

## NewsRoom

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### 70'S TOXIC WASTE DISPOSAL OPENS QUESTIONS ON DIOXIN

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The mishandling of toxic wastes by a **Louisiana** disposal company 12 years ago has raised questions about what happened to dioxin shipped to it around the same time by a Missouri chemical plant.

Shortly after the **Louisiana** company was sent the dioxin shipments, Federal court records show, it joined in a secret agreement to sell other toxic wastes, trying to insure they could never be traced to their origin. These wastes were trucked away, dumped in a crude oil pipeline and sent to a refinery in Kentucky, where they blew up.

The **Louisiana** concern, **Rollins**-Purle Inc., was eventually identified as the source of the wastes by investigators for the refinery's owner, the Ashland Oil Company. In 1979 the oil company won a suit against **Rollins** and others in a case heard by Federal District Judge Jack Gordon. Last year the United States Court of Appeals for the Fifth Circuit upheld the judge's decision. Attorneys for both parties would not disclose the amount of the settlement.

#### 38 Pounds of Dioxin

According to records of the Missouri Department of Natural Resources, 38 pounds of dioxin, the most toxic man-made chemical, were sent in 12,600 gallons of waste from the North Eastern Pharmaceutical and Chemical Company in Verona, Mo., to be burned at **Rollins**-Purle, now **Rollins Environmental Services** Inc. (**La.**), near Baton Rouge in shipments on Nov. 30 and Dec. 4, 1970.

At that time, Federal court records show, **Rollins** was trying to dispose of a huge shipment of toxic wastes from a chemical plant in **La** Place, **La.**, west of New Orleans, operated by E.I. du Pont de Nemours & Company. This waste was so caustic it corroded and eventually disabled the **Rollins** incinerator.

It is not known whether the dioxin-laden wastes from the Missouri plant were burned before the **Rollins** incinerator was shut down for repairs March 1, 1971, or whether they were mixed with other hazardous wastes, as was common then, and disposed of in some other way.

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Frank Simoneaux, Secretary of the state's Department of Natural Resources, said recently that he was convinced **Rollins** had incinerated the material. "There's never been any indication that it went any other place," he said. "We questioned **Rollins** extensively. You can't search for a negative worldwide."

According to Charles Callicott, vice president of **Rollins**, the company has no records that would indicate how the shipments were handled. "It is not a common practice to retain business records for that long a time," he said.

Trail of Toxic Wastes

The trail of the wastes from the Du Pont plant is much clearer. The Federal court record indicates that when **Rollins** found itself unable to incinerate the wastes, it resorted to the same solution found by North Eastern: The material was sold to someone else.

According to the findings of Judge Gordon, **Rollins** sold the wastes under a "secrecy pact" in which the buyer was required to assure the company in writing that the material would "not be traced back to its original origin."

**Rollins** took additional precautions to insure that this material could not be traced to its Baton Rouge facility, according to the judge. Invoices were not prepared, sale proceeds were put into petty cash and none of the transactions were recorded in the company's books or records.

In his 1979 opinion, Judge Gordon concluded that **Rollins** had "intended the consequences" of its conduct. "The evidence is clear," the judge wrote, that **Rollins** intended to inject the hazardous waste "into a crude oil pipeline and that **Rollins's** president, vice president and several of its personnel at its Baton Rouge facility were privy to this plan."

A Chemical Byproduct

According to the court record, a byproduct of the Du Pont plant's operations was dichlorobutadiene, a chemical containing heavy concentrations of organic chlorides, which are dangerous when touched or inhaled. When **Rollins** solicited a contract to dispose of this material, Du Pont warned of its danger.

Although corrosion caused by the toxic material had forced the shutdown of its incinerator, **Rollins** continued to accept the wastes and bought railroad tank cars for storage.

The judge found that **Rollins** had entered into an agreement with Larry Young to haul off Du Pont's wastes. According to a **Rollins** interoffice memorandum, the wastes were to be "mixed with crude stock for discharge into pipelines." Mr. Young agreed to pay 35 cents a barrel for the wastes and arrange for trucks to haul it. The loads began to leave the plant about March 28, 1971.

According to the court record, no records were kept of the trucks' arrivals or departures. At least one truck driver complained that the material's pungent smell made him ill. Consequently, **Rollins** added creosote to the wastes to disguise the odor.

The court record gave this account: About 2,016 barrels of the wastes were pumped into two storage tanks in woods near Natchez, Miss. These tanks were owned by Waco Inc., a small oil-reclaiming operator. Waco paid Mr. Young \$2.60 a barrel for the wastes.

Waco sold some of these wastes to the Miller Oil Purchasing Company in Mississippi for \$3.16 a barrel. Miller, a regular supplier of oil to Ashland, pumped 1,941 barrels of the toxic wastes into the Ashland Pipeline Company's oil-gathering lines. The Du Pont waste traveled through pipes from Mississippi to Patoka, Ill., then to Ashland's Catlettsburg refinery, where they arrived April 18, 1971, and exploded the next day.

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---- Index References ----

Company: **ROLLINS ENVIRONMENTAL SERVICES** INC

News Subject: (Legal (1LE33); Health & Family (1HE30); Government (1GO80); Health & Safety (1HE24); Judicial (1JU36); Major Corporations (1MA93))

Industry: (**Environmental** (1EN24); Hazardous Waste (1HA81); **Environmental** Solutions (1EN90); Chemicals (1CH04); **Environmental Services** (1EN69); Manufacturing (1MA74); Chemical Industry Trends & Policies (1CH63))

Region: (Missouri (1MI10); Americas (1AM92); North America (1NO39); Mississippi (1MI74); USA (1US73); **Louisiana** (1LO72))

Language: EN

Other Indexing: (ASHLAND; ASHLAND OIL CO; ASHLAND PIPELINE CO; BATON ROUGE; DEPARTMENT OF NATURAL; DU PONT; **LOUISIANA**; MILLER; MILLER OIL PURCHASING CO; MISSOURI; MISSOURI DEPARTMENT; **ROLLINS**; **ROLLINS** PURLE; **ROLLINS** PURLE INC; **ROLLINS ENVIRONMENTAL SERVICES** INC; WACO; WACO INC) (Attorneys; Charles Callicott; Frank Simoneaux; Gordon; Jack Gordon; Larry Young; Natural Resources; Young) (**LOUISIANA**; MISSOURI; KENTUCKY)

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