail is laced with allegations of criminal wrongdoing

By Michael Jennings  
News staff writer

BATON ROUGE, La. — Something strange was happening to plants in the greenhouse at Capitol High School.

An agriculture teacher at the Baton Rouge school noticed that the leaves of the plants were distorted and wondered why.

The discovery began a train of events leading to recent claims that Chemical Waste Management Inc. illegally stored a hazardous waste in Louisiana and later improperly shipped it to Alabama.

The controversy centers on 14 drums of waste, most of them containing military-surplus weed-killer and all of them now at ChemWaste's giant hazardous waste landfill at Emelle in Sumter County.

The story of the waste's handling is laced with allegations by ChemWaste and Louisiana officials of criminal wrongdoing by the ChemWaste employee who stored the dioxin-contaminated weed-killer at Baton Rouge in a mini-warehouse open to the public.

Dioxin has been called one of the most toxic of all man-made substances, and Louisiana officials say its storage in the mini-warehouse was illegal.

■ See Dioxin, Page 9A

# Dioxin

From Page 1A

An Alabama Department of Environmental Management official says ChemWaste's handling of the weed-killer casts doubt on the good faith and competence of the firm that has made Alabama home to the nation's biggest hazardous-waste dump.

ChemWaste's actions show that the company's top officers are "either grossly negligent ... or they don't know what's going on," said Buddy Cox, chief of the hazardous-waste branch in ADEM's land division.

If ChemWaste officials in Baton Rouge could so badly mishandle one of the most toxic of all chemicals, Cox asks, then how much confidence should the public place in the company's other operations, including Emelle?

The history of the government-surplus weed-killer spans 15 years and three states.

For the most part, it is a tale of government and private officials struggling to find a safe home for a substance that federal restrictions have made notoriously hard to manage. Only a handful of waste-disposal sites in the country are licensed to accept dioxin wastes.

ChemWaste officials claim they fit into the mainstream of that story. They contend their company was acting as a "Good Samaritan" when it brought the drums of waste to Emelle in February for analysis.

At least seven of the 14 drums of waste contain dioxin, a substance proven deadly to laboratory animals and suspected of causing cancer and other disorders in humans.

Documents, government officials and other sources here make it clear that:   
 • For 17 months, a known dioxin waste that was in ChemWaste's custody was kept in a public facility where only a thin steel barrier separated it from people who came to store household goods.

• Though ChemWaste has sought to pin responsibility for mishandling the waste on a company official who has since been fired, actually several ChemWaste employees were involved.

• The Louisiana and ChemWaste officials who authorized shipment of the waste to Alabama had evidence that the herbicide contained 2,4,5-T, a known source of dioxin. The Emelle landfill's state permit prohibits acceptance of dioxin wastes.

Here is the rest of the story, as pieced together from Louisiana sources:   
 The herbicide was shipped from Kelly Air Force Base, Texas, to a federal surplus-property outlet in Baton Rouge in 1972. From there, it was sold to state hospitals, schools and other public facilities.

Some of the weed-killer was later found to be causing crop damage. Concern peaked after the Capitol High School teacher noticed that the leaves of greenhouse plants were elongated in a way typical of exposure to 2,4,5-T.

Samples taken from a ruptured barrel of herbicide outside the greenhouse contained 2,4,5-T and "the levels of dioxin that we would have expected of military-vintage 2,4,5-T at that time," said H. F. Calhoun, director of pesticide and environmental programs for the Louisiana Department of Agriculture and Forestry.

The 2,4,5-T produced for the armed forces typically contained more dioxin than 2,4,5-T made for commercial use, he said. Because of its dioxin risk, use of 2,4,5-T has been banned nationwide since November 1986.

Contaminated soil near the greenhouse was dug up and incinerated.   
 During 1983, Calhoun's department traced and recalled more of the herbicide. Some of it also contained dioxin.

Agriculture and Forestry officials repackaged and labeled the recalled wastes.

but could find no affordable way to get rid of them until they asked the herbicide manufacturer, T. H. Agriculture and Nutrition of Kansas City, Kan., to take its product back.

The manufacturer asked Paul D. Zimmerman, then general manager of ChemWaste's Baton Rouge office, to accept the wastes. ChemWaste claims Zimmerman, acting for the herbicide producer, had the drums moved to a mini-warehouse.

But Louisiana and T. H. Agriculture and Nutrition officials say ChemWaste as a company — not just Zimmerman — took charge of the waste.

"We dealt with Mr. Zimmerman as a representative of ChemWaste Management, and not as a private party," said T. H. Agriculture attorney John Kelly. He said his company did not tell Zimmerman to take the waste to the mini-warehouse.

Zimmerman referred questions to his attorney, Nathan Fisher, who said he knew nothing about the herbicide storage.

Phone message slips in Calhoun's office show that three ChemWaste employees called while arrangements for pickup of the waste were being made in September 1985. A slip dated Sept. 23 — the day Calhoun says ChemWaste picked up the waste — states that the ChemWaste official who called, Tom Bentley Smith, "has found out where secure storage for (T. H. Agriculture) is."

That "secure storage" turned out to be David Min-U-Storage, a mini-warehouse where an average-sized cubicle rents for \$35 a month.

Ken Elledge, former pesticide waste coordinator for the Louisiana Agriculture Department, said he asked Smith for a manifest authorizing transportation of a hazardous waste. He said he accepted Smith's statement that none was needed.

"I admit, I was wrong," Elledge said. "I should have demanded a manifest."   
 Smith, who is ChemWaste's project manager in Baton Rouge, refused to answer questions about his involvement in handling the herbicide.

The mini-warehouse owner, Kerrie Lemieux, said it was ChemWaste that rented the warehouse cubicle, though Zimmerman made some rental payments with personal checks.

Louisiana officials said storage of 2,4,5-T in the mini-warehouse violated state and federal environmental laws. It also violated the rental contract, which forbids storage of chemicals and other "inherently dangerous materials."

Miss Lemieux said she entered ChemWaste's cubicle and smelled a "weird" odor after it and several other cubicles were broken into.

"All I saw was the barrels in there," she said. "And I called Chemical Waste, and I asked them what was in there, and I asked them if it was toxic. And they told me no."

Until a Birmingham News reporter told her recently what the drums contained, "no one ever told me what it was," she said.

Miss Lemieux said she questioned ChemWaste secretary Cherry Siebert about the waste. Asked whether she told Miss Lemieux the waste wasn't hazardous, Mrs. Siebert said, "I can't confirm or deny that."

Calhoun said ChemWaste officials knew some of the drums contained 2,4,5-T. "I feel sure that when ChemWaste took the material, that they knew what they were receiving," he said. "There have been several conversations between my staff and them as to what they had."

ChemWaste officials say they discovered the waste was in the mini-warehouse when they audited their Baton Rouge office in February. That probe led the company to charge Zimmerman with the theft of \$119,993.

A May 11 warrant signed by a ChemWaste official charges that Zimmerman set up a phony company, Omni Construction Services, which billed ChemWaste

## Drug plane's 2 victims are both men

DEMOPOLIS (AP) — Autopsies on the two unidentified victims of a single-engine plane crash in West Alabama that dumped part of a \$57 million cargo of cocaine revealed Saturday that they were two white men.

Johnny Dyer, a medical examiner with the Alabama Department of Forensic Sciences in Tuscaloosa, said Saturday the autopsy performed by Dr. Kenneth Warner did not reveal the identities of the two victims, but did determine they were two men, not a man and a woman as first reported.

Dyer said dental charts may be matched with reported missing persons in an effort to determine the two victims' identities.

Marengo County Coroner Clarence Abernathy said the bodies recovered from the wreckage Friday morning were burned beyond recognition.

William J. Warner, special agent in charge of the Drug Enforcement Administration in Mobile, said approximately 466 pounds of the 700 pounds of cocaine aboard were recovered from the crash scene.

The rest burned in the crash.

BIRMINGHAM

## SANITARY RUG CLEANERS

### IN-HOME CLEANING SPECIAL



ANY TWO ROOMS  
NOW ONLY **\$36**

ANY 3 ROOMS NOW ONLY <b>\$52</b>	ANY 5 ROOMS NOW ONLY <b>\$75</b>	1 FOOT SOFA OR 2 CHAIRS NOW ONLY <b>\$39.99</b>
-------------------------------------	-------------------------------------	---

592-8167

GUARANTEE

WE WILL CLEAN THE DIRTIEST AREA IN ANY ROOM FIRST IF YOU ARE NOT 100% SATISFIED WE WILL THANK YOU FOR LETTING US TRY AND THERE WILL BE NO CHARGE!

HOME OWNED & OPERATED SINCE 1915

C O N T A I N T O T T

but could find no affordable way to get rid of them until they asked the herbicide manufacturer, T. H. Agriculture and Nutrition of Kansas City, Kan., to take its product back.

The manufacturer asked Paul D. Zimmerman, then general manager of ChemWaste's Baton Rouge office, to accept the wastes. ChemWaste claims Zimmerman, acting for the herbicide producer, had the drums moved to a mini-warehouse.

But Louisiana and T. H. Agriculture and Nutrition officials say ChemWaste as a company — not just Zimmerman — took charge of the waste.

"We dealt with Mr. Zimmerman as a representative of ChemWaste Management, and not as a private party," said T. H. Agriculture attorney John Kelly. He said his company did not tell Zimmerman to take the waste to the mini-warehouse.

Zimmerman referred questions to his attorney, Nathan Fisher, who said he knew nothing about the herbicide storage.

Phone message slips in Calhoun's office show that three ChemWaste employees called while arrangements for pickup of the waste were being made in September 1985. A slip dated Sept. 23 — the day Calhoun says ChemWaste picked up the waste — states that the ChemWaste official who called, Tom Bentley Smith, "has found out where secure storage for (T. H. Agriculture) is."

That "secure storage" turned out to be David Min-U-Storage, a mini-warehouse where an average-sized cubicle rents for \$35 a month.

Ken Elledge, former pesticide waste coordinator for the Louisiana Agriculture Department, said he asked Smith for a manifest authorizing transportation of a hazardous waste. He said he accepted Smith's statement that none was needed.

"I admit, I was wrong," Elledge said. "I should have demanded a manifest."

Smith, who is ChemWaste's project manager in Baton Rouge, refused to answer questions about his involvement in handling the herbicide.

The mini-warehouse owner, Kerrie Lemieux, said it was ChemWaste that rented the warehouse cubicle, though Zimmerman made some rental payments with personal checks.

Louisiana officials said storage of 2,4,5-T in the mini-warehouse violated state and federal environmental laws. It also violated the rental contract, which forbids storage of chemicals and other "inherently dangerous materials."

Miss Lemieux said she entered ChemWaste's cubicle and smelled a "weird" odor after it and several other cubicles were broken into.

"All I saw was the barrels in there," she said. "And I called Chemical Waste, and I asked them what was in there, and I asked them if it was toxic. And they told me no."

Until a *Birmingham News* reporter told her recently what the drums contained, "no one ever told me what it was," she said.

Miss Lemieux said she questioned ChemWaste secretary Cherry Siebert about the waste. Asked whether she told Miss Lemieux the waste wasn't hazardous, Mrs. Siebert said, "I can't confirm or deny that."

Calhoun said ChemWaste officials knew some of the drums contained 2,4,5-T.

"I feel sure that when ChemWaste took the material, that they knew what they were receiving," he said. "There have been several conversations between my staff and them as to what they had."

ChemWaste officials say they discovered the waste was in the mini-warehouse when they audited their Baton Rouge office in February. That probe led the company to charge Zimmerman with the theft of \$119,993.

A May 11 warrant signed by a ChemWaste official charges that Zimmerman set up a phony company, Omni Construction Services, which billed ChemWaste

for fictitious services. The warrant says Zimmerman was fired March 9. Bryan Bush, district attorney for East Baton Rouge Parish, said he is still investigating the case.

Believing Omni to be a subcontractor, T. H. Agriculture officials paid the bogus company "a very small sum" for handling the 14 drums of waste, said Kelly, the T. H. Agriculture attorney.

Louisiana and ChemWaste officials say the company informed the State Police and the Louisiana Department of Environmental Quality in February that the wastes were in the mini-warehouse.

LDEQ documents and photographs show the drums bore painted labels identifying their contents.

Yet LDEQ officials classed the waste as unidentified when they authorized shipment to Emelle. They say they couldn't assume the labels were accurate.

Thomas H. Patterson, manager of enforcement for the LDEQ's hazardous waste division, said that if it were known the herbicide contained dioxin, "there's no way we could have shipped it."

Calhoun could have told him, but Calhoun said he wasn't contacted until after the waste reached Emelle.

The shipment has put ChemWaste at odds with ADEM, which claims the company had no authority to accept either unidentified wastes or those with a known dioxin risk. ChemWaste has appealed an ADEM order to get rid of the wastes and pay a \$20,000 fine.

The incident has also prompted ADEM to hold up issuance of a permanent permit for Emelle, which has operated under an interim permit since 1980.

The U.S. Environmental Protection Agency has ruled that the waste shipment violated ChemWaste's federal permit but has imposed no penalty.

**HARWELL'S**

*Privileged Classics*

## Compromise is unthinkable

Great prices on year around and fall weight suits



*Value • Tradition • Style*

**\$229.99 and up**

Regular \$275.00 to \$450.00

For over forty years, Harwell's has been tailoring and selling suits that are honest, functional, and made to last.

Available in 2 and 3 button styles in both plain and pleat front, solids, plaids, and stripes.

Sizes 38-48 Regular  
40-46 Long

**Sam & Harwell**

Established 1947

Clothing For Men and Women  
Upper level Brookwood Village  
Open Evenings 'til 9:00 Mon-Sat  
After Church 'til 5:30 Sunday

Harwell's • 2700 • 592-8167

**BIRMINGHAM**

## SANITARY RUG CLEANERS

### IN-HOME CLEANING SPECIAL



ANY TWO ROOMS

NOW ONLY **\$36**

ANY 3 ROOMS NOW ONLY <b>\$52</b>	ANY 5 ROOMS NOW ONLY <b>\$75</b>	7 FOOT SOFA OR 2 CHAIRS <b>\$39.99</b>
-------------------------------------	-------------------------------------	--

592-8167

GUARANTEE  
WE WILL CLEAN THE DIRTIEST AREA IN ANY ROOM FIRST IF YOU ARE NOT 100% SATISFIED WE WILL THANK YOU FOR LETTING US TRY AND THERE WILL BE NO CHARGE

HOME OWNED & OPERATED SINCE 1915

**FINAL PAGE**

**ADMINISTRATIVE RECORD**

**FINAL PAGE**