

December 20, 2006

To: Jeff Scott, United States EPA

From: Bradley Angel, Greenaction for Health and Environmental Justice  
and Lori Riddle, Gila River Alliance for a Clean Environment

**Re: Violations at Romic Southwest:  
Is the US EPA asleep at the wheel or looking the other way?**

On December 13, 2006 we had the opportunity to take a tour of the Romic hazardous waste facility at the Lone Butte Industrial Park on the Gila River Indian Community.

This was a shocking experience, for several reasons. The sickening odor that caused dozens of workers at the neighboring Lumber Products company was still overwhelming, even though Romic and the US EPA had both told us that the industrial processes that apparently caused the problem had already been shut down.

We smelled this terrible odor inside offices where Romic workers were located, and we were quite concerned that these workers were breathing this odor for days, in a room with no apparent ventilation or open windows. This odor was evident the second we entered that building. Romic officials told us the odor was the residue from the incident over a week earlier.

When Romic officials then took us outside, the odors were incredibly potent as we stood next to the fence separating Romic from Lumber Products. When we asked how the odors could remain so long after the initial incident, we were told by Romic officials that the odor was probably imbedded in the fence slats.

Romic officials also confirmed that US EPA officials were actually on site at the time we were there, which makes us incredibly concerned in light of what we were about to observe.

As we were being escorted on our tour past the hazardous waste storage area, we noticed several troubling things:

- 1) a container with hazardous waste stored on top of another container, and tilted dangerously so that it appeared it could fall over at any time;
- 2) a container with hazardous waste having some substance dripping on the outside, when it is clear the hazardous waste should be on the inside of the container, not the outside;
- 3) numerous dented drums containing hazardous waste, including one severely dented drum that a top Romic official admitted constituted illegal storage of hazardous waste.

We are attaching photographs of these containers.

It is our understanding that storing a hazardous waste container in a manner that it can tip over, storing hazardous waste with content on the outside, and storing hazardous waste in a severely dented drum is not legal and is a clear violation of hazardous waste storage requirements.

We are well aware, as EPA is, that Romic has a long history of improper storage of hazardous wastes at this facility - as is documented in years of inspection reports done by your agency.

It is shocking that Romic would have hazardous waste improperly stored in such a visible manner at a time when they were being scrutinized for emissions that everyone acknowledged came from Romic and sickened dozens of workers next door.

It is incredible that Romic would allow this improper storage to take place when they knew US EPA was in town and was in fact on site at the time, as your inspector admitted later that night at the US EPA meeting in Chandler.

It is bewildering, and unacceptable, that US EPA officials either did not look or did not care about the improper storage of hazardous wastes even though your agency was at the same time dealing with other problems at the site. EPA's lax inspections and almost non-existent enforcement seems to send a message to Romic that they do not have to abide by the law or operate or store hazardous waste in a manner protective of community and worker health and safety.

We expect US EPA to take enforcement action against Romic for this improper storage of hazardous wastes on December 13, 2006.

We also call on US EPA to investigate and report to the public why your inspectors failed to take notice of these problems and do anything about them.

It is clear to us that EPA protects polluters like Romic, not the safety of the community or workers. We await your response.

Bradley Angel  
Executive Director  
Greenaction for Health and Environmental Justice

Lori Riddle  
Director  
Gila River Alliance for a Clean Environment