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Times Beach

- *To:* dioxin-l@essential.org
 - *Subject:* Times Beach
 - *From:* WILLIAM SANJOUR <SANJOUR.WILLIAM@EPAMAIL.EPA.GOV>
 - *Date:* Thu, 28 Aug 1997 16:56:46 -0400
 - *Cc:* peter@rachel.clark.net
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Russell Bliss is the waste hauler responsible for spreading waste containing dioxin in several states resulting in the Superfund site at Times Beach Missouri, the PCB dump at Warren County, North Carolina and lots of other disasters.

For years the Times Beach Action Group, headed by Steve Taylor, has tried to get EPA to investigate other sites where Bliss has dumped wastes, especially those wastes from Monsanto, one of America's largest dioxin producers, but got no response from the agency. In a recent meeting of the St. Louis County Council he told how he had been trying to get the information he has into EPA hands for years and let them know of EPA's lack of response.

Instead of simply asking for his information, which he would have gladly given, they sent a letter, demanding all his data (which is voluminous) within five days and threatening him with a \$25,000 a day fine for each day of non-compliance. Note, that in all the years he has been asking EPA to review his information, they had never before responded either formally or informally.

The authority cited by EPA for this action under RCRA and CERCLA was clearly written by Congress to give EPA authority to search the records of suspected polluters and which EPA is now using against citizens trying to protect themselves from pollution.

Below is an excerpt from the TBAG press release of 8/25/97. For a complete copy of the press release, which includes Taylor's response to EPA, call TBAG at 314-458-5026. I can send you a fax of the EPA letter and the referenced law.

Bill Sanjour

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William Sanjour
USEPA 5102G
Washington, DC 20460
Voice Mail: 703-603-9931
Fax: 703-603-9100
E-mail: sanjour.william@epamail.epa.gov
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On Saturday, August 16th, Steve Taylor, co-founder of the Times Beach Action Group received a letter from EPA Region VII. The letter demanded that Taylor provide, within five calendar days, all documents pertaining to potential dioxin sites in Missouri, or face a fine of up to \$25,000 dollars a day. The letter also demanded that Taylor provide information and documents pertaining to Monsanto, Wagner Electric and their release of hazardous substances. In addition, the letter demanded the identities of all affiliates of Taylor's who may

have more information on these subjects.

This demand followed a presentation by Taylor to the St. Louis County Council two days prior where he suggested that a Joint Task Force be formed, including citizen groups and various agencies, to review all information pertaining to possible Bliss-related hazardous waste sites in Missouri.

Taylor offered to provide years of research and documents which not only provided sites in which Russell Bliss had sprayed, but also interviews and testimonies by Bliss and his drivers. Presented to the County was an EPA tracking list: which included sites which had been sprayed by Bliss, but action had been "deferred" without testing.

After years of diligent research, TBAG has compiled thousands of documents pertaining to these subject matters. Part of TBAG's litigation against the Times Beach incinerator centered around the lack of characterization of contaminants at the Bliss dioxin sites, including their content, extent and source. Many records cite Bliss and his drivers stating that they regularly picked up from Monsanto, as well as other sources. EPA's own documents demonstrate that dioxin was found at a Monsanto facility, and that Monsanto, as well as Syntex, had produced 2,4,5-T and 2,4,-D. constituents of Agent Orange.

All of the documents referenced by Taylor at the Council meeting are in the public domain and many were produced by EPA or MDNR, none were provided by the agencies themselves but were obtained through other legal means. It has been the experience of many associated with TBAG that information is not easily obtained from EPA pertaining to Bliss waste hauling activity. Other documents were obtained from records of civil court cases.

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