



Alliance of Nurses for Healthy Environments

Bringing Science and Passion to the Environmental Health Movement

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Good afternoon. Thank you for the opportunity to provide comments on the new EPA Definition of Solid Waste Rule. My name is Katie Huffling. I am the Director of Programs for the Alliance of Nurses for Healthy Environments as well as a nurse and nurse-midwife. The Alliance is a national coalition of state nurses' associations, nursing specialty organizations, and minority nurses' associations. Members of our coalition include the American Nurses Association, the National Association of School Nurses, and the National Association of Hispanic Nurses. The mission of the Alliance is to promote healthy people and healthy environments by educating and leading the nursing profession, advancing research, incorporating evidence-based practice, and influencing policy.

The EPA is mandated to protect human health and the environment. In 2008, when the Bush Administration exempted hazardous waste recycling from the Resource Conservation and Recovery Act requirements, this allowed facilities handling some of the most dangerous substances regulated by the EPA to be exempted from oversight. This exemption creates a regulatory failure in which human health and the environment are not protected. According to the EPA over 5,600 facilities were exempted, including chemical companies, scrap metal facilities, battery recyclers, and pharmaceutical manufacturers. This exemption allows incredibly hazardous substances, such as benzene, toluene, mercury, and lead to be released into the environment - negatively impacting human health.

The risks to human health and the environment are well-documented around these facilities- the EPA has identified more than 200 cases of harm to human health or the environment from hazardous waste recycling facilities and 96% of these were at facilities without RCRA permits. The majority of these facilities are located in communities of color and low-income communities. These are communities that are already facing significant stressors from other environmental hazards and this adds to their disproportionate risk of environmental exposures and resultant increase in environmentally linked diseases such as cancer.

The facilities that would fall under the new DSW rule handle waste that contains substances known to have significant negative human health impacts. I would like to take a few moments to describe some of the substances of concern. Scrap metal recyclers handle waste that is contaminated with a wide range of toxic substances including lead, cadmium, mercury, polychlorinated biphenyls or PCBS, and solvents. Occupational exposures to lead can lead to neurological symptoms, abdominal pain, loss of feeling in hands and feet, and with high levels of exposure kidney and brain damage, anemia, and even death. It's not just workers that can be exposed - chromium, lead, cadmium, and mercury have been found in air water, and soil around these sites - all of which have the potential to cause harm in the surrounding communities.



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PCBs are also found in industrial scrap. PCB exposure has been linked to cancer, and immune, reproductive, nervous, and endocrine system effects. PCBs do not readily breakdown in the environment and have been known to travel long distances in air and water causing widespread contamination.

Exposure to chlorine gas is also a significant health threat. Scrap metal recycling facilities may receive tanks containing chlorine gas, which may or may not be marked. Exposure can occur if workers cut into unmarked tanks or inadvertently pierce a tank. Chlorine is incredibly corrosive and can cause permanent damage to the lungs and skin, blindness, and death. There have been a number of instances in which workers and those living in the neighboring communities have been seriously injured or died following chlorine gas releases at recycling facilities.

Lead is also a concern at battery recycling facilities. Lead, chromium and battery acid have been found in soil and groundwater near this type of facility. Children are especially sensitive to exposures to lead and can experience neurological damage, learning disabilities, and behavioral issues from exposures at such low levels that the Centers for Disease Control is now focusing their efforts on preventing any exposures to lead. Lead poses an unacceptable risk to the health of children living near these facilities and the new DSW would help prevent their exposures to this toxic substance.

Drum facilities handle substances such as organic solvents – such as benzene toluene, TCE, and perchlorethylene, pesticides, paints and paint thinners, and corrosive liquids. Collectively these substances are linked to cancer, birth defects, poor pregnancy outcomes, and neurological impacts. These facilities may store extremely large quantities of the materials and without oversight the risk for contaminated air or water from mismanaged storage containers can place the surrounding communities at risk. While the recent chemical spill that occurred in West Virginia in which thousands of people were exposed to harmful chemicals in their drinking water after a storage container leaked chemicals into a waterway would not have fallen under the DSW rule, it highlights many of the same issues faced at recycling facilities. The lack of tank specifications, lack of inspections, and lack of secondary containment all led to this disaster. Recycling facilities that are currently exempted from RCRA have this same lack of oversight. Implementing the DSW Rule would help to prevent such disasters from happening at recycling facilities.

As nurses, we believe that a cornerstone of public health is prevention. The Alliance of Nurses for Healthy Environments strongly supports this new DSW rule as it will prevent exposures through enforceable rules for safe storage, limit the amount of hazardous waste that can be stored in vulnerable communities, and require companies to prove they are recycling the materials in a safe manner. If the new EPA DSW rule is finalized, the EPA will be following their mandate to protect human health and the environment, and that is something nurses can strongly stand behind.

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