

Judge asked to prevent burning of toxic matter

United Press International BROWNSVILLE — The States of Texas and Louisiana Monday joined 29 organizations in asking a federal judge to halt the proposed burning of up to 80 shiploads of the most toxic chemicals known to humankind "at a Gulf of Mexico site 135 miles off the Texas coast."

Texas Attorney General Jim Mattox, five South Texas state legislators, Greenpeace, the Audubon Society, shrimpers, sportsmen, farmworkers and businessmen were among 31 plaintiffs filing the action against much fanfare with U.S. District Judge Ricardo Hinojosa.

Defendant in the suit is William D. Ruckelshaus, administrator of the Environmental Protection Agency, whom Mattox accused of ignoring previous demands by the State of Texas and environmentalists that regulations governing the toxic burns be promulgated before any permits are issued.

The EPA on Oct. 17 tentatively approved permits allowing Chemical Waste Management, Inc., to burn up to 300,000 metric tons of dioxin, dibenzofurans, silvex, PCBs, DDT "and many unknown but highly toxic substances over a three-year, the 18-page complaint said."

Last year, acting under permission from the EPA, the same firm which operates two Vulcanus incineration ships was allowed to experimentally burn more than 7 million gallons of organochlorine wastes at the site offshore from the mouth of the Brazos River. Chemical Waste declared that monitoring showed "no impact" on the environment, water chemistry or sealife exposed to the effluent.

After filing the petition Monday, Mattox told about 30 representatives of the various groups from the federal courthouse steps that he hoped to win a delay in the EPA's planned Nov. 21 hearing in Brownsville on the Chemical Waste, Inc. permit.

"We're not going to predict victory," Mattox said. "It would be foolish to do so. We're fighting this battle with a short stick. If the hearing comes off, the people of the Valley are going to have to turn out in force."

Mattox and other speakers accused the EPA of trying to railroad through the Chemical Waste Management, Inc., permit by asking for public comment although no guidelines for the proposed burns have been drawn up by the EPA.

"They've put us in the unreasonable posture of having to comment on Nov. 21 on rules and regulations we have not had the benefit of helping promulgate," Mattox said.

State Rep. Rene Oliviera, D-Brownsville, said he regarded the EPA "as an 18-wheeler truck bearing down on all of us" with the offshore burning proposal.

Brian E. Berick, head of the Texas Environmental Protection Division of Mattox's office, accused the EPA of "trying to sweep (toxic wastes) under the rug" in the Gulf next door to Texas.

State Sen. Hector Uribe, D-Brownsville, alleged that "the EPA has not kept faith in its responsibility to the environment. Promoters are running the EPA. We've got to keep looters from looting the Gulf of Mexico."

David Eymard, president of the Brownsville-Port Isabel Shrimp Association, said his group opposed the burning because if a substantial number of people perceive the toxic chemicals getting into the food chain, "it would cause irrevocable damage" to the seafood industry. He said the industry suffered distrust of its product during the 1979 Ixtoc oilspill in the Mexican Bay of Campeche, although studies later showed the oil had no effect on shrimp.

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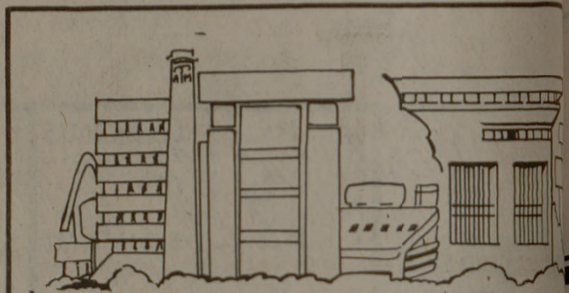
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