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# In Columbus County, mercury, PCBs and a long-overdue Superfund cleanup point to a larger problem: accountability

By **Lisa Sorg** - 8/25/2016 - In Environment, Featured Articles

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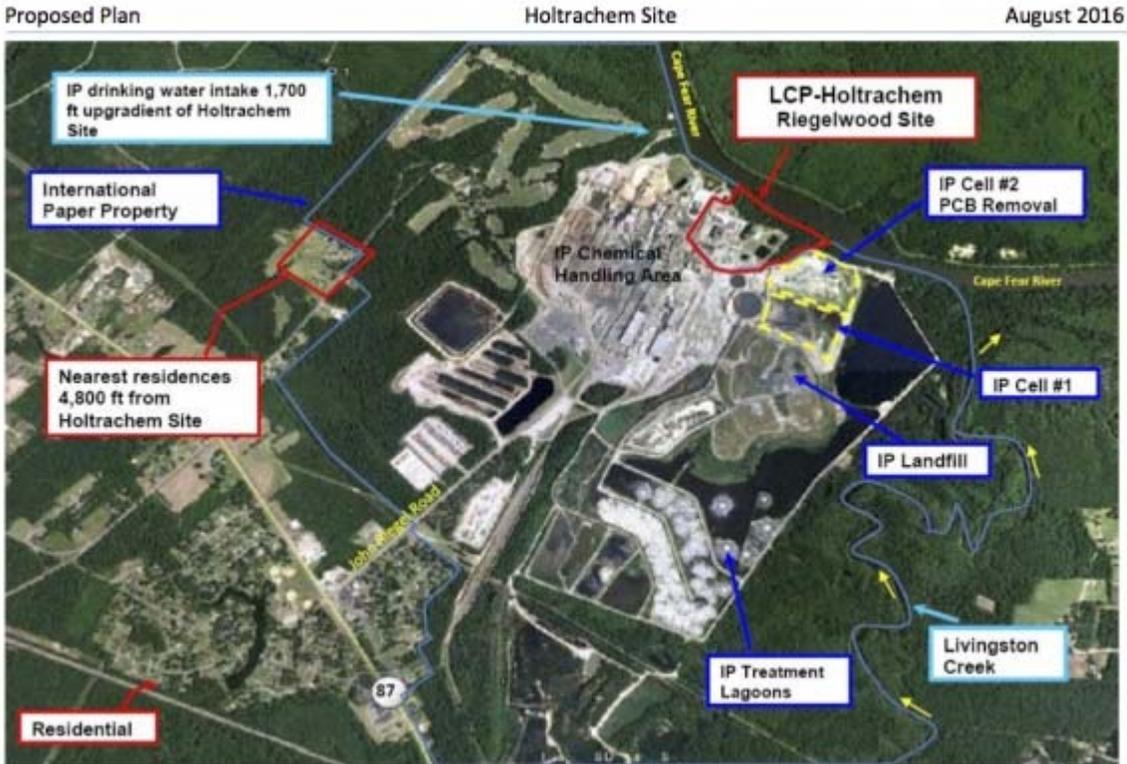


FIGURE 2: LAND USE NEAR THE SITE

The air smells acrid in Riegelwood, where a faint breeze scours your sinuses with the scent of sulfur coming from the International Paper plant. All day long, dozens of semi-trucks, loaded with logs, pull onto John Riegel Road headed for the factory. Here, the wood will be chemically boiled and bleached to make fluff pulp, a material used in disposable diapers.

What you can't see or smell is nested within International Paper's property: one of the most contaminated areas in North Carolina. A facility formerly owned by Holtrachem is a hotbed of mercury and cancer-causing PCBs, dioxins and furans. For decades, toxic chemicals from these 24 acres have intermittently drained, at times, even gushed into the nearby Cape Fear River, which runs through Columbus County on its way to the Atlantic Ocean. Mercury has poisoned workers and fish. PCBs, so dangerous their manufacture was banned in the U.S. in 1983, still stain the soil.

Now, after 14 years of being on the National Priorities List — an ignoble register of polluted places known as Superfund sites — Holtrachem is **scheduled to be cleaned up**. Not pristine, but to the point at which some day, federal and state regulators hope, the land might be safe for industrial use.

Holtrachem is one of 39 Superfund sites in North Carolina and 1,300 in the United States. Nationwide, more than 50 million people live within three miles of a site; in Riegelwood, nearly the entire unincorporated town of 597 is within that range of Holtrachem.

And since polluting industries tend to locate in low-income or minority communities, these sites present a host of social justice issues, including damage to health, property values and quality of life. That's true of Columbus County. A quarter of the population lives at or below the poverty level, yet there are **two federal Superfund sites and 14 hazardous waste areas designated by the state.**

"As a result, these communities often lack sufficient resources to address health and environmental concerns," said Mathy Stanislaus, an assistant administrator at the EPA. He spoke at a July hearing of the **House Subcommittee on the Environment and Economy**, which is scrutinizing the effectiveness of Superfund.

"Nothing but a full and timely cleanup can restore these communities," added U.S. Rep. Frank Pallone, a New Jersey Democrat. (**Richard Hudson**, who represents the Eighth District of North Carolina, also sits on the committee. He could not be reached for comment.)

In many ways, Holtrachem embodies the problems facing Superfund: It has a long history of recalcitrant, even environmentally reckless owners. It entails a complicated and expensive remedy. And yet, there is only a fraction of the taxpayer money necessary to do so, delaying a permanent clean up for years.

"I think that is fundamentally wrong. The cost of cleanup should be paid for those who get rich off contaminating these sites," Pallone said. "Too many communities are waiting too long for cleanups,"

Riegelwood is one of them.

\*\*\*\*\*

On a recent summer evening, a team of young boys played baseball on a field near the Riegelwood Community Center. Inside, only a few people attended the EPA public hearing on Holtrachem, nearly all of them contractors, government workers or employees of International Paper.

The legacy of Holtrachem, not just in North Carolina, but in two other states, is dirty. **In Maine**, the company polluted the Penobscot River with mercury, and damaged the area's key lobster and

crab industry. In Georgia, Holtrachem closed its plant, which later became a Superfund site. Workers later settled a \$20 million suit for exposure to hazardous chemicals in the plant.

According to the EPA, Holtrachem, which manufactured chemicals including bleach, acquired the Riegelwood site in 1994, from LCP. That company, which the state had repeatedly cited and fined, had filed for bankruptcy. (See [timeline](#).)

But in just two years, Holtrachem had attracted the attention of federal investigators, who fined the company \$31,000 after finding workers were being exposed to high levels of mercury. In fact, the urine of 36 workers later tested at nearly twice acceptable health levels.

Even facing a penalty, the company did little to protect the workers. In 1999, OSHA fined Holtrachem \$873,000, then the largest in state history, for safety violations. However, the amount was later reduced to \$100,000 after Holtrachem officials said it had fixed the issues.

After several mercury spills in the spring of 1999, Hurricane Floyd hit the coast, dumping 24 inches of rain on Riegelwood. At Holtrachem, a stormwater basin failed, releasing more than 2 million gallons of water and roughly five pounds of mercury into the Cape Fear River.

Facing mounting fines and violations, in 2000, Holtrachem dissolved. Its parent company, Honeywell became the owner of the site.

Finally, with state investigations showing that the contamination was out of control, the Holtrachem site was became a part of Superfund in 2002. Yet even after emergency measures to remove mercury and PCBs, 14 years have passed since there has been any permanent steps toward a cleanup. If the project is finished on schedule, it will be 2018, when the boys on the baseball field enter junior high school.



## **TIMELINE: THE HOLTRACHEM SUPERFUND SITE: A LONG, DIRTY LEGACY IN**

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“So, I think the constant refrain,” said U.S. Rep. John Shimkus, an Illinois Republican, at the subcommittee hearing, “is it just takes too long.”

There are several reasons for the lag time. First, Superfund has too little money to spend on too many complex cleanups. In 1980, Congress passed CERCLA (Comprehensive Environmental Response, Compensation, and Liability Act) which created Superfund. A tax on certain industries largely funded the program that helped pay for cleanups when the polluter either couldn't be found or couldn't pay, often due to bankruptcy.

Then in 1995, a conservative Congress refused to renew the tax. Since then, funding has come from the taxpayer revenues, which has translated to a 45 percent decrease in funding, from \$2 billion to \$1 billion.

For perspective, a cleanup of a portion of the Willamette River in Oregon, could cost \$1 billion alone.

Superfund was designed to help communities where the polluter could not be found or couldn't pay. Polluters, though, can dodge financial responsibility, and they often do. Known as "potentially responsible parties (PRPs) these companies often claim they can't afford the clean up. They may declare bankruptcy to avoid paying. That leaves taxpayers to pick up the tab. That lack of money translates into longer wait times sites like Holtrachem to be fully rehabilitated. Some communities wait as long as 30 years.

"Too much of the burden of cleaning up after private entities has fallen upon the public at large," said U.S. Rep. Paul Tonko, a New York Democrat, at the July hearing on Superfund.

Robert Spiegel, executive of the Edison Wetlands Association in New Jersey, agreed that the polluters "will do things to stall or delay," even "trying to drag in municipalities and try to bankrupt municipalities and so that delays the cleanup and then turns the municipality against its own residents.

"And so if we could find better ways to pierce the corporate veil, we would make more money available for cleanups."

\*\*\*\*\*

The proposed cleanup at Holtrachem involves capping some contaminating areas and excavating others, according to Samantha Urquhart-Foster, an EPA Superfund remedial project manager. At least 15,000 cubic yards of contaminated soil will be dug up, including part of the wooded bottomlands and wetlands, which are rife with wildlife. Here, Carolina wrens and herons have tested positive for PCB contamination. A fish consumption advisory is in effect for the Cape Fear, although it's not uncommon to see people in boats trolling for shad.

A total of 39,000 cubic yards of material will be placed into a one-acre landfill. But because the site sits so close to the groundwater — Riegelwood is just 28 miles from the sea — the landfill will have to be specially constructed with a double liner and a drainage system in order to meet federal requirements.

Total cost: At least \$16 million. That doesn't include long-term monitoring, the expense of which usually falls to the state.

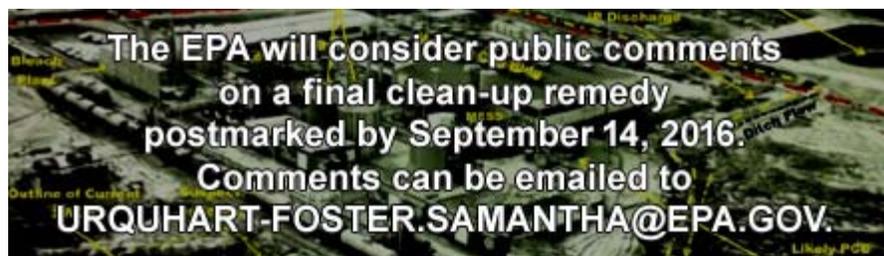
Factor in the cost of remedying the 38 other Superfund sites in North Carolina, which combined, and the EPA could spend upward of a half-billion dollars in this state alone.

But now federal lawmakers are considering shifting more of the administrative and financial burdens to the states, with the EPA in a consulting role. The thinking is that the states can act more quickly and efficiently on cleanups.

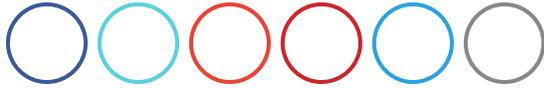
Yet it's unclear how cash-strapped state agencies, such as DEQ, could shoulder more of the burden. There is neither the staff nor the money to cover the enormous economic price of cleanups. The state is not advocating for further delegation of Superfund authority, said N.C. Department of Environment Quality, spokesman Jamie Kritzer, or any major changes to the program.

A better idea, also under consideration, is requiring polluting industries to post "financial assurances," essentially a bond or a trust fund, said U.S. Rep. Tonko of New York. "The lack of financial assurance requirements has exposed the Superfund Program and the United States taxpayers to potentially enormous cleanup costs. These requirements are long overdue."

The factory siren at International Paper signals it's quitting time. From the baseball field, you can see cars leave the plant, and log trucks go in. Smokestacks exhale the smell of sulfur into the air. Yes, the economic costs to clean up Holtrachem are high, but as dollars and cents, they can be counted. The social, health and environmental costs to the town of Riegelwood, though, cannot be measured.



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## ABOUT THE AUTHOR



Lisa Sorg



**Lisa Sorg**, *Environmental Reporter*, joined N.C. Policy Watch in July 2016. She covers environmental issues, including social justice, pollution, climate change and energy policy. Before joining the project, Lisa was the editor and an investigative reporter for *INDY Week*, covering the environment, housing and city government. She has been a journalist for 22 years, working at magazines, daily newspapers, digital media outlets and alternative newsweeklies.

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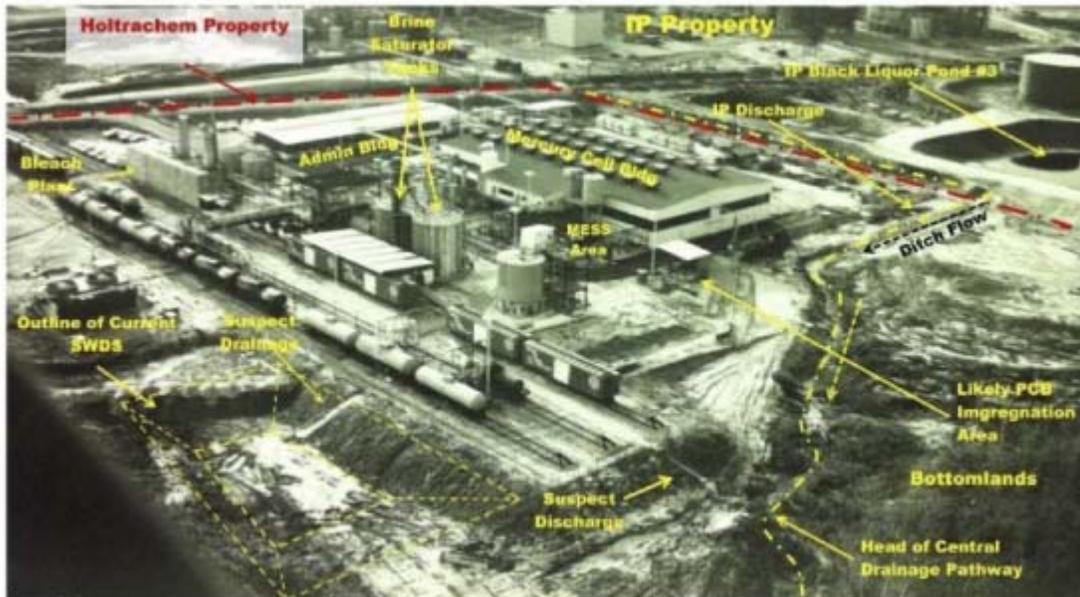


Illustration 1-3: Site Aerial Photograph - circa 1965

**1963:** Riegel Paper Corporation, now International Paper, operates on 26 acres in Riegelwood in Columbus County. The corporation transfers the land to Allied Chemical Corporation, which manufactures liquid bleach and other chemicals.

**1979:** Allied sells the facility to LCP Chemicals.

**1994:** LCP files for bankruptcy. Holtrachem acquires the site and begins operations.

**1996:** OSHA inspects Holtrachem and fines the company \$31,000 for violations after finding workers are being exposed to high levels of mercury.

**1998:** OSHA reinspects the facility and discovers the company has not fixed its exposure problem, allowing workers to come into contact with mercury.

**1999:** Hurricane Floyd hits the coast, dumping 24 inches of rain on the area. More than 2 million gallons of stormwater enters the Cape River River.

36 Holtrachem workers' urine tests high for mercury. That number later increased to 71. The workers lost the lawsuit on the local level; the N.C. Supreme Court then rejected their appeal. OSHA levies an \$873,000 fine on the company, then the largest in state history, for the 1996 violations. **The amount is later reduced to \$100,000 after Holtrachem officials said it had fixed the issues.**

**2000:** **Holtrachem dissolves.** Honeywell becomes the owner of the site. The N.C. Department of Environmental Quality (now DEQ) samples soil on the site and fish in the Cape Fear River and finds high levels of mercury.

**2002:** State and federal regulators determine the site “poses a threat to human health, the food chain and the environment” because of PCB, mercury and dioxin contamination. The site enters the Superfund program.

**2003-2004:** Honeywell removes 34,000 pounds of mercury waste.

**2008:** Contractors discover PCB-contaminated sediment in a former wastewater lagoon. **They stockpile 23,700 cubic yards of contaminated material, which is covered with a waterproof polyethylene cap.**

**2009-2016:** EPA and DEQ conduct site investigations to determine a list of possible clean-up plans.



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