WELCOME AGAIN TO OUR EXCITING NEW NEWSLETTER FOR ARIZONA!

Thank You:
We received unanimous favorable response to our first Arizona Mountain News issue on the new cactus law to come into effect in Arizona. Evidently many people wrote the Senate and asked them to repeal Bill 1086, which was devastating to cactus in Arizona. Because the decision hit them on the last day of their session, they postponed passage of any new cactus law until January. This has given Arizona's cactus a temporary stay of execution, but has not yet established lasting protection. The Senate could still vote in January to pass the bill, but hopefully the amount of public input they received has opened their eyes to the pitfalls of Bill 1086.

To all those people who wrote, congratulations, you won a small victory. However, the matter is still not settled and the final decision could still go against our native desert vegetation. If you were going to write to the Senate about Bill 1086 but didn't because you thought it was too late to give input, it isn't! You now have until the end of the year, and the more letters and petitions before then the better. If the Senate receives no further input, by January they will forget the public's desires. If they receive a steady stream of letters until the time they decide on our new native plant law for the next decade, they'll know for certain that you are serious.

If you haven't yet written to the Senate about Bill 1086, do it now! If you are unaware what the Bill means to our cactus, write us and we'll send you a copy of our first newsletter. You have now seen in operation the winning formula: ACTION = SUCCESS.

You can make a difference to what goes on in your government, and it can work in the public's best interests, just like they promised you it was supposed to work. All you have to do is get into action and write! Those words are just as pertinent to this second issue, where we tackle the hottest environmental issue in Arizona today: Enco.

In fact the Toxic Waste issue is so involved and so complex that it took us 2 months to dig to the root of the problem, so our second issue is way behind schedule. We apologize, but we think you'll agree that the wait was worth it when you see what we have uncovered!

OUR CAUSE
Response to our first issue told us our newsletter is important to Arizona and needs to get to more people. Individuals and small businesses help us distribute our newsletter throughout Arizona; if you would like to help too, please write us. Remember, the Arizona Mountain News depends entirely upon public support to pay the cost of each issue. More contributions are needed to cover those costs, so please encourage friends and groups to donate so they can be certain to receive future issues.

The Arizona Mountain News is devoted to bringing you, the people of Arizona, timely news about important issues that affect you, our state, and our environment. A common-sense newsletter, each issue of the Arizona Mountain News covers a single vital subject in detail. It compares positive and negative aspects on both sides of a topic in a balanced way that gives you the knowledge you need to make the right decisions for Arizona's future.

Topics are presented without quoting individuals, because everyone is partly responsible for environmental problems our state and country now face, so who said what is not as important as a unified resolution of our problems. Each issue is carefully researched by degree scientists who draw upon State and Federal agencies, attorneys, and others who know the subject. Information for this issue was assembled from data provided by the U.S. Environmental Protection Agency, the Arizona Department of Environmental Quality, Toxic Waste Investigative Group, Greenpeace, and many others.

We were stunned as we uncovered the biggest flaw in U.S. environmental policy that we believe has ever been enacted in the name of "environmental protection." We learned of key decision years ago that sealed Arizona's fate, and we expose here the Federal-State blockade that has put Arizona in the toxic waste dilemma it faces today.

We will reveal how the people of Arizona stand to lose on all counts if the current toxic waste dump plan is completed, and what you can do about it. Read on as the incredible drama unfolds of how those "protecting" our environment inadvertently weaved such a tangled web of bureaucracy that even they aren't sure now how Arizona can escape from it all to save its own future ......
TOXIC WASTE:
AS FEDS AND STATE PLAN TO MAKE ARIZONA A TOXIC WASTE CENTER FOR THE WESTERN U.S., NO ONE PROFITS BUT ONE COMPANY. WHY?

THE TOXIC WASTE PROBLEM
You may not realize it, but toxic waste is all around you. Most manufacturing, high-tech and other companies that use chemicals produce toxic waste, tons of it per year. When you paint your house, clean an engine or your suit, odds are that you are using solvents classified as "toxic chemicals." Toxic to what? First of all you, and equally as important, to the environment.

Dump them on the ground or in the sewer and they will eventually contaminate someone's water supply. In time that someone will develop cancer and die. These are chemicals that do not readily break down in the natural environment and can poison the earth and groundwater for decades. The EPA's list of such chemicals is long, but principal among them are polychlorinated biphenyls, very toxic compounds affectionately known as "PCBs." The currently popular way to break down PCBs into less harmful compounds is by incineration, but burning them puts dioxins and furans (much more dangerous air toxins) into the atmosphere, as well as chlorine, which may rise to destroy even more of our vanishing ozone layer.

But for many agencies, what is out of sight (in the air) is out of mind: they have done their job by removing these toxic compounds from ground-based pollutants; let someone else worry about what goes into the atmosphere. Other treatments (biologic, chemical, even isotopic) may work as well and not harm the atmosphere, but testing of them has not been adequately funded or researched. As with nuclear power, the quickest and dirtiest way, by default, becomes the choice of this century.

The "toxic waste" category excludes radioactive waste and explosive or other hazardous materials, which are controlled by the Nuclear Regulatory Commission, Department of Energy and the EPA. For simplicity, think of toxic waste as industrial waste: some industrial wastes can be extremely toxic in heavy metals (e.g. lead), others very dangerous to the atmosphere, and still others deadly to the groundwater (e.g. trichloroethylene). None are to be treated lightly. Most if not all are carcinogenic.

Logically, each state ought to find a means to dispose of waste from industries which that state invited in to benefit its economy -- much like sewage, if we want growth, we either control our refuse or poison ourselves. Even helping neighboring states is perhaps good policy. But to make your state a huge dump for toxic waste from dozens of other states is a totally different matter. In an instant you destroy your state's environment, atmosphere and lifestyle. A relatively clean, pristine, recreational-retirement-tourist state like Arizona could be turned into a cesspool in less than a decade.

AN ARIZONA SOLUTION (?)
Many new Arizona high-tech industries, such as Motorola and Revlon, have been producing barrels of toxic waste for years, but have had to ship the drums out of state, because Arizona has no toxic waste facility. About 10 years ago, the Arizona Chamber of Commerce decided this was not good for attracting big industry to Arizona and asked the state to open a toxic waste dump to save industry the expense of going out of state.

Chief among political proponents of this idea were former Governor Bruce Babbitt, Burton Barr, and more recently Terry Goddard. Babbitt was also the one who signed Palo Verde nuclear plant into law along with other major negative impacts to Arizona's environment that are only now coming to light; surprising decisions for a man who promoted the public image of an environmentalist.

Congress had passed the 1980 Hazardous Waste law, but Arizona was not sure how it could foot the bill for its own toxic waste dump. Arizona's politicians made the fateful decision to finance the toxic waste dump not by the state, but by the "private sector" -- i.e. a private corporation. The implications of this decision were very profound: the state would own the facility, so the public would bear all legal and financial responsibility when things went wrong, but a single corporation would operate it at a profit with little liability beyond bonds required by law as private operator of a public facility.

Why should anyone profit from toxic waste, which is a big burden on society? Aha! Here's the first gotcha: the U.S. Courts have ruled that toxic waste is "an item of commerce," which means there's a profit in it. Don't let the ramifications of this nifty deal escape you: industries make tons of toxic waste each year that another industry kindly alleviates from them at a profit, but the state has (i.e. we have) the liability and we suffer the environmental damage. For the people of Arizona it is a no-win deal.

After building started on the Enesco facility near Mobile, many people realized their dilemma and started to fight back. But the link was already forged: The Arizona Department of Environmental Quality (ADEQ) was committed to Enesco's proposal even though it was accepted past the deadline, environmental studies were for a size and type of dump much smaller than Enesco's, the site was in a flood plain and over a fault zone, there were no assurances of minimal environmental impact, and the size and scope of toxic waste dump finally stipulated by Enesco was vastly bigger than what the state wanted. ADEQ then imposed higher bonds and tougher regulations in response to public concern, but the law had already been stripped naked and its flaws exposed.
WHO'S IN CONTROL, AND WHY?

ARIZONA STATISTICS

Industries in Arizona currently produce about 33,000 tons of toxic waste per year. Is that a lot? No way! It's just a tiny fraction of what California produces; in fact Arizona is one of the smallest producers of toxic waste in the United States. And of that 33,000 tons, only 1,695 tons (a mere 5 percent) is suitable for incineration -- i.e. the PCBs and other waste to be broken down by burning, which liberates other toxins into the atmosphere.

Compare this tiny tonnage to what incinerators are designed to burn: the smallest does 30,000 tons of incinerable waste per year and the largest does 132,000 tons. Why then does Arizona even need an incinerator in its toxic waste dump? Good question: it doesn't. But guess what: Arizona will be getting 3 incinerators at the Ensco facility only because Ensco wants them and has convinced the state that it needs them to make a profit.

There's that magic word again "profit." Fully 80% to 90% of incinerable waste processed by the facility will come from out of state, mainly from Ensco's home plant in Arkansas. Why? Their home plant is old and their new Arizona plant will be the highest technology facility in the Southwestern United States, possibly in the entire U.S., the only one capable of handling all facets of PCB processing from beginning to end, including final storage.

So it seems Ensco wants to get their waste out of Arkansas to process it and dump it, and Arizona was the willing sucker. What a profit there must be in toxic waste handling that they can afford to ship it thousands of miles across country to treat it here; or are they forced to? Makes you wonder why the state itself can't at least break even on operating its own toxic waste dump, doesn't it?

In fact, if Arizona operated a toxic waste plant designed just for its own industries, profit wouldn't be an obstacle and the plant could be scaled down to just what the state originally wanted -- a small storage site with no incinerator at all. Only later did they say we needed an incinerator to fall in line with Ensco's proposal.

EnSCO's plant is a whopping overkill for Arizona: it will make us the largest importer of toxic waste per ton of waste produced on the continent. Who needs this? Not only is the facility a serious threat to the environment of central Arizona and could contaminate the Gila River groundwater system, but gasses from the incinerators will acidify and toxify our atmosphere, and the massive truck and rail traffic of toxic waste into our state will become a real hazard on Arizona's highways and railroads.

And all for what? People in Arizona won't benefit one penny from all this environmental and quality-of-life degradation. It all goes into the pocket of one company that isn't even an Arizona corporation. Not even domestic industries will benefit; a very modest toxic waste dump operated by the state may even cost them less per barrel!

WHO'S RESPONSIBLE

Is Ensco is to blame then for Arizona's toxic waste dilemma? Not really. Corporations exist to make a profit and Ensco is only fulfilling its prime directive; is it their fault that Arizona is too stupid to realize we won't need Ensco's mega-dump in our lifetimes? So is the State to blame then? And isn't there a Federal law that protects a state from becoming saturated with waste from other states, and doesn't the EPA regulate this? We thought so, but the EPA told us "no to all of the above."

Instead of an EPA protecting our environment, as its name implies, we found a disinterested federal agency in hopeless disarray. They had no clear-cut answers and it took a long time to extract the pertinent information.

The EPA not only disavows any regulatory role, but they said the whole intent is to delegate handling of toxic waste to individual states, who could operate plants themselves or contract with corporations to operate them. EPA viewed its role merely as oversight: they give the guidelines, states do the work. The shocker is that the EPA solemnly disavows any part whatsoever in regional planning of toxic waste dumps! No other agency is doing what is rightfully their job either. So all waste in the U.S. could go into one single huge dump for all they care! We're sorry, EPA, but an agency without planning is not an agency at all, and is not working for the public.

Effectively what this means then is that the EPA is playing the whore with the nation's environment: they are sitting back and waiting to be wooed by any solicitor with an appealing proposition, as long as it meets certain minimum standards of cleanliness, of course. They are not interested in a monogamous relationship -- one toxic waste dump per state, or per region within larger states. Moreover, they couldn't care if all the toxic waste in the entire southwestern U.S. went into Arizona's dump, as long as it is "adequately" designed and operated.

The EPA, however, is acting as directed by law. So it is with none other than the U.S. Congress itself that the buck finally stops -- the root of the problem. In two key laws, Congress wanted only to make sure toxic waste facilities were adequately designed and operated, EPA overseeing. This is their idea of environmental protection -- no matter if one state is polluted disproportionately, as long as toxic waste remains "an item of commerce."

And it seems that Congress intended corporations to profit from toxic-waste handling. Their laws passed responsibility on to states but limited states' power, and gave corporations power to bargain with the states. That lets Congress off the hook, doesn't it? We have news for our Congress: toxic waste is a national problem, not just a state one, and it should be considered no more an item of commerce than raw sewage. After all, toxic waste is the raw sewage of our industries, isn't it?
THE WEB CLOSES

You are now beginning to see why Arizona is in a mess with a toxic waste dump. With no Federal planning at all on where toxic waste sites should be located to best serve the needs of the heaviest industrial regions, it’s up to each state to decide what to do for itself, but there's a big catch. States can't coordinate with others to limit toxic waste to exchange between those states, so chaos prevails and therefore the locations of toxic waste dumps bear no relationship in reality to where they are needed.

"Wait a minute!" you say. "Why can't Arizona limit its dump to only the waste generated in our state and let other states look after their own?" Aha! This is where the web of Federal bureaucracy finally closes on you. Toxic waste is ruled an "item of commerce" remember? Consequently, to limit its free flow across state borders is "a direct violation of Interstate Commerce Laws and is prohibited" (exact quote from Washington EPA office).

So they've got you trapped. Not even the state can limit how our toxic waste dump is used, so as soon as we open it up, we're inviting trouble: we're telling everyone in the country to come and have a go at her. And don't kid yourself: they will all want to use Arizona's dump because it is supposed to have the latest high technology.

Therefore Congress, in its infinite wisdom, has made laws that clearly prohibit any intelligent or logical planning of toxic waste dumps throughout our country; they have left it entirely up to corporations profiting in toxic waste to decide where they want to set up shop, and as a final twist of the knife, they have prohibited you and your state from doing anything about it. How do you like that folks? Nailed you to the wall on this one didn't we?

The end result is that the ecology of your state, the safety of your environment, how your own quality of life may be ruined, and how your backyard can be turned overnight into a vast storehouse of poisonous chemicals, all of this is up to the whims of a single corporation. So who is in control of your toxic waste future, and therefore the safety of your environment? It’s not the government, it’s not the state, and it’s certainly not you. It's a single corporation, which in Arizona's case is Enesco.

Ridiculous as this is, Congress did it in the name of "environmental protection." Nowhere have we seen such an absurd Federal blockade erected against all common sense, reason, and the public's best interests. Congress should hang its head in shame that it has woven such a strangling web of bureaucracy to the detriment of its people, especially under the façade of environmental protection. Before going after other countries like Brazil, Congress should look first to its own environmental sins at home, this one being paramount among them.

There is no reason in the world why the people of a state should not be able to restrict the way their state is polluted and prohibit the importation into their state of environmentally dangerous materials.

FEDERALLY RUN FACILITY*

Advantages
1. Toxic waste sites could be located at the edge of restricted Federal lands such as military proving grounds and gunnery ranges, where the public is already prohibited, hence there would be no further use of or negative impact to public lands in the state.
2. The military is the only group trained to correctly handle toxic and hazardous wastes (even the state has to call in Federal help in a clean-up or emergency).
3. The EPA could tie each site into an organized plan for sensible distribution of toxic waste within the U.S.
4. The EPA would have better control over what should go into each site and what should not, and would be able to track industries' input/output statistics to see if toxic waste is being illegally dumped.
5. With the current variability between states, chemicals considered toxic in one state are not in another, hence industries in California can dump some of their toxic waste in the Arizona desert legally because it is not classified as toxic in Arizona. Federal enforcement of a Uniform Code for Disposal of Hazardous Materials (which does not yet exist) would put an end to this.
6. Government could use revenue from toxic waste dumps to fund research into better treatments than the undesirable trendy incineration method. Currently the EPA is not funding such sorely needed research. If a private company can profit from toxic waste handling, hopefully the government could at least break even.
7. Any illegal tampering with toxic waste or waste sites (vandalism, theft, sabotage, terrorism) would not only be a federal crime but an act of aggression against the military, hence have severe deterrents and punishment. [Note: since toxic materials are dangerous, they are strategic for terrorists or fanatics with destructive intentions. Both the State and Enesco are unprepared for acts of aggression and could not stop them.]

Disadvantages
1. Federal government has no plan whatsoever for the location of toxic waste sites or any plan for intelligent distribution of toxic waste throughout the U.S.
2. The EPA seems to be in chaos and apparently cannot or does not uniformly enforce existing environmental regulations, hence it is unlikely to be able to organize and run toxic waste dumps throughout the U.S.
3. EPA is too underfunded and understaffed to protect our environment effectively as it is, and is not willing to undertake national coordination of waste sites.
4. Federal laws are steering away from Federal control of toxic and hazardous sites and delegating responsibility to states and private industry.
5. It will take a Congress serious about environmental protection before toxic waste sites are Federally run. Look for this eventual realization in about 20 years.
DIFFERENT TOXIC WASTE DUMPS IN ARIZONA

STATE RUN FACILITY*

Advantages
1. A state plant could be scaled to match the current needs of Arizona industries, then later upscaled as they grow. This way the state can choose from better technologies as they become available and not be stuck with soon-to-be-outdated, dirty incineration.
2. State doesn’t make a profit, so fees for use of dump reflect minimum necessary for treatment. Revenue from the facility could fund research into reducing or treating toxic and incinerable wastes at the source industries. Fees could go up, down, or stay fixed.
3. The current toxic waste output in Arizona is too small to warrant an incinerator. Instead the state is supposed to be instituting a toxic waste reduction program to reduce the incinerable waste at its source (this is the ultimate solution that is currently not being pursued).
4. Public has a direct say in the size and type of dump, chemicals prohibited from the dump, and how much if any importation they will allow from other states; it is between the state, its people, and federal laws.
5. Fees from the plant pay for state employees to run it, or else contractor-operator profit is minimal. There need be no additional burden on the taxpayer.
6. Sanitary landfills and sewage treatment plants are run by government or municipalities -- since toxic waste is the sewage of industry, why not toxic waste too?
7. Without incineration, the chance of catastrophes is drastically reduced and public liability is minimal.

Disadvantages
1. The ADEQ, following Arizona’s political decision of 1980, is stuck on a high-tech facility, which to them means at least one incinerator. If a state plant involves an incinerator, it is not much better than Enesco’s plan.
2. Despite an EPA mandate to exhaust all possibilities before incineration is considered, the state has not. They have ignored viable cleaner methods and have chosen Enesco’s incineration, despite public opposition.
3. ADEQ personnel are relatively unskilled in operation and control of a toxic waste dump but could hire the appropriate people or else subcontract for operation.
4. ADEQ resists going back to its original plan of having only a waste storage site, and to reduce incinerables at their source or treat them in other non-polluting ways.

ENSCHO RUN FACILITY*

Advantages
1. Enesco is forcing the state and its people to swallow a toxic waste plant far in excess of the needs of industry in our state. Their incinerators will soon be obsolete, so Arizona is stuck with an undesirable, dirty plant and will always suffer environmentally from it.
2. Enesco must make a profit, so it is demanding that it have a big enough incineration plant to handle its own Arkansas toxic waste and others. Most revenue leaves the state to go into the hands of a private corporation. Usage fees can only go up, never down.
3. Enesco will not build or operate a toxic waste plant without the 3 incinerators they want, and won’t walk away without suing the state for the cost they have invested. Enesco has no interest in reducing waste at its source, especially incinerables -- less profit.
4. ADEQ says it controls size and type of dump, but has already acquiesced to Enesco’s stipulations: decisions will always be between ADEQ and Enesco; the public will have no say on use, chemicals and importation.
5. Fees don’t pay the wages of state employees who will have to oversee Enesco’s operation 7 days a week for conformance to regulations. The taxpayers pay.
6. Why should toxic waste treatment make a profit? Profit is always made at someone else’s expense, and in this case, it is at the expense of Arizona’s ecology.
7. If Enesco became bankrupt, the liability would fall back on the state and its people. The bonds posted and the insurance for this possibility are probably not enough to cover closure and care of the facility.
8. In the event of a major catastrophe at the toxic waste site, the bonds required of Enesco almost certainly would not pay for cleanup and ecological restitution.

Advantages
For the people of Arizona, there are NO advantages to Enesco’s operation. The little revenue that will go to the state is trivial compared to the environmental burden that Enesco will become to Arizona with three incinerators and what amounts to massive importation of incinerable waste from other states. The problem is not in having a private operator of a toxic waste plant, but in having the huge incineration plant that Enesco is building -- it is a massive overkill for Arizona.

*NOTE: The running of a facility by an agency or corporation is not necessarily synonymous with operating it. A private company can operate a toxic waste dump that is run to Federal or State specifications, so the three lists above contrast how facilities may be run under Federal, State or Enesco specifications, irrespective of operators. Because Enesco’s toxic waste plant is designed to their specifications and not to what the state originally wanted, Enesco does not qualify as an impartial operator of a state-run facility. Another private corporation, which levied no special stipulations about the size or scope of a toxic waste plant and was not fixed on incineration, could run a plant exactly to State or Federal specifications. Thus the state facility above could be operated either by a private company under contract to the state, or by state employees.
THE FUTURE

All hazardous materials may eventually have to be controlled by the Federal government, even down to the managing of toxic waste dumps. As toxic chemicals become increasingly dangerous, they will pose just as much of a threat to our environment as nuclear waste, which is jealously controlled by the Federal government at present because nuclear waste can be as strategic and as dangerous to the environment as a nuclear reactor.

However, it will take a major national catastrophe before Congress sees the need for Federal control of toxic waste. With current laws and the present EPA, there is little hope of uniform Federal control of toxic waste in the next quarter century -- a fine state of affairs for the largest environmental polluter in the world.

Furthermore, as we choke our atmosphere with ever-more brutal toxins (like chlorine monoxide, the ozone killer; the nitrous, sulfurous and fluoro-acids; the dioxins, furans, and innumerable others) today's trend of incinerating waste to put new toxins into the atmosphere under the guise that the toxicity is magically gone and the process is harmless, in the future will be strictly taboo.

Therefore, Arizona has been sold on a dated technology, and we will acquire a plant we'll never need, because by the time Arizona industries produce enough incinerable waste to warrant an incinerator, better alternative methods of treatment will be state-of-the-art. Ensco's plan suits Ensco's needs, not Arizona's needs.

Arizona is a tiny producer of incinerable waste, so clearly we need different technology than incineration. Ensco's plant in Arizona is like using a hand grenade to toss a salad; not only is it an overkill, it ruins the salad bowl.

Arizonans don't need the industrial sludge from factories across the country burnt off in their state. With air pollution nearing critical California levels in our cities (the subject of a future issue) Arizona needs incineration right now like a meltdown at Palo Verde. The smell of the nation's industries, so to speak, will fill our night time air. The clean recreational state you were once proud of will become a dump for everyone's waste; our retirement industry will suffer, tourism will be affected, and the ecology of central Arizona will be in jeopardy. There are no advantages in Ensco's plan for the people of Arizona.

The idea that a single corporation should be able to dictate the toxic waste future of an entire state is so objectionable it revolts one's sensibilities. But the EPA refuses to help, so that means the people of Arizona have only their state government to turn to.

We found ADEQ knowledgeable on toxic waste problems and on public concern over Ensco's plant. But we also found them resolved that they could do nothing about it because of existing state laws and the way Ensco was invited in, with all obstacles to their inappropriate plant either ignored, removed, or circumvented by state political interests. Public opposition will have to force the State Senate into a new decision before ADEQ admits that Ensco's plant is not in the best interests of Arizona.

THE PRESENT DILEMMA

Arizona's toxic waste dilemma exemplifies a flaw in our system. Political and business interests, essentially behind closed doors, decide among themselves what they want in our state, even major ecological decisions like Ensco that may affect everyone in the state. They invite in the right corporation to fill their bill, pave a smooth path for that company, and have everything signed and sealed before people even find out how that decision will affect them. Then they tell the people who complain "it's too late now, you should have spoken up earlier" (i.e. when they should have solicited public input but didn't).

This process is not so devious as it is ignorant: the people who think they can make decisions in the public's best interests haven't even the faintest idea of the full ecological implications of their actions, and don't bother to consult with people who do. The public has the right to reject any decisions made in this manner at any time, and therefore, the excuse that "public input is too late" is utterly unacceptable in any situation where the general public health and welfare is at stake.

The EPA says Arizona cannot prohibit industry in other states from importing toxic waste to our dump, and our state chose a company wanting a huge incineration plant so it can profit from this unwanted importation of outside waste, especially its own. Since the decisions were made long ago, the state is now telling its people: "there's nothing you can do about it." What better way to squash public outcry than to tell them it's hopeless!

However, we uncovered two very crucial pieces of information that the public generally has not been told:

1. The state has the authority to say what types of waste can and cannot be brought into its state-owned facility and thereby restrict certain types of waste;
2. Although the state cannot openly prohibit toxic waste importation from other states, they can scale their plant down to a size adequate only for Arizona's industries, thereby effectively eliminating the large-scale importation of toxic waste Ensco wants that is so detrimental to our environment.

Moreover, if the state would acknowledge that the volume of incinerable waste produced in Arizona is not enough to warrant a single incinerator let alone three, then they would choose a plant without incineration, work at reducing incinerable waste at its source, and look into and select alternative technologies to incineration.

Consequently, the state has the power to remove or minimize the two biggest offenders to our environment: incineration and large-scale importation of toxic waste from other states. They have the power, but they won't exercise it. Why? Because they won't admit they made a big mistake years ago in choosing a "high-tech" plant à la Ensco-style incineration; today that choice would include other better, cleaner technologies. And now that Ensco is almost half-way there (over $20 million spent) and the state is getting the public input they should have solicited years ago, they (i.e. we) are in a real mess.
How to Petition

When you have an important public consensus to get across to your elected officials but not enough people will read this newsletter or bother to write, a petition is the answer. Any resident of Arizona can prepare or sign a petition; you don’t have to be a registered voter. Don’t ever feel ashamed of circulating a petition for a good cause, especially one as crucial to your future as toxic waste. Not only is it your right to decide your future, but it’s your duty to help guide your state onto the best path.

To make a petition, take several clean sheets of paper and type or write the same title on every page: PETITION TO [Arizona State Senate] CONCERNING [Arizona’s toxic waste dump]. Follow each title by a page number. The request need only appear on the first page and say: WE, residents of [city], Arizona, petition the Arizona State Senate to ... [specify your request]. Follow this request by three columns across the page:

Name          Signature          Address
Put these columns on following pages too. Take your petition to a University or college campus, business or industrial complex, shopping mall, office center, or anywhere with lots of people. Explain to people the need for a public consensus. With each signature get an Arizona address or phone number. When you have as many signatures as you can get, mail it to the head of the government body you are petitioning. That’s it!

YOU HAVE TO CHOOSE

Despite turnouts at public meetings months ago of more than 4,000 worried people, the ADEQ has received only 1,300 written public comments to date. This tells the ADEQ only 1,300 Arizonans oppose EnSCO, therefore the millions of others support it! Can you blame the state for concluding that public reaction is dying down, no one cares any more, so now they can go ahead as planned?

Quite the contrary, millions of Arizonans care about their environment, but too few write to express that concern. And the tangled bureaucratic web surrounding toxic waste has stopped the public so far from forming a consensus and taking a stance. But without it the ADEQ will say "there is no public agreement, so we will proceed as planned." They are largely ignoring appeals for no incineration or imported waste because they are negative. In short, the key is that the public has not yet demanded positive action from our state -- there is no unanimous consensus saying: "We want you to do this, period."

Governor Mofford set October 3 as a deadline for public input on EnSCO’s incinerator permits, but has now extended it to November 3 for your sake. (Even if you don’t see this until after the deadline, write anyway.) She’s kindly given you a second chance; how foolish not to take it! Once those incinerators are approved, all bridges behind us are burned and there’s no going back.

If you like the environmental and quality-of-life degradation that EnSCO’s plant will bring to Arizona, read no further. If you think it’s futile trying to do anything about our mess, read no further either because you don’t care about what sort of state your children will have to inherit. But if you’re willing to try, if you think there’s a chance, read on -- we think we’ve found the real solution.

ARIZONA’S REAL SOLUTION

You can’t tell the state to stop importation of toxic waste; they’ll ignore it because it violates Federal laws. You can’t tell them to oust EnSCO, it’s discrimination; and you can’t ask EnSCO to omit incinerators from their plant, because those 3 burners are the whole reason for EnSCO’s profit interest in Arizona -- they simply won’t do it. And the state won’t force EnSCO to run their plant at a loss.

However, what you can rightly ask the state to do is exactly what they should have done in the first place. You have every right to ask them to correct a previous political misjudgment, a decision dated in the past and no longer valid because of newer, cleaner technologies.

What you can ask the state to do is: "Scale and design Arizona’s toxic waste dump to match exactly the toxic waste output of Arizona industries, and upscale it later to match growing output." Scaling it exactly to current Arizona output means a storage site less than half the size of EnSCO’s one. Also, this request neither prohibits waste from coming into our state nor violates interstate commerce laws, but it very effectively eliminates large-scale waste importation into Arizona. Also, if designed to the needs of Arizona industries, there is no justification for an incinerator. By the time there is enough incinerable waste to warrant separate treatment, Governor Mofford’s technical groups hopefully would have chosen better ways to reduce or treat that waste.

If you oppose incineration, as the majority do, you can add to that sentence: "This means no incinerators -- instead, work toward reducing or treating incinerable waste at its source." The ADEQ should already realize this. If they had a governing law saying “match exactly”, they would be defrauding the public to approve a huge incineration plant of the type and size EnSCO wants.

In one sentence you can aim the state and yourself toward a much more sensible toxic waste future than the one forced upon us by EnSCO. What will it take to make the state follow this course of action? Thousands of letters, no doubt; but if you don’t write now to support a unanimous positive direction (even if you wrote earlier), the state will have no excuse not to approve EnSCO, and your toxic waste fate will be sealed for your lifetime.

In the next week, the most important thing you can ever do for your own health and welfare is to write a very short note to the Arizona State Senate asking them to act positively (e.g., as stated in the sentences in bold above, or in whatever way you believe appropriate); then get as many other people as you can to write to them too. In addition to your letter, consider getting extra public input with a petition. Send all input as soon as possible to: PRESIDENT OF THE SENATE, ARIZONA STATE SENATE 1700 WEST WASHINGTON ST., PHOENIX, ARIZONA, 85007.

If you need further information, contact the ADEQ at 257-2300 or the Arizona State Senate at 542-4900. Finally, when you’ve written to the state, write your U.S. Senators, the ones who represent you in Congress. Ultimately it is the Federal laws that have put Arizona in the mess it faces today, so ask them to fix those laws.
About the Arizona Mountain News

The Arizona Mountain News is published approximately monthly, as important issues and topics of public concern arise. The Arizona Mountain News is published by PRI Publishing Company, a non-profit publishing arm of a non-profit scientific research organization concerned about global evaluation and conservation of natural resources, with five years of full accredited standing with the IRS as an approved recipient of tax-deductible contributions. All donations to PRI Publishing Company are fully tax deductible, and each level of donation receives different benefits, as explained in the box below.

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