

Faced with evidence of health threat, EPA looks the other way

OUR VIEW EPA sticks by its sludge rules despite several red flags.

Early in the morning of Nov. 24, 1995, Joanne Marshall woke to find her 26-year-old son, Shayne Conner, gasping for breath. Though an ambulance rushed him to the hospital, he later died from respiratory distress.

Conner's death was just one of several medical problems that neighbors in Greenland, N.H., had experienced in the month after trucks started dumping sewage sludge — residue left over from wastewater treatment plants — on a nearby field.

Did sludge contribute to Conner's death? Did it cause the death of 11-year-old Tony Behun? He died in 1994 shortly after riding his motorcycle through a Pennsylvania field recently coated with sewage sludge. And has it killed farm animals, as some farmers allege? So far, no clear link has been established between the deaths and sludge. There are only troubling questions about the possible health effects of exposure to sewage sludge.

At the very least, however, these deaths call for an aggressive investigation. Instead, the Environmental Protection Agency has been circling the wagons. It was an EPA rule in 1993 that allowed about 2 million metric tons of sludge to be used throughout the country as a cheap, often free, fertilizer. And since then, the agency has fallen into the disturbing but familiar pattern it follows when its rules run into trouble: It brushes off complaints, downplays uncertainties in the science and attacks critics.

When asked about Shayne Conner's death, for instance, the EPA brandishes a letter written by the town's medical examiner just days after Conner's death. The letter, released by the agency, says the death "was not the result of . . . the use of such fertilizer."

But that preliminary conclusion is hardly definitive. As the letter states, the examiner's finding was based in part on the assumption, denied by the family, that others "were completely unaffected" by the sludge. And it was, the examiner noted, based on assurances that sludge was "safe to use."

The final autopsy report issued several months later and obtained by USA TODAY left the cause of death an open question, and the family has since sued the sludge company.

The EPA hasn't handled the science question any better.

Under EPA rules, sludge — a noxious brew containing pollutants and pathogens — can be recycled as fertilizer if it's cleaned to specified levels and used under certain restrictions. The EPA insists that the science behind these rules guarantees safety.

However, the EPA's own scientists raised doubts about the science as the rule was drafted, according to memos obtained by USA TODAY. The EPA admitted to some of these weaknesses in 1993 by calling for extensive follow-up research.

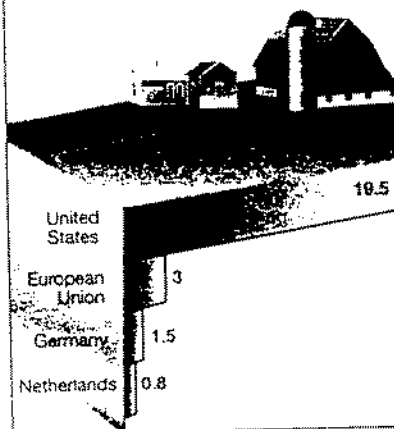
Meanwhile, other studies have raised red flags. A 1999 study by Cornell University's Waste Management Institute, for instance, concluded that EPA sludge rules "do not appear adequately protective of human health." It found that many European countries have far tougher sludge standards than the U.S.

As a result, critics contend the rules are too loose and that toxic metals, pathogens and or-

Weak standards

The U.S. has more permissive rules on the use of sewage sludge as a crop fertilizer than many European countries, with, for example, higher limits on the amount of heavy metals that can build up as a result of its application on farms.

Allowable soil concentrations of cadmium resulting from sludge use
(Milligrams of cadmium/kilograms dry matter)



Source: Cornell Waste Management Institute. By Suzy Parker, USA TODAY

ganic chemicals can escape, posing a potential hazard to nearby people and animals. Several local governments have banned or restricted sludge on farms. Yet when critics raise their voices, the EPA has attacked. Examples:

► When EPA scientist David Lewis started complaining about the safety of the sludge rules a few years ago, EPA officials tried to discredit his research, according to Lewis, who has filed a whistleblower complaint against the agency.

► When California community activist Jane Beswick started sounding alarm bells, Alan Rubin, an official in the EPA's Office of Water, fired off an ominous letter warning Beswick that her efforts to ban sludge use could prompt regulators to look closely at farmers' use of manure and fertilizers.

And when not attacking critics, the agency has been busy promoting sludge use. Over the past three years, for example, it has spent almost \$70,000 on grants to the Water Environment Federation for a sludge "public acceptance campaign," according to the Federal Assistance Award Data System.

This is not the first time the EPA has been accused of shoddy science or attacks on critics. It recently had to reverse course on a gas additive. And last June, several EPA officials complained of the hostile treatment whistleblowers receive inside the agency.

Now members of the House and Senate are pressing EPA chief Carol Browner to explain the apparent mishandling of sludge critics inside and outside the agency.

But first the EPA should explain why it has failed to live up to its 1993 pledge "to move aggressively to address any problems with sewage-sludge use should the evidence warrant."

In the end, sludge may prove perfectly safe. But by its behavior so far, the EPA has given the public little reason to feel confident.