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To

Mr.

Hahnenberg

THANK

YOU A

LOT

Halnenberg!!!

Thank you for coming to
Weyauwega-Fremont Middle School
to talk to us about the
Fox River. Out of the four
speakers (including you) I thought
you were today a better
speaker than the rest!
I think you should come back
if the school asks because I
know they're going to love your
speech!

From an eighth grader from
Weyauwega-Fremont School District,

Jessie Butte

P.S. I bet your the best EPA speaker
there is unless your the only one.

Survey: Many DNR employees think politics, big business hurt agency

By KEVIN NAZE

PRESS-GAZETTE CORRESPONDENT

A first-of-its-kind survey of Wisconsin Department of Natural Resources employees revealed that many believe politics and big business have corrupted the agency's mission.

Survey results, announced Wednesday by Washington, D.C.-based Public Employees for Environmental Responsibility, found that more than half of the 1,537 employees who responded don't

trust DNR administrators to stand up against political pressure in protecting the environment, and more than two in five think that business has undue influence on DNR decision-making.

Department Secretary George Meyer said the survey was "clearly politically driven," given that PEER released the results shortly before the Wisconsin Legislature reconvenes to consider a bill to make the secretary subject to appointment by the Natural Resources Board instead of the gov-

ernor.

"I don't make any decisions differently than I did five, six, seven years ago," said Meyer, who was initially a board-appointed secretary before Gov. Tommy Thompson made the position a direct political appointee.

"Several thousand contaminated sites have been cleaned up in the past five years, our streams are cleaner, fish and game populations are significantly in better shape and we're recycling more and taking less to landfills.

Of 3,073 surveys mailed to DNR employees in December, PEER received 1,537 back by the deadline. Twenty more came in Wednesday and if the trend continues, an updated report is possible. PEER national field director Eric Wingerter said more than a dozen current employees and one former DNR employee contacted PEER with their concerns last year, then authored the survey questions. Results were tabulated by PEER to protect any identify-

ing information about the employee.

Meyer said he believes many of the negative comments and low morale — nearly three-fourths said employee morale is poor — are driven by heavy workloads, relatively low wages compared to similar employees in neighboring states and residual concerns about DNR reorganization.

Said one employee, "Reorganization has done exactly what our governor wanted — cripple the

DNR, hire spineless management and let the staff/field workers take the fall."

A majority of respondents want to see the Public Intervenor's Office re-established and the Natural Resources Board appoint the DNR secretary.

Meyer said the DNR does not have sufficient resources to do its job, and is looking for alternative funding sources to supplement the heavy load carried by license-buying hunters and anglers.

DNR employees: Politics play role in decision-making

The agency's director disputes findings of a survey

Associated Press

MADISON — Nearly half of Department of Natural Resources employees who responded to a survey released Wednesday say scientific evaluations at the agency are influenced by political considerations — a claim the head of the agency dismissed.

The survey, filled out anonymously by 1,537 of about 3,000 Wisconsin DNR employees, was conducted by the Washington-based Public Employees for Environmental Responsibility, which is made up of 10,000 state and federal environmental agency employees.

The survey found that 48 percent said they believe the state's environment was better protected five years ago than it is now, and nearly 75 percent of DNR employees said morale at the agency is poor.

Nine out of 10 respondents also said the DNR secretary should not be appointed by the governor, and

FYI

DNR SURVEY

A Washington-based group made up of 10,000 state and federal environmental agency employees conducted a survey of 1,537 of 3,000 employees at the state Department of Natural Resources. The survey found:

- 48 percent said scientific evaluations are influenced by political considerations
- 91 percent said the DNR secretary should not continue to be appointed by the governor.
- 75 percent disagreed with the statement "employee morale at DNR is good."
- 54 percent said they did not trust the agency's top administrators to stand up against pressure in protecting the environment.

more than 80 percent favored returning that power to the Natural Resources Board.

Thompson began appointing the head of the agency in 1995. Since then, conservationists have sought to restore some of the agency's independence

New DNR subject to political pressure

Survey of employees tells of underfunding, problem with morale

By Ed Cuhane
Post-Crescent staff writer
1/20/00

The state Department of Natural Resources is an underfunded agency, subject to undue political pressures and suffering from low employee morale, said a non-profit group that surveyed the agency's 3,073 employees.

The results were released Wednesday by Public Employees for Environmental Responsibility (PEER), a group based in Washington, D.C., that seeks to represent and protect state and federal employees of agencies charged with safeguarding the environment and natural resources.

INSIDE
Cities may get PCB relief
Page B-3



DNR Secretary George Meyer - who encouraged staff to fill out the questionnaire this past December despite his stated misgivings about it - characterized the both survey and PEER's conclusions as biased and politically motivated.

"I just think it was extremely unfair on its face," Meyer said Wednesday. "It was pre-determined to come out with negative results."

Nevertheless, Meyer said, there were encouraging responses to many of the questions. The survey - which was returned by 1,537 DNR employees or 50 percent of those who received it - contained 18 statements with possible responses ranging from strongly agree to strongly disagree. Employees were also asked to complete the sentence: "In my opinion, the biggest problem facing the DNR is..."

THURSDAY, JANUARY 20, 2000

POST-CRESCENT, APPLETON-NEENAH-MENASHA, WIS.

DNR: Many DNR employees want public intervener restored

From B-1.

ing the environment."
"More than two in five think that business has undue influence on DNR decision making."

The most decisive numbers in the survey revolved around two controversial changes in state government initiated five years ago by Gov. Tommy Thompson: making the DNR secretary a member of the governor's cabinet, to serve at the governor's pleasure, and the elimination of the Office of the Public Intervener, once staffed by Public Justice Department attorneys acting as the public's environmental watchdog on the DNR and other state agencies.

An overwhelming 91 percent of respondents were opposed to the idea that the secretary should be appointed by the governor. Nearly as many, 84 percent, said the power of appointing the agency's leader should be returned to the Natural Resources Board, a citizens' commission whose members are appointed to staggered terms by the governor, giving the board a measure of independence.

More than two-thirds of DNR employees want the Public Intervener's office restored, PEER reported, while less than one in 10 disagreed.

"DNR employees themselves are doubtful about their effectiveness in preserving Wisconsin's natural heritage," said Eric Wingenter, PEER's national field director.

"DNR employees themselves are doubtful about their effectiveness in preserving Wisconsin's natural heritage, many employees are angry and frustrated from what they perceive to be political interests obstructing sound science and environmental stewardship."

ERIC WINGENTER, PEER's national field director.

"Many employees are angry and frustrated from what they perceive to be political interests obstructing sound science and environmental stewardship."

Meyer, who publicly opposed direct control of the agency by the governor when the issue was before the Legislature, said he recognizes the deep concern the change caused among agency workers.

"That is what's driving a lot of responses to these questions," Meyer said. "There is no question that this weighs heavily on some employee's minds."

The issue is outside the agency's control, however, Meyer said, and can only be addressed by lawmakers.

Meyer said the PEER survey was timed to influence this process, as a bill that would return the power of appointment to the Natural Resources Board is currently before the Legislature. Passed by the Democratically controlled Senate, it is languishing in the Republican controlled Assembly.

The secretary said other factors affecting morale are reduced budgets, an unrealistic work burden placed on many employees and the low wages paid to some office workers, such as customer service representatives, whose pay is limited by restrictive civil service classifications.

"The front-line staff is significantly underpaid for what they do," Meyer said.

But PEER's reported conclusions about the agency's effectiveness were both unfair and almost entirely negative, Meyer said.

A careful reading of the survey offers some support for this position.

For instance, although a majority of the respondents said the DNR is not given sufficient resources to perform its mission, a clear majority also stated that the DNR efficiently uses those resources that are available.

More significantly, 66 percent of respondents said DNR's administrators are committed to enforcing

environmental laws. By a two-to-one margin they disagree with that statement that "DNR law enforcement tends to focus disproportionately on small violators, rather than large violators."

Meyer pointed to the agency's highly publicized battles with several large paper companies in the ongoing effort to clean up the Fox River.

"Clearly these companies don't think we are in their pocket because the secretary is appointed by the governor," Meyer said.

The survey also revealed strong support for Meyer within the agency, with a majority stating that he was doing a good job.

"Employees believe that Secretary Meyer is holding up under tremendous pressure," said Wingenter.

In answering the essay question Wingenter said, one employee wrote, "The biggest problem is to free George Meyer by letting the Natural Resources Board appoint the Secretary and restoring the Public Intervener's Office. This will give George Meyer all his 'teeth' back."

An area DNR scientist, who was asked for anonymity, said the survey accurately reflected his own beliefs that the agency is not sufficiently isolated from politics.

"Meyer is just in an awkward position, being right under the governor in a cabinet position," he said. "I think he is doing the best he can in the situation he is in."

MONEY

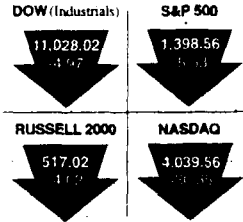
★ FRIDAY, JANUARY 28, 2000

GREEN BAY PRESS-GAZETTE A-6

BRIEFLY

Market in brief

January 27, 2000



NYSE diary

Advances:	1,458	New highs	44
Declines:	1,596	New lows	120
Unchanged:	480		
Composite volume: 1,353,462,480			

Nasdaq diary

Advances:	1,800	New highs	151
Declines:	2,277	New lows	79
Unchanged:	856		
Volume: 1,756,759,602			

Associated Press

WASHINGTON Electronics, planes lead manufacturing

A leap in demand for airplanes and electronic equipment pushed up orders for big-ticket goods by 4.1 percent in December, helping manufacturers to their best year since 1997.

For all of 1999, orders for

Fort James expects financial rebound

CEO 'clearly disappointed' with 1999 results

BY ELAINE KAUF
PRESS-GAZETTE

Fort James Corp. is cautiously optimistic about 2000 after a disappointing year brought on by increased raw materials costs and continued problems with distribution and warehousing.

The company also said one-time business transactions and marketing expenses effected earnings.

Fourth-quarter earnings for 1999 were \$105.3 million, or 49 cents per share, down from \$134.4 million, or 61 cents per share, in the fourth quarter of 1998.

"It sure was a disappointing year," Fort James spokesman Mark Lindley said. "We are heartened by the fact none of this was a reflection on the underpinnings of our company ... sales were good."

Net sales during the fourth quarter were \$1.7 billion, up slightly from \$1.68 billion in the last quarter of 1998. For the year, sales totaled \$6.82 billion, compared to \$6.8 billion in 1998.

Distribution and warehousing glitches continued to be a prob-

lem since the company was formed in August 1997 from the merging of Fort Howard Corp. of Green Bay and James River Corp. of Richmond, Va. Fort James is based in Deerfield, Ill.

"We are seeing some improvements right now," Lindley said. The company is building on-site warehousing at its paper mills and distribution costs are leveling off, he said. "At the same time, we also had some increased fiber costs, particularly wastepaper costs."

The company last year began marketing new products, including a new line of bathroom tissue. It also incurred one-time costs in the fourth quarter from selling a pulp mill in Ontario and closing down a ground-wood operation in

Oregon.

Total earnings last year were \$468.3 million or \$2.13 per share, down from \$536.7 million, or \$2.44 per share, in 1998.

"We were clearly disappointed with our 1999 results," chairman and chief executive officer Miles Marsh said in a written statement. "However, we believe many of the negative factors that affected 1999 will gradually dissipate in 2000."

Lowered profits had been expected in 1999 for the maker of products including Dixie paper cups, Quilted Northern bathroom tissue and Brawny paper towels.

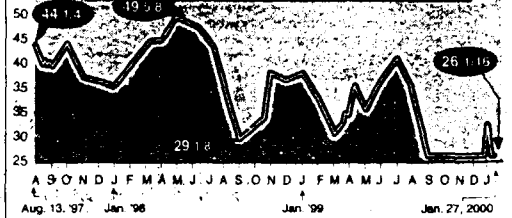
Analysts predict a bumpy start to 2000 that will start smoothing out in the second quarter.

Rising prices in wastepaper, which the company recycles, and pulp, which Fort James buys from Europe, were factors in last year's performance, said Stephen Keane, an analyst with Robert W. Baird & Co. in Milwaukee.

"The first quarter is going to be tough," Keane said. The second quarter should show improvement, and the "second half of the year should be better," he said.

Fort James stock

Chart shows the performance of Fort James stock and earnings per share for each quarter since the formation of the company in August 1997.



Earnings per share

Year	Quarter	Quarterly earnings	Stock price
2000	4th	48 cents	n/a
1999	3rd	49 cents	26 1/4
1999	2nd	50 cent	26 1/4
1999	1st	62 cents	38 1/4
1998	4th	53 cents	31 11/16
1998	3rd	43 cents	40
1998	2nd	70 cents	40 5/16
1998	1st	63 cents	44 5/8
1997	4th	54 cents	46 1/8
1997	3rd	\$1.05 loss	38 1/4
1997	2nd	31 cents	45 13/16

Source: Fort James

Projected, first quarter 2000

Press-Gazette

Fort James, along with paper makers Procter & Gamble Co. and Kimberly Clark Corp., have announced retail price increases effective in March, Keane said. Fort James employs about 4,200

people at its two Green Bay mills and is Brown County's largest employer. Company stock is traded on the New York Stock Exchange. The stock closed Thursday at 26 1/4, down 3/8.

Groups propose keying in on Great Lakes hot spots

Lower Fox is among sites named as most deserving of funds

WASHINGTON (AP) — The Great Lakes are so polluted that a change of strategy might be in order, say two environmental groups.

The Sierra Club and Great Lakes United think it's time to give one or two contaminated bays, harbors or river mouths extra resources instead of spreading available federal money to all eight Great Lakes states.

The dramatic change from current practice is needed because distributing the funds around the entire region hasn't yet resulted in the completed cleanup of any of the hot spots, said Emily Green, Sierra Club's Great Lakes expert.

"The Great Lakes are still toxic after all these years," she said.

Green and Margaret Wooster of Great Lakes United proposed focusing a new Great Lakes cleanup grant program, should it be approved by Congress, on as few target areas as possible.

President Clinton has said he'll ask for \$50 million for the proposed grants, but Wooster said that

would be a drop in the bucket compared to the estimated cleanup pricetags: \$100 million to \$170 million for Wisconsin's Lower Fox River, \$1 billion for New York's Buffalo River and \$42 million to \$210 million to rid the Detroit River of its worst contamination.

The extra \$50 million President Clinton promised to seek for cleaning up the lakes, plus state matching funds, might be enough to see one persistent contamination problem through to the end, provided it's one of the smaller problem areas. That, Green said, "will allow us to develop the expertise to clean up these hot spots completely."

"A model can then be made for other Great Lakes communities to follow," she said.

Toxic hot spots around the Great Lakes number 42, and 31 are on the U.S. side.

The environmental groups did not prioritize the hot spots or suggest which deserved to get first crack at the new grant money, should Congress approve it.

Both groups said strides have been made in reducing pollution in the lakes, but the law still allows contamination to be piped directly into the waters, and tests on fish and birds still show large concen-

trations of dangerous chemicals.

One researcher, Dr. Theo Coburn, described studies showing that children born to mothers who eat Great Lakes fish had hearing and memory problems that made it difficult for them to keep up with their classmates.

She also described finding Lake Erie sportfish with thyroid glands so enlarged that they had exploded. The exact cause of the glandular problem has not been established, but researchers suspect a link with PCBs and perhaps other chemicals, she said.

Contaminants in Great Lakes sediment are absorbed by worms and forage fish and eventually make their way up the food chain.

Advisories have been posted at each of the Great Lakes for children and women of childbearing age to either limit how much fish they eat or, for certain kinds of fish and certain bodies of water, avoid eating the fish altogether.

The environmentalists illustrated that danger at a news conference where they displayed a "toxic buffet" of elegantly prepared lake fish on artistically arranged pools of sauce or beds of greens, each too toxic for consumption by children or women of child-bearing age.

Restoration of Cat Island chain in need of funds

By JOHN DIPKO
PRESS-GAZETTE

The Brown County Harbor Commission would need to find up to \$604,000 of an estimated \$2.4 million to restore one of three main islands in lower Green Bay's Cat Island chain.

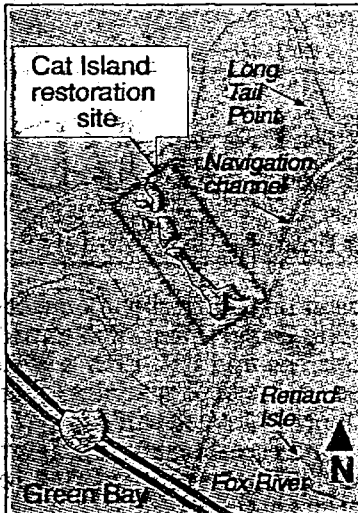
The initial local cost could increase to \$783,000, depending on the work, said Charles Larscheid, Brown County port and solid waste director. Half of that — or \$391,000 — might come from the state Department of Transportation harbor assistance funds, according to documents for the commission compiled by Port Manager Dean Haen.

The 30-acre island, which would be restored with dredgings from the harbor shipping channel, would help restore bay wildlife that has been lost over the years, according to a draft study by the U.S. Army Corps of Engineers-Detroit District.

Seventy-five percent — or \$1.81 million — of the restoration would be federally funded, with the remaining \$604,000 coming from nonfederal sources, such as the Harbor Commission, according to the draft study.

Back to life?

The U.S. Army Corps of Engineers has recommended restoring part of the eroded Cat Island chain.



Joe Heller/Press-Gazette

Larscheid cautioned that the county would seek most of its share of the funding from local sources, such as waterfowl hunting and conservation groups.

"We're not looking for the county to be the major source of funding," he said. "But it would have to be non-federal dollars."

Whatever happens will de-

Please see Island, A-2

Island/DNR go-ahead required

■ From A-1

pend on the Harbor Commission, state Department of Natural Resources and U.S. Fish & Wildlife Service, corps principal planner Charles Uhlarik said.

The recommendation is one of several options identified in the draft study.

"We just put the recommendation together, and we want to work with them," he said. "We don't want to do anything they don't want."

The corps will accept public comments on the plan until Friday, Feb. 18. A final report also will be available for comments once more planning occurs.

The county also wants to know what role it would play to build, maintain and operate the restored island, Larscheid said. He said he plans to update the county's Harbor Commission about the project when it meets Monday.

High water levels and storms

Where to send comments

The U.S. Army Corps of Engineers-Detroit District will take comments on its draft study of the Cat Island ecosystem restoration project until Friday, Feb. 18.

In the 1970s eroded the islands north of the Tower Drive Bridge, a situation that shoreline development made worse.

A main concern is that the chain doesn't become another Renard Isle, a man-made island in the lower bay that is used to store contaminated dredgings from the harbor shipping channel.

The concentration of polychlorinated biphenyls, or PCBs, in dredgings from the outer harbor are low enough that the Cat Island restoration project would not be designed merely for disposal purposes, proponents say.

But the corps would need the

An initial public comment deadline for Jan. 14 was extended.

Written comments may be sent to the U.S. Army Corps of Engineers-Detroit District, P.O. Box 1027, Detroit, MI 48231-1027.

go-ahead from the DNR, which is grappling with acceptable levels of contaminants, especially PCBs, being returned to the environment, Larscheid said.

Three islands ranging from 2,000 feet to 4,500 feet long and 800 feet to 1,500 feet wide are under study, but the corps recommends restoring only the westernmost island now, according to the draft study.

The island, which would be closest to the lower bay's northwest shoreline, would measure 2,000 feet by 800 feet and would lower wave height — and thus help curb erosion — for about 610

What's next

The Brown County Harbor Commission will meet at 11:30 a.m. Monday in the Ramada Inn Annex Room, 2750 Ramada Way, Ashwaubenon.

acres behind it, according to the study.

The front and back of the island would have dikes to contain dredgings and protect against waves. The front of the dike would be solid. The back dike would be softer to protect a lagoon.

It would take about three years to restore the island.

The draft suggests the restoration would create no long-term adverse damage to the environment. Space constraints and noise created by construction equipment would be the short-term impacts.

The state owns the islands, so the county would need to obtain a state lakebed grant and water quality certification to make the project a reality, Larscheid said.

Plan to restore Cat Island gets federal support

By SUSAN CAMPBELL
PRESS-GAZETTE

The U.S. Army Corps of Engineers supports a proposal to use low-level PCB-contaminated sediment from Green Bay's outer harbor to restore the defunct Cat Island chain in the lower bay.

Once a rich habitat for fish and fowl, the islands in the mid-1970s to '80s were chipped away at by high water levels, shoreline development and storms.

Fewer than 400 square feet remain of the Cat Islands Archipelago, a trio of land masses that once stretched about 2 1/2 miles across the bay.

The islands' disappearance has had a ripple effect on the bay, further harming habitat by exposing the southwestern shore's wetlands, gravel reefs and beds

of aquatic vegetation to damage from waves and ice.

The corps now hopes to reverse that process through an island restoration project that would be financed with federal and local dollars.

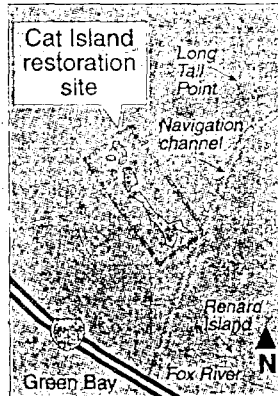
The agency this week recommended restoring the westernmost island of the chain, measuring about 2,100 feet by 1,100 feet for a total of 35 acres. The cost is estimated to range from \$2.18 million to \$2.41 million, depending on the building materials used, and would be financed with 75 percent federal dollars and 25 percent local dollars.

Once that island was finished, a project expected to take three years, the corps would assess the need for the other two islands.

The corps' finding, nearly three years in the making, was welcomed Tuesday by

Back to life?

Island chain destroyed in 1970s might return.



Joe Heller/Press-Gazette

representatives of the Brown County Port and U.S. Fish & Wildlife Service — both of which have sought to see the islands restored.

Janet Smith, field supervisor with the Fish & Wildlife's Green Bay office, said Cat Island restoration emerged as the top priority for the bay during a 1994 workshop held by a subcommittee of the Green Bay Remedial Action Plan Committee.

The group has been study-

Please see Island, A-2

Green Bay
Press Gazette

Wednesday,
December 22, 1999

Island/Protected wetland area

■ From A-1

ing the health of the bay and its major tributary — the Fox River — since the system was designated one of 43 areas of concern on the Great Lakes in the mid-1980s.

Smith said a 1938 aerial photograph of the bay, a period of historic low water levels, shows how the islands protected what the corps described as one of the most vast and diverse wetland complexes in the Great Lakes.

"It's very evident that it acted like barrier islands, protecting wetland vegetation that was behind it," she said.

The corps' proposal to slope the back of the island would accommodate a variety of vegetation, such as cattails, bulrushes and wild celery.

The construction also would create fish spawning and nursery grounds, attracting local waterfowl as well as the migratory ducks that once brought hunters out to the bay every fall, Smith said.

Not known, however, is how the state Department of Natural Re-

sources will view a project that entails building island habitats out of contaminated bay sediment.

The sediment would be taken from the outer reaches of the harbor shipping channel, which contains low levels of chemical PCB contamination.

Smith said the DNR will be asked in the next month or so whether the project would be eligible for water quality certification.

But the agency lacks a specific standard for the use of contaminated sediment in island construction. The closest regulation deals with water quality permitting for confined disposal facilities, such as Renard Isle — a 55-acre, man-made disposal site in the lower bay that holds more highly contaminated dredgings.

Rebecca Katers, executive director of the Clean Water Action Council, worries that the island construction could blur the line between confined disposal facilities and open water disposal of contaminated sediments.

"It could raise some thorny is-

ues, even though we need the habitat," she said. "It's one of those things where we'd have to look at what their intentions are over time to really maintain this thing and keep it out of contact with the water."

Bob Behrens of the DNR's Green Bay office, said he didn't know how the agency would rule on the project.

But he said that from the outset, the DNR has stressed that the islands shouldn't be viewed as an alternative to an expanded Renard Isle — a solution the corps and port have sought unsuccessfully in the past when storage space for the tainted sediment was running out.

"These are not intended to be disposal sites. They are intended to be habitat," Behrens said.

Port Director Chuck Larscheid said every project has to be looked at in terms of benefits and risks.

"What we're trying to do is get the best minds, the latest science, to try to tell us what the risks are — and those ideas we can weigh against the more immediate benefits," he said.

Plan would rebuild the eroded Cat Islands along west shore of Green Bay

The island restoration proposal will be open to public comment for 30 days

By Melinda Naparalla
The News-Chronicle

A possible project to restore the eroded Cat Islands near the northwest shore of Green Bay would improve vegetation beds, nesting areas for waterfowl and spawning grounds for various fish species.

The U.S. Army Corps of Engineers released a draft ecosystem restoration report and a draft environmental assessment this week that outlines the process, plan implementation and findings.

The reports, which are available from the Corps of Engineers, are open for public comment until mid-January.

The restoration of the islands was proposed in 1996 by Jeff Finley, Brown County's former port director, as a way to use low-level contaminated sediment dredged from the shipping channel.

The plan would provide environmental benefits and another place to put dredged material, said Janet Smith, field supervisor for the Green Bay ecological field office of the U.S. Fish and Wildlife Service. The islands would be restored and stone dikes also would be installed to prevent further erosion.

"The island chain functioned as a barrier to the shore from waves and storms," Smith said. "From the 1930s to the 1960s, there was a vast amount of wetlands from Duck Creek to the shipping channel."

According to the 1994 draft Remedial Action Plan study, about 85 percent of the remaining wetlands on Lake Michigan in Wisconsin

FYI

COMMENT PERIOD

Any person who has an interest that may be affected by the proposed project may request a public hearing. Public comments will be accepted for 30 days from Dec. 17 and can be sent to Department of the Army, Detroit district, Corps of Engineers, Box 1027, Detroit, Mich., 48231-1027.

lie along the coast of Green Bay.

Studies conducted locally found nearly 90 percent of coastal wetland habitat had been lost in the Green Bay area of concern through a combination of wetland filling, shoreland development, high lake levels, coastal erosion and sedimentation.

The loss of wetland, island and gravel reef habitats resulted in a general decline in species abundance and diversity in lower Green Bay area, the report stated.

"The area is a valuable wetlands and wildlife habitat that should be restored if it's feasible," said Chuck Larscheid, port and solid waste director for Brown County.

Wetlands have shallow water that warms quickly and is more protected than the open water of the bay, so it offers protection to waterfowl and spawning fish, Larscheid said.

The importance of restoration was stressed by various groups studying the project, including the state Department of Natural Resources, the Lower Green Bay and Fox River Remedial Action Plan, the U.S. Fish and Wildlife Service, the U.S. Army Corps of Engineers, and other local groups.

"It's a feasible idea that poses little impact on the ecosystem while protecting the shore and wetlands from the effects of waves and cur-

rents," said Scott Parker, deputy district engineer for project management for the U.S. Army Corps of Engineers.

Island restoration has been accomplished across the country. One success story is islands on the west end of Lake Erie at the mouth of the Detroit River, where the Corps worked with Michigan DNR to provide protection to wetlands that were being threatened by erosion, Parker said.

The restoration is designed to provide fish hatchery benefits, bird nesting especially among the common tern that has lost habitat to erosion, and an improvement in vegetation beds and water clarity, Smith said.

If everything falls into place, construction could start in a couple of years although not all construction would be done at the same time for cost reasons, Smith said.

The project needs a local sponsor and Larscheid said he would be willing to be a part of the project, but it would have to be supported by the Brown County Board.

The restoration would include the western island nearest the northwest shore that would be 2,000 feet wide and 800 feet deep; the middle island, which would be 2,100 feet wide and 1,100 feet deep; and the east island nearest the navigation channel, 4,500 feet wide and 1,500 feet deep.

Now that the draft reports are out, there will be a public review process that includes a public comment period, Smith said. The comments will be reviewed and then more specific planning and designing begins.

A local sponsor would have to pay about 25 percent of the costs associated with the construction of the three islands, while the federal government would provide the remaining 75 percent.

LYLE LAHEY'S VIEWPOINT

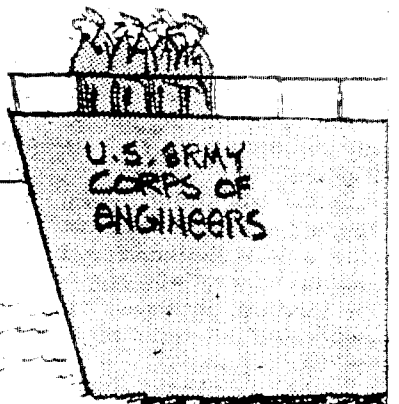
THE FINE ART OF GETTING SOMEONE ELSE TO PAY

WE MUST REBUILD THE ERODED CAT ISLAND CHAIN TO RESTORE THE WILDLIFE THAT HAS BEEN LOST OVER THE YEARS

BUT WHERE WILL WE FIND THE MATERIAL TO REBUILD THEM?

I HAVE IT! WE'LL USE DREDGING SPOILS FROM THE HARBOR! SUCH AS WE USED TO CREATE THE WONDROUS RENARD ISLE!

WE KNOW THAT LOCAL SPORTS AND CONSERVATION GROUPS WILL WANT TO SHARE THE COST!



I WOULD HAVE SWORN THE CONVERSATION BEGAN: THIS LOOKS LIKE A GOOD PLACE TO DUMP DREDGING SPOILS!

Lawmakers ask DNR to participate in review

Models of Fox cleanup to be studied

ASSOCIATED PRESS

Twelve state lawmakers have signed a letter asking the state Department of Natural Resources to participate in two industry-

funded reviews of plans for cleaning up the PCB-contaminated Fox River.

The DNR said Wednesday it is committed to using good science and being technically accurate in coming up with the best solution for cleaning up the river.

"I think we are doing everything the legislators are suggesting we do," said Greg Hill, chief of water quality modeling for the agency.

A group of paper mills known as the Fox River Group could be

forced to pay for cleaning up the river, contends studies done by the DNR offer solutions that are too expensive.

The group challenges the agency's computer modeling of the problems and its assessments of the risks in the river.

Last year, the DNR released the first draft of its study of the river and said the PCBs found in 39 miles of river sediment would pose a risk to human health for more than a century if left in place.

Suggested cleanup options, most of which involved significant dredging, range in cost from about \$200 million to \$728 million.

The Fox River Group hired scientific consultants, creating an alternative computer model that predicts little benefit from large-scale dredging of contaminated river sediments.

The paper companies' model predicts that PCB levels in the river its fish will fall to target levels just as quickly if the contaminated sediments are left in place

to be slowly diluted by the river and carried into the bay of Green Bay.

The so-called natural recovery of the river would cost less.

The companies then contracted with the American Geological Institute for an independent review of the models.

Lawmakers signing the letter asking the DNR to fully participate in those reviews were Sens. Michael Ellis, R-Neenah; Robert Welch, R-Redgranite; Carol Roessler, R-Oshkosh; Alan

Lasee, R-Rockland, and Roger Breske, D-Eland; and Reps. Steve Wieckert, R-Appleton; Gregg Underhelm, R-Oshkosh; Judy Klusman, R-Larsen; Carol Owens, R-Oshkosh; John Ainsworth, R-Shawano; Phil Montgioniery, R-Ashwaubenon; and John Ryba, D-Green Bay.

Hill said Wednesday that the DNR hopes to have its recommendation on the cleanup by June.

The U.S. Environmental Protection Agency will have the final say on what is done, he said.

DNR: Legislators ask state to review PCB study findings

From A-1

paper companies that discharged the PCBs are liable for the cost.

The mills hired their own scientific consultants, creating an alter-

native computer model that predicts little benefit to large-scale dredging of contaminated river sediments.

The paper companies' model predicts that PCB levels in the

water stream — and in the tissue of Fox River fish eaten by people — will fall to target levels just as quickly if the contaminated sediments are left in place to be slowly diluted by the river and carried into waters of Green Bay.

DNR officials questioned the validity of the companies' model and have repeatedly cited a 1997 contract between the state Department of Justice, the DNR and the FRG companies that sets up an agreed upon framework for evaluating computer models. DNR officials have accused the companies of delaying that process, a charge company executives deny.

The most striking statement in the legislators' letter comes near the end, referring to a third peer review, funded in 1999 by the U.S. Environmental Protection Agency. That review faulted the DNR for not adequately considering the possible benefits of leaving the chemicals in the river to be diluted over time.

FRG officials hailed the report as justifying their arguments. DNR and EPA officials downplayed it, saying it required only that they do a better job of justifying their conclusions about the limits of natural recovery.

A second EPA peer review, also completed in late 1999, found that the DNR had effectively managed the data and possessed enough information to make a decision.

The legislators, in writing Meyer, referred only to the first EPA review:

"As you may know, the panel review concluded that natural recovery is a viable option for river remediation and restoration, and that the DNR had failed to take this into account in the draft RIFS (feasibility study). We expect the DNR to use the results of the two (FRG-funded) peer reviews as well as the EPA review in developing the RIFS."

When the EPA and DNR

ignored the companies' call for an independent peer review of the models, the companies contracted with the American Geological Institute to conduct one. A panel of respected scientists was formed, chaired by John Tracy, a hydrologist with the Desert Research Institute in Reno, Nev. A second company-backed review is just getting under way.

Tracy's panel met in Neenah in December. Only the FRG model was presented. Gregg Hill, chief of DNR water quality modeling, told the panel that the DNR would stick with the 1997 agreement and focus its resources on the final version of the RIFS, due out in June. Dave Allen of the U.S. Fish and Wildlife Service told the panel his agency could not afford to make its modeling experts available to the panel.

The panel proceeded, however, and impressed observers with its apparent willingness to bite the hand that feeds it. Panel scientists put FRG consultants through rigorous questioning, clearly focusing on some of the alleged defects pointed out earlier by DNR officials.

The FRG offered funding for agency scientists and the Fish and Wildlife Service accepted, agreeing to make its experts available to the panel.

On Tuesday, Hill said the DNR is now willing to send its mathematician, Mark Velleux, to the next panel meeting, which will be held Thursday in Green Bay, a decision, made before the legislators mailed their letter.

Dennis Hultgren of Appleton Papers Inc., a spokesman for the FRG companies, said the AGI peer review would be completed by the end of March, in time for inclusion in the feasibility study. He said the companies are willing to live with the results.

"We paid for it," Hultgren said. "We are willing to go 100 percent with what the peer review says and the guidance that they give."

DNR science on PCBs gets questioned

Legislators ask DNR to participate in two industry-backed panels

By Ed Culhane
Post-Crescent staff writer

MADISON — A group of 14 state legislators waded into the Fox River cleanup controversy Tuesday, writing a strongly worded letter to Department of Natural Resources Secretary George Meyer backing an industry-funded review of DNR science.

"We are writing to request that the state Department of Natural Resources fully participate in two independent scientific panels currently evaluating the computer modeling and risk assessments for the lower Fox River," reads the opening sentence.

The list of signatures is headed by state Sen. Michael Ellis, R-Neenah, and state Rep. Steve Wiecek, R-Appleton.

The letter does not mention that the two panels — each assembled by a different scientific organization — were formed at the behest of the Fox River Group of paper companies. The FRG companies are funding the panels.

Meyer was not available for comment late Tuesday afternoon, and other DNR officials declined to make general statements about the letter.

Also signing the letter were state Sens. Robert Welch, R-Redgranite; Carol Roessler, R-Oshkosh; Alan Lasee, R-De Pere, and Roger Breske, D-Eland, along with state Reps. Gregg Underheim, R-Oshkosh; Judy Klusman, R-Larsen; Carol Owens, R-Oshkosh; John



Ainsworth, R-Shawano; Phil Montgomery, R-Ashwaubenton; and John Ryba, D-Green Bay.

At issue are two fundamental aspects of DNR science — the ability to evaluate the amount of risk posed by the tons of PCBs in the river and the ability to predict, within a reasonable margin of error, how those chemicals will move within the environment over long periods of time and how they will interact with living organisms.

In an effort that spans more than a decade, the DNR — along with several federal agencies — has spent millions of dollars doing field research, collecting massive amounts of data and developing complex computer models to assess the results of various cleanup options.

In February 1999, the DNR released the first draft of its risk assessment and cleanup feasibility report, known as an RIFS. It stated that PCBs once discharged by the companies, now found in 39 miles of river sediment, would pose a risk to human health for more than a century if left in place.

Suggested cleanup options, most of which involved significant dredging, range in cost from roughly \$200 million to \$728 million. Under state and federal law the

Please see DNR, BACK PAGE

CHANNEL: Speakers praise cable company's decision

From A-1

broadcasting to 12 hours a day.

While their comments about the restored service were welcomed by Keating and the committee, they have no binding influence with the Common Council.

"We can't regulate content or fees," Deputy City Atty. James Walsh said of the city's franchise agreement with Time Warner.

The pact will generate \$323,000 in annual fees for city coffers.

Walsh said the pact is a non-exclusive contract that expires in three years. The city endorsed the agreement in 1988.

Speakers made it clear that now that EWTN is back on 24 hours a

day, they want it to remain on around the clock and also remain available under the basic cable service billing option.

Among the speakers were Otto Cox, who just retired as president of Affinity Health System Hospitals, and Todd Greenway, administrator of Franciscan Care Rehabilitation Center.

Hospital patients, senior citizens and homebound individuals all can benefit by watching the network, they said.

"EWTN has really served a purpose as satisfying the spiritual needs of our senior citizens who can't attend services outside their home or a nursing home," Greenway said.

COLUMNIST'S PERSPECTIVE

Fox polluters clean up — with their bonuses

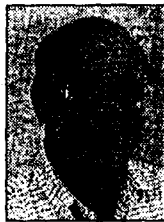
Gov. Tommy Thompson is defending his Environmental record after a poll of Department of Natural Resources employees showed they believe politics are playing a role in DNR decisions.

When Tommy defends his environmental record, it's always a short day for him. What is his record? It ain't pretty, folks.

We know he's bending over backward to help the mining companies get their permits. We know because his DNR attempted to change the rules on the Wolf River, so the mining companies could legally pollute it. We know because of the smarmy way the mining moratorium vote happened.

Now, according to Republicans and Thompson, it means something moratorium supporters never intended. We know because of the public intervenor office — he stepped on it like it was a bug, and then had the 'nads to call it a "budget" move.

We know because of the secret deal Tommy made with the paper industry. He allowed the polluters to sit on their hands instead of cleaning up their mess, forcing the Environmental Protection Agency to override his objections to Superfund listing. Tommy's been naughty.



Curt Andersen

For The Green Bay News-Chronicle

Tommy Thompson allowed the polluters to sit on their hands instead of cleaning up their mess, forcing the EPA to override his objections to Superfund listing.

At a recent meeting of Great Lakes Sport Fishermen, environmentalists debated Fox River paper industry representatives about various aspects of the so-called cleanup. An industry scientist showed a slide with food chain drawings of aquatic worms and plants, fish, a fisherman, terns and an eagle. He explained the dangers and how people become exposed to PCBs.

If you recall, the mills have been telling us PCBs are not dangerous to humans, yet here was their science adviser telling us they were.

He told us aquatic worms eat the PCB-contaminated materials in the mud and that carp roil up the sediments while eating these worms and during spawning. But wait. Haven't the mills just recently been telling us PCBs don't move? That PCBs are trapped in layers of "cleaner" sediment?

He also lamented the dredging of sediments because the food chain would be disturbed, then contradicted himself, suggesting the wormy sediments should be capped permanently with concrete.

When I objected to the industry's sponsorship of an expensive junket to Washington, D.C., to lobby U.S. Rep. Mark Green, its spokesmen got defensive and said they thought Green was "our representative, not just yours."

If they feel that a letter from you or me is just as effective as a lobbying campaign by a bunch of papermakers right in Washington, then why didn't they satisfy themselves with writing their own letter?

If I got my way and the river was cleaned up, I would still have to share the river and its bounty with everyone else. If this industry group gets its way, we keep the polluted river, and they get a bigger end-of-year bonus. That's the difference between special interest lobbying and a citizen's letter.

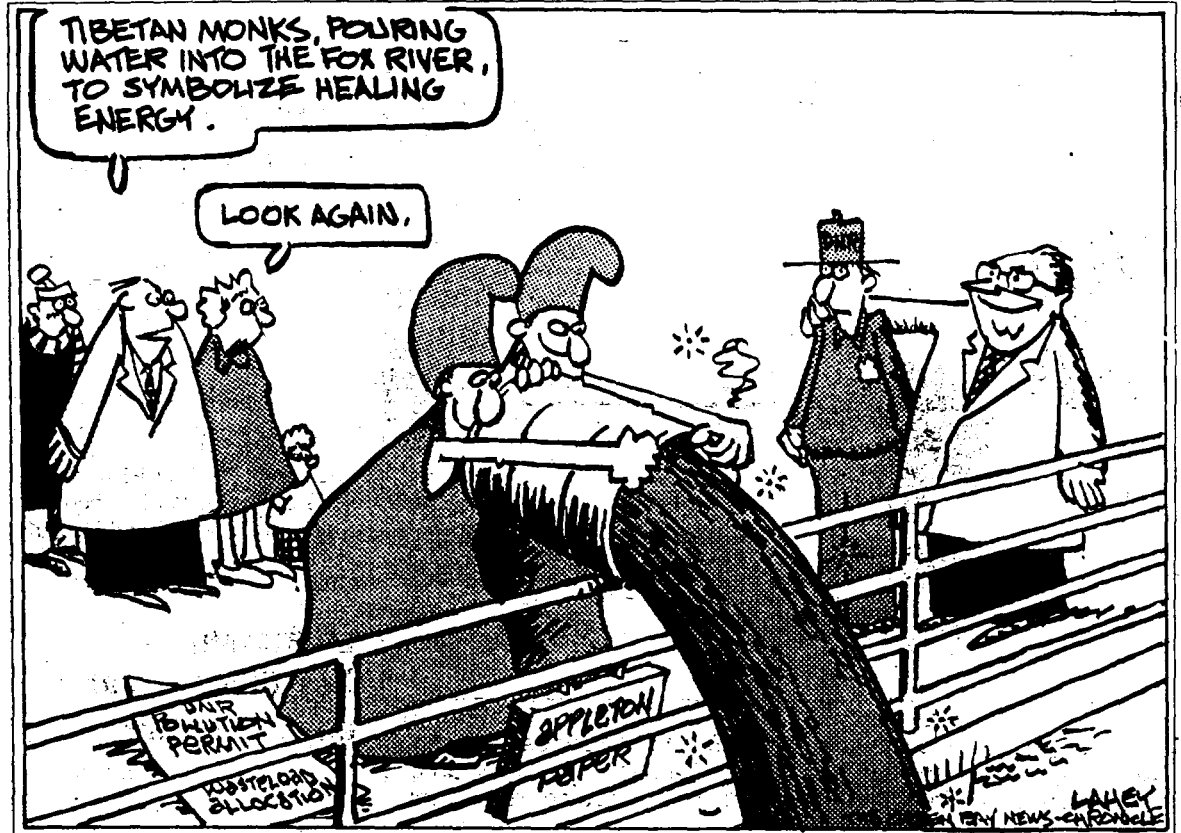
The real corker was the line on the top of the paper industry slide that said "FRG-7 (Fox River Group-7, the potentially responsible parties) Joint Defense Material — Privileged and Confidential."

This was a colossal security blunder, akin to giving away rocket fuel secrets. It didn't say "Joint Cleanup Material" or "Joint River Studies Material." This gives us insight into the paper industry's position on future cooperation. None. Nada.

What a surprise.

Andersen, whose column appears here each Wednesday, is a lifelong resident of the Green Bay area and a small-business owner. He served in the Navy during the Vietnam era. He teaches part time at Northeast Wisconsin Technical College and is president of the Clean Water Action Council. Write to him via e-mail at editorial.nc@bcpcdenmark.com.

LYLE LAHEY'S VIEWPOINT



Local/State

Shift in cleanup strategy proposed for Great Lakes

Environmentalists urge concentrated effort

ASSOCIATED PRESS
AND PRESS-GAZETTE

The Great Lakes are so polluted that an extra \$50 million wouldn't go far, say environmental groups who got together Monday to propose a drastic strategy change.

Instead of spreading around the money to all eight Great Lakes states, and as many congressional districts as possible — a popular approach on Capitol Hill, especially in an election year — the Sierra Club and Great Lakes United suggested spending all the money in just one or two places.

"Consider the extent of the problem we are dealing with," Margaret Wooster said in Washington, D.C.

Wooster, who heads Great Lakes United, pointed to state officials' estimates that it would cost \$136 million to \$720 million to clean up 39 miles of Wisconsin's Lower Fox River and into Green Bay, \$1 billion for New York's Buffalo River and \$42 million to \$210 million to rid the Detroit River of its worst contamination.

The extra \$50 million President Clinton promised to seek for cleaning up the lakes "is just a drop in the bucket," she said.

Wooster and Emily Green of the Sierra Club said all of the Great Lakes could benefit from the lessons learned by applying sufficient resources to seeing one persistent contamination problem through to the end.

There are 42 toxic hot spots

Focusing on just one or two sites "will allow us to develop the expertise to clean up these hot spots completely."

— Emily Green,
Sierra Club

around the Great Lakes, of which 31 are on the U.S. side. None of those has been cleaned up, though some are closer than others to implementing cleanup plans.

Focusing on just one or two of those "will allow us to develop the expertise to clean up these hot spots completely," said Green. "A model can then be made for other Great Lakes communities to follow."

Both groups said strides have been made in reducing pollution in the lakes, but the law still allows contamination to be piped directly into the waters, and tests on fish and birds still show large concentrations of dangerous chemicals in the food chain.

One researcher, Dr. Theo Coburn, described studies showing that children born to mothers who eat Great Lakes fish had hearing problems and memory problems that made it difficult for them to keep up with their classmates.

Advisories have been posted on each of the Great Lakes for children and for women of childbearing age to either limit how much fish they eat or, for certain kinds of

fish and certain bodies of water, avoid eating the fish altogether.

The environmentalists illustrated that danger at a news conference where they displayed a "toxic buffet" of elegantly prepared lake fish on artistically arranged pools of sauce or beds of greens, each too toxic for consumption.

The activists were in town for meetings with the Environmental Protection Agency and Council of Environmental Quality, where a possible updating of the Great Lakes Water Quality Agreement between the United States and Canada is under review.

Clinton has said he intends to seek \$50 million in new cleanup matching funds that would supplement some \$17 million worth of other Great Lakes-targeted cleanup programs, plus the region's share of Superfund money, Environmental Protection Agency waterways funding and the portion of the Army Corps of Engineers budget devoted to Great Lakes work.

The environmental groups did not prioritize the hot spots or suggest which deserved to get first crack at the new grant money, should Congress approve it.

Eric Uram, a spokesman for the Sierra Club in Madison, said the groups preferred to have the money targeted at areas that do not have potentially responsible parties as is the case with the Fox River. The responsible parties for the Fox River PCB cleanup are seven paper mills.

Pet Contest



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Employees: Politics are influencing DNR decisions

An outside survey of DNR employees shows they are unhappy with the structure of the agency's organization

By Leigh Ann Wagner
The News-Chronicle

With nearly half of Wisconsin Department of Natural Resources employees saying scientific evaluations are influenced by political considerations, Assembly Democrats and environmentalists are pushing for an end to a governor-appointed DNR secretary.

A survey of state DNR employees conducted by Public Employees for Environmental Responsibility shows 91 percent of employees disagree with the 1995 law change that gave the governor the power to appoint the DNR secretary.

In a separate question, 92 percent agreed the Natural Resources Board should make the appointment.

Asked to list the biggest problem facing the DNR, respondents most often said political interference and the role of the governor.

Rebecca Katers, executive director of the Clean Water Action Council, said it is "shocking" that the survey showed 15 percent of employees are afraid to advocate enforcement of environmental regulations for fear of retaliation.

The Clean Water Action Council is one of 33 environmental organizations that have signed their support of Senate Bill 27, which would return the appointment of the DNR secretary to the Natural Resources Board.

Katers said the DNR secretary was appointed by the board for decades prior to 1995 as a way to prevent political influence over natural resources decision making.

Having a governor-appointed secretary is "a broken promise" to implement long-term environmental decisions and benefits without political interference, she said.

"We're not even making any progress," Katers said. "We're constantly trying to recover lost ground."

State Rep. Lee Meyerhofer, D-Kaukauna, and State Rep. Spencer Black, D-Madison, said they will make a motion during today's session of the state Assembly to force a vote on SB 27, which passed the state Senate on a bipartisan vote.

The bill would return the DNR to its independent, nonpolitical status, Meyerhofer said.

"(The PEER survey) tells us we've got a problem," he said. "Those are numbers that can't be ignored."

Meyerhofer said he also strongly supports Senate Bill 72, a companion bill to SB 27, that would re-establish the public intervenor's office as another way of making sure DNR decisions are being made according to science and public interest, not special interest money.

"We've got to depoliticize the DNR, and we've got to do it now," Meyerhofer said. "When you're in politics, there are some issues you just have to keep pushing."

"This one is so important that we'll just keep pushing, and sooner or later it will resonate to the people, and it will gain enough support."

Green Bay Press-Gazette

★ FRIDAY, MARCH 3, 2000

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50 CENTS



UWGB women clinch conference title

Phoenix wraps up second-straight MCC regular-season crown with a 59-49 victory over Wright State. **C-1**

Report stirs up dredging conflict

DNR, mills differ on conclusions

By SUSAN CAMPBELL
PRESS-GAZETTE

Chemical PCBs can be dredged from the Fox River without worsening the contamination — if the project

is carried through to completion, a state report on a pilot dredging project outside Fort James Corp.'s West Mill states.

The DNR report also says that where dredging was partially finished, the riverbed's surface has much higher PCB levels than before.

In their own assessment, the seven paper mills that paid for the project say it demonstrates that dredging the river to the desired

cleanup level would be more costly and time-consuming than previous estimates.

The pilot project was designed to show the effectiveness of dredging as a method of removing toxic polychlorinated biphenyls from the Fox River. An estimated 63,000 pounds of the contaminant are found in places along 39 miles of riverbed, with the vast majority in the last seven miles of river leading to the bay of

Green Bay.

PCBs are chemical compounds that have been linked with reproductive problems and deformities in wildlife, and to lowered IQs and slowed development in children exposed to elevated levels in the womb.

The federal Environmental Protection Agency is considering whether to list the Fox River as a Superfund site.

Superfund designation would provide government

funds to start the cleanup, and could levy penalties beyond cleanup costs against the paper companies deemed responsible for the contamination.

The state Department of Natural Resources, which issued Thursday's report, favors dredging as the safest, most cost-effective way of removing PCBs from the river.

But the paper mills held



Source: Wisconsin Department of Natural Resources
Press-Gazette

Please see DNR, A-2

DNR/Paper mills favor less-costly remedy

From A-1

responsible for the contamination and the cleanup favor less-costly remedies — chiefly, allowing the PCBs to remain in the sediment. The mills assert that a large-scale dredging of the river would stir up PCBs in the sediment, release them in the water and leave more on the surface.

NR responds

The DNR countered that assertion in its report. The agency reported that in areas where the abbreviated project was finished, dredged surface concentrations of PCBs tended to be lower at the conclusion of the project than before dredging.

In three of four areas that were completed, residual surface concentrations of PCBs were 10 to 1,000 times lower than before dredging took place. The fourth area saw a slight increase in surface concentration.

The project was far from finished when cold weather forced its shutdown in mid-December. Expected to take two months and remove 80,000 cubic yards, it took almost four months and removed about 30,000 cubic yards. The \$9 million the paper mills put down on the project also was running out.

Left behind in the areas where dredging wasn't completed — specifically, those areas where the dredge didn't make a final cleanup pass — surface levels of PCBs rose dramatically. The exposed PCB levels range from 32 to 180 parts per million — up from 2

DNR findings

Following are some findings from the state Department of Natural Resources' review of the pilot dredging project outside Fort James Corp.'s West Mill:

■ Where the dredging was completed to the design depth, the level of cleanup proposed in preliminary state cleanup studies (0.25 parts per million) can be achieved.

■ Contaminated sediment can be effectively removed from areas with the highest PCB concentra-

to 5 ppm before dredging.

The newly exposed contamination is in concentrations substantially higher than the 50 ppm federal standard used to classify hazardous waste. The DNR says the remaining contamination must come out of the river.

"It significantly increases the PCB exposure to the water for that area that's been exposed," said Greg Hill of the DNR. "It's certainly subject to scour or resuspension, even under the ice it was subject to that. But as flows or boat traffic increases, the potential for resuspension is certainly greater."

Mills want cap

The mills, however, have a different proposal. The Fox River Group, which represents the seven mills, offered Thursday to cap the remaining contamination outside Fort James to isolate it and hold it in place.

"It shows that dredging doesn't

work," Fort James spokesman Mark Lindley said of the pilot project's results.

■ Any PCBs released into the air during the project were not detectable away from the site and reached only very low levels at the dredging site.

■ Where the dredging was started but not finished, higher concentrations of PCBs were exposed and could be further distributed downstream.

— Press-Gazette

work," Fort James spokesman Mark Lindley said of the pilot project's results.

Fox River Group members are Fort James, Appleton Papers Inc., NCR Corp., P.H. Glatfelter Co., Riverside Paper Corp., U.S. Paper Mills Corp. and Wisconsin Tissue Mills Inc. The group cites project delays that ranged from river debris to commercial river traffic to equipment breakdowns as reasons to avoid further dredging.

The group also says the cost of dredging at Fort James — about \$300 per cubic yard — was higher than a \$100-cubic-yard estimate used in a DNR preliminary cleanup study.

Finally, the mills came up with a different interpretation of the dredging data, and use that to support their position that dredging spreads chemical contamination.

Rather than looking at the PCB residue that remained in each completed area of the project, the mills averaged those levels with

the PCB levels exposed throughout the unfinished part of the project. Their result: PCB concentrations rose an average of 75 ppm at the site.

"The results of this demonstration project raise concerns that dredging may not be the best method of reducing the risk of PCB exposure in the river," a Fox River Group statement read.

Hill said the purpose of the pilot project was to test the effectiveness and environmental impact of a finished dredging project, not an abbreviated one.

He compared averaging in data for areas that were never completed to declaring a winner in the middle of a game.

"It would be like the Packer saying, 'OK, we're going to go out to play this game and at the end of the game we'll use the final score to decide who wins.' But instead halfway through the game, the game is called and you decide at that time who wins."

As for the mills' proposal that the Fort James PCB hot spot be capped, Hill said the site has never been eligible for capping because the river flow, boat traffic and other factors would make it unstable.

Last month, the mills offered to cap much of the shallow areas in the last seven miles of the river to prevent PCBs from being taken up by fish and other aquatics. The agencies rejected the proposal for various reasons, among them the fact that the mills sought suspension of studies that are key to the federal Superfund cleanup process now under way.

OSCAR contest

the winners in a contest sponsored by The P-C and Marcus Theatres

Life & Style Page C-5



ON TAPE



Home Saturday

Timeless timepieces



PHOENIX rising

Eyes will be on senior Jerry Carstensen in the MCC tournament this weekend

Sports Page C-1

THE POST-CRESCENT

FRIDAY, MARCH 3, 2000

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still at 30-year low

not in February were the weakest vs. showing since 28,000 jobs were added in May 1999. Jobs growth was restrained in part by sluggish growth in the service sector, normally the engine behind job creation in the United States.

Dredging project slammed by state

Unfinished dredging exposed toxic levels of PCBs to Fox River

Dredging project slammed by state

Unfinished dredging exposed toxic levels of PCBs to Fox River

By Ed Culhane
Post-Crescent staff writer

GREEN BAY - An industry funded environmental dredging project in the Fox River - left unfinished at the onset of winter - has exposed toxic concentrations of PCBs to the river's currents, state officials said Thursday.

In one area, the dredger scooped into sediment with a surface PCB concentration of 3.5 parts per million, and when dredging was ended, left sediments exposed with concentrations of 280 ppm. Average surface concentrations in the project area ranged from 75 to 116 ppm.

The federal standard requiring disposal in a toxic waste landfill is 50 ppm. The suggested cleanup standard for the Fox River is 0.25 ppm.

On Thursday, the state Justice Department stepped in, informing the Fox River Group of paper companies they could face additional liability if the dredging project is not completed this year.

"It is evident from the data that by leaving the sediment restoration project at 56-57 unfinished, the FRG has left the river in a vulnerable and more damaged state," justice department officials wrote.

PCBs are long-lasting industrial pollutants that cause birth defects and reproductive failures in fish eating birds and mammals and that threaten human health.

Paper company officials said the results from the demonstration project at site 56-57 show that dredging is harmful, not helpful. They proposed Thursday to cap the remaining sediments with a layer of sand and gravel 6 to 12 inches thick.

Officials with the state Department of Natural Resources have rejected large-scale capping as a permanent solution, especially below the De Pere dam where most of the PCBs in the river - and the 56-57 project - are situated.



the future for the FOX river

Please see PCB, A-6

PCB: State says dredging project must be finished

From A-1

"It may eliminate one pathway to the fish, but it does not eliminate the source of the PCBs in the first place," said Greg Hill, the DNR's chief of water quality monitoring.

FRG officials remain firm in their insistence that capping is a more cost-effective way to isolate the pollutants. They dismiss DNR research showing that sediments are being eroded, arguing instead that in most areas, newer and cleaner sediments are burying contaminants in a permanent grave.

"They can talk all they want about permanence," said Dennis Hultgren, manager of environmental and public affairs for Appleton Papers Inc, one of the FRG companies. "This (capping) is a permanent solution if they would look at the hydrology of the river."

Other FRG members are Fort James Corp., P.H. Glatfelter Company, Riverside Paper Corp., U.S. Paper Mills Corp., Wisconsin Tissue Mills Inc., and NCR Corp., a former owner of Appleton Papers.

DNR officials examined the 56-57 results and reached a series of conclusions in direct conflict with those put forth by the paper companies. They said the demonstration project, although incomplete, proves that dredging can be used to safely and effectively remove the threat of PCBs from the river.

In the areas where the dredger reached depths near those specified in the contract, DNR scientists said, the surface concentrations were reduced - in some cases to levels below the 0.25 standard.

"The project has been very successful in demonstrating the long-term goals proposed in the draft Remedial Investigation and Feasibility Study ... can be obtained," DNR Secretary George Meyer said Thursday.

FRG officials say the opposite is true, and they have directed their consultants to return to the river to collect more readings of surface-level contamination.

"The project as a whole tends to show that large-scale dredging to remove contaminated sediments is plagued by a host of problems," read an FRG statement released Thursday.

Dredging at 56-57 was delayed last summer because of a series of design errors and equipment failures. It proceeded more slowly than anticipated because of the large amount of river bottom debris.

DNR officials said this was because FRG companies and their contractors lacked experience.

"In the end they demonstrated they could do the work," said Hill, "but there was a learning curve. The good news is that once they got operating, they were able to implement the project as designed."

Hultgren said such problems would be inevitable in any large-scale dredging of the river.

"I don't care where you go, one size doesn't fit all," he said. "You can design it for 56-57 and then go downstream and the same thing will be entirely wrong."

FRG officials said they spent \$9 million in an effort to remove 80,000 cubic yards of contaminated sediment from the river, but

Remedial ... bility Study ... can be obtained," DNR Secretary George Meyer said Thursday.

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"I don't care where you go, one size doesn't fit all," he said. "You can design it for 56-57 and then go downstream and the same thing will be entirely wrong."

FRG officials said they spent \$9 million in an effort to remove 80,000 cubic yards of contaminated sediment from the river, but were able to remove only 29,000 cubic yards, putting the cost at \$300 a cubic yard, three times the expense predicted by the DNR.

DNR officials say that cost is inflated. More than \$1.3 million was spent on monitoring, they point out, while the remaining cost will not be known until ongoing disputes between the contractor and the consultant are resolved.

It was also revealed Thursday that the FRG paper companies approached the U.S. Environmental Protection Agency last month with a plan to sidetrack the Superfund process while the paper companies did three to four years of work in the river, installing a cap below the De Peré dam, embarking on several restoration projects not directly related to PCBs and entering discussions on cleanup projects in Little Lake Butte des Morts.

DNR, companies disagree on success of PCB dredging

The Fox River Group claims dredging increased PCB levels in the river

By Christopher Clough
The News-Chronicle

The Wisconsin Department of Natural Resources and The Fox River Group (FRG) each released preliminary reports Thursday from last year's test dredging of PCB-contaminated river sediment near the Fort James west mill.

Whether the report contained good news or bad depends on whom you ask about the findings.

According to the DNR, data collected by a consultant chosen by the DNR and FRG from the initial effort shows the project, done in a test area instead of a designated cleanup area, will help clean up the Fox River.

"(It) shows the project has been very successful in demonstrating the long-term goals proposed...can be attained," said DNR secretary George Meyer.

The data includes sediment samples, taken before and after the dredging and air quality monitoring during the dredging. The DNR claimed three key positive results from the report:

► The method used to dredge contaminated sediment is environmentally safe;

► When the dredging was done to the designed depth, the cleanup level proposed by the Remedial Investigation and Feasibility Study (RI/FS) could be attained;

► PCBs released into the air during the project were not detectable away from the site and reached only very low levels on site.

The DNR also noted one negative, but not surprising, finding: Higher PCB concentrations in areas where dredging went unfinished.

Given the positives the DNR found, Meyer said the plan is to talk with the FRG about completing dredging at the test site and using the findings to press on with the project.

"These sample results will be valuable in the completion of the RI/FS this year," Meyer said.

The FRG, the consortium of seven Fox River-based paper mills responsible for discharging the PCBs years ago, read the results quite differently, saying PCB concentrations in sediment, water and fish all increased, in some cases dramatically, because of the test.

Mark Lindley, Fort James director of communications, said he couldn't explain why the DNR release was so optimistic.

"I'm at a loss to explain that," he said. Looking at the significant overall jump in PCB levels at the site, he noted, "I don't see how that could be classified as a success."

The dredging in the test area took place in 11 100-by-100-foot sections. On average, PCB concentrations rose from 3.6 parts per million (ppm) to 75 ppm, according to the FRG.

Most of the dredging could not be finished because of the onset of winter, so four 30-by-30-foot areas were designated out of the original area to receive a "cleanup pass" of dredging that brought the dredge depth at or near design levels.

Those areas saw PCBs drop to an

average of 3.2 ppm. The range of concentration values was wider than the rest of the sample, from 0.04 to 10.8 ppm, and the surrounding unfinished sections ended up averaging 116 ppm.

The FRG release said that studies of fish placed near the dredging site had larger amounts of PCBs than normal.

The companies said the cost of the test run, about \$300 per cubic yard, was within range of the costs at similar sites across the country, but much higher than the estimates of less than \$100 per cubic yard in the RI/FS.

The FRG concluded that other removal technologies should be considered and offered to install a "protective cap" over the area, leaving the PCBs in place under an engineered layer of soil.

Lindley said he hopes the DNR analyzes the data carefully and considers alternative cleanup methods before making its decision.

"We were hoping the DNR would take up our offer to work on the river this year," he said. "We would like to get moving."

BRIEFLY IN YOUR AREA

From Green Bay
News-Chronicle staff

GREEN BAY

Packers, chamber to announce alliance

Representatives of the Green Bay Packers, Green Bay Area Chamber of Commerce, Green Bay Area Visitor and Convention Bureau and Packer Hall of Fame have scheduled a 9 a.m. news conference today at the Packers administration building, 1265 Lombardi Ave.

The groups plan "to announce a series of joint and major promotional efforts."

ASHWAUBENON

Rose Parade kickoff concert planned

To kick off the start of the Ashwaubenon High School Jaguar Band's journey to the Rose Parade in Pasadena, Calif., Jan. 1, 2001, the band plans to present a free concert 7 p.m. Tuesday at the high school.

The program will feature selections by the ninth-grade band, symphonic band and wind ensemble, with a finale by the combined groups. A cookie and coffee reception will follow in the commons.

For information on sponsoring the band or donating toward the trip,

Environmental group wants EPA to clean up Fox

Water council says hot spots are like toxic PCB spills

PRESS-GAZETTE

A local environmentalist group Tuesday asked the U.S. Environmental Protection Agency to clean up the Fox River because of what it called "the equivalent of a major toxic PCB spill."

The request came from the Clean Water Action Council in the wake of last week's report by the state Department of Natural Resources said that, in part, that where a pilot dredging project was partially completed last fall, the riverbed's surface has much higher PCB levels than before.

"This hot spot exposure is the equivalent of open barrels of hazardous waste on the river bot-

tom," said Rebecca Katers of Clean Water Action. "At any other time, this would be considered an emergency situation, but our government agencies have yet to take action."

The dredging was done outside Fort James Corp.'s West Mill in Green Bay.

It was designed to show the effectiveness of dredging as a method of removing toxic polychlorinated biphenyls from the Fox River.

An estimated 63,000 pounds of the contaminant are found in places along 39 miles of riverbed, with the majority in the last seven miles of river leading to the bay of Green Bay.

The DNR said last week that PCBs can be dredged from the river without worsening the con-



Katers
Calls dredging project a 'fraud'

tamination, if the project is carried through to completion. The report said the pilot project shows dredging is the safest, most cost-effective way of removing PCBs from the river.

In their own assessment, the seven mills that paid for the project said it demonstrates that dredging the river to the desired cleanup level would be more costly and time-consuming than previous estimates.

The mills favor less-costly measures, chiefly allowing the PCBs to remain in the sediment.

The mills assert that a large-scale dredging of the river would stir up sediment, release them in the water and leave more on the surface.

"This project is a fraud," Katers said. "Polluters should not be allowed to use this badly designed project as a precedent for the rest of the Fox River cleanup, or as a nationwide example of the failure of dredging."

PCBs are chemical compounds that have been linked with repro-

ductive problems and deformities in wildlife, and to lowered IQs.

The EPA is considering whether to list the Fox River as a Superfund site. Superfund designation would provide government funds

to start the cleanup, and could levy penalties beyond cleanup costs against the paper companies deemed responsible for the contamination.

The paper companies involved,

also known as the Fox River Group, are Fort James, Appleton Papers Inc., NCR Corp., P.H. Glatfelter Co., Riverside Paper Corp. U.S. Paper Mills Corp. and Wisconsin Tissue Mills Inc.

The Leading Voice of Green Bay and Brown County

THE BAY News-Chronicle

www.greenbaynewschronicle.com ♦ THURSDAY, MARCH 9, 2000

Leftover PCBs are cause for concern

An EPA official says test results were not encouraging where work was left undone

By Scott A. Stein
The News-Chronicle

A U.S. Environmental Protection Agency representative said Wednesday the situation regarding PCBs left over after a dredging demonstration project on the Fox River in Green Bay is "serious."

Jim Hahnenberg of the EPA Region 5 office in Chicago said alternative courses of action are being explored.

"We do think it's important to make a decision fairly soon," he said.

Hahnenberg's comments were in response to a call from the Clean Water Action (CWAC) in Green Bay for the EPA to act immediately to clean up the PCB hot spot near the Fort James west mill, 1919 S. Broadway.

The original goal was to remove 120,000 cubic yards of

PCB-contaminated sediment from the site known as 56/57, but the pilot dredging project had reached only about a quarter of that goal when it concluded late last year.

The \$9 million project was funded by the Fox River Group (FRG), the seven paper mills responsible for the contamination, as part of a contract settlement with the state of Wisconsin.

Last week, the Wisconsin Department of Natural Resources and the Fox River Group released conflicting preliminary reports

about the results of the project. While the paper companies cited serious problems with PCBs left behind at Site 56/57 and encouraged consideration of other removal technologies, the DNR found the results encouraging.

The DNR found that the method used to dredge contaminated sediment is environmentally sound and that when the dredging was done to the recommended depth, the cleanup targets were attainable.

Please see **PCBs** Page 4

PCBs: Feds want project completed

FROM PAGE 1

Hahnenberg said the EPA agrees with the DNR.

"The project demonstrates that dredging can work on the Fox River," he said.

In general, where crews did a more complete job of removing PCBs, the effort was successful, Hahnenberg said. But "it was not a good result in areas where they didn't finish."

The CWAC described the PCB hot spot exposure as "the equivalent

of open barrels of hazardous waste on the river bottom."

Hahnenberg said the EPA "wouldn't necessarily put it that way." But he said it is clearly the worst PCB problem on the Fox River.

Federal officials are encouraging the Fox River Group to complete the dredging demonstration project on its own.

"The best option would be for (FRG) to do it voluntarily," said Hahnenberg.

Other alternatives are building a

temporary cap on the exposed PCBs, issuing an administrative order to direct the companies to finish the pilot project or doing nothing, he said.

While those and other options are under discussion, Hahnenberg isn't saying what direction the EPA is leaning or when any decisions will be made.

Hahnenberg said the EPA has been working closely with the DNR and has also been in contact with the companies, reviewing and discussing the size of the risk.

LOCAL/STATE

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B

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GREEN BAY PRESS-GAZETTE

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Inside

Goal of remodeling is safety of clerk of courts workers.

On B-5

THURSDAY, MARCH 19, 1992

Mills urged to finish dredging

Agency threatens to force PCB site cleanup

By SUSAN CAMPBELL
PRESS-GAZETTE

The U.S. Environmental Protection Agency is hopeful paper mills will voluntarily complete a pilot dredging project that has left high levels of chemical PCBs exposed in the Fox River but is considering legal force if necessary.

The EPA and the state Department of Natural Resources are urging the mills to finish a dredging project outside Fort James Corp.'s West Mill, where 30,000 cubic yards of PCB contamination targeted for removal came out of the river last fall.

The unfinished project exposed PCB concentrations of up to 280 parts per million, up from 2-5 ppm before dredging.

The mills have refused to resume dredging, however, saying the project showed it is too costly and time-consuming, and not 100 percent effective. Instead, the mills have offered to cap the area

with a thin layer of sediment.

But government officials consider capping a temporary measure at best.

EPA spokesman Jim Hennenberg said that if the mills fail to clean up the site and the risk of exposure is serious enough, the agency could force a cleanup.

A key tool at the EPA's disposal is the Unilateral Administrative Order, he said. The order, provided for under the same law that created the Superfund program, enables the EPA to order polluting parties to clean a site if it poses an "imminent and substantial risk."

Should the companies fail to follow such an order, the EPA could perform the cleanup and seek reimbursement from the companies later. And the law provides a bigger hammer: Companies that fail to follow the order could be assessed punitive damages triple the cleanup cost and face fines of up to

Please see Dredging, B-2

Dredging/Mill blames DNR for unfinished work

■ From B-1

\$25,000 for each day of violation.

The agency is evaluating whether the site has the potential to send more PCBs cycling through the food chain, thus exposing humans and wildlife to greater risk.

Polychlorinated biphenyls have been linked with reproductive problems and deformities in

wildlife, and to lowered IQs in humans.

The EPA met Wednesday with the DNR and other government representatives to discuss how to address the PCBs exposed from the aborted project.

"We're still hopeful the mills will go back voluntarily," said the DNR's Greg Hill.

Meanwhile, a subcommittee of the Green Bay Remedial Action

Plan Committee, which has studied Fox River pollution since the 1980s, says the site poses an unacceptable risk.

In a letter to the DNR Wednesday, the panel wrote, "These concentrations ... represent a substantial increase in the potential environmental risk to (anything living) in the lower Fox River and Green Bay. Expected spring river flows, even in a dry year such as

this, can be expected to resuspend these bottom sediments."

The subcommittee said the project showed dredging can be effective and urged that dredging be completed as soon as possible.

Dave Lee, mill manager at P.H. Glatfelter — one of the targeted mills — said the DNR is responsible for the fact that the project wasn't completed before the winter freeze.

"The DNR picked the site, approved the design and managed the project," Lee said.

"The companies think they have held up their end of the agreement."

In addition to P.H. Glatfelter and Fort James, the paper mills involved are Appleton Papers, NCR Corp., Riverside Paper Corp., U.S. Paper Mills Corp. and Wisconsin Tissue Mills.

Leaving river dredging undone called 'outrage'

By Ed Culhane

Post-Pressent staff writer

3/7/2000

GREEN BAY - By exposing highly contaminated sediments, the partial dredging of a site in the Fox River here has created the equivalent of a major toxic PCB spill, an environmental group said Wednesday.

The Clean Water Action Council called on the U.S. Environmental Protection Agency this week to initiate an emergency cleanup at the pilot dredging site.

"This hot spot exposure is the equivalent of open barrels of hazardous waste on the river bottom," said Rebecca Katers of the council. "At any other time this would be considered an emergency situation, but our government agencies have yet to take action."

Dredging at the area known as site 56-57

Please see DREDGING, C-6

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DREDGING: DNR, EPA agree action needed

From C-1

was conducted last summer and fall by contractors working for the Fox River Group of paper companies under oversight by the state Department of Natural Resources. The paper companies had committed \$7 million to the project under the terms of a January 1997 agreement with the state.

Officials at both the DNR and the EPA said the situation in the river is unacceptable, and they said a decision on what actions will be taken is forthcoming.

"We are very concerned, along with our other governmental partners, about the exposures to high level PCBs at ... 56-57," said James Hahnenberg, Fox River project director for the EPA. "We are going to try to make a decision fairly soon."

The local companies making up the FRG have another proposal.

"If this is a demonstration project, which it is - it's not a removal project - then why not demonstrate capping?" said Dennis Hultgren of Appleton Papers Inc., one of the FRG companies.

Hahnenberg said the EPA is considering the capping proposal. DNR officials have already rejected it.

"All our models show this area is subject to scour and any kind of cap would be there just as long as it takes for high flow to wash it away and expose the sediments below," said Greg Hill of the agency's water quality division.

The EPA previously rejected a proposal by the companies to begin

capping sediments below the De Pere bridge while delaying a whole river cleanup plan.

Katers said capping would not work.

"I hope they don't get away with that," she said. "That would be a disaster."

The 56-57 project, along with a smaller dredging project conducted in 1998 and 1999 at Deposit N between Kimberly and Little Chute, was designed to provide cost and efficiency information for the cleanup of the entire 39-mile stretch of the lower Fox River, one of the largest environmental cleanups ever contemplated.

Environmentalists with the Clean Water Action Council opposed the demonstration projects from the start, arguing that any dredging should be part of a cleanup strategy for the entire river.

Government regulators favor dredging as a cleanup technology. Paper company officials have argued that dredging will be too expensive and too dangerous for the environment, and have lobbied in favor of capping in some areas and "natural recovery" in most others.

Dredging didn't start until the first week of September but officials said they were still confident they would be able to remove 80,000 cubic yards of the most heavily contaminated sediments in the river before Thanksgiving.

But the project was beset from the start by technical difficulties. When the pumping equipment was pulled out of the river in December, just 30,000 cubic yards had been

removed.

By cutting through cleaner sediments at the surface, the dredging operation exposed more highly contaminated sediments.

In one area, the dredger scooped into sediment with a surface PCB concentration of 45 parts per million, and when dredging was ended, left sediments exposed with concentrations of 280 ppm. Average surface concentrations in the project area ranged from 75 to 116 ppm.

The federal standard requiring disposal in a toxic waste landfill is 50 ppm.

Katers called the incomplete project a disaster and an emergency.

"This is so frustrating," she said. "We have been predicting this for two years. It seemed everyone we talked to understood that if you cut a hole in a toxic hotspot and didn't get it all you would leave it exposed to the river, and yet somehow the project got approved. It's an outrage."

DNR officials are pressing the FRG companies to restart the dredging this spring and finish the job, and they expect a decision within two weeks, Hill said.

Hill said enforcement action against the companies is a possibility. The state Justice Department has informed the companies that the unfinished dredging is a violation of the 1997 contract.

"I think the EPA and the state will consider what other measures might be brought to bear to expedite the removal of those sediments," Hill said.

LAHEY
THE GREEN BAY NEWS CHRONICLE



LYLE LAHEY'S VIEWPOINT

OPINION

Group: Finish dredge project

Independent scientists urge legal action if no site progress is made

By Ed Culhane

Post-Grescent staff writer

GREEN BAY — An independent group of scientists and engineers called on the Fox River Group of paper companies and government regulators Wednesday to respond immediately to the environmental dangers created last fall by incomplete dredging at a PCB site near the Fort James Corp. plant in Green Bay.

In a strongly worded letter, the Science & Technical Advisory Committee of the Lower Fox River and Green Bay Remedial Action Plan said "extremely high" PCB exposures left by unfinished dredging at the Green Bay site — also known as hot spot 56-57 — represented a substantial health risk to the environment and to human health.

"We find it completely unacceptable for the demonstration project to remain unfinished," the committee wrote. "Completion of the project represents the only environmentally sound and ethically appropriate solution to the problem."

The letter was addressed to the state Department of Natural Resources and was copied to representatives of the U.S. Environmental Protection Agency, the FRG companies and both the state and federal justice departments.

The scientists said if the FRG companies fail to act at the site, the government should take legal action against the companies.

"To leave the site in its current condition invites an unacceptable level of environmental risk," the committee stated. "Should a voluntary agreement for project completion not be forthcoming, we would then recommend that legal proceedings be initiated, either by the DNR or the EPA."

The committee said a voluntary

DREDGING: Scientists say PCBs need to be cleaned up

From A-1

solution would be preferable. "Swift action by the FRG to resolve this situation would undoubtedly have a positive impact on public credibility," the committee stated.

David Lee of the P.H. Glatfelter Co., one of the FRG mills, said the failure of dredging at 56-57 is the government's responsibility.

"It has to be clear that the DNR selected the location, approved the design and managed the project," he said.

FRG officials have long been opposed to dredging, which could cost hundreds of millions of dollars. They have proposed capping some of the sediments in place with a 6- to 12-inch layer of sand and gravel. They have offered the same solution for the exposed sediments at 56-57.

"As soon as we received the data (from 56-57) and had a chance to analyze it, the FRG offered to cap the dredged areas, and that action should address any and all concerns that the STAC (committee) has addressed in this letter," Lee said.

The committee has previously rejected capping as a primary solution, however, as have both the DNR and the EPA.

DNR Secretary George Meyer said Wednesday that state and federal officials have been meeting to explore enforcement options. He said he hopes that isn't necessary.

"We have asked the FRG companies to voluntarily fix it up," he said. "We are interested in getting a cooperative agreement."

The Science & Technical Advisory Committee — in which university scientists joined experts from government and industry — was formed in the 1980s as part of the Lower Fox River and Green Bay Remedial Action Plan which stemmed from the Great Lakes Water Quality Agreement between the United States and Canada.

That international commission identified more than 30 "areas of concern" around the Great Lakes and mandated remedial action plans for each. The Green Bay plan was one of the most ambitious and the first to be completed.

The committee has continued to meet during the past decade and periodically issues reports and statements on plans to clean up the Fox River. Its members include Hallett "Bud" Harris, the recently retired chairman of the Natural and Applied Sciences Department at the University of Wisconsin-Green Bay.

"We are talking about indepen-

dent researchers and experts who know the river as well as anyone else does," said Bruce Johnson of Fox-Wolf Basin 2000. "It was Bud Harris's milestone research on Forester's terms that established the link between PCB discharges in the Fox River and damage to the biota in the river."

Environmental dredging at the PCB hot spot was halted in December when freezing temperatures forced an equipment shutdown. Engineers employed by the FRG had planned to remove 80,000 cubic yards of the most highly contaminated sediments in the river, but were forced to quit after removing 30,000 cubic yards.

The demonstration project — created to provide information that can be used in developing a cleanup plan for the 39-mile stretch of the lower Fox River — was hampered by an inadequate start-up design, equipment problems and unanticipated difficulties with debris in the river.

FRG officials said the poor results demonstrate the difficulties in large-scale environmental dredging as a cleanup solution.

Scientists with both the DNR and the EPA reached the opposite conclusion, saying that in those areas where the dredger reached depths near those specified in the contract, the surface concentrations were reduced to acceptable levels. The material removed — some of the most highly contaminated sediments in the river — was safely handled and properly isolated in a paper company landfill, the DNR said.

In its letter Wednesday, the science and technical advisory committee, agreed with government scientists.

"Based on available data, we concur with the DNR's conclusion that, where properly performed to the necessary sediment depth, dredging has been demonstrated at site 56-57 to be a viable option for removal of PCB contaminated sediments."

The letter is the latest addition to the mounting pressure on the FRG companies to restart dredging in the Fox. Last week, the Clean Water Action Council called on the EPA to force completion of the dredging project. The state Department of Justice has already informed the companies that it risks legal action if it fails to complete the dredging project.

PCBs are long-lasting industrial pollutants that cause birth defects and reproductive failures in fish-eating birds and mammals and threaten human health. Their use was banned in the 1970s.



Paper mills' TV ad campaign will address Fox cleanup

3-19-2000

BY SUSAN CAMPBELL
PRESS-GAZETTE

Paper mills targeted in the cleanup of widespread PCB contamination in the Fox River will begin airing a TV ad Monday promoting the upcoming results of their scientific peer review of river cleanup models.

The seven mills, which face a cleanup estimated to cost hundreds of millions of dollars, are financing a peer review of two computer models used to predict how PCB-tainted soils move along the riverbed.

One model, used by the U.S. Environmental Protection Agency and state Department of Natural Resources, shows PCBs and riverbed sediment move from the Fox River into the bay of Green Bay — where the chemicals have been linked to deformities and reproductive problems in bay fish and birds.

The other model, developed by the paper mills by making changes to the government model, shows that PCBs in the riverbed don't move. That model supports the mills' view that the polychlorinated biphenyls should be left where they are rather than be re-

moved from the river.

"Peer review will provide an independent, scientific evaluation of critical Fox River studies," Dennis Hultgren of Appleton Papers Co., one of the targeted mills, said in a news release. "If the scientific foundation for the restoration solutions is weak, any plan built upon it will be disastrous."

The ad, which features a duck on a treadmill meant to represent citizen frustration with the lack of cleanup progress, will run five weeks on the four local network TV stations during newscasts and prime-time programming.

The mills say the ad is part of a stepped-up "awareness advertising campaign." The campaign also includes hiring a public outreach director.

The effort comes as state and federal regulators gear up to release a proposed cleanup plan for the river, along with final studies assessing the health of the river and Green Bay, and the contaminant risks to people and wildlife.

The plan is scheduled for release for public comment in late May or June, nearly two years after the EPA proposed listing 39 miles of the river as a federal Superfund cleanup site.

DNR LOOKS TO CUT FARM POLLUTION

3-19-2000



Ken Behrend/Press-Gazette

Russel Brock, right, and his son Ryan Brock and grandson, Raymond, 4, walk along a fenced-in cow yard on the Brock farm in rural Gillett.

New rules would seek to reduce runoff from farm, construction sites

BY NATHAN PHELPS
PRESS-GAZETTE

MAPLE VALLEY — Russel Brock can see both sides of recently proposed rules to improve the state's water quality.

The town of Maple Valley resident runs a dairy farm and is a member of the Oconto County Land Conservation Committee.

"Every farmer wants to be a good steward of the land, that's how we make our living," Brock said. "Even if (the rules) are a burden, well, it needs to be done."

But he doesn't want to see too much of the financial burden transferred to farmers.

The proposed rules are aimed at reducing runoff of soil, fertilizer and manure into streams and lakes, and will be the focus of a public hearing Monday in Green Bay.

The Wisconsin Department of Natural Resources and state Department of Agriculture are proposing a host of state-mandated rule changes to stem "nonpoint source pollution." In essence, it's aimed at stopping runoff from farms, construction sites and residential homes.

Under the proposal, farmers would be required to meet seven standards for fertilizer application, soil erosion and manure manage-

What's next for farm regulations

The Department of Natural Resources is holding public hearings in Green Bay on Monday on proposed rules aimed at stemming the amount of soil and manure run-off from farms and other sites.

ment.

"Some of the performance standards are things farmers are already doing," said Russ Rasmussen, chief of the runoff management section for the DNR. "We certainly don't feel these rules are in their final form by any means."

Farm lobbyists say it's im-

portant the state find the right balance so the rules don't place a heavy burden on producers.

"(The rules) could be very beneficial to the environment and very helpful for producers," said Paul Zimmerman, director of governmental relations with the Wisconsin Farm Bureau.

But if they are not written or implemented correctly, it could hurt some farmers, he said.

"That's why it's important for farmers to get out and speak about what they're already doing for environmental practices, what more they can do, and what's realistic about what they can do," Zimmerman said.

Rule changes include reducing soil erosion equal to or less than a "tolerable" rate, planting vegetation to limit the amount of sediment flowing into water, and maintaining fields as buffer zones along waterways.

They also call for farmers in water quality management areas to divert runoff

away from feed lots, barnyards and manure storage areas; development of nutrient management plans; and four other "prohibitions" aimed at preventing manure runoff.

Zimmerman said the Wisconsin Department of Agriculture, Trade and Consumer Protection estimates it could cost farmers between \$660 and \$930 million over 10 years.

But Rasmussen said the DNR thinks those numbers will be closer to \$220 million over the 10 years once cost savings and the number of farms impacted are figured into the equation.

Please see **Runoff, E-2**

Runoff/DNR proposes new rules

■ From E-1

Brock is concerned farmers and counties could shoulder a larger financial burden due to the changes.

"One of the larger problems with this ... is there is not nearly enough money to cost-share all this," Brock said.

Rasmussen said any changes probably would be phased in as funding becomes available. That could mean some rules are gradually introduced over a period of a decade or more.

The rules are the focus of statewide public hearings during the remainder of the month. Another round of hearings could

take place before finalization, Rasmussen said.

"We want to make sure we get these things right," he said. "These rules are going to have far-reaching impacts, so we're going to take our time."

When the rules are put into final form, they will require a legislative review.

If adopted, the rules could begin to go into effect sometime in the next two to three years, with local governments adopting them if they choose to.

In the past two decades, farmers have taken steps to preserve land, including improved tillage and technological advances allowing more precise application of fertil-

izer, but the need for rules and regulations will persist.

"There's less soil erosion today than there was 20 years ago, and the water's cleaner than it was 20 years ago," Zimmerman said. "That's not to say more work doesn't need to be done, but the trend line for production agriculture is going in the right direction."

Brock said the rules could be one more factor that puts some producers out of business, but added that protecting water quality around the state is paramount.

"Do we have it all done the way we want it? Probably not. But I think it's a start in the right direction," he said.

Door County lighthouses may be put up for sale

3/19/2000

Can you buy a lighthouse in Door County?

They have been put up for sale by the U.S. Department of Interior's Bureau of Land Management. U.S. Coast Guard lighthouses no longer need the aids, so navigation aids, so the Coast Guard has asked the Department of Interior, which owns the lighthouses, to dispose of them.

The Eagle Bluff Light on Peninsula State and the much-phoned and traversed Island Light — probably won't be available to me.

Lighthouses on Plum Island and the islands, in the middle of the Door between Rock and Washington, eventually may be available, said the department. Howard Levine in Milwaukee is the land-management bureau's planning coordinator for lighthouse dis-

position. He's also offering eight other of the department's small tracts scattered in Bayfield, Langlade, Oneida, Vilas and Waupaca counties.

Levine is accepting comments on the draft transfer plan until April 24. His address is P.O. Box 631, Milwaukee, WI 53201-0631.

Eagle Bluff Light property in popular Peninsula State Park continues to be operated by the Door County Historical Society under an agreement with the Coast Guard.

The Cana Island Light, which has seen thousands more visitors as Lake Michigan waters recede and widen the pedestrian causeway, is run by the Door County Maritime Museum, Levine said.



TOM MURPHY

Because it's in the middle of the park, Eagle Bluff probably will be turned over to Wisconsin, he said. And it's likely the state will continue the Coast Guard agreement with the Historical Society.

It might be different with Cana Island.

Residents of that rocky Lake Michigan coastal area are concerned about the tourists and traffic (and resulting messes left by the inconsiderate), Levine said. If their concerns can be addressed adequately, the area may remain open to the public.

But you can put in your bid (and ready your plan of operation and maintenance) for Plum Island and tiny Pilot Island lights. And don't hold your breath.

"We generally don't sell lighthouses," Levine said. "We prefer to transfer them to a government entity or nonprofit group.

"We're more interested in

HEARD ON THE STREET

the natural and cultural resources and try to find a way to preserve the natural environment and historic values," he said.

DuBois Bridal and DuBois Formal Wear have consolidated their custom fitting operations at 123 S. Broadway.

The move gives the company additional selling space in the retail stores at 1245 Main St. and 844 S. Military Ave.

Spokeswoman **Amy DuBois** said the consolidation to the larger downtown store on South Broadway allows DuBois to open its custom business to customers with tailoring needs for non-formal (and formal) apparel such as suits, slacks and skirts.

She emphasized that tuxedo rental and bridal gown sales and services will con-

tinue at the Military Avenue and Main Street stores.

People for the Ethical Treatment of Animals should walk with its collective tail between its legs.

PETA — locally a bunch of noisy picketers of businesses as diverse as **Procter & Gamble** and **Furs of Distinction** — recently launched a beer-drinking promotion among college students.

Better than pouring down milk, say these wearers of plastic shoes and beads and orlon skirts, blouses and boas. PETA forgets animals and trees are renewable resources. Oil is not.

PETA's stilted logic:

"Today's dairy cow is treated like nothing more than a milk machine."

Perhaps a day on a Northeastern Wisconsin dairy farm might broaden a PETA member's life experience. And bring a modicum of tolerance to these vegans and

vegetarians.

Curbside: A speakers bureau has been created by **Wipfli Ullrich Bertelson LLP**, the certified public accounting, consulting and advisory firm. **Jodi Dappern**, marketing coordinator for the Green Bay office at 414 S. Jefferson St., should be contacted. Other area offices are in Appleton, Rhinelander, Minocqua and Wausau.

Amanda Kastenmeier and **Teal Peters**, both of Green Bay, were winners of major door prizes at **Uniflex's** recent anniversary event.

1st Security Credit Union has a new logo — stylized hands about to clasp — and slogan. "Easy to know, easy to trust." It was created by **Imaginasium Inc.** of Green Bay.

Readers with tips and comments are welcome to contact Tom Murphy at 431-8400. All calls will be returned and considered confidential for sufficient reason.

Low water levels dredge up PCB problems for yachting club

3-21-2000
BY SUSAN CAMPBELL
PRESS-GAZETTE

Low water levels in the bay coupled with high PCB levels have left the Green Bay Yachting Club with a marina full of sediment and no place to put it.

When sediment borings turned up PCB levels of 21 parts per million outside the bay, its hopes of disposing of the material at the Bay Port confined disposal facility evaporated.

John Hanitz, a professional engineer and longtime club member, said the project had been estimated to cost the club \$500,000 to \$1,000,000 to dredge the marina

What's next

A public meeting on the county's dredge storage proposal is scheduled for 6:30 to 8:45 p.m. Tuesday, March 28.

The meeting will be held at the Brown County Library, 515 Pine St., Green Bay.

and dispose of the dredgings across the river's mouth at the Bay Port Dredge Material Rehandling Facility.

That cost, already beyond the reach of the 150-member group, grew when it was learned the PCB levels in the sediment were too high to dispose of at Bay Port.

Brown County, which operates Bay Port to handle contaminated navigational dredgings from the harbor shipping channel, has said it won't accept sediment with PCB levels measuring more than 1 ppm.

That left the Yachting Club with the option of disposing of the material at the Brown County landfill, which can accept PCB concentrations of up to 50 ppm — if the sediment is dewatered and dried.

"How do you dewater that on our four-acre plot?" Hanitz said. "The cost of this whole project is beyond our capability."

Hanitz said the club has

sent a letter to the state Department of Natural Resources notifying the agency that it wants relief from whatever cleanup resolution is reached regarding the Fox River, where widespread PCB contamination is driving plans for a major cleanup expected to cost hundreds of millions of dollars.

That cleanup could take the shape of a Superfund-driven project led by the U.S. Environmental Protection Agency, or a voluntary cleanup involving the DNR and seven paper mills responsible for discharging PCBs into the river from the 1950s-70s.

With no immediate relief

in sight, Hanitz said his club is "waiting for high water."

Fellow club member George Savage said the 85-dock facility will remain open this summer, but that larger boats with fixed propellers may have a problem if the water level remains low.

The Yachting Club is one of several area marinas experiencing problems this year as water levels on Green Bay and Lake Michigan dip to near-record lows.

Dean Haen, Brown County port manager, said two others — Windjammers Sailing Club and Shipyard Marine — were more fortunate because their dredgings were clean enough to be disposed

of on land.

Brown County no longer has formal applications pending for sediment disposal from area marinas, he said, though it has received another inquiry.

The DNR has scheduled a public hearing Tuesday, March 28, to hear the county's request to allow Bay Port to hold dredgings from recreational boating sites. The port proposes to accept no more than 10,000 cubic yards of contaminated sediment annually from non-commercial shipping sources, about 10 percent of the average amount dredged each year from the navigational channel.

Area paper mills plead case on airwaves

The FRG says its duck represents wildlife and governments "ducking" cleanup responsibility

3-21-2000

By Scott A. Stein
The News-Chronicle

Area paper mills are using a duck on a treadmill to send a message about the cleanup of the Fox River.

The Fox River Group (FRG), the coalition of seven paper mills potentially responsible for the PCB contamination of the river, launched a television ad campaign Monday.

FRG officials said their goal is to get more information to the public regarding the restoration of the river and the group's efforts.

Dave Lee of P.H. Glatfelter Company said a lot of information will be coming forward on the Fox River in the near future, including independent peer review results. He said it seems to be the right time to take the message to the public that good science is coming forward.



H. Marc Larson / The News-Chronicle

A DUCK ON A TREADMILL is the symbol in the Fox River Group's television ad campaign.

"Good science needs to be the foundation for the decisions," he said.

Lee said they know they can't communicate meaningful information in a 30-second ad. The information about the cleanup project is very complicated, he said.

"But hopefully people who see the ad will be inclined to more closely read the newspaper and attend meetings of the Fox River Group to learn more about the issue," Lec said.

The commercial opens with a duck on a treadmill, walking steady-

ly but getting nowhere. Lec described the duck as a symbol of frustration about the long bureaucratic process to reach a decision on Fox River restoration.

FRG officials said the duck was picked to represent local wildlife, as well as send the message that the group believes "some of the governmental parties involved are ducking their responsibilities."

But Curt Andersen of the Clean Water Action Council, an area environmental group, said the duck could just as easily represent the paper mills and their "dereliction of duty."

Anderson said word of the ad campaign was no surprise.

"I've predicted for a year that the baloney wagon would come to town," he said.

The FRG ad will air primarily during newscasts and in prime time on the four local network television stations for the next five weeks.

In addition to Glatfelter, the Fox River Group is made up of Appleton Papers Inc., Fort James Corp., NCR Corp., Riverside Paper Corp., U.S. Paper Mills Corp. and Wisconsin Tissue Mills Inc.

MONEY

★ TUESDAY, MARCH 21, 2000

GREEN BAY PRESS-GAZETTE A-7

Market in brief

March 20, 2000

DOW (Industrials)	S&P 500
10,680.24 +85.01	1,456.63 -7.84
RUSSELL 2000	NASDAQ
549.20 -25.59	4,610.00 -188.13

NYSE diary

Advances:	1,384	New highs	49
Declines:	1,574	New lows	38
Unchanged:	494		
Composite volume:	1,133,634,480		

Nasdaq diary

Advances:	1,280	New highs	66
Declines:	2,944	New lows	137
Unchanged:	744		
Volume:	1,500,897,000		

Associated Press

Farmers criticize runoff rules

State drawing up proposals to protect water

BY NATHAN PHELPS
PRESS-GAZETTE

Representatives of the Wisconsin Department of Natural Resources heard two words repeatedly Monday: Common sense.

The DNR and the state Department of Agriculture are drafting rules aimed at reducing runoff into lakes and rivers from farms and other areas, such as construction sites.

A public hearing in Green Bay Monday afternoon drew a host of people opposed to the plan.

"These rules ... go home and throw them away," said Rick Bu-

yarski, a Green Bay farmer. "We as farmers know what's good. We have improved the water quality ... more than they realize."

While he admitted some improvements can be made in the agriculture sector, Buyarski said farmers are working to improve quality and have a better handle on land management than a government agency.

The DNR is seeking farmers' comments on changes designed to protect waters from soil and manure runoff. The steps include:

- Dramatically reducing runoff in areas planted as buffers.

- Development of manure management plans.

- An overall reduction of soil runoff from farm fields.

There are also four "prohibitions" aimed at stopping manure from entering waterways.

Any rule changes will require legislative approval.

Deadline for written testimony is May 5

In addition to the public hearings, the state Department of Natural Resources is taking written testimony for proposed changes

to runoff rules until Friday, May 5. Testimony can be sent to: Carol Holden, DNR-WT/2, PO Box 7921, Madison, WI 53707.

While Buyarski vehemently opposed the rules, other speakers saw some merit in some of the proposals.

"We believe Brown County farmers will accept these rules if common sense is used to apply them," said Bill Hafs of the Brown County Land Conservation Department. "(But) much more money will be needed if the state of Wisconsin is serious about implementing this program."

Under the proposal, the state could pay up to 70 percent of farmers' costs to implement changes. Some farmers are wor-

ried there isn't enough money set aside to help counties and farmers make the changes.

Dick Hauser of Richland Center said the 30 percent farmers would have to pay may not be a big deal to large producers, but it would be a significant burden to family farms struggling to survive.

"Farmers are going to need money," said Greg Greis a dairy farmer from Valders. "They are not going to be able to take all of the burden themselves."

He said the rules have merit but need to be drafted with common sense.

"There are a lot of good things

that can come out of this," Greis said. "If everybody works together, this can be a good thing for everybody."

It's not only farmers who disapprove of the plan. Dan Scudder of the Wisconsin Department of Transportation said the rules are plagued with problems regarding construction and haven't been well thought out. He said rules are written around standards that are hard to gauge.

Dave Johnson of Green Bay, who described himself as a private property owner, urged a reworking of the proposed changes.

"If we can't have two state departments (the DNR and DOT) agree, I think we're making a big mistake," he said. "This has got to go back to square one."

Louis Zink of Berlin added, "Having the DNR writing regulations of this sort is a big joke, and a bad one."



Friday, May 26, 2000

Fort James to resume Fox River dredging

Project part of deal with EPA, DNR

By Susan Campbell

Press-Gazette

Fort James Corp. will finish dredging the PCB hot spot in the Fox River outside its West Mill under an agreement announced Thursday with state and federal regulators.

In return, the agreement with the state Department of Natural Resources and U.S. Environmental Protection Agency releases Fort James from state and federal liability at the site -- though not elsewhere in the river -- if PCB levels are reduced to 1 part per million.

The pact lays out a plan for finishing a pilot dredging project outside Fort James that left unsafe PCB levels of up to 310 parts per million exposed in the riverbed when the project was shut down in December because of dwindling funds and cold weather.

Already known to cause deformities, reproductive problems and death in wildlife, polychlorinated biphenyls are classified as probably cancer-causing in people and are linked with developmental problems and lowered IQs in children exposed to higher levels in the womb.

Top officials from both agencies praised Fort James for its leadership in agreeing to complete PCB removal at the site and dispose of the contaminants at its west-side landfill. Six other paper mills that helped finance the project have offered to cap the contaminants remaining in the riverbed, a strategy considered temporary by state and federal regulators.

DNR Secretary George Meyer said he hopes the agreement sets the tone for similar cooperation from the other mills as planning moves forward on a larger cleanup of chemical contamination in the Fox River.

"We clearly think Fort James has shown great leadership in sitting down with both the federal and state government to work on this issue," he said. "Hopefully, this will be a strong signal that these things can be worked (on) and should be worked on, and we are hoping that more companies will be willing to sit down and to approach issues such as this."

Tim Dantoin, a spokesman for the Fox River Group -- which represents the seven mills held responsible for PCB contamination of the river -- said the other mills were "vaguely"

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 Packers News
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 Area Guide
 Home Info
 About the P.G.

aware of the agreement. The other mills "view it as positive that the EPA and DNR are working with a Fox River Group company," he said.

The plan seeks to bring the dredging project to a close. Fort James will now return to dredge 50,000 cubic yards of contaminated sediment and 1,600 pounds of PCBs that remain outside the company's discharge pipe. The aborted \$9 million project fell short of its goal last fall, removing just 30,000 cubic yards of an 80,000-cubic-yard target.

Kathleen Bennett, vice president of environment, safety and health for Fort James, said the cost of the project will "run well into the millions," but declined to say more before it is sent out for bid.

"Because of the concentration levels there, we know that the site is going to need to be addressed," she said of Fort James' interest in completing the project. "And we know there is special concern about it now because of the levels of PCBs that have been exposed."

Furthermore, Bennett said that because the hot spot lies just outside the mill, the company wants to complete the project in a way that causes minimal disruption to the plant's operation.

The decision by the EPA this year and the DNR last year to release Fort James from future liability if cleanup goals are met at the site ensures Fort James won't be sent back to perform further cleanup there even if more contaminants silt into the area.

EPA Region 5 administrator Frank Lyons said the agreement doesn't preclude either agency from requiring further cleanup at the site by the other mills, although that scenario appears unlikely.

Lyons said the 1 ppm cleanup standard for the site should be adequate to protect public and environmental health, and falls within the range of the DNR's proposed average .25 ppm cleanup standard for that stretch of the river.

Rebecca Katers, executive director of the Clean Water Action Council in Green Bay, was critical of the fact that what began as a demonstration project on the river's most highly contaminated hot spot may be the only work that is done there.

All of the decisions regarding the site, such as the cleanup goal and the decision to landfill -- rather than destroy or detoxify the PCBs -- have been arrived at in private negotiations with the mills, she said.

"The public was supposed to have input on those discussions," she said. "This sets a precedent for the rest of the river."

Lyons, whose agency has the authority to have ordered the mills to complete the project or face heavy fines if an agreement could not be reached, said the EPA is satisfied that this portion of the project will fare better than the last.

The EPA will have a representative monitoring the site whenever work is in progress, and the agreement includes the contingencies that the edges of the project, as well as any unfinished areas, be capped with at least 6 inches of sand before the end of the construction season.

Although actual dredging of the site is not expected before mid-August – around the same time that dredging began on last-year's project – all three parties to the agreement said they were confident the work would be completed before the river freezes.

If not, Lyons said the agreement provides for Fort James to be called back to the site. Unlike the initial contract for the dredging project, signed by the DNR and the paper mills, he said the new agreement uses a cleanup goal rather than a dollar limit to establish the project's scope.

Democratic U.S. Sens. Russell Feingold and Herb Kohl, and U.S. Rep. Mark Green, R-Green Bay, issued statements lauding the decision shortly after it was announced.

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THE POST CRESCENT

LOCAL NEWS
Thu 25-May-2000

Fox River cleanup agreement made with Fort James

By Ed Culhane
Post-Crescent staff writer

GREEN BAY - The unfinished dredging at a site in the Fox River near the De Pere dam - which has exposed massive amounts of toxic-level PCBs to the river's current - will be cleaned up this summer by the Fort James Paper Co., officials predicted this morning.

The cleanup of the site designated 56-57 will cost millions of dollars and involve the removal of up to 50,000 cubic yards of highly contaminated sediments, material that will be buried in a Fort James landfill cell, just west of Green Bay, designed specifically for PCBs.

The action by Fort James would fend off an emergency cleanup order the federal government was preparing to enforce on the Fox River Group of paper companies, the seven companies believed to be responsible for most PCB pollution in the river. It could also relieve Fort James of future liability for that site.

DNR officials hailed the agreement with Fort James as a breakthrough, in part because Fort James has volunteered to finish the job to agreed-upon specifications regardless of the cost.

"This agreement represents another important step in the development of the RIFS (river cleanup study and plan) that will be completed later this year," said DNR Secretary George Meyer this morning.

The Fort James plan has been approved by the state Department of Natural Resources and was expected to receive the formal approval of the U.S. Environmental Protection Agency and the federal Department of Justice today, DNR officials said.

It will proceed without the formal approval of the U.S. Fish & Wildlife Service.

"It is finishing a project that should have been completed (by the FRG) in the first place," said Bruce Baker, a top DNR administrator. "We have had that argument with the FRG, and it went nowhere."

Baker said the agreement shows that not all FRG companies share the same anti-dredging philosophy.

"They (Fort James executives) just disagree with the rest of the companies on this issue," Baker said. "They believe it should be addressed. They have never questioned the ability of dredging to do it."

Company engineers have told regulators the job can be completed in 60 days, once the contractor and equipment is in place.

The plan is ambitious, given the failure of the project last year, after the Fox River Group spent \$9 million and were able to remove just 31,000 cubic yards, cutting into the worst toxic hot spot in the Fox River and then leaving it exposed.

The original dredging, jointly managed by the DNR and the FRG, was beset with difficulties. It was started late in the dredging season and was delayed by inadequate equipment, and then was further delayed by an accidental tear in the lining of a PCB settling lagoon.

The original plan had been to remove 80,000 cubic yards, digging into as much as 10 feet of sediment in an area covering almost three acres, just upstream of the Fort James turning basin where cargo ships dock. Less than half had been removed when engineers were forced off the water in December by the onset of winter.

For months, state and federal regulators have pressured the FRG companies to finish the work, despite the extra costs.

The FRG companies refused to start up the dredging again, saying the difficulties encountered in 1999 proved that dredging is too expensive and ineffective. Instead, the FRG companies had proposed to cap the site with sand and gravel. The DNR rejected that proposal.

Robert Paulson, a DNR toxicologist who has worked on the agreement, said he is confident that Fort James will succeed where the joint FRG-DNR effort failed. The DNR has attributed some of the poor performance to contractor error.

The new round of dredging will be managed by Fort James, not by a committee, Paulson said, and two of the company's top engineers, men with experience on large projects, have been assigned to see that it happens.

"This is going to be managed in a totally different way," Paulson said. "One thing this does is get us past the touchy-feely demonstration project stuff. We are moving from demonstration to production."

The agreement with Fort James involves two phases. The emergency cleanup order by the federal government would have covered 20,000 cubic yards or two-fifths of the projected total. That is the amount that must be removed, the EPA calculated, to reduce the immediate risk posed by the high exposures.

But Fort James, which built a landfill cell specifically to hold the 80,000 cubic yards, proposed to finish the dredging in return for a release from liability for those areas dredged to government specifications.

"It is very likely that it will happen," Paulson said. "They think they can get 50,000 cubic yards out in 60 days."

* The seven FRG companies are U.S. Paper Mills, Fort James Corp, Appleton Papers Inc., NCR Corp., Glatfelter Paper Co., Wisconsin Tissue Mills and Riverside Paper Co.

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The leading voice of Green Bay and Packer Country

The Green Bay News-Chronicle

Friday, May 26, 2000

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Fort James agrees to another round of PCB dredging

A hydraulic dredge removes sediment from the Sediment Removal Demonstration Project/SMU 56/57 site near Fort James west mill (photo by H. Marc Larson).

Work will begin around Labor Day under the new agreement

By Scott A. Stein
News-Chronicle

Dredging equipment will return to the Fox River this year to remove more PCB-contaminated sediment from the river near the Fort James Corp. West Mill.

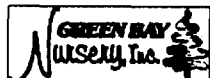
Officials of the corporation, the state Department of Natural Resources and the U.S. Environmental Protection Agency announced Thursday that an agreement has been reached to complete the dredging project at the site known as Sediment Management Unit 56/57.

"This agreement...provides the framework and assigns the responsibility for Fort James to address the exposed sediment hot spot," Frank Lyon, EPA Region 5 Administrator, said.

"It basically calls for Fort James to remove up to 50,000 cubic yards of sediment from the Fox River adjacent to the company's tissue mill," said DNR Secretary George Meyer.

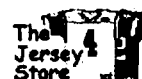
"EPA and the Department of Natural Resources will help oversee the design and implementation of the project."

Brown County Homebuilders Assoc.



Sports

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implementation of the project."

The sediment that is removed from the site will be taken to the Fort James landfill near Austin Straubel International Airport.

"The cleanup goal for this project is a level of PCBs remaining in the sediment at one-part-per-million," Meyer said.

Kathleen Bennett, Fort James vice president of environment, safety and Health, said the dredging project this year will be different from the demonstration project that was done last year.

That project ended in December when funding ran out and the weather grew too cold. About 30,000 cubic yards of sediment was removed instead of the expected 80,000 cubic yards.

Monitoring at the site found PCB levels as high as 300 parts-per-million after last year's dredging project, well over the federal safety standard.

Bennett told reporters Thursday the new project will be conducted in two phases.

"During phase one, we will complete the dredging of the areas of site 56/57 that were begun last year."

The second phase will dredge the rest of the site to reach the one-part-per-million goal.

Lyon said the two-phase approach will provide some flexibility. "In the event we are not able to get down to one-part-per-million as agreed to in the order, the order does provide for backfilling with 6 inches of sand...as a temporary measure to alleviate the hot spot that sits exposed right now," he said.

Actual dredging is expected to begin around Labor Day. Bennett said design work will be done within 30 days and submitted to the DNR and EPA for their review before a final agreement can be signed. Cost estimates were not released.

"It will be well into the millions," said Bennett, who added she didn't want to discuss the actual cost estimates because competitive bids would be sought.

Lyon said this agreement hopefully



demonstrates that a comprehensive settlement to address the entire Fox River cleanup is within reach.



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Fox River Cleanup

Fort James Corp. will pay to finish the dredging at Deposit 56-57 in the Fox River, the company and government officials announced Thursday.

The group of seven paper companies had paid for work on the site, but the work was not completed and PCBs remain exposed to the river. The company says it can complete the work this summer.

Meanwhile, the state Department of Natural Resources and U.S. Fish & Wildlife Service have agreed to conduct a joint damage assessment.

The study will help determine what cleanup should be done and what other ways the paper companies should compensate the public for lost uses of the Fox River and Green Bay.

With the discussion on cleaning up the Fox River continuing, several government agencies and other groups have websites available with information and position statements regarding the cleanup.

Among them:

*For Wisconsin Department of Natural Resources [click here](#).

*For the U.S. Environmental Protection Agency [click here](#)

*For The Fox River Group, a coalition of paper companies [click here](#)

*For the Clean Water Action Council, an environmental group [click here](#)

Fox/EPA could add pressure to mills

■ From B-1

Seven area paper mills that are held responsible for the river's widespread PCB contamination and financed the \$9 million pilot have thus far declined to complete the project. The mills say the pilot proved their contention that environmental dredging is an ineffective way to address PCB contamination, and have proposed capping the remainder of the site to seal off further exposure.

Federal officials and the state Department of Natural Resources, which co-managed the project, have been talking with mill representatives about how to address the contamination. In the meantime, the DNR has said capping is at best a temporary measure in light of water currents and shipping traffic that could disturb the site.

If no agreement is reached concerning the site, the EPA has a powerful weapon in its ability to issue a unilateral administrative order. The tool enables the agency to invoke an emergency cleanup and, if the mills refuse to comply, to assess damages triple the cleanup cost and fines of \$25,000 for each day of violation.

The EPA should issue the order and act quickly, Hartwig wrote, offering that Fish and Wildlife would be willing to co-sign it.

Stressing that any emergency removal on the river must be completed before the river freezes again next winter, he wrote that the agencies cannot afford to waste time preparing the order or mobilizing equipment. Placement of a temporary cap over the site may be necessary to prevent sloughing or erosion of more highly contaminated sediment, Hartwig added.

The pressure from Fish and Wildlife is similar to the pressure it exerted in 1996. The agency's aggressive pursuit of an assessment of PCB-related damages to fish and wildlife along the river and Green Bay effectively forced EPA's hand in invoking the federal Superfund cleanup process that is now under way.

"We're keeping the pressure on everybody to try to get this river cleaned up," Hartwig said Friday. "They didn't complete the job, and in the process of doing what they did, they've made it worse."

"We're certainly encouraging EPA to get more aggressively involved to get this thing cleaned up."

Jim Hahnenberg of the EPA's Region 5 office in Chicago said that agency also is concerned about the level of contamination now exposed in the river.

But he said the agency would prefer a voluntary agreement with the mills to a forced return to the project site.

Although a resumption of the dredging by May 1 is desirable, Hahnenberg said it is unlikely that goal can be met. Whether the EPA signs an order forcing a cleanup of the pilot site or signs off on a voluntary cleanup agreement, he said the agency must complete its evaluation of the site data and build its own administrative record of the project — one that could stand up in court if necessary.

"Regardless of what happens, we certainly would have a goal to address the problem this construction season," he said. "The sooner you begin, the better."

communicate humans, they are in

4/9/2000

Fort James, state talk about return to dredging site

BY SUSAN CAMPBELL
PRESS-GAZETTE

Fort James Corp. is discussing with state officials a possible return to the dredge site outside the company's West Mill on the Fox River, independent of its mill partners in the Fox River Group.

The company is one of seven paper mills that financed a \$9 million pilot dredge project that concluded in mid-December with less than one-third of its targeted PCB removal met.

The mills, which refer to themselves as the Fox River Group, have repeatedly countered state requests to resume dredging at the site with offers to cap it and thus isolate the high-level PCBs left exposed by the project.

But rumblings have circulated during the last week about a Fort James proposal to finish dredging the area in return for a release from future state liability at the dredge site following the project's completion.

"Their proposal is to complete the project," confirmed Greg Hill of the state Department of Natural Resources. "They're interested in making sure that they get credit for the effort and that their

liability for that site, when it's completed, is resolved."

Hill said the company "has made it very clear to us that this is a unilateral offer to cooperate."

Fort James spokesman Mark Lindley said Friday that the company regularly has discussions with the state, but that he had no knowledge of the substance of those discussions.

Fort James already has stepped forward on two occasions to further the pilot dredging project, offering to permanently store the high-level PCB contaminants at its landfill near Austin Straubel International Airport and giving an additional \$2 million to the project when costs ran higher than expected.

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★ SUNDAY, APRIL 9, 2000

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team honored
 Five middle-school teachers from Annunciation School in Green Bay earn Golden Apples. **B-1**

Dove hunt issue may put charge in hearings

By KRVIN NAZE
 PRESS-GAZETTE CORRESPONDENT

A controversial proposal to allow a mourning dove hunt and plans by hunting opponents to turn out en masse could make Wisconsin's first spring fish and wildlife rules hearings among the most contentious in history.

The state Department of Natural Resources' proposal for a mourning dove hunt would make Wisconsin the 38th state to conduct one. Every county in the state will conduct rules hearings starting at 7 p.m. Monday.

Vicky Becker of Denmark is hoping her second time at the Brown County meeting is an improvement. Becker, who heads up a group known as the Northeast Wisconsin Voice for Animals, said hunters weren't kind to her the first time she attended about five years ago.

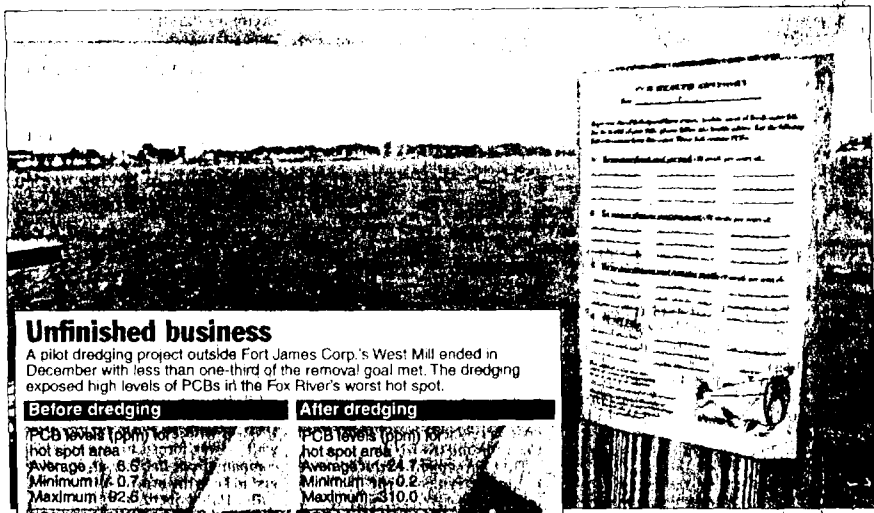
"People around us made fun of us," Becker said. "We got put down real quick. After that, we drifted away for a while, but this dove hunting issue kind of brought us back together."

Only about 3,000 to 6,000 of the state's estimated 2 million hunters and anglers typically gather for the annual hearings, but they still greatly outnumber non-hunters.

However, enough hunting opponents attended last year in Dane County to get one of their own elected to the Wisconsin Conservation Congress for the first time in its 66-year history.

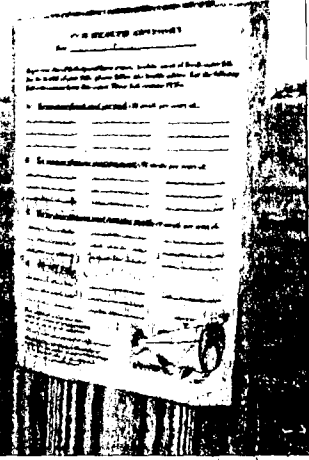
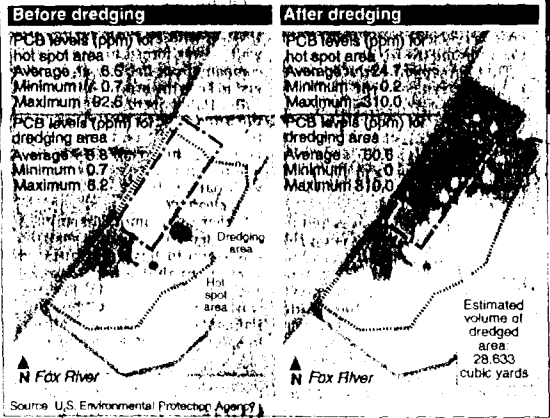
Hunting opponents plan to attend hearings as far north as Brown, Outagamie and Vilas counties.

DNR, mills argue after PCB levels skyrocket

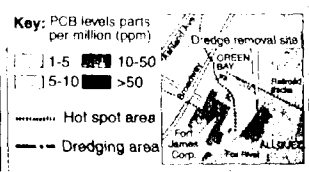


Unfinished business

A pilot dredging project outside Fort James Corp.'s West Mill ended in December with less than one-third of the removal goal met. The dredging exposed high levels of PCBs in the Fox River's worst hot spot.



Fish consumption advisories are posted at fishing spots along the Fox River, but a federal agency is urging new warnings in light of newly exposed PCBs from a pilot dredging project.



Problems plagued dredging project from start

By SUSAN CAMPBELL
 PRESS-GAZETTE

An unfinished Fox River dredging project that exposed PCB levels measuring more than 100 times what is considered safe for human and ecological health is raising questions about what went wrong.

The pilot project, outside Fort James Corp.'s West Mill in the river's hottest PCB hot spot, has left behind a nearly 3-acre hole in the riverbed's surface and exposed PCB concentrations as high as 310 parts per million.

As the project's collaborators — seven paper mills and the state Department of Natural Resources — argue about who is at fault and what to do, experts warn the chemicals are vulnerable to wind and waves that could send them tumbling into the bay of Green Bay during heavy spring rains, storms or bay seiches.

Once PCBs spread into the bay, the likelihood that they can be recaptured diminishes, leaving the contaminants to travel up the food chain from fish to fowl to fishermen and duck hunters.

Fort James, state talk about return to site, A-2

remaining in the undredged sediment from the project average more than 100 times higher than those which are considered acceptable to protect human and ecological health," said J. Milton Clark, senior health and science adviser with the U.S. Environmental Protection Agency's Region 5 office in Chicago. "Leaving highly contaminated sediments exposed at the site adds to already unacceptably high human health and ecological risks for the entire river."

Calls for action

Polychlorinated biphenyls are known to cause cancer, deformities and reproductive problems in exposed fish, birds and mammals. In humans, they are linked with lowered IQs and slowed development in babies born to mothers who eat contaminated Great Lakes fish.

To address the immediate health threat, the U.S. Fish and Wildlife Service last week called on the EPA to post signs near the pilot project site and at boat ramps in Green Bay, De Pere

Please see PCBs, A-2

PCBs/Fingers pointing in many directions

From A-1

and Ashwaubenon, warning anglers of the newly exposed PCBs.

The concern is that fish in the area will consume bottom-feeding organisms that may have ingested high levels of the contaminants since the site was left exposed in mid-December.

Clark said risk assessments show that PCB concentrations above 0.25 ppm threaten human health and wildlife. By contrast, an EPA analysis of PCB levels in the dredged area outside Fort James shows the maximum concentration in the project footprint has risen from 6.2 ppm to 310 ppm.

The situation has prompted calls for action from scientists, federal officials and local residents in the month since news of the contaminant exposure was released.

"A local citizens' group has likened the project aftermath to the 'equivalent of a major toxic PCB spill.'"

A scientific and technical subcommittee of the Green Bay Remedial Action Plan committee, which has studied Fox River and bay pollution since the mid-1980s, said last month that the site poses an unacceptable risk and must be addressed immediately.

The Fish and Wildlife Service was the latest to weigh in with its concern, warning of "catastrophic re-suspension of PCBs into the Green Bay environment if we fail to respond in time."

The agency urged the EPA to force the mills to return to the site to complete the dredging.

Remedies unclear

Whether that will happen is unclear. The EPA can order a cleanup and impose fines and penalties for non-compliance — an option it is evaluating.

In the meantime, the DNR is pushing the mills to resume dredging, an idea the companies oppose. The mills say the project is an example of the pitfalls of dredging and propose capping the site. Instead, a measure the state considers temporary at best.

Bob Garfinkel, co-owner of Bob's Bait & Tackle in Green Bay, said something should be done soon and urged that people contact their legislators to apply more pressure.

"At the same time, he said the result of the project should have been expected."

"It's hindsight, but around here we knew what a huge job it was," Garfinkel said. "We thought it would be very difficult to do the



File/Steve Levin/Press-Gazette

This is an aerial view of the Fort James West Mill taken last fall when a pilot dredging project at the plant was removing PCBs from the Fox River.

feet of the newly exposed surface area was dredged down to the specified depth of about 6 feet. And in that small area, the target cleanup level was achieved.

"At the end of the day, time was running out, money was running out," said Dennis Hultgren, spokesman for Appleton Papers, one of the seven mills involved in the project.

Fingers pointing

The aftermath of the aborted project has led to finger pointing in many directions.

The mills attribute the project management and key decisions to the DNR. But documents sent back and forth between mill and agency officials from 1997-2000 show a project that for the most part appears to have been jointly managed, with both parties tugging and pulling for control.

Both sides agree that the dredging subcontractor, Four Seasons, failed to meet its obligation for sediment removal. But Four Seasons has countered that the site conditions were not as they had been represented, and has found fault with aspects of the project design.

Bill Fitzpatrick of the DNR isn't interested in excuses.

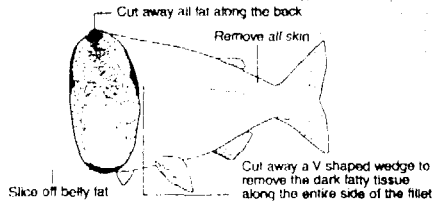
"If you take on the work to dry-wall houses and say you can do two houses a day, you should be able to drywall two houses a day," he said.

Despite falling short of the mark, the project took nearly a

Advice for preparing sport-caught fish for eating

Many contaminants, such as PCBs, are found at higher levels in the fat of fish. You can reduce the amount of these contaminants by properly trimming. Cooking does not destroy contaminants in fish, but heat from cooking melts some of the fat and allows some of the contaminated fat to drop away. Broil, grill or bake the trimmed, skinned fish on a rack so the fat drips away. Do not use the drippings to prepare sauce or gravies.

No amount of trimming will make species listed on the "Do not eat" list safe.



Source: Wisconsin Department of Natural Resources

Press-Gazette

But the DNR said it cost substantially more to conduct the pilot project than it would to remove the same amount of contaminants in a large-scale river cleanup because of additional costs for monitoring and other safeguards that proved unnecessary or excessive.

And, although the mills say most of the \$9 million was spent, the agency says it has yet to see receipts to that effect. To that end, the DNR speculates the project may not have been as expensive as it seems and there may be

Failure predicted

Folks such as Green and Rebecca Katers of the local Clean Water Action Council had forecast the project would fail soon after its inception in a January 1997 closed-door agreement reached between the mills and the DNR.

That agreement included a \$10 million "down payment" from the mills on the river cleanup, \$7 million of it to go toward a pilot dredging project somewhere south of the De Pere dam — a stretch now home to an estimated

Fort James, state talk about return to dredging site

By SUSAN CAMPBELL
PRESS-GAZETTE

Fort James Corp. is discussing with state officials a possible return to the dredge site outside the company's West Mill on the Fox River, independent of its mill partners in the Fox River Group.

The company is one of seven paper mills that financed a \$9 million pilot dredge project that concluded in mid-December with less than one-third of its targeted PCB removal met.

The mills, which refer to themselves as the Fox River Group, have repeatedly countered state requests to resume dredging at the site with offers to cap it and thus isolate the high-level PCBs left exposed by the project.

But rumblings have circulated during the last week about a Fort James proposal to finish dredging the area in return for a release from future state liability at the dredge site following the project's completion.

"Their proposal is to complete the project," confirmed Greg Hill of the state Department of Natural Resources. "They're interested in making sure that they get credit for the effort and that their

liability for that site, when it's completed, is resolved."

Hill said the company "has made it very clear to us that this is a unilateral offer to cooperate."

Fort James spokesman Mark Lindley said Friday that the company regularly has discussions with the state, but that he had no knowledge of the substance of those discussions.

Fort James already has stepped forward on two occasions to further the pilot dredging project, offering to permanently store the high-level PCB contaminants at its landfill near Austin Straubel International Airport and giving an additional \$2 million to the project when costs ran higher than expected.

In the \$2 million agreement, the DNR agreed to clear Fort James of future state liability within the dredge site but made the offer contingent upon the project being completed.

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"It was common sense: You cut a hole in the middle, and it was going to slough in on the sides. That's exactly what we were saying two years ago. So many people were opposed to this project, I'm flabbergasted it ever got permitted and find it very depressing now to be in this position of having to clean up a mess that everyone should have seen coming."

— Rebecca Katers,
Clean Water Action Council

more to the effort in exchange for a provision freeing the mill from responsibility for future PCB removal from the dredge site after the project's completion.

Environmentalists criticized that agreement, saying that the DNR — with its back against the wall — was forced to exempt the company from liability at the site just to keep the project alive.

Jim Hahnberg, who works in the Superfund program and represents the EPA on the Fox River issue, said his agency is cautious when signing any agreements

contaminants to be removed, the EPA requires that responsible parties sign off on pre-determined penalties in the event the agreement's terms aren't met.

"We wouldn't sign an agreement until we had those sorts of protections for the government," he said.

Greg Hill of the DNR acknowledged that the political fallout from the project is evidence that the agency's cooperative approach with the mills on the river cleanup isn't working as the agency had hoped.

oppose. The mills say the project is an example of the pitfalls of dredging and propose capping the site instead, a measure the state considers temporary at best.

Bob Garfinkel, co-owner of Bob's Bait & Tackle in Green Bay, said something should be done soon and urged that people contact their legislators to apply more pressure.

At the same time, he said the result of the project should have been expected.

"It's hindsight, but around here we knew what a huge job it was," Garfinkel said. "We thought it would be very difficult to do the job at hand with the short time and the money that was available. This is one of the hottest rivers in the United States."

What happened

Planned as a demonstration project to test large-scale dredging in the Fox River's northernmost reach, the dredging came to an end with only 28,633 cubic yards of a targeted 80,000 cubic yards of contaminated sediment removed. By then, the project had fallen victim to cold weather and low cash reserves.

The dredging equipment didn't get into the river until late August — a late start resulting from difficulties in finding a landfill that would accept high-level PCBs. But representatives of the DNR and the mills say the project's contractor was confident the dredging goal could be met by Thanksgiving.

Setbacks plagued the project almost from the outset. The first dredge proved inadequate to handle the watery sediment and a new one was brought in. The heavy dredging equipment tore a hole in the liner of a settling basin on the site, delaying work for three weeks. The arrival of coal boats caused further delay at the dredge site, located in the river's turning basin outside the Fort James mill. And an unexpected amount of debris in the riverbed — cables, rocks and logs — also slowed progress.

Correspondence between the consultants and the DNR shows that by early December, it was clear that areas of the riverbed opened up by an initial dredge pass couldn't be dredged to the depth necessary to remove all of the contamination. By then, the dredge had uncovered a surface area of about 110,000 square feet.

Because the goal of the project was to learn whether dredging could meet a cleanup goal of 0.25 ppm, the DNR and the mills decided to dredge to the desired depth in one part of the site to complete at least some of the project.

In the end, about 3,600 square

feet of the riverbed were cleaned and pulling for control.

Both sides agree that the dredging subcontractor, Four Seasons, failed to meet its obligation for sediment removal. But Four Seasons has countered that the site conditions were not as they had been represented, and has found fault with aspects of the project design.

Bill Fitzpatrick of the DNR isn't interested in excuses.

"If you take on the work to dry-wall houses and say you can do two houses a day, you should be able to drywall two houses a day," he said.

Despite falling short of the mark, the project took nearly a month longer than had been estimated to complete the entire removal. The mills also appear to have come close to exhausting the \$9 million budgeted for the project, although exactly how much was spent is also unclear, according to both the state and the mills.

Post-mortems given by DNR and mill representatives reveal the different motivations each had heading into the project.

The DNR expected it would show that environmental hydraulic dredging can be done with positive results on the Fox River; the mills expected it would demonstrate otherwise.

The subject of dredging has polarized the river cleanup debate since it emerged as the cleanup method preferred by the DNR and the EPA.

The mills, held responsible for discharging PCBs to the river during papermaking and recycling processes from the 1950s to 1970s, favor a less-costly remedy. Facing a cleanup bill estimated at \$150 million to \$728 million to address an estimated 63,000 pounds of PCBs that remain in the riverbed, they propose leaving much of the river to heal itself and argue that dredging actually worsens the contamination by stirring up buried PCBs.

Lessons learned

Hultgren said the pilot project went as the mills predicted, proving more costly, time-consuming and ecologically damaging than the DNR's projections.

"I think they learned a lot there," Hultgren said. "This is not a removal project; it is a demonstration project. I would venture that if you asked the contractor or the DNR what they would do differently, they'd have a shopping list."

"It does teach you it is not an exact science, that when you talk about dredging, it's not like falling off a log," he said. "A lot of stuff was tried... and you had the best minds trying to get this done."

Source: Wisconsin Department of Natural Resources

Press-Gazette

But the DNR said it cost substantially more to conduct the pilot project than it would to remove the same amount of contaminants in a large-scale river cleanup because of additional costs for monitoring and other safeguards that proved unnecessary or excessive.

And, although the mills say most of the \$9 million was spent, the agency says it has yet to see receipts to that effect. To that end, the DNR speculates the project may not have been as expensive as it seems and there may be money left for a return visit this spring.

In defending the pilot project, the DNR notes that dredging removed nearly 1,200 pounds of PCBs from the river. It further showed that, where completed, dredging brought PCB levels down to target cleanup levels.

"The FRG (Fox River Group) needs to be able to show that dredging doesn't work, but the data shows that it can work," said the DNR's Greg Hill.

"The project was not completed, and you cannot draw absolute conclusions based on the results," he said. "But what the project showed is that, yes, you can remove highly concentrated PCBs from the sediment without causing significant downstream impacts and significant releases to the air."

Bob Paulson, an environmental toxicologist with the DNR, said lessons learned from the project should help in the design of a cleanup plan for the entire stretch of river north of De Pere to the bay of Green Bay.

"It doesn't mean that it can't be done differently or that it can't be tweaked," he said. "That's why we went into it. If something's going to go wrong, you don't throw the baby out with the bath water as the Fox River Group (paper mills) wants to do."

Meanwhile, some outside the project say it was a test of another sort: a demonstration of whether the mills and the DNR can clean the river without the federal government's intervention, something both have fought vehemently in the nearly two years since the EPA proposed naming the river a Superfund cleanup site.

"We gave them a chance and they blew it," summed up Emily Green, director of the Sierra Club's Great Lakes Program in Madison. "The mills asked for a chance, and they got it — for years. The state asked for a chance, and they got it. And we're left with another messed up project."

Failure predicted

Folks such as Green and Rebecca Katers of the local Clean Water Action Council had forecast the project would fail soon after its inception in a January 1997 closed-door agreement reached between the mills and the DNR.

That agreement included a \$10 million "down payment" from the mills on the river cleanup, \$7 million of it to go toward a pilot dredging project somewhere south of the De Pere dam, a stretch now home to an estimated 90 percent of the river's PCB burden.

Katers and others warned at public meetings that basing the project's scope on dollars rather than science in an area where PCB concentrations reach 700 ppm was a mistake that would come back to haunt the community.

The DNR's surgical "Vaseline approach" — which agency officials described as "getting the red out" by extracting only the hottest part of the hot spot — would serve only to expose high concentrations of PCBs in nearby sediment, she argued.

"It was common sense. You cut a hole in the middle, and it was going to slough in on the sides. That's exactly what we were saying two years ago," Katers said now. "So many people were opposed to this project, I'm flabbergasted it ever got permitted and I find it very depressing now to be in this position of having to clean up a mess that everyone should have seen coming."

"I'm feeling guilty, wishing we had done more to stop it in the first place. But I'm not sure what we could have done in addition to make our concerns better heard."

Katers noted that the agreement for a pilot project also set the stage to begin cleanup of the most contaminated part of the Fox River. The closed-door negotiations shut the project off from scrutiny by the public, as well as federal agencies and others with an interest in the river cleanup, she said.

The project's initial \$7 million allocation was found deficient before a dredge had even ventured near the river. Last summer, the DNR announced that the amount of contaminated sediment targeted for removal would be cut nearly in half because project-monitoring costs were mounting.

Secret agreements

Another closed-door deal was struck, this time between Fort James and the DNR. In it, the company agreed to give \$2 million

more to the effort in exchange for a provision freeing the mill from responsibility for future PCB removal from the dredge site after the project's completion.

Environmentalists criticized that agreement, saying that the DNR — with its back against the wall — was forced to exempt the company from liability at the site just to keep the project alive.

Jim Hahnberg, who works in the Superfund program and represents the EPA on the Fox River issue, said his agency is cautious when signing any agreements with parties liable for contaminant cleanups.

Rather than simply assigning a dollar figure to a cleanup goal, the "EPA would have a stipulated agreement that environmental goals would be met; everything would be spelled out," he said. Hahnberg said that in addition to specifying the volume of con-

taminants to be removed, the EPA requires that responsible parties sign off on pre-determined penalties in the event the agreement's terms aren't met.

"We wouldn't sign an agreement until we had those sorts of protections for the government," he said.

Greg Hill of the DNR acknowledged that the political fallout from the project is evidence that the agency's cooperative approach with the mills on the river cleanup isn't working as the agency had hoped.

"We went into that agreement on a good-faith effort. What the last round of reports and allegations from the Fox River Group is leading the state to believe is that maybe it's not going to work," he said, referring to recent reports by the mills criticizing the dredge project. "Maybe people were right."

Correction policy

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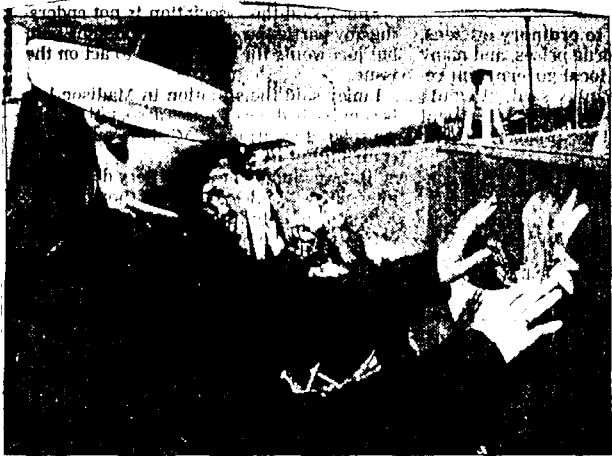
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Ken Behrend/Press-Gazette

Emily Green of Madison, director of the Sierra Club's Great Lakes Program, tries her hand at pinning the bill on the duck Saturday at the Fox River Revival, an environmental event at Voyageur Park in De Pere.

Environmentalism is just ducky at De Pere Fox River Revival

BY ELIZABETH GREKSO
PRESS-GAZETTE

DE PERE — In a high wind that blew promotional flyers free from their rock-and-twig paperweights, the Sierra Club held on Saturday the Fox River Revival, a recreational and informational event at Voyageur Park that focused on cleaning the Fox River.

The festival featured games and raffles, with the theme of ducks everywhere.

Amanda Peters, 12, played "Pin the beak on the duck," among other games. Peters said she attended because she enjoyed nature and wanted to support a good cause.

Tom Nelson, an environmental specialist for the Oneida Tribe of Indians, said he hoped for more events like the festival all along the river.

"Events like this are more relaxed and more fun; more people can learn about the river," he said.

Brenner Derryman, a sophomore environmental policy major at St. Norbert College, hopes the event will bring action to clean up the river.

"It seems like they always talk about it, but nothing ever gets done," he said.

Derryman volunteered for the event that drew about a hundred people. The windy, cold weather and rushed planning may have led to the low turnout, organizers speculated.

Despite the small crowd, organizers were not discouraged.

"We've achieved our goal if we only get a dozen people out here who haven't heard our message," said Emily Green, Director of the Sierra Club's Great Lakes Pro-

gram.

Sponsors for the event began organizing two weeks ago. The idea to hold the revival originated from a television ad by Fox River paper mills, according to Jennifer Feyerherm, a member of the Sierra Club Great Lakes Program.

The commercial, which featured a duck on a treadmill, is the paper mills' commentary about the lack of action by the government to clean up the Fox River.

"We found that strange," Green said, "given the fact that Fox River ducks are so polluted with PCBs from the mills, that you shouldn't eat them."

Other groups supporting the event included the Brown County Conservation Alliance, the Wisconsin Waterfowl Association, the Wisconsin Bass Federation, the Izaak Walton League and Wisconsin's Environmental Decade.

"This is really a public outreach event," Green said. "We need to remember the river for what it is and what it can be."

"If it was a more productive place, it would be a lot easier for people to learn from it and use it as a tool," said Katie Stolp, a St. Norbert senior majoring in biology and environmental science.

Series of mild winters seriously draining the Great Lakes

Water levels nearing record lows signal problems ahead for shoreline property owners, marina operators and the shipping industry.

Washington Post

The fastest decline in water levels on the Great Lakes in nearly 150 years is creating serious problems for shoreline property owners and marina operators, and is forcing cargo ships to lighten their loads to avoid running aground.

Since the summer of 1997, the water levels on lakes Michigan, Huron and Erie — and Lake St. Clair, which connects Huron and Erie — have fallen 3½ feet on each and are continuing to recede at a pace that could soon hit all-time lows, scientists predict. The five Great Lakes (Superior and Ontario are the other two) are the world's largest fresh surface-water system.

Lakes Huron and Michigan are 13 inches below levels recorded a year ago, and Lake Erie has dropped 11 inches. Superior reportedly is down about 8 inches. Controlled by mechanical gates, the waters on Lake Ontario have stayed the same or risen 4 inches.

What the U.S. Army Corps of Engineers calls an "astounding" lack of snowpack runoff this year in the Lake Superior basin — the headwaters for the Great Lakes — has disrupted the lakes' seasonal replenishment cycle. It drove last month's water levels in Michigan and Huron down 18 inches from long-term March averages.

Normally, a lake's water level rises in the summer as melted snow flows down the watershed system. The level declines in the winter when snow piles up and freezes in the tributaries.

However, high-altitude aerial surveys conducted in March by the National Oceanic and Atmospheric Administration show almost all of Lake Superior's shoreline in Michigan, Wisconsin and Minnesota to be snow-free. That suggests that water levels in Lake Michigan and the other Great Lakes fed by Superior will be a foot lower than last year when midsummer levels are measured.

hope traditional spring rains will bring water levels back up to normal. "It's not time to push the panic button yet," said Howard Christman, hydrologist for the state Department of Natural Resources in Grand Rapids. Eaton said the warm weather is speeding recreational boaters' thoughts of summer. "Since it has been so warm, people are thinking it's time to dust off the boat and launch it. Then they look at the water level and say, 'Oops, it's too low,'" Eaton said. "In a normal year, it would still be cold, and folks wouldn't be as concerned with the low levels."

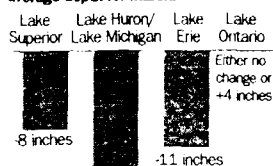
Exacerbating the Great Lakes situation is lower-than-average rainfall throughout the Midwestern states.

"All of this has thrown a whammy at the [replenishment] system at large," said Roger Gauthier, supervising hydrologist at the Corps of Engineers' Detroit

Great leaks?

Water levels on most of the Great Lakes were lower last month than the long-term averages for March.

Difference from long-term monthly average depth for March:



The Washington Post

office. "It could be the most radical three-year decline ever."

What makes the current falloff seem so dramatic, Gauthier said, is the contrast between near-record high water levels only three

years ago and near-record lows this year.

"The Great Lakes are 3,500 years old in their present form, and they have fluctuated dramatically countless numbers of times," Gauthier

said. "The problem here is that it is happening so quickly and it is going from one extreme to the other."

The low-water phenomenon is part of a larger weather pattern that climatologists say could mean a debilitating drought for Midwestern farmers this year.

The most obvious effects of the change in the Great Lakes are much wider beaches, launching ramps that stop short of the water's edge, new islands popping up out of the receding water and even the occasional appearance of a 19th century wooden pier that nobody knew was there until the water level dropped.

There have also been serious financial consequences, expected to run into the hundreds of millions of dollars.

John Rudisell, harbor master in Michigan City, Ind., said he expects to lose 250 of the harbor's 925 boat slips this year, a potential loss of \$525,000 when associated services are taken into account. The city, which hosts a major regatta for deep-draft sailboats each June, is having the Corps of Engineers dredge the outer harbor, where water depths have dropped to as low as 4 feet in places.

Scott Stevenson, harbor manager for the Chicago Park District, which manages marinas berthing 5,000 boats, said that some boat

ramps will have to be extended and that the channel leading to one harbor will have to be dredged about 3 feet deeper because of the lower water level.

In northern Michigan, two ferry services that operate between Cheboygan and Bois Blanc Island in Lake Huron have been forced to shut down because the water depth in the island's harbor entrance is less than 4 feet.

Last year, applications for dredging increased by 30 percent. So far this year they have increased by nearly 40 percent over the same period last year, said Robert Deroche, project manager at the Corps of Engineers' Detroit District headquarters. Last year, there were more than 1,000 dredging projects along Michigan's coastlines, more than twice the number in the previous year.

In addition to the high cost of the dredging itself, homeowners and marina operators are faced with the cost of safely disposing of sediments that have been contaminated with heavy metals, pesticides, diesel fuel and other toxic substances. Under strict environmental laws, such dredged material has to be deposited in confined disposal facilities.

— Staff writer Tom Meersman and the Associated Press contributed to this report.

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Months to replenish

Davis Helberg, executive director of the Duluth Seaway Port Authority, said water levels along Lake Superior are about 8 inches below normal. The 360-mile-long lake is so immense that it would take months of rain to raise the levels, he said.

The low levels are the result of three extremely mild winters that have not only dumped less snow and rain on the lake and surrounding land, Helberg said, but have also allowed "tremendous amounts of water to evaporate" during the winter from parts of the lake that didn't freeze.

"Even though the demand for iron ore is strong, and the demand for low-sulfur, environmentally friendly coal out of Wyoming is booming," Helberg said, "it seems inevitable at this point that we'll fall far short of 1999 tonnage figures in the port" because of the low water levels.

Last year about 39 million metric tons of cargo were shipped through the port of Duluth, and Helberg expects to be 4 to 5 million tons short of that this year, "unless there's some dramatic, unexpected change."

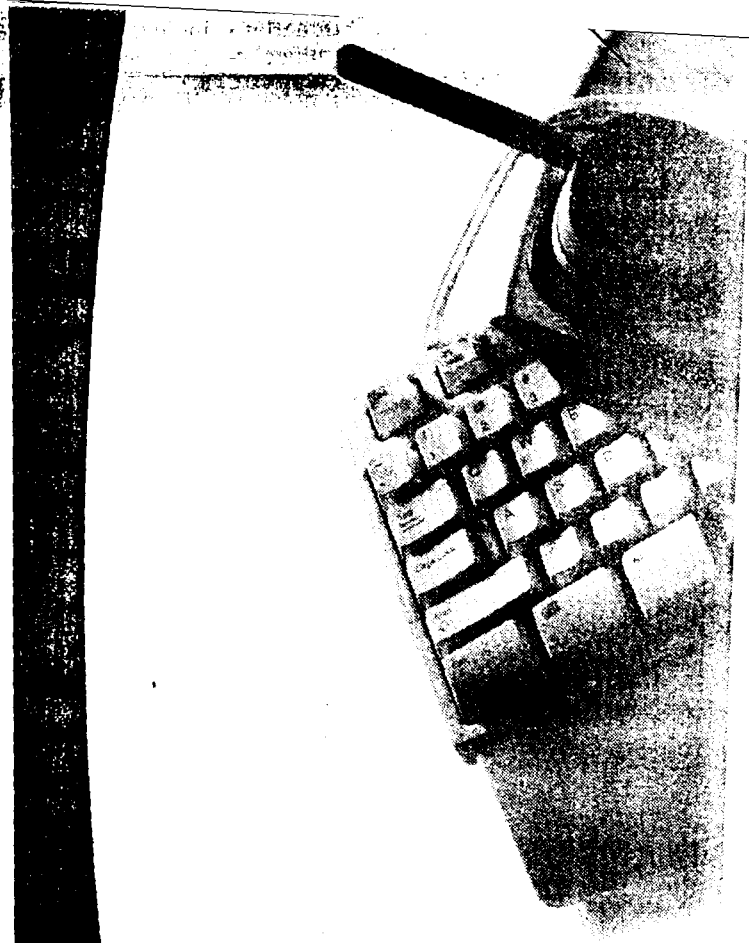
Shippers will be hard-pressed to deliver contracted amounts of iron ore pellets to steel plants in Pennsylvania, Ohio, Indiana and Illinois, he said, or coal to utilities in Detroit and elsewhere. International grain shipments, which constitute about 20 percent of the port's tonnage, also may be limited, Helberg said.

"It backs up and has ripple effects for miners of iron ore and coal, as well as for farmers," he said. "It's not as if a ship can make up for lost tonnage. It cannot speed up to make more trips, and it can only move so much cargo in our defined shipping season," which runs from March 25 to Jan. 15.

The shorelines of the Great Lakes aren't the only areas effected by the unusual weather. This past winter's meager snowfall also has left the water levels low on northeastern Minnesota lakes. As a result, fire danger is higher and boaters may have difficulty navigating shallower-than-normal lakes.

As of Monday, Lake Winnibigoshish and Leech Lake were about three-fourths of a foot low when compared with typical summer levels, according to Ed Eaton, chief of the water-control section for the Army Corps of Engineers in St. Paul. Pokegama Lake was about 2 feet low.

Area hydrologists, however,



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Immediate PCB action requested

4-21-2000

Dredging test left high levels exposed in Fox

BY SUSAN CAMPBELL
PRESS-GAZETTE

■ DNR says a second
dredging project near
Kimberly is successful, B-2

A local panel of scientists called on the Environmental Protection Agency Thursday to immediately address unsafe PCB levels left exposed in the Fox River by an unfinished dredging project.

The letter, from a subcommittee of the Green Bay Remedial Action Plan committee, said dredging at the site uncovered PCB concentrations up to six times higher than the 50 parts per million federal threshold for hazardous-waste disposal.

"Most landfills in the U.S. would not be considered safe to store the sediments," the subcommittee wrote to Francis Lyons, region 5 administrator for the EPA.

The Science & Technical Advisory Committee stressed that because high levels of polychlorinated biphenyls now are exposed on the riverbed surface, they are in prime position to enter the food chain — where they can accumulate and travel from fish to wildlife to humans.

"We ask the EPA to act immediately," wrote the subcommittee, which has been studying river and bay pollution since 1986 and in March applied similar pressure to the state.

The group also urged that monitoring of the site start immediately to document the extent of the problem, noting that "this sudden exposure of highly contaminated sediment to the overlying water column in the Lower Fox River is unprecedented."

"... This sudden exposure of highly contaminated sediment to the overlying water column in the Lower Fox River is unprecedented."

— Science & Technical
Advisory Committee,
in a letter to the
Environmental
Protection Agency

The EPA proposed the Fox River and 21.5 miles of the lower bay as a federal Superfund priority cleanup site nearly two years ago because of the risks PCBs pose to human health and wildlife. But the agency has delayed formally listing the site — which would force a cleanup — in answer to calls from the state and seven paper mills responsible for the contamination. The state Department of Natural Resources and the mills have said more time is needed to negotiate a voluntary cleanup.

In the meantime, a joint pilot dredging project launched in late August targeted the river's hottest PCB hot spot, located outside Fort James Corp.'s West Mill.

The \$9 million project was shut down by cold weather and dwindling finances in mid-December, with only

Please see PCBs, B-2

DNR: State-run dredging project near Kimberly is success

By SUSAN CAMPBELL
PRESS-GAZETTE

Amid criticism of an unfinished joint dredging project with Fox River paper mills, the state is touting the success of a second, smaller project it conducted on its own.

Final results for that project, located near Kimberly, were released by the State Department of Natural Resources late Thursday.

"The project successfully met the primary objective of demonstrating that environmental dredging of PCB-contaminated sediment can be performed in an environmentally safe manner," Bill Fitzpatrick, DNR project manager for the site, said in a press statement.

The agency reports that the Kimberly project met design goals and removed 7,200 cubic yards of 11,000 cubic yards of PCB-contam-

inated sediment and captured 112 pounds of polychlorinated biphenyls.

The project also removed an additional 1,000 cubic yards of sediment from an adjacent deposit not included in the original pilot plan.

Average PCB levels at the Kimberly site dropped to 12 parts per million, from 20 to 130 ppm before dredging. Because of the site's difficult terrain, near-complete

removal of the contamination never was a goal because it would not have been cost-effective, the agency reported.

The DNR said that site monitoring showed the dredging did not harm the water quality.

The project cost was \$4.3 million, less than the budgeted \$4.5 million.

Dredging began at the site in fall 1998, but cold weather forced an abrupt end to the project that

December. About 40 percent of the project was completed at that time, removing about 5,000 cubic yards of contaminated sediment and 100 pounds of PCBs.

The DNR returned to the site in August 1999 to finish the job, targeting another 5,000 cubic yards of sediment and 50 to 60 pounds of PCBs.

The report can be viewed on the DNR's Web site: www.dnr.state.wi.us/org/water/wm/lowerfox.

PCBs/DNR, paper mills disagree on further action

■ From B-1

28,633 cubic yards of a targeted 10,000 cubic yards of contaminated sediment removed.

The project left behind a nearly acre hole in the riverbed surface and exposed PCB concentrations as high as 310 ppm — almost 100

times higher than before dredging began.

Others have weighed in with their concerns about the project's aftermath, among them the U.S. Fish & Wildlife Service, which warned of "catastrophic resuspension of PCBs into the Green Bay environment if we fail

to respond in time."

The DNR has asked the mills to complete the job. But the mills have declined, contending that the project showed dredging is harmful to the environment and proposing to cap the site instead. The agency also has had separate discussions with Fort James about

resuming dredging at the site, but neither side will comment further.

The EPA thus far hasn't answered the distress calls, which began shortly after details of the contaminant exposure were released publicly in early March.

"We do agree it is a critical environmental situation that does

need to be addressed soon," said Jim Hahnenberg, of the EPA's Region 5 office.

"We will have a resolution of some type within the next few weeks — at most," he said, noting that will occur whether an agreement is reached with the mills to resume dredging.

COLUMNIST'S PERSPECTIVE

Paper mills release their troubles on the public

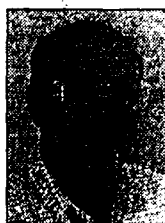
Want a real jaw-dropping, eye popping experience? Check out Clean Water Action Council's Web site at cwac.net. Click on "computer generated pictures ..."

The SMU, or site management unit, 56-57 computer maps show the before and after of the botched dredging in the Fox River near Fort James Corp.'s West Side plant in Green Bay. Maps are courtesy of the Environmental Protection Agency.

Let me refresh your memory about this mucked-up test project. I've written for years about the seven paper companies, the Fox River Group, responsible for polluting the river with PCBs. They continue to dump tons of chemicals into the river annually, and one of the companies, Appleton Papers, has had the unmitigated gall to ask for a permit to dump yet another 21 percent into our river.

Our Department of Natural Resources, Gov. Tommy Thompson's errand boy, quickly issued the permit. ("Get yer permits! Get yer red hot permits! Only one donation!")

By now you've seen the group's silly commercial with a duck on a treadmill.



Curt Andersen

For The Green Bay News-Chronicle

To prove their point, the Fox River Group opened up what is equivalent to a toxic spill. The mills left this sore in the river where it can bleed downstream.

These Irresponsible Parties have the nerve to blame unnamed government agencies for "ducking their responsibilities" in the cleanup, after the mills have had 25 years to do it, during which time they sat on their corpulent corporate keister and did nothing.

That is, until the EPA stepped in and threatened to name the Fox River a Super-

fund site. If the EPA would do this, the cleanup would begin posthaste, and the mills would have to pay the costs, whatever they are.

The EPA gave these bad actors time to come up with a cleanup plan, stating that the EPA would prefer a local agreement. The mills' response has been further foot dragging, name calling, specious claims, economic blackmail, a kajillion press releases that tell us what "good neighbors" they are, and two test dredgings. The dredging at Deposit N in Kimberly was handled by the Wisconsin Department of Natural Resources. It did OK for a test.

The mills controlled the SMU 56-57 test dredge. It was hampered from the beginning by a lack of adequate money. The mills didn't want the dredging to work, since it is the second most expensive cleanup option. To make darn sure dredging looked bad, they began late in the year, went into the highest concentrations of PCBs at this site and dredged to just the right depth and just the right width, so the maximum amount of PCBs would be exposed.

When the sides of the dredged area collapsed, it exposed even more PCBs. On top of this, they made a deal with Thompson's lackey DNR, trading an additional \$2 million for the project and getting a release from liability for the site, even though it was still full of PCBs.

To prove their point, the Fox River Group opened up what is equivalent to a toxic spill. The mills left this sore in the river where it can now bleed downstream, into the bay and the lake, affecting not just the fish and the birds.

They have put you and your children at risk, all to prove their point. They are a real class act, no?

What do their actions remind you of? A. Bullies. B. Street gangs. C. Shakedown artists. D. Con artists. E. Ordinary thugs. F. All of the above. Final answer?

Andersen, whose column appears here each Wednesday, is a lifelong resident of the Green Bay area and a Vietnam-era Navy veteran. He owns a small business and is on the board of the Clean Water Action Council. E-mail him at candarse@gateway.net.

Our mission:

"The Press-Gazette strives, as it has since 1915, to be the primary provider of information in Northeastern Wisconsin, keeping the welfare and development of the Greater Green Bay area at heart. It is our responsibility to provide a forum for free and open expression of diverse opinions while maintaining the public trust necessary to serve our readers, advertisers, employees and stockholders."

OPINION

The "In Our View" editorials reflect the opinion of the Green Bay Press-Gazette. All other items on the Opinion page — cartoons, columns by syndicated and local writers and People's Forum letters — reflect the opinion of the author.

★★ SUNDAY, APRIL 16, 2000

GREEN BAY PRESS-GAZETTE A-14

IN OUR VIEW

Mills, state must agree to repair Fox River

Removing PCBs from the Fox River is proving to be a complex engineering and financial process.

But what must drive the effort is a simple truth: Those who do damage must repair it.

Complexity and cost aside, that means paper mills responsible for PCBs in the river must either remove or reduce the volume of those chemicals.

PCBs, or polychlorinated biphenyls, have been linked to reproductive problems and deformities in wildlife, and to lowered mental ability and slowed development in children exposed to elevated levels in the womb. State advisories warn everyone — particularly women of child-bearing years — to avoid eating fish from the river.

PCBs were used in carbonless paper. The seven mills charged with cleaning up the river recycled such paper before 1977, when use of PCBs was banned. An estimated 530,000 pounds of PCBs went into the Fox. About 63,000 pounds are said to remain in the river bottom today. Some are said to be in Green

■ Issue:

Cleanup of PCBs

■ Our view:

A local solution still is the best approach, but companies must make progress

Bay; others have been carried away in the air.

The mills aren't charged with criminal conduct. Their situation is akin to practicing your golf swing in the backyard and slicing an errant shot through a neighbor's window. You didn't mean to do damage. But you did and must make things right.

The latest complexities and cost questions have led to finger pointing over a pilot dredging project last fall near the Fort James west mill. Sediment near the former Fort Howard Paper Co. is the most heavily contaminated hot spot known in 39 miles of river.

The mills put \$9 million into a fund for dredging co-directed by the Department of Natural Resources. Delays and high costs, for which the DNR and the mills blame

their contractor in part, left the work incomplete when winter came. Only about 30,000 cubic yards of a targeted 80,000 cubic yards of material was dredged. Overall, the effort removed 1,200 pounds of PCBs.

It also exposed buried PCBs, raising the hot spot's average surface concentration from 6.2 parts per million to 310 ppm. The DNR has proposed a post-cleanup level of 0.25 ppm in draft studies, a level said to be protective of human health and wildlife.

The U.S. Fish and Wildlife Service calls resuspension of PCBs "catastrophic" if not quickly remedied. Its concern is that exposed PCBs will wash into Green Bay.

The mills and the DNR now are arguing about tests from the pilot project. The DNR says the work shows dredging carried to completion can remove PCBs without making contamination worse. The mills say levels are higher after dredging and it would be simpler, safer and less costly to cap hot spots, burying PCBs.

Obviously, dredging will expose

PCBs. But complete dredging — as envisioned at the pilot project site — should remove PCBs, treat them and safely stow them in a landfill.

The mills say they are through dredging. The DNR, the U.S. Environmental Protection Agency and Fish and Wildlife want the pilot project completed. The EPA can order a cleanup and levy fines of \$25,000 a day and heavy punitive damages if nothing is done.

We prefer a state solution to the problem, but we agree with the EPA that serious errors were made. In particular, the state three years ago shortsightedly accepted a fixed amount for the pilot project without establishing how much contamination must come out of the river. EPA's more sensible approach is to set environmental goals and penalties in the event they are not met.

Another shortcoming: Most significant discussion of the project was in secret. The public could not find out what was going on, much less offer suggestions.

The unfinished pilot project has taught lessons — when to dredge,

how to treat spoils and where to dispose of them. That will make future work more efficient.

With those lessons in mind, the mills and the state must agree to repair the Fox to avoid EPA intervention. If they fail, and the EPA steps in, whatever it orders surely will be challenged in lawsuits that could delay a cleanup for years.

Millions that should be spent to cleanse the Fox will go to lawyers.

There are encouraging hints that Fort James wants to finish the pilot. That would be a sign of good faith from one of a group of mills that have been dragging their feet on cleanup for years. Fort James likely will seek a release from future liability for PCB damage within the boundaries of the pilot dredging site. If that offer comes, the state must weigh it carefully.

An effective cleanup which might combine dredging of hot spots and capping elsewhere — will be expensive. But remember the golf ball. Fixing the neighbor's window won't be cheap. But you must satisfy those whose property you damaged.

Panel finds flaws in models of PCB activity in Fox

Neither 'best' for decisions about cleanup

By SUSAN CAMPBELL
PRESS-GAZETTE

Of two models used to predict PCB movement in the Fox River, neither is the single best model on which to base cleanup decisions, according to an expert panel.

The six-member panel, paid for by paper mills facing a multimillion-dollar cleanup of the Fox

River, reported Monday that the dueling models used by the state and the mills have serious shortcomings.

"At the present time, there is not a single 'best' model that is ready to perform the decision-making duties required," it concluded.

The six-member panel was selected by the American Geological Institute, a nonprofit federation representing more than 100,000 geologists, geophysicists and other scientists.

Mills held responsible for addressing an estimated 63,000 pounds of polychlorinated biphenyls in the riverbed commissioned the study to learn

whether their computer model, or one used by the state Department of Natural Resources, more accurately predicts PCB movement in river sediment.

The DNR model, developed by the U.S. Environmental Protection Agency as part of a 1989 study of the Fox River and Green Bay, predicts PCBs will continue to drift into the bay for another century. The mills dispute those findings, however, and varied the model's results by feeding it different data and assumptions. Their model shows that sediment and the PCBs clinging to it stay in place after passing over the De Pere dam.

The seven mills cite those re-

sults in arguing that removing the chemicals through environmental dredging would only serve to disturb PCBs buried deep within the sediment. The DNR, citing its model's finding that PCBs are on the move, supports dredging as one possible way for removing the contaminants.

The panel criticized the differences between the two models as being "somewhat obscured" by the different parties' assumptions and calibration methods. "In essence, the models have been verified or corroborated in a somewhat ad hoc fashion that detracts from their credibility," it wrote.

The passage of time — the

study of Fox River PCBs has continued for more than a decade — should enable both sides of the debate to see the real-life behavior of PCBs in sediment by studying sediment cores from the inner bay, and fish tissues — as PCBs are known to remain about 10 years in the latter.

"An observational picture of the 'real' long-term response of the Lower Fox River is emerging," the panel wrote. "Models that reproduce this long-term response would have much greater credibility."

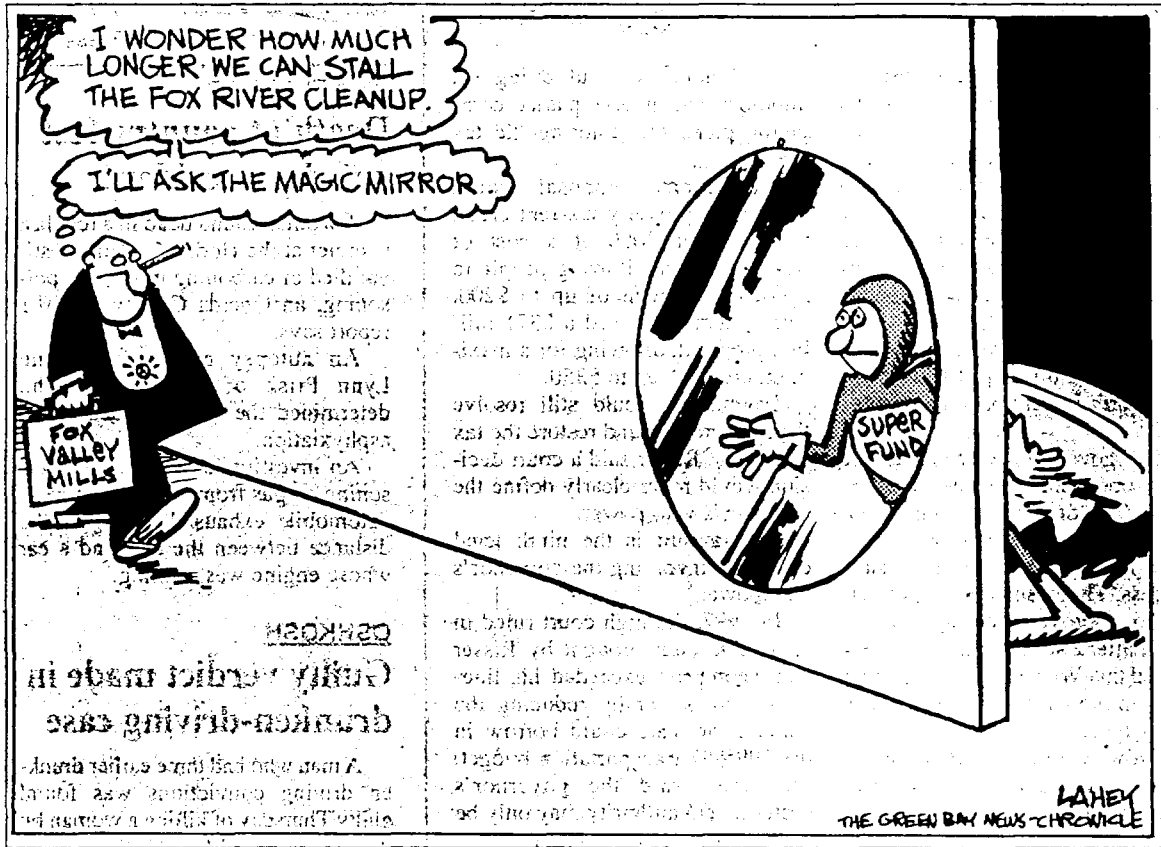
The panel recommended a consensus approach in which the state and mills would work to-

gether to improve the model conditions both sides signed on to, but failed to implement, in a January 1997 agreement.

Spokesman Dennis Hultgren, of Appleton Papers — one of the targeted mills — said now that the DNR predicts its cleanup proposal won't be out before fall, there should be time to work together on the model.

Bruce Baker of the DNR said that although the panel's comments will be taken into consideration, the model is not the main driver of the cleanup. He noted that most Superfund cleanup sites, which the Fox River may be headed for, have no model.

LYLE LAHEY'S VIEWPOINT



I WONDER HOW MUCH LONGER WE CAN STALL THE FOX RIVER CLEANUP.

I'LL ASK THE MAGIC MIRROR...

FOX VALLEY MILLS

LAHEY
THE GREEN BAY NEWS-CHRONICLE

Date for Fox River plan moved

By SCOTT HILDEBRAND
PRESS-GAZETTE, MADISON BUREAU

MADISON — The target date for releasing a comprehensive cleanup plan for the Fox River has been delayed due to an expansion of the project's scope.

Bruce Baker, deputy administrator of the Department of Natural Resources' Division of Water, said the date for issuing the proposal has been pushed back to the fall from spring because the agency must include cleanup options for Green Bay.

"That was the major change in the scope of this (project) that set us back," he said.

The U.S. Environmental Protec-

tion Agency urged the DNR to give the public a chance to review cleanup options and costs for the bay, Baker said.

The comprehensive plan will come more than two years after the EPA proposed 39 miles of the lower Fox River and 21.5 miles of the bay for listing as a federal Superfund priority cleanup site. The EPA has held off on a final designation, providing time for the state and seven paper mills held responsible for the contamination to come up with a voluntary cleanup plan.

Preliminary studies the DNR released last year outlined cleanup scenarios ranging in cost from \$150 million to \$728 million.

Those scenarios include various combinations of dredging and capping contaminants or allowing the river to clean itself through natural processes.

The DNR did not include cleanup options for Green Bay along with the Fox River options. Baker said it's doubtful the department would recommend action for removing PCBs from the bay. PCBs, or polychlorinated biphenyls, contaminate sediment in the river and pose a health threat to fish and wildlife and to people who eat fish from the Fox River. PCBs are long-lasting, synthetic chemicals used in the manufacture of carbonless paper.

Baker and other DNR officials

discussed the Fox River cleanup Wednesday at a Capitol briefing for lawmakers and their staffs.

One legislator, Rep. Neal Kedzie, attended the briefing. Kedzie, R-Elkhorn, is chairman of the Assembly Environment Committee.

Ed Lynch, the DNR's project manager for the Fox River cleanup, said the agency has received about 200 public comments on the preliminary study. He also said the department was faulted for not adequately assessing natural recovery — or allowing the river to heal itself — as a viable option.

Baker said the department has not made any decisions on specific cleanup options to pursue.

The Results Are In.

The models aren't good enough.

Everyone agreed — we weren't getting anywhere on the Fox River PCBs issue. A persistent question has been: Are the computer simulations (or models) of the Fox River good enough to guide us in reaching a solution?

So, we asked independent scientists assembled by the American Geological Institute (AGI) to answer that question by studying the DNR's model and the model created for the Fox River Group to improve the DNR model (referred to in the AGI report as LTI).

In a word, the independent scientists said: No.

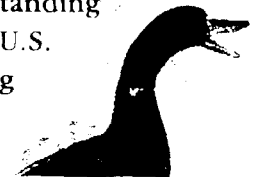
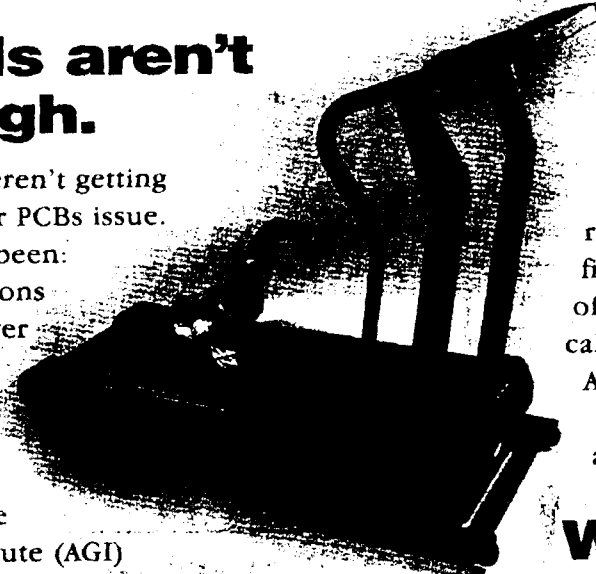
They also said that modeling plays a critical role in making decisions to use dredging, capping or other techniques on the Fox River, and they gave specific recommendations for improving the computer models. They said that the Fox River Group had already

are some things we can do for the river right now, while the models are being fixed.

Below are portions of the AGI's report which briefly explain its findings. If you would like a copy of the complete report, please call 1-877-477-4837, or visit the American Geological Institute's web site: www.agiweb.org, and click on peer review.

We need to work together.

Now more than ever, we believe it is critical to join together with the DNR, EPA and other government agencies to take action on the recommendations offered by the AGI in order to come to a sound, scientifically based solution. This, along with our standing proposal to the DNR, EPA, and U.S. Fish and Wildlife Service, among others, for a framework to begin specific projects



...one of the problems with the DNR's model.
We would like to work together with the DNR,
EPA and other government agencies to make fur-
ther improvements. In addition, we feel that there

...now, will help everyone
stop running in place.
Let's work together.
Let's make things right.



fox river group

1-877-477-4837 • www.foxrivergroup.org

Excerpts from the American Geological Institute "Peer Review of Models Predicting the Fate and Export of PCBs in the Lower Fox River Below DePere Dam"

Section 1.5 Remediation Alternatives

There are three primary strategies that can be employed to lower the environmental and health risk associated with PCB-contaminated sediments in the Lower Fox River: (1) natural recovery; (2) dredging of sediments; or (3) capping of sediments. Each of these strategies could be used independently or conjunctively, with the goal being to find the mixture of strategies that proves to have the optimal cost-benefit.

The consideration of each of these remediation alternatives requires that their impact to the PCB loading to Green Bay, the PCB concentration in the water column, and the PCB concentrations in the near-surface and deep river sediments be predicted *several decades into the future*. The only mechanism available to provide these

predictions is computer simulation. Thus, a number of models have been developed to predict the fate of PCBs in the Lower Fox River system.

Section 2.3 Utility as Decision-Making Tools

The final issue that must be addressed for both the LTI and DNR models is "Are the models good enough for use in developing remediation plans for the Lower Fox River below DePere Dam?" To be able to answer this question, the ability of each model to assess the impacts of the three remedial actions discussed earlier in this report must be addressed, these being: natural recovery, dredging, and capping.

At the current time, there are not substantial enough data sets on PCB and total suspended sediment concentrations during high-flow events in the Lower Fox River to be able to accurately calibrate either model. Thus, neither the LTI nor DNR model can be said to accurately represent the fate of PCBs and sediments during these critical flow periods in the Lower Fox River. In

regards to predicting the resuspension, deposition and export of sediment and PCBs from the Lower Fox River, this review panel still finds considerable uncertainty exists in predictions provided by both the LTI and DNR models, thereby limiting their utility as decision-making tools at the present time.

Section 3.1 Summary

However, at the present time there is not a single "best" model that is ready to perform the decision-making duties required of these models related to evaluating remediation alternatives in the Lower Fox River. However, the modeling groups could modify and recalibrate their frameworks to yield more consistent predictions of the Lower Fox River's future state. This could be accomplished through the use of a consensus modeling approach. The resulting model would be extremely useful in informing decision makers as they weigh alternatives for system cleanup.

Please refer to the AGI peer review report for complete details.

Budget rarely favors Great Lakes states

Federal water dollars diverted to coastal areas

By JOHN MACHACEK
GANNETT NEWS SERVICE

The Great Lakes are written into federal law as America's fourth seacoast — the linchpin of a majestic inland waterway system from Florida to the heartland. But when federal dollars are doled out, the lakes sometimes lose their luster as a national freshwater treasure.

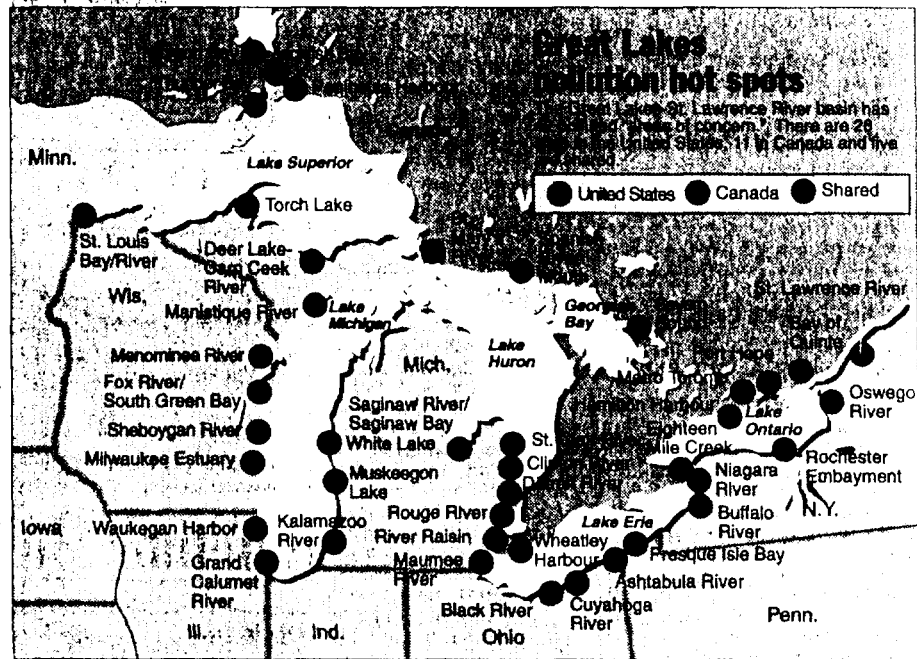
Inside congressional committee rooms and some federal agencies, the five huge lakes struggle annually to get their due in stiff competition with the more politically powerful saltwater coasts for fewer federal dollars available for restoration of fish and wildlife habitats, pollution cleanups, aquatic research and navigation improvements.

"It is fair to say that the Great Lakes have, unfortunately, in some agencies been viewed as the poor cousins of the saltwater coasts," said Michael Donahue, executive director of the Great Lakes Commission, a regional planning and policy group that advises federal and state lawmakers in the eight Great Lakes states.

In Congress, Great Lakes lawmakers have been so busy trying to protect what they have or to recoup losses, they have lacked clout to bring home big-ticket items for Great Lakes improvements. Instead, they watch with a mixture of dismay and envy as the government spends hundreds of millions of dollars to restore the Florida Everglades and save Pacific Coast salmon.

"I hope we can get some increases (in funds) this year, but Congress in general hasn't always appreciated the incredible value of the lakes," said Rep. Vernon Ehlers, R-Mich., one of four co-chairs of the Great Lakes House Task Force, a group of 19 House members who do the heavy lifting on Great Lakes legislation. "Many members have never visited the region and just know it from geography books."

Making matters worse, the region's political strength continues to shrink. The eight Great Lakes states, which have seen their con-



Source: International Joint Commission

Gannett News Service

gressional representation fall by 13 percent since 1979, are projected to lose seven more House seats after the 2000 Census.

But Great Lakes lawmakers and policy advisers have spotted an opening in the budget wars and hope to drive a major initiative of their own through it when a new Congress convenes next year.

They're studying the possibility of turning a modest Clinton administration proposal this year for cleaning up the lakes' worst toxic pollution sites into a full-scale Great Lakes "restoration" program. That plan could include an attack on non-native plants and animals that have slipped into the United States aboard foreign vessels and caused great environmental and economic damage.

"There is a sense that it is our turn," said Allegra Cangelosi, staff director of the House and Senate Great Lakes Task Force.

To get started, Ehlers and Rep. James Oberstar, D-Minn., another co-chairman of the House Great Lakes Task Force, have introduced similar bills that would authorize \$250 million over the next five years for cleaning up the worst polluted areas on the Great Lakes.

The first \$50 million installment

"Many members (of Congress) have never visited the region and just know it from geography books."

— Rep. Vernon Ehlers, R-Mich.

under that legislation is included in President Clinton's proposed 2001 budget. But the legislation is threatened by presidential election politics and by partisan differences over how to pay for it.

House Republicans aren't excited that Vice President Al Gore unveiled Clinton's proposal shortly before the start of the presidential primary season, as part of the administration's \$1.4 billion "Lands Legacy Initiative" for preserving forests, farmland and coastal areas.

Nor do they like Clinton's proposal to pay for toxic cleanup by diverting money from other clean-water programs that finance wastewater treatment and sewer construction nationwide.

"There is no way that members of Congress are going to cut into that money for something for the Great Lakes," said Ehlers. His bill

would let congressional appropriations committees decide on the funding source.

Environmental groups such as the Sierra Club and Great Lakes United estimate \$2 billion is needed to clean up the Great Lakes' 42 toxic hot spots. Twenty-six of those are on the U.S. side, including the Fox, Menominee and Sheboygan rivers in Wisconsin, a stretch of Lake Ontario shoreline at Rochester, N.Y., and the Buffalo River in Erie County, N.Y. The United States and Canada also share five polluted areas of concern, including the Niagara River, St. Lawrence River and Detroit River.

Some environmentalists have proposed spending all available money at one or two sites to see if at least some hot spots can be wiped off the map.

"We need a success story," said Emily Green of the Sierra Club's Madison office.

But environmentalists recently joined with Great Lakes industrial groups to endorse broader priorities that underlie the Ehlers bill — giving priority to cleanup efforts that use innovative technology and to sites that have not received much money in the past.

BUSINESS

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out the country, many of which have some kind of online presence.

Riverside and Memorial have their own Web sites, in addition to links or homepages via several national wire services.

Bob Aykens, Tom's son, is



Microsoft earnings rise despite firm's legal woes

SEATTLE (AP) — Microsoft Corp.'s third-quarter earnings rose 24 percent from a year ago amid analysts' concerns over lagging computer sales and investor worries about its ongoing legal woes.

Those concerns won't likely go away, as the company's new chief financial officer, John Connors, said Thursday both earnings and sales in the fourth quarter, ending June 30, would be flat.

DNR: State agency says results show PCB dredging work at Deposit N on Fox a success

From A-1

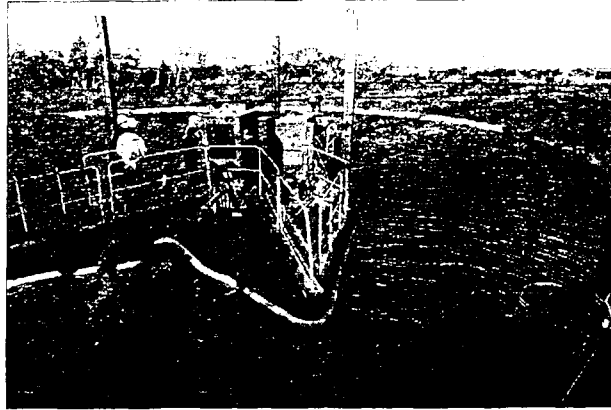
bedrock at the site, including the most heavily contaminated material.

The dredgers captured 112 pounds of PCBs, but left approximately 80 pounds behind, in sediments stuck in dips, cracks and depressions in the bedrock where they could not easily be reached by the dredger's cutting head.

The average PCB concentrations in the sediment left behind were cut to 12 parts per million, two to 10 times less than the 20 to 130 ppm originally found at the site, but still much higher than averaged cleanup goals of 0.25 ppm envisioned in the state cleanup feasibility report issued in February 1999.

PCBs, polychlorinated biphenyls are man-made industrial chemicals once used in the manufacture of carbonless paper. Their use was banned in the 1970s after they were linked to birth defects in fish-eating birds.

Fitzpatrick said the project at N was never designed to reach the



Post-Crescent file photo

THE DEPARTMENT OF NATURAL RESOURCES has called the dredging of Site N near Little Chute a success.

0.25 standard, a number that was published after the project was designed. It was a mass removal project designed to show that dredging could be done safely with-

out resuspending sediments, a goal that was met so well that the Interlake Paper Co. saw no increased turbidity at its river intake pipe just downstream of the dredging.

"The dredging contractors and engineering consultants did their jobs, and as the monitoring data rolled in, the plant managers started to relax a bit," Fitzpatrick said. "At one of the update meetings, the plant managers said that with all of their monitoring, they couldn't even tell we were dredging PCBs right above their intake."

The challenge at Deposit N was to dredge sediments stuck to shallow, fractured bedrock in an area of high river velocity, in the midst of an urban area.

The most extensive, "real-time" monitoring system ever used at a river cleanup site was put in place and showed no exceedences of permits and no degradation of water quality in the area during dredging, Fitzpatrick said.

The demonstration project had a total cost of \$4.3 million, a signifi-

cant portion of which was associated with what the DNR called the pioneering nature of this first dredging effort on the Fox and with the fact that engineers were operating on an accelerated schedule that involved winter construction.

A cost analysis shows that a

more representative cost for another similar project would be in the \$250 per cubic yard range, and a larger project of this type that removed 100,000 cubic yards would cost less than \$200 per cubic yard.

Group ^{4/22/2000} disputes dredging success

Fox River Group says DNR report proves dredging too costly

By Ed Culhane

Post-Crescent staff writer

The just-published report on the first environmental dredging project ever attempted on the Fox River has generated a rich and probably indisputable pile of facts, but any agreement about what they mean seems as elusive as the long-awaited cleanup of the river.

Officials with the state Department of Natural Resources have declared the project a success, saying it achieved every goal set forth for it. It proved that dredging can be done cleanly, even under tough conditions, without disturbing neighbors of the river.

A spokesman for the Fox River Group of paper companies that have battled the DNR's cleanup philosophies for years, says the same report is just more proof of their chief arguments — that dredging is too expensive and that it doesn't work.

Dennis Hultgren of Appleton Papers said the average concentration of PCBs on the surface of the sediments left behind after dredging were measured at 14 parts per million, only a slight drop from the average surface concentrations of 16 ppm before dredging. Maximum concentrations dropped from 160 ppm before dredging to 130 ppm afterwards.

"They went twice over this."

Please see **DREDGING**, BACK PAGE



the
future
for the
FOX
river

DREDGING: Fox River Group disputes DNR on Deposit N

From A-1

Hultgren said. "It is the same thing that happens at Manistique. You dredge and dredge and dredge and you can't get your surficial concentrations down."

Manistique harbor in Michigan's Upper Peninsula is the site of a years-long dredging effort by the U.S. Environmental Protection Agency. As with the Fox River, the paper companies and government regulators disagree about the results. The project has resulted in more dredging than anticipated, however, and it has exceeded cost estimates.

Bill Fitzpatrick, the DNR's project manager at Deposit N, invites everyone to remember the chief criticism being leveled against dredging in the mid 1990s, that it would stir up contaminated sediments and send a plume of pollution downstream, an issue the DNR has now put to rest, he said.

Criticism of dredging, he said, has been a moving target. The DNR is now criticized for leaving concentrations higher than the cleanup goal of 0.25 ppm suggested in the draft feasibility study (RIFS) released in February 1999.

But the project was never designed with that goal in mind, Fitzpatrick said. DNR officials have challenged critics to produce

a single document or interview that associated the 0.25 standard with Deposit N.

"This was a mass removal project," Fitzpatrick said. "This is risk management."

There were 142 pounds of PCBs distributed within 11,000 cubic yards of sediment at Deposit N, two sediment lobes that covered 3 acres of river bottom. Dredging removed 111 pounds or 78 percent of the PCBs by suctioning 7,200 cubic yards of sediment from the river.

"It is the PCB mass which ultimately determines the contribution of PCBs to an aquatic system," the DNR report states. "Therefore the post-dredge site conditions with a significantly lower PCB mass represents a lower risk to the river."

But the results of dredging at Deposit N near Kimberly — perhaps the most extensively monitored such project in history — also show that in areas where fast and shallow water flashes over fractured bedrock, there are real limits to a dredgers effectiveness.

One limiting factor at Deposit N was cost. Because sediment was packed into the uneven rock, there was no easy way to scrape it off. To get all of it would have required incredibly expensive techniques, such as divers using smaller vacuum hoses to slowly clean out rock



Post-Crescent graphic.

areas.

As it is, the project ended up costing state and federal taxpayers

\$4.3 million, or \$525 a cubic yard, costs much higher than envisioned in government cleanup plans.

"Based on what I see, it cost them a little over \$38,000 a pound for removal," Hultgren said. "No matter what, we are still talking about a heck of a lot more money than we were seeing (the government estimate) in the RIFS."

Fitzpatrick said the DNR spent far more at Deposit N, with public outreach and redundant safety and monitoring systems, than will ever be necessary in a large-scale river cleanup.

"It was valuable for the work we're doing and the case we were trying to make," Fitzpatrick said. "It proved out point."

The project did accomplish one thing. For years, paper company executives argued that the results of dredging projects in the Fox River should be known before a final cleanup plan was created.

Now they are known, and they will be included in the finished draft of the RIFS and the cleanup plan when they are released later this summer.

They are known, but what they mean will still be up for debate.

COLUMNIST'S PERSPECTIVE

Environmentalists rank at top of hero lists

We all have heroes in our lives. Not the sports guys or the movie stars, but real people who change our lives or our world for the better.

The heroes can be family members, friends and neighbors. You name it. They can be some really special teachers like those who have helped me from grade school to college. These heroes have been patient and understanding and instructive and forgiving. One can only hope that some of these qualities rub off on us.

A really special group of heroes are environmentalists. These folks are your neighbors, who work at jobs just like you, pay their taxes just like you, catch the flu and eat pizza just like you.

The special quality these folks have is that, for the most part, they work for free to make the world we all live in better. Environmentalists don't do their work for extrinsic profits. They would profit from a healthy environment and so would you, if Republican legislators would help instead of hinder.

Such folks include Rebecca Leighton-Katers and members of the Clean Water



Curt Andersen

For The Green Bay News-Chronicle

The special quality these folks have is that, for the most part, they work for free to make the world we all live in better.

Action Council and other groups that have been fighting the Crandon mine, which will destroy the pristine Wolf River.

It includes those wrassling with the paper mills that have already destroyed the Fox River and are busy working on the destruction of Green Bay and Lake Michigan. Locals might remember that Lake

Michigan is where many of us get our drinking water.

Up in Forest County, in the little town of Nashville, just a few miles southwest of Crandon, a retired deputy sheriff, Chuck Sleeter, moved to the area to spend his retirement in the peaceful north woods. At meetings sponsored by Exxon, where they described the proposed mine in glowing terms, Sleeter was not swayed by the shiny half of the ledger that Exxon promoted, the half that promised jobs. Only a fool would look at only half of the ledger.

Sleeter and his neighbors became rightly concerned when the Town Board held illegal secret meetings regarding the mine agreement. "Open meetings laws are the heart of Wisconsin government," Sleeter said.

The agreement the former Town Board signed with Exxon had a real stink about it. Because of that agreement and the secret meetings, Sleeter, his wife, Joanne, and three other civic-minded residents ran for and won four of five board positions.

The new board immediately rescinded the agreement, prompting a lawsuit by Exxon. It

is sticking to its position, with donations, in part, from an Internet appeal for help to fight the huge mining company. You can help this little town kick Goliath's butt by contacting www.nashvillewiundersiege.com or by sending donations to Town of Nashville Legal Defense Fund, P.O. Box 106, Pickerel, WI 54465.

Robert Kennedy said, "Each time a man stands up for an ideal, or acts to improve the lot of others, or strikes out against injustice, he sends forth a tiny ripple of hope, and crossing each other from a million different centers of energy and daring, those ripples build a current that can sweep down the mightiest walls of oppression and resistance."

Bobby was a hero, and environmentalists are following in his footsteps. Thanks to all of you who work to protect our environment.

Andersen, whose column appears here each Wednesday, is a lifelong resident of the Green Bay area and a Vietnam-era Navy veteran. He owns a small business and is on the board of the Clean Water Action Council. Write to him via e-mail at candarse@gateway.net.

to Northern Ireland's suspended Catholic-Protestant administration by May 22. Speaking shortly before midnight following more than 30 hours of negotia-

Blair said. May 22 is the second anniversary of the overwhelming ratification of the Good Friday peace accord in public referendums. The his-

the deadline for Northern Ireland's rival paramilitary groups to disarm, an unfulfilled goal that has repeatedly stymied wider political progress.

begin disarming. Both Blair and Ahern emphasized that they couldn't force Protestant politicians to resume sharing power with Sinn Fein. They said a

not extremely positive." Sinn Fein leader Gerry Adams said he welcomed the publication of the governments' joint plan as "a very decisive moment."

1,116 fires that have burned 3,372 acres of grass and forest statewide, Bishop said. At the same time a year ago, there had been 840 fires that burned 3,558 acres.

Congressional questions may delay cleanup effort

Briefing on PCB dredging sought

By Susan Campbell
Press-Gazette

A decision about how to address an exposed PCB hot spot in the Fox River may be delayed after members of Wisconsin's congressional delegation called for a briefing on the matter with officials from the U.S. Environmental Protection Agency. The agency has agreed to a May 23 briefing in Washington, D.C., with lawmakers, who requested the meeting just as the EPA nears a decision on whether to issue an

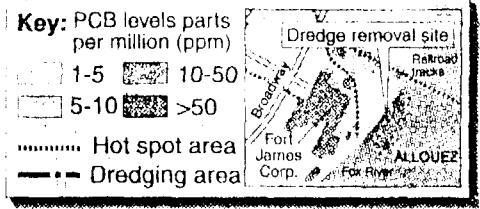
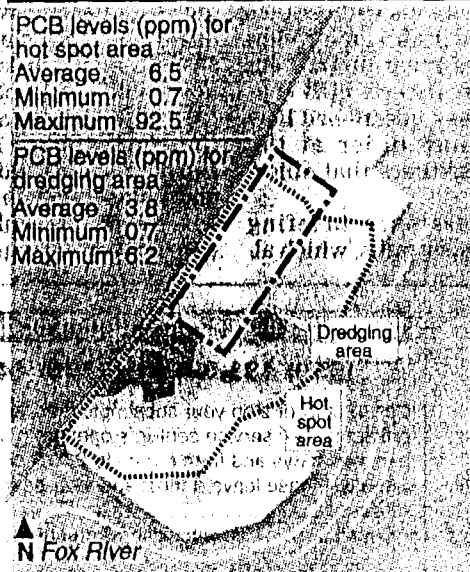
order forcing area paper mills to complete an aborted dredging project in the river. The specter of delay at this point frustrates those who for two months have called on the EPA to force an immediate cleanup because of the site's risks to human health and wildlife. Cold weather and dwindling cash reserves cut short a pilot dredging project outside Fort James Corp.'s West Mill in December with less than 30,000 of a planned 80,000 cubic yards of contaminated sediment removed. Left behind were polychlorinated biphenyl concentrations measuring as high as 310 parts per million, or more than 100 times what is considered safe for human health and wildlife.

Seven paper mills that funded and co-managed the \$9 million project with the state Department of Natural Resources propose to cap the site rather than finish the job, saying the project showed dredging is ineffective. The April 19 congressional letter to EPA Administrator Carol Browner is signed by U.S. Sens. Russell Feingold and Herb Kohl, and U.S. Reps. Thomas Petri, R-Fond du Lac, and Mark Green, R-Green Bay. In it, they ask the EPA to explain the risks at the site and to justify the rationale for an immediate cleanup order. "We are concerned about the risk that increased levels

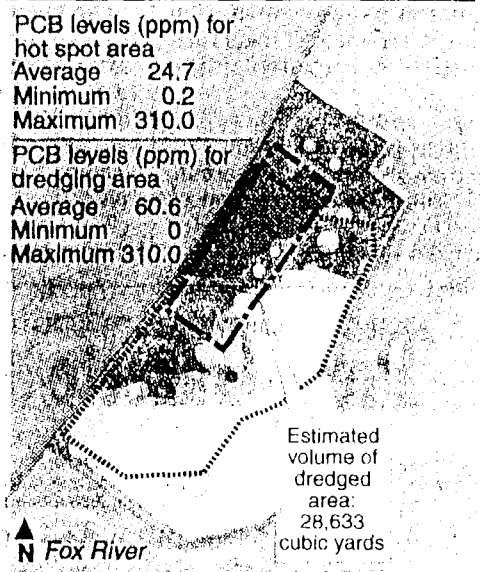
Unfinished business

A pilot dredging project outside Fort James Corp.'s West Mill ended in December with less than one-third of the removal goal met. The dredging exposed high levels of PCBs in the Fox River's worst hot spot.

Before dredging



After dredging



Source: U.S. Environmental Protection Agency

Please see Dredge, A-2

Dredge/Panel has said site poses unacceptable risk

From A-1

PCBs, which have been exposed as a result of this project, pose to human health and the environment," the congressmen wrote.

"We want to fully understand that risk and would appreciate any additional information regarding whether these levels imminently and substantially endanger public health or the environment."

The lawmakers also stress that their continued desire for a voluntary agreement regarding a solution to the Fox River's PCB contamination. They questioned how an EPA cleanup order at the dredge site "further that objective."

The congressional briefing addresses area paper mills, which al-

ready face a potential multi-million-dollar cleanup of the river and hope to avoid an EPA cleanup order that would force them to complete the pilot dredging project.

The EPA has said it would decide by mid-May whether to order the mills to complete dredging at the site, an action that has steep fines for noncompliance.

Already an independent panel of local scientists has said the site poses an unacceptable risk, and the U.S. Fish and Wildlife Service has warned of "catastrophic" resuspension of PCBs if the work is not completed as soon as possible.

"Our position hasn't changed, the work should already have started," said David Allen of Fish and Wildlife, which has urged the EPA to use its regulatory authority to force a cleanup.

Allen said the EPA has enough information to move forward now, and that further "pondering" of the problem should come only after it has been resolved. "I'm all for the congressional delegation getting briefed, but when there's an emergency, you've got to act," he said.

Rebecca Katers, executive director of the Green Bay-based Clean Water Action Council, said the lawmakers' letter is only the latest example of the local congressional delegation using political pressure to dissuade the EPA from doing its job.

"Now we have this crisis and the EPA needs the support of the federal delegation, not obstructionism," she said. "This is why EPA has been so slow to do what's needed here."

Feingold, whose office sched-

uled the meeting, said in a prepared statement that the EPA has the legal right to proceed with a cleanup order before briefing the delegation.

"However, the delegation, as part of its oversight responsibilities, needs to understand the process EPA is required to follow in making such decisions and to make sure that process is followed," the statement said.

David Ullrich, deputy administrator at the EPA's Region 5 office in Chicago, said just last week that a decision about how to proceed at the hot spot must be made by early to mid-May in order to prepare for, conduct and complete the dredging project before the end of the construction season in mid-November.

Before any cleanup order is issued, he said the agency wants

to give the paper mills and the state DNR "every opportunity" to work out a voluntary return to the site.

"But time is running out," Ullrich warned, noting four to five months is needed to carry out the dredging project from start to finish.

Among the mills, only Fort James is talking with the DNR about a resumption of dredging at the hot spot.

Katers said the congressmen should have voiced their concerns earlier instead of waiting until now.

"This issue has been sitting around now for a couple of months," she said. "They should have been on the ball and if they had those concerns, they should have gotten involved a month or more ago."

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SUNDAY, MAY 7, 2000 ■ B-2

EPA will meet with Wisconsin congressmen over Fox PCBs

GREEN BAY (AP) — A federal decision that could force area paper mills to finish cleaning polluted sediment from the lower Fox River may be delayed by Wisconsin congressmen's calls for a meeting with the U.S. Environmental Protection Agency about public health concerns.

The EPA was nearing a decision on whether to force the mills to finish an aborted \$9 million dredging project to remove sediment tainted with PCB and other industrial pollutants at test sites along the Fox.

Scientists and the U.S. Fish and Wildlife Service have recommended finishing the project.

"The work should already have

started," service spokesman David Allen said. "I'm all for the congressional delegation getting briefed but when there's an emergency, you've got to act."

the future
for the
FOX
river

The \$9 million project was part of the EPA's plan for cleansing a 39-mile section from Lake Winnebago downstream to Green Bay. It was sponsored and co-managed with the state Department of Natural Resources, by seven riverside paper mills.

But cold weather and a shortage

of cash halted the experiment in December. At that time, about 30,000 cubic yards of silt had been removed from the site near the Fort James Corp.'s West Mill. The project was originally designed to remove 80,000 cubic yards.

The silt contains PCBs - polychlorinated biphenyls - chemicals used years ago in making paper and now outlawed because of evidence that they cause cancer.

The mills asked for a cap on the project, saying it might be wiser to leave the contaminated silt undisturbed. But it left behind PCB concentrations measuring more than 100 times what is considered safe.

In an April 19 letter, the Wis-

consin legislators, Sen. Herbert Kohl, Sen. Russell Feingold, Rep. Thomas Petri and Rep. Mark Green, asked EPA Administrator Carol Browner to outline the hazards of the test.

"We are concerned about the risk that increased levels of PCBs, which have been exposed as a result of this project, pose to human health and the environment," the congressmen wrote.

They also said they prefer a voluntary agreement with the companies and question how an EPA directive "furthers that objective."

The EPA has agreed to meet with the delegation May 23 in Washington, D.C.

Rebecca Katers, executive director of the Green Bay-based Clean Water Action Council, said the legislators' letter is an example of political pressure dissuading the EPA from doing its job.

"Now we have this crisis and the EPA needs the support of the federal delegation, not obstructionism," she said.

Feingold's office said in a statement that the EPA has authority to proceed but the congressional delegation, "as part of its oversight responsibilities, needs to understand the process EPA is required to follow in making such decisions and to make sure that process is followed."

Flood of PCBs still entering Lake Michigan

Study contradicts long-standing belief that level of toxins in lake was decreasing

CHICAGO (AP) — More than 20 years after the manufacture of PCBs was banned, the cancer-causing toxins are still entering Lake Michigan from sources on land, according to a federal study that challenges longheld beliefs about the toxin.

Air tests indicate that the Chicago and Gary, Ind., areas are major sources of PCBs going into the lake, said Glenn Warren of the U.S. Environmental Protection Agency's Great Lakes National Program Office in Chicago.

The findings came as a surprise to scientists who had long believed the lake's PCB load was decreasing, and suggest the same thing is happening in industrial areas throughout the world, researchers said.

PCBs — polychlorinated biphenyls — have been linked to cancer and birth defects. The chemicals were widely used as a coolant in electrical transformers during the 1960s and 1970s, to control dust on roads, as a wood preservative and in paint.

PCB pollution of lakes and rivers is a particular concern because contaminated sediment exposes fish to the toxin and speeds its movement up the food chain. Because PCBs don't break down easily, the chemical builds up in fatty tissue, with each exposure putting a person at greater risk.

That has prompted the government to warn people, especially pregnant women, against eating too much Great Lakes fish.

It was widely believed that most PCBs in the environment had been there for years and were recirculating by evaporating and re-entering the lake from the atmosphere — not necessarily coming from new sources.

"Conventional wisdom was ... that Lake Michigan overall was losing PCBs to the atmosphere," Warren said. "But because of the urban input, Lake Michigan is still taking in PCBs."

Researchers suspect the toxin is coming from old electrical transformers, dumps that were not capped properly, sludge beds and disposal sites for PCB-laced sediment dredged from rivers and shipping canals, as well as a host of smaller sites, said Tom Holsen, an environmental engineering professor at Clarkson University in New

York, who is leading the PCB study in Chicago.

PCBs evaporate from those sources and are deposited in the lake from the atmosphere, Holsen said.

He said more extensive analyses of air data must be completed before researchers identify sources of new emissions. A report is expected by the end of the year, he said.

But the extent of the problem is probably not yet known because higher-than-expected levels of PCBs are probably being released by industrial areas throughout the world, Holsen said.

Since 1995, tests also have found high levels of the toxin in the atmosphere near Baltimore and Detroit, and in England, he said.

Technology to allow routine testing of industrial areas became available only recently, he said. That means scientists and policy-makers will have to revisit the PCB issue on an international scale, he said.

"These pollutants don't respect state or national boundaries; they go everywhere," he said. "If you just clean up the Great Lakes, it won't solve the problem."

The high levels of PCBs in the air near Gary and Chicago were found during testing for a different study of the source and movement of PCBs and three other toxins in Lake Michigan. That finding prompted the EPA to fund a separate study to pinpoint the toxin's sources.

Holsen said levels in the air around Chicago and Gary were far higher than from nonurban areas — 10 times higher in Chicago than in Kankakee, about 50 miles to the south, for example.

"It was clear that urban industrial areas were the source," Holsen said.

The new information could help government agencies decide what steps to clean up PCBs should get top priority, said Warren and Cameron Davis, executive director of the Lake Michigan Federation, a citizens environment group.

Many government officials and advocacy groups support dredging contaminated sediment from lakes and rivers. Industry has resisted that as too expensive and has favored covering polluted sediment with clean fill such as clay to limit exposure, Warren said.

■ The U.S. Environmental Protection Agency Web site is <http://www.epa.gov/glnpo>. Lake Michigan Federation Web site is

COLUMNIST'S PERSPECTIVE

It's time someone gets in way of Toxic Tommy

The April 10 Conservation Congress was different from the last seven I attended. Whereas there are always questions that get special attention from one group or another, there are rarely more than a couple hundred or so people at these events.

It's no wonder lots of people don't come, as the meetings regularly continue into the wee hours of the morning, this latest meeting lasting until about 1:25 a.m.

This last meeting had to be moved from Southwest High School to Franklin Middle School because of a scheduling conflict, leaving the congress in unfamiliar territory. Bad microphones and worse ventilation were the cross voters had to bear.

There were various reports of the crowd numbers, ranging from 700 to 800, but I counted more than 900. In spite of the fact that the congress anticipated three times more people than normal, it was overwhelmed by the even larger number that arrived, many of them 15 minutes before the meeting was to begin, delaying the start by 45 minutes.

The practically untold story is that many



Curt Andersen

For The Green Bay News-Chronicle

The public intervenor got in the way of state and county boneheads who wanted to make Kidney Island bigger.

of those attending, especially those who attend almost every year, were there to vote on questions 58 and 59.

Question 58 dealt with returning the office of the secretary of the Department of Natural Resources to its former status, and out from under the greasy paw of our governor.

I volunteered to be a counter that night. The count was 110 in favor, zero opposed.

Question 59 dealt with the return of the public intervenor to its former status. It had been banished by our lame Republican Legislature and their lord, Gov. Tommy Toxin, to a purgatory position in the DNR where it would have no teeth and no funding.

According to State Rep. DuWayne Johnsrud, R-Prairie du Chien, "The public intervenor was always getting in the way of stuff."

Damn right, DuWayne! That was his job. He got in the way of state and county boneheads who wanted to make Kidney Island bigger, even when citizens didn't want to.

Another time, the DNR was being pressured by industry to allow a certain level of solvent in our drinking water. This seems like pure insanity to me. Public Intervenor Tom Dawson, meeting with the Natural Resources Board, simply brought out drinking water with that amount of solvent added. Johnsrud calls this "getting in the way." The Board voted no. That's what the public intervenor did for Wisconsin's residents.

The April 10 vote was 108 in favor of returning the public intervenor's office to the Department of Justice, with proper funding. Zero opposed.

The real news is that this vote happened at 1 a.m. That's how many stalwarts stayed to vote on these questions, numbers 58 and 59, of 69 questions.

A number of people who had to leave because of their baby sitters' limited hours during school nights asked me why the congress doesn't have those big statewide questions on the environment at the beginning of the meeting.

Tommy Thompson is our governor, that's why. He just doesn't want a big vote to make him look worse than he already does.

What a legacy of environmental destruction. It's sickening.

Andersen, whose column appears here each Wednesday, is a lifelong resident of the Green Bay area and a Vietnam-era Navy veteran. He owns a small business and is on the board of the Clean Water Action Council. Write to him via e-mail at canderse@gateway.net.

Green wants to aid river cleanup talks

Rep. Mark Green says Superfund listing of the Fox River would be counterproductive

By Scott A. Stein
The News-Chronicle

U.S. Rep. Mark Green, R-Green Bay, has offered his services as a mediator to try to work out an agreement for the cleanup of the PCB-contamination in the Fox River.

Green said if those involved in the process don't take him up on the offer, he understands. But he emphasized that time may be running out.

"The clock is ticking," Green said. "At some point they're going to lose some options."

Green discussed the Fox River

cleanup situation and other issues during a meeting with editorial staff Wednesday at the News-Chronicle offices.

State and federal regulators, the paper mills and environmentalists have been at odds over how to proceed with the river cleanup.

"I'm one of those who believes this should be a locally crafted, locally directed solution," Green said. "There should be federal funds (for the cleanup), though."

Green says placing the Fox River on the national priorities list for federally regulated cleanup under the Superfund program is not the answer.

"I continue to believe that Superfund listing is counterproductive," he said. "History tells us that only half the Superfund listed sites ever get completed."

He said only half of the money gets used for the cleanup effort.

"The rest goes to pay attorneys

and courts' costs," he said. "That's not a wise use of dollars, obviously."

Green said something needs to happen to avoid that.

The Wisconsin Department of Natural Resources last year managed a pilot dredging project on the Fox River near the Fort James Corp. west mill. The \$9 million test project was funded by the Fox River Group, which is made up of the seven paper mills potentially responsible for the river cleanup.

While the DNR gave the project passing grades, the paper companies said the project showed dredging is not a viable option and have offered to cap the site to prevent the release of additional PCBs.

Environmentalists, meanwhile, said the U.S. Environmental Protection Agency should step in immediately and clean up the contamination at the dredging site.



By Marc Larson / The News-Chronicle

U.S. REP. MARK GREEN says a locally generated PCB cleanup solution is better than the river being placed in Superfund.

BRIEFLY

IN LOCAL NEWS

Compiled by
News-Chronicle staff

DE PERE

Forums scheduled for upcoming school vote

Two public forums have been scheduled to answer De Pere School District residents' questions about the upcoming school referendum.

The first forum is planned from 6:30 to 8 p.m. Monday at Dickson Elementary School, 435 S. Washington St. Another is scheduled for 2:30 p.m. Wednesday at Heritage Elementary School, 1250 Swan Road.

ASHWAUBENON

Arbor Day set

The Ashwaubenon Parks, Recreation and Forestry Department is promoting the importance of trees with two public Arbor Day tree planting ceremonies Friday.

A tree spade planting demonstration is scheduled for...

Kennedy preaches benefits of a healthy environment

Many companies use political clout to skirt environmental regulations, he said

By Patti Zarling
The News-Chronicle

Robert F. Kennedy Jr. said on Wednesday that Americans would benefit economically, spiritually and as a community by fighting for clean air, land and water.

Kennedy spoke to a crowd of about 200 at the University of Wisconsin-Green Bay on "Our Environmental Destiny."

The son of the late senator serves as a senior attorney for the Natural Resources Defense Council and River Keeper, a group dedicated to ending pollution in the Hudson River in New York.

"Today the Hudson, which was a joke in 1966, a sewer, is an international model for ecological turnaround," he said. His group works to help other communities organize River Keeper organizations, including two in Wisconsin.

"You can treat the planet like it's an economic cash cow, but our children are going to pay for it in terms of nude landscapes, poor health and polluted waters," he said. "Businesses are always going to try to liquidate the environment for cash with the promise of a few years of pollution-filled prosperity."

Businesses often claim environmental protection laws disrupt the free-market economy but fail to

explain why that is so, Kennedy said. The best thing that could happen for the environment is a true market economy," he said. Such a system would force companies to absorb the costs of cleaning up the air or water, they pollute rather than wreaking havoc on public resources and forcing taxpayers to clean it up.

Many mining and lumber companies, as well as ranchers in the western United States, use political clout to skirt environmental regulations, Kennedy said. They often use political arm-twisting to strip federal lands of their resources at a ridiculously low cost, he said.

"America has a special relationship with nature," he said. "Nature and the wilderness is invoked in much of the culture's early writings, poetry, art and folklore."

Stopping a lumber company from destroying Western forests isn't about saving a single spotted owl, he said, but about deciding the forest has more value for the American community standing.

"Human beings have other needs besides money, and if we don't feed them we don't grow up," he said. "We have an obligation to our children and our community. We can't rob them of their rights to clean air and water."

Environmentalism also means preserving wild life, Kennedy said. "I think extinction is the worst sin we can commit against our children," he said. "What does it say about us as a generation if half the species go extinct in our lifetimes, which is what will happen if we stay on the current pace?"



Kennedy

COLUMNIST'S PERSPECTIVE

Baloney dredging of Fox River is next project

As I predicted, the Fox River Group Baloney Wagon is back in town after a short hiatus to regroup. It needed time to determine which buffalo method it would use to confuse the public next.

Be sure to get the spicy mustard with your baloney sandwich. That's the only way you'll be able to choke it down. While dining, you might want to wear some hip boots as well.

The Baloney Wagon's form this time is a 30-second television commercial that shows a duck on a treadmill, representing, according to the paper mills, the frustration the mills have undergone while waiting for a decision from the government on how the PCB cleanup of the Fox River will proceed.

I just love their sense of humor. They never had to "wait." It was their doing that caused the delay. Remember how hard they pushed for more studies last year? No one is stopping them from removing the PCBs from the river.

Knock yourselves out, guys! It's waiting there for you.

Fox River Group officials say the duck



Curt Andersen

For The Green Bay News-Chronicle

Fox River Group officials have dragged our democratic government in Wisconsin into a sewer of influence peddling.

represents local wildlife. (Make that local, inedible wildlife.) They have the audacity to claim that some of the responsible agencies are "ducking their responsibilities."

Talk about brass! They have dragged our democratic government in Wisconsin into a sewer of influence peddling. They have our governor in their pocket, and they have the nerve to blame a government agency. No

Academy Award for these guys. Their performance was not credible.

Their toady, Gov. Tommy Thompson, has turned the Department of Natural Resources into a toothless bureaucracy. It is underfunded and understaffed. Its charter to protect the residents of Wisconsin and our natural resources is now just a joke. An inside joke for the Republican "Flying Monkey" Legislature, which has supported Toxic Tommy every step of the way, no questions asked, no matter how lame or short-sighted.

Of course, enough gullible residents, in some sort of statewide stupor, have voted for these spineless lickspittles, sometimes over and over again.

Dave Lee of P.H. Glatfelter said, "Good science needs to be the foundation for the decisions (regarding the method of cleanup.)" I think everyone knows that.

Recent polls tell us that local residents are frustrated with how long the cleanup is taking. They are not blaming the DNR. They are not blaming the Environmental Protection Agency. They are not blaming the U.S. Fish and Wildlife Service. They are laying the blame right where it belongs, at the dirty

feet of the Fox River Group, whose dereliction of duty to clean the river is nothing short of immoral.

The group wants to "let Mother Nature take care of it." Translated, that means, "We don't wanna do nuthin'." Doing nuthin' is what they've already tried, and it hasn't worked. So much for the "voluntary approach" to pollution control.

I'm surprised the stockholders (who will lose their dividends big time) don't give these corporate twits a dope-slap upside the head. What will the stockholders do when they learn that the replacement chemicals for carbonless copy paper may be just as dangerous as the PCBs? Is this our next Fox River cleanup?

When it comes to "good science" from these guys, it should always include rattles, drums, spells and the incantation "Booga! Booga! Booga!"

Andersen, whose column appears here each Wednesday, is a lifelong resident of the Green Bay area and a Vietnam-era Navy veteran. He owns a small business and is on the board of the Clean Water Action Council. Write to him via e-mail at canderse@gateway.net.

GIVE A MAN A FISH, AND YOU FEED HIM FOR A DAY. TEACH HIM HOW TO FISH AND...

HE ENDS UP IN THE HOSPITAL.

5/2000

FISHING ADVISORY PCBs, MERCURY, DIOXIN



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Kennedy stresses rivers' health

4-27-2000

He touches on similarities of Fox, Hudson

BY SUSAN CAMPBELL
PRESS-GAZETTE

Robert F. Kennedy Jr. said Wednesday that if he lived in Northeastern Wisconsin, he would have a strong message for those responsible for the chemical pollution in the Fox River.

"I would tell whoever dumped it, 'You've got to get it out of this community,'" he told a University of Wisconsin-Green Bay audience.

The son of the late Sen. Robert Kennedy backs up those words with his work for the Hudson Riverkeeper organization, just as he spelled out how to force environmental cleanups in his 1997 best-seller, "The Riverkeepers."

As chief prosecuting attorney for the Hudson Riverkeeper in New York, Kennedy has spent 16 years fighting corporate and government polluters in an effort to reclaim a river long contaminated with industrial wastes and PCBs, the same chemicals that line the sediment of Wisconsin's Fox River.

Kennedy told an audience of about 100 Wednesday night that it is communities that suffer the costs imposed by companies that use public waterways as a means of cutting production costs and increasing their competitive edge in the marketplace.

That happened along the Hudson River when years ago the community of Glens Falls agreed to allow Gener-



Mike Brunette/Press-Gazette

Robert F. Kennedy Jr. talks Wednesday night about "Our Environmental Destiny" during his speech at the University of Wisconsin-Green Bay.

■ Visit sparks interest in riverkeeper program, B-1

al Electric to discharge toxic polychlorinated biphenyls in the river. The company had threatened to set up shop across the river in New Jersey.

Two decades later, GE closed its doors in Glens Falls, taking away jobs and leaving the community with a \$2 billion PCB cleanup that GE has refused to pay for.

Although the Hudson River has been cleaned up enough in other ways, so that many fish that were

once driven out have now returned, Kennedy said those fish are heavily contaminated with PCBs.

"Everybody in the Hudson valley has GE's PCBs in our flesh," he said.

For the last six years, Kennedy said he has lobbied what he characterized as the three most anti-environmental Congresses in the nation's history. If Congress had succeeded in weakening the body of environmental law that was enacted in the 1970s, he said, "many of our laws would be on the books, but they would be unenforceable."

He also criticized congressional calls for the federal government to give states local control over environmental issues.

"The real outcome of that devolution will not be local control; it will be corporate control," Kennedy said.

Because of the U.S. Environmental Protection Agency's weakened condition, he said, the Hudson River's designation as a Superfund cleanup site is problematic because it precludes the use of other environmental laws that could be more effective than the EPA at forcing GE to clean up the river.

Efforts to set up regional riverkeeper under way

4-27-2008

By SUSAN CAMPBELL
PRESS-GAZETTE

A riverkeeper soon may patrol a river near you.

A local effort to establish a Wolf-Fox-Winnebago Riverkeeper to seek out water polluters was praised by Robert F. Kennedy Jr. on Wednesday during a visit to the University of Wisconsin-Green Bay.

Kennedy, co-author of the best-selling 1997 book "The Riverkeepers," is the chief prosecuting attorney for the

nation's first riverkeeper organization, which monitors the Hudson River in New York.

Bron Taylor, director of environmental studies at the University of Wisconsin-Oshkosh, said a similar visit by Kennedy to that university two years ago sparked his interest in starting a riverkeeper program to patrol the Wolf and Fox river watershed.

"Kennedy is here and he is touting it, much as he did

More information

For more information on riverkeepers, or to report a case of pollution, write to Wolf-Fox-Winnebago Riverkeeper, P.O. Box 31, Oshkosh, WI 54901; or call Jeff Ryan at (920) 232-0627.

two years ago," he said. Within the next year, Taylor said he'd "like to see Kennedy here to officially launch a riverkeeper boat."

Jeff Ryan, executive director of the Wolf-Fox-Winnebago organization, said the goal is to have at least three full-time riverkeepers patrolling the Wolf and Fox rivers, and Lake Winnebago.

The Oshkosh-based organization has received a donated boat for the job, and already has been involved in two Earth Day river cleanups and a recent Fox River cleanup rally in De Pere's Voyageur Park.

Taylor said that in the last

year, the organization has taken "baby steps," such as securing charitable organization status that enables the group to accept donations.

Still lacking is the money to hire a full-time riverkeeper to patrol and pursue polluters who violate environmental laws such as the Clean Water Act, he said, and the financial muscle to back up complaints with lawsuits.

Ideally, Taylor said not all

the work of patrolling the watershed would be done by the riverkeepers, however. His group would coordinate a citizen-based "Watershed Watch" modeled after the popular Neighborhood Watches established in communities.

"We'd like to have people taking on responsibility within a five-mile stretch of their home," he said, noting the volunteers would function as the riverkeepers' deputies.

LETTERS

Expensive Fox River cleanup

Editor, *The Post-Crescent*:

On behalf of the Brown County Home Builders Association, I would like to express our concern with the decisions being made regarding the Fox River.

As builders, developers and Brown County residents, we are greatly interested in the Fox River being a resource to be enjoyed. Our concern is that the decisions being made are not based on sound science, including the results of the recently completed dredging project at Deposit 56/57.

The results of the dredging project remind us how potentially costly and lasting the decisions being made regarding the restoration of the Fox River will be. The DNR calls the project a success. Costs actually skyrocketed to three times their estimates. More importantly, the end result was higher levels of PCBs — 21 times higher than before dredging.

Much has been written about the negative impact on the paper companies. What is not being discussed however, is the severe negative impact likely to occur to others, like the building industry. New residential construction is vital to the economy of Brown County. The health of the building industry is tied to the continued strong presence of the paper industry throughout the Fox Valley. Before any decisions are made regarding the Fox River restoration, a complete economic impact of the entire region, for all industries, must be undertaken.

Everyone wants to ensure the Fox River is healthy for future generations to enjoy. But when we make a decision, it should be based on the best science available and should be designed to reduce the risk of exposure to PCBs. When it comes time to pay for the clean up, the parties involved should only spend this money once — and should spend it the right way.

John Loberger,
President, Brown County
Home Builders Association

A-11

will hurt other industries

Inside

Goffer Rick Habeck scored a hole-in-one. But what's unusual was his club of choice — his faithful putter.

On B-6

LOCAL/STATE

FRIDAY, APRIL 28, 2000

GREEN BAY PRESS-GAZETTE

PCBs still entering Lake Michigan, study finds

THE ASSOCIATED PRESS
AND PRESS-GAZETTE

CHICAGO — More than 20 years after the manufacture of PCBs was banned, the cancer-causing chemicals still enter Lake Michigan from sources on land, according to a federal study that challenges long-held be-

liefs about the chemicals. Air tests indicate that the Chicago and Gary, Ind., areas are major sources of PCBs going into the lake, said Glenn Warren of the U.S. Environmental Protection Agency's Great Lakes National Program Office in Chicago. The findings came as a

surprise to scientists who had long believed the lake's PCB load was decreasing, and suggest the same thing is happening in industrial areas throughout the world, researchers said. PCBs are a major concern in Northeastern Wisconsin, where an estimated 63,000 pounds of the man-made

chemicals line the sediment of the Fox River. The EPA is considering listing the river and part of the bay of Green Bay as a federal Superfund priority cleanup site after first proposing it nearly two years ago. PCBs — polychlorinated biphenyls — have been linked to cancer and birth

defects. The chemicals were widely used as a coolant in electrical transformers during the 1960s and '70s and to control dust on roads. They also were used in paint and as a wood preservative. PCBs entered the waters of the Fox River through the manufacture and recycling of carbonless copy paper.

PCB pollution of lakes and rivers is a particular concern because contaminated sediment exposes fish to the toxin and speeds its movement up the food chain. Because PCBs don't break down easily, the chemical builds up in fatty tissue,

Please see PCBs, B-2

PCBs/Sources may include old transformers, dumps

■ From B-1

with each exposure putting a person at greater risk.

That has prompted the government to warn people, especially pregnant women, against eating too much Great Lakes fish.

It was widely believed that most PCBs in the environment had been there for years and were recirculating by evaporating and re-entering the lake from the atmosphere — not necessarily coming from new sources.

"Conventional wisdom was ... that Lake Michigan overall was losing PCBs to the atmosphere," Warren said. "But because of the urban input, Lake Michigan is still taking in PCBs."

Researchers suspect the toxin is coming from old electrical transformers, dumps that were not capped properly, sludge beds and disposal sites for PCB-laced sediment dredged from rivers and shipping canals, as well as a host of smaller sites, said Tom Holsen, an environmental engineering

professor at Clarkson University in New York, who is leading the PCB study in Chicago.

PCBs evaporate from those sources and are deposited in the lake from the atmosphere, Holsen said.

He said more extensive analyses of air data must be completed before researchers identify sources of new emissions. A report is expected by the end of the year, he said.

But the extent of the problem is not yet known because higher-than-expected levels of PCBs are probably being released by industrial areas throughout the world, Holsen said.

Since 1995, tests also have found high levels of the toxin in the atmosphere near Baltimore and Detroit, and in England, he said.

"These pollutants don't respect state or national boundaries; they go everywhere," he said. "If you just clean up the Great Lakes, it won't solve the problem."

The high levels of PCBs in the air near Gary and Chicago were

found during testing for a different study of the source and movement of PCBs and three other contaminants in Lake Michigan. That finding prompted the EPA to fund a separate study to pinpoint the toxin's sources.

"It was clear that urban industrial areas were the source," Holsen said.

The new information could help

government agencies decide what steps to clean up PCBs should get priority, said Warren and Cameron Davis, executive director of the Lake Michigan Federation, a citizens group.

Many government officials and

advocacy groups support dredging contaminated sediment from lakes and rivers. Industry has resisted that as too expensive and has favored covering polluted sediment with clean fill such as clay to limit exposure, Warren said.

not finishing dredging

They hire own consultants to study PCB levels in Fox

BY SUSAN CAMPBELL
PRESS-GAZETTE

Paper mills charged with removing chemical PCBs from the Fox River point to new monitoring results from an unfinished pilot dredging project outside Fort James Corp.'s West Mill as further reason not to complete dredging at the site.

But state officials and environmentalists say the results state the obvious, and that the mills are grasping at straws to avoid returning to the dredge site — where the unfinished project has exposed dangerously high PCB levels in the riverbed.

Forced to close down in December because of cold weather and dwindling cash reserves, the pilot project removed less than 30,000 cubic yards of a targeted 80,000 cubic yards. Left behind were PCB levels on the riverbed surface measuring up to 310 parts per million, far exceeding standards considered protective of human and ecological health.

On Wednesday the mills announced that testing done by their own hired consultant — Blasland, Bouck & Lee — determined that PCB levels in areas where dredging was completed had risen six weeks after the project

pletion.

The results countered those reported by Montgomery Watson — the engineering firm hired by the mills and the state Department of Natural Resources as the chief contractor on the project. Those findings, drawn from tests taken immediately after dredging ended, showed that where dredging was completed, surface PCB concentrations tended to be lower than before dredging took place.

But BB&L reports that in a return visit to the site in January, when measurements were taken in the exact same spots — then averaged with measurements taken 10 feet out in four directions — those levels had increased. The mills propose that the areas adjacent to the dredged spots sloughed in and recontaminated the cleaned areas.

"It's like having a blueberry pie," Dennis Hultgren of Appleton Papers, one of the seven targeted paper mills, said in a recent interview. "Take a 2-inch by 2-inch piece out of the middle, and what happens to the blueberry pie? It sloughs in."

Mill representatives were not available for further comment Wednesday, but said in a press release that: "Based

Sierra Club takes on ad, duck to duck

PRESS-GAZETTE

The seven paper mills resisting pressure to complete a pilot dredging project on the Fox River that exposed unsafe levels of PCBs are ducking their responsibility, one environmental group said.

The Sierra Club is fighting fire with fire, or at least ducks with ducks.

Responding to a TV ad the mills are airing that features a duck on a treadmill to represent frustration with the government agencies that are planning a cleanup of the river, the Sierra Club has crafted its own duck ad to be aired on radio stations beginning today.

"The paper mills have put a duck on a treadmill on TV, spending money on ads instead of cleanup," the ad's narrator says. "Maybe they think (the ad) will distract us from the fact they're ducking their responsibility."

Eric Uram of the Sierra Club's Midwest office in Madison, said the mills' ad "was a slap in the face to the community, given that Fox River ducks are so polluted with PCBs you can't eat them."

Mills/Report debated

■ From B-1

on this data, (the) report concludes that additional dredging cannot be relied upon to be effective in significantly reducing PCB concentrations in the surface layer" of the dredge site.

Greg Hill of the DNR said the mill's new numbers have not been reviewed or validated. If valid, he said, "It tells me that if you don't complete the project, you run into a number of problems ... such as recontamination."

The mill report overlooks the most significant aspect of the project, Hill said, noting that about 1,200 pounds of polychlorinated biphenyls were permanently removed from the site, meaning they can no longer contaminate the river ecosystem.

Emily Green of the Sierra Club's Great Lakes Program played on the mill's blueberry pie theory. "That's why you cut out the whole pie," she said. "Anybody with an elementary school degree ought to get that."

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Environmental justice is focus of conference

3-26-2000

BY SUSAN CAMPBELL
PRESS-GAZETTE

dinator.

A prime example is the fact that those who regularly eat PCB-contaminated fish from the Fox River are disproportionately members of the community's minority and low-income population, Merkel said.

A draft risk assessment of the river released last year by the state Department of Natural Resources bore that out, reporting that between 2,500 and 5,000 subsistent anglers fish the Fox River. Many of them are low-income minority anglers, Hmong and Native Americans. Further, the assessment cited a 1997 study that showed 80 percent of ethnic minorities were unaware of the fish consumption advisories, recommendations

Please see Justice, B-2

Justice/PCBs will be one topic

■ From B-1

that derive from the fact that polychlorinated biphenyls are probable human carcinogens and are linked to slowed development in children exposed in the womb.

May Lee Lor, a family advocate with the Fort Howard-Jefferson Neighborhood Family Resources Center who works closely with the Hmong and is involved with the conference, said the event is important because there likely are many in the community who are unaware of their rights.

Lor, who moved to the United States 20 years ago, said the Hmong in particular have a difficult time understanding the hazards of eating fish from the Fox River.

"Where I lived before, the water wasn't toxic," she said. "They didn't have the big companies that dumped chemicals in the water. They just think water is water, and fish are fish."

And there are other local environmental justice issues as well, said Merkel. For example, he said low-income people often live in older homes that may still have lead paint — exposure to which can cause learning disabilities, neurological problems and other problems in young children. Field pickers, often immigrants to the area hired to work in agricultural fields, can suffer ill health effects from chemical pesticides because of the higher exposures the workers endure.

"I would like to think this is the first of a series of conferences," said Merkel, who is pursuing

What's next

"Environmental Justice: A Call to Action," is free and open to the public.

The conference will be held from 9 a.m. to 2 p.m. on Saturday, April 8, in the Ecumenical Center at the University of Wisconsin-Green Bay. Walk-in registration begins at 9 a.m.

For more information, call (920) 465-2642 or (800) 892-2118.

grant money to study and address such problems in Green Bay and hopes someday to establish an environmental justice center at the university.

Merkel described Bryant as "an amazing figure."

"We're very, very lucky to have him," he said.

A professor in the School of Natural Resources and Environment at the University of Michi-

gan, Bryant was a co-organizer of that university's 1990 Conference on Race and the Incidence of Environmental Hazards. The event led to a series of high-level policy meetings with Environmental Protection Agency administrators under presidents Bush and Clinton. From those meetings was borne a commitment from the EPA to address environmental justice issues and an EPA Office on Environmental Justice.

Detroit lawyer Thomas Stephens, who lectures on environmental justice for the Detroit Bar Association, also will speak at the conference.

Stephens will offer a practical look at legal issues arising from environmental injustice in Flint, Mich., a city similar to Green Bay in terms of the role major industry plays in the local economy.

Merkel will detail current environmental justice work in Green Bay and issue a call to action.

GREAT LAKES BY THE NUMBERS

94,000

The Great Lakes cover 94,000 square miles, they are larger than New York, New Jersey, Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire combined.

6 quadrillion

The Great Lakes hold 6 quadrillion gallons of water, one-fifth of world's fresh surface water and 95 percent of U.S. fresh surface water.

9 1/2

Spread evenly, the Great Lakes would submerge continental U.S. under 9 1/2 feet of water.

8

Their drainage basin includes all or part of Canadian provinces of Ontario and Quebec, plus eight U.S. states: Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania, Wisconsin.

one-tenth

Amount of the United States population that lives within Great Lakes watershed.

one-fourth

Amount of the Canadian population that lives within Great Lakes watershed.

2,200

The Great Lakes system extends 2,200 miles, from western Lake Superior to St. Lawrence River's linkup with Atlantic Ocean.

10,900

Great Lakes coastline, including connecting channels, mainland and islands, totals 10,900 miles. Michigan has 3,288 miles of coastline, more than any U.S. state except Alaska.

— The Associated Press

GREAT LAKES FACTS

The Great Lakes system

As Great Lakes dip, captains grit their teeth

THE ASSOCIATED PRESS

DULUTH, Minn. — Water ebbs and water flows on these capricious Great Lakes, and the colossal carriers can only ebb.

In a year when the level of the lakes is plunging, two things happen to the ships that carry massive amounts of grain, coal and iron ore from the upper Midwest to the open sea and back: Their cargo holds are emptier, and their pilots' knuckles are whiter.

Shallow water at the critical points of navigation keeps guys like Capt. Donald Willecke on their toes.

Willecke is president of the Western Great Lakes Pilots Association, and a working pilot.

Three districts provide pilotage aboard the seafaring vessels, known as salties, that traverse the lakes providing guidance through the dicey channels. On lakes-only vessels, known as lakers, top officers all hold pilots' licenses.

Through the straits, channels and turns, pilots must be perfect. The margin for error is a matter of inches.

"We get paid for our judgment," Willecke said. "And yeah, a lot of what we do is by feel. That's how in some ways, it's an art."

Their art has gotten trickier in the last few years.

Three mild winters have deprived the lakes of ice cover that

slows evaporation. Lack of snow has deprived the lakes of water to replenish them. Even monsoons in the Great Lakes basin wouldn't change the levels quickly enough.

"I've seen a lot of changes in 40 years, but I don't recall a decline this abrupt," said Davis Helberg, executive director of the Duluth Seaway Port Authority.

On the St. Marys River, which connects lakes Superior and Huron, water is as much as 18 inches below recent levels.

No ship is known to have hit bottom this year as a result of low water, although the Coast Guard has yet to determine the cause of a couple of groundings, said Capt. Randy Helland of the Marine

Safety Division in Cleveland.

Stranded ships can cost carriers millions of dollars. Shippers compensate by loading less cargo in order to clear the shallow points along the roughly 2,200-mile route from Duluth to the Atlantic.

"Cargo is money," said Fred Cummings, marine superintendent for the U.S.S. Great Lakes Fleet. "All the companies on the Great Lakes are very cognizant of the low water. It means less revenue."

The way to make up for that revenue: Take more trips, said George Ryan, president of the Lake Carriers Association.

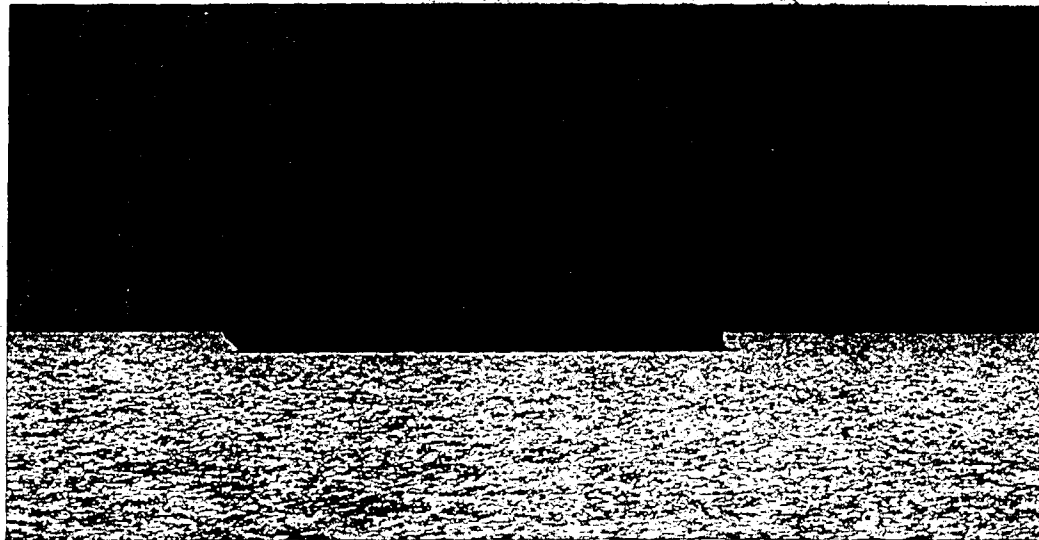
Perhaps the only saving grace of the mild winter effect is that it ex-

tends the shipping season, Ryan said. It generally runs from late March to mid-January for vessels staying within the Great Lakes.

But the recovery is marginal. Because of economies of scale, shippers make less money when they have to make more trips to get the same tonnage across.

While the plunge in water levels is a concern, shippers and carriers all say that the water will rebound. It's a cycle they've seen happen too many times not to believe it.

"What we don't know is the imponderable: Will the weather pattern shift back to normal?" Ryan said. "I think we'll see some adjustments soon."

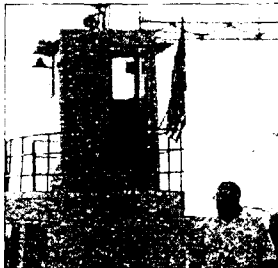


The Associated Press

ABOVE: A freighter is silhouetted near Whitefish Point, Mich., in July 1999. Ships are carrying less cargo because of low-water levels.

FAR RIGHT: Mike Bradley, owner of East Shore Marina in Frankfort, Mich., is paying about \$100,000 to deepen the water level of the Betsie River so boats can dock.

NEAR RIGHT: Curt Plaunt, owner of Plaunt Transportation Inc., stands



Dredging activities rise as water levels fall

THE ASSOCIATED PRESS

Though man can't make it rain, there is a way to deepen small parts of the Great Lakes when water levels slump: dredging.

That means digging sand, rocks and other sediment from lake and river bottoms to create channels that boats can navigate between docking areas and open water.

With lake levels down sharply over the last three years, many marinas and boat launching areas are dredging for the first time.

Michigan Gov. John Engler this spring announced a \$14 million program for emergency dredging at publicly owned marinas and harbors in his state.

Applications for permits to dredge in lakes Erie, Huron and Michigan jumped 30 percent in 1999. The increase will be higher this year, says Bob Deroche, project manager with the U.S. Army Corps of Engineers in Detroit.

There are two standard dredging methods.

Mechanical dredging uses a crane with a bucket attachment, which is hauled onto the water aboard a barge. It digs up sediment and dumps it onto a second barge, which takes it to shore.

one-tenth

Amount of the United States population that lives within Great Lakes watershed.

one-fourth

Amount of the Canadian population that lives within Great Lakes watershed.

2,200

The Great Lakes system extends 2,200 miles, from western Lake Superior to St. Lawrence River's linkup with Atlantic Ocean.

10,900

Great Lakes coastline, including connecting channels, mainland and islands, totals 10,900 miles. Michigan has 3,288 miles of coastline, more than any U.S. state except Alaska.

— The Associated Press

GREAT LAKES FACTS

The Great Lakes system consists of the five lakes, their connecting channels and the St. Lawrence River, which flows into the Atlantic Ocean.

Ranked by surface area, the lakes include Superior (31,700 square miles), Huron (23,000), Michigan (22,300), Erie (9,910), and Ontario (7,340).

Superior has the largest water volume (2,960 cubic miles), followed by Michigan (1,180), Huron (850), Ontario (393) and Erie (116).

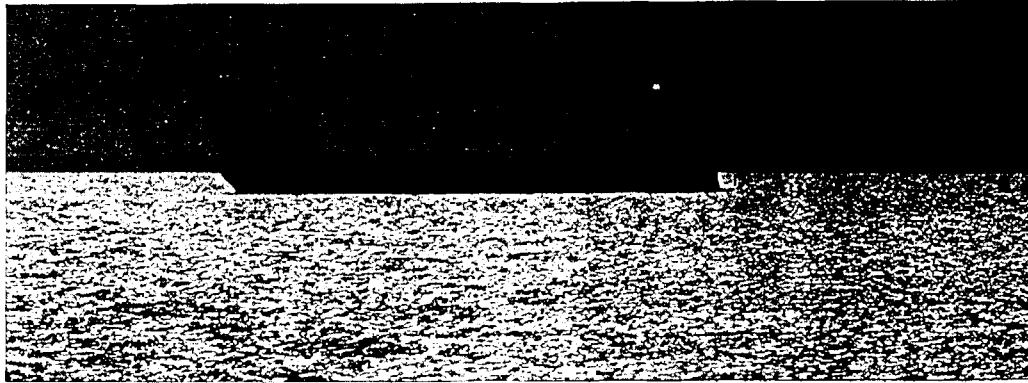
The system slopes downward from west to east. Water flows continually from Superior to Huron, a 20-foot descent, via the 60-mile-long St. Marys River.

Lakes Michigan and Huron, linked by the Straits of Mackinac, are at the same level. Their waters enter Lake Erie, an 8-foot drop from Huron, through Lake St. Clair and the Detroit River, a combined 89-mile-long channel.

From Erie, the system heads northeast through the Niagara River and the Welland Canal to Lake Ontario, which is 325 feet lower than Erie — largely because of the Niagara Falls.

Ontario's outflow becomes the St. Lawrence River, which merges with the Ottawa River near Montreal on its journey to the sea.

— The Associated Press



ABOVE: A freighter is silhouetted near Whitefish Point, Mich., in July 1999. Ships are carrying less cargo because of low-water levels.

FAR RIGHT: Mike Bradley, owner of East Shore Marina in Frankfort, Mich., is paying about \$100,000 to deepen the water level of the Betsie River so boats can dock.

NEAR RIGHT: Curt Plaunt, owner of Plaunt Transportation Inc., stands in front of the ferryboat Kristen D., moored at Bois Blanc Island, Mich., in Lake Huron on May 5. The ferry was grounded for about six weeks this spring due to shallow water.



Low water frays island's link to mainland

BOIS BLANC ISLAND, Mich. —

For those who carry people and goods by commercial vessel and for those who depend on that transportation, the falling Great Lakes levels are big trouble.

Since 1932, the Plaunt family ferryboat has taken passengers, supplies and mail between the mainland town of Cheboygan and Bois Blanc Island, 5 miles off the tip of Michigan's Lower Peninsula. Service usually begins around the first of April. But this year water depth around the island, docked the Kristen D. uses was barely 4 feet. It's usually at least 6 feet, the minimum needed to keep the ferry afloat.

The state and Bois Blanc Island's township government hired a Cheboygan dredging company for \$500,000 to deepen the harbor. The ferry made its first trip of the year on May 4 and is running on an abbreviated schedule. Curt Plaunt, who runs the company, says he can get back to normal only when the dredging is completed, probably in June.

"We lost a good six weeks," Plaunt says. He doesn't know how much revenue it cost. "You get depressed if you start adding it up."

He hopes to recoup some of it this summer, when the island population jumps from about 35 to 1,500 and visitors stream back and forth.

A local flight service can carry passengers, luggage and some supplies aboard small planes to woody Bois Blanc, where roads are unpaved and the lone general store operates seasonally. But larger cargo — automobiles, gasoline, propane, furniture — must be hauled by boat.

Plaunt Transportation Inc. operates one of two ferries to the island. The other stopped running last fall and hadn't resumed by early May.

Bruce Lord of Fort Wayne, Ind., is building a cabin on Bois Blanc. He'd hoped to begin work in mid-April but was delayed, unable to get materials to the island.

"There'll always be a way to get out here, I'm sure," Lord says. "But this low water is a concern. If it turns out to be a long-term

problem, I'm not sure what to do about it."

The island's permanent residents pride themselves on making do in tough times. They stock up on food and fuel for the long winters.

When necessary, they zip to the mainland on snowmobiles after the lake freezes over.

But even some of them ran low as weeks dragged by with no ferry service. "One guy was down to 6 gallons of water. One couple ran out of gasoline entirely," says Penny Rickwalt, who has lived here nearly a decade. "You just go to the neighbors for help."

Back in Cheboygan, island resident Michael White buys a ticket for the next ferry trip. His wife, Lant, is the teacher at Bois

Blanc's one-room schoolhouse. But he and their son, Michael II, are staying in an apartment in Cheboygan, where the boy attends high school.

They intended to return home most weekends during the school year. But the ice bridge formed late and melted early, limiting snowmobile travel. Then came the grounding of the Kristen D.

"We probably made a quarter as many trips as we wanted to," White says. "You make your plans, but up here nature dictates what happens."

Plaunt believes his ferry business has cleared the short-term hurdle. With scientists warning the water will get lower before rising, he wonders about the future.

levels fall

THE ASSOCIATED PRESS

Though man can't make it rain, there is a way to deepen small parts of the Great Lakes when water levels slump: dredging.

That means digging sand, rocks and other sediment from lake and river bottoms to create channels that boats can navigate between docking areas and open water.

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Applications for permits to dredge in lakes Erie, Huron and Michigan jumped 30 percent in 1999. The increase will be higher this year, says Bob Deroche, project manager with the U.S. Army Corps of Engineers in Detroit.

There are two standard dredging methods.

Mechanical dredging uses a crane with a bucket attachment, which is hauled onto the water aboard a barge. It digs up sediment and dumps it onto a second barge, which takes it to shore.

Then there's the hydraulic method, which resembles an underwater vacuum cleaner. A propeller slices layers of sediment, which are sucked into a pipe and deposited onshore in a holding pond. The sediment sinks to the bottom of the pond while the water flows back into the lake or river.

People wishing to dredge must get permits from the Army Corps and from their state's environmental protection agency.

If the dredging area is believed to have toxic pollution, samples of the sediment are analyzed.

If dredging is approved, the tainted sediment must be disposed of in a hazardous waste landfill or other approved site, says Roger Gauthier, supervising hydrologist with the Army Corps district office in Detroit.

Some environmentalists worry that the stepped-up dredging activity will release long-buried toxins into the waterways.

"We may be damaging the fishery for a decade to lessen the tourism problem for one summer," says Tanya Cabala of the Lake Michigan Federation.

BY AP/WIDEWORLD

Government's Fox River cleanup plan delayed

By Ed Culhane
Post-Crescent staff writer

5/17/2000

Scheduled summer
data release has been
pushed back to November

NEENAH — The government's cleanup plan for the PCB-contaminated Fox River, which had been scheduled for release this summer, will likely be delayed until November, state and federal regulators said Tuesday.

It was once thought that the feasibility study (RIFS) and cleanup plan would be completed by the state Department of Natural Resources late in 1999, but the scope of work was dramatically increased when the U.S. Environmental Protection

Agency insisted on including the mouth of Green Bay in the assessment area.

Jim Hahnenberg, coordinator of the Fox River cleanup for the EPA, said the study has been expanded in other ways as well, although he would not elaborate.

"We think it will be worthwhile to do more in-depth investigations," he said. In the meantime, the Fox River Group

stepped up a campaign that battles the government's new television ad shows a man walking down a hall with three doors, each slamming in the man's face as he approaches them. The slamming doors represent the government's rejection of the Fox River Group's request for RCRA companies to clean up the river this year by capturing the pollutants in place rather than sending them to the water.

The companies' cleanup plan is still in the works. The companies' cleanup plan is still in the works. The companies' cleanup plan is still in the works.



CLEANUP, BACK PAGE

CLEANUP: Panel members cite 'data picking'

From A-1

continued efforts to challenge government science in the proposed cleanup.

An FRG consultant said Tuesday that PCBs in the Fox River pose no danger to fish, birds or mammals, a conclusion that stands in stark contrast to the position of government toxicologists.

As for humans, said Brent Finley of Exponent consulting firm, the tons of PCBs in river sediments pose only a slight risk to a small number of fishermen, perhaps as few as 50 to 100. The risk they face, he said, is not much higher than the government's threshold for intervention.

In our view, said Finley, they don't exceed it enough to warrant any action.

These positions are not new to residents of the Fox Valley, but they were presented Tuesday to a new audience, a panel of scientists hired by the FRG companies to provide a peer review of the FRG's risk assessment and that of government regulators.

Panel members made several critical remarks about the FRG's work, including several references to a practice called "data picking" by Dave Allen of the U.S. Fish & Wildlife Service. This means that a report's authors selectively choose studies that back up a particular

point of view.

The problem we had with the (FRG) report was the selection of some studies to the exclusion of others," said panel member Chris Metcalfe.

This is the second time the FRG has paid for a peer review panel. The first panel, which looked at complex computer models used by the state and the FRG companies to predict the way PCBs behave in the river, finished its work several weeks ago.

The scientists on that panel concluded that neither model was good enough to justify cleanup decisions.

This second panel is composed of seven scientists pulled together for the FRG by the Association for the Environmental Health of Soils. The panel members have had the risk assessments in hand for weeks, but they met with government and company officials for the first time Tuesday at the Park Plaza Valley Inn. There was no formal presentation of the risk assessments created by the state Department of Natural Resources.

Ed Lynch, the DNR engineer coordinating the RIES, told the panel that DNR scientists and consultants would not have time to participate in academic reviews until the RIES was completed.

If you keep on this track, you run the risk of this being one-sided," Lynch said.

Paul Kostecki, executive director of the Association for the Environmental Health of Soils, said the association is a science-based organization that can't be characterized as a mouthpiece for industry.

"It is no secret that AEHS is supported by the Fox River Group, but we are an independent group," he said.

Tim Iannuzzi, an FRG consultant from the BBL engineering firm, presented the companies' ecological risk assessment, concluding that PCBs pose no risk to contaminated fish in the river and no significant risk to the birds and mammals that eat them.

Panel members were skeptical. Richard Thomas, Guillo, questioned the level of PCB contamination that the FRG considered safe in milk. A mammal known to have experienced ill effects from PCBs.

"I have no sense of satisfaction that that is protective," Guillo said in the minutes.

The panel's report, due in several weeks, will be published later this year in an AEHS scientific journal.

The EPA's Hahnenberg said it is not likely that the panel's report will have a significant effect on the RIES, due out later this year. It could play a more significant role once the RIES is out for public comment, he said, but the time frame for decisions will be growing short.

Inside

Lawyer would welcome a motion separating the sexual assault case of Green Bay Packers player Mark Chmura from that of a co-defendant. **On B-4**

LOCAL/STATE

SECTION

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THURSDAY, MAY 18, 2000

GREEN BAY PRESS-GAZETTE

Fox cleanup plan not expected until November

THE ASSOCIATED PRESS
AND PRESS-GAZETTE

NEENAH — The government's cleanup plan for the PCB-contaminated Fox River likely won't be announced until November, state and federal regulators say.

The plan was expected to be completed last year by the state Department of Natural

Resources, but the project's scope was increased when the U.S. Environmental Protection Agency decided the entire bay of Green Bay should be included in the assessment.

Jim Hahnenberg, coordinator of the Fox River cleanup for the EPA, said the study has been expanded in other ways, though he would

not elaborate.

"We think it will be worthwhile to do more in-depth investigations," he said.

A consultant with the Fox River Group, a coalition of seven paper mills along the river, said this week that PCBs in the Fox River pose no danger to fish, birds or mammals. That conclusion stands in stark contrast to

the position of government toxicologists.

Brent Finley, of Exponent consulting firm, said the tons of PCBs in river sediments pose only a slight risk to a small number of fishermen, perhaps as few as 50 to 100. The risk they face, he said, is not much higher than the government's threshold for intervention.

"In our view ... they don't exceed it enough to warrant any action," Finley said.

The EPA seeks to list the Fox River as a Superfund site because of health risks posed by polychlorinated biphenyls, chemical compounds linked with reproductive problems and deformities in wildlife, and to lowered IQs and learning

skills in children exposed to elevated levels in the womb.

Superfund designation would provide government funds to start the cleanup, and could levy penalties beyond cleanup costs against the paper companies deemed responsible for the contamination. Paper companies say the Superfund designation could bankrupt some mills.

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MONEY Page C-1



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Straight SHOOTERS

Meet the members of The Post-Crescent's
All-Area Boys Golf Team

SPORTS

THE POST-CRESCENT

TUESDAY, JUNE 13, 2000

Wisconsin's Best Newspaper

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Bill's wording could hamper dredging

Area Republicans say 'take no action' order does not carry the force of law

By Ed Culhane
Post-Crescent staff writer

Votes pending in Congress this week or next could hamper the cleanup of the Fox River by restricting the ability of the U.S. Environmental Protection Agency to use dredging, the Sierra Club reported

Monday.

Report language in a large funding bill approved by the powerful, 50-member House Appropriations Committee directs that the EPA "take no action to order the use of invasive remedial technologies" until the National Academy of Scientists completes its congressional-

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future
for the
FOX
river



ly ordered, two-year review of dredging, capping and other river remediation technologies.

The NAS is scheduled to report

its findings to Congress in September.

The "report language" in the bill also directs the EPA to incorporate NAS findings into the agency's decision-making processes, a procedure that could take years, critics of the language said.

"All of it sums up to one big delay," said Emily Green, a Great Lakes expert with the Sierra Club's Midwest regional office. "If this language is passed, EPA's hands

will be tied. The Fox River will not be cleaned up, the pulp and paper mills will be off the hook, and our children will be left to resolve this problem."

The Sierra Club joined more than 30 other environmental organizations Monday in calling on members of Congress to remove the language from the bill before it is voted on by the full House later this week or early next week.

A similar bill faces a committee

vote in the Senate, probably on Thursday.

U.S. Rep. David Obey, D-Wausau, the ranking Democrat on the Republican-controlled House appropriations committee, joined Rep. Maurice Hinchey (D-N.Y.) in opposing the directives, and he led efforts to remove the language from the bill, the Sierra Club and other observers reported.

Please see **DREDGING** BACK PAGE

DREDGING: Officials disagree on what language means to the river cleanup

From A-1

The language had been introduced by two Republican representatives from New York, James Walsh and John Sweeney. Sweeney's district is home to the General Electric Corp., which is fighting state and federal plans to dredge large portions of the Hudson River.

Hinchley said the language would stop cleanup efforts at 28 sites in 14 states, according to a description of the debate published on the Internet by Environment and Energy Daily.

Obey said the NAS study, a repetition of an earlier study, was a familiar dodge used by Congress to get out of making decisions. When Rep. Anne Northup, R-Ky., said the EPA was too often in a rush to regulate, Obey shot back that he knew the needs of Wisconsin better than she, saying that the Fox River has been awaiting a cleanup since 1981.

Obey's effort to remove the language failed on a 30-20 vote. The fight now moves to the floor of the House, said Kori Hardin, a spokeswoman for Obey.

"This is a drastically different kind of language than they've put in during the past three years," she said. "Hopefully, we can strike something like this on the floor. Congress ought not to be getting in the way of the cleanup."

The exact effect the language would have is subject to debate. Mark Graul, the chief of staff for Rep. Mark Green, R-Green Bay, said the report language in the bill is not part of the actual funding bill and does not have the force of law.

"It seems to me that people are getting all excited about something that is not a hard and fast law," Graul said. "It is a tool that powerful committees use to say to agencies what they think about what they are doing. This does not prevent the EPA from dredging any-

thing."

Similarly, Rep. Tom Petri, R-Fond du Lac, said Monday that the report language would not affect the Fox Valley because the cleanup of the Fox is being led by the Wisconsin Department of Natural Resources, not the EPA. He said the language expires in one year in any case, before any large-scale cleanup of the Fox would begin.

"We are going to keep an open mind and review it," he told *The Post-Crescent*.

Others have a different interpretation.

"It is not part of the law, they are not bound by it, but it is almost unheard of for them (EPA officials) to ignore language like that," said Allegra Cangelosi, a policy analyst with the Northeast-Midwest Institute, a bipartisan, congressional research group.

A top EPA official agreed with the Sierra Club analysis, saying the report language would tie the

agency's hands.

"EPA obviously is not happy about this language in our appropriations bill," said Bill Muno, director of the Superfund division for Region 5. "Although report language is not law, per se, there is a long-standing history between the EPA and Congress in that EPA generally takes that language quite seriously and in almost all cases we follow these provisions."

Muno said the language appears too broad and too restrictive to allow the agency to continue work on the Fox River.

Some believe it would stop the EPA from even testing for PCBs using core samples or from designing cleanup solutions that involve dredging, Muno said.

It would not exclude the concept of natural attenuation, or leaving contaminated sediments in place to be gradually buried or diluted by cleaner sediments, as paper companies facing liability for the cleanup

have advocated.

Attempts to contact representatives of the Fox River Group of paper companies, the seven companies faced with the cleanup bill on the Fox River, were not successful Monday.

George Meyer, secretary of the Wisconsin DNR, said Monday that agency officials are contacting the state's congressional delegation in an effort to stop the language from being adopted by the full House.

"We believe there is current information out there that shows in many other situations across the country that dredging has been a useful tool, one of the alternatives to reducing long-term introduction of PCBs and heavy metals into the aquatic system," Meyer said.

PCBs, polychlorinated biphenyls, are long-lasting industrial compounds known to cause reproductive failure in some species of fish-eating mammals and birds.

Kids at Risk

Chemicals in the environment come under scrutiny as the number of childhood learning problems soars

BY SHEILA KAPLAN AND JIM MORRIS

For more than 40 years, the family shared the big house and two trailers a mile from the Monsanto chemical plant, on the west side of Anniston, Ala. In time, the 18 of them learned to put up with the rotten-cabbage odor that wafted through town.

The plant, after all, is what stood between many residents and poverty. Besides, there were family troubles: Jeanette Champion, 44, is nearly blind and has what she calls a “thinking problem.” Her 45-year-old brother, David Russell, can’t read or write. Her 18-year-old daughter, Misty Pate, has suffered seizures and bouts of rage. Misty’s 15-year-old cousin, Shane Russell, reads at a second-grade level.

The Monsanto plant has made industrial and pharmaceutical chemicals since the 1930s. But for decades it also saturated west Anniston with polychlorinated biphenyls. PCBs have long been linked to cancer. More recently, however, researchers have discovered evidence tying the compounds to lack of coordination, diminished IQ, and poor memory among children. So when the extent of the PCB contamination in Anniston finally became clear a few years ago, a hazy picture came into focus. Perhaps the multigenerational problems of some families were not the result of poverty or bad genes. Perhaps they were caused by the chemicals in the ground.

More than 20 years ago, when Champion was still threading looms in the cotton mill, toxicologist Deborah Rice was conducting studies on young monkeys for Health Canada. The studies strongly suggested that substances like PCBs and mercury didn’t just

cause cancer or birth defects—the only problems for which they were tested in the United States. They also suggested that even at extremely low levels, these substances could affect the developing human brain. When given doses comparable to what a child would receive, the monkeys became impulsive and distracted and couldn’t learn.

Many scientists were slow to see the significance of such research. Why worry about the loss of a few IQ points, they argued, when the real threat of chem-



Left: Will Redwood, 6, plays at home in suburban Atlanta. EPA workers clean up after taking soil and water samples in Oxford, Ala.

● “Like driving 90 miles per hour in the rain.”

ical exposure was life-threatening disease? Today, however, a dramatic increase in learning disabilities has forced Environmental Protection Agency officials to acknowledge that they have ignored a much broader problem. One of every six children in America suffers from problems such as autism, aggression, dyslexia, and attention deficit hyperactivity disorder. In California, reported cases of autism rose 210 percent, from 3,864 to 11,995, between 1987 and 1998. In New York, the number of children with learning



disabilities jumped 55 percent, from 132,000 to 204,000, between 1983 and 1996. It was in the midst of reports like these that the EPA last week essentially banned the popular pesticide Dursban as an unacceptable risk to children.

Experts have advanced a variety of theories for the increase in disorders, including better diagnostic methods. But a growing body of evidence suggests that compounds called neurotoxins may be contributing significantly to the problem. Neurotoxins are found in substances as common as tuna, lawn sprays, vaccines, and head-lice shampoo. Fetuses and in-

Needleman, of the University of Pittsburgh, examined 216 youths convicted in the juvenile court of Allegheny County, Pa., and 201 nondelinquent youths. In a study released last month, Needleman found that the delinquents had significantly higher bone-lead levels. In March, Frederica Perera, of Columbia University's Joseph L. Mailman School of Public Health, reported that air-sampling "backpacks" worn by 72 pregnant women in New York City picked up high concentrations of three neurotoxic pesticides that could cause disorders in their fetuses.

Chemical manufacturers—as well as



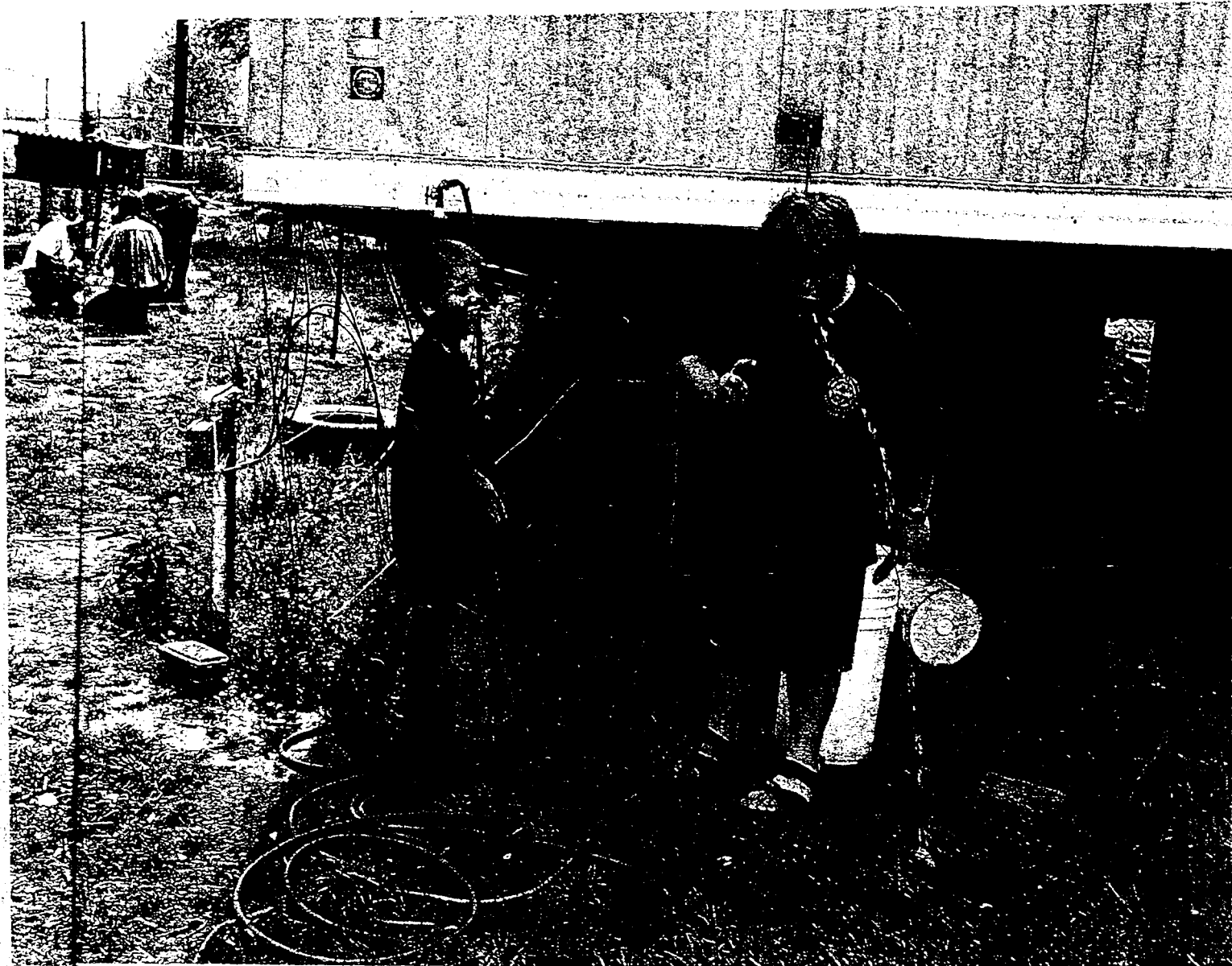
ants exposed to these chemicals during critical windows of development, researchers now believe, may be at far higher risk for childhood learning problems than once thought. A new study from the National Academy of Sciences suggests that a combination of neurotoxins and genes may account for nearly 25 percent of developmental problems. Chemicals alone may account for only 3 percent of cases, the study shows, but they can trigger many more. "Think of the genes as the country road," says John Harris of the California Birth Defects Monitoring Program. "And the neurotoxins as driving 90 miles per hour in the rain."

The lead factor. Although inconclusive, the studies on neurotoxins are intriguing. Researchers at the State University of New York-Oswego, in a federally funded study, showed that babies who had significant amounts of PCBs in their umbilical cords performed more poorly than unexposed babies in tests assessing visual recognition of faces, ability to shut out distractions, and overall intelligence. Herbert

some researchers and regulators—are not convinced by such findings. "There is no reason to believe we have an epidemic [of chemical-related illness] on our hands," says Robert MacPhail, chief of the EPA's Neurobehavioral Toxicology Branch. "There are still a jillion tests that have to be carried out." Robert Kaley, director of environmental affairs for Solutia, a 1997 spinoff of Monsanto's chemical operations, says that "everybody's jumping to conclusions. These kinds of links are premature at best and speculative at worst."

But the new findings, coming on the heels of more than two dozen earlier studies, have prompted the U.S. Department of Health and Human Services to dig deeper into the issue. The agency is expected to ask Congress for \$1 billion to track up to 100,000 children from the womb through high school to assess the effects of chemical exposure on childhood development. U.S. Surgeon General David Satcher, who grew up in Anniston, finds the existing evidence compelling enough.





Jeanette Champion (far left); the McFarlane children (above), bounded by the Monsanto plant; Chadrick Anderson, 6, on trampoline near Monsanto dump

● *"These kids are different. Their wiring's not right."*

"How long do you wait," he asks, "before you take the necessary action to protect children?"

The answer, in the case of the EPA, appears to be a long time. More than a dozen high-ranking current and former EPA officials say the agency has failed to exert its authority to obtain data on chemical exposure from manufacturers and to restrict the use of neurotoxins that may be harmful to kids. The EPA's enforcement record with the chemical industry is hardly an activist one. Between 1989 and 1998, it managed to get neurotoxicity data on only nine pesticides and three industrial chemicals.

The chemical industry, meanwhile, has effectively rebuffed the few efforts

the EPA has made to address the issue. In 1998, the agency tried to force makers of some of the most common chemicals to test their products for hazards to children. But the EPA backed down under election-year pressure from both political parties and decided on a voluntary system. The agency and industry are still arguing about what tests will be required. Chemical companies are among the best-connected businesses in Washington. Since January 1999, chemical manufacturers have given nearly \$4.2 million to presidential candidates, congressional campaigns, and national political parties. The revolving door is nothing new in the nation's capital, but it seems to spin to particularly good effect for the Chemical Manufacturers Association. This year, the CMA retained a former top White House environmental aide who helped Al Gore develop a plan to address what the vice president called "the special impact industrial chemicals may have on children." Today, the aide, Beth Viola, is working to make



the plan more industry friendly, thus contributing to delays.

Potentially hazardous chemicals should be judged "guilty until proven innocent," says EPA adviser and Yale University Prof. John Wargo. But the EPA doesn't work that way. The agency requires chemical manufacturers to prove that their products do not cause cancer or birth defects, but it does not require them to provide data on neurological effects—even though the technology for such testing now exists. The EPA is caught in a bind: It can't require a company to submit data without proof that a product is harmful. But it can't prove harm without the data. "We're in the dark," says Ward Penberthy, an EPA deputy director.

Children are particularly vulnerable to toxic chemicals. Normal brain development begins in the uterus and continues through adolescence. It requires a series of complex processes to occur in a carefully timed sequence: Cells proliferate and move to the correct spot, synapses form, neural circuits are refined, and neurotransmitters and their receptors grow. Neurotoxicants may slow, accelerate, or otherwise modify any of these processes. Says Philip Landrigan of New York's Mt. Sinai School of Medicine: "You end up with gaps in the wiring."

The idea that substances in the environment can harm the human brain is not new. In ancient Rome, miners were felled by what the medical literature of the time called "lead colic." The Mad Hatter in Lewis Carroll's *Alice's Adventures in Wonderland* comes from the 19th-century expression "mad as a hatter," a reference to mercury's effects on felt-hat makers. Over the past 70 years, adults and children around the world have been poisoned—and, in some cases, killed—by mercury in fish, PCBs in rice oil, a fungicide in seed grain, and a rat-killing agent in tortillas. After hearings in 1985, the House Committee on Science and Technology reported that there were 850 known neurotoxicants, any of which "may result in devastating neurological or psychiatric disorders that impair the quality of life, cripple and potentially reduce the highest intellect to a vegetative state." The report prompted virtually no action.

Today, however, the federal government

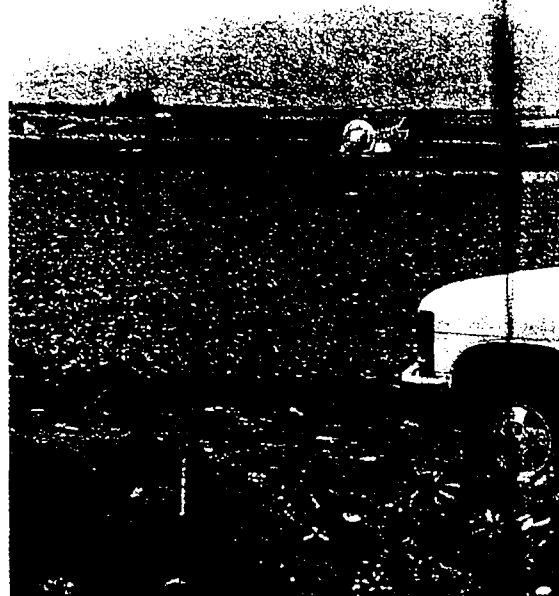
is under increasing pressure from pediatricians, academics, and its own scientists, all clamoring for more testing of neurotoxicants. Agency officials are focusing on the following areas:

Pesticides. Organophosphate pesticides are domesticated versions of wartime nerve agents. The best known, Dursban and Diazinon, have been on the market since 1965 and 1956, respectively. The active ingredient of Dursban, chlorpyrifos, is found in some popular Raid sprays and Black Flag roach and ant killer. After re-examining the toxicity of chlorpyrifos, however, the EPA announced last week that it will ban nearly all household uses of it and restrict its use on tomatoes, ap-



ples, and grapes. The EPA found that Dursban could damage the brain. It also determined that children could receive up to 100 times the safe dose in some cases.

Diazinon, one of 37 other organophosphates under review, could be next. A preliminary EPA analysis recently found that a child could inhale up to 250 times the safe amount after a basic "crack and crevice" treatment by an exterminator. Linda Meyer, a toxicologist with Novartis, which makes Diazinon, says that the EPA extrapolated from a worst-case Novartis study—in which rats were placed in a chamber pumped full



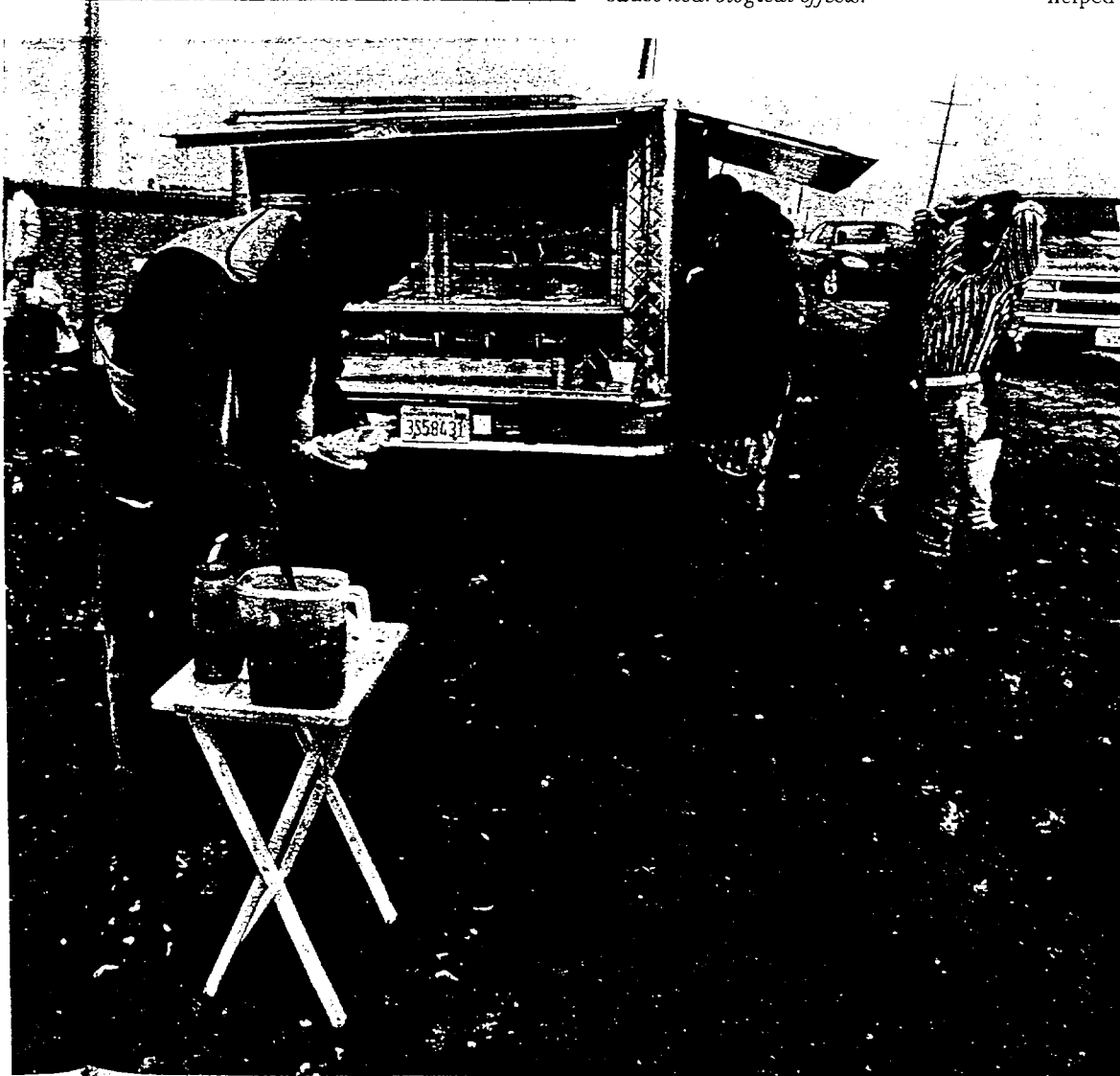


of the pesticide in aerosol form. As a result, Meyer says, "the risk for children is grossly overestimated." Novartis also notes that the EPA, in its draft analysis, states that animal studies of Diazinon have revealed "no evidence of abnormalities in the development of the nervous system."

The chemical industry prefers to police itself, when given a choice. But this approach seldom works, as evidenced by the EPA's failed attempt to restrict a pesticide known as chromated copper arsenic, or CCA. The compound is applied to pressure-treated wood and commonly found on decks and playground equipment. Since the late 1970s, EPA researchers have reported that CCA

Clockwise from left: Children of agricultural workers in Gonzales, Calif., near farmland sprayed with chemicals; crop-duster at work; workers having lunch

● "Exposure to these . . . pesticides can cause neurological effects."



poses a special threat to pregnant women and children because it combines three neurotoxic compounds. People can be exposed to CCA by breathing fumes from unfinished wood during home repair or construction. As a structure ages, the compound may leach out into the dirt. In lower doses, according to numerous studies, CCA can impair intelligence and memory.

The EPA tried to restrict CCA in 1984, but homebuilders' and wood preservers' groups lobbied Congress so hard that the EPA retreated, asking only that retailers distribute advisories that the compound could endanger children. A decade later, the effort had gone nowhere. "We checked retailers," said John McCauley of the Kentucky Department of Agriculture, "and they had no clue what a consumer information sheet was." The EPA promised to decide on new restrictions by 1998, but officials now say the agency won't act until at least next year.

Mercury. When toxicologist David Brown helped prepare a mercury study for eight Northeastern states and three Canadian provinces in 1997, he knew that fish in the region's lakes would contain mercury; he just didn't know how much. As it turns out, the numbers were considerably higher than he expected. "The most pristine lakes," he says, "had the highest levels." Brown, formerly with the Agency for Toxic Substances and Disease Registry, did the math and concluded that a pregnant woman who ate a single fish from one of these lakes could, in theory, consume enough mercury to harm her unborn child.

But the Food and Drug Administration has no enforceable limit for mercury in fish—only a guideline of 1 part per million, which the National Academy of Sciences deems "inadequate to protect the developing fetus." Mike Bolger, chief of the FDA's Division of Risk Assessment, says the agency hasn't set a limit primarily because "the science has to be sorted out."

That shouldn't be surprising. For years, operators of the coal-fired power plants and trash incinerators responsible for most mercury pollution have been working to quash attempts to further regulate mercury. When the EPA concluded in 1996, for example, that more than 1.6 million Americans were at risk of mer-



cury poisoning, industry lobbyists persuaded the agency not to make the report public for more than a year. It was released only after a group of senators complained. Lawmakers in states with substantial fishing and utility interests responded to the report by calling for yet another study, this time by the NAS. The new report, to be released next month, is expected to agree that current mercury levels are unsafe. But advocates for tighter regulations aren't expecting any quick changes in policy. "The reason," says Democratic Sen. Patrick Leahy of Ver-

Jonathan and Jenna DeCosta suffer from attention problems and bouts of anger.

● *"There is no reason to believe we have an epidemic . . . on our hands."*

mont, "is that mercury has a constituency in Washington."

There is also evidence that mercury found in some childhood vaccines can hamper development. Will Redwood, for instance, a 6-year-old from suburban Atlanta, seemed perfectly normal at birth. Within two years, he had stopped inter-

acting with his family. By age 5, he was diagnosed with a mild form of autism. His mother, Lyn, a nurse practitioner, read that some childhood vaccines contain the mercury-based preservative thimerosal, cumulative doses of which could be harmful. She had a lock of Will's hair analyzed, and it was found to be loaded with mercury. In his first round of vaccinations alone, given when he was 2 months old, Will received 62.5 micrograms of mercury, or 125 times the EPA's daily limit. No one can say whether the vaccines—which contained the maximum amount of thi-

FISH, FRUIT, FLEAS

How to protect your kids

It will be years before federal regulators and industry agree on which substances should be tested for developmental neurotoxicity and how tests should be done. But new and expectant parents needn't wait to take precautions.

Lynn Goldman, a pediatrician who teaches at Johns Hopkins University School of Hygiene and Public Health, headed the EPA's pesticide and toxic chemicals office from 1993 to 1998. She offers the following tips:

- **Home repairs:** To avoid the danger of lead poisoning, do painting and remodeling well before you move in, or postpone the work until the child is much older. If you live in an older neighborhood, have your water tested; there may be lead coming in from the pipes.
- **Fish:** Eat from lower down the food chain. Predator fish, such as tuna, shark, and

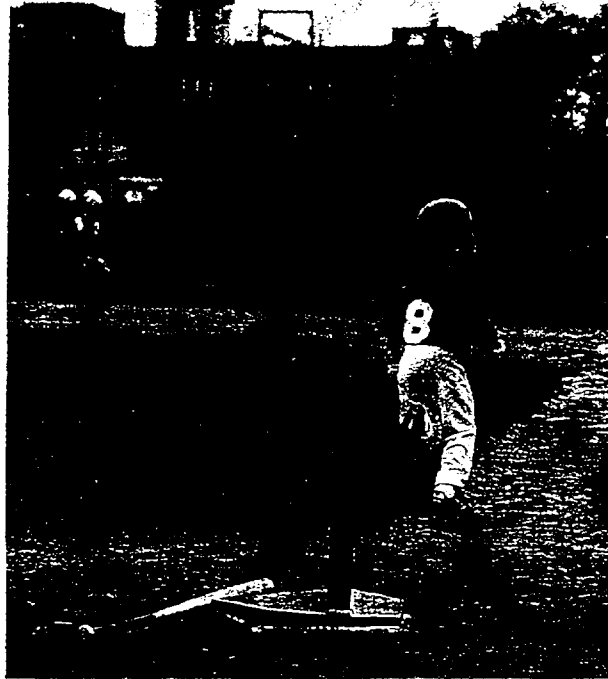
swordfish, are more likely to have mercury or PCB build-up from the compounded effects of eating smaller fish. Avoid the fatty part of the fish, which is where toxins gather. Several states have advised pregnant women not to eat more than one 7-ounce can of tuna each week. The EPA's Web site, www.epa.gov, lists all state fishing warnings.

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merosal—caused Will's autism. And experts say that parents should not withhold inoculations. In a statement last year, a group of manufacturers said that vaccines containing thimerosal "have been administered to billions of children and adults worldwide, with no scientific or medical data to suggest that it poses a public health risk." Still, the American Academy of Pediatrics raised enough questions last year that vaccine manufacturers have agreed to phase out thimerosal as soon as possible.

PCBs. The EPA banned the manufacture of polychlorinated biphenyls in 1977, but the compounds continue to haunt children. PCBs are a well-known cancer risk, but recent studies show that they can also impair learning and memory. EPA adviser Joseph Jacobson and Sandra Jacobson of Wayne State University reported in 1996 that children in Michigan with significant prenatal exposures were three times as likely as unexposed children to have low IQ scores and twice as likely to lag behind in reading comprehension.

Jeanette Champion says that her family's mental difficulties now make sense. She and roughly 5,000 others are suing St. Louis-based Solutia, which made PCBs in Anniston under the Monsanto name from 1935 to 1971, seeking compensation for what they claim are pollution-related maladies and property devaluation. One of the plaintiffs is Karen McFarlane, who lives near the plant with her husband and five children. McFarlane, 31, attended special school and has failed four times to get her GED. Six-year-old Derrick Hubbard has speech, vision, and memory problems. "If we go over his ABCs, he forgets them right away," says his mother, Dessa Gadsden, Ala., psychiatrist Judy Cook is astounded



Little Leaguers in Wallingford, Conn., play regularly beside a toxic-chemical factory.

● "... we still don't have a smoking gun ... but there are bullets all over the floor."

at how many local children have IQs in the "borderline retarded" range and exhibit a penchant for violence. "These kids are different," she says. "Their wiring's not right."

In February, the Agency for Toxic Substances and Disease Registry reported that "PCBs in soil in parts of Anniston present a public health hazard" and that some adults

and children had elevated amounts of the chemicals in their blood. Exposures, the agency speculated, "may still be occurring at high levels." The EPA has identified 22 other sites in Anniston that may contain dangerous amounts of PCBs, metals, and solvents. Solutia's Kaley concedes there may have been "historical exposure." But, he says, "We do not believe that people are currently being exposed." Nevertheless, the company has spent more than \$30 million to clean up its Anniston site and surrounding land, bought out about 100 properties, and made a tentative settlement offer of \$44 million to landowners along downstream waterways.

That prospect aside, there are still many unanswered questions about neurotoxicants and their effects on children. The dearth of data will continue to stymie parents like Terry DeCosta, who believes that pollution from the Tosco oil refinery in Clyde, Calif., contributed to the anger and attention problems in both her children. According to the EPA, Tosco discharged more than 1 million pounds of pollutants into the air in 1998, many of them neurotoxicants. When the DeCostas sued the refinery, however,

their case was dismissed for lack of causation. Richard Jackson, of the Centers for Disease Control and Prevention, says that the easy work is done. "We've been able to find the things that are so toxic that they make people dizzy and fall down," he says. Now comes the harder work of identifying and regulating compounds that insidiously misarrange the brain. "I've heard people say we still don't have a smoking gun," says Chris De Rosa of the Agency for Toxic Substances and Disease Registry. "And then I've heard others say, 'Yes, but there are bullets all over the floor.'" ●

● **Pesticides and related products:** Use chemicals only to control a problem, not to prevent one. Use bait stations instead of sprays. If infestation does occur, hire a professional exterminator, who is specially trained in applying chemicals. If you must do the spraying yourself, wear the proper mask and gloves. A dust mask is

not effective against chemical vapors.

● **Fruits and vegetables:** Organic is your best bet; otherwise, scrub the produce with water before eating or cooking. Soap or new pesticide removal products are not necessarily more effective.

● **Pets:** To control fleas, ask your veterinarian for the new oral or topical treatments.

They are more expensive than collars and powders, but they are safer because your child won't be as exposed. They are also more effective.

● **Dry cleaning:** Avoid chemicals such as perchlorethylene, which is found in dry-cleaning products. If you dry clean frequently, use a cleaner who uses the new nonsolvent processes. Air out clothes

before you put them away.

For additional information: The American Academy of Pediatrics, (202) 347-8600 or www.aap.org; Greater Boston Physicians for Social Responsibility, (617) 497-7440; Natural Resources Defense Council, 1200 New York Avenue, N.W., #400, Washington, DC 20005, (202) 289-6868, www.nrdc.org. —S.K.

Fort James agrees to another round of PCB dredging

Work will begin around Labor Day under the new agreement

By Scott A. Stein
The News-Chronicle

Dredging equipment will return to the Fox River this year to remove more PCB-contaminated sediment from the river near the Fort James Corp. West Mill.

Officials of the corporation, the state Department of Natural Resources and the U.S. Environmental Protection Agency announced Thursday that an agreement has been reached to complete the dredging project at the site known as Sediment Management Unit 56/57.

"This agreement...provides the framework and assigns the responsibility for Fort James to address the exposed sediment hot spot," Frank Lyon, EPA Region 5 Administrator, said.

"It basically calls for Fort James to remove up to 50,000 cubic yards of sediment from the Fox River adjacent to the company's tissue mill," said DNR Secretary George Meyer.

"EPA and the Department of Natural Resources will help oversee the design and implementation of the project."

The sediment that is removed from the site will be taken to the Fort James landfill near Austin Straubel International Airport.

"The cleanup goal for this project is a level of PCBs remaining in the sediment at one-part-per-million," Meyer said.

Kathleen Bennett, Fort James vice president of environment, safety and Health, said the dredging project this year will be

different from the demonstration project that was done last year.

That project ended in December when funding ran out and the weather grew too cold. About 30,000 cubic yards of sediment was removed instead of the expected 80,000 cubic yards.

Monitoring at the site found PCB levels as high as 300 parts-per-million after last year's dredging project, well over the federal safety standard.

Bennett told reporters Thursday the new project will be conducted in two phases.

"During phase one, we will complete the dredging of the areas of site 56/57 that were begun last year."

The second phase will dredge the rest of the site to reach the one-part-per-million goal.

Lyon said the two-phase approach will provide some flexibility.

"In the event we are not able to get down to one-part-per-million as agreed to in the order, the order does provide for backfilling with 6 inches of sand...as a temporary measure to alleviate the hot spot that sits exposed right now," he said.

Actual dredging is expected to begin around Labor Day. Bennett said design work will be done within 30 days and submitted to the DNR and EPA for their review before a final agreement can be signed.

Cost estimates were not released.

"It will be well into the millions," said Bennett, who added she didn't want to discuss the actual cost estimates because competitive bids would be sought.

Lyon said this agreement hopefully demonstrates that a comprehensive settlement to address the entire Fox River cleanup is within reach.



H. Marc Larson / The News-Chronicle

A HYDRAULIC DREDGE REMOVES sediment from the Sediment Removal Demonstration Project/SMU 56/57 site near the Fort James west mill in September. The project will resume in September.

Fee rises for PCB dredging material

Winnebago cites need
to reopen site to dump
Deposit N leftovers

By Ed Lowe

Post-Crescent staff writer

OSHKOSH — Winnebago County's Sunnyview landfill has finished off its commitment to accept low-level PCB-tainted material from a state-managed dredging site on the Fox River near Kimberly, but not without a price increase.

The board, a self-funded, autonomous unit of county government, voted unanimously Wednesday to raise the tipping fee for the last of the lot, a truckload of modestly tainted shore material contaminated by contact with the sediment removed from the river.

It approved Solid Waste Management Director Len Leverage's recommendation to raise the tipping fee from the contracted rate of \$58 per ton to \$85 per ton, a cost increase of 47 percent.

The price increase results from additional handling, because the landfill cell containing some 5,000 tons of low-level contaminated river dredgings had to be reopened to accept the new material, leftovers from the Department of Natural Resources initial dredging demonstration project, called Deposit N.

Landfill manager Henry Sommer said the final Deposit N shipment — nearly 26 tons of blacktop and soil — was buried at the landfill May 31. Its removal was handled by an Indiana firm contracted by the DNR. Sommer said the tipping fee will be charged to the contractor.

"We had to dig down into the top layer of construction and demolition material and make a hole," Sommer explained. "Then we just backed up the truck and dumped it in. It was a quick-and-dirty job, but we did have to do the excavation."

The board triggered a flurry of protest in 1998 when it brokered the deal with the DNR to become the only landfill in the state willing to accept the Fox River material.

Bowing to pressure from a variety of plan opponents, led by Town of Oshkosh citizens Steve Romme and Dic Purtell, the board agreed to accept only dredgings containing PCB concentrations of fewer than 50 parts per million. Such material is not regulated as toxic by state and federal regulators and its disposal requires no special precautions at landfills.

Joint study of river damage likely

DNR to work with federal agency on Fox assessment

By SUSAN CAMPBELL
PRESS-GAZETTE

Federal, state and tribal officials plan to announce

today an agreement to work toward developing a single, joint damage assessment for the Fox River.

If successful, the parties agree it will make the work of calculating the multi-million-dollar cost of restoring the contaminated Fox River system easier -- and easier for the public to digest.

"It's pretty big news -- we've been working toward this for eight years," said

David Allen, who heads up a damage assessment being prepared by the U.S. Fish and Wildlife Service.

With a goal of having the damage assessment completed this fall at about the same time as studies for the higher-priced Fox River cleanup are done, he said, "The public will be able to see all the cards on the table."

Bruce Baker of the state Department of Natural Re-

sources said that by working toward a joint assessment, "we really minimize the differences between the two."

"Even if we don't achieve the goal, in the process we'll ensure that there's the elimination of duplication," he said.

The Fish and Wildlife Service, DNR and Oneida and Menominee Indian tribes have trusteeship over the resources and waters of the

Fox River and bay of Green Bay. Already at \$106 million and climbing, the damage assessment is a separate bill the governments would tack onto a cleanup bill that preliminary estimates figure at \$150 million to \$728 million.

Until now, the Fish and Wildlife Service and the DNR have been working on parallel tracks with each developing its own assessment of damages to the Fox River.

its wildlife and public use of the resource caused by chemical PCBs.

Once calculated, that tally will be levied against seven area paper mills held responsible for discharging an estimated 530,000 pounds of PCBs into the waterway through papermaking and recycling processes primarily from the 1950s to 1970s.

Please see **Fox, B-2**

Fox/One report will ease concerns

■ From B-1

But as each agency has proceeded with its assessment, Fish and Wildlife officials have worried that the two bottom lines would be different, confusing the public and fostering distrust of both assessments.

There was another concern as well. The fact that the DNR has been preparing its assessment in concert with the mills in question had critics concerned the document would substantially underestimate damages in order to keep costs down for the companies.

Those concerns were fleshed out in comments last fall by Fish and Wildlife as well as a panel of independent scientists in their separate reviews of the DNR assessment.

The federal agency and the Green Bay Remedial Action Plan's Science and Technical Advisory Committee criticized the

plan for excluding much of the bay of Green Bay from its scope. Further, the plan was criticized for ignoring PCB-related problems such as deformities, tumors and reproductive problems in area fish and wildlife.

Allen said the Fish and Wildlife Service first approached the DNR about joining a damage assessment in 1989 but met with resistance.

A low point came in January 1997, Allen said, when the DNR and the mills signed off on a \$10 million agreement that included money from the companies to establish a parallel damage assessment.

Baker said it was Fish and

Wildlife that resisted cooperating with the DNR, initiating its damage assessment rather than joining the state's voluntary cleanup discussions with representatives of the mills and area municipalities.

"They shot off on their own and were not as willing to work with us as they are today," he said.

Under the new plan, the DNR and Fish and Wildlife will compare notes, filling voids and avoiding duplication wherever possible.

The DNR will be given authority to act as the lead agency, something Allen said Fish and Wildlife is comfortable with "if we can get agreement on all the issues."

Fort James steps up on PCB dredging

Agreement could be first step in comprehensive cleanup plan for lower Fox River

By Dan Wilson
Post-Crescent staff writer

GREEN BAY - An agreement announced Thursday between Fort James Corp. and government regulators to complete a PCB dredging project here could mark the beginning of a more comprehensive deal to clean up the entire lower Fox River.

Fort James has agreed in a consent decree with the U.S. Environmental Protection Agency and the

Wisconsin Department of Natural Resources to finish dredging a hot spot known as site 56-57, considered to be the most contaminated section of the entire lower Fox.

The site was the target of a project last year by the seven paper companies potentially liable for the PCB contamination - known collectively as the Fox River Group - to see if dredging was an effective means of cleanup. The project failed to achieve its goal of dredging 80,000 cubic yards of contaminants and its results were inconclu-

sive. However, the project left several dangerous areas exposed to the river.

At a press conference Thursday afternoon, Frank Lyons, administrator for Region 5 of the EPA, said, "We hope this agreement to clean up site 56-57 demonstrates to Fort James Corporation, the Fox River Group and the six governmental partners that a comprehensive settlement to address the entire Fox River system is within easy reach."

The paper company-sponsored

project removed only 30,000 cubic yards and exposed several "hot spots" with PCB levels as high as 280 parts per million.

The DNR and EPA maintained the incomplete project posed a threat to the river and Green Bay if left untreated.

In the agreement, Fort James commits to dredge the site to achieve a goal of one part per million of PCB contamination, which would require removal of 71,000

Please see DREDGING, A-8



GEORGE MEYER, secretary of the state Department of Natural Resources, listens to comments about the Fort James dredging plan during a press conference Thursday in Green Bay.

DREDGING: Fort James recognized for leadership, coming forward to work on a Fox River dredging agreement

From A-1

cubic yards of sediment in a two-phase project.

The first phase would deal with the areas left exposed by last year's project and the second phase would move on to the other areas not dredged previously.

Officials of the FRG companies argued capping the contaminated areas is the preferable method for dealing with the problem and have pointed to the failure of the 56-57 project as proof that dredging doesn't work.

However, DNR officials argued the job, marked by equipment failures, simply wasn't completed and the agency threatened action unless it is addressed.

The consent agreement with Fort James relieves the company of liability for contaminants in that area, should they meet the requirements of the cleanup.

At Thursday's press conference, the word "leadership" was invoked several times in a clear message to the other paper companies.

"I want to give a lot of credit to Fort James," said DNR Secretary George Meyer. "It took great leadership on their part. They came forward. They knew there was a need out there and were willing to assume leadership in addressing that issue. I am sure the relationship will continue. This agreement provides a framework and assigns responsibility."

Dennis Hultgren, manager of environmental affairs for American

hensive agreement could be in the offing.

"Yes," he said, "we have been talking and hopefully we can come to some resolution that is acceptable to all parties. Our group wants a cooperative approach as well, that is best for everybody and the environment."

Hultgren points to two things in the consent agreement as indicating some movement from what he considered a rigid position by the EPA and DNR - one, the relaxed standard of one part per million of PCB's from the 0.25 ppm standard previously sought by the DNR in its recommendation in a river cleanup plan and, two, a provision which allows capping with 6 inches of clean sand in the event the 1 ppm standard cannot be achieved.

"They are acknowledging capping," said Hultgren. "There is a lot of flexibility in this and it indicates we can't get to some of the lower levels that were first anticipated. We have never seen a dredging project get to that level."

"This is a good step for cooperation and we hope they will reconsider our other proposal submitted on Feb. 4 to do more extensive work on the river."

Work on the dredging is not expected to begin until the end of August or beginning of September, according to Kathleen Bennett, Fort James vice president.

Bennett said the work would be done by Nov. 1.

It will take about one month to get the bidding process completed

"They knew there was a need out there and were willing to assume leadership in addressing that issue."

**GEORGE MEYER,
DNR Secretary**



REGIONAL ENVIRONMENTAL PROTECTION AGENCY administrator Frank Lyons answers media questions during a press conference Thursday in Green Bay.

Green says PCB site in Fox must be cleaned up

By SUSAN CAMPBELL
PRESS-GAZETTE

A cooperative approach to stop the movement of PCBs from an exposed Fox River hot spot is best, if such an agreement can be reached in a timely manner, says U.S. Rep. Mark Green.

Green, R-Green Bay, was one of four representatives of Wisconsin's congressional delegation to be briefed by the U.S. Environmental Pro-

tection Agency on the dangers posed by the hot spot, outside Fort James Corp.'s West Mill in Green Bay.

Green said afterward that his primary concern is that the health risks posed by the site are resolved.

"I think it has to be addressed," he said.

"Whether it be as we would all like to see it addressed — through a voluntary agreement, which the EPA says is their first choice

■ Joint damage assessment likely, B-1

— or, if failing that, some sort of order is done, so be it."

None of the other congressmen attending the meeting with acting EPA administrator Timothy Fields Jr. could be reached for comment late Tuesday afternoon. Attending the Washington, D.C., meeting were U.S. Sen. Russ Feingold and

U.S. Rep. Thomas Petri, R-Fond du Lac. Sen. Herb Kohl's office sent a representative.

The EPA and state Department of Natural Resources have urged seven paper mills financing a \$9 million pilot dredging project to resume dredging and finish the project — or face a mandatory cleanup order and fines. The pilot project, which was co-managed by the DNR, has been left unfin-

ished since December, when cold weather and dwindling cash reserves forced it to shut down with less than 30,000 of a planned 80,000 cubic yards of PCB-tainted sediment removed.

Left exposed are polychlorinated biphenyl concentrations measuring as high as 310 parts per million, or more than 100 times what is considered safe for human health and wildlife.

The mills propose capping

the site, an alternative that lacks the permanency of dredging and, the EPA says, would take as much time to accomplish.

To date, only Fort James is discussing resuming dredging.

Green said the decision on how to address the hot spot is not his.

"Whether it is dredging or some kind of other technology, I'll leave that to the scientists," he said.

House bill might delay Fox PCB cleanup

Measure calls for halt until policy update

By SUSAN CAMPBELL
PRESS-GAZETTE

A major federal House appropriations bill headed for a vote this week could stall plans for a large-scale PCB

cleanup on the Fox River and nearly 30 other contaminated waterways in the nation.

A committee report attached to the appropriations bill for Veterans Affairs, Housing and Urban Development and independent agencies, directs the U.S. Environmental Protection Agency not to order "invasive remedial technologies" for contaminated sediments.

The directive calls on the agency to refrain from such orders until it amends its policies to include findings from a National Academies study of cleanup technologies — expected out this fall.

The EPA — which is pushing a cleanup of polychlorinated biphenyls in the Fox River because of the health risks the chemicals pose to people and wildlife — said the report's broad language

would prevent dredging, capping and even sampling of contaminated sediments.

"We consider this something that would be a pretty serious prohibition," said Jim Hahnenberg, of the EPA's Region 5 office in Chicago. "It would delay not only what we had proposed, but what we had planned — projects well ahead of the Fox River — some of which are ongoing."

The agency has proposed listing the Fox River as a Superfund priority cleanup site and plans this fall to release a joint cleanup proposal in conjunction with the state Department of Natural Resources.

Because the bill's directive would prevent the EPA from ordering any form of cleanup on the Fox River or elsewhere, Hahnenberg said the proposal could not be is-

sued if it called for dredging, capping or any other active remediation.

Nearly three dozen environmental groups, among them the Sierra Club and Green Bay-based Clean Water Action Council, are sending letters to House members urging them to remove the attachment barring EPA sediment cleanups.

Please see PCBs, A-2

PCBs/Environmental groups urge change in bill

■ From A-1

How to contact federal legislators

"It would take away any incentive the mills have to negotiate a voluntary cleanup," said Emily Green, the Sierra Club's Midwest regional representative in Madison. "Superfund has been the only hammer that has gotten this thing going."

Green said the scientific study by the National Academies is unnecessary because sediment remediation has been studied and has proved successful.

The study also has been criticized by environmentalists and the DNR because Congress ordered it in response to a request from General Electric Co., which is fighting two costly, large-scale PCB cleanups on the Hudson and Housatonic rivers in New York and Massachusetts.

As is the case with the Fox River, the EPA plans to release a

cleanup proposal for the Hudson River by the end of the year. Some speculate that GE seeks to delay that proposal until after the presidential election, when a new administration more favorable to the company might take office.

Members of the Fox River Group of paper mills also have lobbied for the directive.

"The reason the Fox River Group is lobbying for this is because of the importance of the science that the (National

Academies) have knowledge of, and that should have a bearing on contaminated sediment policy," said Tim Dantoin, a spokesman for the group.

Dantoin said the measure shouldn't delay progress on the Fox River because the EPA's final cleanup plan isn't expected out until the middle of next year, which should give the agency enough time to incorporate any changes recommended by the expert panel.

Fort James Corp. spokesman

Mark Lindley said Fort James didn't lobby for the language in the appropriations bill. The proposal excludes voluntary cleanups, and thus wouldn't affect the mill's voluntary completion of a planned pilot dredging project on the river outside the plant. "We don't see any reason to halt the project," Lindley said.

Reps. Mark Green, R-Green Bay, and Thomas Petri, R-Fond du Lac, were not concerned about the measure.

Petri said that if the proposal passes it can be undone next year, and noted that no cleanup work is planned on the Fox River during the coming fiscal year — except the exempted Fort James pilot project. Furthermore, he said it is a "little bit of a stretch" to say the Fox River would be affected by language aimed at the EPA because the state DNR is leading the cleanup.

Still, "If it affects the Fox River, we would want to review the situation again," he said.

Mark Graul, Green's chief of staff, said that the Appropriations Committee report provides guidance but lacks the force of law. The EPA is free to do as it chooses, he said.

Hahnenberg disagreed, saying a directive from the same House members who approve the EPA's budget should be followed, regardless of its form.

"We wouldn't want to be in contempt of Congress," he said.

Rep. David Obey, D-Wausau, the ranking member of the Appropriations Committee, fought to have the language stricken from the final bill. Although the language can be altered on the House floor, a spokeswoman said it may be easier to alter it when it goes to a Senate conference committee.

WISCONSIN

Wisconsin's Best Newspaper

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FRIDAY, JUNE 2, 2000 ■ B-2

EPA studies whether Fox dredging will poison fish

GREEN BAY (AP) — Federal authorities who feel dredging can rid northeastern Wisconsin's Fox River of polluted silt are examining whether it poisons fish.

The U.S. Environmental Protection Agency planted about 600 fat-head minnows in 20 cages in and near a dredging site a month ago, returning this week to retrieve the fish for laboratory studies.

Many of the fish had disappeared but enough survived to allow testing, the EPA said.

Riverside companies that could

be sued to pay for silt removal have suggested dredging is unwise because it stirs up buried pollutants.

The laboratory tests may determine whether the fish have absorbed polychlorinated biphenyls (PCBs) at the dredging site near a Fort James Corp. paper mill in Green Bay.

The EPA wants a 39-mile segment of the river from Lake Winnebago downstream to Green Bay cleansed of silt containing PCBs, which are industrial chemicals now

prohibited because they may cause cancer.

As a U.S. Fish and Wildlife Service research boat motored out to the cages Wednesday, EPA ecologist Brenda Jones of Chicago said she did not know what to expect from the study.

She has seen PCB concentrations in Fox River fish ranging from barely detectable to 100 parts per million, she said.

"I would expect that the fish tissue concentrations from outside the dredged area would be lower

than in the dredged areas," Jones said, "but that might not be the case. Science tricks you sometimes."

Researchers reported the 3-inch fish were absent from many of the cages, which once held 30 apiece.

Jones and EPA consultants Roxanna Hinzman and Amanda Maxwell speculated the minnows starved to death and decomposed.

Enough fish were recovered for studies, Jones said.

The dredging site was consid-

ered one of the river's worst PCB locations, making it a good place to test the merits of dredging.

The project was subsidized by seven paper mills that are blamed for PCB emissions from the 1950s to the 1970s.

The project was shut down in December because of cold weather and a shortage of funding, having removed 30,000 cubic yards of a planned 80,000 cubic yards of sediment.

Fort James Corp. plans to finish the work this year.

Our mission:

The Press-Gazette strives, as it has since 1915, to be the primary provider of information in Northeastern Wisconsin, keeping the welfare and development of the Greater Green Bay area at heart. It is our responsibility to provide a forum for free and open expression of diverse opinions while maintaining the public trust necessary to serve our readers, advertisers, employees and stockholders.*

★★ SUNDAY, JUNE 11, 2000

OPINION

IN OUR VIEW

Dredging resumption a welcome sign

There have been many false starts and disappointments in efforts to reduce PCB contamination in the Fox River. But an announcement that Fort James Corp. will finish dredging a highly contaminated hot spot near its west mill is an encouraging sign — perhaps a breakthrough — in getting a long-overdue cleanup under way.

Fort James has made a deal with the Wisconsin Department of Natural Resources and the U.S. Environmental Protection Agency to finish a pilot dredging project that exposed PCB levels as high as 310 parts per million.

Fort James is one of seven mills — collectively known as the Fox River Group — potentially liable for the cost of cleansing and restoring the river. The cost could be hundreds of millions of dollars.

For its part, Fort James will pay an undetermined cost — likely in the millions — to finish dredging site 56-57, the most contaminated in the river between Appleton and Green Bay.

In return, the federal agency will release Fort James from further liability at the west mill site and below the Fox River dam once PCB levels are reduced to 1 part per million.

The Fort James agreement is commendable because it:

■ Sets a performance standard or cleanup goal, something sadly lacking in the \$9 million pilot dredging begun in

■ Issue:

PCB contamination in Fox River.

■ Our view:

Others in the Fox River Group would do well to follow Fort James' lead

1999. That effort was supposed to remove and treat 80,000 cubic yards of contaminated sediment. Less than half of that was taken before the project ran out of money and into winter.

■ Is another example of the firm stepping forward. Last year, Fort James added \$2 million to the Fox River Group's \$7 million for the pilot dredging, also in exchange for immunity offered by the Department of Natural Resources.

■ Puts pressure on other members of the Fox River Group to act. Getting a cleanup under way could fend off a declaration by the Environmental Protection Agency that the Fox River is a U.S. Superfund site. The ensuing federal cleanup order would open the courtroom door to months and years of litigation to determine who should bear what share of river-related costs while delaying a cleanup.

While the Fort James proposal is encouraging, there are still discouraging aspects to the Fox River story.

First, most mills and the government agencies continue to disagree over the effectiveness of cleanup methods.

The impact of PCBs

PCBs, or polychlorinated biphenyls, were discharged by shoreline mills from the 1950s to 1970s in the handling of carbonless paper. PCBs are known to cause cancer in animals and have been linked to developmental problems in children exposed to high levels of the chemical.

PCBs settle to the river bottom and enter the food chain that feeds fish and wildfowl. People who regularly eat fish from the Fox River ingest PCBs. Young children and women of child-bearing years, especially those who are pregnant, are most vulnerable to PCB damage.

The mills say many contaminated areas can be capped to contain PCBs. The agencies say capping is a temporary solution in some parts of the river, such as stretches where there is high-water flow and significant boat traffic. The mills criticize hydraulic dredging, which the agencies defend. PCB-laden soil would be removed, treated and put in landfills designed to hold toxics. The mills say the site 56-57 project shows that such dredging exposes and stirs up PCBs.

Second, the Fort James deal — while encouraging — was done in secret negotiations between the mill and the agencies.

The river belongs to the people, not to mills and bureaucrats. When the river is on the agenda, the people must have a seat at the table.

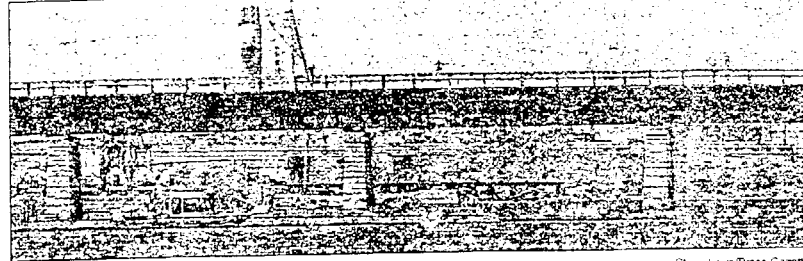
Fort James to resume dredging

Project part of deal with EPA, DNR

BY SUSAN CAMPBELL
PRESS GAZETTE

Fort James Corp. will finish dredging the PCB hot spot in the Fox River outside its West Mill under an agreement announced Thursday with state and federal regulators.

In return, the agreement with the state Department of Natural Resources and U.S. Environmental Protection Agency releases Fort James from state and federal liability at the site — though not elsewhere in the river — if PCB levels are reduced to 1



Steve Lewis/Press-Gazette

Sampling work is under way Thursday near the Fort James site along the Fox River. The company and the EPA announced a plan Thursday to continue dredging to remove PCBs.

part per million. The pact lays out a plan for finishing a pilot dredging project outside Fort James that left unsafe PCB levels of up to 310 parts per million

exposed in the riverbed when the project was shut down in December because of dwindling funds and cold weather. Already known to cause

deformities, reproductive problems and death in wildlife, polychlorinated biphenyls are classified as probably cancer-causing in people and are linked with

developmental problems and lowered IQs in children exposed to higher levels in the womb. Top officials from both agencies praised Fort James

for its leadership in agreeing to complete PCB removal at the site and dispose of the contaminants at its west side landfill. Six other paper mills that helped finance the project have offered to cap the contaminants remaining in the riverbed, a strategy considered temporary by state and federal regulators.

DNR Secretary George Meyer said he hopes the agreement sets the tone for similar cooperation from the other mills as planning moves forward on a larger cleanup of chemical contamination in the Fox River.

"We clearly think Fort James has shown great leadership in sitting down with both the federal and state government to work on this issue," he said. "Hopefully,

Please see Dredging, A-2

Dredging/Pilot project would resume this August

From A-1

this will be a strong signal that these things can be worked (on) and should be worked on, and we are hoping that more companies will be willing to sit down and to approach issues such as this."

Tim Dantoin, a spokesman for the Fox River Group — which represents the seven mills held responsible for PCB contamination of the river — said the other mills were "vaguely" aware of the agreement. The other mills "view it as positive that the EPA and DNR are working with a Fox River Group company," he said.

The plan seeks to bring the dredging project to a close. Fort James will now return to dredge 50,000 cubic yards of contaminated sediment and 1,600 pounds of PCBs that remain outside the company's discharge pipe. The aborted \$9 million project fell short of its goal last fall, removing just 30,000 cubic yards of an 80,000-cubic-yard target.

Kathleen Bennett, vice president of environment, safety and health for Fort James, said the cost of the project will "run well into the millions," but declined to say more before it is sent out for bids.

"Because of the concentration levels there, we know that the site is going to need to be addressed," she said of Fort James' interest in completing the project. "And we know there is special concern about it now because of the levels of PCBs that have been exposed."

Furthermore, Bennett said that because the hot spot lies just outside the mill, the company wants to complete the project in a way that causes minimal disruption to the plant's operation.

The decision by the EPA this



Source: Wisconsin Department of Natural Resources

year and the DNR last year to release Fort James from future liability if cleanup goals are met at the site ensures Fort James won't be sent back to perform further cleanup there even if more contaminants silt into the area.

EPA Region 5 administrator Frank Lyons said the agreement doesn't preclude either agency from requiring further cleanup at the site by the other mills, although that scenario appears unlikely.

Lyons said the 1 ppm cleanup standard for the site should be adequate to protect public and environmental health, and falls within the range of the DNR's proposed average 25 ppm cleanup standard for that stretch of the river.

Rebecca Katers, executive director of the Clean Water Action Council in Green Bay, was critical of the fact that what began as a demonstration project on the river's most highly contaminated hot spot may be the only work that is done there.

All of the decisions regarding the site, such as the cleanup goal and the decision to landfill — rather than destroy or detoxify the PCBs — have been arrived at in private negotiations with the mills, she said.

"The public was supposed to have input on those discussions," she said. "This sets a precedent for the rest of the river."

Lyons, whose agency has the authority to have ordered the mills to complete the project or face heavy fines if an agreement could not be reached, said the EPA is satisfied that this portion of the project will fare better than the last.

The EPA will have a representative monitoring the site whenever work is in progress, and the agreement includes the contingencies that the edges of the project, as well as any unfinished areas, be capped with at least 6 inches of sand before the end of the construction season.

Although actual dredging of the site is not expected before mid-August — around the same time that dredging began on last year's project — all three parties to the agreement said they were confident the work would be completed before the river freezes.

It is not, Lyons said, the agreement provides for Fort James to be called back to the site. Unlike the initial contract for the dredging project, signed by the DNR and the paper mills, the new agreement uses a cleanup goal rather than a dollar limit to establish the project's scope, he said.

Democratic U.S. Sens. Russell Feingold and Herb Kohl, and U.S. Rep. Mark Green, R-Green Bay, issued statements lauding the decision shortly after it was announced.



Steve Lewis/Press-Gazette

Kathleen M. Bennett, vice president of environment, safety and health for Fort James Corp., gives details Thursday of a cleanup plan to finish dredging outside the company's west Green Bay mill. Seated, from left, are George Meyer, Department of Natural Resources secretary, and Frank Lyons, EPA regional administrator.

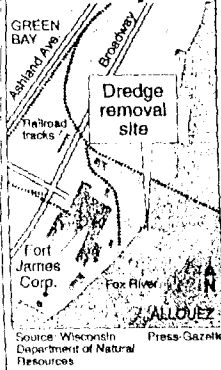
EPA uses caged minnows to gauge dredging effects



For Richard Press-Gazette

Amanda Maxwell, left, and Roxanna Hinzman, right, both of Lockheed Martin of New Jersey, and Brenda Jones, an ecologist with the Environmental Protection Agency, lift a cage Wednesday from the Fox River near Fort James Corp.'s West Mill. The cage once contained 30 minnows but almost all the fish disappeared.

PCB hot spot



So far, most of the fish are missing

By SUSAN CAMPBELL
PRESS-GAZETTE

About 600 fathead minnows in a research project designed to test PCBs in the Fox River have disappeared, leaving scientists scratching their heads in puzzlement.

A month ago, researchers with the U.S. Environmental Protection Agency planted the minnows in 20 cages in the water in and around a dredge site outside Fort James Corp.'s West Mill in Green Bay.

The purpose was to determine whether the fish would become more contaminated

than normal because of a botched dredging project last fall that exposed high levels of PCBs.

When researchers returned to the river Wednesday cage after cage came up empty, with no obvious sign of an escape route for the roughly 3-inch fish.

Scientists hoped to retrieve the minnows and send them to an EPA lab where they would undergo tissue analysis to determine their PCB levels.

As the U.S. Fish and Wildlife Service's research boat motored out to the cages early Wednesday, ecologist

Brenda Jones of the EPA's Region 5 office in Chicago, said she didn't know what to expect from the study.

Jones said she has seen PCB concentrations in fish range from nondetectable to 100 parts per million throughout the Fox River and Green Bay.

"I would expect that the fish tissue concentrations from outside the dredged area would be lower than in the dredged areas," Jones said. "But that might not be the case. Science tricks you sometimes."

Please see Effects, A-2

Effects/Minnows may have starved, then decomposed

From A-1

But the "trick" this time turned out to be the disappearance of the test subjects.

Jones and two EPA consultants helping with the work — Roxanna Hinzman and Amanda Maxwell — speculated that the minnows starved to death and decomposed.

Possible starvation

Trapped in cages, the minnows had to rely on whatever food floated past. Those feeding options likely were further limited because a number of the cages were placed in areas with little water current in order to lessen disruption.

The researchers' prospects looked grim when, after several

hours of retrieving seven cages — each of which once held 30 fish — only three fish were retrieved. Of those, two were alive.

By the end of the day and the eighth cage, however, four more live fish had been retrieved from a cleaner control site just upstream of the dredging area — enough to constitute at least one laboratory sample from that area. The researchers still hope to find live fish today when they retrieve more cages.

Jones said a minimum 10-gram sample of fish is needed from any given site. The surviving fish from each location will be mixed together in a blender, with each 10-gram sample then measured for PCB concentration.

PCBs

Polychlorinated biphenyls are chemical compounds that have been linked with reproductive problems and deformities in wildlife, and to lowered IQs and slowed learning skills in children exposed to elevated levels in the womb.

The fish-planting test follows an environmental dredging project outside Fort James in what is known as the river's hottest hot spot for polychlorinated biphenyls.

MRIIs funded dredging

The dredging project, paid for by seven area paper mills held responsible for discharging PCBs into the river through papermak-

ing and recycling from the 1950s to the 1970s, was shut down in mid-December because of cold weather and dwindling funds.

The project removed only 30,000 cubic yards of a planned 80,000 cubic yards of contaminated sediment, exposing PCB levels of up to 310 ppm in the process.

PCBs are linked with lowered IQs and slowed development in babies exposed to elevated PCB levels in the wombs of mothers who ate Great Lakes fish. The man-made chemicals are responsible for fish consumption advisories in the Fox River and throughout the Great Lakes.

Fort James will finish dredging the hot spot later this year. It was announced last week. The

cleanup standard for the site is 1 ppm PCBs.

The caged-fish study is intended to show what, if any, increased risk the dredging project has caused for those who eat Fox River fish.

The caged minnows were planted at the site for 23 days, the time Jones said it would take for PCB levels in the minnows' tissue to balance those levels found in surrounding sediment, water and the minnows' diet.

Because of the various routes of exposure, she said the minnows would have exhibited PCBs in their tissue "right away."

"Even if we had been here a day or two afterward, we would have expected to find some PCBs in their tissue," she said.

Lake Michigan gets hot

6-25-2000

Anglers delighted to reel in big catch

BY KEVIN NAZE
PRESS-GAZETTE CORRESPONDENT

ALGOMA -- With gas prices at record highs and Lake Michigan water levels close to historic lows, the economies of lakeshore port communities could have taken a beating this summer had the fish not intervened.

Trout and salmon catches have skyrocketed in recent weeks off Algoma, Kewaunee, Sturgeon Bay and Two Rivers, and fishing enthusiasts from throughout the Midwest are pouring in to try their luck.

While Minnesota anglers top off the long list of visitors, more Wisconsin residents are finding out there's no place like home.

"I've fished all over, even in Mexico, and never caught anything bigger than we get right here," said Jeff Golke of Wau-paca.

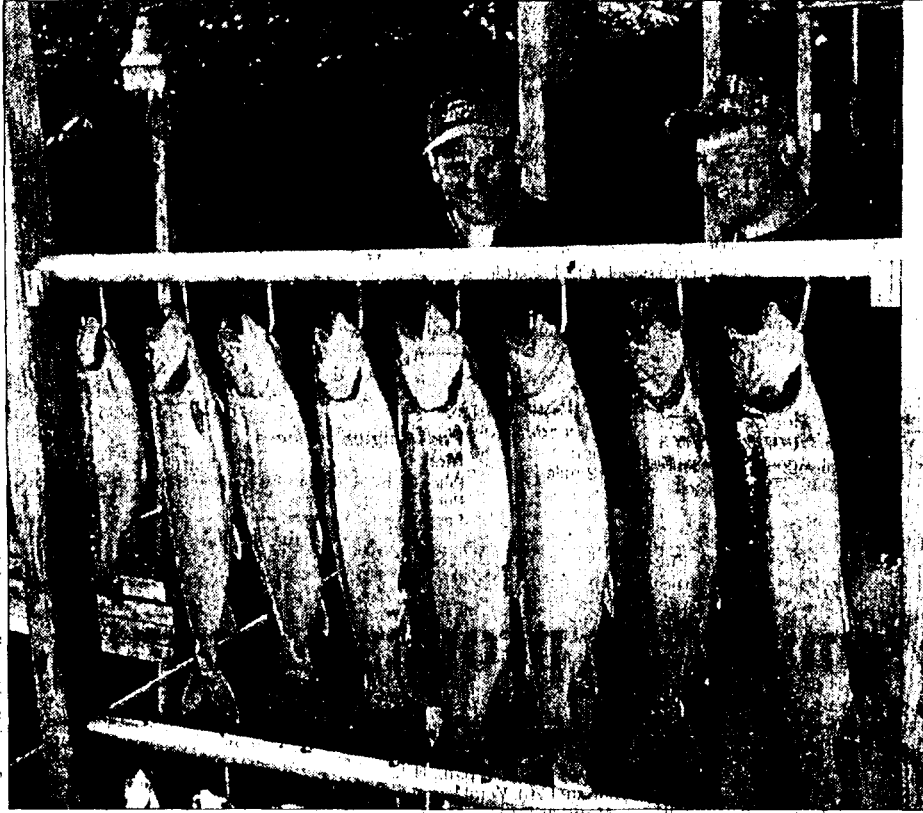
Golke treated five of his roofing company employees to a Lake Michigan charter on Friday morning. He reeled in a rare brown trout for the wall, one of 18 fish his group iced in five hours. Another boat, trolling an hour longer, docked with a 30-fish limit.

Steve Kaczorowski of Bear Creek and his manager, Don Stoll of Arlington Heights, Ill., have taken customers of their graphic arts supply business on charter fishing outings for three years.

"This is a nice way to reward them," Kaczorowski said. "The action is fantastic."

Their two boats combined to haul in 48 trout and salmon in five hours on Thursday afternoon. It was a mix dominated by rainbow trout -- often called steelhead by Great Lakes fishing fans -- chinook salmon, lake trout and coho salmon.

Curt Dhein, of Tosca Ltd. of Green Bay, is organizing a 12-boat



Steve Kaczorowski of Bear Creek, left, and Mike Blum of New London check out some of the 48 trout and salmon their group caught aboard two Lake Michigan charter boats on Thursday afternoon.

Charters can cost \$60 to \$100 per head

Most lakeshore charters charge \$60 to \$100 per person for a morning or afternoon outing, depending on the number of anglers (four to six per boat is common), hours fished and what extras might be included.

charter fishing outing off Algoma on Friday morning. In its fourth year, the annual trip has added more boats each summer.

"Everybody's looking forward to it," Dhein said. "We had no trouble filling the signup sheets."

If brown trout are your bag, the best summer bet is the structure-filled waters of Green Bay off ports like Peshtigo, Marinette, Gills Rock and Sister Bay. You can

also lure other trout and salmon species in the bay, including splake, a brook/lake trout hybrid. The best action last week was 2 to 5 miles off shore. In recent days, top catches were 5 to 10 miles out. Conditions can change quickly, as water temperatures fluctuate from shifting winds.

Stream trout anglers usually talk inches when comparing fish stories. Big lake fishers talk

pounds, and a 5- to 10-pounder is just average. When the bite is on, you might reel in some bigger specimens as well. Rainbows and lakets in the mid-teens, and 20-pound-plus chinooks are seen daily, though not on every boat, and 30-pound-plus bruisers are always a remote possibility.

Surface water temperatures have stayed in the low 50s -- ideal for good fishing -- and most fish are cruising up high. Once the lake warms, it's not unusual to have to troll spoons or flies 80 to 120 feet down to boost chances of hooking up.

Kevin Naze is a freelance writer covering the outdoors for the Press-Gazette. Write to him at P.O. Box 233, Algoma, WI, 54201; e-mail him at wildtimes@lto.com; or call (920) 487-2433.

State pact on PCB site worries Feds

DNR offers settlement for Sheboygan River pollution

By SUSAN CAMPBELL
PRESS-GAZETTE

Federal regulators working with the state on an assessment of PCB-related damages on the Fox River are worried about what the state's actions on a nearby PCB Superfund site could signal for the future.

U.S. Fish and Wildlife Service officials said they were frustrated to learn this week that the state had broken off from what they had understood to be a unified effort to seek compensation from Tecumseh Products Co., once a major source of PCBs to the Sheboygan River.

Instead, federal regulators said they arrived at work Monday to learn that George Meyer, secretary of the state Department of Natural Resources, had met privately with Tecumseh and offered a separate settlement for damages to state natural resources.

"It isn't what we had expected," said Dave De Vault, a natural resource damage case manager for Fish and Wildlife in Minneapolis.

De Vault said the news came two days before state and federal trustees were scheduled to meet with Tecumseh to begin discussing a unified claim to restore damaged wildlife habitat along the river and harbor.

"I'm unhappy with what Wisconsin did. We've probably been working cooperatively with them for two to three years," he said, but

added nothing legally prevented the DNR from seeking its own deal.

Meyer wouldn't discuss his offer to Tecumseh, but Fish and Wildlife officials report the proposal will sever a million dollars less than had been previously discussed.

"We are discussing settlement with Tecumseh, and so is the U.S. Environmental Protection Agency" on a related cleanup claim, he said. "Until we have something, we are not going to discuss it in the press."

"It's highly unprofessional what they're doing," Meyer said of Fish and Wildlife's public statements.

Meanwhile David Allen, of Fish and Wildlife in Green Bay, who is overseeing a natural resource damage assessment for the Fox River and the bay, said he's concerned about what the DNR's about-face in Sheboygan may mean for the cooperative state-federal effort there.

"What George Meyer has done in Sheboygan is completely consistent with what he's done at other sites," Allen said. "This is a troubling pattern."

The DNR, Allen said, has declined to participate in Fish and Wildlife damage assessments for sites in Lake Geneva and following a 1992 Burlington Northern spill.

In the case of the Fox River, Fish and Wildlife pushed for a joint damage

Please see **PCB, B-2**

LOCAL/STATE

Inside

Ralph Nader has raised more than \$25,000 in Wisconsin.

On B-8

PCB/Regulators sought joint deal

■ From B-1

assessment with the DNR since the early 1990s, reasoning that a single claim against Fox River paper mills for PCB-related damages made more sense than two separate claims that might contradict one another.

The DNR continued to pursue its own parallel damage assessment until May, when the two agencies announced a formal memorandum of agreement to work toward a single claim. Allen said that even then, the language DNR supported was not as strong as Fish and Wildlife would have liked.

Meyer said there is no correlation between his actions last week on the Sheboygan River and any eventual Fox River damage settlement.

"There is an agreement between the Fish and Wildlife Service and the Wisconsin Department of Natural Resources to work in tandem on the Fox River," he said. "And we're doing that. There's no such agreement with the U.S. Fish and Wildlife Service to do that on the Sheboygan River."

Meyer said further that he was

disappointed Fish and Wildlife canceled the scheduled Wednesday meeting with Tecumseh, where that federal agency and others could have laid out their settlement demands for the company to consider at the same time it considered the state's claim.

"We're very willing to help them on their claim, that's why we would have met with them," Meyer said. "Tecumseh is anxious to get this settled and that's why they would like to meet with all of the (government) trustees as quickly as possible."

De Vault said that Fish and Wildlife had nothing to present once the state had offered its own settlement dealing strictly with damages to state natural resources. That has left Fish and Wildlife now to tease apart those natural resources that are strictly within federal jurisdiction, he said, a difficult task given the amount of overlap between state and federal jurisdiction.

A blue heron, for instance, falls under federal control because it is a migratory species that crosses state boundaries. A frog, on the other hand, spends its life in one locale and thus falls under state

jurisdiction.

De Vault said the problems arise when the frog is injured or killed by contamination — such as polychlorinated biphenyls — and the heron that feeds upon it likewise either is harmed or loses an important food source.

"It becomes like trying to untangle a spider web — without breaking it," he said.

Allen said those difficulties are why Fish and Wildlife has standard agreements for joint damage assessments with every state in the Great Lakes region except Wisconsin and Iowa — the latter of which hasn't engaged in damage assessments as far the agency knows.

Furthermore, he said differing government claims only confuse the public as to which is accurate. It also gives parties responsible for the contamination ammunition to challenge both price tags.

"If George Meyer believes he can show a federal piece of a duck or a state piece of a fish, we're open to both the technical and legal arguments he wants to present."

Tecumseh's lawyer on the matter could not be reached for comment.



**No. 1 and A
 may be no-**

The Packers head in with their top two draft Franks and Chad Clift

TUESDAY, JULY 18, 2000

SERVING AN ALL-AMERICA CITY

www.greenbaypressgazette.com

SPECIAL REPORT: FORT JAMES SALE

Merger an 'opportun

Questions, answers offer basics of buyout

Q. What happened Monday?

A. Georgia-Pacific Corp. announced it will acquire Fort James Corp., including its two mills in Green Bay. The deal was approved Sunday by the boards of directors of both companies. The transaction is valued at \$11 billion.

Q. What will the merger mean for jobs?

A. That's unclear. Fort James employs about 3,600 here at its two mills, Fort James West (the former Fort Howard Corp. headquarters) and Fort James East (formerly the James River Corp. mill).

Georgia-Pacific faces a review of the merger to ensure the acquisition complies with federal antitrust laws. The company plans to sell about 250,000 tons of tissue production capacity as well as "selected commodity and non-strategic businesses that have been identified." The company did not announce where those cuts will occur.

Q. What brands are involved in this deal?

A. The deal combines Georgia-Pacific's Angel Soft, Sparkle and Coronet brands with the Quilted Northern, Soft 'N Gentle, Braided, Mardi Gras, So Dri, Vanity Soft and Dixie brands manufactured by Fort James.

Georgia-Pacific said it likely will employ a "good better best" strategy, marketing its brands as all things to all consumers, from low-end discount tissue and towels to premium brands like Quilted Northern.

Q. When will the merger be completed?

A. The company expects the deal to close in the fourth quarter of this year, after regulatory approvals by agencies including the Securities and Exchange Commission and U.S. Department of Justice.

Q. There have been rumors about Fort James selling itself off to another company for several years. Did

Two pages of coverage on A-4 and A-5

■ Growth important

In the global market, bigger is often vital, A-4

■ PCB liability

New owner to uphold Fox River cleanup role, A-4

■ Employee sentiment

Most workers not worried about change, A-5

■ Uncertain future

We still need toilet paper, Tom Perry says, B-1

Fort James approach Georgia-Pacific to make this deal?

A. No. Fort James spokesman Mark Lindley said that Georgia-Pacific approached Fort James in May.

Q. What are the companies saying about the merger?

A. Georgia-Pacific Chairman A.D. "Pat" Cornell says the deal combines low cost manufacturing capabilities with the strong brands and marketing strength of Fort James. The same rationale was used three years ago when Green Bay based Fort Howard then the paper industry's low cost producer was bought by James River to create Fort James.

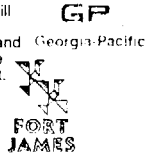
Q. How much representation will Fort James get on Georgia-Pacific's board of directors?

A. The Georgia-Pacific 12 member board will be expanded to 15 to add three Fort James directors. By way of comparison, Fort Howard received four seats on Fort James' 15 member board after the 1991 James River Fort Howard merger.

Thomas Content, Press Gazette

No. 1 in tissue products

Georgia-Pacific Corp., the No. 2 U.S. forest-products company, agreed to buy rival Fort James Corp., which will make it the world's biggest tissue maker and lessen its dependence on the housing market. Combined, the two companies generated nearly \$25 billion in revenues last year.



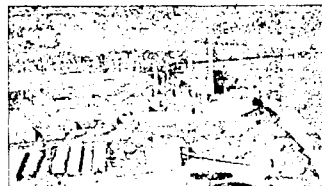
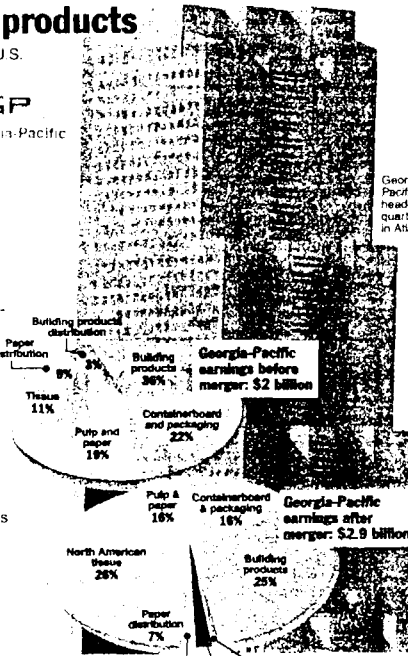
Details of the deal

■ Value: \$11 billion.
■ What's involved: Georgia-Pacific has agreed to pay \$29.60 in cash and 2644 shares of Georgia-Pacific stock, a total value of about \$37, for each share of Fort James. The most Fort James shareholders can receive is \$40 a share. Georgia-Pacific also will assume about \$3.5 billion of Fort James debt. The company plans to use about \$10 billion in loans to refinance the acquisition. Georgia-Pacific plans to sell plants that make about 250,000 tons of tissue to help alleviate antitrust concerns.

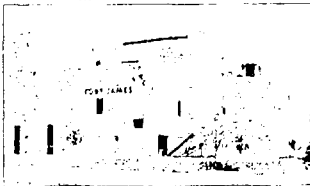
■ Fort James stock (FJ on NYSE): Closed Monday at 33, up 87/8

■ Georgia-Pacific stock (GP on NYSE): Closed at 26 3/8, down 2 1/8.

Source: Wall Street equity research



Fort James West plant in Green Bay



Fort James East plant in Green Bay

Daniel Higgins/Press Gazette



No. 1 and No. 2 may be no-shows

The Packers head into training camp with their top two draft picks, Bubba Franks and Chad Clifton, unsigned. **C-1**

8, 2000

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SPECIAL REPORT: FORT JAMES SALE

Merger an 'opportunity'

Answers of buyout

Two pages of coverage on A-4 and A-5

- **Growth important**
In the global market, bigger is often vital. **A-4**
- **PCB liability**
New owner to uphold Fox River cleanup role. **A-4**
- **Employee sentiment**
Most workers not worried about change. **A-5**
- **Uncertain future**
We still need toilet paper, Tom Perry says. **B-1**

Fort James approach Georgia-Pacific to make this deal?
A. No Fort James spokesman Mark Lindley said that Georgia-Pacific approached Fort James in May.
Q. What are the companies saying about the merger?
A. Georgia-Pacific Chairman A.D. "Pete" Correll says the deal combines low-cost manufacturing capabilities with the strong brands and marketing strength of Fort James. The same rationale was used three years ago when Green Bay-based Fort Howard then the paper industry's low cost producer was bought by James River to create Fort James.
Q. How much representation will Fort James get on Georgia-Pacific's board of directors?
A. The Georgia-Pacific 12-member board will be expanded to 15 to add three Fort James directors. By way of comparison, Fort Howard received four seats on Fort James' 15-member board after the 1997 James River-Fort Howard merger.
Thomas Content, Press Gazette

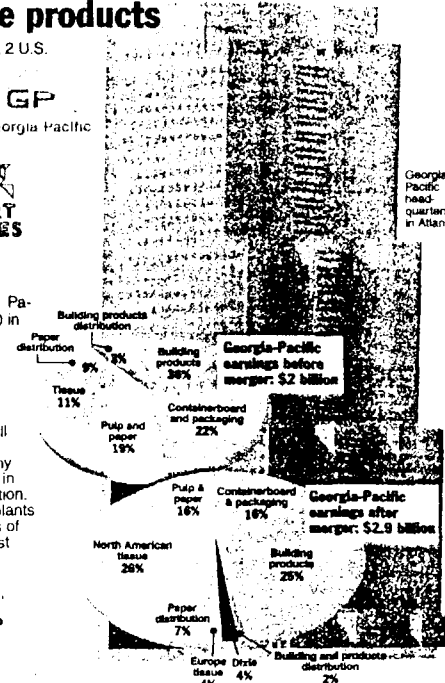
No. 1 in tissue products

Georgia-Pacific Corp., the No. 2 U.S. forest-products company, agreed to buy rival Fort James Corp., which will make it the world's biggest tissue maker and lessen its dependence on the housing market. Combined, the two companies generated nearly \$25 billion in revenues last year.

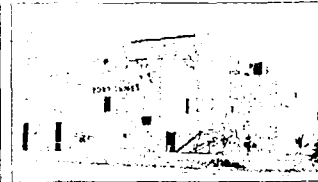
Details of the deal

- **Value:** \$11 billion.
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- **Fort James stock (FJ on NYSE):** Closed Monday at 33, up 87/16
- **Georgia-Pacific stock (GP on NYSE):** Closed at 26 3/32, down 2 17/32.

Source: Wall Street equity research



Fort James West plant in Green Bay



Fort James East plant in Green Bay

Fort James' potential lured buyer

By Richard Hyman and Elaine Kach Press-Gazette

When Georgia-Pacific Corp. looked at Fort James Corp., it saw a company that was not living up to its potential. It saw opportunity. Atlanta-based Georgia-Pacific said Monday it will buy Deerfield, Ill.-based Fort James for cash and stock valued at \$11 billion. Fort James has two paper mills in Green Bay and is Brown County's largest employer. No immediate effect is expected on operations here. The announcement was met by mostly positive comments, the view being that it was time to take the underperforming, and some say mismatched, Fort James in a new direction. "One thing we know is we know how to run tissue mills and we know how to run paper machines," Georgia-Pacific Chairman and Chief Executive Officer A.D. "Pete" Correll said in a conference call with investors Monday. Fort James has had problems implementing the Fort Howard James River merger, which created the company in 1997, and has seen profit sag because of rising paper pulp prices and problems with warehousing and distribution. "We also saw that Fort James was having some manufacturing problems primarily due to Fort Howard people leaving the company," Correll said. Georgia-Pacific wants to protect itself from its more cyclical products, such as building materials. Fort James' strong consumer paper products segments fit the bill, he said. Fort James manufactures such products as Quilted

THE
GREEN BAY

News-Chronicle

www.gogreenbay.com ↗ TUESDAY, JULY 18, 2000

Georgia-Pacific takes the Fort

There is concern over dual mills and engineering jobs, but the 3,600 local jobs are not in immediate jeopardy

By Christopher Clough
The News-Chronicle

Just three years after the formation of Fort James Corp. merged two Green Bay paper mills under one banner, local workers and leaders woke up to another ownership change Monday.

Atlanta-based Georgia-Pacific Corp., one of the world's leading manufacturers of paper and building products, announced it was planning to acquire Fort James, the leading tissue producer in North America, for about \$11.2 billion.

Mill workers received assurances their jobs are in no immediate jeopardy, and a stock broker said Fort James shareholders have cause to be pleased.

The deal must be approved by Federal Trade Commission antitrust regulators before it becomes final. The two companies combined for over \$24.8 bil-

lion in revenues last year.

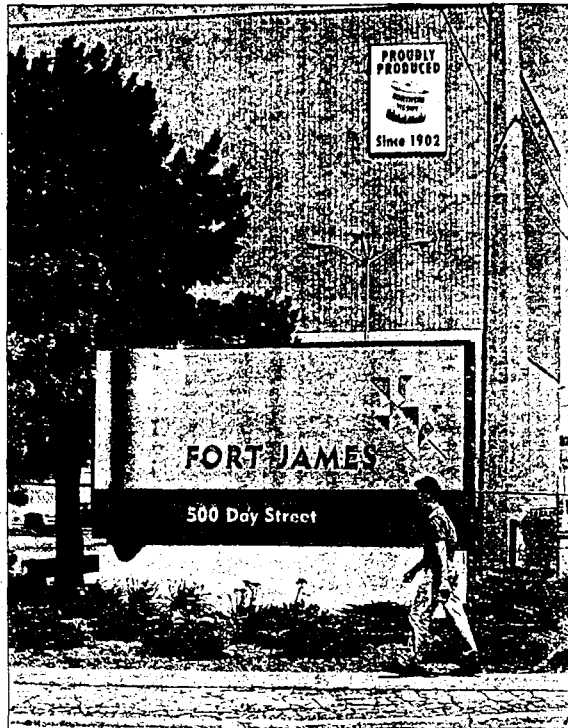
"It's subject to the regulatory review which all deals like this have to go through," said Fort James spokesman Mark Lindley. "It will be several months before approval, but we anticipate no problems."

Georgia-Pacific offered \$29.60 a share for all outstanding Fort James stock and 0.2644 shares of its own stock. That comes to about \$37 per share or \$7.7 billion total in cash and stock. Georgia-Pacific will also assume Fort James' approximately \$3.5 billion debt.

Fort James stock soared 34 percent on the New York Stock Exchange to close Monday at \$33, up \$8.438 per share. Georgia-Pacific dropped 8 percent to \$26.375, down \$2.25 a share.

Cal O'Harrow, stock broker at Merrill Lynch in Green Bay, said it looks like a good deal for investors and the companies involved.

"Anybody who bought (Fort James stock) a few months ago is happy now," he laughed, referring to its low mark of \$16.938 in March this year.



H. Marc Larson/The News-Chronicle

A WORKER WALKS PAST the sign identifying the Fort James East Mill, 500 Day St., on Monday, the day the company was bought by Atlanta-based Georgia-Pacific. A sign on the wall notes the mill's predecessor, Northern Paper, started making Northern Tissue in 1902.

FORT: Combined firm has 60 percent of tissue market

FROM PAGE 1

"It may be a negative for cash flow in the current year, but it will be a good cash flow in coming years," O'Harrow said. "Relative to recent acquisitions, (the share price offered by Georgia-Pacific) is fair, maybe a little lower than normal."

Fort James employs about 3,600 people at its two mills in Green Bay — owned by the Fort Howard and James River corporations before the merger — and 25,000 workers at 50 plants in North America and Europe. Major changes in the local job situation are not anticipated at this point.

"It's tough to speculate because the deal is only a couple of hours old," Lindley said. "There probably will be redundancies in some jobs, but changes will be focused more on the corporate level than on operations."

"For the foreseeable future, nothing's going to change."

Duane Swift, president of the Green Bay Area Chamber of Commerce, said while it was too soon to tell what effect the merger would have on local workers, he had some worries.

"The thing that concerns me most is Fort James moved all of its engineering departments (to Green Bay) to offset the loss of the (Fort Howard) corporate offices," Swift said. "The question is, what's Georgia-Pacific going to do with the engineering?"

He was also concerned about whether Georgia-Pacific wants to keep two plants in the same town.

"The risk that we've had since the (1997) merger is there's two pretty substantial tissue plants in the same community," Swift said. "There's a possibility (Georgia-Pacific) might say, do we really need this? Probably yes, because it's two

Swift worked in two different towns where Georgia-Pacific had operations, and those plants "were very good corporate citizens."

Georgia-Pacific approached Fort James in May with the idea of merging, Lindley said. It is the nation's second-largest producer of forest and building products, and the merger with Fort James is a diversification move away from Georgia-Pacific's reliance on a slowing housing and new building market.

Georgia-Pacific brands include Angel Soft and Coronet, and it is a leader in away-from-home tissue (paper towels in public restrooms, for example). But while its consumer tissue business has grown an average of 8 percent each year since 1993, it is still dominated in the market by Fort James' brands, which include Quilted Northern, Brawny, Mardi Gras, and Soft 'N Gentle.

The resulting company would control 60 percent of the tissue market

in the world, necessitating the approval of antitrust regulators.

While Fort James leads the nation in tissue manufacturing, it has struggled with the debt from its formation in 1997. Its first-quarter profits fell 18 percent because of increased costs of warehousing and waste papers used to produce tissue.

Lindley said some consolidation of products might occur in the future, but said specific questions would be "best answered by the company that emerges from this point."

He also said the company's participation in the Fox River Group's cooperative efforts to dredge PCBs from the Fox River would continue. He noted the project near the West Side mill should be completed before the Federal Trade Commission considers the merger later this

G-P profits beat forecasts

Cox Newspapers

ATLANTA — Georgia-Pacific Group reported a 3 percent drop in second-quarter profit on less demand and lower prices for building products.

Georgia-Pacific, which said Monday it is acquiring Fort James Corp., reported quarterly net income of \$206 million, or \$1.20 a share, down from \$212 million, or \$1.20 a share, in the period one year ago. Sales were up sharply to \$5.45 billion from \$3.81 billion because of recently acquired tissue and distribution businesses.

The results beat Wall Street expectations that Georgia-Pacific

would earn \$1.16 a share in the latest quarter.

Improvement in the Acompany's pulp and paper operations helped offset the housing supply sector.

Georgia-Pacific's container-board and packaging segment listed operating profits of \$141 million, up from \$76 million a year earlier.

The group's pulp and paper segment reported operating profits of \$148 million, compared with \$26 million a year earlier. Unisource Worldwide, the company's paper distribution segment, contributed operating profits of \$41 million.

But profits in the building products segment dropped to \$173 million, compared with \$364 million a year earlier.

COLUMNIST'S PERSPECTIVE

Politicians kowtow to their rich mill buddies

For a little more than two years, I have attempted to shine a bright light on law-making and lawmakers. I have attempted to point out the disjointed and illogical thinking of various representatives who imagine we can sell tomorrow to live better today, which is rather like having crushing credit card debt.

I have pointed at various local elected officials who call themselves "environmentalists." I have picked at them the way a kid picks at a scab.

Even U.S. Rep. Mark Green, R-Green Bay, who has attempted to wear an environmental hat for years, avoided any mention of the environment during his recent campaign kickoff, apparently tired of whizzing on that electric fence.

Green's opinion about the Fox River pretend cleanup is that there should be a "local agreement," an idea that makes the multinational corporate paper mill owners positively swoon in the glow of "Cleanup Emancipation."

Green is no dummy. He knows where the campaign funding will be, and he would have to be a half-wit to not know that the bullies in



Curt Andersen

For The Green Bay News-Chronicle

The mill bullies have spent thousands and thousands of dollars to paint a pretty picture of life in this polluted corner of Wisconsin.

the paper industry will be able to continue to heel-stomp the necks of local politicians. It's hard for someone to bargain with a bully standing on his windpipe.

The mill bullies have done nearly nothing but advertise what "good neighbors" they are. They have spent thousands and thousands of dollars to paint a pretty picture of life in this

polluted corner of Wisconsin. A picture that never quite shows the shocking reality of kids with brain tumors, kids with learning disabilities or adults with fertility problems. A picture that misses showing how the pollution has affected our fishing and tourism industry, both of which would be flourishing and providing many jobs without the pollution. A picture that completely misses depicting the long-term effects of the pollution that has turned Green Bay, what was likely one of the most fertile estuaries on the planet, into a septic tank, an open septic tank that leaks its malignant contents into our drinking water, our air and, eventually, our food.

Recently, Green and U.S. Rep. Tom Petri, R-Fond du Lac, from the other end of the Fox River, voted in favor of a bill that would prohibit the dredging of polluted sediments. Nationwide, this was generally supported by Republicans and opposed by Democrats.

General Electric, through its lobbyists, had anti-dredging language inserted as a rider, or attachment, to legislation that funds the Environmental Protection Agency. GE, which dumped tons of PCBs into the Hudson River, has been working feverishly to avoid having

to clean up its mess, just like the mill owners from our area.

Now we can clearly see the need for all of them to drag their feet on a real cleanup. They were just waiting for this chance to dodge their responsibilities. Ironically, Petri began his career 20 years ago by railing about the polluted Fox. Maybe Petri's concerns about the river weren't sincere. D'ya think?

The squirmy, creepy-crawly law-making business in Washington may not be in the best interest of your family's health. Why not call Rep. Green's local office (437-1954) and ask him how he can do this to his own children. Ask him why he thinks he can do it to your children.

Don't let him tell you that it won't affect the Fox River cleanup. It will. It will also allow other polluted sites in the country to continue to exist.

Curt Andersen is a lifelong resident of the Green Bay area and a Vietnam-era Navy veteran. He owns a small business and is on the board of the Clean Water Action Council. His column appears here Wednesdays. Opposing or supplemental viewpoints are welcome. Write to him via e-mail at candarse@gateway.net.

Environmentalists take Fox cleanup fight to U.S. Senate

BY SUSAN CAMPBELL
PRESS-GAZETTE

After House adoption of a measure that critics say could stall cleanups on the Fox River and 27 other sites nationwide, attention now turns to the Senate.

A U.S. House appropriations bill adopted last week included language directing the U.S. Environmental Protection Agency not to order sediment cleanups until results from a national study of cleanup technologies is incorporated into its policies.

The EPA and environmentalists oppose the measure, saying that unless the Senate now approves contradictory language, the House action effectively bars the EPA from ordering sediment cleanups in the coming year.

The EPA worries the House measure could doom other progress, as the language could be interpreted to bar even the exploratory sampling typically done during pre-cleanup studies.

"The way I read the language, it would delay action," said Larry Zaragoza, of the EPA's Superfund

6/28/2003
program. "It would be troubling to know we couldn't take actions to help human health and the environment."

EPA Administrator Carol Browner last week condemned the House bill because it included a number of anti-environment riders. "The nation hasn't seen this kind of anti-environment, anti-public health assault by the House of Representatives in several years," she said.

In its contaminant cleanup directive, the House instructed the EPA not to order dredging or "other invasive sediment remediation technologies" until results from a National Academies study of such technologies is integrated into the agency's cleanup policies. The Academies' study is expected out this fall, but EPA officials are uncertain how long it would take to incorporate the findings.

An amendment to strike the measure on the House floor last week failed by a vote of 216 to 208.

Rep. Mark Green, R-Green Bay, said he voted against the amendment because it also included directives relating to the enforce-

ment and promulgation of drinking water standards for arsenic and radon — language Green said would have socked communities with millions of dollars in unfunded mandates.

Green verified that completion of a Fox River dredging project targeting PCBs outside Fox James Corp.'s West Mill wouldn't be affected by the House measure during an exchange on the House floor. He also confirmed that it wouldn't discourage reaching a voluntary cleanup settlement among government officials and seven paper mills responsible for the river's toxic polychlorinated biphenyls.

Green said the House measure is similar to language the House adopted in committee reports in the last two years.

But the EPA says the earlier language called for a halt only to EPA-ordered dredging, and only until the National Academies report is completed.

Zaragoza said the EPA relies on report language, saying, "We like to do our best to know we're all on the same page."

Green says wording in pending bill won't affect Fox River PCB cleanup

But Sierra Club says only site 56-57 project will be protected

By Duke Behnke 6-27-00
Post-Crescent staff writer

U.S. Rep. Mark Green said he has verified that controversial language in a large appropriations bill approved by the House will have no effect on the cleanup of PCBs from the Fox River.

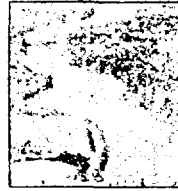
A representative of the Sierra Club, however, said Green's verification applies only to the dredging demonstration project in Green Bay known as site 56-57.

Two weeks ago, the Sierra Club and other environmental groups criticized language in the appropriations bill that advises the U.S. Environmental Protection Agency not to order any dredging of contaminated sediments from waterways

until the National Academy of Sciences completes its ongoing two-year review of river remediation technologies. The academy's report is due in September.

The Sierra Club said the language further directs the EPA to incorporate the academy's findings into the agency's decision-making processes, a procedure that could take years.

"If this language is passed, EPA's hands will be tied," Emily Green, director of the Great Lakes Program for the Sierra Club, said prior to the House vote. "The Fox River will not be cleaned up, the pulp and



the.....
future
of the
FOX
river

paper mills will be off the hook, and our children will be left to resolve this problem."

Mark Green, R-Green Bay, called the Sierra Club's claims "preposterous" and sought proof that the language would have no bearing on the Fox River cleanup.

Last week, Green asked U.S. Rep. James Walsh, R-N.Y., chairman of the appropriations subcommittee that put the bill together, whether the language would stop "the work scheduled for the Fox River."

"I can assure you that this language will not affect the specific project you are concerned with, the site you called 56-57," Walsh told Green during an exchange on the House floor.

"Furthermore, nothing in this report language should be construed as preventing or discourag-

Please see RIVER, B-3

RIVER: Rep. Green says cleanup will continue

From B-1

ing a prompt settlement between the EPA and the paper companies along the Fox River for cleanup of the PCBs."

Green said the report language in the bill, which is used to fund the EPA, has absolutely no force in law and serves only as a congressional recommendation to the EPA. He said the language also specifically exempts voluntary agreements like those currently governing the Fox River cleanup.

"Even if neither of those two points were true, the language only

refers to the EPA not ordering dredging until after a NAS study has been completed, which is due to happen in the next four months,"

Green said. "Any plan for cleaning up the Fox River won't be presented until after that time anyway."

"Whichever way you look at it, this language is completely irrelevant to our situation, period."

Emily Green disagrees. She said Walsh's comments referred specifically to project 56-57 and not a comprehensive cleanup of

the Fox River.

"We are still very concerned this will hold up the rest of the

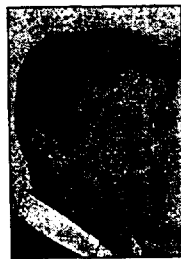
cleanup," she said.

"The EPA feels very strongly that this language will tie their hands in respect to all sediment cleanups nationwide, including the Fox River, and I have no reason to doubt that."

Emily Green said the language was included in the bill at the request of industries responsible for sediment cleanups and would serve as a delaying tactic.

Mark Green and his staff dispute that.

"The fact is this is not going to affect any cleanup of the Fox River," said Chris Tuttle, the congressman's press secretary. "If it were, we would be all over it."



GREEN

EPA boosts estimate of dioxin risk

Fox River pollutant more toxic than thought

7-5-00

BY SUSAN CAMPBELL
PRESS-GAZETTE

A new federal review of dioxin, one of seven chemicals identified as a particular concern in Fox River sediment, shows it to be more potent than conclusions reached just six years ago.

In a draft reassessment of dioxin that has been nine years in the making, the U.S. Environmental Protection Agency reports that the threat of cancer to those most at-risk is 10 times what the agency reported in its 1994 reassessment.

The report also expands on its earlier findings that dioxin's risks reach beyond cancer to include other health problems including delayed development, immune deficiencies and possibly adult-onset diabetes. Dioxin is a ubiquitous chemical, found in food, water, soil and air.

William Farland, director of the EPA's National Center for Environmental Assessment, said the study concludes that the amount of dioxin typically carried in our bodies is uncomfortably close to the low levels where such noncancer effects are seen.

"That suggests that there may be some effects occurring in the population," he said.

The chemical is found in the sediment lining the Fox

River and bay of Green Bay. Of 398 chemicals identified in the river system, the state Department of Natural Resources targets dioxin as one of seven "chemicals of potential concern," along with polychlorinated biphenyls, mercury and the pesticide DDT.

Included among the river's dioxins is the chemical family's most notorious member — 2,3,7,8 TCDD — considered the most toxic synthetic substance on earth. Other, less toxic forms of dioxin also are known to inhabit the riverbed, along with more than a half dozen dioxin-like PCBs, and another family of toxic chemicals known as furans.

The EPA's draft reassessment, released in June, classifies TCDD as cancer-causing in humans. Other dioxins and dioxin-like PCBs are dubbed "likely human carcinogens."

"It is one of our chemicals of greatest concern," said Bob Paulson, an environmental toxicologist with the DNR.

Dioxin levels found in the Fox River range from 0.23 parts per trillion to 10 ppt — infinitesimal, even by scientists' hair-splitting chemical measurement standards. Where a chemical as potent as dioxin is concerned, however, the experts say any

Please see **Dioxins, A-2**

Dioxins/Chemical is byproduct of burning, industrial processes

■ From A-1

amount is too much.

Still, dioxin isn't nearly as prevalent in the river as PCBs — the toxic chemicals driving cleanup plans and prompting the EPA to propose the river as a Superfund priority site.

"From a relative risk perspective, even though PCBs are 10 to 100 times less toxic than dioxins, we've got so many of those things floating around out there that the real risk driver is PCBs," Paulson said. "Plus, if you deal with the exposure to the PCBs effectively, in essence we're going to deal with the exposure to anything else, including dioxin."

Unintended product

Unlike PCBs, which were manufactured for use in carbonless copy paper and electrical transformers until they were banned in the 1970s, dioxin is an unintentional byproduct of poorly controlled burning, fossil fuel combustion and certain industrial processes.

The chemicals are formed in the manufacture of certain chlorine-containing chemicals such as pesticides and in the incineration of trash containing plastics and paper. Use of the herbicide Agent Orange to defoliate trees during the Vietnam War and the ensuing health problems reported by veterans exposed to the chemical, is probably the most widely known incident involving dioxin.

The chemical has figured prominently in paper-making, discharged by kraft pulp mills using chlorine to bleach paper. Although papermaking contributed dioxin to the Fox River, the pollution didn't originate from bleaching because the majority of area

mills specialize in de-inking and recycling as opposed to pulping.

Fort James Corp. spokesman Mark Lindley said both of the company's Green Bay mills are free of elemental chlorine, instead using hydrogen peroxide and calcium hypochloride for bleaching.

"The kraft pulp bleaching process is where the issues lie, and with recycled papers it's just not an issue. Although you might have a little residual from the paper you're recycling, it's so small, it's nondetectable," he said, noting dioxin levels in the mills' discharges measure in parts per quadrillion.

Farland of the EPA said the paper industry made great strides in curbing its chlorine use during the 1980s. Many have switched to using chlorine dioxide, which produces substantially less dioxin.

"The question of course is, what does it take and what is the advantage of going totally chlorine-free?" Farland asked.

In the case of the Fox River, dioxin was created during the production of PCBs for carbonless copy paper. The chemical also followed other routes to the river, carried through the air and in chlorinated pesticides like DDT.

"We had a big DDT problem in the bay, so dioxin could have gotten there from any number of those sources," Paulson said.

The good news from the EPA's draft reassessment is that dioxin emissions from all sources have fallen precipitously in the last dozen years.

But dioxin continues to be released from a variety of sources. The unregulated backyard burn barrel is a significant source, said individually to emit as much diox-

in as a municipal incinerator.

Because dioxin resists breaking down, once in the environment, it persists. Once set loose, the chemicals travel up the food chain and are stored away in the fat tissue and breast milk of both wildlife and people.

Nine-year effort

The EPA has been working since 1991 with government and nongovernment scientists to better understand what happens once dioxin enters the human body.

That year, around the same time the agency was moving to enforce strict limitations to dioxin discharges, the EPA launched its reassessment of dioxin's toxicity. The study was sought by paper and other industry officials who argued that the latest research was showing dioxin to be less toxic than previously thought.

But the agency's first draft reassessment, released in 1994, found just the opposite.

In the months following that release, the EPA was ordered to conduct further studies — the results of which were released last month for public review. The current draft characterizes dioxin as even more toxic, based on the evolving science regarding the chemical.

The new revised estimates for cancer risk in the general human population range from 1 in 100 to 1 in 1,000, up from the 1 in 1,000 to 1 in 10,000 estimated in the 1994 reassessment.

Fetuses, infants and children are believed more sensitive to dioxin than adults because of their rapid development.

Although the EPA report states that there currently is "no clear indication" of increased disease



Photo courtesy Richter Museum of Natural History

Researchers found this cormorant last week on Cat Island at the mouth of the bay of Green Bay. Its crossed bill is associated with exposure to dioxin, dioxin-like PCBs and furans, chemicals found in the bay and the Fox River.

in the general population attributable to dioxin and dioxin-like compounds, Farland said some of the chemicals' noncancer effects may already be observable in children.

"With the noncancer effects you're talking about affecting development," he said.

Effects visible

Because animals can be used as test subjects, dioxin's effects on wildlife is better documented, both in the field and in the lab.

The EPA's reassessment holds little surprise for Tom Erdman, curator of the Richter Museum of Natural History at the University of Wisconsin-Green Bay.

Last week the ornithologist was

doing pelican research on Cat Island in lower Green Bay when he stumbled upon what has been an all-too familiar sign of chemical contamination on the bay: a black cormorant with a badly twisted beak.

Bird-banding records on the bay date back to 1926, he said, but no deformities were recorded until the 1970s — around the time that DDT was first turning up in eggshells.

"Everything we have seen in the field has now been duplicated in the lab with dioxin-like PCBs," Erdman said. "Crossed bills, edema, splayed legs, bone deformities ... all are associated with dioxin and dioxin-like PCBs and furans."

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THE POST-CRESCENT

TUESDAY, JULY 4, 2000

Wisconsin's Best Newspaper

50¢

Bald eagles making a comeback in the Fox Valley

By Steve Wideman
Post-Crescent staff writer

KAUKAUNA - The bald eagle circling the tree tops at the 1000 Islands Environmental Center provided a rare treat for Lee Hammen when he reported for his second day on the job as the center's naturalist-administrator on Jan. 21, 1978.

The bald eagle, this country's national emblem since 1782 and a symbol of freedom and patriotism, was beginning a bounce back from near extinction.

But government delays decision about removing majestic bird from the endangered species list

"Sighting a bald eagle on the Fox River at that point in time was rare. Back then it was rare even to drive up north and see a bald eagle," Hammen said.

Now as many as 32 bald eagles clamor around the center on a winter day and at least five nesting pairs of bald eagles call the Fox River between Little Lake Buttes des Morts and De Pere home.

Hammen said nests have existed local-

ly for several years.

"We have one at the center and there is one near Stroebe Island, which I think was started by a pair of eagles born here," he said.

Hammen said there are two nests between Wrightstown and De Pere.

"We know there are more downstream to Green Bay and at least one on the Oneida Indian Reservation," Hammen

said.

He said the newest nest was spotted this spring on an island behind a Combined Locks paper mill.

"It is rare because the nest is located on an island that serves as a blue heron rookery," Hammen said.

Hammen said surveys this year of the five known nests to De Pere turned up the presence of 10 eaglets.

He said the nest at the 1000 Islands Environmental Center has turned out 28 eaglets in the past 13 years.

Please see **EAGLES**, BACK PAGE



EAGLES: Bird made comeback after DDT was outlawed

From B-1

Hammen said the bald eagle has made a tremendous comeback in the state since 72 nesting pairs were counted in the entire state more than 35 years ago.

"There are now close to 800 nesting pairs of eagles in the state," he said.

Nationwide, eagle numbers have increased from 417 pairs in 1963 to more than 5,700 in the lower 48 states today, prompting the U.S. Fish and Wildlife Service to call for removing the majestic birds from the federal endangered and threatened lists.

The bald eagle had been scheduled to be removed from the lists this week, but bureaucratic red tape delayed that decision, said Cindy Hoffman, a spokeswoman for the U.S. Fish and Wildlife Service.

"We still feel we are on track (with the proposed removal of the bald eagle from the endangered and threatened species list), but it has been delayed indefinitely," she said.

President Clinton announced on July 2, 1999, that bald eagle numbers had recovered enough from near extinction 30 years ago to be removed from the lists.

A final decision is due this Thursday.

But Hoffman said the government is not finished evaluating public responses to the proposed design-

ation change made during a 90-day comment period in 1999.

"We are also awaiting guidance from our solicitors on their interpretation of the Bald and Golden Eagle Protection Act," Hoffman said.

The federal lawyers are trying to determine how the act can be used to protect not only the eagles, but also the birds' habitat.

Habitat protection is one of the cornerstones of the Endangered Species Act of 1973 that protects the eagles.

The Bald and Golden Eagle Protection Act and Migratory Bird Treaty Act both focus on prohibiting the killing, possession or transportation of the birds, bird parts such as feathers or nests.

"We need to make sure we will be giving good guidance for eagle management to the public and other government agencies once the bald eagle is removed as an endangered and threatened species."

The USFWS would work with state wildlife agencies for five years after redesignation to monitor eagle numbers. If there is a drop in numbers the eagles could be re-listed.

Hammen said the bald eagle was removed from the state's endangered list two years ago.

"I'm confident the eagles' habitat will be assured," Hammen said. "As recently as two years ago the center purchased 2,000 feet of

shoreline. I would call that protecting the eagle habitat."

He praised the paper industry for taking efforts to cleanse the Fox River in recent years, making the area more hospitable for eagles, but said the key event opening the way for the recovery of eagle numbers occurred in 1972 when the federal government banned the use of the pesticide DDT.

"It's not my opinion, it's a fact that as soon as they banned DDT the eagle numbers increased," he said.

DDT and other pesticides were blamed for causing eagle egg shells to become thin, resulting in nesting failures.

The bald eagle once ranged through every state except Hawaii.

There were up to 500,000 bald eagles on the North American continent when European explorers first arrived.

When America adopted the bird as its national symbol in 1782 as many as 100,000 nesting bald eagles lived in the continental United States, excluding Alaska.

The adoption of the bald eagle as part of the Great Seal of the United States did not come without opposition.

Benjamin Franklin opposed the selection, saying the bald eagle was a bird of bad moral character that stole food from smaller birds of prey.

Franklin wanted the turkey as

this country's emblem.

Hammen said he would have supported the bald eagle's selection.

"For hundreds of years, the bald eagle was worshipped by the people. If you look at the top of a totem pole what do you see? A bald eagle," Hammen said. "Besides, a turkey would have had a hard time climbing to the top of a flag pole."

The state's most famous bald eagle, "Old Abe," accompanied Wisconsin troops onto battlefields during the Civil War.

By the mid-1800s, the eagle numbers began a decline tied to the loss of numbers of waterfowl, shorebirds and other prey and hunting by humans.

In 1940, Congress passed the Bald Eagles Protection Act, prohibiting the killing or selling of bald eagles.

Despite federal protection eagle numbers continued to decline with the widespread use after World War II of DDT and other pesticides.

In 1967 bald eagles south of the 40th parallel were listed as endangered under the Endangered Species Preservation Act of 1966.

The Endangered Species Act of 1973 listed the bald eagle as endangered in the lower 48 except in Wisconsin, Michigan, Minnesota, Oregon and Washington where it was listed as endangered.

oice of Green Bay and Brown County

Chronicle

y.com ♦ JULY 7-9, 2000

Fox dredgers: We were set up to fail

PCB contamination levels remain high near the Fort James Corp. west mill where dredging took place last year

by Jeff Decker
The News-Chronicle

The firm that dredged a highly contaminated area of the Fox River last year claims that the project was designed to fail.

Four Seasons Technologies of Ooltewah, Tenn., announced Thursday it has filed a demand for non-binding arbitration with the lead contractor, Montgomery Watson Constructors Inc., on grounds it has not been paid in full for dredging and other services.

"We are extremely upset over being the brunt of a project that was determined to fail because of people with no real desire to

clean up the Fox River," Phil Martin, vice chairman of Four Seasons, said Thursday.

Four Seasons spent \$3.5 million to dredge the river but only received \$950,000, he said.

Montgomery Watson workers, who were also on site, "delayed us from the start of it" and had done "a poor job characterizing actual conditions at the site, which led to them providing us incomplete and inaccurate information as to site conditions, (and) they were unresponsive when we notified them to changes in those site conditions," he said.

"When you put those pieces together, you have to wonder whether they, or their client, really wanted this project to succeed."

Montgomery Watson was hired for the job by the Fox River Group, the coalition of

THE GREEN BAY NEWS-CHRONICLE

LOCAL

4 July 7-9, 2000

DREDGERS: Delays, winter halted \$9 million project

FROM PAGE 1

seven paper mills held responsible for the PCB contamination.

Delays and winter brought a premature end to the dredging project in the river near the Fort James Corp. west mill, 1919 S. Broadway.

The river froze, leaving three acres of toxic PCBs exposed and resulting in hundreds of pounds of contaminated sediment floating down the river.

Representatives of Montgomery Watson could not be reached for comment Thursday.

Mark Lundley, director of communications for Fort James Corp., said that \$9 million was paid by the Fox River Group for the dredging project.

"From our point of view, this is a dispute between Montgomery Watson and Four Sea-

sons," Lindley said.

Lindley said that people need to remember the dredging project was a demonstration, to analyze conditions for future projects.

"We learned that dredging the river is not easy, that even dredging a small area has challenges that no one anticipated," he said.

PCB levels in the river are still unusually high as a result of the dredging.

Rebecca Katers, executive director of the Clean Water Action Council, said her organization has suspected for two years that any dredging attempt would be flawed.

"We believe it was a deliberate effort to make dredging look bad," she said.

"(The paper mills') point will have been made that it's extremely expensive, full of problems, dangerous, and maybe it's best to just leave the PCBs alone."

Dredging is still the best route and it was

Katers said the botched dredging project left an ecological disaster that is vastly underappreciated.

"When we have toxic spills, it shouldn't take 10 months for them to clean it up," she said. "They should have moved much more swiftly this spring to start in the summer."

Four Seasons said Montgomery Watson estimated that PCB-contaminated sediments would contain 34 percent dry waste solids, but the concentration was nearly 50 percent.

Martin said that difference in working conditions should raise Four Seasons' fee under the contract.

He said that Montgomery Watson has yet to acknowledge that differing site conditions exist.

"We were threatened to not go to the press," he said.

"They said we'd never get paid if we did."

Dredging outfit attacks aborted project's leaders

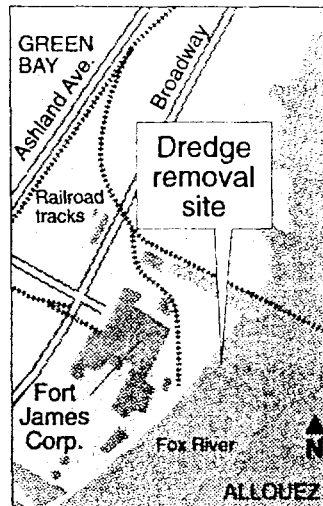
7-7-00
BY SUSAN CAMPBELL
PRESS-GAZETTE

The pilot dredging project outside Fort James Corp.'s West Mill was "designed to fail from its inception," the company that did the work says.

Four Seasons Environmental Inc. also says it has been paid only \$950,000 of the nearly \$4.8 million it is owed for the unfinished project, which exposed high concentrations of chemical PCBs in the riverbed.

It has filed for nonbinding arbitration against the project's lead contractor in an effort to get the money.

The company states that the lead contractor on the job, Montgomery Watson Constructors Inc., misrepresented site conditions before work began, leading Four Seasons to underestimate equipment and labor costs for dredging, dewatering and water treatment.



Source: Wisconsin Department of Natural Resources Press-Gazette

"It's no surprise then that the costs and time needed to complete the project are greater than anticipated," said Phil Martin, vice chairman of the Four Seasons board. "After working in good faith to clean this river and meeting roadblocks at

every turn, we can come to no other conclusion than that this project was set up to fail right from the start."

A representative of Montgomery Watson could not be reached for comment Thursday.

By taking its complaints to an arbitrator, a quasi-judge will make a decision that Four Seasons can accept or reject. If both sides do not resolve their dispute in the process that could take up to five months, they could enter into litigation.

The subcontractors had removed less than 30,000 cubic yards of a targeted 80,000 cubic yards of PCB-contaminated sediment by the time the project was forced to close down because of cold weather in December.

Left behind were PCB levels on the riverbed surface measuring up to 310 parts per million, a level far ex-

Please see **Dredging, A-2**

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Dredging/Regulators, mills disagree over effectiveness

From A-1

eding standards considered safe for human health and wildlife.

Polychlorinated biphenyls may cause cancer in humans and are linked with slow development and low IQs in children exposed to higher levels in the womb by mothers who eat contaminated Great Lakes fish.

Federal and state regulators are pushing seven area paper mills — which discharged PCBs into the river from the 1950s to 1970s — to clean up the contaminated sediment.

Dredging is a key point of contention between regulators who say it is a safe and effective cleanup method, and the mills who

say it stirs up long-buried contaminants.

To test that theory, the mills financed the \$9 million demonstration project outside Fort James to study the effectiveness of large-scale dredging in the river's northernmost reach.

In the aftermath of the botched project the Fox River Group and the state Department of Natural Resources — the project's co-managers — have both said Four Seasons failed to meet its obligation for sediment removal.

But Four Seasons contends its estimates were off because of site information provided by Montgomery Watson.

That information characterized the riverbed as less solid than it ul-

timately proved to be and as having less debris.

The company said the mischaracterization meant it used more water than expected to flush out the sediment, which resulted in more time spent on the work and higher water-treatment and labor costs.

Four Seasons said it notified Montgomery Watson of the different site conditions, which under its contract would have allowed for an increase in the contract price.

But the company says Montgomery Watson hasn't acknowledged the different conditions and refuses to pay Four Seasons more than \$3.5 million in out-of-pocket expenses.

"When you put those pieces to-

gether, you have to wonder whether they, or their client, really wanted this project to succeed," Martin said. "Just as we question Montgomery Watson's desire to complete this project successfully, we also question the Fox River Group's (paper mills) intentions."

The mills say they have spent most of the \$9 million allocated for the project, although the DNR says it has yet to see receipts to that effect.

Fort James spokesman Mark Lindley said neither Fort James nor the Fox River Group will enter into a dispute between the contractor and subcontractor.

"It is wholly inappropriate to drag the FRG into this because it has nothing to do with us," he

said. "This project was designed to provide information on the effectiveness, challenges and risks associated with dredging ... we did not, as they might have suggested, set this up to fail."

Rebecca Katers, executive director of the Green Bay-based Clean Water Action Council, said that based on Four Seasons' claims, paper mill complaints about the high cost of dredging have no merit until the real cost of the project has been verified.

"This raises questions about how much this actually cost and whether they really spent as much as they claim," she said.

Meanwhile, Fort James has agreed to complete dredging at the site.

REGIONAL

Wisconsin's Best Newspaper

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SATURDAY, JULY 8, 2000 B-1

Fox dredging at center of lawsuit

By Ed Culhane
Post-Crescent staff writer

The company hired for the Fox River Group of paper companies in 1999 to dredge PCB-laced river sediments from a demonstration site in Green Bay charged Thursday that the \$9 million project was designed from the start to fail.

Officials representing the paper companies and their chief contractor said the charges were baseless and misguided.

The accusation came at the

same time the company filed a demand for non-binding arbitration against the chief contractor saying it was owed money.

Phil Martin, vice-chairman of the board for Four Seasons Technologies, said the general contractor hired by the paper companies, Montgomery Watson, provided his engineers with a sample of the sediment that bore no

resemblance to actual conditions in the river at the area known as site 56-57.

"We took that sample material and ran tests on it and brought our equipment in based on what we were told we would be handling," Martin said. "But the material we were getting out of the river was nothing like the sample we had been provided with."

Instead, Martin said, his crews found themselves cutting into a thicker, heavier bed of sediment, with a 50 percent concentration of

solids instead of the 34 percent they were expecting. Company officials said they weren't able to diagnose the problem until the first sediment pulled from the river was tested and the results sent back.

That meant significant delays while equipment was replaced and it meant a slower rate of sediment removal, a rate that guaranteed that dredging on the worst PCB hot spot in the river could not

Please see DREDGING, B-3

"We can come to no other conclusion than that this project was set up right from the start to fail."

PHIL MARTIN, vice-chairman of the board, Four Seasons Technologies, the company hired to dredge site 56-57.

POST-CRESCENT, APPLETON-NFENAH-MENASHA, WIS.

B-3

DREDGING: Project at site 56-57 at center of lawsuit between contractors

From B-1

have been completed before the onset of winter, Martin said.

He said officials with Montgomery Watson were unresponsive when notified about the actual conditions at the site.

"After working in good faith to clean this river and meeting roadblocks at every turn, we can come to no other conclusion than that this project was set up right from the start to fail," Martin said. "A lot of times these FRPs (companies considered liable for the pollution) and their engineers don't want these things to succeed. That way they save money."

Mark Swatek, president of Montgomery Watson Constructors, a subsidiary of the larger firm, said these public statements by a Four Seasons executive arise from a contract dispute.

"Montgomery Watson does not design projects for failure," said Swatek. "Four Seasons was under a sub contract to perform work in the river. They had trouble achieving the work they were under contract to achieve. The dispute we currently have is a direct result of those problems they have."

Martin went public Thursday as his company filed a demand for

non-binding arbitration with Montgomery Watson, charging that Four Seasons has received just \$950,000 of the nearly \$4.8 million it is owed. Martin said Montgomery Watson has been paid in full for its services. If arbitration fails, a lawsuit is likely.

Swatek said Montgomery Watson officials are anxious to proceed to arbitration and to see the proof of the claims being made.

Martin's statements Thursday echoed predictions by environmental activist Rebecca Katers of the Clean Water Action Council who criticized the 56-57 project from the start, saying the paper companies had an incentive to display dredging as too risky, too difficult and too costly.

"We said all along that we suspected this project was designed to fail, and this just adds more ammunition," Katers said Thursday.

"They have managed to convince a large part of the population that dredging is too dangerous now, and we think that was their intent all along."

Nevertheless, Katers found it difficult to believe that a company with as much experience as Montgomery Watson could make crucial errors in sediment sampling.

State Department of Natural Resources officials said they could not comment on the contractual dispute, but said the project was well designed.

"It wasn't designed to fail," said Greg Hill of the DNR, "because in those areas where the project was implemented according to design, they achieved very low (PCB concentration) cleanup levels."

Tim Dantoin, an FRG spokesman, said the charges by officials at Four Seasons are unjustified. He said the contractors were chosen through a competitive bidding process.

"We set up the process to ensure a successful project," Dantoin said. "The 56-57 demonstration project was designed to determine if dredging could reduce the risks in the river and assess the costs of large-scale dredging. In that sense, it was a success."

When icy conditions ended the dredging in late December, about 30,000 cubic yards of sediment had been removed. Dredgers had sliced through cleaner layers of sediment, exposing high concentrations of PCBs to the river current, leaving 50,000 cubic yards of contaminated sediment at site 56-57 behind.

Environmentalists called it a dis-

aster. The FRG paper companies issued reports saying the project, which was overseen by the DNR, proved that dredging was too dangerous and costly to be used as the principal technology in cleaning up PCBs that contaminate the entire 39-mile stretch of the lower Fox River.

Scientists with the DNR and with the U.S. Environmental Protection Agency said the results actually showed that dredging did work, in areas where the dredge went deep enough, and pressed the companies to complete the project this year.

FRG officials opted against that approach and offered instead to cap the exposed sediments with sand and gravel, a method they said would be more effective and less expensive.

The dispute was laid aside when the Fort James Corp. signed an agreement with the DNR to complete the dredging at 56-57 in return for a waiver of liability for that site.

James Lindley, director of corporate communications for Fort James, said the company decided to finish the work at 56-57 in part because the hot spot is located near the company's paper mill on the

Fox River.

"We realize there is public concern about PCB exposure," Lindley said. "We think it is prudent to get in and finish what was done."

But that is not an endorsement of dredging for all areas of contamination, Lindley said.

Lindley also rejected the idea that the original project was designed to fail.

"We see this as a dispute between the contractor and the subcontractor," he said. "Claim that we are not committed to supporting this project are wrong and we should not be dragged into the dispute."

Martin said Fort James will not be using technologies approaches that his engineer believe in. He said that without the dispute, his company would probably be doing the dredging set to begin again later this summer.

"I think Fort James is right on target with what they are doing," Martin said. "This is not a project that should be hard. It is not that difficult."

"We've demonstrated that dredging and de-watering (sediments) is an effective method of addressing sediment contamination. This river can be cleaned up."

Sniping continues over Fox dredging

"We've never designed a project to fail," the contractor said

By Jeff Decker
The News-Chronicle

The main contractor for last fall's dredging of the Fox River in Green Bay is calling statements from a subcontractor that the project was intended to fail "outrageous."

The demonstration project in a PCB hot spot near the Fort James Corp. west mill ended prematurely and left the river more polluted.

Officials with Four Seasons Technologies, which performed the

dredging, Thursday also accused Montgomery Watson Constructors Inc. of not complying with its contract and paying only \$1 million when dredging costs were more than \$4.5 million.

"We've never designed a project to fail. We think that's totally outrageous," Mark Swatek, president of Montgomery Watson, said Tuesday.

According to Four Seasons vice president Phil Martin, the amount and type of sediment that was removed was very different from projections provided by Montgomery Watson, and raised their expenses.

"We actually had to mine the material out," he said.

Martin said the contract provided

for adjusting payment to meet adjusting conditions and workload.

The dredging project, which was a demonstration to see how feasible dredging the Fox would be, started late and ended unfinished, driven out by the cold of December.

Swatek said that the presentation made at a meeting of the company's presidents was insufficient to prove that any conditions were different than original estimates. He added that contract disputes of this sort were common.

"We have not seen any information that gives any justification for any change in condition," he said.

Montgomery Watson is looking forward to a chance to settle the differences, and that they are waiting for Four Seasons to file for arbitration, Swatek said.

Montgomery Watson workers were present and in charge of every aspect of the operation, Martin said: They could plainly see and kept strong records of the change in the procedure's needs and plans.

"They could see the difference, they could see the change," he said. "At no time did they say, 'We don't agree with what you're doing... we're not going to pay you.'"

Tim Dantoin, spokesman for the Fox River Group, seven paper companies considered responsible for PCB contamination of the river sediment, said the matter is a dispute between the two contractors.

Dantoin said as a result of the project, the companies learned the costs of such work and "learned that the risk of exposure from dredging can be significant."

Fort James is planning to finish dredging the site by its mill starting Memorial Day.

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WEDNESDAY, JULY 12, 2000

GREEN BAY PRESS-GAZETTE

Experts: Dredge project successful

Pilot effort near Kimberly removed PCBs

By SUSAN CAMPBELL
PRESS-GAZETTE

An expert panel reports that a state-conducted pilot dredging project on the Fox River near Kimberly showed environmental dredging there was an effective and

safe method for removing PCBs.

In another key finding, the panel found that chemical PCBs from the deposit were flowing downstream from the site, rather than being buried by clean sediment as paper mills facing a cleanup of the river suggest.

The study by the Fox River Remediation Advisory Team represented the work of experts from the University of Wisconsin-Madison and the U.S. Geological Survey.

The independent panel was formed at the request of the state Department of Natural Resources in April 1998 with the charge of reviewing plans by Fox River paper mills for monitoring the effectiveness of dredging at the Kimberly site. The DNR used money from the paper mills to finance the study.

"The demonstration project showed that in 32 days nearly 38 pounds of PCBs and 5 pounds of mercury were permanently removed

from the Fox River," said panel chairman James Hurlley, representing both the UW-Madison Water Resources Institute and the DNR's Bureau of Integrated Science Services.

"This is a substantial amount that will not be transported downstream to Green Bay and possibly enter the food chain."

Seven area paper mills — faced with financing a contaminant cleanup expected to cost more than \$100 mil-

lion — contend that dredging is ineffective and unsafe, saying it stirs up polychlorinated biphenyls and other chemicals buried in the riverbed.

Capping the contaminants in place with clean sediment, or leaving them to be capped naturally with clean sediment, is the preferred way for the river to heal, the mills say.

But the panel found the river wasn't healing itself at the Kimberly site, according

to Jon Manchester, a researcher at the UW-Madison Water Chemistry Program.

"From our measurements we could notice that the deposit was leaking PCBs to the river, so there was an increase as you went downstream from this particular deposit," Manchester said.

The study also highlighted a shortcoming of the dredge project: the fact that the late

Please see **Dredge, B-2**

Dredge/Ice hurt data collection

■ From B-1

start to the dredging meant the work wasn't completed before the river froze in December.

"First and foremost, all activities associated with dredging must take place prior to deterioration of weather conditions at the dredge site," the report stated.

The panel noted that ice on the river caused monitoring equipment to fail and hampered data

collection, leaving the panel with an incomplete set of data for assessing the second, final leg of the project — conducted when dredging was resumed last fall. In the end, a number of PCBs washed out of the undredged portion of the site after the protective silt curtain was removed.

"Calculations indicated that a lot of that stuff went missing," said panelist Phillip Keillor. He is a coastal engineering specialist with Sea Grant Advisory Ser-

vices.

The experience "taught us what we think is the most important lesson here, that is, don't try to dredge after the weather deteriorates and the river freezes up," he said.

Tim Dantoin, spokesman for the Fox River Group of paper mills, said the mills have not yet had time to study the report, but at first glance believe it should have focused more broadly on large-scale dredging in the Fox River.

Door Co. Land Trust gets grant

Money will go toward purchase of 183 acres

7-13-00
BY SCOTT HILDEBRAND
PRESS-GAZETTE

MADISON — The Legislature's Joint Finance Committee approved a state grant Wednesday to help buy an area of scenic and environmentally sensitive land in Door County.

On a vote of 13-3, the committee approved a grant of \$768,500 for the Door County Land Trust to use toward the purchase of 183 acres north of Sturgeon Bay and east of the shores of Green Bay.

The trust bought the land in January from the John Hutter Estate for \$1.2 million. The state money will come from the Stewardship Program, which enables the state, local governments and non-profit organizations to buy land to protect environmentally sensitive areas.

The property — in Egg Harbor and Sevastopol — is part of the Niagara escarpment, a geological formation that rises above the western shore of the county.

Dan Burke, executive director of the Door County Land Trust, said approval of the state grant sets the stage for the next phase of the project: a private fund-raising effort.

"We have to reach out to the community to come up with the other \$400,000 plus," he said.

The Hutter property is at the southern end of the Land Trust's Carlsville Bluff Project Area. The 750-acre site provides habitat for several rare, threatened and endangered plants and animals. They include rare types of orchids and land snails.

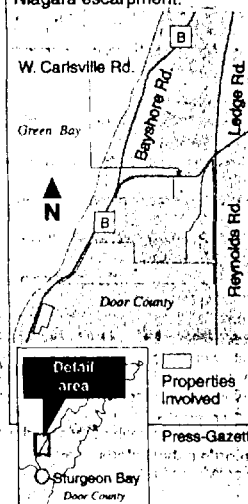
Rep. David Hutchison, R-Dyckesville, urged the Joint Finance Committee to approve the grant for the Door County project.

"This project is a remarkable opportunity to protect a unique area as well as expand recreational opportunities to the public," he said.

Hutchison said the Land

Stewardship grant

The Legislature's Joint Finance Committee on Wednesday approved a \$768,500 grant to preserve property on the Niagara escarpment.



"This project is a remarkable opportunity to protect a unique area as well as expand recreational opportunities to the public."

— Rep. David Hutchison
R-Dyckesville

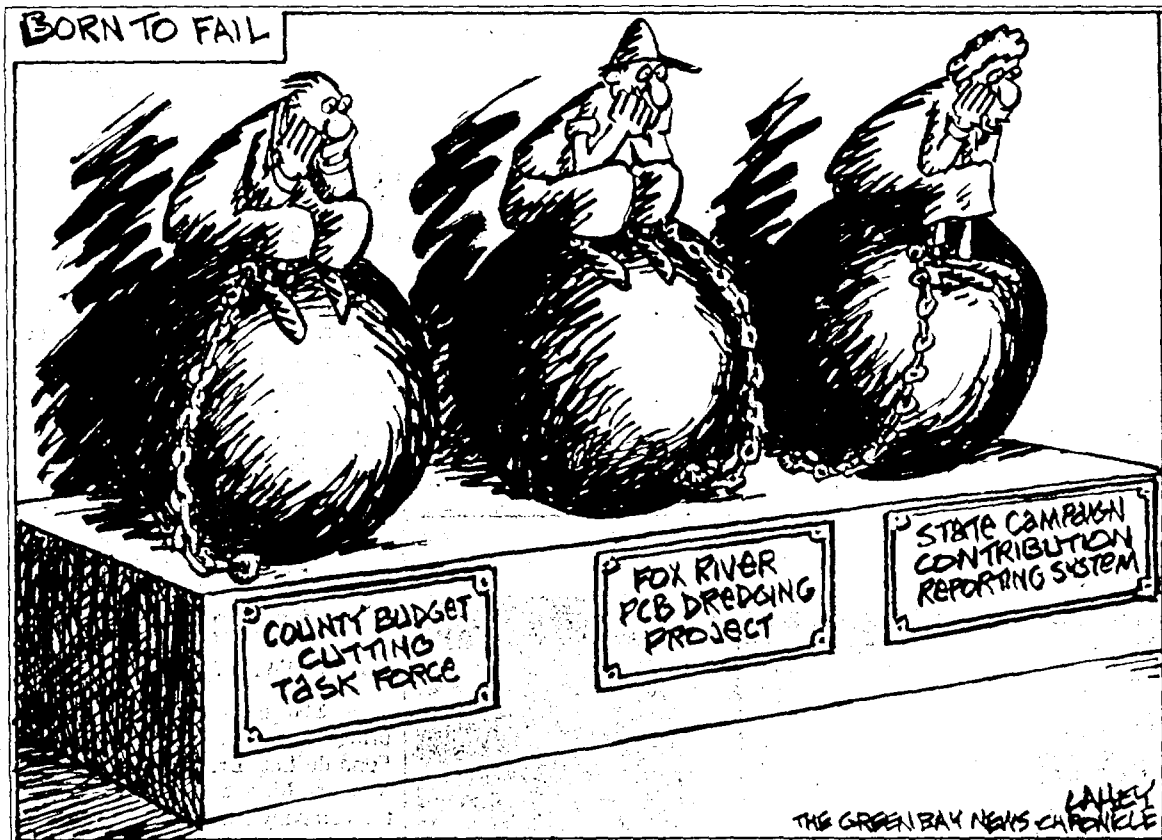
Trust has obtained easement on nearly 300 acres in the area. That will allow for hiking, skiing and nature observation, he said.

Burke said the group plans to start its private fund-raising effort next month.

A three-year campaign will be aimed at raising money not only for the Hutter property, but for buying up to \$3 million worth of land in the county.

The Door County Land Trust is a nonprofit organization with a mission of protecting lands of scenic and ecological significance on the Door peninsula.

LYLE LAHEY'S VIEWPOINT



Scientists group says dredging effective

Independent panel cites 89% of PCBs removed

By Ed Culhane

Post-Crescent staff writer

7-13-00

Analysis of the 1998-99 environmental dredging of the PCB hot spot Deposit N in the Fox River near Kimberly shows that dredging is an effective method of removing contamination from the river, a team of university scientists reported this week.

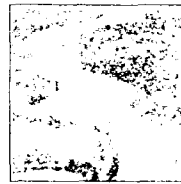
The scientists, working as the Fox River Remediation Advisory Team, or

FRRAT, also concluded that shore-side processing was an efficient means of concentrating and permanently removing contaminated sediments from the river.

This runs counter to conclusions reached in report issued earlier this year by The Fox River Group of paper companies, the seven corporations that will be asked to pay for all or most of the cleanup.

That bill could run into the hundreds of millions of dollars if dredging is used extensively as a cleanup tool. The paper

Please see **DREDGING**, A-8



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DREDGING: Findings run counter to the FRG's claims

From A-1

companies argue that dredging is ineffective and far too costly. FRG executives say that capping most contaminated sediments in the river would be more efficient.

The report was hailed by the state Department of Natural Resources as a positive development that will be incorporated into the final Fox River feasibility study later this year, a study that will include a cleanup plan for the entire 39-mile stretch of the lower Fox River.

"This supports our position on dredging," said Ed Lynch, who is supervising the completion of the feasibility study. "We view this report as being fairly positive."

The FRRAT group was assembled in April 1998 to review plans by the FRG companies to monitor the effectiveness of dredging at Deposit N, a three-acre PCB hot spot that clung to the south shore of the river at Kimberly. It is composed of four university scientists and a scientist from the U.S. Geological Survey.

The report focused on the first round of dredging at Deposit N, which occurred between November 1998 and January 1999 when winter weather shut down the operation. The DNR and its contractors returned in the summer of 1999 and completed the project.

"The demonstration project

shows that in 32 days, nearly 38 pounds of PCBs and 5 pounds of mercury were permanently removed from the Fox River," said team chairman James Hurlley of the University of Wisconsin-Madison Water Resources Institute. "This is a substantial amount that will not be transported downstream to Green Bay to possibly enter the food chain."

The scientists estimate that four pounds of PCBs escaped during dredging and were carried downstream in the river's current. Had no dredging taken place, between 9 and 11 pounds would have been naturally released by the sediments.

"The dredging demonstration at Deposit N was clearly a success," said Jon Manchester of UW's Water Chemistry Program, a team member. "This was not your dirty, clam-shell-type dredging operation. Some loss (of contaminants) to the river is unavoidable and to be expected, but our data indicate the high-tech hydraulic dredge used for this demonstration was very clean, precise and effective in vacuuming up contaminated sediments from the site."

While the dredging reduced surface concentrations of PCBs by only one-third, the FRRAT team estimated that 89 percent of the mass of PCBs at the site were removed, leaving about 6 pounds behind, tucked into cracks and crevices in the river bedrock that were too difficult

for the dredger to reach. That 6 pounds is less than the hot spot was releasing into the river each year before dredging, the scientists said.

Another conclusion reached by these scientists that runs counter to FRG studies is that Deposit N was an active source of PCBs to the lower Fox River and was not being "naturally" capped by cleaner sediments.

The temporary processing facility built on the north shore of the river to treat and transport the sediments was amazingly effective, the scientists reported. Once contaminated sediments reached the facility, 99.99 percent of the contamination was removed and safely buried in a landfill.

FRG officials could not be reached for comment, but they have previously argued that the results of dredging at Deposit N prove that dredging is too expensive and that it doesn't work.

Dennis Hultgren of Appleton Papers said the average concentration of PCBs on the surface of the sediments left behind after dredging were measured at 14 parts per billion, only a slight drop from the average surface concentrations of 16 ppm before dredging. Maximum concentrations dropped from 160 ppm before dredging to 130 ppm afterward.

"They went twice over this," Hultgren said. "It is the same thing that happens at Manis-

tique. You dredge and dredge and dredge and you can't get your surficial concentrations down."

Manistique harbor in the Michigan's Upper Peninsula is the site of a years-long dredging effort by the U.S. Environmental Protection Agency, a project that has resulted in more dredging than anticipated and that has exceeded cost estimates.

Lynch said the FRRAT study showed the usefulness of the "mass balance" approach of monitoring dredging in which all the paths that contaminants can take are measured.

"It provided us with a good accounting of where the contamination went during dredging," Lynch said.

The report did not deal with the expense of dredging. FRG officials have said the DNR spent \$4.3 million to remove 112 pounds of PCBs from Deposit N, a ratio that could push the cleanup costs for the lower Fox River into the billions. DNR officials say the project at N, which included layers of redundancy and unusual levels of monitoring, does not represent the kind of cost efficiencies that can be achieved in larger-scale operation.

The FRRAT report will be used with other Deposit N information in the formation of the whole river cleanup plan later this year, Lynch said.

Green Bay Press-Gazette



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for two cultures**

A Green Bay teacher writes children's books in two languages. **D-1**

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GEORGIA-PACIFIC TO BUY FORT JAMES

Mega paper merger

At a glance



Georgia-Pacific

Headquarters: Atlanta
Employees: More than 55,000

Operations: More than 500 in North America
1999 sales: \$17.79 billion
Chief executive officer:

A.D. "Pete" Correll

Products: Paper and building products. Familiar brands: Angel Soft, Sparkle, Coronet and Pacific Garden antibacterial hand soap. Nation's largest producer of structural wood panels and second-largest producer of lumber and gypsum wallboard.

Founded: 1927

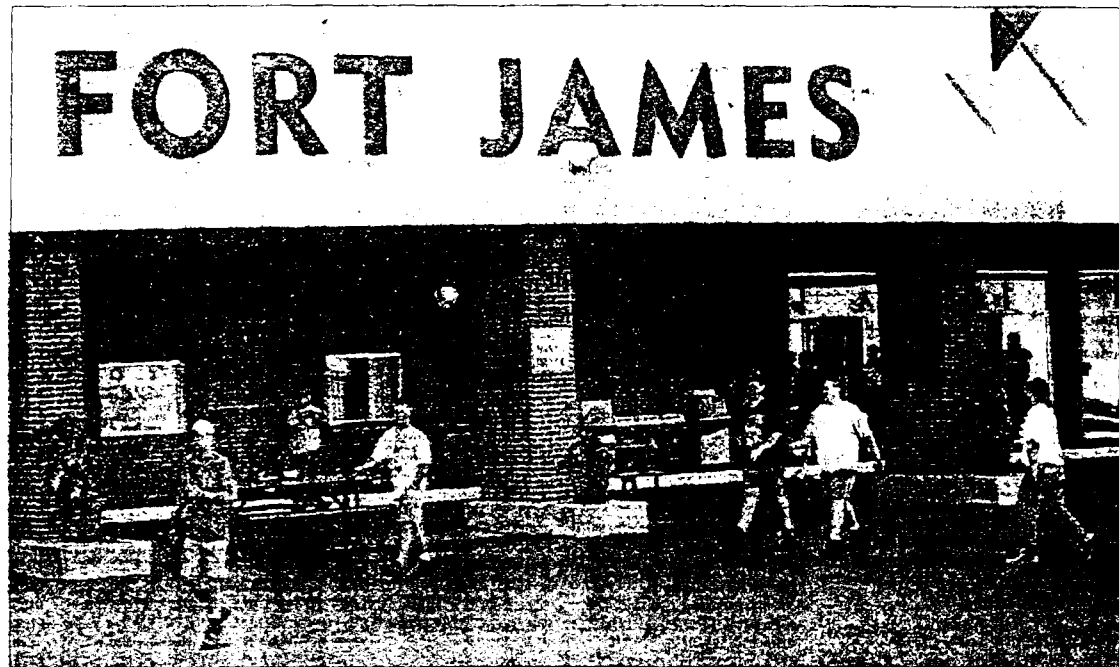


Headquarters: Deerfield, Ill.

Employees: 25,000

Operations: 50 in the United States, Canada and Europe

1999 sales: \$6.8 billion



Ken Behrend/Press-Gazette

Employees at the Fort James Corp. West mill on South Broadway leave work this morning. It was announced this morning that Georgia-Pacific Corp. will buy Fort James, which has two mills in Green Bay and is Brown County's largest employer.

Employees don't fear loss of jobs

Deal creates top tissue maker

BY RICHARD RYMAN,
STEVEN BRUSS
AND ELAINE KAUF
PRESS-GAZETTE

Georgia-Pacific Corp. and Fort James Corp. agreed Sunday to a merger that will make them the largest tissue maker in the world.

The transaction, announced this morning, is valued at \$11 billion and will see Georgia-Pacific acquire all of Fort James, including its two mills in Green Bay. No immediate effect was expected on operations at the Green Bay mills or their more than 3,600 employees.

Fort James is Brown County's largest employer.

Atlanta-based Georgia-Pacific has agreed to pay \$29.60 in cash and 2644 shares of Georgia-Pacific Group stock, a total value of about \$37, for each share of Fort James, based in Deerfield, Ill. Georgia-Pacific also will assume about \$3.5 billion of Fort James debt. Fort James

Northern, Soft 'N Gentle, Brawny, Mardi Gras, So-Dri, Vanity Fair and Dixie.

Founded: Company was born through the merger of Fort Howard Corp. and James River Corp. in 1997. Fort Howard was founded in Green Bay in 1919. James River was founded in 1969 and had its origins as Northern Paper Mills in the early 1900s.

workers at Fort James Corp. in Green Bay say they aren't worried about their jobs as they face a pending merger with Georgia-Pacific Corp.

"I feel really good," said Yvonne Duffek of Green Bay, a 28 year employee of Fort James. "We make the product so they can't do it without us."

Fort James is Brown County's largest employer.

Local officials react to plans

This isn't the first time many of the 3,600 employees of the company have seen changes. In 1997 James River Corp. and Fort Howard Corp. combined their operations to form Fort James.

Fort James makes tissue such as Quilted Northern and Brawny.

mill, said he's taking the proposed merger in stride.

"Hopefully it's for the better," he said. "You take it as it comes. There's nothing else you can do."

Many Fort James employees found out about the merger through other employees or news outlets today.

"I'm kind of in shock. I really don't know a lot of details," Duffek said. "But I'm

The merger was valued at \$11 billion. Georgia-Pacific also will acquire about \$3.5 billion of net debt from Fort James.

Georgia-Pacific said it intends to integrate Fort James into its existing tissue line.

Ken Verhagen, who works at the east-side plant and has been with the company for nine years, said today's announcement could be a good

in hoping it's for the better," he said. "I think a lot of people are of the attitude that this could be a good thing."

Duffek said merging with Georgia-Pacific may increase production in Green Bay, providing increased business and extra job security.

"It sounds like Georgia-Pacific will get our products into more markets," she said.

Fort James has about 25,000 employees at 50 factories in the United States, Canada and Europe. Its products include Quilted Northern, Soft 'N Gentle, Brawny, Mardi Gras, So-Dri, Vanity Fair and Dixie.

The transaction will be completed later this year, said Fort James spokesman Mark Lindley Lindley said.

Please see **Merger, A-2**

Pulaski man, police officer killed in Forest County

By PAUL SHUBAN
PRESS-GAZETTE

A Pulaski man shot to death Saturday afternoon was mowing his lawn at his dream vacation home in Forest County when a neighbor went berserk, the victim's mother said this morning.

"He was a perfect man, a jewel in my eyes," Verna Miskoviak, Green Bay, said of her slain son, Richard Miskoviak, 53. "That cottage was the sunshine of his life. He lived for that place."

A Crandon police officer, Sgt. Todd Stamper, also was killed in a shootout as police

from three agencies tried to capture the suspect as Miskoviak lay bleeding to death.

The suspect, a year-round resident of Crane Lake in the Forest County town of Nashville, apparently grew angry over a neighborhood dispute about several of the

suspect's dogs.

"He just went nuts, berserk," Verna Miskoviak said.

He opened fire on Miskoviak, who apparently was not even involved in the dog dispute, then shot at neighbors who tried to help the injured man.

Police from Crandon and the Langlade and Forest county sheriff's departments all arrived at the scene. The suspect shot at them from inside his home, and Stamper, a 13-year veteran of the Crandon Police Department, was killed.

The suspect received two

gunshot wounds before his capture. He was transported to Langlade County Memorial Hospital in Antigo, where he remained this morning.

A probable-cause hearing was scheduled for today in Forest County Circuit Court with a formal bond hearing happening later this week, a

spokeswoman in the Forest County District Attorney's Office said this morning.

Miskoviak, a worker at James River Corp., had put in an overnight shift and went to his cottage Saturday morning, Verna Miskoviak

Please see **Death, A-3**

Area businesses rejoice in railbirds' annual rite

Training camp big boost for area tourism

By STEVEN BRUSS
PRESS-GAZETTE

Business in Green Bay is about to get its annual boost from the thousands of people — known as railbirds — who come to watch Green Bay Packers training camp.

As soon as the team's rookies begin practice Wednesday at the team's practice fields on South Oneida Street in Ashwaubenon, area businesses and tourist spots will see an impact, local tourism leaders and business owners say.

"They do spend money," said Nancy Jones, director of tourism for the Green Bay

Area Visitor & Convention Bureau. "They fill up their cars with gas ... they eat in local restaurants, they check out some of the sports bars, and they do attend the other attractions."

Local officials say there's no way to put a dollar amount on the economic impact of training camp, which runs through Aug. 24 and is expected to bring between 50,000 and 75,000 people to the area. But the impact, they say, is widespread.

For Jim and Sue Turunen from L'Anse, Mich., in the Upper Peninsula, it's strictly Packers-related activities

when they come to Green Bay. But that doesn't mean they don't open their wallet, Jim Turunen said.

They were in town recently to visit the Packer Hall of Fame and take a tour of Lambeau Field. They've also been to training camp before and say a return is likely.

"That's something we've seen before, but we definitely want to come in again for it," Jim Turunen said.

"Sue was just as adamant: 'We'll definitely come back.'"

While they talked, their son, Kris, 7, made it clear he was ready to go to dinner -- a highlight for many Packers

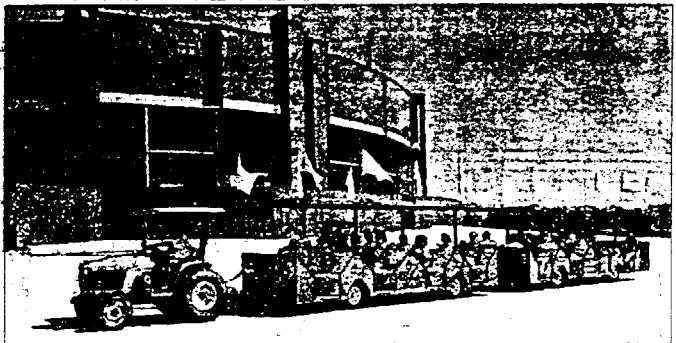
fans visiting training camp, a game or just taking in the Packers-related sights. The Turunens' dinner destination: Brett Favre's Steakhouse.

Restaurants benefit

They're among many who will visit Brett Favre's, 1004 Brett Favre Pass, Green Bay, this training camp.

"Every shift we have extra staff in anticipation," she Manager Maggie Mahoney. "Percentage-wise I can't say (how much business increases), but we look forward to

Please see **Camp, A-2**



Tours of Lambeau Field are popular among visitors to the Green Bay area. Green Bay Packers training camp, which begins Wednesday, is estimated to bring 50,000 to 75,000 visitors to the area.

Ken Wesely/Press-Gazette



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Dodge Different

Save on Almost Everything.

See The Friendly Dodge Dealer Near You

Company histories



Fort Howard, Fort James

- 1919: Fort Howard Corp. founded in Green Bay by A.E. Coffin; production started in 1920 with 43 employees.
- 1960: John Coffin, son of founder, is named company president.
- 1971: First common stock issue sold to the public.
- 1974: Paul Schierl named president.
- 1978: New paper mill opens in Muskogee, Okla.
- 1982: Fort Howard buys United Kingdom papermaker.
- 1983: Maryland Cup Corp. purchased.
- 1984: Schierl named board chairman, Don DeMeuse elected president.
- 1985: Savannah, Ga., mill construction starts.
- 1986: Lily-Tulip Corp. purchased.
- 1988: Company taken private at \$53 per share by management and investment banker Morgan Stanley.
- 1989: Ecosource, an office waste recycling operation started; cup operations sold.
- 1990: DeMeuse named chief executive officer when ill health forced Schierl to resign.
- 1992: Michael Riordan named president and chief operating officer.
- 1994: Plans for \$300 million public offering announced.
- 1995: Fort Howard re-emerges as a public company with a stock price of \$12.62 per share.
- 1996: DeMeuse retires; Riordan named chairman, president and CEO.
- 1997: Fort Howard, James River Corp. announces a merger to form Fort James, a new company with sales of more than \$7 billion. James River was founded in 1969 and had its origins as Northern Paper Mills in the early 1900s.
- 1997: Fort James says it will reduce its Green Bay workforce by 100 as a result of the Fort Howard-James River merger.
- 1999: Fort James stock hits 26 1/4, its lowest point in the company's two-year history.
- 2000: Georgia-Pacific Corp. announces it is acquiring Fort James Corp.



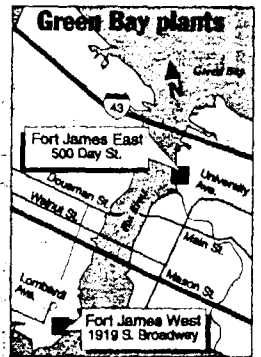
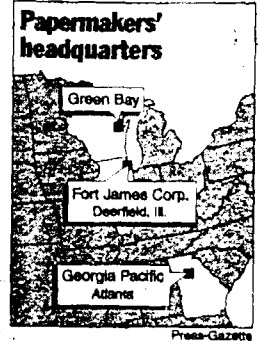
This is an aerial photo of the Fort James West mill, 1919 S. Broadway, Green Bay.



- 1927: Founded in Augusta, Ga., by Owen R. Cheatham as the Georgia Hardwood Lumber Co., a wholesaler of hardwood lumber.
- 1938: Operated five sawmills in the South.
- 1947: Acquired first West Coast facility, a plywood plant at Bellingham, Wash. The company's sales totaled \$24 million.

- 1948: Changed named to Georgia-Pacific Plywood & Lumber Co.
- 1949: Listed on New York Stock Exchange. Sales: \$37 million.
- 1953: Moved headquarters from Augusta, Ga., to Olympia, Wash.
- 1954: Moved headquarters to Portland, Ore.
- 1958: Acquired Coos Bay Lumber Co., Coos Bay, Ore., and Hammond Lumber Co. in northern California. Changed named to Georgia-Pacific Corp. Sales: \$121 million.
- 1961: Added paper converting facilities in Washington, California, Iowa, Illinois and Arkansas. Built first corrugated container plant at Olympia. Employees: 11,197.
- 1968: Began construction of large chemical refining complex in Louisiana. Added timberlands and plywood plants. Sales exceeded \$1 billion for the first time.
- 1970: Completed first corporate headquarters building in Portland. Distribution centers totaled 105.
- 1976: Announced entry into roofing manufacturing with plans for a plant at Franklin, Ohio.
- 1981: Acquired eight container plants, six resin facilities and the Holly Hill Lumber Co., Holly Hill, S.C. Completed a major expansion of the

- tissue-converting facility at Palatka, Fla.
- 1982: Moved headquarters from Portland to Atlanta.
- 1986: Entered the premium bath tissue market with the introduction of Angel Soft.
- 1987: Purchased U.S. Plywood. Acquired converting and distribution assets of Erving Distributor Products Co., including two tissue plants.
- 1990: Completed the merger of Great Northern Nekoosa Corp., adding 55 paper mills and paperboard converting plants, 83 paper distribution centers, one plywood plant and two sawmills. Sales: \$12.7 billion.
- 1994: Began a multiyear



Merger/Some tissue making operations to be sold off

there are anti-trust issues, dealing primarily with the away-from-home product categories — such as paper towels in public bathrooms — that must be resolved.

That's because Georgia-Pacific and Fort James combined would have a 60 percent market share in that area, Keane said.

"There are some older mills that could be sold," he said.

Lindley said Georgia-Pacific said it planned to divest 250,000 tons of tissue-making capacity, "so they are already working on that."

Lindley said he did not know which sites would be involved in such a divestiture.

"It's just too fresh right now," he said.

Lindley said any job losses are

lanta.

Green Bay Mayor Paul Jadin said today, "I've been assured, at least in the short term, that the employment situation in Green Bay will not change. When something like this occurs, it implies a shakeup at the management level as opposed to the mill."

Fort James was created by the August 1997 merger of Green Bay-based Fort Howard Corp. and Richmond, Va.-based James River Corp. It moved its corporate headquarters from Richmond to Deerfield in 1998.

Green Bay is Fort James Corp.'s largest manufacturing site. There are two plants here: The East mill, 500 Day St., has 870 employees, and the West mill, 1919 S. Broadway, has about 2,800, ac-

Georgia-Pacific will begin an exchange offer for Fort James stock shares once a registration statement filed with the Securities and Exchange Commission takes effect. The company expects to close the transaction in the fourth quarter of this year.

ording to the mill managers.

The Fort James West plant is the former Fort Howard plant and the East plant is a former James River plant.

Fort James also has a research facility in Neenah.

Georgia-Pacific employs about 55,000 people at more than 500 locations in North America. Besides paper products, it also is the nation's largest producer of struc-

generated nearly \$25 billion in revenues last year.

"Adding Georgia-Pacific's low-cost manufacturing capabilities to Fort James' strong consumer brands and nationwide marketing will result in greater efficiencies, more vigorous competition in the retail market and broader distribution of commercial products," said A.D. Correll, chairman and chief executive of Georgia-Pacific.

Even so, some analysts questioned the benefits of the acquisition.

"They are buying a big, busted consumer products company," said Mark Wilde, an analyst at Deutsche Banc Alex.

Both Green Bay mills began distributing written information about the acquisition this morning

fact sheets and addressing workers 200 at a time for the next several days, manager Russ McColister said. Most employees are shareholders in the company and are getting information about the stock buyout terms, he said.

Paper analyst Keane said the news was a morning surprise.

"I had not heard any rumblings GP was looking at them," Keane said.

Lindley said Georgia-Pacific approached Fort James about a merger in May.

Fort James' stock and earnings performance have sagged in the past year, but things were starting to improve, Keane said. "This quarter was going to be considerably better," he said.

Fort James' first-quarter profit

to make some of the company's products. The company's profits also have been hurt by higher warehousing costs stemming from the merger of James River and Fort Howard.

After the merger, Georgia-Pacific's biggest tissue competitors will be Kimberly-Clark and Procter & Gamble Co., which also has two paper mills in Green Bay.

Fort James stock has traded as high as 52-1/4, in April 1998, and as low as 16-15/16, in March 2000.

Georgia Pacific stock was at 26-3/16, down 2-7/16, in early trading today, after the announcement of the merger. It was at 44-1/16 in January.

Bloomberg News Service and The Associated Press contributed to this story.

Announcement of merger creates questions for community leaders

By STEVEN BRUSS
PRESS-GAZETTE

Area leaders want to know how the merger of Georgia-Pacific Corp. and Fort James Corp. will affect local Fort James workers — and the economy here.

Brown County Executive Nancy Nusbaum said the big concern is whether Georgia-Pacific will try to trim operations here.

"I think it's a concern," she said.

"In these consolidations there usually are attempts at efficiency — that can mean plant closure, job losses. Those are questions that

have to be answered at this time."

Any job cuts likely would have a significant effect on the area economy because Fort James — with about 3,600 workers — is the county's largest employer, Nusbaum said.

The announcement caught Peter Thillman, Green Bay economic development director, off guard. It's too early to tell what impact the merger will have on Green Bay, but he said certain factors would help the city weather the merger.

"We've always known with the merger (of Fort Howard and James River in 1997) that the com-

pany had high efficiencies in the paper industry," Thillman said.

The fact that Fort James is an efficient company would likely make it attractive for Georgia-Pacific to retain Fort James operations, Thillman said.

The recent memory of the Fort Howard-James River merger will play a big role in how the community adapts to the Georgia-Pacific acquisition, said Duanne Swift, executive director of the Green Bay Area Chamber of Commerce.

"Fort James has been in existence for such a short time, I wonder if it's not just one continuous

transition," he said.

Thillman also said the strong economy in the area makes it as good a time as any for a merger like this. The unemployment rate in Brown County was 2.3 percent in May.

"If there's going to be a job loss, we're in a good position now to attract alternative business," Thillman said. "There could be a lot worse times for this to happen... the early '80s would have been brutal."

Thillman said now, though, businesses would line up to come to Green Bay if a labor pool were sud-

denly available.

"Of course, we'd prefer not to have any layoffs," he said. "These (Fort James jobs) are good jobs."

Swift agreed it would be difficult to replace any jobs lost at Fort James' mills because many are high-paying manufacturing jobs.

"Sure, there are enough jobs to supply to anyone in the event there were a layoff," Swift said. "But you can't replace the kind of salaries that go along with those jobs."

All the leaders said the important thing is to begin working with Georgia-Pacific.

"This is something that simply represents another phase in the evolution of Fort Howard and the evolution of the paper industry," Green Bay Mayor Paul Jadin said. "We have to develop a relationship with Georgia-Pacific and try to make sure that our economy is not negatively affected."

Swift said he is optimistic. "I've worked in three other communities that had Georgia-Pacific facilities and they've always been great corporate citizens," he said. "From our standpoint we're looking to a good relationship with them."

Camp/Monetary windfall from event is difficult to measure

■ From A-1

training camp and also to the football season."

Mahoney said business picked up last week already when fans came into town for the Packers stockholders' meeting Wednesday. She expects it to stay brisk through the season.

Other restaurants around Lambeau Field typically do well during training camp and the regular season. Another example is Stadium View Sports Bar & Grill, 1963 Holmgren Way, Ashwaubenon.

"Our normal lunch is 135 people. When training camp kicks off we're at 410," owner Jerry Watson said. "I think that's a slight in-

crease, if my math is correct."

Mail patronage also takes a jump in July.

"It's one of the things we bank our July and August on, some of the traffic we get from the rail birds," said Patrick Basche, manager of Simon Bay Park Square in Ashwaubenon.

In an average month, about

500,000 people shop the mall, Basche said. In July, that number is 552,000.

One of the attractions away from the Packers practice field is Bay Beach Amusement Park on Green Bay's east side.

"It's definitely a shot in the arm for Bay Beach," said Bill Fischer, Bay Beach and Triangle

Sports Area special facilities manager. "What we hear from customers is they'll attend training camp — that's usually a part of their day — and for the other part they'll visit some other attractions."

"If it's a family with children, that attraction is usually Bay Beach."

Economic officials say tallying the exact monetary impact of training camp is difficult because no tickets are sold.

Watson of the Stadium View said you don't have to measure it. Instead, the answer is apparent in another question.

"Take the Packers out of Green Bay, and what's left?" he asked.

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Industry, regulators expect better results from new PCB dredging

The plan is to start by Labor Day and finish by November

By Jeff Decker
The News-Chronicle

Organizers of this fall's dredging of the Fox River say the project will not result in another explosion of PCB contaminants, because the effort will feature better equipment, 24-hour labor and a commitment to bring the PCB count at the site down to 1 part per million.

That's actually a more modest goal than last year's project, which aimed to leave only .25 ppm behind but ended prematurely and actually sent, and still sends, up to 76 ppm downstream and into Green Bay.

The project near the Fort James Corp. west mill, 1919 S. Broadway, aims to clean up what is known as Section 56/57, one of the worst "hot spots" of PCB-contaminated sediment along a 39-mile stretch of the river under consideration as a potential federal Superfund cleanup project.

Fort James is covering the cost of the project under the supervision of the EPA and the state Department of Natural Resources after reaching an "order with consent" with the EPA earlier this year. The company hired Severson Environmental Services of Niagara Falls, N.Y., as the main contractor.

If the effort doesn't remove enough sediment to finish with 1 ppm of PCBs on the river's bed, it still must achieve 10 ppm and then throw down six inches of sand.

"We hope to be in the water around Labor Day and out by November," said Mark Lindley, spokesman for Fort James. He said that the exposed status of the contaminants and high public concern prompted Fort James to step back into the project.

The EPA is overseer, but Fort James has assumed the bulk of responsibility, said Jim Hahnenberg, remedial project manager.

"There was no strong-arming going on with this one," he said. The plan is to take up 50,000 remaining cubic yards of sediment in two phases, taking the most highly contaminated sediment first.

The average contaminant level at the site is 3 ppm, though there are some spots as high as 92 ppm, according to U.S. Fish & Wildlife Service measurements taken earlier this year.

Hahnenberg said the contractor will be



H. Marc Larson / The News-Chronicle

PREPARATION WORK INCLUDING asphalt paving is under way at the on-shore Fox River dredging operation site near the Fort James west mill. Work in the river is expected to take three months, a Fort James spokesman says.

using better equipment than last year and a streamlined process, but will not be decontaminating the sludge.

"We're skipping the dewatering step and pumping the dredge slurry through a couple tanks and to these filter presses," he said. "Then you have the water separated into solids and pump the dirt out to the landfill."

Tim Dantoin, spokesman for the Fox River Group of paper mills assigned to clean up the Fox River, said that dredging seemed the most obvious solution at Site 56/57 but his client is wary of government plans to dredge all along the 39-mile stretch.

"We're not opposed to dredging as a technical solution, we're opposed to dredging as a comprehensive solution from the De Pere dam

down," Dantoin said.

The fate of the rest of the river is still undecided, but Fort James' legal liability for Site 56/57 would end completely if it meets the goals set before them this fall, and it would no longer need fear a government lawsuit over that area, Hahnenberg said.

"Under that agreement then, we would also provide them protection from being sued by others," he said.

Environmentalists have expressed concern that Fort James could dig down a few inches, then leave a cap and meet the requirements of the plan.

"Hypothetically, that's possible, but in practical reality it's unlikely," said Hahnenberg. "Within that box they have committed to

dredging down to a certain elevation. If they remove all of the material around it, they should be down to 1 ppm."

Between 1954 and 1971, an estimated 400,000 pounds of PCBs were discharged by paper mills into the river. Now the chemicals, which have been linked to birth defects and neurological problems, sit attached to sediment at and beneath the river bottom.

Fort James, the DNR and the EPA have scheduled a public meeting to discuss the project at 7 p.m. Aug. 3 at the Brown County Central Library, 515 Pine St.

Hahnenberg said they'll be going over the technical details, and "We're going to tell them a little bit of the background, and why in the heck it's taking so long."

Brown County
Chronicle

**Brown County
WEEK IN REVIEW**

7/7-8/03

Fox River PCB dredgers: 'We were set up to fail'

The firm that dredged a highly contaminated area of the Fox River last year claims that the project was designed to fail.

Four Seasons Technologies of Ooltewah, Tenn., announced Thursday it has filed a demand for non-binding arbitration with the lead contractor, Montgomery Watson Constructors Inc., on grounds it has not been paid in full for dredging and other services.

"We are extremely upset over being the brunt of a project that was determined to fail because of people with no real desire to clean up the Fox River," Phil Martin, vice chairman of Four Seasons, said Thursday.

Montgomery Watson workers, who were also on site, "delayed us from the start of it" and had done "a poor job characterizing actual conditions at the site," Martin said.

"When you put those pieces together, you have to wonder whether they, or their client, really wanted this project to succeed."

PCB levels in the river are still unusually high as a result of the dredging.

Montgomery Watson was hired by the Fox River Group, the coalition of seven paper mills held responsible for the PCB contamination.

Representatives of Montgomery Watson could not be reached for comment Thursday.

"We were threatened to not go to the press," Martin said. "They said we'd never get paid if we did."

Mark Lindley, director of communications for Fort James Corp., said that \$9 million was paid by the Fox River Group for the dredging project.

"From our point of view, this is a dispute between Montgomery Watson and Four Seasons," he said.

Rebecca Katers of the Clean Water Action Council said the project was suspect from the beginning and it left an ecological disaster that is vastly underappreciated.

Cooperation wards off Superfund for now

A recommendation for cleanup of the Fox River should come by the end of the year
7/28-30/03

By Jeff Decker
The News-Chronicle

The U.S. Environmental Protection Agency would

take complete control of the Fox River cleanup using Superfund if the Fox River Group were to stop cooperating, according to one EPA officer.

The coalition of seven paper companies deemed responsible for PCB contamination of the river has been working with six government organizations to try to work out a voluntary settle-

ment. The alternative is placing 39 miles of the Fox on the National Priorities List, also known as Superfund, for cleanup under federal supervision.

"It is basically still just being proposed," said James Hahnenberg, EPA remedial project manager for the Fox River. "Whether we put it on the list or not is mostly dependent on

whether the companies involved would be willing to implement the solution we've selected."

A decision on the cleanup method should come before next year, he said.

"It doesn't have to be on the (Superfund) list for us to make those investigations and make the final decision as to

Please see **SUPERFUND**, Page 4

LOCAL

THE GREEN BAY NEWS-CHRONICLE

SUPERFUND: River could join 40 state fund sites

FROM PAGE 1

what needs to get done," Hahnenberg said, pointing out that the EPA is overseeing the pilot dredging project near Fort James Corp. west mill at the PCB "hot spot" known as Site 56/57.

The federal agency supplied the Wisconsin Department of Natural Resources with a \$5 million grant for the work, and the second half of that grant was received this year.

If the Fox River were put on the list, it would join 40 other Superfund sites in Wisconsin, the nearest active one being the Sheboygan River, which is also being dredged for PCBs.

The '56/57' cleanup, which has cost at least \$9 million thus far, is hardly a speck compared to the whole project, Hahnenberg said.

"That's a piece that we're plucking up, basically," he said.

The solution, which would need to meet the goal of bringing the average released PCB count in the Fox River to 1 part per million, is expected to be selected following at least three more months of analysis, a comprehensive look at all available options, and a 60-day series of public hearings in November or December.

It is likely that either dredging or protective capping with sand would be used on much of the stretch of river between Lake Winnebago and Green Bay, while some areas might be left alone.

"It could be a complicated com-

ination of all those things in different segments," Hahnenberg said. Studies have estimated there are 11 million cubic yards of contaminated sediment in the river.

But the scope of the problem also drifts out into the bay, where potentially hundreds of millions cubic yards of contaminated sediments reside. Fixing Green Bay's PCB problem would be an enormous task, one that a local environmentalist compared to building the pyramids and a paper mill official said would only be slightly harder than draining the entire bay, paving it and filling it back up with water.

Efforts on the Fox River alone are expected to take at least 20 years, Hahnenberg said.

"The EPA stepped in as it did because if the companies were left purely on their own, we didn't foresee anything happening for a long time."

Since the EPA began oversight, Hahnenberg said, progress has sped up cooperatively and smoothly.

"It's always faster to work together on a voluntary basis than to be fighting," he said.

If the Fox River Group were to stop the cleanup or didn't follow EPA orders, Hahnenberg said that Superfund status could be imposed by EPA headquarters, and the costs of cleaning would be tripled and handed to the paper companies as a fine, along with a fine of \$25,000 per day per company. In the meantime, 400 to 600 pounds of PCBs enter the bay each year.

Half of that ends up in Lake Michigan," said Hahnenberg.

Polychlorinated biphenyls that contaminate wildlife have been linked to neurological problems in humans.

David Allen, U.S. Fish and Wildlife Service damage assessment manager, said researchers have spent six years studying the impact of PCBs.

"We've been able to document in Green Bay cancerous lesions and tumors on walleye, reduced reproductive output in various species of terns, some of which are endangered, Bald Eagles and cormorants also have reproductive problems."

Allen said his agency has hundreds of contracted workers analyzing the river and the ecology. He says the PCBs make their way from sediment into plankton and right on up the line, each level that eats the layer below has higher levels of PCBs than the layer below it.

He said that the only animals studied are the biggest fish, because they accumulate the most PCBs. As far as the bacteria or other animals, he said, "How they are affected by PCBs is anybody's guess."

"It's one of the two largest environmental damage assessment being handled by the Department of Interior," he added.

Public reaction has been gauged in surveys and in another EPA public comment period, which ran from two months starting in July 1998. "By the time we got to the end of the

public comment period, I think people lost interest," said Hahnenberg.

"We know that (the public's) primary interests are first of all, cleanup, removing the PCBs -- second of all, habitat restoration and acquisition of habitat."

Hahnenberg stresses that whatever happens, it won't be soon enough.

"From what we know from surveys," he said, "fish consumption advisories are not effective. They don't believe them or they ignore them, but they still eat the fish."

Inside

De Pere Middle School students headed to Baird Creek last week to test the water.

On B-3

MONDAY, OCTOBER 23, 2000

PCB plan expected this week

Compensation sought for users of Fox, bay

By SUSAN CAMPBELL
PRESS-GAZETTE

A long-anticipated plan to compensate people and wildlife for decades of PCB-related damages to the Fox River and bay of Green Bay is expected to be unveiled Wednesday.

But don't expect a specific dollar amount from the report.

Six years in the making and the catalyst for the cleanup effort now under way, the U.S. Fish and Wildlife Service report details a formula for compensating sport anglers and Indian tribes for years of living with fish consumption advisories and for wildlife that has long suffered the ill effects of chemical contamination.

A product of meetings with local scientists, environmentalists, industry representatives, tribes, and state and federal agencies,

the Natural Resource Damage Assessment will be outlined to the public at a meeting Wednesday night.

Although the document includes a range of potential costs, absent is a concrete dollar value showing just how much paper mills should pay to make up for PCB damage to the Fox River and bay — largely because a cleanup plan for the system has not yet been completed.

"There's good and bad news," said David Allen of the U.S. Fish and Wildlife Service, who has overseen the plan's development. "It's not as astronomical as their worst fears, but higher than their best hopes."

It's a safe bet, he said, that the cost will exceed the \$106 million the agency last year estimated it would cost to compensate sport fishermen for fish consumption advisories stemming from the

Please see PCB, B-2

PCB/Input sought from anglers, hunters

■ From B-1

river's polychlorinated biphenyls.

Allen urged people with an interest or stake in the river system to make their voices heard, as their comments on the plan will influence critical decisions such as how much paper mills responsible for the PCB damage will owe, the potential impact on the local economy, and how the money will be used to benefit people and wildlife.

"Anybody who cares about the economy and anybody who cares about all the natural resources in the entirety of Green Bay has a vested interest in what we do," Allen said. "We want to make sure we do something that is fair and equitable ... and that actually fixes the system on the behalf of the public that uses it."

Anglers, hunters urged

Rebecca Katers, executive director of the local Clean Water Action Council, said anyone who hunts, fishes or enjoys the bay should attend.

"There will be a lot of resistance to this plan, and the responsible industries that dumped the PCBs need to know the public will support a strong compensation plan," she said. "There's some se-

What's next

A public meeting on the damage assessment for the Fox River and Green Bay will be from 6 to 10 p.m. Wednesday at the Brown County Central Library, 515 Pine St., in Green Bay.

The U.S. Fish and Wildlife Ser-

rious damage here."

The plan does include a range of potential costs for scenarios that combine four different restoration options selected for their feasibility and affordability.

The options include wetland and habitat preservation and restoration on the bay; reduction of runoff to the bay; and offering farmers financial assistance to use less-intensive soil tillage methods to reduce runoff from farmland.

"Part of the reason I'm optimistic about this is we have not reinvented the wheel here," Allen said, noting that the restoration tools proposed are ones the community already has identified as priorities.

Mark Lindley, spokesman for Fort James Corp., one of seven mills held responsible for the

vice hearing kicks off a 45-day public comment period on the assessment and the previous agency reports it draws from.

The report is expected to be posted on the Internet on Wednesday at www.fws.gov/r3pao/nrda.

river and bay's PCBs, said he was heartened to hear the plan has flexibility.

"That's good. Flexibility and the ability to work together is important, and if that's what's in the document, we're interested in taking a look at it and seeing what we can do with them."

Once the state Department of Natural Resources and U.S. Environmental Protection Agency have completed a final cleanup plan for the river — a document expected out by year's end — Allen said the selected cleanup remedy can be plugged into the restoration scenario that best complements the type and level of cleanup.

Inaction rejected

In coming up with its decision to focus on projects aimed at

restoring the health of the bay, Allen said his agency rejected the notions of doing nothing, or spending restoration dollars on additional PCB cleanup.

Inaction, he said, would fail to compensate people or wildlife for damage from the PCBs that have been traced to discharges from seven area paper mills that manufactured the chemicals or recycled paper products containing them from the 1950s-1970s.

And because considerable sums will be spent to clean the Fox River under whatever plan the DNR and EPA approve, Allen said spending additional money on cleanup made little sense.

Furthermore, any additional cleanup dollars would have to be spent on the bay, where about 80 percent of the PCBs have wound up and an estimated 435 million cubic yards of sediment are contaminated. Allen said the cost to dredge such an area would be prohibitive: around \$11 billion.

"At a site like the Fox River-Green Bay, where most of the PCBs have already escaped from the Fox River — where you can fix it — it means that both the cleanup and the restoration side are critically important if the public is to be made whole," he said.

PCBS: Compensation plan to be released Wednesday

From A-1

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■ Susan Campbell writes for the Green Bay Press-Gazette.

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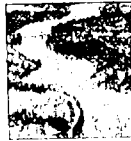
Payback plan for PCBs to be aired

Compensation deal doesn't include what the mills should pay

By Susan Campbell
For The Post-Crescent

GREEN BAY - A plan to compensate people and wildlife for decades of PCB-related damages to the Fox River and bay of Green Bay is expected to be unveiled Wednesday, but don't expect a specific dollar amount from the report.

Six years in the making and the catalyst for the cleanup effort now under way, the U.S. Fish and Wildlife Service report details a formula for compensating sport anglers and Indian tribes for years of living with fish consumption advisories, and for wildlife that has long suffered the ill effects of chemical contamination.



the future
for the
FOX
river

PCB meeting

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Green Bay is scheduled for 6 to 10 p.m. Wednesday at the Brown County Central Library, 515 Pine St., Green Bay.

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"There's good and bad news," said David Allen of Fish and Wildlife, who has overseen the plan's development from the start. "It's not as astronomical as their worst fears, but higher than their best hopes."

It's a safe bet, he said, that the cost will exceed the \$106 million the agency last year estimated it would cost to compensate sport fishermen for fish consumption advisories stemming from the river's polychlorinated biphenyls.

Allen urged that people with an interest or stake in the river system make their voices heard, as their comments on the plan

Major river-bay restoration plan will be released today

The state of Michigan and another tribe have joined the group of enforcement agencies

By Jeff Decker
The News-Chronicle

They have been among the most polluted areas in America for a century, and today marks one big step in fixing up Green Bay and the Fox River and repaying the public for what they have lost to pollution.

From 6 to 10 p.m. tonight, a public hearing will be held by the U.S. Fish & Wildlife Service plans to hold a public hearing to discuss its "Restoration and Compensation Determination Plan" for the local waters, which was scheduled to be released this morning.

The hearing in the basement of the Brown County Library, 515 Pine St., is expected to be well-attended.

More than 600 projects are included in the report, including

habitat repair and habitat-protecting measures, said David Allen of the wildlife service. The work — which could cost up to \$150 million — would be funded by seven paper mills that are being held responsible for the brain-damage and birth-defect causing PCBs they discharged into the Fox River from the 1950s to the 1970s.

The mills have formed a coalition, the Fox River Group, to approach the PCB problem together.

"The only way to compensate the public is through natural resource restoration above and beyond the cleanup projects," Allen said.

He was referring to the cleanup plan for 39 miles of the lower Fox River, which is expected to be released by the U.S. Environmental Protection Agency in early 2001.

Overseeing the compensation plan is a group of government bodies known as co-trustees, comprised of the Fish and Wildlife Service, Department of Interior, Department of Justice, National Oceanic and Atmospheric Association, the Oneida and Menominee tribes of Wis-

consin, Little Traverse Bay Band of Odawa Indians of Michigan and the state of Michigan.

The Michigan attorney general's office signed on as a co-trustee in early September, and the Odawa tribe joined a month ago. One-third of the PCB damage is in Michigan waters, Allen said.

The level of repayment they demand will partly depend on how thorough the EPA-directed cleanup will be, Allen said. The EPA project is expected to cost hundreds of millions of dollars in addition to the cost of the fish and wildlife service plan.

"We are purposefully holding off on naming any specific projects," Allen said, until the EPA has stated its cleanup plans and until a 45-day public comment period is over.

Tim Dantoin, spokesman for the Fox River Group, said he will definitely be at tonight's hearing.

"It will be interesting to see what they present," Dantoin said. "It sounds like they will try to be flexible with it, and we certainly hope they will."

While room for debate exists, Allen said every decision about the specifics of restoration will be made by the co-trustees alone. The choices will fall under four main groups, he said:

► Purchasing land and wetlands to save them from development, and restoring habitats and wetlands.

► Direct improvement work, such as removing drainage tiles or plugging ditches.

► Attack nonpoint-source pollution with tools like buffer strips on streams and rivers.

► "Helping with incentive programs and conservation programs in place," Allen said. Improving or creating recreational parks is a possibility, he said, but will not be common.

Similar projects are already underway, with Fox River Group support, at the Point au Sauble wetlands near the University of Wisconsin Green Bay and Thousand Islands Nature Preserve in Kaukauna.

If the paper mills do not comply with the plan, the entire group or

individual members could bring lawsuits against the Fox River Group.

Rebecca Katers, executive director of the Clean Water Action Council, said the study had been a major task and long awaited.

"I think it will be good," she said. "I don't know if it will be enough."

Dantoin said they are open, and are curious about just one thing:

"The one concern that we do have is that the Wisconsin Department of Natural Resources is not involved in this," he said.

For perhaps the first time, Dantoin and Katers agree.

"Our state government should go to bat for public rights and natural resources in this state," Katers said. "As it is now, the paper industry can play the state against the federal government."

"The problem is the public has gotten used to being contaminated because it's been this way for decades," Katers said. "We have to shake ourselves out of that."

Feds chided for late release of Fox River report

Residents say the projected dollar sum is too low; paper mills say it's all bad math

By Jeff Decker
The News-Chronicle

It won't undo the devastation wrought to the Fox River and Green Bay by PCBs, but the U.S. Fish & Wildlife Service's Restoration and Compensation Determination Plan is designed to try to make up for the damage, and was regarded with much praise at a public hearing Wednesday night.

But many of the 135 people who came to the Brown County Central Library Wednesday criticized the eight federal agencies and tribes that co-sponsored the report for its late release to the public.

"If we can find a way to preserve (wetlands and other habitats) before they are lost, that is a direct compensation to the public," said David Allen, an assessment manager with the Fish & Wildlife Service. Restoration and conservation of lands, along with farm runoff

cleansing methods, are among approaches described in the 642-page plan.

Total costs could be as high as \$200 million for future losses because of PCB pollution, plus an estimated \$65 million for lost recreational fishing of the past, Allen said.

Many of the dozens who spoke at the hearing expressed disappointment that the study was not released until Wednesday morning. Announcements of the meeting stated the report would be released a week ahead of time.

"You have not done your job because it was not here, we have not read it and cannot comment intelligently," said Jan Moldenhauer of Oshkosh. She added to applause that "\$200 to \$300 million is not going to do it."

Charlie Wooley of the Interior Department said that the report was just finalized Tuesday night.

Jennifer Feyerherm, a representative of the Sierra Club, urged the sponsoring agencies to consider spreading the monies to inland habitats and endangered species, and to create a trust fund with some of the money.

Rebecca Katers, executive direc-

tor of Clean Water Action Council, said pressure to keep the federal government out of Green Bay has been strong.

"We very much appreciate the courage and leadership of the Fish and Wildlife Service," Katers said.

She said that too many people have simply accepted a toxic way of life.

"We're so used to not being able to swim here and fish here," she said. "It doesn't have to be that way."

Katers compared the contamination of the Fox River to the crash of the Exxon Valdez, an oil spill in Alaska that brought a \$1 billion federal bill.

"Our damages are every bit as severe as at Prince William Sound," she said.

Ines Kinchen, a Clean Water Action Council board member, said it was painful not to be able to swim near her home.

"Every time this happened I felt like something essential and basic had been stolen from me," Kinchen said.

Though seven paper mills along the Fox River are deemed responsible for the cleanup, spokesman Tim Dantoin said the math in the report



Jeff Decker / The News-Chronicle

ABOUT 135 PEOPLE ATTENDED a public hearing at the Brown County Central Library on Wednesday regarding the newly-released Restoration and Compensation Determination plan for the lower Fox River and Green Bay. The plan was released earlier in the day.

is bad.

"At a time when they should be cooperating with state agencies and others to make real progress on the Fox River, the federal agencies are off on their own dabbling in junk economics," Dantoin said.

Depending on whether the work is spread over 20 or 40 years, the plan could result in as many as 9,900 acres of land preserved, 3,300 acres of wetlands preserved, four inches of improved water clarity in the bay and 10 percent improvement of existing parks. Local preservation groups would handle land ownership, Allen said.

The compensation plan would take effect the moment that the U.S. Environmental Protection Agency's plan to clean the Fox River is completed, possibly early next year.

Interior Department regional manager Bill Hartwig said the three goals of the plan were to restore the environment, compensate the public losses and maintain a healthy local economy.

"We do not want to clean up the Fox River at the expense of the economy, but we believe if you do clean it up that a stronger economy will follow," said Hartwig, who signed the plan at 9 a.m. Wednesday morning.

He said that the nature of the plan is to compensate, and that the effects of the 300,000 kilograms of PCBs discharged into the Fox River will never disappear.

"We can make it better, but it will never be pristine," he said.

The proposed remediation project is the second largest on the FWS platter. Even bigger is the Clark Fork site, a river system polluted by mining in Northwest Idaho. That project is not as far along as the Fox River and Green Bay effort.

The text of the Fox River and Green Bay Restoration and Compensation Determination Plan is available on the U.S. Fish & Wildlife Service Web site at <http://midwest.fws.gov/nrda>. For more information, call 465-7440.

FRG bill for Fox estimated at \$300M

U.S. Fish and Wildlife
Service map out
compensation plan

By Ed Culhane
Post-Crescent staff writer

10/26/00

GREEN BAY - The Fox River Group of paper companies should spend \$200 million to \$300 million to repay Fox River communities for decades of PCB pollution, a federal agency reported Wednesday.

The release of the Restoration and Compensation Determination Plan by the U.S. Fish & Wildlife Service on Wednesday came after six years of studies, costing millions of dollars.



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The plan says paper companies should pay to restore wetlands, reduce agricultural runoff and enhance riverside parks. This is money in addition to the cost of cleaning up tens of thousands of pounds of PCBs that

remain in the lower Fox River, an undertaking that could take between 10 and 20 years and cost hundreds of millions of dollars.

Many who attended the four-hour public hearing Wednesday night spoke in personal, emotional terms about the way river pollution has affected their lives.

Rebecca Katers, executive director of the Clean Water Action Council, said the river has been so polluted for so long that many people have grown to accept it.

"This community is too used to being polluted," she said. "It doesn't have to be this way."

No paper company representatives spoke at the meeting, which was attended by 137 people. An FRG spokesman, Tim Dantoin, distributed a press release that challenged FWS's method of evaluating damage to natural resources, calling it "junk science."

Please see RIVER, BACK

RIVER: Amount of compensation unknown

From A-1

Dantoin said the agency used a method called "contingent valuation," which bases damage estimates on the "hypothetical valuation" of natural resources rather than on the way Wisconsin residents actually use them.

FWS officials said contingent valuation was not used to calculate damage costs. FWS District Administrator William Hartwig said the agency attributed financial damages — for the loss of recreational fishing opportunities, for instance — only when they could be proved and defended against legal challenge.

The actual amount of compensation sought from the paper

companies won't be known, he said, until the state Department of Natural Resources and the U.S. Environmental Protection Agency reach a cleanup agreement with the companies or enforce one in court.

"This will take a long time to settle," Hartwig said. "I am confident we can take these numbers to court and win."

Several speakers criticized the DNR, believing that the state agency allowed the paper companies to delay a cleanup. No representatives of the DNR spoke at the meeting.

Others criticized the DNR for refusing to endorse the compensation plan.

DNR officials have been

involved in a long dispute with the Fish & Wildlife Service on issues of "sovereignty, and the DNR has been conducting a state-certified restoration plan in conflict with the federal plan. Six months ago, the DNR and the Fish & Wildlife Service said they would merge their plans, but that has yet to happen.

David Allen, who supervised the creation of the compensation plan for the Fish & Wildlife Service, said the gulf between the state and federal government will have to be bridged before a PCB cleanup can begin.

"It's the only way we can get a settlement," Allen said. "We need to end up on the same page."

Agency: PCB restitution costs \$176M to \$333M

10/25/00



Patrick Ferron/Press-Gazette
Gary Suski of Green Bay fishes for walleye Wednesday in the Fox River just below the locks at Voyageur Park in De Pere. A federal plan seeks to compensate anglers for decades of fish consumption advisories because of PCB contamination.

Compensation amount hinges on cleanup plan

10/26/00
BY SUSAN CAMPBELL
PRESS-GAZETTE

Federal estimates for compensating the public and wildlife for past and future losses relating to the PCB-contaminated Fox River and Green Bay range from \$176 million to \$333 million.

The estimates, released Wednesday by the U.S. Fish and Wildlife Service in a long-anticipated report, would be borne by seven area paper mills held responsible for widespread PCB contamination in Fox River sediment.

At a public hearing Wednesday night at the Brown County Central Library, many of the nearly 140 participants praised the agency for forging ahead with the Fox River cleanup when state efforts were stagnating.

But a number of residents said the agency's cost esti-

mate for compensating the public for four decades of contamination was too low.

"How you expect to restore a region ... with \$200 million to \$300 million — you are kidding yourselves," said Jan Moldenhauer of Oshkosh.

Rebecca Katers, executive director of the Clean Water Action Council, said the amount falls far short of the \$1 billion in compensation costs Exxon Corp. was ordered to pay in the wake of the Exxon Valdez oil spill.

"Our situation is worse," she said, noting the Exxon oil spill was an accident and was cleaned up immediately, while PCBs have been allowed to linger in the Fox River for decades despite known health risks.

"They dragged their feet all this time intentionally," Kater said of the mills. "They should pay for their

delay tactics."

No one from the the Fox River Group, which represents the mills, spoke at the hearing. But the group issued a statement criticizing the compensation plan's methodology, saying it involved too much guesswork.

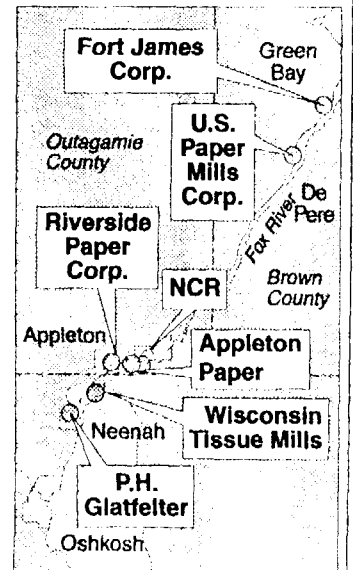
"At a time when they should be cooperating with state agencies and others to make real progress on the Fox River, the federal agencies are off on their own dabbling in junk economics," spokesman Tim Dantoin said in the statement.

The compensation dollars levied against the mills would be in addition to whatever amount they ultimately pay to clean up the river — whether via a voluntary agreement or the force of Superfund.

Bill Hartwig, Fish and

Fox River damage

The federal government has named these seven paper companies as potentially responsible parties for PCB damage to the lower Fox River.



Please see PCB, A-2

Press-Gazette

PCB/Mills would pay less if they do more cleanup

■ From A-1

Wildlife's regional director, said the greater the cleanup of the river, the lower the cost of the compensation package within the agency's projected range.

Because the state won't have proposed a cleanup remedy and costs before the end of the year, Fish and Wildlife officials said the best the agency could do was to devise a range of compensation scenarios that could be matched up with whatever cleanup plan ultimately is adopted.

In its report, which has been six years in the making, the agency proposes a mix of restoration projects to complement an inten-

sive river cleanup that takes place over 20 years, or a less-intensive cleanup that takes place over 40 years.

With 80 percent of the river's PCB burden having already made its way out to the bay, Fish and Wildlife focuses its attention on restoration projects there rather than in the river.

The agency proposes various combinations of projects that are aimed at lessening the problem of habitat losses and polluted runoff into the bay.

Those options include wetland and habitat preservation and restoration on the bay; reduction of runoff, or nonpoint pollution, to the system; and financial assistance for farmers to use less-in-

How to see the report

The public has 45 days to comment on the U.S. Fish & Wildlife report.

It can be viewed on the agency's Web site: www.fws.gov/

r3pao/nrda/ or make an appointment at the agency's reading room, 1015 Challenger Court, Green Bay, by calling (920) 465-7408.

tensive soil tillage methods to reduce runoff from farmland.

The Fish and Wildlife report has been signed onto by co-trustees of the waterway, including the Oneida and Menominee Indian tribes.

Recently, Michigan's attorney general signed on to support the plan, as much of Green Bay's waters extend into Michigan.

Peter McKeever of Madison,

who lived in Green Bay for 12 years, was one of many who noted that the Wisconsin Department of Natural Resources has not endorsed the Fish and Wildlife plan -- despite a pledge in May by the two agencies to issue a joint plan.

"That's a very conspicuous absence," McKeever said.

Greg Hill of the DNR said earlier Wednesday that his agency

didn't sign onto the plan because Fish and Wildlife hasn't allowed the DNR to have a substantive role in developing it.

Fish and Wildlife officials agreed that although the DNR has had an opportunity to review every major report making up the compensation plan, there hasn't been time to include the state agency in collaborating on the technical details.

Meanwhile, the DNR continues to work on a second compensation plan in conjunction with the paper mills. Hill said he didn't know when that plan would be completed.

"Our report is to you today -- that's all I can say," Hartwig told the audience Wednesday night.

Public has 45 days to comment on PCB report

Details of the comment period will be posted in the Federal Register

By Jeff Decker
The News-Chronicle

Those members of the public who were unable to attend a public hearing in Green Bay Wednesday will soon be able to critique and make suggestions about the new multimillion dollar compensation plan for the Fox River and Green Bay.

"The comment period will open in 10 days, so everyone will get a chance to read the report," said David Allen, assessment manager with the U.S. Fish & Wildlife Service office in Green Bay. "The comment period will be open for 45 days."

The Restoration and Compensation Determination Plan details more than 600 preservation and conservation efforts along the lower Fox River and the bay to compen-

sate for the discharge of toxic PCBs into the river.

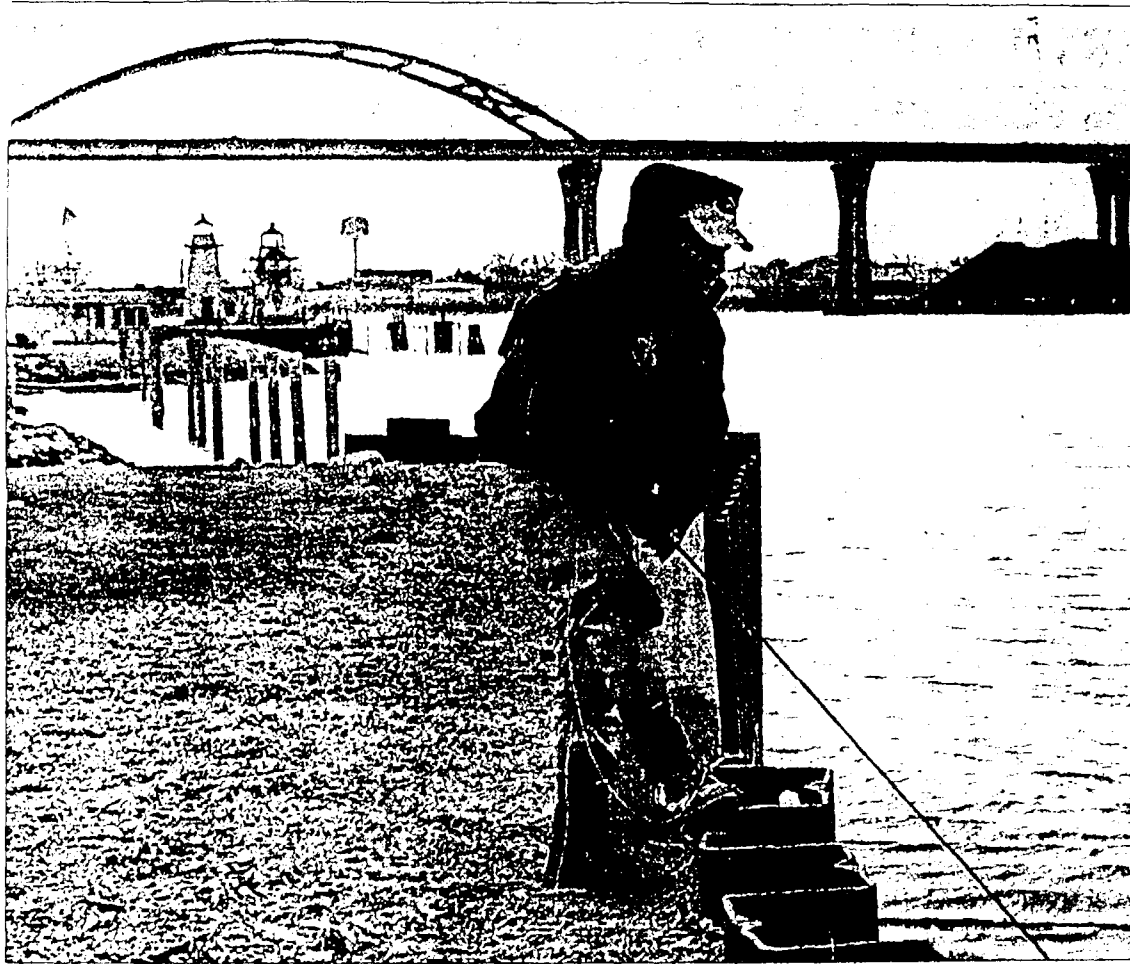
"We'll be looking at those and will take any comments into consideration when we ultimately decide to implement to project," Allen said.

Details about the public comment period are expected to be posted in the Federal Register. Seven paper mills are being held responsible for the compensation.

"Where decades of harm have already occurred and where even the best available remedies will not compensate the public for past harm, restoration activities are necessary to compensate the public for losses incurred," Allen said.

When the initial draft of the plan was released in 1998, Allen said 592 comments were collected, and 200 included ideas regarding work to create and renovate parks.

For more information, call 465-7407 or send e-mail to David_P_Allen@fws.gov. The report itself can be downloaded at <http://midwest.fws.gov/nrda> or read at the service's Green Bay office, 1015 Challenger Court.



Fort James, DNR deal competes with Feds' proposal

11-16-09

RYAN COLLINS OF GREEN BAY fishes at the mouth of the Fox River on Wednesday afternoon. A new fishing pier is planned for the site as one of the proposed compensatory restoration projects agreed to by the DNR and Fort James Corp. The \$7 million plan is substantially less expensive than a U.S. Fish & Wildlife Service plan released Oct. 25. Please see story, **PAGE 3.**

H. Marc Larson / The News-Chronicle

Fort James-DNR deal is less expensive than federal plan

A company official says the papermaker is prepared to pay for both plans

11-16-00

By Jeff Decker
The News-Chronicle

There's more than one way to compensate a bay.

A second compensation plan for the PCB-damaged Fox River and Green Bay, signed Wednesday, is hundreds of millions of dollars less expensive than the first plan released last month by the U.S. Fish & Wildlife Service.

But Wisconsin Department of Natural Resources officials said the state's deal is fair and more guaranteed to happen.

The \$7 million agreement between Fort James Corp. and the DNR is expected to bring \$55 million worth of compensation to the Green Bay community in terms of land purchased and restored, as well as recreational features built, said DNR Secretary George Meyer.

The settlement with Fort James lays a foundation to begin negotiations with six other paper mills for agreements that would be comparable the low end of the wildlife service plan, Meyer said.

The seven mills along the Fox River have been identified as responsible for PCB discharges into the river through the early 1970s.

The federal plan released three weeks ago would spend up to \$333 million for restoration and compensation projects.

Kathleen M. Bennett, Fort James vice president of environment and

safety, said her company is prepared to pay for both plans.

"(The Fox River's) damages include such things as the potential injury to wildlife and possible inability of Wisconsin residents to take full advantage of the state's natural resources," Bennett said.

A large wetland along the Peshtigo River has already been purchased by Fort James, she said, and all 700 acres will be given to Wisconsin as part of the deal.

Eight recreational centers in the area would receive a new trail system and two boat launches will be installed. Fishing piers would be put in at Green Bay's Joliet Park and another is set for the Metro Boat Launch, where Wednesday's news conference and signing were held.

The settlement also includes partial payment for the expansion of Wild Rose State Fish Hatchery and for 11 percent of costs to use dredge materials to restore one of three islands in the inner bay.

Mayor Paul Jadin said he was glad to see six of the projects were part of his waterfront plan.

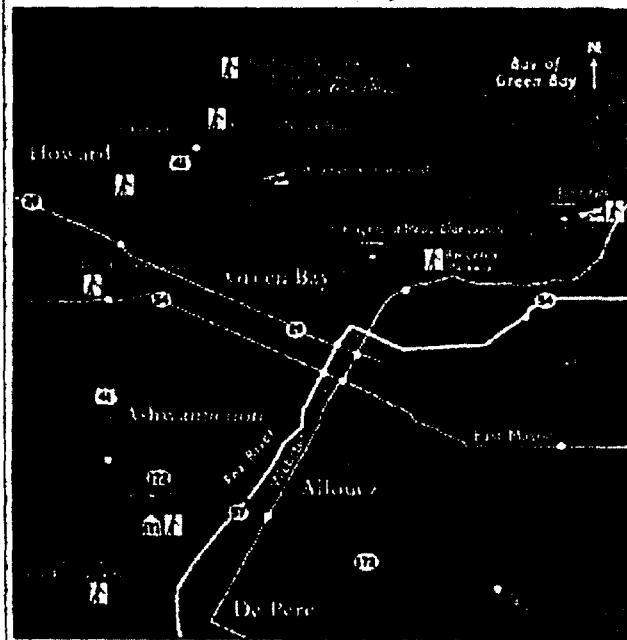
"Some have been pipe dreams, and some have been projects we were hoping to start in the near future," he said.

The settlement reduces the need to use local tax dollars for those projects, Jadin said.

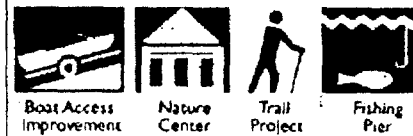
Meyer said the mayor and Brown County Executive Nancy Nusbaum were consulted regarding which projects to implement.

The projects were the result of analysis and formulating done by Triangle Industries, a major consulting firm that also worked on the Exxon oil spill at Prince William Sound in Alaska.

Recreation Projects



Legend



PROPOSED RECREATION PROJECTS along Green Bay and the Fox River include two boat launches on the shore of the bay, trail projects in Ashwaubenon, Green Bay and Howard, a nature center in Ashwaubenon and fishing piers at the mouth of the Fox and Joliet Park.

DNR map



H. Marc Larson / The News-Chronicle

KATHLEEN BENNETT, FORT JAMES vice president for environment safety and health, and **DNR Secretary George Meyer** sign a compensation settlement document during a news conference on Wednesday at the Green Bay Metro Boat Launch.

That data was analyzed and the compensation amounts were increased by Dave Duncan, an economist and lawyer with PricewaterhouseCoopers, and Keith Eastin, who was once a deputy with the U.S. Department of Interior and helped write the regulations used by the Fish & Wildlife Service.

He said the DNR agreement is based on the behavior of outdoorspeople, and the federal plan is based on the opinions of outdoorspeople.

Duncan admitted the logic was difficult to follow, but said one could compare their plan to equal levels of happiness or satisfaction, and the fish and wildlife service plan to equal amounts of dollars.

Eastin said, "You don't go down to Cub Foods or the hardware store and try to buy a couple bushels of pure sediment," so it's difficult to equate dollar values for resources.

Meyer said that the compensation plan of the Fish & Wildlife Service and its seven companion trustees would not be precluded by the state's settlement.

"The other trustees have their rights, and this in no way abridges those rights," he said.

Bill Hartwig, regional director of the Department of Interior, said in an interview Oct. 27 that any place where the two jurisdictions cross would mean years in court.

"If we had figures that support a better settlement for the public, then we would like to argue for that on behalf of the public," he said. "We would have to go to court and we're prepared to do that."

Meyer and Hartwig agreed a combined plan would be more powerful and efficient, but they said fundamental disagreements over implementation had kept the plans

separate.

Hartwig also said that even if there are no jurisdictional disputes, the paper mills could challenge their plan in court. Meyer said that is one hurdle the state has now jumped.

"These are real projects and they're going to be going forward very soon," he said.

F Y I

For previous News-Chronicle stories about the compensation plans, log onto greenbaynewschronicle.com and perform an archive search for "feds."

The text of the U.S. Fish & Wildlife Service plan is available at <http://midwest.fws.gov/nda>. For more information, call 465-7440.

The text of the DNR agreement announcement is not yet available on the Web.

Fort James offers \$7 million to settle claims

Deal to help restore local environment

11-16-00

BY PETER REBHAIN
PRESS-GAZETTE

Fort James Corp. has offered to spend \$7 million to settle with the state its portion of natural resource damage claims stemming from

PCB pollution of the Fox River.

The deal, signed Wednesday in Green Bay but subject to public hearings and federal court approval, calls for the papermaker to turn over environmentally sensitive land to the state, and to fund restoration and recreational projects in the Green Bay area.

"We will expand parks, build picnic areas, develop hiking trails and build boat launches and fishing piers in and around Green Bay," said

Kathleen Bennett, vice president of environment, safety and health for Fort James.

Projects also will involve creating a nature center at Ashwaubomay Park, establishing nesting habitat for water birds, protecting wetlands, and preserving and restoring northern pike spawning habitat along the western shore of Green Bay.

Department of Natural Resources Secretary George Meyer said the deal will provide a \$55 million benefit to

the area. He called the deal fair and said that reaching negotiated settlements with seven paper companies on PCB-related damage claims is in the state's best interests.

But the deal drew immediate criticism from environmental groups.

"It's a drop in the bucket," said Rebecca Katers, executive director of the Clean Water Action Council.

"Seven million dollars doesn't even begin to cover the damages," said Emily

Green, Great Lakes director of the Sierra Club.

The U.S. Fish and Wildlife Service last month estimated overall compensating costs at \$176 million to \$333 million.

Wednesday's deal is unrelated to the ongoing PCB cleanup of the Fox River. Claims from other trustees of the waterway, such as those of the Oneida and Menominee Indian tribes, aren't part of the agreement.

At issue in the natural resource damage assessment

is the price tag attached to public compensation for environmental damage caused by polychlorinated biphenyls, or PCBs.

The chemicals were dumped into the river by seven area paper mills that manufactured or recycled carbonless copy paper during the 1950s, '60s and '70s. PCBs are linked to reproductive problems and deformities in wildlife, and to devel-

Please see **Claims, A-2**

Claims/Deal criticized by environmental activists

■ From A-1

opmental problems in babies exposed to the chemicals when pregnant women eat contaminated fish. Katers called the Fish and Wildlife Service's damage estimates conservative and said she feared the settlement indicated the paper companies would be let off the hook for far less than the problem merited.

"It doesn't bode well because Fort James is one of the largest sources of PCBs," she said. Both Katers and Green called the DNR's closed-door negotiations with Fort James "outrageous."

David Allen of the U.S. Fish and Wildlife Service in Green Bay said his agency was not involved with or informed of the settlement.

"This settlement does not represent a settlement with us, the (affected Indian) tribes or the state of Michigan," he said. "No sovereign government can settle a claim on behalf of another."

The Fort James deal is based on "compensatory restoration" standards created in 1995 by the federal Department of the Interior and the National Oceanic and Atmospheric Administration.

In compensatory restoration, polluters settle claims of damaged resources with similar resources of like or greater value.

The \$55 million estimate of the value of Monday's deal was provided by economists from Price-waterhouseCoopers, a consulting firm hired by the DNR.

Dwight Duncan, the deal's principal economist, said the data used to create the agreement came from analysis of nearly 10,000

fishing and recreation trips.

The analysis sought to place a monetary value on "a level of happiness" denied users forced to alter leisure behaviors because of PCB contamination.

A fisherman, for example, who's deprived of the opportunity to catch and consume fish because of a fish advisory suffers a loss related to the inconvenience of finding a similar experience.

"You look at people's actual behavior, and you can determine they're traveling an extra 15 miles to be at basically the same type of fishing site," Duncan said.

Meyer said he was confident the work led to fair conclusions.

"We're very satisfied that this is accurate," he said. "It's scientifically based, and it's based on regulations of the federal government."

Duncan attributed differences between state and Fish and Wildlife Service damage estimates to different methodologies.

He criticized the federal agency's estimate for, among other things, placing too much emphasis on survey respondents' perceptions instead of the real-world behaviors of resource users, and for including damage estimates related to nonresidents and out-of-state resources. The agreement won't become official until it's approved by a federal court sometime in 2001, Meyer said. A 60-day public comment period on the agreement will begin before year's end.

Meyer cautioned that the full impact of the state's natural resource damage assessment won't be known for some time.

Recreation projects

1. Hiking trail and parking lots at Barkhausen Waterfowl Preserve and Fort Howard Paper Foundation Wildlife Area
2. Picnic area and trail at Ken Euers Nature Area
3. Boat launch and 10-car parking lot at Bysby Avenue Boat Launch
4. Fishing pier and observation deck, along with a picnic area, at the fishing pier at Metro Boat Launch
5. Hiking trail and picnic area at Bay Beach Parkway
6. Hiking trail, wooden fishing pier and car-top boat launch and 10-car parking lot at Joliet Park
7. Nature center and hiking trail at Ashwaubomay Park
8. Hiking trail at Ashwaubenon Creek Conservancy
9. Hiking trail at Beaver Dam Creek Parkway
10. Hiking trails, parking lots and picnic areas at parks in the village of Howard

Other parts of the Fort James plan:

Environmental restoration projects

■ Funding toward the design and construction of a 30-acre island to be built in Green Bay by the U.S. Army Corps of Engineers. This island, one of a three-island chain known as the Cat Island chain, will provide nesting habitats for terns and other water birds, habitat for fish and other waterfowl, and the establishment of aquatic plant beds.

■ Funding to the state of Wisconsin in order to expand the Wild Rose State Fish Hatchery. This



Press-Gazette

project is designed to significantly increase the hatchery's capability for raising spotted muskies.

■ Funding for projects to improve overall water quality in Green Bay and the lower Fox River. Examples would be projects designed to preserve and restore northern pike spawning habitat along the western shore of Green Bay.

Land purchase

■ The purchase features about

700 undeveloped acres that Fort James will buy and turn over to the state. The land consists of several noncontiguous parcels. The largest is near Badger Paper Mills Inc. near Peshtigo in Marinette County.

The properties, which will be set aside from future development, will be used to enhance and protect woodland wildlife areas, feeding habitats and fish spawning grounds.

Fort James deal may spur audit

17 NOV 00
Senator wants to know if agreement is adequate

By SCOTT HILDEBRAND
PRESS-GAZETTE MADISON BUREAU

MADISON — Sen. Gary George asked state auditors Thursday to examine a "secret deal" between the state and Fort James Corp. to settle damage claims related to PCB pollution of the Fox River.

George, D-Milwaukee, said the agreement is an example of a cozy relationship between the state Department of Natural Resources and the companies the agency is supposed to regulate.

"We need to find out if this settlement is adequate and to find out why it was negotiated in secret and announced without public input," George said. "We need to get to the bottom of it and quickly."

The deal, signed Wednesday in Green Bay, calls for

Fort James to turn over environmentally sensitive land to the state and to fund restoration and recreational projects in the Green Bay area.

Gov. Tommy Thompson and DNR Secretary George Meyer said the deal will provide a \$55 million benefit to the area. The cost to Fort James is about \$7 million.

Meyer called the deal fair and said reaching negotiated settlements with paper companies on PCB-related damage claims is in the state's best interests.

Anthony Jewell, a spokesman for Thompson, said legislators should commend the parties rather than criticize them for reaching an agreement.

"This (money) is going to cleanup costs rather than

Please see Audit, B-2

will seek to improve crossings

federal transportation funds as authorized by Congress, Cowles said. He did not say Thursday how much he would seek.

"With the new money, we'll have a chance to fix some problems," Cowles said. "I think it's critical for our corner of the state."

Cowles, a member of the Joint Finance Committee, said the funding will have to be approved by the committee and Gov. Tommy Thompson.

Audit/ Kelso surprised by action

■ From B-1

lawyers and courtrooms," Jewell said. "It's a wise and prudent investment."

But George, Senate co-chairman of the Legislative Audit Committee, said Fort James was looking at a much larger judgment, and the DNR stepped in to help the company with a "preemptive strike."

"The people of the Fox Valley have been subjected to damage of many of their natural resources by this company, and now some people feel they are being ripped off by the DNR," he said.

The U.S. Fish and Wildlife Service last month estimated overall compensation costs in the range of \$178 million to \$333 million.

The price tag is related to public compensation for environmental damage caused by polychlorinated biphenyls, or PCBs. The potentially cancerous chemicals, used by paper companies in a de-inking process, were released into the river from 1957 to 1971.

Rep. Carol Kelso, Assembly co-chairwoman of the Audit Committee, said she met with George on Thursday to discuss potential audits and the agreement between the state and Fort James never came up.

"I was flabbergasted to hear about this," she said. "I don't know where he's going or what he's looking for. It sounds like he doesn't know the campaign is over."

Kelso, R-Green Bay, said that if George is concerned that illegal closed meetings took place he should talk to Attorney General Jim Doyle rather than the Legislative Audit Bureau.

DNR: Charges unfounded

FROM PAGE 1

\$155,000 was given from the paper industry. When you look at the allies, the banking and finance, law firms, lobbyists and insurance companies, it's well over \$1 million."

Baker said that charge is heard all the time, but that it is totally unfounded, and that no one from Thompson's office was even at the negotiating table.

Even in the early 1980s, he said, work on setting discharge limits for Fox River paper mills brought charges of influence from the governor's office.

"It doesn't matter whether it's a Republican governor or Democratic governor, people like to believe that these types of things happen," he said.

Baker said the DNR staff would not be afraid to speak up loudly if political influence stepped over the line.

"It's a real tough audience of employees that we've got here," he said. "If it starts to happen, it won't be a secret."

Katers said she was baffled by DNR statements that \$55 million in benefits would result from the \$7 million deal. She charged the consultant firms used by the DNR were picked by the paper mills, and the DNR's main economist never before worked on a natural resource compensation plan.

The state's signing a plan independent from the Fish & Wildlife Service would weaken the federal case against the paper companies, Katers said.

Critics hit Fort James agreement with DNR

17-19 NOV 88
Competition between plans may weaken the case, say environmentalists

By Jeff Decker
The News-Chronicle

The \$7 million settlement to compensate for PCB damage to the Fox River and Green Bay, signed Wednesday, may come under the scrutiny of the Legislative Audit Bureau.

The cost of the agreement between Fort James Corp. and the state Department of Natural Resources compares with the possible \$333 million cost of a U.S. Fish & Wildlife Service plan with similar goals issued Oct. 25.

"This deal is yet another example of the cozy relationship between the



George

Republican-dominated DNR and the companies they are supposed to regulate," said state Sen. Gary George, D-Milwaukee, co-chairman of the Joint Committee on Audit.

"We need to find out if this settlement is adequate and to find out why it was negotiated in secret and announced without public input," he said. "This was a case of Fort James looking at a

much larger judgment and the DNR stepping in to help the company with a pre-emptive strike."

The mill, 1919 S. Broadway, is one of seven paper mills deemed responsible for PCB discharges into the river over a period of decades before polychlorinated biphenyls were found to be a health hazard and were banned in the 1970s.

Bruce Baker, DNR deputy administrator, sat at the negotiating table this summer.

"I don't have any problem with anybody looking at and reviewing what's been done," he said.

It would not be accurate to call the process private, Baker said, citing more than 9,000 surveys he said formed a basis for the Fort James agreement. He added Fort James' rights include holding private negotiations. A 60-day comment period will also be held, he said.

"If there's something that comes out during that review process, we will certainly react and consider," Baker said.

Rebecca Katers of the Clean Water Action Council, who asked for a similar audit two years ago, said campaign donations to Republican Gov. Tommy Thompson, who appoints the secretary of the DNR, have influenced the department's decision. "Fort James gave the governor \$32,335," Katers said. "And

Fort James, DNR Fox River deal leaves some questions

As if it were something they were proud of, Fort James Corp. and the state Department of Natural Resources announced a deal last week.

Fort James is offering to underwrite the cost of 10 different restoration and recreational projects around Green Bay and the Fox River.

A fish hatchery will be expanded, and an island constructed in the bay of Green Bay. Hiking trails will be developed. A nature center will be created. Picnic areas, fishing piers and boat ramps will be built.

All this will cost Fort James about \$7 million, according to the company and the DNR.

At the same time, Fort James will purchase and turn over to the state envi-

ronmentally sensitive land.

Natural Resources Secretary George Meyer placed the value of the deal in benefits to the community at \$55 million.

Fort James agreed to this as a way to settle claims against it for damaging natural resources by dumping PCBs in the Fox River.

The bill for actually cleaning up the river and bay, whenever it comes, will arrive in a separate envelope.

Meyer has called the \$7 million fair. Fort James was-



TOM PERRY
Commentary

n't the only company that dumped PCBs in the river. In all, there were seven.

It is better in Meyer's point of view to reach quick and quiet negotiated settlements with the companies rather than drag out the issue in court.

As it is, this deal with Fort James still needs to be approved by a federal court and there will be public hearings.

Fort James and Meyer may be proud of this deal done in the dark, but hopefully the public won't rush to any hasty conclusions.

Just last month, the U.S. Fish and Wildlife Service estimated that the people in Northeastern Wisconsin were entitled to between \$176 million and \$333 million in compensation for the

damages to the Fox River.

In a way, Fort James, which never violated any anti-pollution laws, deserves some credit for stepping up to pay what some would argue is an unfair fine.

But this agreement comes quickly on the heels of last month's federal damage assessment. The public hasn't had much of a chance to ponder how best to spend compensation payments.

Let's face it, there's been a lot of foot dragging by the paper companies and the business-friendly administration of Gov. Tommy Thompson over cleaning up the Fox River.

And here out of the blue, within a month of the federal government announcing what companies should pay to compensate the public for

damages to the environment, the state is rushing into a deal.

Michael Kraft is a professor of Public and Environmental Affairs at the University of Wisconsin-Green Bay.

"It seems a little surprising that a settlement occurred very quickly following the completion of the study," Kraft said last week, referring to last month's U.S. Fish and Game compensation estimate.

"The process matters a lot if you want legitimacy," he said.

As Kraft sees it, the speed with which a deal was reached between Fort James and the state "may leave many people skeptical of the settlement."

Not surprisingly, environmental activists saw this as

a sweetheart deal between the state and Fort James.

Whether a person thinks the company got off the hook cheaply probably depends on his or her point of view about how much of a price the paper companies should pay for dumping chemicals in the river so many years ago when it was an accepted practice.

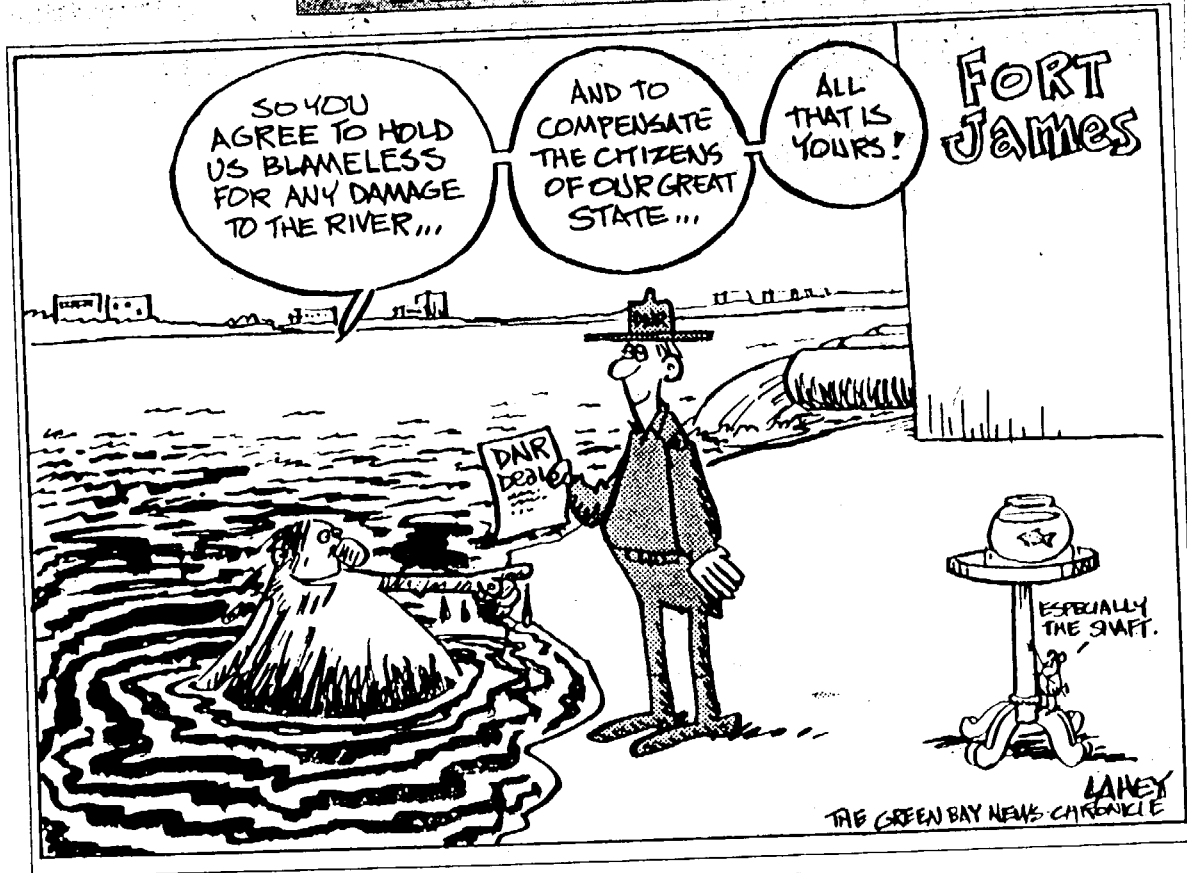
But the fact that the state and Fort James reached this settlement so quickly and so quietly makes me wonder if there might be hidden reasons for the dealmakers to be proud of themselves.

Associate Editor Tom Perry's commentary appears on Sunday, Tuesday, Thursday and Saturday. Write to him at the Press-Gazette, P.O. Box 19430, Green Bay, WI 54307-9430.

GBPG 11-19-00

OPINION

LYLE LAHEY'S VIEWPOINT



Feds plan to press on with PCB damage plan

21 NOV 03
BY PETER REBHANN
PRESS-GAZETTE

A deal signed last week by Fort James Corp. and the state Department of Natural Resources to settle damage claims related to PCB pollution of the Fox River won't interfere with work on similar claims by the U.S. Fish and Wildlife Service.

"We're still moving forward with the damage assessment," which could affect Fort James' ultimate payment, said David Allen, a biologist in Fish and Wildlife's Green Bay office.

The federal agency will evaluate the Fort James settlement, and any yet-to-come settlements with six other paper companies, he said.

At issue are damage assessments for seven paper companies that dumped polychlorinated biphenyls, or PCBs, into the Fox River from the 1950s to the 1970s. The assessments are intended to compensate the public for natural-resource damage, and are being handled separately from a cleanup plan also ongoing.

A \$7 million deal signed last week calls for Fort James to settle its part of state damage claims by turning over environmentally sensitive land to the state, and by paying for habitat restoration and recreational projects in the Green Bay area. Fort James and state officials said the projects are worth \$55 million.

The deal came on the heels of a Fish and Wildlife study released late last month that estimated the overall damages at \$176 million to \$333 million.

Last week's Fort James settlement fell under swift attack from environmental groups, who claimed the DNR cut a sweetheart deal with the papermaker behind closed doors.

State Sen. Gary George, D-Milwaukee, on Thursday asked auditors to examine the deal, which he said "was negotiated in secret and announced without public input."

Fort James spokesman Mark Lindley said George's criticism is unfounded.

"Mr. George is free to do what he wishes," Lindley

PCBs/State avoided prolonged litigation

From B-1

To see report

said. "Agreements such as this are always negotiated in private. This is hardly unprecedented."

Allen agreed — to a point. "There's a lot of truth to the matter that settlement negotiations are typically conducted quietly," he said. "But then those settlement positions are usually given to the public for review."

The U.S. Fish and Wildlife Service damage assessment report may be viewed on the agency's Web site:

www.fws.gov/r3pao/nrda.

The report also may be viewed by appointment at the agency's reading room, 1015 Challenger Court, Green Bay. The phone number is (920) 465-7408. (D)

Won't affect terms

DNR Secretary George Meyer said last week that the public would have an opportunity to comment on the settlement. But public comment won't affect settlement terms, which became a done deal with last week's signing in Green Bay.

Michael Kraft, professor of Public and Environmental Affairs at the University of Wisconsin-Green Bay, said the DNR's willingness to negotiate a deal is no surprise because, in recent years, government agencies at all levels have favored negotiated settlements in such cases.

"A lot of that reflects the criticism of command-and-control regulation, and criticism of the federal government over the last 20 years," Kraft said.

Kraft said he hadn't evaluated the complicated settlement which, among other things, attempts to compensate residents for lost happiness over fish advisories and other inconveniences. But he criticized the DNR's handling of the deal.

"For a state agency to negotiate at length with the paper companies, and keep it private, and to do so without close consultation with the federal agency doing the assessment study, does not inspire a lot of confidence in the fairness of the process," Kraft said.

Lindley said Fish and Wildlife had a chance to join settlement talks.

"The state and Fort James invited federal folks to participate in this," he said. "They knew this was going on and declined to be involved."

Allen didn't dispute that his agency was put on notice by the state that talks were under way.

"But it's simply not true that we've declined to negotiate," he said.

Different goals

Meyer said last week that keeping the state out of protracted litigation with the paper companies was a chief aim. Allen said his agency takes a different focus.

"Our goal is to find common positions among governmental parties who have similar mandates before entering into negotiations with responsible parties who don't share those mandates," Allen said.

He said accurate damage assessments can't be made until a cleanup plan is in place because cleanup will inevitably cause residual damage.

"Since there's no cleanup decision, there's no way for us to make a decision on how much restoration there should be," he said.

The public comment period on Fish and Wildlife's restoration and compensation plan ends Dec. 16. The agency will issue its final determination a few months after the federal Environmental Protection Agency comes forward with a cleanup decision sometime next year, Allen said.

Kraft said that no matter how sound the DNR's settlement, the state agency risks undermining its work and losing in the court of public opinion if it can't provide a good answer to a simple question: Was (the deal) done in a way that meets public expectations for fairness and legitimacy?

"When it's all said and done, are people going to say, 'That was fair,' or are they going to say, 'What the heck's going on here?'" he said.

Please see PCBs, B-2

REGION 11-24-00

Four Fox River meetings slated

The U.S. Fish and Wildlife Service will hold four meetings to discuss its recently released Restoration and Compensation Plan for the Fox River and Green Bay.

Meetings are scheduled for Monday at the Winnebago County Courthouse, 415 Jackson St., Oshkosh; Thursday at the Door County Courthouse, 421 Nebraska St., Sturgeon Bay; Dec. 6 at the Civic Center, 225 N. 21st St., Escanaba, Mich; and Dec. 7 at the Bourdini Center of Fox Valley Technical College, 1825 N. Bluemount Drive, Appleton.

All meetings are scheduled for 6 to 10 p.m.

The service will continue to accept comment on the plan until Dec. 15.

Comments may be mailed to David Allen, U.S. Fish and Wildlife Service, Green Bay Field Office, 1015 Challenger Court, Green Bay, WI 54311-8331.

The report may be viewed on the Internet at www.fws.gov/r3pao/nrda. The report may also be seen by appointment at the service's Green Bay office by calling Allen at (920) 465-7407.

Our mission:

"The Press-Gazette strives, as it has since 1915, to be the primary provider of information in Northeastern Wisconsin, keeping the welfare and development of the Greater Green Bay area at heart. It is our responsibility to provide a forum for free and open expression of diverse opinions while maintaining the public trust necessary to serve our readers, advertisers, employees and stockholders."

★★ SUNDAY, NOVEMBER 26, 2000

OPINION

IN OUR VIEW

Public shut out of PCB agreement

Trust in government took another hit recently when the Wisconsin Department of Natural Resources announced that it had cut a secret \$7 million deal with Fort James Corp.

Both the DNR and Fort James — Green Bay's largest employer — insisted in their announcement that the deal would fairly compensate the public for losses of natural resources incurred when Fort James dumped PCBs in the Fox River in the 1950s, 1960s and 1970s.

But there's no way to know for sure because the public was shut out of the process.

The DNR deal calls for Fort James to pay \$7 million to settle its portion of natural-resource damage claims stemming from pollution of the Fox River.

The company also agreed to turn over some environmentally sensitive land to the state and to pay for restoration and recreation projects in the Green Bay area.

Fort James said it would expand parks, build picnic areas, develop hiking trails and build boat launches and fishing piers in and around Green Bay, providing a bottom-line value of \$55 million.

They all seem like good ideas and perhaps will be acceptable to most people.

■ **Issue:**

DNR/Fort James settlement

■ **Our view:**

Arriving at \$7 million pact without involving public was wrong decision

However, critics immediately insisted that the deal was not sufficient to make up for the long-term damage that Fort James caused to the Fox River when it discharged polychlorinated biphenyls into it.

PCBs, a byproduct of carbonless paper production and recycling, are linked to reproductive problems and deformities in wildlife, and to developmental problems in babies exposed to PCBs when pregnant women eat contaminated fish.

Eyebrows rose at the \$7 million deal because the U.S. Fish and Wildlife Service had estimated that the company and six other paper mills on the Fox River had caused \$200 million to \$300 million in damage to the river's natural resources.

The federal government also wondered why the agreement was struck between Fort James and just one Fox River trustee — the DNR — when the Fish and Wildlife Service, National

Oceanic and Atmospheric Administration and Menominee and Oneida Indian tribes also are trustees.

As soon as the DNR and Fort James announced their deal, local environmentalists questioned its secrecy and fairness. State Sen. Gary George, D-Milwaukee, a candidate for governor in 2002, called for a legislative audit of it.

DNR Secretary George Meyer said the state's settlement with Fort James was based on accurate work that led to fair conclusions. "It's scientifically based, and it's based on regulations of the federal government," he said.

"The process by which the agreement was reached was an appropriate one," said Kathleen Bennett, vice president for safety and health at Fort James. "Settlement negotiations are always confidential."

George didn't buy that. "The deal is yet another example of the cozy relationship between the Republican-dominated Department of Natural Resources and the companies they are supposed to regulate," he said.

That leaves the public in the tough spot of trying to figure out what the real story is and to decide how much trust it should place in the state agency that is a party to it.

COLUMNIST'S PERSPECTIVE

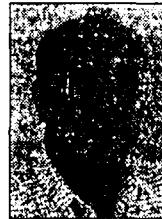
Fort James-DNR settlement settles nothing

Just when I thought the paper industry and the Department of Natural Resources couldn't get any more slimy, Fort James Corp. announced it had reached a deal with the DNR to pay \$7 million for damages done by the company's PCB pollution of the Fox River, Green Bay and Lake Michigan.

It was a surprise that this spit-in-the-ocean pittance was acceptable to the DNR. I really thought the agency would go for a much higher figure so it wouldn't look like sheep. It was a shock that no public hearings were held. After all that malarkey about a "local solution," you would have thought the DNR meant a solution that involved locals.

The paper industry says it did not violate any laws. That is a twisted statement. What is more important to note is that paper industry lobbyists wrote the laws and campaign donations made sure they were put in place. It is never legal to poison your neighbors. *Never.*

While it appears that poor, picked-on Fort James is only responsible for the hot spot right at the end of its hidden discharge pipes, much of what it dumped moved quickly into the bay and Lake Michigan. Some of it is



Curt Andersen

For The Green Bay News-Chronicle

It was a surprise that this spit-in-the-ocean pittance was acceptable to the DNR. I really thought the agency would go for a much higher figure so it wouldn't look like sheep.

now on toxic Kidney Island and all over the east shore of the bay.

It is especially galling that Fort James has brushed away liability for further cleanups, at least as far as the state is concerned. Imagine your 16-year-old comes home with the news that he just trashed your Lexus, taking out a busload of Brownies and the

Vienna Boys Choir during the mishap. The kid then says, "Twenty years from now, I might give you a nickel to help pay for the damages." Fort James thinks that's reasonable.

One of the provisions in the "magnanimous" settlement is to rebuild the Cat Island Chain with channel dredge spoils. It would be ironic if it weren't such a pattern of special interests being served, but Fort James benefits by having the spoils moved, because it needs the deeper channel for shipping.

Paper industry representatives yammer constantly about "good science," but have brought in ringers to support their specious claims. One of the consultants for the DNR is Dwight Duncan, who has a pretty thin claim to being an *independent* evaluator of computer models. He has worked for General Electric, the corporate buccaneer that polluted New York's Hudson River with PCBs. What a coincidence.

The computer models developed for the state were done by the industry consulting firm Triangle Economic Research. Its Web site states, "TER staff have worked on more than 50 natural resource damage assess-

ments, mostly on behalf of potentially responsible parties." (That means "polluters.")

The company's clients include General Electric and the infamous Exxon, another weasel corporation. TER is not working for the people of Wisconsin. It is working for the polluters. In spite of this, the state of Wisconsin (read: Gov. Toxic Tommy) is endorsing TER's findings in opposition to independent experts who represent the federal government, the state of Michigan and three American Indian tribes.

Our state government is now almost totally under the control of these polluting industries. Can you imagine that some people still don't think special interest money is having a negative effect on our state government?

So long, democracy. It's been good ta know ya.

Curt Andersen is a lifelong resident of the Green Bay area and a Vietnam-era Navy veteran. He owns a small business and is on the board of the Clean Water Action Council. His column appears here Wednesdays. Opposing or supplemental viewpoints are welcome. Write to him via e-mail at canderse@gateway.net.

Skepticism greets Fox dredging plan

Larger, more efficient equipment are to be used, but many residents remain unconvinced

By Jeff Decker
The News-Chronicle

A barrage of questions and a strong dose of criticism followed a dredging-plan presentation Thursday night by representatives of the U.S. Environmental Protection Agency and Fort James Corp.

Logistics of this fall's project and the differences from last year's less-than-successful dredging were the focus of the presentation at the Brown County Central Library, which was attended by more than 50 people.

"A movie showing what you guys and the Fox River Group have done at Project N and 56/57 would make the Three Stooges look like a documentary," said Bob Schmitz, a Green Bay resident and member of the Clean Water Action Council, and one of several citizens who expressed discontent. "It's a damn shame that we have to use the Fox River for on-the-job training for the DNR."

The Fox River Group is a coalition of seven paper mills along the river, including Fort James, deemed responsible for PCB discharges and cleanup.

Last fall's dredging at the area known as Site 56/57, just off the shore of the Fort James West mill, 1919 S. Broadway, left more than 2 acres of PCB-contaminated sediments exposed, and they have sat untouched since. Site N is a smaller PCB hot spot near Kimberlin that also was dredged last year.

Jim Hahnenberg, EPA remedial project supervisor, explained it was the toxic status of PCBs that prompted the EPA's entrance, and now, along with the state Department of Natural Resources, an agreement was reached under which Fort James would fully fund the dredging of 56/57.

Last fall and winter's dredging was halted prematurely by cold weather, and the average PCB surface count for the whole exposed area is 116 parts per million. The goal of the dredging project is to reduce the level to a relatively safe 1 ppm.

Hahnenberg said the restart of the project had to be delayed because alternatives had to



Tina Gohr / The News-Chronicle

BOB SCHMITZ, arm raised, makes a comment during a meeting with the Environmental Protection Agency and Fort James Corp. representatives on the Fox River Thursday night at the Brown County Central Library.

be considered, deals had to be struck and contractors had to be found.

"Having gone through similar management on other sites, this was fast-track mediation," he said.

This fall, Hahnenberg said, a streamlined process will be used, as will a dewatering system with twice last year's capacity. A larger, stronger dredge will be used to attack 56/57 in two stages, with the new hole's slopes left stable and 6 inches of sand laid on top no matter what else happens. While 1 ppm is the goal, if only 10 ppm are attained, the agreement would permit a 6-inch cap of sand to bring surface levels to 1 ppm.

"The operation is going to be 24 hours a day, seven days a week, no matter what happens," said Hahnenberg. If goals are met, he said, Fort James would be protected from any liability concerning the site in the future, though other paper mills would still be held

accountable.

Rebecca Katers, executive director of Clean Water Action Council, was confused why immunity would be given to polluters.

"You determined there is a health risk, it seems ludicrous that the company would get any breaks at all under these circumstances," she said.

Hahnenberg responded, "We think it's a fair and equitable deal because Fort James was willing to step up and do some additional work from last year."

Gary Kincaid, on-site manager for the Wisconsin Department of Natural Resources, said he predicts success. He pointed out how large debris jammed dredging equipment last year and how a liner in a swill pool was punctured.

"All of these things were factored into this new project," Kincaid said. "We don't know for sure why it failed yet, and there's lots going on behind the scenes to find that out."

Once the slurry is dredged and pumped out of the river bed, it will be dried through a system with twice the capacity as last year. The dried slurry will then be shipped to a Fort James-owned landfill north of Austin Straubel International Airport, avoiding residential areas en route.

"Once it goes in there, that site will be capped, and that should permanently entomb the material," said Mark Lindley, spokesman for Fort James.

Katers expressed concern over how much PCB gas will escape from the landfill. Though dredging was shown to release very few airborne PCBs, there was no monitoring of last year's landfill deposits, and there will be none this year.

What is monitored is any leaks from the landfill, and they are detectable at .33 parts per billion. If that alarm is sounded, the whole project would need to stop.

Voices & Visions



People who make a difference in the lives of local people



Tina Goh / The News-Chronicle

She's a 'green' machine

Rebecca Katers is the area's feistiest guardian of the Earth

While some people party on Earth Day, some get tear-gassed at peaceful protests and some people save the Earth by recycling, Rebecca Katers has been nose-tacking any and all threats to the earth as a full-time environmentalist in Green Bay almost from the moment she arrived in 1981.

In one role or another, Katers has always been speaking or shouting on behalf of a clean Earth. With the group she helped found, Clean Water Action Council, Katers and other informed nature-lovers have canvassed the bay area, shed light when and where it's been needed, and even brought lawsuits against big industry and the government.

"She's the spark plug of our group," said Bob Schmitz, who co-founded the council with Katers back in 1985. "She was a hard-nosed little character who seldom compromised, and that's about the way I would describe her right now."

Just a few of that group's victories include outscintencing the U.S. Army Corps of Engineers to keep Renard Isle from tripling in size and PCB sludge, and also attaining a decision from the Wisconsin Supreme Court, one that now allows private citizens to sue on behalf of the environment if the government will not.

Besides considerable duties at the council, Katers is, among many other things, north-east hub coordinator of the Wisconsin Stewardship Network. She currently sits on the Citizen Advisory Committee that is establishing PCB soil criteria and wastewater sludge usage restrictions.

She has served on committees that

"People are at risk and someone has to do something, and if no one else is doing anything then I've got to."

advised the state public intervenor and that produced the main Remedial Action Plan for the Fox River. That is just the tip of an enormous list of committees, duties and honors that go all the way back to her Best Novice Debater award from Fremont High School in 1972.

She doesn't call herself a star child, but Rebecca Katers' early life reaped the benefits of the intellectual arena of the '60s. Her father was trained as a journalist, but all her life he worked as a publicist for universities. "Because I was raised on college campuses, I was exposed to a lot of the debates about the issues of social uprising during that time," she said. "They were always debating the issue of the day."

Growing up, moving to 12 cities in 12 years, Katers refused to accept that average folks just don't chat about the heavy stuff. Now, she tries to enlighten on the toxic nature of the Fox River, filthy smokestacks or fertilizers that lower your IQ.

"We tell people things they wish they'd never heard," she said.

Katers has a knack for attracting people to the cause. The Clean Water Action Council is up to nearly 2,600 paid members. In three years as president of the Northeast Wisconsin Audubon Society (she was also president of the Wisconsin Audubon Council), Katers saw the membership grow from 260 to 700 members.

When she was a student at the University

of Wisconsin-Green Bay, Katers' term as president of the Round River Alliance brought an increase from five members to 120.

Katers is a spark plug who plans never to retire. She left UWGB, just two classes short of a degree in environmental studies, when her activism led to a paying job as regional director of the Lake Michigan Foundation.

"It was my dream job. I left college to take the job," she said.

Steve Abitz sits on the council's board of directors. "I think she has an amazing knowledge of not only the environmental issues but also the nuts and bolts of regulations that go on between the government agencies," he said.

It's the role she was born for, and she took to it with a passion, maybe even a fury. Katers speaks softly, but her persistence and insistence led one former paper company spokesman to describe her as "a strident, polarized environmentalist, with little room for cooperation."

Abitz said that style may be necessary. "You're battling corporations and those guys have unlimited money and high-powered lawyers. You have to have a certain amount of aggressiveness and stick-to-it-iveness in order to stay in that arena."

Dennis Hultgren, spokesman for Appleton Papers, said he thinks Katers sometimes lets her passion affect her research and her science isn't always the best. That, he said, plus

her insistence on what he described as unproven technologies and unwillingness to compromise, mean that she's not a good negotiator.

"She's a very strong advocate," Hultgren said. "And I respect her for that. I think she's made a lot of people aware, but I think her group could be much more effective at the bargaining table as part of a team than sitting on the outside looking in."

Katers said she knows that some people don't enjoy working with her. In her eyes, she simply refuses to back down or be distracted, as she says so many others with good intentions do. The truth can be a needle in the side of the big players, she said, and that's kept environmentalists from full participation.

"I've been excluded from all the serious negotiations of the Remedial Action Committee (for the Fox River cleanup), the Fox River Coalition and the secret surprise settlement negotiations between the state and the paper mills."

Katers says she's an environmental activist whose job is not to be chummy with industry.

"It's my job to report what they're doing and to create a citizen movement," she said.

In 1992, Katers' credibility and position took a blow when the Lake Michigan Federation fired her.

"They fired me because they said I didn't work well with industry and I interfered with their ability to get corporate grant money," she said.

It took some time to recover her credibility.

Please see VOICES, Page 7

VOICES: Greenpeace visit was a spark

FROM PAGE 5

ly, she said.

"I was actually told by a reporter that they were not supposed to be quoting me because I'd been fired from my job," Katers said.

So now she works for CWAC, supported financially by her husband, Mike, who works, ironically, for Wisconsin Public Service Corp.

Katers talked about the roots of her activism with the *News-Chronicle's* Jeff Decker.

News-Chronicle: Against such powerful entities, do you ever feel outgunned?

Rebecca Katers: People don't realize that there is no support network for true activists out there. We have a group that we have created here, we have funding to do basic things like pay the rent and the phone and do newsletters and so forth, but if I had to survive on this job I couldn't. It's only because I have a supportive husband whose willing to work a couple jobs that I can do this. I should be able to get an income doing this, but people don't value environmentalists.

Is there any unity among the groups here?

I don't think the environmental community is as unified as it should be. It's not coordinated because everyone is struggling to get grants or raise funds to survive, and that creates competition. The Wisconsin Stewardship Network is trying to overcome that. ... We're all kind of sharing those resources and it feels like we're getting some support back.

Is the public responsive to your work?

It does get really discouraging that there isn't a stronger outcry. When we point out the obvious problems with the remedial action plans, or when we point out obvious problems with front groups for industry, it just doesn't seem to get attention. There are too many people who don't want to make waves, who don't want to be seen as anti-business and as troublemakers. The word *environmentalism* is seen to have a nasty meaning.

The first two years we were running into people who didn't even know where the Fox River was. So we had to start really simply, saying there's a river, and it has these chemicals. ... When we first started canvassing we had to say PCB chemicals, we couldn't just say PCBs.

Some people say there's apathy everywhere, but it's not apathy, it's anger. I know for a fact that people do care, especially from my door-to-door canvassing experience. Many of them are very frustrated, but they aren't taught that they as an individual have a tremendous power to influence events. We aren't teaching our children this and we should be, because it's an essential part of a

democracy.

Given the size of this community, we should have a stronger environmental activism component, but the community just isn't as supportive as it should be.

What was your first activist experience?

It was in 1982. The Army Corps of Engineers proposed a rail spur line to cut under the Tower Drive Bridge across the tank farm marsh and into the Bay Port Industrial Park. We had press conferences, public meetings, petitions, letters to the editor, and we arranged a whole bunch of people to testify at a hearing and got hundreds to show up.

They never actually built the spur line into Bay Port, so we saved the community \$400,000 by getting them to rethink the whole project. A lot of people don't realize that, that environmentalists save money.

It had a positive impact for several years when people learned that they could get involved and things would happen, things would change. I was hooked. I really enjoyed that feeling of having made a difference.

I think there's been a pretty dramatic change in the last 20 years. In 1982 the community seemed openly hostile to hearing about environmental issues. It used to be the environment vs. the economy, and now most people know that's not true.

What changed things?

When Greenpeace wanted to come to town (in 1985). The paper companies put up fences along the river, set up spotlights, hired armed guards. Fort Howard Paper Co. anchored a tugboat over their discharge pipe to protect it from "terrorists."

That whole thing really galvanized a lot of people. At first they wouldn't let the boat dock, and I called the national media to tell them these people were welcome. When Greenpeace left, there were a lot of people who felt we couldn't let this die.

Are there ways that you think you could be even a stronger environmentalist?

I've put off becoming a vegetarian because I like to eat meat. I think I should be



REBECCA KATERS is a familiar face at area environmental events, including Thursday's public session held by the Environmental Protection Agency and Fort James Corp. at the Brown County Central Library.

Tina Gohr / The News-Chronicle

a vegetarian, it's more environmentally responsible, the energy and water usage are horrendous. And getting rid of my car. I think automobiles are one of the greatest problems created. I should use mass transit more.

Human nature is hard to control. The idea is if we can move a large percentage of the population a large percentage of the time in the right direction, we'll make enormous progress. If you focus too much on perfectionism you'll go crazy and give up.

You've never even waded into the Fox River. When will that change?

With the Fox River, I feel this is finally the year that we're going to see progress, but we've got a lot of work to do this fall. We're hoping by this time next year to have a tremendous victory taken care of, and then to move on to a fresh issue.

They'll have to demand a comprehensive cleanup where the polluters are required to pay substantial dollars for substantial sediment remediation, and to have to do compensatory habitat restoration.

You said "polluters" isn't the hot term anymore. What is?

The DNR openly refers to them as partners, customers, clients. Partnering is a whole new term that has just been developed in this past decade, and it's extremely diversionary.

It's destructive because it immobilizes people. If you've got this cozy relationship then it's really hard to say "Y'know, you're poisoning a whole lot of people."

Do you spend more time than you'd like on damage control?

Definitely. Getting kicked off the Remedial Action Plan Committee was another exam-

ple. They couldn't shut me up on the committee so they just kicked me off so I couldn't raise these issues anymore. I feel we're constantly being tripped up by political processes that were created to trip us up. In fact, we had another staff person in Michigan who said that the sewage treatment plant there refused to work with her because of me in Green Bay. That's a coordinated effort.

What's the ultimate goal?

High quality of life for people and healthy environmental systems for wildlife. Clean Water's focus is on eliminating toxic pollution and on cleaning it up.

What drives you?

Sometimes it's just anger that things are so screwed up. People are at risk and someone has to do something, and if no one else is doing anything then I've got to. Population is supposed to double in the next 20 to 30 years. That's going to create all sorts of competition for resources, so the kind of issues we raise will only become more important.

What can a citizen do to clean up the environment?

They need to elect people who will preserve the environment. It's so discouraging that people keep voting for Gov. Thompson when he has been such a disaster for the environment in Wisconsin. He has destroyed the integrity of the DNR, he eliminated the public intervenor and he took control of the DNR secretary.

Have you hugged a tree lately?

Not lately, no. Yeah, I like trees. There are some people who think all environmentalists are pagans, but I don't worship trees. I love the big ones, the big trees.



Rebecca Katers

Age: 44
Job: Executive director, Clean Water Action Council
Community in which she lives: Town of Bellevue

What makes her unique: Her relentless pursuit of environmental justice in Northeast Wisconsin.

Dredge project to begin in earnest

Site 56/57 cleanup no longer just a demonstration

By Duke Behnke 8-4-00
Post-Crescent staff writer

GREEN BAY — Hydraulic dredging designed to complete the removal of PCB-laden sediment from a troubled hot spot in the lower Fox River will



the
future
of the
FOX
river

resume within 3 1/2 weeks and should be done before the onset of winter, officials involved told a public meeting here Thursday evening.

The resumption of the dredging, which will cost Fort James Corp.

about \$7 million, is being overseen by the Environmental Protection Agency's Emergency Response Branch and is no longer considered to be a demonstration project.

"This is a cleanup," said Sam Borries, the EPA's on-scene coordinator.

The EPA, Wisconsin Department of Natural Resources and Fort James signed a legally binding agreement in May to remove polychlorinated biphenyls from Sediment Management Unit 56/57.

The 10-acre site is located four miles upstream from the mouth of the lower Fox, immediately adjacent to a Fort James mill.

The agreement is a continuation of a demonstration project, funded by the Fox River Group of paper companies, that was left unfinished last winter and has exposed high concentrations of PCBs to the river's currents.

DREDGE: Dewatered sediment to be trucked to landfill

From A-1

80,000 cubic yards of sediment, but removed only 30,000 cubic yards. Critics allege the project was designed to fail.

What's worse, at least in the eyes of environmentalists, is that the incomplete dredging left the average concentration of PCBs in the surface layer of sediment at 116 parts per million, with some areas as high as 310 ppm. Prior to the dredging, the concentration registered 4 ppm.

James Hahnberg, remedial project manager with the EPA's Superfund Office in Chicago, said the current levels represent "a substantial concern."

"We are dredging the immediate, most urgent exposure," Hahnberg said.

The agreement among the EPA, DNR and Fort James is designed to remove the remaining 50,000 cubic yards of PCB-contaminated sediment in 56/57 to reach a PCB surface concentration of 1 ppm.

If Fort James can achieve that level, or if it can achieve an average of 10 ppm and then cover the area with at least 6 inches of sand — something it plans to do from the start — the company will be released from further responsibility for 56/57.

"If they meet this 10 ppm cleanup, we will still consider

that to be a success," Borries said, "as long as everything gets a 6-inch cover of sand on top of it."

Borries said several changes have been made to expedite the dredging and avoid the pitfalls encountered last winter. Chief among them are a highly respected contractor in Sev-ensen Environmental of Niagara Falls, N.Y., and larger, more powerful dredging and dewatering equipment.

The dewatered sediment will be trucked to a specially designed landfill owned by Fort James. The water will be treated and returned to the river.

"We are very confident this

will succeed," Borries said. The project will be done in phases. Once the sediment in one section is removed, the section will be covered with sand.

Bob Schmitz of Green Bay criticized the sand cover, saying it will be of little value.

"The first damn time they have a coal boat go in there and it turns around in that turn basin, that 6 inches of sand is gone," he said.

■ The EPA and DNR will hold four meetings on the cleanup. They will be held 5-8 p.m. on Sept. 13, Oct. 12, Nov. 8 and Dec. 5 at the Brown County Library, 515 Pine St.

Inside

People at Evergreen Golf Club weren't seeing things. Three women on the course actually dressed as cavewomen. **On B-5**

★★ SATURDAY, AUGUST 5, 2000

LOCAL/STATE

Mills challenge DNR on dredging

Fox project results disputed

By SUSAN CAMPBELL
PRESS-GAZETTE

Fox River paper mills are countering two reports that tout a \$4.3 million pilot

dredging project near Kimberly as a success with a report of their own that states the opposite.

But the state Department of Natural Resources, which conducted the Fox River pilot project in the fall of 1998 and 1999, characterizes the mill report as a "distraction" meant to confuse the public by taking the project results out of context.

"A lot of this is just spin to distract people from the in-

formation that all points to a major ecological problem in that river," said Bill Fitzpatrick, who oversaw the project for the DNR.

The mills' report, prepared by their New York engineering consultant Blasland, Bouck & Lee, states that dredging at the PCB hot spot left behind higher surface concentrations of polychlorinated biphenyls than were there before dredging began.

The BB&L report states that surface sediment sampled on the west side of the Kimberly hot spot had an average PCB concentration of 16 parts per million before dredging, compared with 21 ppm after the final dredging phase in 1999.

The consultants focused on the surface sediment, because a rise in surface-level contamination increases PCB exposure and risks to people and wildlife. Further,

they wrote that environmental effects observed in the dredging project may be more significant in a large-scale dredge project that includes much larger sections of the contaminated Fox River.

That observation is at the heart of what worries the seven Fox River paper mills that commissioned the study. The mills face a multimillion-dollar PCB cleanup that could include

dredging large sections of the river.

"We think that type of dredging project will do nothing to reduce the risk of exposure to PCBs," said Tim Dantoin, spokesman for the Fox River Group of paper mills. "In fact, from the evidence we've seen, it will likely increase the surface sediment concentrations."

The BB&L report also

Please see Fox, B-2

Fox/Key issue: Does riverbed move, or is it stagnant?

■ From B-1

states that the dredging left higher PCB concentrations in the water column downstream of the site than were there prior to dredging.

Defending the project, Fitzpatrick said it was never a goal to reduce surface concentrations of PCBs at the hot spot. The goal instead was to remove PCB mass from the riverbed, and show it could be done safely and effectively.

That was done, according to Fitzpatrick.

The project met design goals and removed 7,200 cubic yards of 11,000 cubic yards of PCB-contaminated sediment, capturing 112 pounds of PCBs. An additional 1,000 cubic yards of sediment was

also removed from an adjacent deposit not included in the original plan.

The DNR and other government agencies involved in the river cleanup say the mass removal of PCBs from the river system is more important than the surface level concentration of PCBs left behind.

The difference of opinion comes down to differing views of how the riverbed behaves. The agencies have a computer model showing the riverbed is in a continuous state of movement, while the mills have fed the model their own data and determined the riverbed is stagnant — meaning PCBs are buried beneath the sediment and immobilized.

On that score, Fitzpatrick cited a July report by a panel of aca-

demic and U.S. Geological Survey experts that said pre-dredging water column sampling had shown the Kimberly deposit was a significant source sending PCBs down the river for the last 20 years.

"It was bleeding PCBs out into the Fox River on a continuous basis, so any potential release (during dredging) is insignificant compared to what was happening over time there," he said. "And now, since we went in there and took out that mass, that's no longer available."

Even if, as the BB&L report states, some PCBs were sent into the river during dredging, Fitzpatrick said that's of little concern.

"We're chasing a garbage truck down the highway, its back end is

open and it's spilling garbage. While we're trying to stop the truck, do we get blamed for the garbage that's spilling out of there? No," he said. "We stopped the truck, got them to stop spilling all that garbage, and we brought it where it belongs — which is not the river."

For the mills' part, they say they have yet to see a compilation of all the pilot project data the DNR used to analyze the effectiveness of the Kimberly project.

After asking repeatedly for data the DNR had referenced in an appendix to its April summary report on the project, the mills filed a request for the data under the federal Freedom of Information Act earlier this summer.

"We want to be able to look at it to see if we draw the same conclu-

sions they do," Dantoin said.

Fitzpatrick said the appendix was never prepared because there wasn't enough money for the DNR's consultant on the project, Foth & Van Dyke, to complete the work. Funds have tentatively been approved now to fund that work, he said.

Fitzpatrick said the mills' FOIA request was extensive — calling for field notes, recordings, videotapes, photographs, e-mails and any other materials relating to the Kimberly project.

"It's one of the most comprehensive open-record requests I think we've ever received," he said.

"It's hard to tell exactly where it ends, without giving them a copy of every document that the department has."

Cyclone dredger may make more sediment reusable

The over-burdened
Bay Port dump site
could see relief

8/11-13/00

By Jeff Decker
The News Chronicle

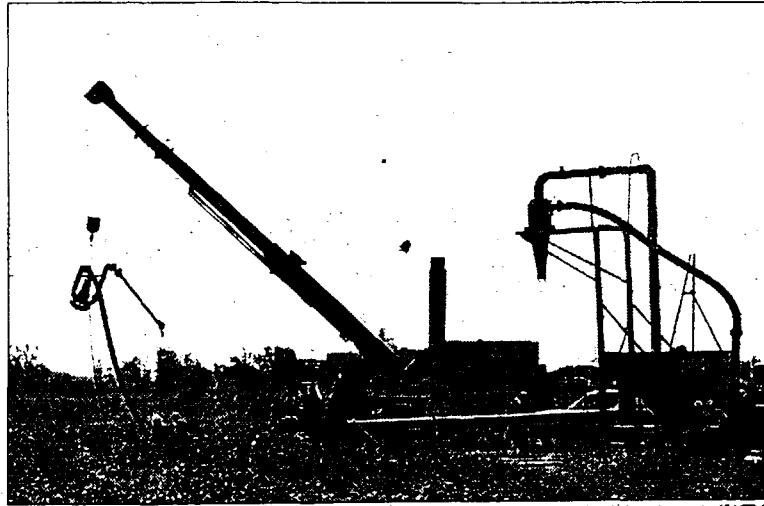
A technology used for 60 years in the mining industry could produce PCB-free sand from dredging of the Green Bay shipping channel.

A demonstration of new dredge material treatment technology was held Thursday at the Bay Port Dredged Material Disposal Facility at the north end of Military Avenue.

The U.S. Army Corps of Engineers and U.S. Environmental Protection Agency commissioned the building of a "cyclonic separation" device, which may produce contaminant-free sand for construction uses, potentially reducing by half the amount of sediment that is rapidly filling the Bay Port landfill.

Green Bay's 11-mile-long channel was once wide enough for passing ships, but the edges of the channel — last widened in 1959 — have crept inward because of a lack of places for the sediment. Now only one ship at a time is able to enter or leave the Port of Green Bay through that channel, which is dredged by the Corps of Engineers every year.

What to do with the dredged material has long been a problem, both because of its sheer volume and because most of the dredged sediments are contaminated with



WORKERS SET UP EQUIPMENT for the Dredged Materials Treatment Technologies Demonstration day at the Bay Port Confined Disposal Facility on Thursday.

PCBs — polychlorinated biphenyls — which are believed to cause neurological handicaps in humans and a wide array of ailments for wildlife.

Currently, hundreds of thousands of tons of dredged material are stored in separate cells, just south of the bay and east of Ken Euers Nature Area on the city's northwestern corner.

The sediment is too contaminated from factory discharge to pass Wisconsin Department of Natural Resources usage standards, according to Scott Cieniawski, environmental engineer for the EPA.

After sitting for three to four years, the dried top layers get scraped off and stored in a new pile.

he said. All in an area that was once a wetland known as the Atkinson Marsh.

"The question we're asking is, if we separate the clay and silt material from the sand, will the lower contamination levels of the sand allow us to re-use it?" Cieniawski said. Since PCBs are more prone to stick to clay than sand, the freed sand may become usable for road construction purposes or anything else — if it meets DNR standards.

The demonstration, held all day Thursday, was delayed by six hours because of unexpected power problems and incompatible pieces.

When it finally started running, the machine churned and gurgled,

sucking in muddy water, and then spitting out muddy water and watery sand.

That sand is being collected for contamination testing.

"We were kind of skeptical about it, but it's working pretty well," said David Bowman, project manager for the corps.

Forty-five-pound pressure jets jar loose the compacted sediment, while a companion pipe sucks the newly wetted slurry to the dewatering machine. There, a cyclonic separator spins the slurry at high velocities, exploiting the different densities of the sand, clay and silt.

"The water and silt goes to the overflow, and the sand comes piling up through the underflow," said Julian Hazen, president of Met Pro, the company that constructed the prototype unit specifically for this experiment.

"The cyclone machine has been used in the mining arena and all over in industry, but this is the first time it's been proposed to decontaminate dredge material," Hazen said.

At full capacity the machine is able to suck in 1,500 gallons of slurry per minute, and usually separates out 85 tons of sand each hour. The \$70,000 machine was partly paid for by the EPA and corps of engineers, who also spent a combined \$100,000 on the day's labor.

The agencies say that this could become a widely used technology for hundreds of contained dredge facilities in America, including the

26 on the Great Lakes, five in Wisconsin.

"If we can recover materials and save some room, we're very interested in that," said Cieniawski. "We'll decide what to do with this by the end of the week." He adds, "We're a few years of testing away (from full implementation)." He also admits that, given the enormous amounts of material brought in each year through dredging, "If this works, it'll only make a small dent."

CORRECTION

Shipping costs for bringing the "Mysteries of Egypt" exhibit to the Neville Public Museum amount to \$25,000, not \$250,000 as stated in an article on Page 13 of Thursday's **RAVE!**

If you notice a mistake or item needing clarification in *The Green Bay News-Chronicle*, call editor Tom Brooker or managing editor Tom Gunderson at 432-2941.

LOTTERY

Thursday, August 10, 2000

Wisconsin

Pick 3: 9-9-0
Pick 4: 9-4-9-5
SuperCash: 1-09-17-19-31-33
Cash 4 Life: 6-32-50-62

Illinois

Pick 3: (Early/Late) 5-2-79-6-2
Pick 4: (Early/Late) 7-9-6-1/0-7-3-0
Little Lotto: 4-6-10-15-18

Michigan

Daily 3: 9-7-8/2-7-0
Daily 4: 9-0-2-8/8-8-6-4
Rolldown: 8-17-21-23-30
Keno: 1, 3, 10, 12, 24, 25, 26, 27, 29, 38, 42, 43, 44, 53, 57, 65, 67, 69, 71, 75, 78, 80

National PCB study to be delayed

Some speculate politics involved in stalled study

BY SUSAN CAMPBELL
PRESS-GAZETTE

Plans to delay the release of a national assessment of contaminant cleanup strategies until after the presidential election is raising concerns about further delays in cleaning up the PCB-laden Fox River.

The National Academy of Science study, now scheduled for release Nov. 30, is taking longer than expected to complete because of the volume of information that has been made available, said Roberta Wedge, project director for the National Research Council, the Academy's operating arm.

Some worry the delay could slow or weaken the U.S. Environmental Protection Agency's ability to negotiate or order a cleanup of the Fox River because of legislation that prevents the agency from ordering PCB sediment cleanups until results of the study have been incorporated into the agency's policies.

A further concern: The delay pushes the report's release to after the Nov. 7 presidential election, when a new administration less aggressive on environmental cleanups might take office.

"You keep hoping this committee is not biased that way, and that whoever is in charge isn't biased, but the fact that they delayed it past the election looks political," said Rebecca Katers, executive director of the Green Bay-based Clean Water Action Council. "We're very worried that this whole river cleanup process has been delayed until after the election."

Questions about politicization have dogged the panel from the outset because of its roots as an industry requested study.

Congress directed the EPA to order the study in 1996 in response to a request by General Electric Corp. that the efficacy of dredging be

studied.

GE faces a multi-million dollar cleanup of PCBs from New York's Hudson River and, like the Fox River Group of paper mills facing a similar cleanup of the Fox, has argued that dredging would worsen the problem by stirring up contaminants buried under clean sediment.

The academies' study is broader in scope in that it includes a review of PCB remediation methods beyond dredging — such as capping, disposal and natural recovery.

The panel's charge also was broadened to include recommending a framework by which communities can choose the best and safest sediment cleanup option available.

Wedge said politics and the timing of the presidential election had no role in the independent, scientific panel's decision to delay its report.

"People have different views on the thing... they really thought they needed another meeting to look at the final, final draft," she said.

Panel's final meeting

The panel — made up of scientists from around the country — will hold its final meeting on Sept. 10 and 11, after which final changes will be made and the document will undergo editing and a peer review process by outside experts.

The plan is to deliver the report to the EPA and Congress on Nov. 30, and release it to the public the following week.

Regardless of what the report finally has to say about dredging and other cleanup methods, the delay in its release has EPA officials worried in light of the accompanying ban on EPA sediment cleanup actions.

The ban is contained in a recent budget provision by

PCB/Ban limits fed's ability to negotiate

■ From B-1

The House of Representatives that bars the EPA from proposing or ordering contaminated sediment dredging or other "invasive technologies" until the agency incorporates findings from the scientific study into its policies.

"You keep hoping this committee is not biased that way, and that whoever is in charge isn't biased, but the fact that they delayed it past the election looks political. We're very worried that this whole river cleanup process has been delayed until after the election."

— Rebecca Katers,
Clean Water Action Council

GE pushed for ban
GE pushed for the ban in what critics say was an attempt to delay EPA action on the Hudson River where the agency plans to propose a cleanup remedy by the end of December.

The provision likewise hampers the EPA's ability to propose a cleanup remedy for the Fox River.

The agency in conjunction with the state Department of Natural Resources, is expected to release final cleanup studies and a proposed cleanup plan for the Fox River by year's end.

Jim Hahnberg of the EPA's Region 5 office in Chicago said the House ban on EPA-proposed dredging and other technologies precludes the agency from proposing dredging, capping or even natural recovery for the river as the latter requires taking core samples from the riverbed to monitor whether contaminant levels are dropping.

in the sediment.

Provision weakens EPA

The House provision also weakens the agency's ability to negotiate a cleanup with the paper mills before or after a remedy is proposed because it strips away EPA's authority to enforce a cleanup until the agency incorporates the panel's findings.

"That would not give a company incentive to settle," Hahnberg said. "We only have carrots — no sticks."

The DNR could issue a cleanup proposal on its own, he said, but if the mills were to balk, the state alone would be responsible for enforcing the selected strategy.

Please see PCB, B-2

Still-incomplete study may slow or halt river cleanups

Demonstration dredging on the Fox River won't be affected

By Jeff Decker
The News-Chronicle

Environmentalists say a national study due next month on the success of different river cleanup methods may affect every decision the U.S. Environmental Protection Agency makes about future cleanups.

The congressional report asks that the EPA halt the use of "invasive remedial technologies" in river cleanups until this study has passed, "which we take to mean capping, dredging and even sampling," said Jim Hahnenberg, EPA project manager for the Fox River cleanup.

Hahnenberg said for now, the report will have no impact on demonstration cleanup projects currently under way on the Fox River, but the overall cleanup plan to be announced next spring will certainly be affected if the bill that includes the study passes the U.S. Senate.

The EPA is already confident that it understands the effects of the various cleanup methods, but more information is always valuable, Hahnenberg said.

"Our belief was that they were

enough facts about the abilities of those technologies to achieve the desired results," he said.

Project director Roberta Wedge of the National Academy of Sciences, who is coordinating the study, said the goal is "to come up with a uniform method to look at these projects, so that they all have a common framework when looking at these risks."

The Study on the Remediation of PCB Contaminated Sediments was placed in the EPA's funding bill and passed the House this year, but has not reached the Senate. If the bill passes the Senate, EPA decisions on river cleanups would be sealed by this study, Hahnenberg said.

With the EPA halting all new cleanups until this study is completed, environmental leaders say they fear the rivers may never be cleaned.

"This is a backdoor way of tripping the EPA up," said Rebecca Katers, executive director of Clean Water Action Council of Green Bay. "What it has effectively done is add another element of delay to years of delay, and that has been the main tactic of these polluters for years."

Officially, the EPA need not follow the report. That fact led U.S. Rep. Mark Green, R-Green Bay, to support the project.

"It signals congressional intent, but the agencies can do what they want," Green spokesman Chris Tut-

tle said.

"Even if it did have force in law, it affects only mandatory EPA cleanup acts," Tuttle said. The cleanup near Fort James Corp.'s west mill in Green Bay was developed voluntarily.

Katers replied, "Frankly, I think it's dishonest of him to deny that this will have an impact."

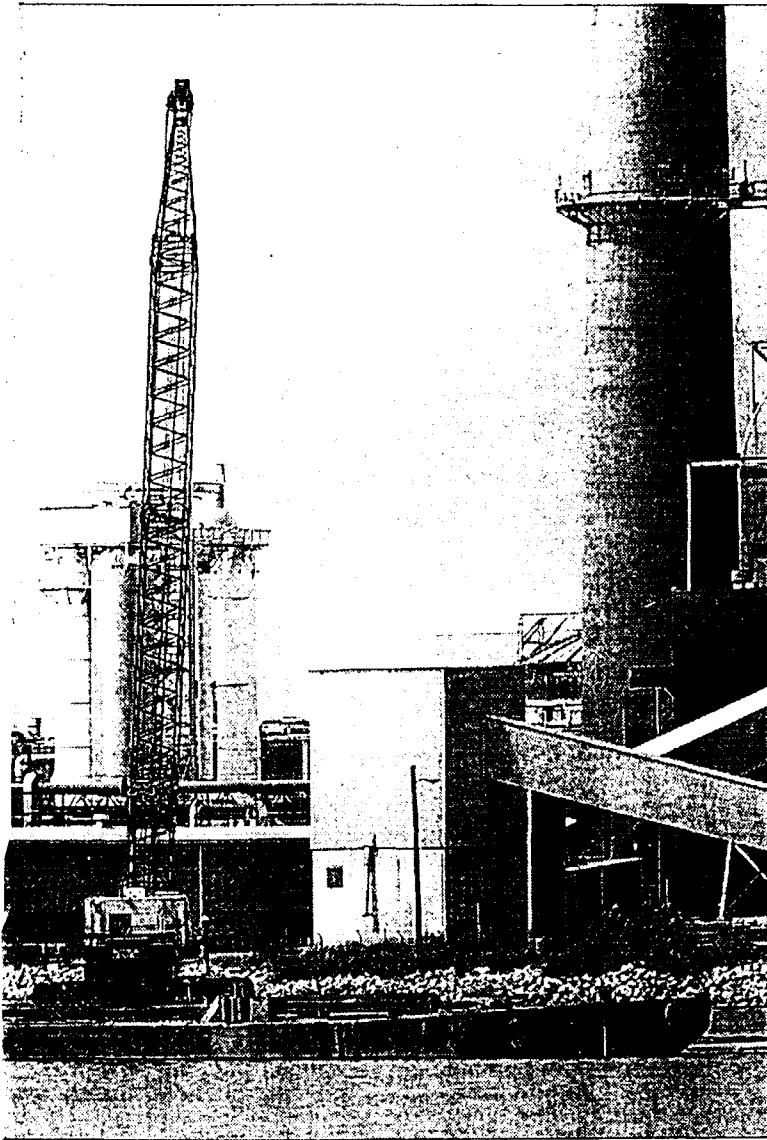
Without the pressure of EPA to use its Superfund authority to order responsible businesses to begin cleanups, the next solution for the whole lower 40 miles of the Fox River may not be as strong, may not be voluntary, and may simply never come, Katers said.

With the new deadline after the November elections, she said she is worried that accountability to representatives has been put off. She added the study began with the support of General Electric, which contributed to the pollution of the possibly most polluted river in the nation, the Hudson River in New York.

Wedge said the National Academy of Sciences committee represents a full spectrum of people involved with dredging.

"One of our members works for a law firm, one works for Eastman Kodak, one works for a consulting firm called Sciences Inc., one works for the Center For Health and Environmental Justice, and the rest are from universities," she said.

The \$750,000 study has been delayed, she said, because of all the information they've been sent to consider by the EPA, state agencies, industry and environmental groups.



H. Marc Larson / The News-Chronicle

WORKERS SET UP A BOOM around the perimeter of the Fox River dredge site near the Fort James Corp. west mill earlier this month. Fast dredging at the site may not be affected by an EPA study.

Inside

The American Boychoir and Irish singer Tony Kenny get a mixed review in Saturday's performance at the Weidner Center. **On B-5**

LOCAL/STATE

SECTION

B

Records **B-2**
Deaths **B-4**

★ MONDAY, OCTOBER 30, 2000

GREEN BAY PRESS-GAZETTE

PCB substitutes also may be toxic

Lawsuit alleges company knew risk of carbonless copy paper

By SUSAN CAMPBELL
PRESS-GAZETTE

Appleton Papers Inc. is fighting to retain a protective seal on old court records it says contain trade secrets. But office workers say the records show the company has known for more than 40 years that its carbonless copy paper can cause disabling health problems.

Former Bell Atlantic

workers who lost their jobs after becoming disabled are appealing recent New Jersey and Pennsylvania court rulings ordering that the protective seal be maintained and the former workers hand over to the court all records in their possession.

The battle has significance up and down the Fox River Valley, says a Green Bay environmental group that has filed a letter with the court

urging that the records be made public.

The Clean Water Action Council warns that the compounds Appleton uses to make carbonless copy paper — chemicals substituted for PCBs after the federal government banned them for public health reasons in the 1970s — are accumulating in the river's sediment and fish.

If these substitute compounds are suspected of in-

juring people exposed to carbonless copy paper in the office, those living along a river polluted by the same chemicals should know whatever the company knows about the potential health effects, said the group's executive director, Rebecca Katers.

"I'm concerned about the case because of the relevance for our Fox River. We may be being contaminated

with the same chemicals they're concerned about," Katers said. "We need to see those documents. The fact that they're not producing that information makes me think they're hiding something serious."

Lawyers and others representing Appleton Papers say the company has conducted extensive research on its product and found no health problems. The real problem,

they say, lies with a handful of workers — like Brenda Smith — who have lost their jobs to injury and are looking for someone to blame.

"We're not disputing that this isn't a tragic situation for her," Appleton spokeswoman Mary Deckert said of Smith, a former Bell Atlantic employee in Virginia Beach, Va., who is said

Please see Paper, B-2

Paper/Product's health effects not proven

■ From B-1

to suffer from "multiple chemical sensitivity" and is the most outspoken of the injured workers. "But we didn't cause it."

In the midst of the court battle, both sides are awaiting the results of a federal review of the potential health effects of carbonless copy paper. The question is being revisited by the National Institute for Occupational Safety and Health, which performed an inconclusive review of the data in 1987.

The Institute, which reopened its review in 1997, now has some 14,000 pages of information on carbonless copy paper and expects to release its findings by year's end.

Paul Schulte, director of the agency's education and information division, said the number of scientific studies of the effects of carbonless copy paper have increased somewhat since the institute's assessment a decade ago.

The quantity of those reporting effects from the paper is "a relatively small number given the large number of people who work with carbonless copy paper who have problems that are potentially related," he said.

The most common complaints are skin and eye irritation. But Schulte said linking health problems with workplace exposures to carbonless copy paper is difficult because of the varying brands and ever-changing chemical composition of the product, and because workers' reported symptoms "are not necessarily medically verified."

Appleton Papers defends its product and the chemicals in it, saying carbonless copy paper has been vigorously tested during the last 15 years. Of more than 120 studies of carbonless copy paper, Deckert said the weight of the evidence to date falls to link the product to health problems.

The Appleton-based company is the world's largest manufacturer of carbonless copy paper—producing about half of the estimated 800,000 tons produced annually.

Daniel McIntosh, executive vice president at Appleton Papers until his retirement last month, argued that the records must remain sealed because they contain trade secrets that, if made public, would give competitors an edge in a highly competitive industry.

"We had to work our way through it, figuring out what worked and what the pitfalls were," he said. "Why should we

"It's the chicken and the egg. Do you look at all of the chemicals in the effluent and then find out whether they're bad, or vice versa?"

— Bob Paulson,

Department of Natural Resources environmental toxicologist

give them the track to follow?"

And Appleton believes the workers in question largely are out for money. Angela Tyczkowskl, assistant general counsel for Appleton Papers, supplied a list of times Smith has sought money from the company.

Tyczkowski said Smith recently offered to sell the domain rights to her Web site, which contains information relating to her allegations against the carbonless-paper industry, for \$20 million in exchange for agreeing not to take her story to the media or others.

"I guess it would have been easy for us to pay her off, but we have nothing to hide," Deckert said.

Thesis raises concerns

As evidence for her concerns about carbonless copy paper chemicals in the Fox River, Katers cites a 300-page master's thesis written in 1983 by a University of Wisconsin-Madison graduate student who identified chemicals used in the manufacture of carbonless copy paper and tracked them to the lower Fox River's sediment and fish.

The author, Paul Peterman, reported that some of these PCB substitutes became chlorinated during the paper-bleaching process, were stored in fat and had the ability to accumulate in fish. Further, he reported the compounds were present in fish caught not only in the river, but also in Green Bay.

The study, which was neither published nor peer-reviewed, concluded with a recommendation that further monitoring and studies were necessary to better assess the environmental significance of PCB substitutes.

Peterman collaborated on a follow-up study, published in 1990 in *Biomedical and Environmental Mass Spectrometry*, that reached the same conclusions. "Our findings suggested that the environmental fate of new PCB replacement chemicals used in open systems such as carbonless copy paper should be studied more thoroughly," the study concluded.

Today Peterman, now an environmental chemist at the USGS Research Lab in Columbia, Mo., said there should be more follow-up studies of the PCB substitutes.

The state Department of Natural Resources has worked hard to track the fate of PCBs in the Fox River but doesn't monitor for the newer PCB substitutes.

Bob Paulson, an environmental toxicologist with the DNR, said the agency lacks time and resources to search for chemicals that have not been identified as hazardous in scientific literature. Furthermore, no standard has been established for unacceptable levels of the chemicals, meaning regulators wouldn't know how much is too much.

"It's the chicken and the egg," he said. "Do you look at all of the chemicals in the effluent and then find out whether they're bad, or vice versa? Until we know this is a health hazard, we can't go around looking for it."

Regardless of how toxic the chemicals might be, Paulson said they'll be dredged from the Fox River along with the PCBs during the pending river cleanup.

Case history

The sealed Appleton documents date to a 1987 court case in which a Bell Atlantic telephone worker alleged she suffered disabling injuries because of years of exposure to carbonless copy paper in her office.

That case settled out of court, but a protective order remains in place that sealed records that Appleton and the injured worker agreed to mark confidential.

Those confidential records were released during the discovery proceedings in a 1990 carbonless copy paper case involving another Bell Atlantic employee, Nancy Rutigliano of Massachusetts.

Rutigliano's case was dismissed on the basis of "junk science," and a year later her lawyer invited her to retrieve 21 boxes of records from the case because they were cluttering up the office. Rutigliano did, and later discovered the boxes contained what the workers say is incriminating information about Appleton Papers.

Smith and Sharon McLaughlin, a third injured Bell Atlantic worker who also had her case against Appleton dismissed, posted excerpts of the documents on their Web site until Appleton Papers obtained a court order that the ex-

cerpts be removed.

A court also has barred the workers from discussing the contents of the sealed documents. In briefs filed with the court, Brenda Smith has said only that the documents "contained very important information which confirmed that Appleton had known for over 40 years that their carbonless copy paper caused adverse health problems to some of their consumers."

"We know there are thousands of people out there who are injured," Smith said from her home in Virginia Beach. "And we know that's what Appleton Papers is afraid of. When it gets out, it's like opening a Pandora's box."

Smith, who urged the institute to reopen its study of the paper, said she seeks financial compensation for her injury and wants labels posted on packages of the paper warning consumers that the product can be a health hazard.

"We're not asking for it to be banned. We're not asking them to put a skull and crossbones on the paper," she said. "It's just not fair if you're a hardworking person, you go to your job every day ... and we lose our jobs, our health and the security we've worked for all our lives."

COLUMNIST'S PERSPECTIVE

You can vote for a cleaner Fox River

A little over two years ago, when the U.S. Environmental Protection Agency wanted to nominate the Fox River for Superfund status, members of Clean Water Action Council, a local environmental group, traveled to three counties through which the highly polluted Fox River flows. Over that summer, members went to courthouses in Outagamie, Winnebago and Brown counties to make a case for Superfund.

When we got to Outagamie County Courthouse, elected officials greeted us with the most boorish manners you can imagine. When we asked for more time than the allotted one-minute limit, we were booed and hissed. There were catcalls and rude remarks.

It was the kind of treatment one would expect in some skid-row bar. Outagamie County's pollution ends up in our neighborhood, so we had the right to address its board. It had the responsibility to give us that opportunity. One minute hardly suffices for such an important topic.

In Winnebago County, we were treated properly. We were each given five minutes to speak, which is usually enough time to make a point. There were no catcalls. There



Curt Andersen

For The Green Bay News-Chronicle

We found out the system worked, at least in Brown County. Our elected representatives did their jobs, representing their constituents instead of Big Money and Big Paper.

was no booing or hissing. We made our best argument and still got voted down. We asked to be heard, and for our petition to be considered.

Then we went before the Brown County Board. What a difference. We made our case. We were listened to and questioned.

Committee members chastised the paper company representatives for their misleading cartoon that showed a dredge system that reminded me of a snow blower, with all the sediment being stirred up and allowed to drift downstream.

EPA officials played their videotape, which showed how well the dredge worked. Underwater footage proved that no sediments were stirred up or allowed to escape the dredge pumps. Committee members asked embarrassing questions of the paper company representatives. CWAC members were downright stunned that someone was listening to us.

The Brown County Board voted to support Superfund. This was super news for citizens who were tired of the paper industries' worn-out claim that "we need more studies."

The best part was that we found out the system worked, at least in Brown County. Our elected representatives, for the most part, did their jobs, representing their constituents instead of Big Money and Big Paper — representing citizens instead of those who dump pollution into our river daily.

Among this group who listened to their

constituents, and who supported Superfund, are three men who are running as Democrats for federal and state offices.

Dean Reich is running for Congress in the Eighth District, hoping to unseat Mark Green, a military spendthrift who has been a threat to any real cleanup. Dave Hansen is running for state Senate in the 30th District, hoping to unseat Gary Drzewiecki, never a friend of the environment. Pat Collins is running for state Assembly in the 4th District, hoping to unseat Phil Montgomery, less than sterling in his voting for environmental matters.

If you have ever said that nobody represents your viewpoint, you now have a chance to get responsible leadership. It's time to dump the irresponsible Republicans who have allowed the Fox River pollution problem to fester like a pustule. Be sure to vote. Do it for your kids.

Curt Andersen is a lifelong resident of the Green Bay area and a Vietnam-era Navy veteran. He owns a small business and is on the board of the Clean Water Action Council. His column appears here Wednesdays. Opposing or supplemental viewpoints are welcome. Write to him via e-mail at canderse@gateway.net.

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Date: 10/31/2000 2:11 PM

Normal

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Subject:

----- Message Contents

Interesting article in todays Green Bay News Chronicle --
public spat again
between WDNR and
FWS, but we get blamed a bit also...

I have "bolded" a quote by George Meyer below where he states
the State has been
waiting for
EPA for over a year. I assume he is referring to the draft
RIFS released in
February 1999 -- apparently
believing it would have been an adequate draft upon which to
base a proposal.

If this is what George
is say, this is news to me.

State, feds feud over
Fox proposals

A spokesman for seven paper mills says
they will wait to see which has the
better plan

By Jeff Decker
News-Chronicle
MADISON - A major restoration and

compensation plan

starting line,

agencies

before it

for the Fox River and Green Bay is at the
but disagreements between state and federal
may throw the plan into courtrooms for years
sees the light of day.

Wisconsin

developed

The U.S. Fish & Wildlife Service and the
Department of Natural Resources have

the public
and
federal plan,
the DNR,

with
resources
Service,
projection," DNR
with the

clear that we
Wildlife
plans to
November.

Service
his agency
supporting it and
compensation

supersede
state
claim them

Hartwig
"extremely
federal

settlement for
settlement, "then we

conflicting compensation plans to pay back
for damage wrought by PCBs. Six government
tribal organizations have joined with the
but a consensus has not been reached with
the trustee of Wisconsin resources.

"We will reach reasonable damage settlements
the responsible parties to settle natural
claims independent of the Fish & Wildlife
unless they come to a more moderate
Secretary George Meyer said in an interview
News-Chronicle.

The DNR has been negotiating with paper mill
representatives on its own since "it was
wouldn't find common ground (with the Fish &
Service)," Meyer said. The state agency
release its own compensation plan in late

Estimates of the cost of the Fish & Wildlife
plan range up to \$365 million. Meyer said
had not seen enough data to consider
DNR consultants believe the plan's
formulas to be weak.

He also said the state's settlement would
the Fish & Wildlife plan. "If we settle the
resources, then (Fish & Wildlife) couldn't
under their document," Meyer said.

JURISDICTION A MAJOR QUESTION
Fish & Wildlife regional director William
insisted that his researchers worked
closely" with DNR personnel and that the
agency's plan will be executed.

"If we had figures that support a better
the public" than the possible DNR

the public,"

would like to argue for that on behalf of
Hartwig said.

remains in
court would

If the issue of whose plan has jurisdiction
question, Hartwig said going before federal
be unavoidable.

prepared to
still there, said
combined

"We would have to go to court, and we're
do that," he said. The offer to join is
Hartwig, and both he and Meyer said a
cleanup would be more efficient.

DNR
reports are
asserted all of
except for
before the

Meyer stated firmly that there will be no
cooperation until all relevant documents and
shared, and DNR input allowed. Hartwig
those documents and reports were shared,
the final elements that came in the night
report was officially released Wednesday.

states and
chief
there are
top trustee.

Hartwig said jurisdictional disputes between
the federal government were common. He
acknowledged that the DNR generally is the
trustee of all land in Wisconsin, but that
situations and places where his agency is

and
companies (The Fox
responsible for
the Fox

MILLS COULD CHALLENGE SETTLEMENT
Whatever happens, the bill for compensation
restoration will fall to seven paper
River Group) that have been declared
the compensation and cleanup of 39 miles of
River.

won't be
project is
and
the
damage

The exact cost of the compensation plan
known fully until another enormous Fox River
begun: The U.S. Environmental Protection Agency
DNR remediation and cleanup plan for the PCBs in
sediment. The more that is cleaned, the less
there is to compensate, Hartwig said.

for

Meyer said the DNR is ready and has been waiting
the EPA for more than a year.

money (the
than

"I would rather see the greatest bulk of the
paper mills must) pay go for cleanup rather
compensation," he said.

Service reach
challenged
the group's
who
plan.

Even if the DNR and the Fish & Wildlife
consensus, Hartwig said they could still be
in court by the Fox River Group, adding that
lawsuit would be strengthened by consultants
work for Wisconsin criticizing the federal
plan.

they are
Wildlife
would like

Fox River Group spokesman Tim Dantoin said
currently very skeptical of the Fish &
procedures used to calculate damage, and
to have two plans to pick from.

trustee in
out there," he

"We support the Wisconsin DNR as the lead
this, so we'll wait and see what they put
said.

approach of
for the loss

GROUP DISLIKES 'PILING ON'
Dantoin also said the federal plan's
restoring one area of nature to compensate
of another is flawed.

do they ruin
the public
rather

"PCBs do not cause poor water clarity, nor
wetlands, so what this methodology asks of
to do is compare, and we think that's a
subjective process," he said.

is to be
people who
with the
say,
number?'"

Hartwig said that the companies' criticism
expected. "It's no surprise to us that the
may have to pay for the conclusion disagree
conclusion. We don't go to the companies and
'Gee, how much can you afford of this big
number?'"

with Fox

Department of Justice accountants would sit

financial

determined. Hartwig

goals was to

their

the

see this

environmental

Service include

Oneida

Traverse Bay

National

Michigan

River Group accountants and go over their

statements before a final bill is

noted one of the federal plan's three main

promote a stable local economy.

Dantoin said the DNR has more concern over

economic stability. "I'm glad to see one of

government agencies is concerned and doesn't

as an opportunity simply to pile on every

project in the region," Dantoin said.

The co-trustees with the Fish & Wildlife

the Menominee Indian Tribe of Wisconsin, the

Tribe of Indians of Wisconsin, the Little

Bands of Odawa Indians of Michigan, the

Oceanic and Atmospheric Administration, the

attorney general and the EPA.

Dredging project completed

Preliminary tests say cleanup reached goal

By SUSAN CAMPBELL
PRESS-GAZETTE

An emergency removal of hazardous chemicals outside Fort James Corp.'s West Mill was completed two weeks ahead of schedule, and preliminary results show the cleanup achieved its goal.

Representatives of Fort James and the state Department of Natural Resources hailed the project Friday as one that demonstrated environmental dredging on the Fox River can be successful.

"We're confident that we achieved it," Fort James spokesman Mark Lindley said of the project's cleanup goal. "It was a good project ... everyone's been able to work together quite well."

The project, paid for by Fort James, removed a targeted 50,000 cubic yards of PCB-laden sediment from the hottest known hot spot on the Fox River. The amount spent on the project has not been determined.

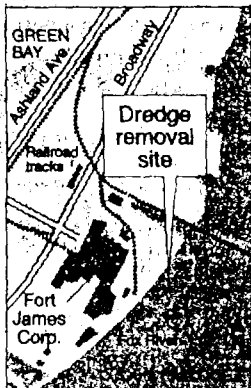
Preliminary sampling results show PCB levels left behind at the 6 1/2-acre dredge site range from non-detectable to 9.5 parts per million, according to the U.S. Environmental Protection Agency. Sampling results by the DNR, Fort James and the EPA have been consistent, though they must be verified.

All sediment areas exposed by the dredging were capped with a 6-inch layer of sand, and dredging equipment was expected to be removed from the river Friday.

An agreement between the DNR and Fort James last summer specified that the mill would be released from future state and federal liability at the site if PCB levels were brought down to 1 ppm, and contaminant levels of 10 ppm and less were

PCB hot spot

Paper mills and the state Department of Natural Resources plan to remove PCB-laden sediments to learn more about dredging on the Fox River.



Source: Wisconsin Department of Natural Resources Press-Gazette

capped with sand.

This year's dredging project is a counterpoint to a dredging project at the same site last year — one heavily criticized because it exposed PCB levels of up to 310 ppm when it was forced to shut down because of dwindling funds and cold weather.

"We needed to do some successful dredging demonstrations to help us deal with the. Let's prevent any dredging from happening," said the DNR's Bruce Baker, referring to anti-dredging arguments from some of the six other paper mills that helped finance that first project.

"We've got some companies now that are beyond this anti-dredging campaign and getting down to talking about the real issue," Baker said. "Not whether there will be dredging, but more a matter of how much dredging?"

11/11/00

FOX: Professors offer workshops applying critical thinking to PCB pollution

From B-1

Andrew Fiala, who teaches in Humanistic Studies and Philosophy. "What do we do when the experts disagree? For democratic practices to happen, we need to have critical thinking skills."

Hence the three "Critical Thinking, Science and the Environment" workshops scheduled to run from 6:30 to 9 p.m. at the University of Wisconsin-Green Bay Union, beginning this Thursday and continuing on Oct. 5 and Nov. 2.

"They are free and open to interested individuals. The professors, both new to the area, were able to fund their idea by successfully applying for a

\$5,000 grant from the U.S. Environmental Protection Agency's Environmental Education Fund.

Fiala and mathematics professor David Dolan have three goals. They seek to show how critical thinking can distinguish good arguments from bad. They want to help people understand the scientific method and statistical reasoning used in environmental arguments. Finally, they seek to differentiate ethics and politics with regards to environmental issues.

"These critical thinking skills can be applied to any complex environmental issue, but the professors will highlight the issue of PCB pollution in the Fox River in the workshops. An

an argument.

"Just the way you say things can be interpreted in different ways," Dolan said. "What does the word 'significant' mean? Statistically, there is a definition of that. So is that in someone's mind? Or do you have a statistical basis for it, where you have a 99 percent probability of being right."

He promises to get this across without using a lot of numbers. Fiala will look at logic, at how arguments are made and at what makes a legitimate argument. He offered three examples of arguments that are not legitimate. One is the ad hominem argument, in which you assert that your opponent's arguments

are false because they are a bad person or company or agency. "A person's character doesn't necessarily undermine their arguments," Fiala said.

Another is to dismiss an opponent's argument because it differs from his earlier statements, levying the charge of hypocrisy. But a person can legitimately change his mind, as can a company or agency, Dolan said.

Still another is the "slippery slope" argument, in which it is alleged that if X happens, so will Y and that will inevitably lead to Z. But logically, this is false.

"People will say, 'Here we go on another slippery slope without having proved that the slope is slippery,' Fiala said. "People think everything we do is hard and irrelevant. This is a chance to talk to real people about the real world."

■ To register, contact the UW-Green Bay humanistic studies office at 920-465-2348.

Fox River pollution studied in workshops

UWGB professors say critical thinking skills are essential

By Ed Culhane

Post-Crescent staff writer

9-18-00

GREEN BAY - For more than 10 years, the people of the Fox Valley have been besieged by opposing arguments on pollution in the Fox River.

On one side are the environmental regulators from at least three state and federal agencies, describing a river so badly contaminated with PCBs, an invisible menace, that it presents an imminent and continuing threat to the health of fish, birds, mammals and people.

On the other are the seven paper companies that discharged the PCBs, joined as the Fox River Group, whose scientists and media experts describe an entirely different river, a river that has been here a long time since PCBs were banned in the 1970s, with the worst contamination buried beneath layers of cleaner, more recent sediments.

Each side has pummeled the public with countless meetings and monstrously dense reports, rife with a bewildering mix of mathematics, interpretations, assumptions and opinions.

Now come two professors from the University of Wisconsin-Green Bay - one a philosopher, the other a mathematician who spent years working for the government - who want to give citizens a fighting chance, to give them better weapons, better defenses against that which is misleading, confusing or just plain wrong.

"Citizens aren't given the resources to make decisions about complicated issues," said

FOX RIVER AND PCBs

■ **WHAT:** "Critical Thinking, Science and the Environment" workshops

■ **WHERE:** University of Wisconsin-Green Bay Union

■ **WHEN:** From 6:30 to 9 p.m. on Sept. 21, Oct. 5 and Nov. 2

Please see FOX, B-8

People ignore PCB problems, focus on football, teacher says

9-19-00
BY SUSAN CAMPBELL
PRESS-GAZETTE

Jim Servais attended an open house Wednesday night about an emergency PCB removal under way on the Fox River, and he came away disgusted.

It wasn't the meeting that upset the Green Bay West High School teacher, but the

public's scant showing the day after lining up at polling places around the county to vote on a referendum to help finance Lambeau Field renovations through a sales tax.

By the end of Wednesday's three-hour, drop-in session for updating progress on an emergency removal of high-level PCB contamination exposed in the Fox River, about

25 visitors had stopped by the Brown County Central Library, 515 Pine St.

"It's massive denial. Here we have deformities and birth defects," Servais said. "Here people can spout statistics about the Packers' performance, but they feel they can't understand this — and it's really not that tough."

Representatives of the U.S.

Environmental Protection Agency, state Department of Natural Resources, and Fort James Corp. gave the first update of the project outside Fort James' West Mill since dredging began last month.

The project targets removal of 50,000 cubic yards of sediment contaminated by polychlorinated biphenyls, toxic chemicals exposed in

the riverbed when a dredge project ran short of time and money last December.

Servais, a physical and environmental science teacher, attended the meeting with several students from the West Environmental Club.

"Football is great, but it's a shame when it becomes a drug ... and people ignore human health problems that are far

more important," he said.

West junior Audrey Thompson said it's also hard to interest students about the PCBs — which are linked to deformity in wildlife and to lowered IQ in babies exposed to high levels in the womb.

"If I ask people what they think about the PCB thing they just shrug," she said.

Author: Hahnenberg.James@epamail.epa.gov at FWS

Date: 11/21/2000 7:32 AM

Normal

BCC: David P Allen at 3MS-GBFO

TO: david_p_allen@mail.fws.gov at FWS

Subject: WDNR/Ft. James NRD news article

----- Message Contents

Fort James Corp., state agree on pollution settlement

Deal credits company with repairs worth \$51M
for damage done by PCBs

By JO SANDIN
of the Journal Sentinel staff

Last Updated: Nov. 15, 2000

officials on
the
recreational
fisheries to the
pollution from its
Green Bay - Fort James Corp. and state
Wednesday announced a settlement calling for
papermaker to provide \$51 million worth of
resources, restored wetlands and improved
state for damage done to the Fox River by
plant in Green Bay.

settlement, state Natural
agreement "a
At a news conference announcing the
Resources Secretary George Meyer called the
reasonable, legal and strong agreement."

environmental groups that
Fox River pollution
saw it differently.
However, representatives of two
have followed closely attempts to clean up

program for the
a deal that was
Emily Green, director of the Great Lakes
Sierra Club, characterized the agreement as
done behind closed doors.

deciding," said
"They should have come to the public before

scheduled by the U.S.
Green, who pointed to five hearings

conducting an independent attempt to assess the damage to the
natural resources from PCB contamination.
Fish and Wildlife Service, which is

Under federal law, federal, state and tribal agencies may evaluate how much damage a polluter has done and seek agreement from responsible parties to restore damaged natural resources. Meyer said the settlement announced Wednesday, which still has to be approved by a federal court, did not address claims against the paper company from the federal government or tribal authorities.

Cleanup of the polychlorinated biphenyls in Fox River sediment is proceeding separately, Meyer said.

He said the agreement between the state and Fort James provides "real money being used to do real projects and will help us move ahead with future agreements to achieve the cleanup of the Fox River, which remains our top priority."

Although it has been determined that a cleanup is necessary, the Environmental Protection Agency has held off on declaring the Fox River a Superfund site in order to encourage the kind of voluntary cleanup that has begun.

However, a final report on cleanup proposals and progress is due to be completed near the end of the year. The river still could be named a Superfund site, which might bring with it a much higher cleanup price tag for those parties determined to be responsible for the pollution.

Fort James and six other paper mills released PCBs into the river during the production and recycling

of carbonless copy paper until the government banned the chemicals in 1977. Studies have linked PCBs to cancer, reproductive problems and poor mental development in children.

Kathleen M. Bennett, Fort James vice president for environment, safety and health, said the \$7 million

the company plans to spend "allows work to be initiated now on specific projects that will expand recreational opportunities, protect natural resources and enhance the beauty of northeast Wisconsin" now rather than in the indefinite future.

Under a complicated formula figuring the cost for residents to travel to fish or boat in unpolluted waters, Fort James is being credited with repairing \$51 million in resource damage for that \$7 million expenditure.

Projects to which Fort James agreed to allocate money include:

Ten recreational projects around Green Bay, such as fishing piers, boat launches, picnic areas and playgrounds.

Funding to expand the Wild Rose State Fish Hatchery to increase the facility's musky rearing program.

Purchase of and transfer to the state of 700 acres of land along the Peshtigo River.

Design and construction of the westernmost island in the Cat Island chain in Green Bay.

The latter project in particular raised the hackles of Rebecca Katers of the Clean Water Action Council of Northeast Wisconsin.

"The Cat Island chain is a confined disposal facility for contaminated dredges that maintains the shipping channel which benefits Fort James," she said. "That should not even be considered part of the \$7 million damage restoration."

Katers, whose organization has been active in informing Fox River Valley residents about opportunities to express their opinions on damage assessment and cleanup, also took exception to those hired by the

DNR to determine the dollar amount of the resource damage.

"Essentially, this is the work of an industry consultant," she said, referring to Dwight J. Duncan, an

economist who determined the dollar damages.

At the news conference Wednesday where the agreement was signed, Duncan said that although he had determined declines in property value due to contamination for such firms as General Electric, this was his first case of determining damages to natural resources.

In introducing Duncan and Keith Eastin, an attorney with nationwide experience in determining damages to natural resources, Meyer called them "the finest experts in the country helping us analyze the situation."

Appeared in the Milwaukee Journal Sentinel on Nov. 16, 2000.

George seeks audit of pollution deal

Lawmaker questions process, agreement for Fox River cleanup

By JO SANDIN

of the Journal Sentinel staff

Last Updated: Nov. 16, 2000

Criticizing what he called a "secret deal" on Fox River pollution damages between the state and a Green Bay paper company, state Sen. Gary George Thursday called for a legislative audit on the agreement.

"This deal is yet another example of the cozy relationship between the Republican-dominated Department of Natural Resources and the companies they are supposed to regulate," said George, a Milwaukee Democrat who is co-chairman of the Joint Legislative Audit Committee and a gubernatorial candidate in 2002.

"I have asked the Legislative Audit Bureau to look into this secret deal," George said. "We need to find out if this settlement is adequate, and to find out why it was negotiated in secret and announced without public input."

On Wednesday, the DNR and the Fort James Corp. jointly announced a settlement under which the company would spend \$7 million on projects of environmental restoration, land purchase and recreational facilities.

By a complicated formula, the value of those restored resources is figured at \$55 million.

The agreement was a settlement of the state's damage claims against Fort James, which - along with six other paper mills - released PCBs into the river during the production and recycling of carbonless copy paper.

Bruce Baker, DNR deputy administrator for water and the chief negotiator of the agreement, said Thursday, "We're not hesitant to have this (process) reviewed by anybody."

Baker said a variety of public meetings, not necessarily held by the DNR, over the last six years had given a clear picture of what the public wanted in the way of restored natural resources.

"Those are pretty well documented," he said. "The companies would never have these discussions (for a settlement) unless they were confidential."

Kathleen Bennett, vice president for environment, safety and health for Fort James, added: "The process by which the agreement was reached was an appropriate one. Settlement negotiations are always confidential."

Both Bennett and Baker said there would be a public comment period before the settlement is submitted for review to a federal court that must approve the deal. No hearings are scheduled.

The agreement was news to U.S. Fish and Wildlife Service officials, which considered itself the DNR's partner in the process of developing a damage assessment of Fox River pollution.

"We were surprised," said David Allen of the service's Green Bay office. "We did not know this settlement was going to occur. We have not seen any details."

Jim Hahnenberg, who directs the federal Environmental Protection Agency's Fox River project, said there are two aspects of federal efforts to clean up a polluted site.

The first calls for the EPA, in cooperation with states, to investigate pollution, assess risks and direct a cleanup. On the Fox River site, a revised draft of the remedial investigation and risk assessment should be completed around year's end.

Under the Natural Resource Damages Assessment part of the process, he said, usually all trustees of the natural resources work together to develop a damage assessment and negotiate with polluters a damage payment.

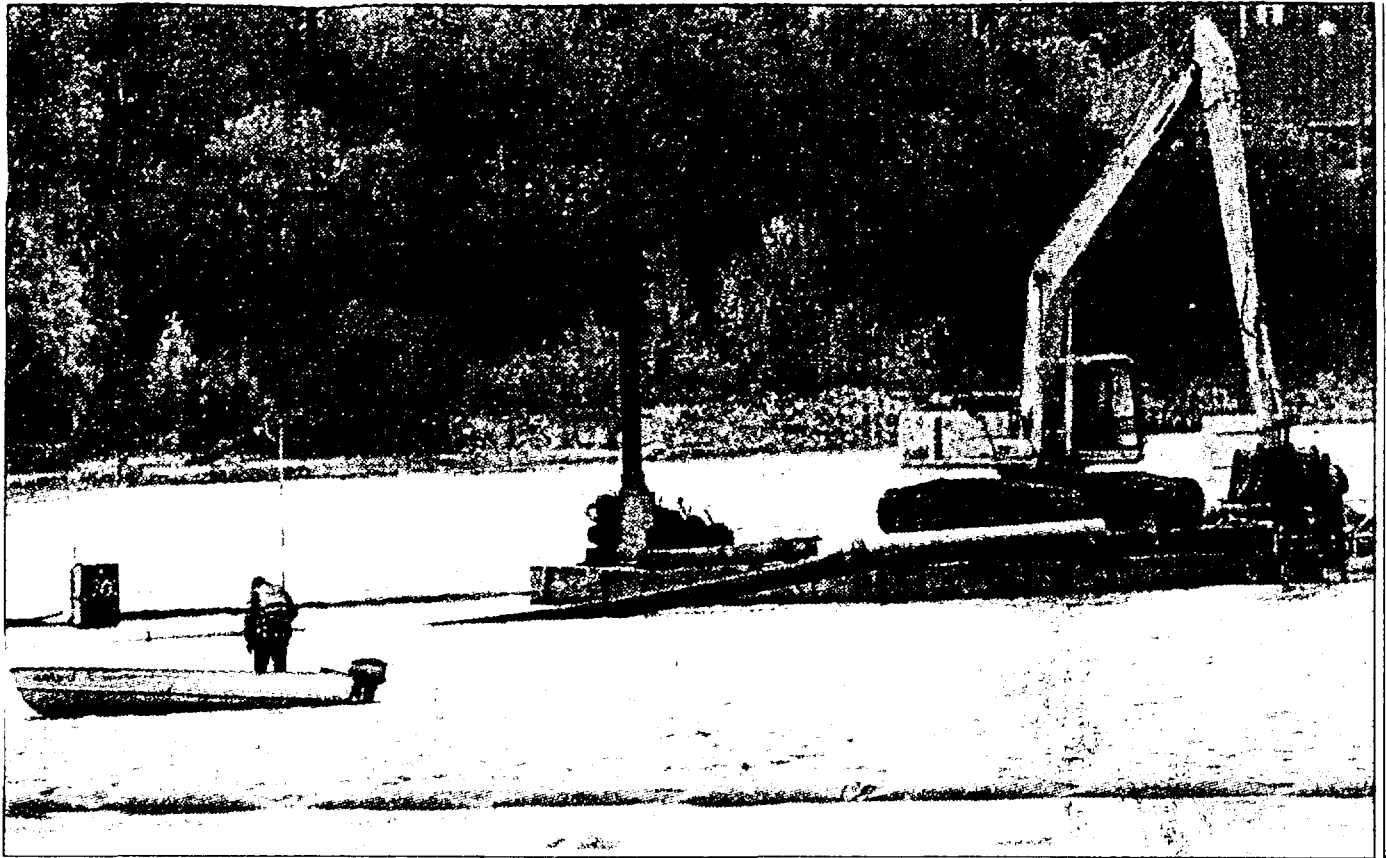
In the case of the Fox River, trustees include the DNR; the U.S. Fish and Wildlife Service; the National Oceanic and Atmospheric Administration; and the Menominee and Oneida Indian tribes. Despite the DNR's independent negotiation of an agreement with Fort James, Allen said: "We refuse to accept that (the joint approach) has fallen apart. I think that this settlement is disappointing compared to our own assessment of natural resources damage (\$300 million). In our view, there is no way to resolve the matter without all responsible governmental and public parties on board."

In a preliminary damage assessment now being discussed at public hearings, the service has determined that all seven paper companies that polluted the river have done between \$200 million and \$300 million in damage to natural resources along the Fox.

Emily Green, director of the Great Lakes project for the Sierra Club, which has been watching closely the damage assessment process, also was caught off guard by Wednesday's settlement. She said she did not realize that such an agreement was in the works and criticized as "creative financing" the process by which Fort James is being credited with \$55 million in resource restoration for an expenditure of \$7 million.

Hailing George's decision to seek an audit, Green said, "Because there are so many questions about the validity of the methods the DNR used and because of the lack of public input, this really deserves a closer look."

Appeared in the Milwaukee Journal Sentinel on Nov. 17, 2000.



Ken Wesely/Press-Gazette

The removal of PCBs from a site on the Fox River outside Fort James Corp.'s West Mill continues Tuesday in Green Bay. Leaders hope the work can be finished by late November.

11-4-00

PCB dredging moves forward

BY SUSAN CAMPBELL
PRESS-GAZETTE

Project leaders are optimistic an emergency removal of toxic PCBs outside Fort James Corp.'s West Mill can be completed on schedule this fall.

Fort James opened the dredge site — where work resumed more than a month ago after an eight-month hiatus — for a media tour and project update Tuesday. The paper mill, which is financing and managing the project, expects to finish work at the site by Thanksgiving and before the river freezes.

"We're cautiously opti-

mistic we can meet that goal," Fort James spokesman Mark Lindley said after the tour.

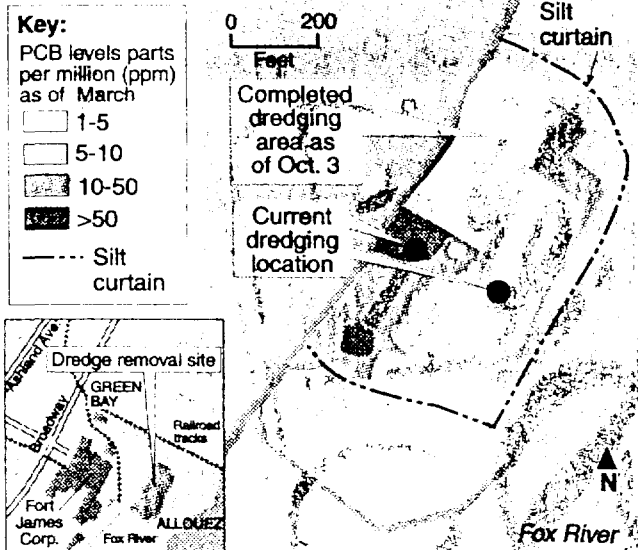
Fort James, in an agreement reached last summer with the U.S. Environmental Protection Agency and the state Department of Natural Resources, plans to remove 50,000 cubic yards of contaminated sediment from the Fox River hot spot to complete a pilot project left unfinished last winter.

That project, financed by Fort James and six other mills held responsible for the river's contamination from

Please see **Dredging, B-2**

PCB emergency removal update

Fort James Corp. is cooperating with state and federal environmental regulators on an emergency removal project outside its west mill on the Fox River. Shown is how much of the project is completed.



Source: U.S. Environmental Protection Agency, Fort James Corp.

Dredging/First phase 75 percent complete

■ From B-1

polychlorinated biphenyls, removed just 30,000 of a targeted 80,000 cubic yards.

Left behind on the riverbed surface were PCB levels measuring as high as 310 parts per million, a public and environmental health hazard that prompted environmentalists and federal and state regulators to call for an emergency removal.

Lindley said Tuesday that the average rate of removal of the contaminated sediment is rising as the project progresses, but the rate hasn't consistently been as high as necessary to meet the deadline. Engineers have deter-

What's next

The U.S. Environmental Protection Agency will host an open house Oct. 12 to answer questions about the emergency PCB removal outside Fort James Corp.'s West Mill. The meeting is scheduled for 5 to 8 p.m. in the lower level of the Brown County Library, 515 Pine St. No formal presentations are planned.

mined the removal rate must average 833 cubic yards per day over the life of the project to complete work at the site by late November.

"We're pulling up close to that, and sometimes exceeding it,"

Lindley said.

To date, 75 percent of the project's first phase has been completed — a phase that targeted the area where dredging began last fall.

A total of 24,000 cubic yards have been removed, since work began in late August, and 1,015 truckloads of contaminated sediment have been disposed of at a Fort James landfill near Austin Straubel International Airport in Ashwaubenon.

Lindley said a key factor in making this project move faster than last year's is the fact that three dredges are on site to provide backups in the event one breaks.

Also, the dredged slurry is sent

to a series of mixing tanks rather than settling basins, which speeds the process because the sediment settles out faster.

The project outside Fort James tackles just one of many known hot spots on the river. The DNR expects to release a cleanup proposal for the entire river by the end of the year.

PCBs were discharged to the river through the production and recycling of carbonless copy paper. The chemicals are linked to reproductive problems and deformities in wildlife, and to slowed development and lowered IQs in babies exposed to higher levels in the womb by mothers who eat contaminated Great Lakes fish.

11-11-80

Dredging project finished

Preliminary tests say cleanup reached goal at Green Bay

By Susan Campbell
For The Post-Crescent

GREEN BAY — An emergency removal of hazardous chemicals outside Fort James Corp.'s West Mill was completed two weeks ahead of schedule and preliminary results show the cleanup achieved its goal.

Representatives of Fort James and the state Department of Natural Resources hailed the project Friday as one that demonstrated environmental dredging on the Fox River can be successful.

"We're confident that we achieved it," Fort James spokesman Mark Lindley said of the project's cleanup goal. "It was a good project... everyone's been able to work together quite well."

The project, paid for by Fort James, removed a targeted 50,000 cubic yards of PCB-laden sediment from the hottest known hot spot on the Fox River. The amount spent on the project has not been determined.

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This year's dredging project is a counterpoint to a dredging project at the same site last year

DREDGING: Work completed

From B-1

one heavily criticized because it exposed PCB levels of up to 310 ppm when it was forced to shut down because of dwindling funds and cold weather.

"We needed to do some successful dredging demonstrations to help us deal with the. Let's prevent any dredging from happening," said the DNR's Bruce Baker, referring to anti-dredging

arguments from some of the six other paper mills that helped finance that first project.

"We've got some companies now that are beyond this anti-dredging campaign and getting down to talking about the real issue," Baker said. "Not whether there will be dredging, but more a matter of how much dredging?"

■ Susan Campbell writes for the Green Bay Press-Gazette.

Bickering continues in botched PCB dredging

Paper mills say they've paid the bill, so the dispute isn't their business

10-5-00

By Jeff Decker
The News-Chronicle

At least one project manager of last fall's botched dredging of the Fox River has said he remembers hearing contractors say river conditions were different from original projections.

Officials of Four Seasons Technologies of Ooltewah,

Tenn., say that alleged difference stuck them with a \$3.8 million overrun bill and showed how the whole project was designed to fail.

The deadline for head contractor Montgomery Watson Constructors Inc. to join non-binding arbitration with Four Seasons is Monday.

The demonstration project to dredge PCB-contaminated sediment from the river near the Fort James Corp. west mill, 1919 S. Broadway, was halted when the weather turned cold and funding ran out.

With only 30,000 of a targeted 80,000 cubic yards removed, the Fox River's most concentrated area of the birth defect-causing PCBs was left exposed for nearly a year.

Company and government spokesmen said Tuesday the second dredging project of the site has since removed 75 percent of the sediment first disturbed in last year's project, which was plagued by equipment inadequacies and failures.

"The Four Seasons people said the material was a lot harder, that they were running into a lot of

clays." Department of Natural Resources project manager Bob Behrens said. "Probably every weekly meeting we could hear that comment that the site conditions were not what they were led to believe," he said.

"The position that Montgomery Watson took was, 'That's an issue that we'll have to settle later, let's just get the job done.'" Behrens said. "They kept working, but also said that there would have to be additional compensation for that."

It had seemed odd to continue

Please see **DREDGING**, Page 3.

Undue optimism may have led to PCB dredge disaster

One project manager says the intent was never to remove all of the polluted sediment

By Jeff Decker
The News-Chronicle

Only the government oversees believed removing 80,000 cubic yards of PCB-contaminated sediment was a realistic goal in last year's botched Fox River dredging, and that misplaced optimism led to the nearly yearlong exposure of the most contaminated sediments in the entire Fox River.

Last year's project reached a rate of 268 cubic yards dredged daily from the demonstration area near the Fort James Corp. west mill, well short of the goal of 900 per day. The current dredging project, which is running an average of 12 to 15 hours more each day, has only reached an average of 630 cubic yards per day.

"Looking back, we probably should have known a month after we started that we were in trouble," said DNR project manager Bob Behrens, who has since retired. He said that they had to push lead contractor Montgomery Watson to begin damage control.

"Their concern was, I think, that the production rate was not going to be as high going through areas that were already disturbed," Behrens said.

Mark Travers of De Maxtmis consulting firm, who served as project manager for the Fox River



SIGNS MARK THE PCB dredging site on the Fox River near the Fort James west mill. Dredging this year has removed an average of 630

cubic yards of sediment per day, up from last year's 268 cubic yards per day.

Group, said the figure of 80,000 cubic yards was never written into anything.

"The volume that was put into the original agreement with our contractor was 55,000 yards," Travers said. "Then Fort James provided an additional \$2 million, so people just

quickly sat down and said... 'We should be able to get 80,000.'"

The project's late start may also have been a factor in its failure. Behrens said the original start date was in May, but a specially prepared landfill was not ready to accept the dried sediment until September.

"If we had our preference we would have been dredging in June," he said.

Rebecca Katers, executive director of the Clean Water Action Council, said she and her group were suspicious of the entire project from the start.

"They did it backwards," she said. "They put up the money and then started dredging, without caring if they ever finished."

The permits never should have been approved for such a late start, she said. "I don't understand the DNR anymore."

DREDGING: Manager says learning was success

FROM PAGE 1

without knowing for certain just what they were dredging, Behrens said, but he added, "I'm certainly no expert on dredging." His specialty is wastewater.

Four Seasons vice president Phil Martin said that they continued work, shipping in new dredge heads three times, constantly being told that they were dealing with sediment that was 34 percent solid.

"MW's own studies admit that the dry weight solids concentration was at least 44 percent, not 34 percent," reads the request for arbitration.

The actual conditions ranged from 47 percent solids to 54 percent, Martin said.

Todd Lewis, project manager with Montgomery Watson, said that they were told of the differences at the "very end" of the project, and received that claim in writing Nov. 10, not before.

"The data that I am aware of shows that the material was as it was anticipated," he said, adding that the project was a success because it succeeded with its main goal: learning the details of dredging the Fox River.

"We gave contractors opportunities to take their own core samples, and in fact we encouraged them to," he said.

Martin said Four Seasons' contract allowed for increases in compensation for unexpected increases in costs, but when Montgomery

Watson learned the Fox River Group of paper mills did not want to pay any more, the lead contractor got entrenched in its position.

"They said that we failed, that we didn't do a good job. Why weren't they telling us that daily, with them on site supervising us?" Martin said. "I feel we've got a very good case to go before a jury there in Wisconsin."

Montgomery Watson President Mark Swatek did not return telephone calls this week.

He has said in the past that since Four Seasons did not reach its production goals, it would not receive full payment.

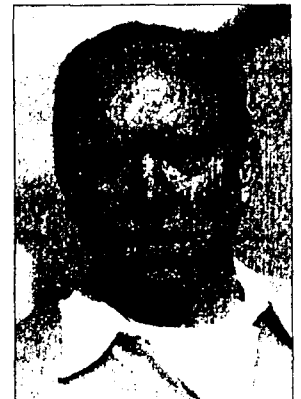
He added that his company has received only slightly more than \$2 million from the Fox River Group, which is comprised of the seven

companies deemed responsible for discharging PCBs into the river for years until the health hazards were discovered.

Fort James spokesman Mark Lindley said no additional payments from his paper mill or the others in the Fox River Group are forthcoming for last year's dredging.

"The Fox River Group commissioned the monies for it, and once that money ran out, it stopped. I'm not even sure what Four Seasons is claiming at this point," he said.

Sam Borries, an on-site manager for the current project for the U.S. Environmental Protection Agency, said this time around, conditions have been close to what pre-dredging core samples determined.



Lindley

12-1-00

Door Co. reacts to PCB plan

Mills' compensation not enough, some say

By PETER REBHAIN
PRESS-GAZETTE

What's next

STURGEON BAY — Carl Scholz remembers the glimpses of the Fox River he got from the window of the family car in the 1930s when vacations to northern Wisconsin took him through Green Bay.

"It looked too thin to plow and too thick to drink," he said. Scholz, now a Door County resident, lived in the Milwaukee area at the time.

Scholz was one of several county residents who weighed in on the U.S. Fish and Wildlife Service's compensation plan for the Fox River and Green Bay at a public hearing Thursday. About 25 people attended the meeting.

The Sturgeon Bay hearing was the latest in a series being held by the U.S. Fish and Wildlife Service on its recently released Restoration and Compensation Determination Plan. The first hearing was in Green Bay in October.

The plan aims to compensate the public for damage to natural resources resulting from contamination by polychlorinated biphenyls, or PCBs. The chemicals were released into the Fox River by seven area paper mills that manufactured or recy-

The U.S. Fish and Wildlife Service plans two more public hearings on its Restoration and Compensation Plan for the Fox River. The first will be held Wednesday at the Civic Center, 225 N. 21st St., Escanaba, Mich. The second is scheduled for Thursday at the Bourdini Center, 1825 N. Bluemound Drive, Appleton. The time for both hearings is 6 to 10 p.m.

clered carbonless copy paper during the 1950s, '60s and '70s.

The plan, released in October, calls for a mix of restoration projects that would complement a decades-long cleanup. The plan pegs compensation costs between \$176 million and \$333 million. Some Door County residents said Thursday they aren't sure the estimate is high enough.

"Compared with the Exxon oil spill in Alaska, this is paltry," Scholz said.

"These numbers are conservative," said Larry Smith, an economics professor at University of Wisconsin-Green Bay and chairman of the Land-Use Planning Committee of the Door

Please see **PCBs, B-2**

PCBs/DNR criticized for its handling of compensation plan

■ From B-1

County town of Nasewaupée.

"We really feel it's a paltry sum when we see the years the problem has existed and the problems it has caused," said Robert Merline, chairman of the Gibraltar Preservation Council.

Another Door County resident, Jerry Viste, asked that the agency set aside a portion of the money in its plan to address problems with Door County harbors if currents in Green Bay cause PCBs to shift and create new hotspots.

"And it's going to change in the future, because the PCBs are moving down the bay," Viste said. "If there isn't (a provision made), it's John Q. Public who'll pick up the tab because the paper mills will be long forgotten."

Dean Hoegger, also a Door County resident, said he was concerned about PCB migration, too.

"My main concern is we need to do more to protect the unpolluted

areas," he said. That goal would be best accomplished by concentrating on cleaning up the Fox River, not a compensation plan, he said.

Rebecca Katers, executive director of the Clean Water Action Council in Green Bay, criticized the state Department of Natural Resources for its handling of a recently announced compensation settlement with Fort James Corp.

In November, Fort James and the DNR reached an agreement for the company's portion of the compensation for a sum of about \$7 million. The settlement will have an estimated value of \$55 million to the Green Bay area, ac-

ording to DNR officials.

"The Fish and Wildlife Service is holding five public hearings on their plan" — five more than the DNR plans for the Fort James settlement, Katers noted.

David Allen, who works in the Fish and Wildlife Service's Green Bay office, said he still hopes his agency and the DNR can work together to create a single compensation plan that incorporates all seven companies.

"My hope is that our plan and the Wisconsin (DNR) plan can be merged," he said. "But until we look at the details (of the DNR plan) there's nothing we can say."

LYLE LAHEY'S VIEWPOINT



Mills' compensation not enough, some contend

Door County residents weigh in on water cleanup

By Peter Rebhahn
For The Post-Crescent

STURGEON BAY — Carl Scholz remembers the glimpses of the Fox River he got from the window of the family car in the 1930s when vacations to northern Wisconsin took him through Green Bay.

"It looked too thin to plow and too thick to drink," he said. Scholz, now a Door County resident, lived in the Milwaukee area at the time.

Scholz was one of several county residents who weighed in on the U.S. Fish and Wildlife Service's compensation plan for the Fox River and Green Bay at

a public hearing Thursday.

The Sturgeon Bay hearing was the latest in a series being held by the U.S. Fish and Wildlife Service on its recently released Restoration and Compensation Determination Plan. The first hearing was in Green Bay in October.

The plan aims to compensate the public for damage to natural resources resulting from contamination by polychlorinated biphenyls, or PCBs. The chemicals were released into the Fox River by seven area paper mills that manufactured or recycled carbonless copy paper during the 1950s, '60s and '70s.

The plan, released in October, calls for a mix of restoration projects that would complement a decades-long cleanup. The plan pegs compensation costs between \$176 million and \$333

million. Some Door County residents said Thursday they aren't sure the estimate is high enough.

"Compared with the Exxon oil spill in Alaska, this is paltry," Scholz said.

"These numbers are conservative," said Larry Smith, an economics professor at University of Wisconsin-Green Bay and chairman of the Land-Use Planning Committee of the Door County Town of Nasewaupée.

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■ Peter Rebhahn writes for *The Green Bay Press-Gazette*.

Public can review river cleanup results tonight

12-5-03

Final numbers are due in about 60 days, but preliminary figures will be released tonight

By Jeff Decker
The News-Chronicle

The hottest hot spot on the Fox River has been cleaned and covered, officials will say at a wrap-up presentation tonight at Brown County Public Library, 515 Pine St. "We wanted to be done by Thanksgiving, we were done about two weeks ahead of time," said Mark Lindley, spokesman for Georgia-Pacific Corp., the former Fort James Corp.

"People were there 24 hours a day, seven days a week. That was huge," Lindley said. "We picked the right dredger (Sevenson Environmental Services), folks who knew how to dredge, who improvised when they had to and could change course when they had to."

The cleanup began in August and dredging finished Oct. 31, Lindley said. Dewatering and decontamination equipment is still being removed from the site, which borders the company's West mill. The project targeted 50,000 cubic yards of contaminated sediment for removal and purification.

F Y I

The public is invited to a project wrap-up meeting tonight covering the dredging of Sediment Management Unit 56/57 near Georgia-Pacific Corp.'s West mill in Green Bay. The presentation is scheduled for 7 p.m. in the lower level of Brown County Central Library, 515 Pine St.

PCBs released by paper mills through the early 1970s remain in the Fox River's sediment and Lake Michigan, and are known to cause developmental damage to wildlife and humans.

The U.S. Environmental Protection Agency and Wisconsin Department of Natural Resources oversaw the work, which was paid for by Fort James. Officials with those groups met Monday to prepare tonight's program.

Specific and confirmed data on the cleanup will be released in an official report due 60 days after the project is wrapped up, said EPA on-scene coordinator Sam Borries, who will give a presentation tonight.

Borries said he expects to present "if not final numbers, preliminary numbers, on concentrations of PCBs left at the bottom of the river, and also PCBs in the water column while we were doing the work."

Georgia-Pacific and DNR personnel

will be on hand tonight with maps and sediment samples, he said.

"This is just a great opportunity for people to come out and ask questions and gather that knowledge of how this dredging project was conducted and how it went," Borries said.

The agreement between Fort James and the EPA dictates the depths to be reached and that water concentrations between 1 and 10 parts per million of PCBs must be achieved.

In places where that level was not achieved, the agreement says that Fort James may place six inches of sand atop the remaining area, so that fewer than 10 ppm of PCBs floats down the river.

Borries said only PCBs and mercury were tallied in the project, but that other contaminants were likely removed and shipped to a landfill with the contaminated sediment.

"If there were other contaminants present... those are now also out of the river, which most likely results in a benefit," he said.

A similar dredging project held in late 1999 failed to reach its target depths before cold weather ended the project, and that left the most contaminated layers of sediment open to the river.

The EPA is expected to make a decision early in 2001 whether to place the Fox River on the National Priorities List for cleanup using the federal Superfund.

COLUMNIST'S PERSPECTIVE

Just like the Fox, Fort James-DNR deal stinks



Curt Andersen

For The Green Bay News-Chronicle

Meyer said the settlement would generate more than \$55 million in benefits to the area. This must be some that of new fuzzy math we have been hearing about.

gling, and 3) we will likely get a crappy job of it when it is all said and done.

Just for the sake of argument, assuming that the U.S. Fish and Wildlife Service damage assessment of \$330 million is reasonable — and I think it is way too low — here are some figures I came up with.

First, friends in Washington, D.C., tell

me that Appleton Papers is likely to be assessed for about 80 percent of the PCB cleanup costs. It will surely be hit for a similar percentage of the separate damage assessment.

If it has to pay 80 percent of \$330 million, that would total \$264 million. That amount subtracted from \$330 million is \$66 million, which will be divided among the remaining six potentially responsible parties, including Georgia-Pacific. If each of the six were to be equally assessed, which is unlikely, that would be about \$11 million apiece, quite a bit higher than the puny \$7 million the DNR got.

Meyer said the settlement would generate more than \$55 million in benefits to the area. This must be some of that new fuzzy math we have been hearing about. For a paltry \$7 million, Georgia-Pacific gets off the hook for the damage it did to the river. Somehow that has become worth \$55 million to locals.

Georgia-Pacific will purchase 700 undeveloped acres of land that will be turned over to the state. The land will supposedly be set aside for bird habitat and fish spawn-

ing areas, but, like other state property, it could be used to grow pulpwood that would benefit the paper industry.

All other projects will be only partially funded by Georgia-Pacific. They include funding for the Wild Rose Fish Hatchery, northern pike spawning habitat improvement projects along the west shore of the Green Bay, hiking trails, a nature center and a boat launch.

Then there is the picnic area and hiking trail at the Ken Euers Nature Area. This is in part of the dumpsite for PCB-contaminated spoils out in the Bay Port Industrial Park. The late Ken Euers would be horrified to return to life and find his name attached to a toxic waste dump with a picnic table in it.

Your fuzzy math homework today: Does \$7 million equal 30 pieces of silver?

Curt Andersen is a lifelong resident of the Green Bay area and a Vietnam-era Navy veteran. He owns a small business and is on the board of the Clean Water Action Council. His column appears here Wednesdays. Opposing or supplemental viewpoints are welcome. Write to him via e-mail at candense@gateway.net.

George Meyer, secretary of the Department of Natural Resources, takes sharp exception" to criticism of the seemingly paltry settlement he managed to squeeze out of Fort James Corp. The settlement is for damage done by Fort James (now Georgia-Pacific Corp.) to natural resources (fish and wildlife) by PCB pollution. It is an attempt to put a monetary value on such things as the lost commercial fishing industry that used to thrive in the Green Bay and Lake Michigan. It addresses the wisp of a sport-fishing industry that sure could be better. It addresses the now less-popular sport of duck and goose hunting. Meyer complained, "People should not interjecting politics in this process." It's a real knee-slapper, George. Politics is exactly why we have had such a troubled time getting any cooperation on a cleanup. The fact that our governor, Toxic Tommy Thompson, is in the pocket of industrial polluters is one of the reasons why 1) the paper industry is still polluting the Fox River and Green Bay, 2) we have no cleanup after more than 20 years of wran-

Dredging called a success

The cleanup at the Fox River's hottest spot cost an estimated \$20 million

12-6-00

By Jeff Decker
The News-Chronicle

The door has finally been closed on the formerly severely contaminated site in the Fox River near Georgia-Pacific Corp.'s Green Bay West paper mill.

Dredging and decontaminating crews worked at the site day

and night for 69 days and finished Oct. 31 two weeks ahead of schedule, according to U.S. Environmental Protection Agency officials, along with Wisconsin Department of Natural Resources and Georgia-Pacific officials Tuesday.

A massive detoxification process and 2,500 truck trips to a landfill on Green Bay's West Side left PCB concentration averages at the river's bottom at an average of 2.2 parts per million, a 96 percent improvement from the 47.9 ppm average after a similar project last year was left incom-

plete because of cold weather.

Both projects combined for a cost of more than \$20 million.

Fifty thousand cubic yards of sediment were removed, which brings the total sediment removed from the 6.1-acre site to 80,000 cubic yards, the DNR's original target figure.

"We reached the goals we set and are all very happy with the results," said EPA on-scene coordinator Sam Borries.

Following last year's botched dredging project, the EPA was considering an emergency cleanup using its Superfund

power. Fort James Corp. addressed the damage this May by agreeing to fund and manage the second cleanup. Last week Fort James' acquisition by Georgia-Pacific was completed.

"Fort James and now Georgia-Pacific deserves a major credit for their leadership and timeliness in addressing the issue," DNR Secretary George Meyer said.

Nine to 12 inches of sand were dropped onto the site to help seal the hazardous PCBs and bring concentration levels to virtually

Please see **DREDGING**, Page 4

4 Wednesday, December 6, 2000

LOCAL

DREDGING: G-P has immunity from prosecution

FROM PAGE 1

zero. The last of the equipment is expected to be gone by Dec. 15.

Kathleen Bennett, Georgia-Pacific vice president of safety and health, said the contractors would have liked a start earlier than August, with 50 to 75 workers on the project for 24 hours each day, seven days a week. She said that 150 workers from the government and 12 companies worked together.

One of the project's objectives was to test the feasibility of dredging as a solution for cleanup of the lower 39 miles of the Fox River. Georgia-Pacific is one of seven paper companies that have been declared responsible for the river's cleanup and compensation bill.

By meeting the cleanup goals, a section of Georgia-Pacific's contract grants it immunity from any prosecution or future cleanup of the area near its plant, which is known as Site 56/57.

The final cleanup plan for the



H. Marc Larson / The News-Chronicle

WORKERS SET UP EQUIPMENT along State Street for the Fox River dredging project near the Georgia-Pacific west mill in August. Project officials had hoped to make an earlier start to the project.

entire river, which will certainly take 10 years or more to implement and may cost hundreds of millions of dollars, is on the verge of release, Meyer said.

"Hopefully in the March or April timetable it will be ready to be released," he said. Meyer added that the final plan will be available three months earlier to the agencies and businesses involved.

"It will be a major project," he said. "We are getting good signals from other companies."

A presence on both 56/57 projects, the powerful Superfund authority will loom over the overall project, too, said EPA Project Manager Jim Hahnenberg.

"EPA has deferred putting the site on the Superfund list pending the cooperation of the businesses

involved," he said.

More than 50 people attended a presentation about the project Tuesday night at the Brown County Central Library, with concerns and questions that ranged from the stability of the site to the liability waiver given Georgia-Pacific to the security of the landfill.

"After last year's mess with this site, I'm glad they ... got it going and handled it in a better manner," said Michlyn Willett-Zagar of the town of Hobart.

A written summary of the project is due in mid-February for release.



Bennett

PCB cleanup beat winter's onset, officials say

12-6-00
Fox River's worst hot spot removed ahead of schedule

By ED CULHANE
FOR THE PRESS-GAZETTE

GREEN BAY — The worst PCB hot spot in the Fox River was removed two weeks ahead of schedule by

crews who worked round the clock for 69 consecutive days to beat the onset of winter, government and industry officials said Tuesday.

"I am happy to report that we achieved all the project's objectives, safely, without a lost-time accident," said Kathleen Bennett, vice president of environmental safety and health for the Fort James Corp, now part of the Georgia Pacific.

After two years of dredging projects that failed to

■ EPA wants stretch of Hudson River dredged, A-4

beat the race against winter, state and federal regulators joined industry officials at a press conference Tuesday to revel in their accomplishment and to praise the contractors and project managers who made it happen.

"This is a very important day in terms of the cleanup of the Fox River, and it should truly be a celebration," said George Meyer, sec-

retary of the state Department of Natural Resources. "We are confident this will lead to a total remediation project for the Fox River."

About 40 people attended a public meeting in Green Bay Tuesday evening at which officials from DNR, the federal Environmental Protection Agency and Georgia-Pacific explained the project.

"I thought it went fairly well," Green Bay resident

Please see PCB, A-2



Holly Balsis/Press-Ga.

Kathleen Bennett of Georgia-Pacific talks about dredge work on the Fox River. Federal and state environmental officials Sam Borries, far left, and George Meyer also spoke.

PCB/More than \$15 million spent to dredge

■ From A-1

Ron Vanderloop said of Tuesday's public meeting. Vanderloop said he found particularly interesting officials' characterization of the demonstration site as a "cost effective" and "practical" cleanup site.

Vanderloop said he hoped the language didn't signal the company's intent to balk at a full cleanup. "Because it's not as practical doesn't mean we shouldn't be doing it" in other parts of the river, he said.

Sierra Club representative Jennifer Feyerherm said she was glad to see the cleanup completed.

But Feyerherm termed "completely irresponsible" last year's aborted cleanup that forced the recent work.

Winter weather and dwindling funds put an abrupt end to phase one of the project last December. That work, performed by the Fox River Group — a consortium of seven paper companies responsible for the contamination — removed about 30,000 cubic yards of a targeted 80,000 cubic yards of

PCB-contaminated sediment.

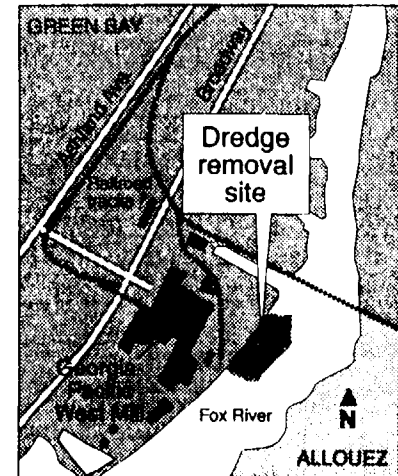
State and federal agencies pressured for removal of the remaining sediment this year after tests found PCB levels in newly exposed sediment as high as 310 parts per million, up from 2-5 ppm before dredging.

Officials with Fort James offered to finish the work in return for a waiver of Superfund liability for any area successfully dredged. The agreement was announced in May, with the approval of the U.S. Environmental Protection Agency.

Bennett said company contractors removed 50,000 cubic yards of contaminated sediment, bringing the total for the two projects to more than 80,000 cubic yards. The average PCB reading across the dredged area is now 2.2 ppm.

Bennett said that dredging at the site over two years, cost the companies between \$15 million and \$20 million.

Ed Culhane writes for The Post-Crescent in Appleton. Press-Gazette reporter Peter Rebhahn contributed to this story.



Source: Wisconsin Department of Natural Resources

Press-Gazette

Public input sought for PCB deal

12-6-00

High compensation figure is unlikely, officials concede

By Ed Culhane

Post-Crescent staff writer



The U.S. Fish & Wildlife Service will record public comments Thursday evening in



MEYER

DNR chief says high settlement proposal is "game-playing."

Appleton on its plan to assess the Fox River Group of paper companies between \$176 million and \$330 million for polluting the Fox River with PCBs.

This money would compensate the public for the lost use

of natural resources harmed by the industrial chemicals. The assessment would be in addition to the hundreds of millions of dollars it will cost to clean up PCB pollution in the 39-mile stretch of the lower Fox River.

But if history is any guide, there would seem little chance of the public ever seeing a compensation package of this magnitude.

"In all the other projects we have seen them settle, they have settled for between 8 and 10 cents on the dollar," said Dennis Hultgren of Appleton Papers, a spokesman for the Fox River Group. "Fish and Wildlife isn't being fair. They really haven't explained that to the public very well."

Officials with the state Department of Natural Resources made similar observations Tuesday during a meeting with *The Post-Crescent* editorial board.

"Generally when they do these, they throw out these high numbers and then settle for a lot less," said Secretary George Meyer of the state Department of Natural Resources. "We don't want to play those sorts of games. I don't think that is an appropriate way to do business."

An official with the Fish and Wildlife Service was asked about these observations.

PUBLIC HEARING

The Fox River assessment hearing is scheduled for 6 p.m.

Thursday at the Bordini Center at Fox Valley Technical College, 1825 N. Bluemound Drive. The NRDA plan is available at the Fish & Wildlife Service's Web site:

<http://midwest/fws.gov/nrda>

INSIDE: PCB hot spot dredging completed / C-1

"That's a valid charge," said Dave Allen, who is coordinating the Natural Resources Damage Assessment for the Fox River and the waters of Green Bay.

Allen said in many cases trustees (state or federal agencies or Indian tribes) have tried to pursue NRDA claims against polluting corporations with insufficient funds and legal expertise to build a case that can stand up in court. Without that kind of leverage, they are forced to settle for much less.

In instances where full-scale investigations have occurred, the leverage has been greater, he said.

Allen said no NRDA case has ever been decided at trial.

Meyer cited a case in Montrose, Calif., where the Fish and Wildlife Service sought a damage assessment of \$700 million. After 10 years of litigation, he said, the claim was settled for between \$75 million and \$80 million.

"And that took 10 years," he said. "In the settlement we have with Georgia-Pacific, we may very well have contracts out on that this year."

Meyer was referring to the announcement last month that the DNR and the state Department of Justice had settled a state NRDA claim against Fort

Please see **PCBS**, BACK

PCBS: Companies likely to settle for less than \$330M

From A-1

James Corp., now Georgia-Pacific. The company agreed to spend \$7 million on habitat and recreation projects in the Green Bay area to compensate the public for its share of the PCB pollution. Hundreds of acres of ecologically important land on the Peshtigo River already have been purchased by the company, land that will be turned over to the state.

Using complex formulas economists employ to place dollar values on natural resources in these cases, the DNR has said the \$7 million investment will generate a \$55 million value in habitat and recreational projects.



HILL

State Sen. Gary George has called for an audit of the DNR's agreement by the Legislative Audit Bureau.

Meyer said he welcomes an audit.

"These are the kind of people that will understand the type of analysis we did," he said.

Two environmental organizations, the Sierra Club and the Clean Water Action Council, have attacked the DNR's \$7 million agreement with Georgia-Pacific as being outrageously small.

Environmentalists also have accused the DNR of undermining the federal case by conduct-



Post-Crescent photo by Kristyna Wentz-Graff

BRUCE BAKER, a state Department of Natural Resources official leading the Fox River PCB clean-up project, talks with members of *The Post-Crescent* staff in Appleton Tuesday. Baker said the DNR has had trouble accessing U.S. Fish and Wildlife Service documents and that is why the state agency has not joined federal litigation.

ing a competing NRDA.

Meyer said the settlement is in line with other NRDA agreements across the country, including a \$15 million settlement with General Electric for polluting 31 miles of the Housatonic River with PCBs.

Meyer said the \$7 million is for just one of the seven companies and only applies to state claims, not to federal or tribal claims or claims involving the state of Michigan. Any effort to assess the companies more than \$300 million in damages, in

addition to the hundreds of millions that will be sought for the cleanup, will doom the cleanup to a decade of litigation, Meyer said.

In May, the DNR and Fish and Wildlife Service signed an agreement saying they would attempt to join the state and federal NRDA investigations.

It didn't work.

Allen said the DNR insisted on using consultants hired by the paper companies. Federal regulators have far more confidence in their own consultants.

"We are not willing to walk away from the evidence we have produced at this site," Allen said.

DNR officials said they were willing to consider the Fish and Wildlife evidence, but were never allowed to see it.

"We had an impossible time in getting the information they used to put together an assessment," said Bruce Baker, the DNR official who is leading the Fox River project. "We can't seem to get their documents. They asked us to sign on, but we don't know what we would be joining."

Both state and federal officials said the public would be better served by a joining NRDA. Allen said he still holds out hope for an agreement with the state.

"This is not to say that there are no issues," Allen said. "But they are not insurmountable. The state is wanting to have a fight with us that we do not want to have with them. They are used to being in charge. They are used to leading. They are not used to relying on anyone else. I think they just can't stand having the feds and the tribes messing around inside their boundaries."

■ *The hearing begins at 6 p.m. at the Bordini Center at Fox Valley Technical College, 1825 N. Bluemound Drive. The NRDA plan is available at the Fish & Wildlife Service's Web site: <http://midwest/fws.gov/nrda>*

Residents discuss assessing paper mills for PCB damage

12-9-80
Meeting fifth in two-month series

BY BEN JONES
FOR THE PRESS-GAZETTE

APPLETON — Most who attended a meeting held by the U.S. Fish & Wildlife Service on Thursday agreed that PCBs have damaged the ecology of the Fox River.

But that was perhaps a lone area of consensus in public comments on a plan to assess the Fox River Group of paper companies between \$176 million and \$333 million for damaging the Fox River.

"When the government sees a target with a lot of money they will do everything they can do to get that money," Joe Spitz said.

The public hearing at Fox Valley Technical College was attended by about two dozen people, many of whom are regular attendees of meetings about the Fox River. It was the fifth in a series of meetings held over a two-month period to obtain public comment on a "Restoration and Compensation Determination Plan."

The service's plan has nothing to do with removing PCBs from the Fox River. A separate plan to clean up the river is being developed by the U.S. Environmental Protection Agency and the state Department of Natural Resources.

The proposal residents discussed Thursday is a plan to assess paper companies for past and future damages created by the PCBs, such as advisories that prevent residents from safely eating fish from the Fox River.

PCBs, or polychlorinated biphenyls, are manmade, long-lasting industrial compounds. The use of PCBs was banned in 1976.

U.S. Fish & Wildlife staff say the

problem has been difficult to quantify. They have been working on the compensation plan for six years.

Surveys were conducted to find what was of concern to people and how the public ranked possible remedies.

As a stenographer recorded comments for the record Thursday, several of the residents debated whether the companies should be assessed damages for dumping PCBs in the river.

Rebecca Katers, executive director of Green Bay-based Clean Water Action Council said there was no question they should, comparing the PCB dumping to dumping garbage on a neighbor's lawn.

"There is a common law standard," Katers said. "You don't harm your neighbors."

Others questioned whether the paper companies should be held liable for polluting with a substance that was once thought safe.

"Are you going to fine everyone who once drove a car that used leaded gas?" asked resident Lou Martin.

The state DNR and the state Department of Justice last month announced they had settled a state Natural Resources Damage Assessment claim against Fort James Corp., now Georgia Pacific.

The settlement includes \$7 million in habitat and recreation projects in the Green Bay area to compensate the public for PCB damage.

David Allen of U.S. Fish & Wildlife, who is coordinating the Natural Resources Damage Assessment for the Fox River and the waters of Green Bay, commented on the two settlements.

"Our plans are not close together," Allen said. "We have to find a way to make them closer."

The final size of the compensation plan will depend on the extent of the cleanup. A larger cleanup will mean a smaller assessment.

The assessments would be used to restore wetlands, reduce agricultural runoff and enhance riverside parks.

"Think of it as a plan for restoration and compensating the public," Allen said.

The public hearings held this fall have recorded public comments on the plan.

Additional comments will be accepted in writing by the service until Friday.

"We don't want this to be a plan a bunch of government agencies have made behind closed doors," Allen said.

Ben Jones writes for the Post-Crescent in Appleton.

Analyst questions Fox River deal

He isn't sold on the proposed damage settlement between the state DNR and Fort James Paper Co.

By Ron Seely and Andy Hall
Wisconsin State Journal

APPLETON — A consultant to the U.S. Fish and Wildlife Service said at a hearing here Thursday night that a proposed damage settlement between the state Department of Natural Resources and Fort James Paper Co. for pollution to the Fox River is worth millions of dollars less than the DNR claims.

Richard Bishop, a resource economist at UW-Madison, said the agency underestimated the value of recreational improvements that Fort James agreed to in the controversial plan.

The DNR, in what the FWS charges were secret negotiations, struck a deal with Fort James in which the company would pay \$7 million to buy wetlands and build boat landings and other recreational facilities along the Fox. The DNR says that, based on surveys it did with fishermen, the \$7 million investment actually represents about \$55 million in recreational value to users of the river.

"I don't believe it," Bishop said in remarks prior to the FWS's hearing on its own damage compensation plan.

Bishop said the improvements agreed upon in the settlement are probably worth between \$6 million and \$12 million rather than \$55 million.

Also, Bishop said, the DNR study that led to the settlement plan was flawed because it underestimated damage to the

Please see RIVER, Page B2

River

Continued from Page B1

river by focusing only on anglers and not other users of the Fox.

At issue is the amount Fort James is to pay in compensation for polluting the river with PCBs, toxic chemicals that, although now banned, were used legally for years in the manufacture of carbonless copy paper. While the DNR's proposed settlement is only with Fort James, which was recently

purchased by Georgia Pacific, there are six other paper companies that are likely to be subject to damage claims.

The damage claims are negotiated and paid under a federal law that allows state governments to seek compensation from companies that cause pollution to a resource such as a river or lake. The money paid by the companies is separate from the money they will eventually pay toward cleanup of the PCBs that are in the silt beneath the waters of the Fox.

The controversy over cleanup and compensation has received nationwide attention because of the growing prominence of such debates around the country. Resource agencies in New York state, for example, are embroiled in a battle with industry over cleanup of the Hudson River, also polluted with PCBs.

Here in the Fox River Valley in central Wisconsin, the Fish and Wildlife Service and the DNR are at odds over how much the paper companies should pay for the damage

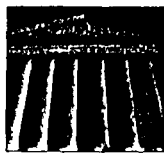
done to the river. Using a complicated formula considerably different from that used by the DNR, the FWS estimated the seven paper companies that have polluted the Fox should pay a total of between \$200 and \$300 million in damages.

In interviews with the Wisconsin State Journal, DNR Secretary George Meyer defended the settlement as fair. He also said the public is likely to receive more under the DNR's plan because large settlements such as that proposed by the FWS usually are negotiated down in legal battles.

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MORE THAN LIPS

Surf Dog product line expands
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LOCAL/C1



Badgers 55
UW-Milw. 47

TOUGH WIN

Badgers struggle
but pull away late

SPORTS/D1



SUNDAY



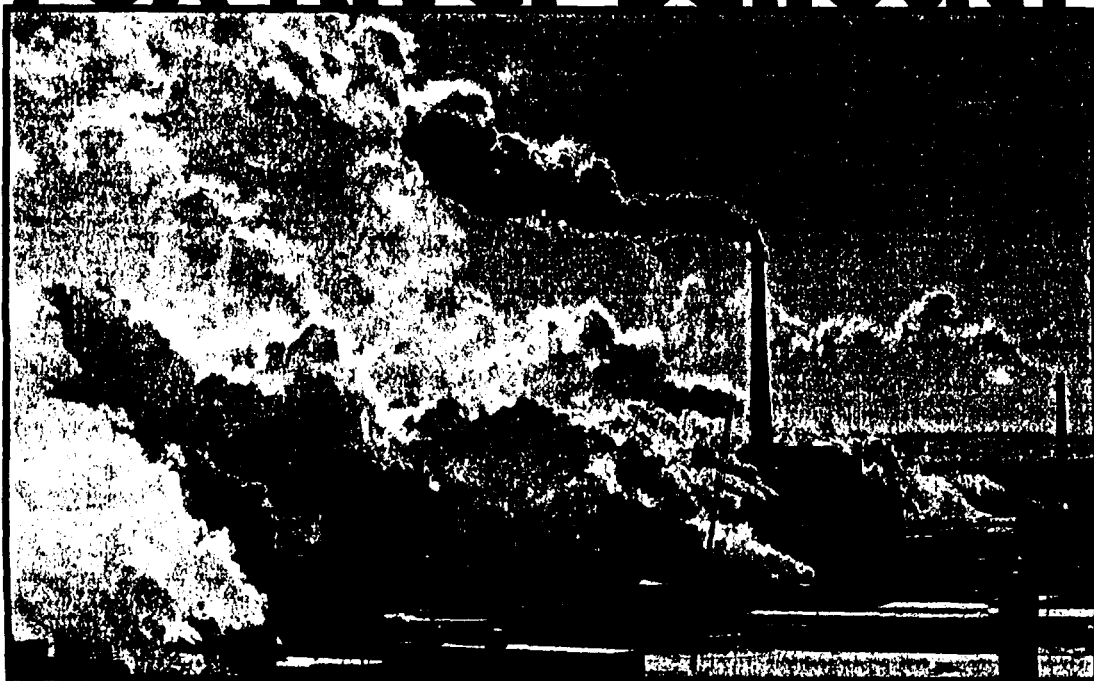
Wisconsin State Journal

SUNDAY, DECEMBER 17, 2000

MADISON, WISCONSIN

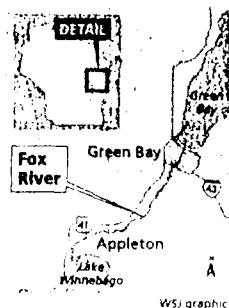
Critics say the DNR's proposed settlement with one of seven paper companies that polluted the river with PCBs is a sweetheart deal.

Fox River sellout?



STEVE APPS/WJS

In Green Bay, paper mills are as much a part of the culture as the Green Bay Packers. But prosperity brought by mills has come at a price — PCB pollution of the Fox River.



WJS graphic

By Ron Seely and Andy Hall
Wisconsin State Journal

GREEN BAY — For two decades, at least seven paper companies routinely and legally discharged common industrial chemicals called PCBs into the Fox River, turning the river sediment into a toxic muck.

Now, the state Department of Natural Resources has tentatively settled a damage claim with one of those paper companies for an amount that critics say "grossly underestimates" the harm polychlorinated biphenyls have done to the river and the people who use it.

The settlement, those same critics charge, is the latest sign that the DNR's approach to regulating industry — cooperating and negotiating — is shortchanging the public and coddling polluters.

George Meyer, DNR secretary, defended the agreement as fair to both the public and the paper



Photo courtesy of U.S. Fish and Wildlife Service

Some cormorants and other birds in the Fox River and in Green Bay were found to have deformed beaks, possibly due to PCB poisoning.

company, calling it "by far the best environmental settlement in the history of the state of Wisconsin."

In the proposed settlement, separate from any future agreements over how much the company will pay for the cleanup itself, Georgia Pacific, formerly Fort James Corp., will spend \$7 million to buy wetlands, build boat landings and make other improvements along the river — im-

provements the DNR says have a recreational value of about \$55 million to the people who use the river.

The response by agencies such as the U.S. Fish and Wildlife Service and by many environmental groups was swift and angry.

The DNR, they charged, had sold the Fox down the river, settling for millions less than what Georgia Pacific really owes. FWS officials have threatened legal action against the DNR for overstepping its authority.

Meyer, though, said the DNR was forced to work on its own because FWS was uncooperative and the project seemed destined for lengthy and expensive litigation.

But state Sen. Gary George, D-Milwaukee, has asked the Legislative Audit Bureau to examine the agreement, which was praised by GOP Gov. Tommy Thompson when he announced it Nov. 15.

"This deal is yet another

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Badgers fall just short of tit



LANE HICKENBOTTOM/Lincoln Jour

Wisconsin's Meggan Kohnen, right, goes for a kill against Nebraska's Kim Behrendt during Saturday's championship match of the NCAA volleyball finals in Richmond. Nebraska rallied to win the final two sets and defeat the Badgers, 3-2, to win the national title. Story in Sports/D1

U.S. will be engaged in the world, Powell says

Some had felt that he would promote isolationism.

By Alison Mitchell
New York Times

CRAWFORD, Texas — In his first inet appointment, President-elect George W. Bush on Saturday named Gen. Colin Powell to be his secretary of state, and called for a robust foreign policy addressing global opportunities, challenges and dangers, spirit of national unity and bipart ship.

By naming the well-known four-time chairman of the Joint Chiefs of Staff, who was long expected, and by naming first and alone, Bush signaled a strong foreign policy, and also his intent to reach out to the black Americans, who had voted against him in November.

Bush is expected to name another African-American, Condoleezza R. national security adviser as early as today.

In tapping Powell and Rice, a Republican specialist who worked for former president George Bush, as the first members of his Cabinet, Bush hopes to quell allay concerns about his own lack of foreign policy experience.

Standing with Dick Cheney, the former defense secretary who will be

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Inside

- ◆ Interviews, documents depict stark differences in DNR and U.S. Fish and Wildlife strategies in obtaining a settlement from the paper companies/A6
- ◆ Citizen comments/A6
- ◆ Illustration explains the dangers of PCBs and the locations of paper mills along the Fox River/A7

Fox River

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example," George said, "of the cozy relationship between the Republican-dominated DNR and the companies they are supposed to regulate. This was a case of Fort James looking at a much larger judgment and the DNR stepping in to help the company with a pre-emptive strike."

Even the federal Environmental Protection Agency, which has been working with the DNR on cleanup of the river, was critical of the settlement. Roger Grimes, an EPA attorney in charge of the Fox River case, said the agency fears the DNR action may jeopardize future cooperative efforts to clean up the river.

"We are seeking an overall cleanup and restoration," Grimes said. "Our hope is to maintain a cohesive and integrated partnership. To the degree that this agreement keeps us from doing that, we would have some concern."

Richard Bishop, a UW-Madison resource economist working on the FWS study, charged that the proposed settlement "grossly underestimates" Georgia Pacific's share of total damages.

The FWS, in its own assessment, figured the seven paper companies named as "responsible parties" for pollution of the river owe a total of between \$200 million and \$300 million in damages. The Fort James share alone could be millions of dollars more than the DNR's proposed settlement, according to Bishop.

Environmentalists were less diplomatic in their criticism.

"This secret pact lets a polluter off the hook," said Emily Green, director of the Sierra Club's Great Lakes Program. "It trades some new boat landings and parking lots for more than half a century of irreparable damage to human health and the environment in the Fox Valley."

Feuding agencies

The Wisconsin State Journal, in an examination of the agreement, the negotiations that led to it, and DNR and FWS studies, found profound differences in the agencies' approaches and conclusions (see accompanying article).

The feuding between the two agencies reflects a nationwide debate that has intensified since 1989, when the Exxon Valdez spilled its oil into Alaska's Prince William Sound. Resource

economists have argued over how to calculate the worth of natural resources so polluters can make amends. While government and industry struggle to resolve the issue on the Fox here in Wisconsin, resource specialists are involved in similar debates on the Hudson River in New York and on the Kalamazoo River in Michigan.

A recently completed damage assessment in Michigan, in fact, stands in stark contrast to the bitter process in Wisconsin. There, according to Dennis Armbruster, a surface water quality specialist with the Michigan Department of Environmental Quality, the state worked closely with the FWS to reach a settlement with General Motors for polluting the Saginaw River and Saginaw Bay. The Michigan environmental agency, Armbruster said, never considered a cooperative arrangement with the polluter.

"I guess from our standpoint," Armbruster said, "the agency looks at the river as the public's natural resource, held in trust, and to be managed by the state."

The controversy surrounding damage assessments on Wisconsin's Fox River also brings into focus two conflicting philosophies of environmental regulation — the FWS approach, which leans toward traditional, strict enforcement and the DNR's, which favors negotiating with polluters.

Meyer said this proposed settlement is a perfect example of why it pays to cooperate rather than litigate because the state was able to quickly reach a fair settlement. The settlement sets the stage for an even more important issue — resolution of the cleanup issues.

Meyer charged the FWS is misleading the public by citing a damage assessment of as much as \$300 million — a figure he says is too high and, as shown by previous cases, is bound to be negotiated down in an out-of-court settlement.

"What I see being done by the Fish and Wildlife Service gives me great pause," Meyer said. "Putting out those high numbers to the public is one of the least responsible things I've seen in 30 years of government service."

Price of prosperity

At the heart of the controversy is the Fox River, home to the heaviest



STEVE APPSAWSJ photos

Bob Garfinkel, owner of Bob's Bait and Tackle in Green Bay, says the paper mills are vital to the area economy but a way must be found to clean up the Fox River. "You're not doing it for us," he said. "You're doing it for the next generation and the next generation."

concentration of paper mills in the world — 24 mills spread along 39 miles of river. The mills have brought jobs and economic security.

But this prosperity has come at a price. The Fox River is now so polluted with PCBs that the EPA is on the verge of declaring the river a Superfund cleanup site.

The PCBs were a byproduct of deinking and recycling carbonless copy paper and for years they were dumped legally into the river by at least seven paper mills. They've been linked to cancer and other illnesses in humans, according to the EPA. Researchers also say the chemicals have caused tumors in Fox River and Green Bay fish as well as beak and limb deformities in numerous bird species.

Bob Garfinkel, who owns Bob's Bait & Tackle not far from where the Fox River empties into Green Bay, wears gloves when he removes hooked fish from his line because "they're loaded" with PCBs.

"People want to catch fish," he said. "It would be nice to eat them."

For years, the DNR has warned people not to eat fish, especially large fish, from the river. Even so, recent independent studies by the Wisconsin Division of Public Health and UW-Madison's department of preventive

medicine have shown that fish from the Fox are still providing food for hundreds of people, especially Hmong and Laotian anglers.

By the mid 1980s, the Fox River was in such bad shape that several government agencies, including the DNR, EPA and FWS, teamed to develop a plan for cleaning it up. And by the early 1990s, a separate process to conduct a Natural Resource Damage Assessment — under which paper mills would eventually pay damages for polluting the river — was also under way.

The coalition

But, almost from the beginning of that process, the relationship between the DNR and federal agencies was strained. As early as 1989, the FWS approached the DNR to conduct a joint damage assessment.

The state refused, according to David Allen, who is heading the damage assessment effort for the FWS Green Bay office. And, he added, the DNR has refused repeatedly since then to work cooperatively with the FWS, making Wisconsin the only state to quarrel with the FWS in the eight-state Great Lakes region.

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CITIZENS REACT

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How to total up

Calculating damages to the Fox River

A look at how federal and state agencies clash over approaches for estimating PCB toll:

Issue | Federal method | State method

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◆ "If they closed down every paper mill in the valley, we'd be in sad, sad shape." — Milton Schreiner, Appleton, fearing that Fish and Wildlife Service attempts to collect damages might drive paper companies out of business.



◆ "What would the PCB cleanup do for me? I don't see it making any difference to me at all." — former paper company employee Marv Farmer, Appleton, who doesn't fish, quizzing Fish and Wildlife officials.



◆ "I've lived on the river all my life, and I've never eaten a fish... I have a grandson, and I'd like to go fishing with him, catch a fish and have him eat it. The river was poisoned. (Paper companies) are responsible. And they can afford it. Nobody wants to put them out of business." — Fawn Shillinglaw, Appleton.



How to total up cost of pollution?

By Andy Hall and Ron Seely
Wisconsin State Journal

GREEN BAY — With fresh snow coating its ice, the Fox River at this time of year appears pristine — not at all like a hard-working industrial river laden with toxic PCBs.

Just as the river's surface masks problems below, so, too, did earlier pledges of harmony conceal rifts between state and federal "partners."

"If this was a marriage, we'd be paying alimony," state Department of Natural Resources Secretary George Meyer said.

Interviews and documents depict stark differences in DNR and U.S. Fish and Wildlife Service strategies for figuring out how much seven paper companies should pay for polluting the Fox River and Green Bay with polychlorinated biphenyls.

This amount, known as "damages," is intended to compensate the public for lost recreational opportunities and other environmental harm caused by the release of an estimated 330 tons of PCBs.

The DNR's damage estimate: \$70 million to \$190 million.
Fish and Wildlife's estimate: \$200 million to \$300 million.

The exact amount of damages largely depends on how fast, and how thoroughly, the polluters deal with the other major issue not yet addressed — cleanup of the river. If, for example, the river is cleaned quickly, the damages would be lower because the public's enjoyment of the river and of Green Bay would increase quickly.

The increasingly bitter debate over damages is fueled by competing views:

◆ The DNR and its consultants contend that only damages to anglers should be counted because attempts to measure damages to other members of the public — including boaters, hikers, picnickers and people simply disturbed about pollution — aren't reliable. They say Fish and Wildlife's figures are inflated and mislead the public.

◆ Fish and Wildlife and its consultants contend that damages to the entire public can be accurately measured. Noting that top federal experts endorse their method in courts, they say the DNR's study favors industry.

There's more art than science in estimating the value of a recreational activity, which is "something the normal

More information

The tentative settlement is subject to approval by a U.S. District Court judge in Milwaukee. The DNR plans for a 60-day comment period, which would run from late December to late February. Approval of the settlement could come by spring or could be delayed for a year or more.

DNR officials say they also hope to negotiate with the six other paper companies that have discharged PCBs into the Fox River. They have not yet started those negotiations.

State and federal agencies offer information about contamination of the Lower Fox River and invite public comment.

◆ The Wisconsin Department of Natural Resources provides information at: www.dnr.state.wi.us/org/water/lwm/lowerfox

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◆ The U.S. Fish and Wildlife Service provides information at: www.fws.gov/r3pao/irnda and its Green Bay office's reading room contains nearly 50 file drawers full of documents.

Comments may be sent to David Allen, assessment manager, 1015 Challenger Court, Green Bay, Wis. 54311, [david\(underline\)pl\(underline\)allen@fws.gov](mailto:david(underline)pl(underline)allen@fws.gov)

One of the most controversial aspects of the DNR's actions centers on how these utils were converted into a measure the public understands — dollars.

That calculation recently allowed Fort James Corp. to be credited with providing \$55 million in benefits by spending \$7 million on projects such as purchasing wetlands and building boat ramps. The DNR's study had found that residents place a high value on these types of projects, so it was appropriate to credit the company with high benefits. But there's a twist: A DNR consultant also suggested the projects' value may be as low as \$17 million, not \$55 million.

The Fish and Wildlife study, which interviewed both a larger sample of Fox River and Green Bay anglers and a sample of the public, found relatively little support for building boat ramps and other projects. Residents placed the highest priority on removing PCBs from the water, which will be addressed in a later part of the project, and improving water clarity and protect wetlands.

Calculating damages to the Fox River

A look at how federal and state agencies clash over approaches for estimating PCB toll.

Issue	Federal method	State method
Which agencies were involved?	U.S. Fish and Wildlife Service, U.S. departments of Interior and Justice, National Oceanic and Atmospheric Administration, three Indian tribes in Wisconsin and Michigan, Michigan Department of Justice.	Wisconsin departments of Natural Resources and Justice.
What area was studied?	Lower Fox River and Green Bay (including Michigan waters) and all Green Bay tributaries up to the first dam.	Waters of the state, including Green Bay and all Wisconsin tributaries to Green Bay.
What was the purpose of the study?	To estimate the value of the recreation lost by the public due to fish-consumption warnings since 1976, and total losses due to all PCB injuries to fish, birds, and water in the future.	To estimate the value of the recreation lost by anglers due to fish-consumption warnings since 1980.
Who was surveyed by researchers?	Lower Fox River and Green Bay anglers, also randomly selected residents of 10-county area near Green Bay and the Fox River	Anglers in eastern two-thirds of Wisconsin.
Who paid for the study?	U.S. Fish and Wildlife Service, which hopes to force the paper companies to pay for the study	Seven paper companies, known as the Fox River Group, responsible for the contamination.
Cost of the study?	More than \$5 million; agency won't reveal exact figure.	About \$775,000 since it began in 1997.
What type of analysis was conducted?	Chiefly "stated preference" analysis — focuses on options people say they'd prefer, such as valuing toxic cleanup over new boat ramps.	Chiefly "revealed preference" analysis — focuses on options people actually choose, such as how far they drive to fish in clean water instead of sites with contaminated.
Who conducted the study?	Stratus Consulting Inc. of Boulder Colo., which often works for federal and state governments on major pollution cases.	Triangle Economic Research of Durham, N.C., which often works for companies accused of major pollution.
What was the consultants' role and qualifications in reviewing the study?	Stratus hired six academic researchers with experience in calculating damages to natural resources, to assist in study design and analysis. Among them, UW-Madison's Richard Bishop. Consultants reported to Stratus, not Fish and Wildlife.	DNR hired, and paper companies paid, consultant Keith Eastin of Deloitte & Touche, and economists from PriceWaterhouse Coopers. Leader Dwight Duncan of Phoenix has experience in environmental economics but little on Natural Resource Damage Assessments.
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◆ "There's no such thing as a tribal or a federal duck." — Tom Nelson, environmental specialist for the Oneida Nation of Wisconsin, noting that wildlife tainted with PCBs move freely across jurisdictional lines, so it's vital that agencies cooperate.

cost of pollution?

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There's more art than science in estimating the value of a recreational activity, which is "something the normal person can't go to Kmart and buy," said Greg Hill, a DNR leader on the project.

Both agencies dealt with that problem by using "utils," units of measurement that many economists rely upon to measure "utility" — that is, the level of satisfaction a person enjoys from an activity, such as fishing or boating.

The idea is that ultimately polluters should compensate the public by providing access to resources that are equivalent to the utils of the resources that were originally damaged.

More information

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The DNR's method was based chiefly upon residents' reports of their actual recreational behavior, such as the number and location of fishing trips taken in the past month — but often on inland lakes, not just on the Fox River and Green Bay. These findings are called "revealed preference" data, because people's preferences are revealed by their actions.

The Fish and Wildlife study relied mostly on "stated preference," in which residents expressed their preferences for various hypothetical options.

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What are the chances for damage payment?	Uncertain. Some similar cases have settled for as little as 10 cents on the dollar. But there are examples of huge settlements, including more than \$200 million in Clark Fork, Mont., and about \$1 billion in the Exxon Valdez cases.	Negotiated tentative deal costing Georgia Pacific, whose former Fort James plant is linked to about 22.5% of PCBs, \$7 million for state resource damage. Deal credits company, a member of Fox River Group, with providing public \$55 million in benefits.

SOURCES: U.S. Fish and Wildlife Service, Wisconsin Department of Natural Resources, Wisconsin State Journal research

Fox River

Continued from Page A6

Meyer said Allen's complaints aren't true and that the DNR has tried several times to merge the two studies but the FWS has balked.

"They have refused to give us their information," Meyer said. As a result, the agency decided to establish a cooperative relationship with the paper companies.

In 1992, the DNR announced the formation of the Fox River Coalition, made up of the DNR, paper companies, and local municipalities. No environmental groups or regular citizens were represented. The agency's plan was to work with the paper companies on voluntary cleanup.

Then, in 1997, Thompson and the DNR announced that they had signed a contract with seven paper companies under which the firms would cooperate with the agency to write a state version of the damage assessment. The companies would pay for the work, including the hiring of consultants.

"Our belief," Meyer said, "was that we could make a lot faster progress working with the governments and the companies up there."

Critics, however, say the formation of the coalition was the beginning of a long and too-cozy relationship between the agency and the paper companies.

Rebecca Katers is head of the Clean Water Action Council, an environmental group in Green Bay. She's monitored the relationship between the DNR and the paper companies for years and she said her group and others have warned all along that the agency's efforts to cooperate with the paper companies would result in the public being shortchanged.

"In 1998, we predicted serious problems would result from this contract," Katers wrote of the 1997 agreement. "Now our fears are coming true."

Consultants an issue

Few issues surrounding the proposed settlement have raised as much criticism as the DNR's use of consultants who

works for companies fighting such claims. On its Internet site, the company lists General Electric, Alcoa, Shell Oil Co., Exxon, and British Petroleum as being among its corporate clients. Dwight Duncan, the Phoenix consultant hired by the DNR to analyze the TER model, has also come under fire from environmentalists and FWS officials, who are uncomfortable with his qualifications and with the fact that his fees are being paid for by the paper companies.

Duncan, critics such as the Sierra Club charge, has a master's degree while consultants working for the FWS all have doctoral degrees. And, they add, he has worked in the past for companies such as General Electric, now involved in negotiations over PCB pollution of the Hudson River in New York.

"His views," charged the Sierra Club in a recent press release, "are consistent with pro-industry consultants fighting against legal claims on behalf of polluters. He should be pursuing aggressive government actions to obtain the maximum compensation possible, but he's doing the opposite."

Duncan and officials with the DNR defended the consultant arrangement. And Duncan said he resented that his credentials and his objectivity are being questioned.

"The question here," Duncan said, "is, 'Am I being intellectually honest in my exercise?' That's troubling. . . . I've never paid any attention whatsoever to who's paying the bill here."

Meyer said it is not unusual for industry to pay for consultant fees in such cases.

Additionally, Meyer said, a confidentiality agreement between the consultants and the agency prevents the consultants from having contact with the paper company on the matter without prior approval from the DNR. Most important, Meyer said, the consultants are working under the supervision of the DNR, not the paper companies.

"The key to this issue," Meyer said, "is do we have independent use and supervision of the work and analysis and the ability to disagree with aspects we disagree with. From my knowledge and review of this situation, there is no doubt that we had that independence."

As for Georgia Pacific, the company is pleased with how the negotiations turned out.



This mill owned by Georgia Pacific was a major contributor to PCBs in the Fox River. Formerly owned by Fort James, the plant is believed to have contributed about 22.5 percent of the PCBs discharged into the river.

PCBs and the Fox River

PCBs (polychlorinated biphenyls) are a family of chemical compounds that have been linked to health problems. Although the manufacture of PCBs was banned in the U.S. in 1977, the consequences of their use remains.

Still a threat.

- ◆ PCBs released decades ago persist in soil and water.
- ◆ PCBs accumulate in fish and marine animals and can reach levels thousands of times higher than the levels in the water.
- ◆ PCBs can still be released into the air and water from landfills, incineration of sewage sludge, and improper disposal of PCB materials.

Effects

- PCBs have been linked to:
- ◆ Neurological damage
 - ◆ Birth defects
 - ◆ Immune deficiency
 - ◆ Abnormal hormone levels
 - ◆ Cancer

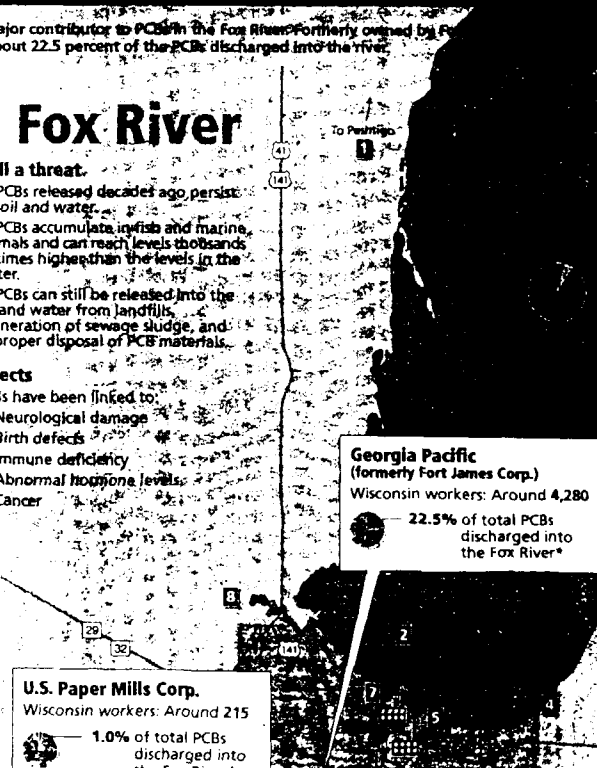
PCB use

PCBs were primarily used in the Fox River Valley for making carbonless copy paper, but some other major uses include:

- ◆ Electrical transformers
- ◆ Generators
- ◆ Hydraulic fluids
- ◆ Inks and lubricants
- ◆ Fire retardants
- ◆ Paints and adhesives

The connection between PCBs and the paper mills

State and federal agencies are seeking damages from seven companies for their role in discharging toxic PCBs into the Fox River between the mid-1950s and the mid-1970s, when the chemicals were outlawed. Of the seven companies, Appleton Papers was the only one to actually produce carbonless paper coated with PCBs. The other companies recycled such products and discharged the chemicals.



Katers

based on a comparison of the DNR's use of consultants who are paid by the paper companies and who have histories of working more frequently for industry than regulators.

Triangle Economic Research of Durham, N.C., for example, specializes in resource damage assessments but more often

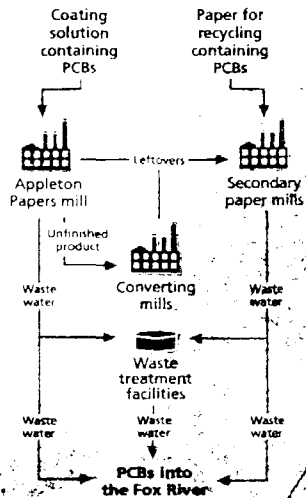
company is pleased with now the negotiations turned out. "We believe it is a very fair agreement," said Kathleen Bennett, vice president of environment, safety and health for Georgia Pacific. "It will ultimately be viewed as a very positive thing for Wisconsin's environment."



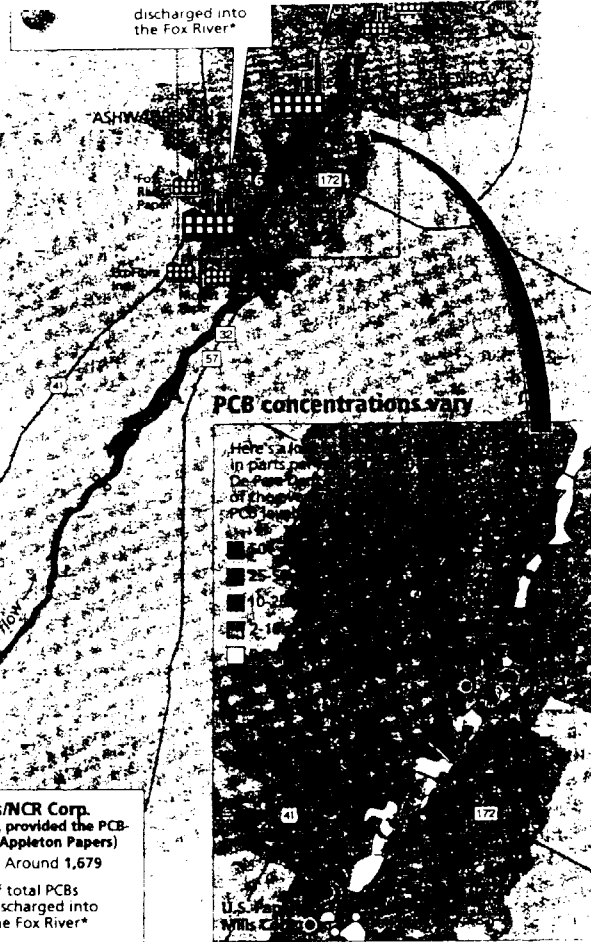
STEVE APPS/WJSJ photo

Appleton Paper near Kaukauna is one of the plants that released PCBs into the Fox River. Resource officials figure the company discharged nearly 40 percent of the 330 tons released into the river.

and discharged the chemicals.



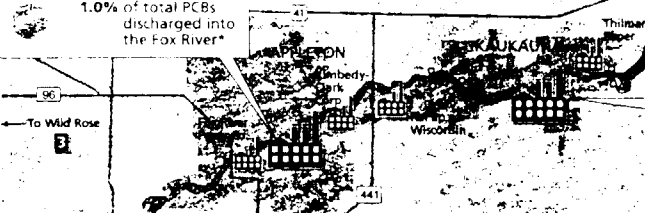
discharged into the Fox River*



Riverside Paper Corp.

Wisconsin workers: Around 352

1.0% of total PCBs discharged into the Fox River*



Appleton Papers/NCR Corp.
(NCR Corp., Portage, provided the PCB-coated emulsion to Appleton Papers)

Wisconsin workers: Around 1,679

39.7% of total PCBs discharged into the Fox River*

Georgia Pacific
(formerly Wisconsin Tissue Mills)

Wisconsin workers: Around 1,622

9.1% of total PCBs discharged into the Fox River*

P.H. Glatfelter Co.

Wisconsin workers: Around 402

27.1% of total PCBs discharged into the Fox River*

What does \$7 million buy?

As part of its proposed damage settlement with the state Department of Natural Resources, Georgia Pacific agreed to pay a total of \$7 million for improvements along the Fox River. The company would also provide funding for projects to improve water quality in the lower Fox River and in Green Bay. Some of the projects include:

- 1 Buy, and transfer to the state, 700 acres of wetland and forested land adjacent to Green Bay, near the mouth of the Peshtigo River.
- 2 Help pay for the construction and design of a 30-acre island in Green Bay for habitat for birds and migratory waterfowl.
- 3 Pay for expansion of the Wild Rose State Fish Hatchery.
- 4 Pay for 10 recreational projects including:
 - 4 A hiking trail, wooden fishing pier, and 10-car parking lot at Joliet Park.
 - 5 A hiking trail and picnic area at Bay Beach Parkway.
 - 6 A nature center and hiking trail at Ashwaubomay Park.
 - 7 A boat launch and 10-car parking lot at Bysby Avenue Boat Launch.
 - 8 Hiking trails, parking lots and picnic areas at parks in the village of Howard.

* Figures used in determining percent of total PCB discharge do not represent percentage of liability. The estimates were made for the sole purpose of evaluating cleanup alternatives. NOTE: Figures do not add up to 100 due to rounding and other PCB pollution sources.

SOURCES: Wisconsin Department of Natural Resources, U.S. Fish and Wildlife Service, State Journal research by Andy Hall, Ron Seely and Jason Klein

JASON KLEIN/WJSJ graphic

COLUMNIST'S PERSPECTIVE

Don't believe everything you read in Green Bay

Sometimes when I'm reading something that seems unbelievable, I have to consider the source and reflect on history to remind me if the source is trustworthy.

I was thrilled to read in the Green Bay Press-Gazette, in both Tom Perry's column of Nov. 19 and an editorial of Nov. 26, that the paper found the Fort James Corp. (now Georgia-Pacific Corp.) damage assessment settlement to be lacking. They lament that the public had no input in negotiations between Fort James and the Wisconsin Department of Natural Resources. I could not agree more.

The DNR has said there will be a 60-day public comment period, but there's already a settlement. That horse is out of the barn.

Perry couldn't be too hard on the corporate giant, however. He wrote, "Fort James ... never violated any anti-pollution laws ..."

It would be difficult for Fort James to violate a law that its lobbyists wrote specifically so that it wouldn't have to worry. Got too much poison left from papermaking? Just rewrite the laws so that it's OK to dump it in the river. Simple and effective.



Curt Andersen

For The Green Bay News-Chronicle

Fort James was tired of nearly 20 years of constant haranguing by outraged citizens. This was not a noble move. The company just wanted out from under the mess.

Perry further wrote, "Fort James deserves some credit for stepping up to pay what some would argue is an unfair fine."

The Army does not award medals to soldiers who have to be dragged back to the battlefield, kicking and screaming. Fort James was tired of nearly 20 years of constant haranguing by outraged citizens. This

was not a noble move. The company just wanted out from under the mess. Our DNR let 'em go cheap. Really cheap, and at our expense.

As to whom he thinks would argue about the so-called "unfair fine," Perry did not say. Does he think it would be the commercial fishermen who lost their businesses because the fish were too toxic to eat? Would it be the landowners along the river and bay whose property values are lower because of the pollution?

Does he think that it is the folks who would love to swim or boat area waters, but are too squeamish to be in all that pollution? Would it be the parents of those kids who can't focus on their schoolwork, have brain tumors or are sterile from the PCBs?

Perry went on to poke a stick at "the business-friendly administration of Gov. Tommy Thompson." This is a classic example of the pot calling the kettle greasy. The Press-Gazette has been notoriously cozy with big business for years. The Press-Gazette has endorsed each and every candidacy of Thompson since the Stone Age, so that makes it party to the crimes of idiocy

that now are being carried out by our flaccid DNR.

Then there was the editorial on Thanksgiving Day that thanked many people. One of them was me. It thanked me for my volunteer work, my work as a teacher, my work as a mentor, and my work fighting for clean air to breathe and pure water to drink.

The work has been infinitely harder because of the lack of coverage and support by the Press-Gazette over the years. These "thank-you's" were lip service from a newspaper that is nothing less than an enabler for polluting industries, our power-added governor and the toadies that have served him.

Should I trust what the Press-Gazette says? I'm a little nervous. You know what they say, "Fool me once, shame on you. Fool me twice, shame on me."

Curt Andersen is a lifelong resident of the Green Bay area and a Vietnam-era Navy veteran. He owns a small business and is on the board of the Clean Water Action Council. His column appears here Wednesdays. Opposing or supplemental viewpoints are welcome. Write to him via e-mail at canderse@gateway.net.

Comment period on Fox River compensation plan ends

12-17-80

About 95 percent of responses favor the plan; the responsible companies do not

By Jeff Decker
The News-Chronicle

More than 100 people and organizations offered praise and criticism of a plan that could bring \$176 to \$333 million to the area for PCB damage to the Fox River.

The 45-day comment period on the U.S. Fish & Wildlife Service's Restoration and Compensation Determination Plan, which ended Friday.

The plan, released in October, would take money from seven Fox Valley paper mills and direct it to over 600 environmental projects around the Fox River and Green Bay.

"Most of the comments have been very short, in support or against," said David Allen, assessment manager with the Fish & Wildlife Service. He said 95 percent supported the plan and 5 percent did not.

"If we decide that we don't want to make any significant changes (in the plan based on the comments), we will still make a response summary," Allen said.

PCBs are known to cause neurological and reproductive damage in wildlife and humans. The study cal-

culated estimated costs to the public for lost resources and activities resulting from the chemical damage.

"The companies have caused decades of economic, social and health damage and do not appear to be having any economic difficulties," wrote Joann Kindt of Oshkosh, "They should be held accountable."

Avid birder Steve Krings said the thousands of acres of wetlands that would be purchased under the plan would be invaluable.

"I know full well how, such money could be used to restore valuable wildlife habitat and protect existing wetland," Krings wrote. "It's time we did the right thing for future generations."

Others were critical of the basic

factors used to calculate damage.

"It is ridiculous to consider any damage assessment that ignores commercial fishing," the Wisconsin Commercial Fisheries Association wrote. "If (carp and white perch) were not contaminated by PCBs, they would have been controlled by commercial harvest."

The association was not alone in suggesting the dollar figures should be higher, while others felt they were far too high.

George Meyer, secretary of the state Department of Natural Resources, called the plan "a disservice to the public" as presented.

"The economic theory which has been utilized by the 'co-trustees' has resulted in what seems to be an inflated estimate of damages ... and

seemingly guarantees the route of litigation as the method of recourse by the responsible parties," Meyer wrote.

The DNR also disagreed with the basic formulas used to calculate damages. In November Meyer signed a \$7 million compensation settlement with one of the paper mills, Fort James Corp. (now Georgia-Pacific Corp.).

The Fox River Group — the coalition of the seven responsible paper companies — weighed in against the plan, saying the Fish & Wildlife Service "has misinterpreted its own data ... and did not adequately consider the presence of farm runoff and other contamination of the Fox River."

Study: Fish dangers ignored by Hmong

Many Hmong prefer fish such as white bass the DNR says should not be eaten

By Patti Zarling
The News-Chronicle

Local Hmong say most community members do not eat fish from the Fox River, despite a recent study that indicates many Southeast Asians who fish are unaware of the dangers of consuming their catch.

"I think people are kind of scared to eat out of the river right now," said May Lee Lor, who works for the Fort Howard/Jefferson Family Resource Center. "I don't know if people really fish out of the river. I think they go to small streams."

The study, conducted by the State Medical Society of Wisconsin, found 70 percent of Southeast Asians surveyed who fish the Fox River in Northeast Wisconsin were unaware of the health risks from eating contaminated fish.

The fish are contaminated from PCBs that were released by paper mills into rivers from the 1950s until the early 1970s. The chemicals were a prime component of carbon-copy paper.

They adhere for decades to river sediment and small organics, which are consumed by bottom feeders and microorganisms. As organisms consume each other up the food chain, concentrations multiply.

In animals, the PCBs concentrate

in fatty tissues and lipids.

"That's why carp is probably the worst fish to eat," said Eric Aakko, health educator with the state Bureau of Environmental Health. Carp, which are fatty, feed off river bottoms and many PCB-contaminated organisms, he said.

Proper cleaning of a fish helps reduce risks, he said.

Aakko's job is to educate the public on these, and other, dangers. It can be frustrating to see people hurt their families while trying to feed them.

"Fish are a high-quality, low-fat source of protein," he said, but caution needs to be exercised.

17 PERCENT ATE FISH

The researchers, who were from the Wisconsin Division of Public Health and the University of Wisconsin-Madison department of preventive medicine, interviewed 104 Fox River anglers.

The researchers found that 17 percent of the people fishing ate the fish, while 83 percent practice "catch and release."

Most were not familiar with Wisconsin's fish advisory, but had heard of the health risks from the local papers and TV.

"Most Asian anglers reported that they prefer to eat the white bass," the researchers wrote. "White bass is on the list of 'Do Not Eat' fish in the fish advisory."

Vaughn Vang, a guidance counselor for the Green Bay School District, said he has worked with UW-Green Bay to educate Southeast Asian people who fish. This summer, he went to the bay and talked with

anglers as they came out to fish. He showed them pictures and explained the dangers.

He said he has not seen many people fishing since.

"I don't know many people who are out there fishing," he said. "I'm sure there are some, but I think they don't care. They're going to eat the fish anyway."

But Jai Vang, executive director of the Hmong Association of Green Bay, said more funds need to be spent on educated Southeast Asians about PCBs.

Exposure to the pollutant PCBs from contaminated fish may raise the risk of cancer.

"I'd like to see more done about what PCBs are and what their effects are," Jai Vang said. He also noted the survey might have been too small to give an accurate picture of fishing and Southeast Asians.

EDUCATING THE COMMUNITY

Some efforts to educate the general community have been made.

Lor said while the resource center didn't schedule separate meetings about PCBs, workers do discuss the issue with people when they come for English as a second language classes.

"Most people now fish in the Oconto River, or way up on the bay, or the Wolf River," Lor said. "I hope the word about PCBs is spreading around."

The language barrier might be one reason Southeast Asians are unaware of the dangers.

To help eliminate that barrier, the Wisconsin Division of Public Health has posted fish advisory signs in Hmong and English along the Fox River and has developed visual materials that identify which fish are safe to eat.

Vaughn Vang said a video also was produced in the Hmong language, and he's hoping to see a second developed for Laotians.

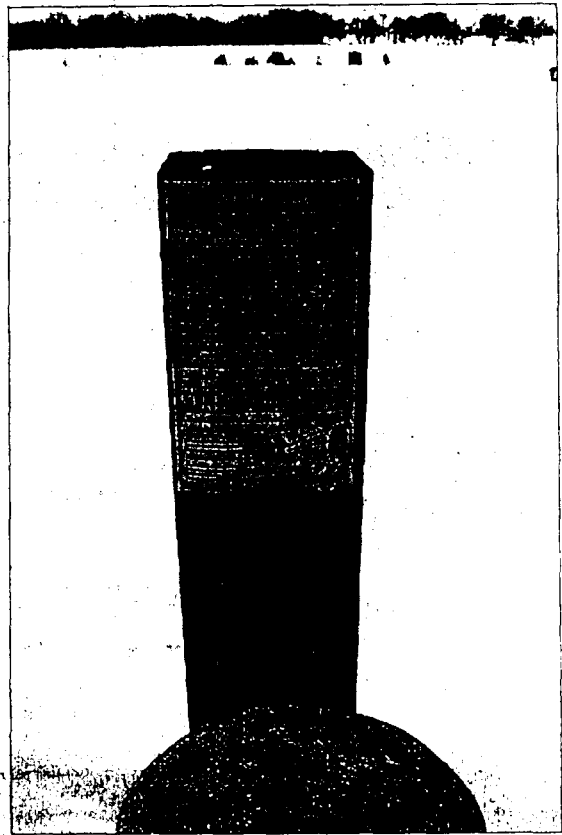
He believes 70 percent to 80 percent of the Southeast Asian community is aware of the dangers of PCBs.

"I have friends who fish and they send some to me; so I have a good idea of where they fish," he said. "They go up north or to Lake Winnebago."

Eric Uram, state executive director for the Sierra Club, said he found the survey results shocking.

"It surprises me that there would be that many people still unaware," he said. "If it's true, they definitely have to beef up their efforts."

Warzecharsk said "Exposures to PCBs can cause a variety of both physical and neurological developmental effects in children."



H. Marc Larson / The News-Chronicle

A PCB HEALTH ADVISORY SIGN is posted along the Fox River at Voyageur Park in De Pere. PCB-contaminated fish can cause brain damage when eaten.

PCB-laced fish can cause brain damage

By Jeff Decker
The News-Chronicle

The number of people who have eaten PCB contaminated fish and the number who have suffered from that is unknown, but what is certain is that eating those fish leads to brain damage — especially in children.

"The exposure that we're primarily concerned about is during pregnancy, though a significant amount of exposure can take place during breast-feeding," said Chuck Warzecharsk, an assessor with the state Bureau of Environmental Health.

"Exposures to PCBs can cause a variety of both physical and neurological developmental effects in children," Warzecharsk said.

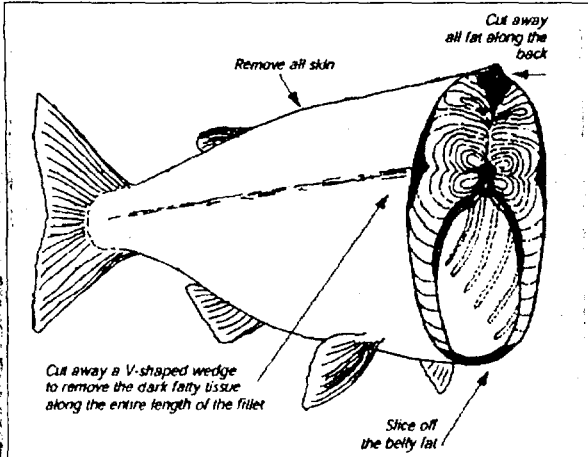
smaller head size, a decreased IQ and memory problems, particularly short-term memory problems.

"And those are permanent," he said.

The best way to avoid health problems, he said, is to not eat fish from the Fox River or Green Bay, or to strictly follow posted consumption guidelines. Some areas declare no fish should be eaten, and others suggest one fish a week or one fish every six months.

"In general the stretch of river from the De Pere dam down to Green Bay is a bit more contaminated than from the De Pere dam up to Lake Winnebago," Warzecharsk said.

Though PCB levels in the Fox River have dropped nearly 80 percent in the last 20 years, there are some fish advisories on the entire river," he said.



Courtesy Wisconsin Department of Natural Resources

A DNR BOOKLET SHOWS the proper way to prepare fish to avoid many PCBs present. It comes from a booklet of health information for people eating fish from state waters. Advisories on how much fish is safe to eat for the average person are available at the DNR Web site: <http://www.dnr.state.wi.us/org/water/tp/fish/advisories/>

Bay's recovery faces new foes

Setbacks mar strides made in past decade

12-17-00

BY SUSAN CAMPBELL
PRESS-GAZETTE

For the first time in about 20 years, bird expert Tom Erdman last spring spotted newly hatched birds on Green Bay with crossed bills and reversed wings.

It was a discouraging sight reminiscent of the 1970s, when PCBs were banned and the chemicals had peaked in the system.

"Cross-bills, deformities in young gulls and cormorants, one cormorant with reversed wings ... we haven't had a deformity here in the lower bay probably since the early 80s," said Erdman, curator of the Richter Museum of Natural History at the University of Wisconsin-Green Bay.

Erdman's sightings hint at problems that continue to haunt the bay and its wildlife.



Erdman
Concerned about birds

Ten years after a landmark series of bay studies, experts say the state of Green Bay has improved considerably. The waters have cleared, bald eagles have returned, and recreational boating has soared.

Yet for every sign of improved health, there are signs of trouble.

Non-native species such as zebra mussels have taken over; the beloved yellow perch, mainstay of the Friday night fish fry, has fallen on hard times; and soil and contaminants continue to run off the land and into the bay.

New, invading plants have also taken hold, choking out native plants. Purple loosestrife is crowding into wetlands, and the Eurasian water milfoil has become so abundant that it shades slower-growing aquatic plants and snares boaters and swimmers.

Jury still out

It has been 10 years of dramatic change on the bay — some good, some bad and some the jury is still out.

"We've got a ways to go," summed up Bud Harris, a retired environmental science professor at UW-Green Bay and recognized bay expert for the past three decades.

Interviews with more than two dozen experts and a review of recent studies by government agencies and academics reveal a growing concern about just how much isn't known about the bay's transformation.

Many of these same experts are calling for new studies to understand the bay-altering changes of the past 10 years.

The joint federal and state Green Bay Mass. Balance Study of a decade ago consisted of a vast pool of research that marked the bay as among the most-studied bodies of water in the nation.

Scientists assessed water quality on the bay and produced detailed models showing the movement of contaminants through the Fox River-Green Bay system — work that has been cited as a catalyst for recent progress on the river's PCB problem.

Cleaning the Fox

And there has been progress on that front, though environmentalists and others bemoan the fact that it has been so long in coming.

In the past several years, two pilot dredging projects removed polychlorinated biphenyls from the Fox

Please see Bay, A-4



Mike Brunette/Press-Gazette

The snow- and ice-covered Green Bay becomes a popular destination for boating, fishing and other recreational activities during warmer seasons. While the health of the bay recovers on some fronts, it faces new challenges.



Ken Behrend/Press-Gazette

The zebra mussel population exploded in the last decade. The non-native mollusk has suffocated many bay clams.



File/The Associated Press

The recovery of the bald eagle is one of the bay's success stories. During the last 10 years the number of nesting birds increased.



Special to the Press-Gazette

Researchers are concerned about newly discovered cormorants and other birds with crossed bills and other deformities.

State of the Bay

The series

This is the first of a four-part series on the environmental health of the bay of Green Bay.

Today

■ Climate changes affect water levels, wildlife, A-4
■ Runoff still a problem for bay and Fox River, A-5

Monday

■ Zebra mussels and other invaders take over the bay.

Tuesday

■ The status of popular game fish.

Wednesday

■ Several species of birds have disappeared from the bay.

Bay/Invasion of zebra mussels may have altered food chain

■ From A-1

River; federal and state officials rolled out assessments of the toll PCBs have taken on the system and its wildlife; and a proposed cleanup plan is expected early next year.

But Erdman said help is coming too late for some species and may be temporarily worsening the problem for others.

"The so-called clean dredging that has gone on on the Fox River, I question that," he said, referring to a pilot project outside Georgia-Pacific's — then-Fort James Corp.'s — West Mill. The project was run by the state and seven paper mills that discharged PCBs into the river via papermaking and recycling.

Left unfinished in December 1999, the project received scathing criticism when it was learned that high levels of PCBs had been exposed on the riverbed and would remain there until dredging resumed this fall.

Erdman suspects the deformed young birds he saw last spring were affected by the PCBs that were unleashed by the aborted project.

The answer may never be known, however, because Erdman doesn't know of anyone who tested wildlife downstream of the site before and after the initial round of dredging.

Exotics arrive

While contaminants continue to pose problems in Green Bay, new challenges are hitting its waters in successive waves.

Exotic, or non-native species have continued to arrive from foreign waters and, absent their native predators, established themselves in the bay as they have for a century or more.

In the past decade the white perch, which first appeared in southern Green Bay in 1988, has become so plentiful that some fishermen complain they can't escape them when fishing for other species.

In the northern bay, the aggressive round goby has been spotted and is expected to make its way southward.

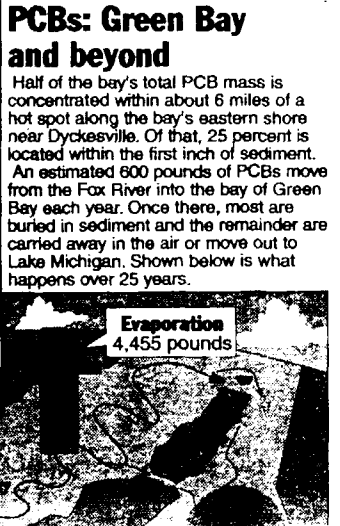
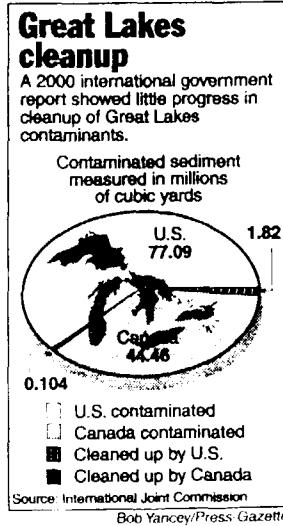
But the most infamous invasion of the '90s was that of the non-native zebra mussel.

"You can talk to anyone who lives along the bay, and when the wind blows, the shells wash up on the beach," said Mark Maricque, who belongs to a long line of com-



Mika Brunetta/Press-Gazette

Yellow perch fingerlings are raised at the UW-Milwaukee Great Lakes Water Institute to study what might be causing perch populations to plummet in Lake Michigan and the bay of Green Bay. Experts are still not sure what is behind the decline.



in yellow perch and other panfish, said no one knows what's to blame.

"First they're pointing at the commercial fisherman, and the DNR knocked their (harvest) down to half, now they're pointing at the cormorants, and everybody's grasping at different ideas of what it is," he said. "I don't think really anybody's got the true answer. It's probably a combination of everything that's happened."

Good and bad

Finally, there have been other wildlife changes that have occurred above the waters of Green Bay — some good, some bad.

Erdman, of the Richter Museum of Natural History, notes that three bird populations have vanished from the bay since 1990.

Contaminants coupled with diminished habitat and changing water levels may be responsible, he said, though that suspicion can't be verified because the birds are no longer around to study.

On the plus side, the number of bald eagles nesting on the bay increased during the past decade. In just the last three years, the birds have had some luck producing young after years of failed attempts believed to have been caused by high contaminant levels on the bay.

Another encouraging sign: The once-endangered cormorant has re-established itself on the bay, bolstered by federal protections and restoration programs. The bay reached 14,000 nesting pairs by 1997.

However, the cormorants' success on the bay has spawned a new conflict. Some anglers say the birds' expert fishing ability is cutting into their yellow perch harvest.

Researchers say that concern is more perception than reality.

Still, clashes between cormorants and people are significant enough in the United States that the U.S. Fish and Wildlife Service began accepting public comments last spring as it develops a plan to manage the birds.

Steve Nelson, who runs the fly department at Bob's Bait and Tackle in Green Bay, defends the cormorant, saying overfishing by people left the perch population vulnerable to other stresses.

"The problem wouldn't be there if we hadn't done that," he said.

Lessons learned

Bud Harris said two lessons can be learned from the last decade or two on the bay.

One, change will occur, regardless of what people do to manage

Maricque said he didn't realize how many native clams were in the bay until zebra mussels started colonizing on them — turning them into baseball-sized spheres that tear holes in his fishing nets.

The invaders — which came from the Caspian Sea region of Asia — have become so numerous that after a particularly rough storm last fall, Maricque and his colleagues spent three days cleaning their nets of zebra mussels.

"I remember when they first got here how they used to stick on the native clams, they would get so thick on the clams they would kill them," he said. "Now you don't see the clams, but you still see the zebra mussels."

Food web changed

During their brief time here, the fingernail-sized mollusks have managed to alter the entire food web on the bay, experts say.

"We no longer have the same system we had when we did the

mass balance study, and that is because of the zebra mussels," Erdman said. "There's no way it's ever going to go back because there's no way to control them."

And the zebra mussels may affect the food chain in other ways, as they filter the water for food and accumulate PCBs and other chemicals in the process. Researchers worry whether zebra mussels in essence package the chemicals and pass them on to the fish and wildlife that prey on them.

Vicky Harris, a water-quality specialist at the UW-Sea Grant Institute in Green Bay, said studies are being done to determine whether the mussels make contaminants more available to bay wildlife, or merely shift them around by making them less available to other species.

Those answers will determine whether people who eat Green Bay fish and fowl also face increased risks from the chemicals, she said.

"These are all question marks,"



Press-Gazette

she said. "That's why some of that research is being done. There's a potential there for that."

Seeing clarity

On the plus side, zebra mussels have done more to improve water clarity on the bay than any human efforts during the past decade.

That fact isn't lost on people like Harris and her husband, Bud, both of whom have been active on the area's Remedial Action Plan committee.

It was 12 years ago that the committee identified soil and phosphorus runoff from farm land and other areas along the Fox River as a primary problem with the bay's health.

"Water quality has changed, but it's changed due to the zebra mus-

sel, not necessarily from all the management activities — at least we don't have evidence to that effect," Bud Harris said.

The Harrises note that despite the zebra mussels' improvement of water quality in the mid- and northern bay, water quality in southern Green Bay hasn't changed. There, the bay continues to be fed heavy loads of soil and phosphorus that run off the land into the Fox River.

Indeed, new data show that 75 percent of the phosphorus that drains to the lower bay each year comes from uncontrolled runoff.

"That whole issue in the lower bay is part of the wall we've hit," Bud Harris said. "The evidence we have available suggests there hasn't been a major change."

Richter Museum of Natural History at UW-Green Bay, holds a native bay clam that was killed by a colony of zebra mussels.

Fish and wildlife populations in and around the bay have also changed in the past decade — in some cases dramatically.

Disappearing perch

The yellow perch's decline in Green Bay has not been as steep as in Lake Michigan, though it has fallen on troubled times in the bay nonetheless.

Between 1991 and 1998, the popular perch — a cultural and economic mainstay in the community — experienced six straight years of poor breeding seasons, a sharper decline than the traditional ups and downs the population cycles go through.

Sport fisherman Scott Sprangers of De Pere, who rarely fishes on the bay these days because of the drop

This is especially true, he said, when the bay has such "enormous attractive power" for recreation and shoreline development and when community leaders are working to attract high-tech business and industry to the area.

"The remarkable thing to me is we make as much progress as we do," Harris said.

He read a story from a 1976 Denmark Press previewing a public hearing on plans by the U.S. Army Corps of Engineers to issue a permit for construction of the Tower Drive corridor — Interstate 43 — through wetlands along the bay.

"If it were today, that would fail," Harris said. "What's changed is the public's attitude. There is a better appreciation for some of these values — a higher level of sensitivity."

"So has that just changed in the last two decades? Certainly I think we're still moving in that direction, and that's the encouraging thing to me."

Climate changes impact water levels, wildlife

By SUSAN CAMPBELL
PRESS-GAZETTE

A key factor in assessing the health of Green Bay is the role of climate change in the past decade and the upcoming decades.

To even the untrained eye, the most visible potential effect of a warming climate on the bay was the rising and falling water levels of the 1990s.

The early to mid-'90s were a time of near-record highs on the bay and the lake, followed by an abrupt 40-inch drop that brought them to near-record lows toward the latter part of the decade through today.

Rich Bogovich, a climate change specialist with Wisconsin's Environmental Decade, said the peaks and valleys of bay water levels typify the climate extremes that are expected to result from global warming.

"We think of global warming as just heat waves and milder winters, but it may actually cause weather extremes at both ends of the spectrum," he said.

"It may not be a surprise that (lake) levels were higher in the early part of the '90s. ... I look at global warming as feast or famine."

Bogovich noted that the dramatic fluctuations in water levels occurred during what scientists have singled out as the 10 warmest years in the climate

What's next

A day-long interfaith conference on global climate change will be held Feb. 17 at UW-Green Bay's Ecumenical Center. Registration begins at 8:30 a.m.

The Wisconsin Council of Churches is sponsoring the symposium to raise awareness about climate change and its effects.

record, which dates to the mid- to late 1800s.

Overall, the climate models correlate a warming average global temperature and increased evaporation with falling Great Lakes water levels.

Models developed by the Intergovernmental Panel on Climate Change — a 2,000-member body of climate scientists studying the phenomenon since 1990 — project water levels on the bay and Lake Michigan falling 1 to 3 feet in the next 50 years and 3 to 8 feet in the next century.

The U.S. Army Corps of Engineers reports that November closed out just 10 inches above the record low levels set in 1964.

Some lakes experts predict another year of near-record lows on Lake Michigan next year.

However, Michael Morgan, a biology professor with the University of Wisconsin-Green Bay's Department of Natural and Applied Sciences, noted that meeting or

beating the record isn't important when it comes to verifying the effects of climate change.

Successive years with near-record lows are just as significant, he said.

If the projections are accurate, global warming has other implications for the bay as well.

Ice fishermen have been frustrated in the past few years, because it has taken longer for the bay to freeze in winter and less time for ice to melt in spring.

"If global warming plays out, I think we'll see that more and more frequently," Morgan said.

Fish and wildlife living in and around the bay also would be affected by a warming climate and warmer waters.

Some species — such as cold-water trout — could be pushed out of the area.

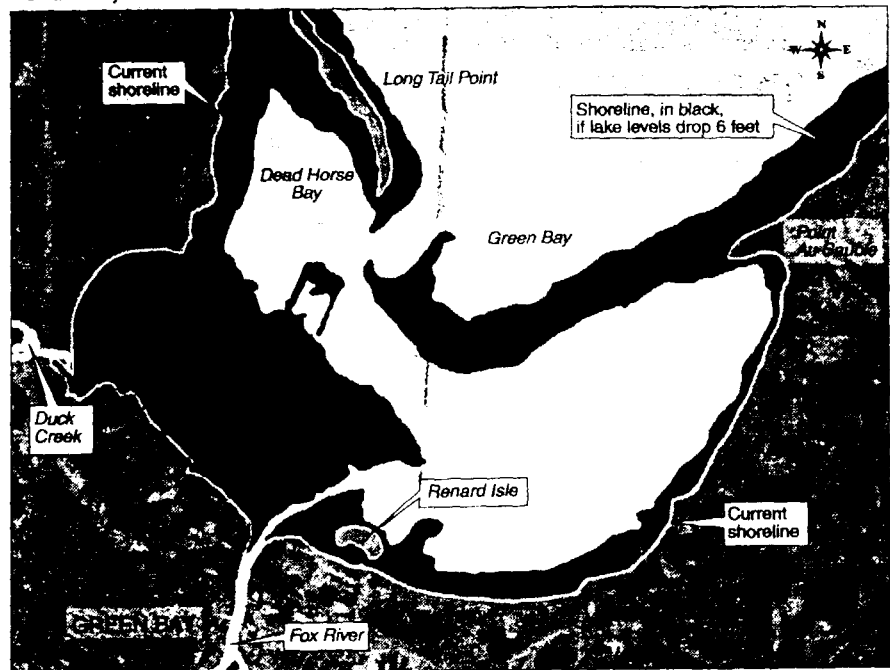
Some bird and animal species also would disappear as wetlands, woodlands and other habitat changes take place.

Morgan notes that a warmer local climate could be a boon to some species, such as the deer and wild turkey populations, because both are thinned by long, cold winters.

"You can look at not just temperatures, but other climate changes as well," he said, adding that what the bay experienced in the past decade "may be a sneak preview of what things would be like in 2040 or 2050."

Climate change on the bay

This computer simulation shows what the shoreline would look like in 2100 if global climate change models are correct and lake levels drop 6 feet. Computer models developed by the Intergovernmental Panel on Climate Change show Lake Michigan levels could drop from 1 to 3 feet or more over the next 50 years, and 3 to 8 feet over the next 100 years.



Source: National Environmental Trust, Intergovernmental Panel on Climate Change and U.S. National Oceanic and Atmospheric Administration

Joe Heller/Press-Gazette

Runoff still problem for bay, Fox River

10-year focus has seen little improvement

BY SUSAN CAMPBELL
PRESS-GAZETTE

The greatest continuing source of Green Bay's ill health is uncontrolled runoff from land into waters that feed into it.

Experts say the evidence from the past 10 years shows that, although the problem has long been targeted as a priority, little if any improvement has been made to water quality in the southern bay.

Monster, malodorous algae blooms that took over part of Lake Winnebago in 1997 attested to the enormous amount of nutrients that are dumped into the Fox River upstream of the bay.

Smaller algae blooms were evident on the bay that same year, and algae has become a common complaint of those visiting its shores and waters.

"That whole issue in the lower bay is part of the wall we've hit. That hasn't changed," said Bud Harris, a retired professor of natural and applied sciences with the University of Wisconsin-Green Bay who has studied the bay for 30 years.

Indeed, early analysis shows that the lower bay's levels of soil and phosphorus — a chemical found in soil and fertilizer that encourages algae growth — remain fairly consistent with what they were in the early part of the decade.

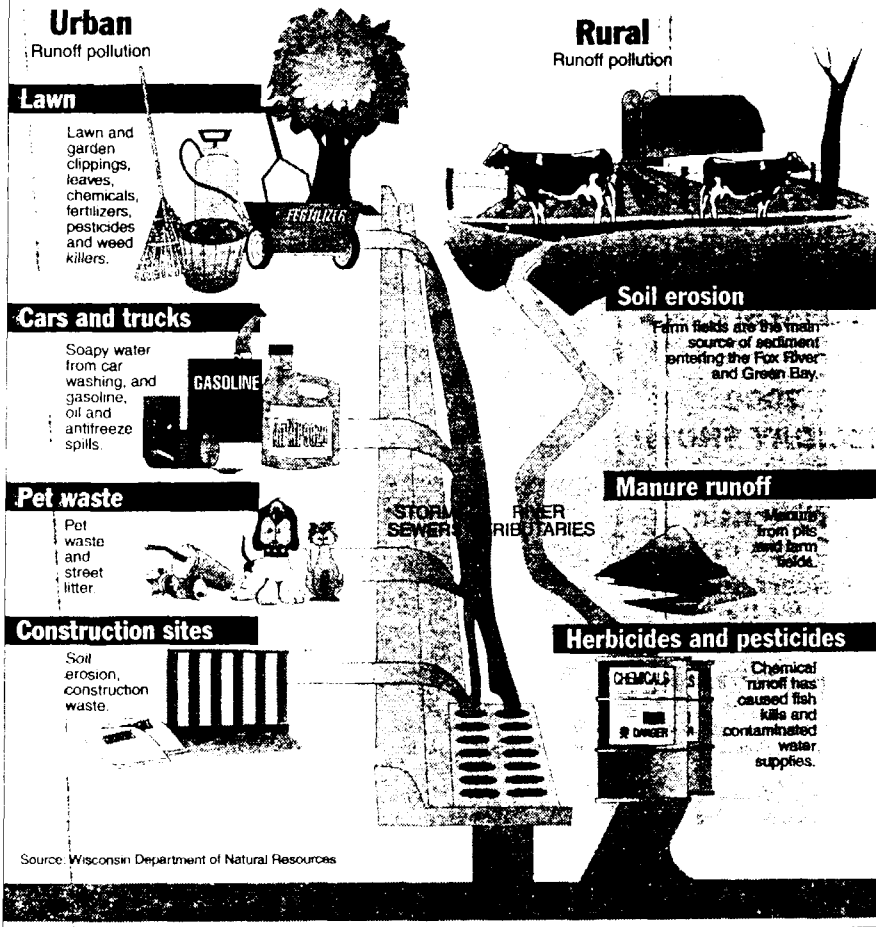
That data will be carefully honed as part of a planned revision of a 1990 "State of the Bay" report, last updated in 1993. The revision will analyze water-quality data in the lower bay to see what change, if any, has occurred.

Phosphorus discharges from municipal sewerage and industrial plants have been cut by 84 percent since the 1970s, the result of regulations targeting reductions from those facilities. But contamination from uncontrolled sources, such as farms and construction sites, is a much different story.

Uncontrolled runoff today comprises more than 75 percent of the phosphorus dumping into Green Bay, according to a report this year by a subcommittee to the local Re-

From Fox River to Green Bay

Experts say runoff continues to contaminate the bay, despite being a priority in the past decade.



Source: Wisconsin Department of Natural Resources

Bob Yancy/Press-Gazette

medial Action Plan committee.

The Remedial Action Plan developed by that group in 1988 recommended substantial cuts in the amount of soil and phosphorus flowing into the bay. Today the same group is proposing even tighter restrictions, calling for soil and phosphorus loadings to the Fox River to be cut in half.

Harris said he is encouraged by a new federal mandate that communities prepare Total Maximum Daily Load plans for impaired waters, plans that will determine just how much in soil, nutrients and

other pollutants a waterway can tolerate.

"Do I think we'll all be able to implement a TMDL (Total Maximum Daily Load) plan?" Harris asked. "It's going to happen in another 20 years. Will it bring about changes in the bay that we anticipate? Yeah, I think to some extent it will."

John Bechle, program manager with Brown County Land Conservation, said the situation on the bay doesn't show a lack of effort on the part of the county.

Bechle said his office has

reached more than 600 cost-sharing agreements with Brown County farmland owners during the past decade.

The agreements, which use matching funds from the state, typically call for a 50 percent reduction in the flow of soil and nutrients to bay tributaries through the use of erosion controls, such as planting tall-grass buffers along stream banks.

"I would say it has improved based on the work we've been doing," Bechle said. "With the number of landowners we're

working with and the number of agreements we have ... there's less running off the land than there was 10 years ago."

But Bechle said that progress may be washed out when the runoff from Brown County farmlands mixes in the bay with runoff from upstream lands reaching all the way to Lake Winnebago.

Brown County encompasses only a fraction of the land that drains into the Fox River, a major tributary to Green Bay.

About 530 square miles of the more than 6,400-square-mile Fox-Wolf River basin lie within Brown County of the Brown County portion, Bechle said, about two-thirds of the land drains to the bay; the rest drains to Lake Michigan.

While some of the other counties between Brown County and Lake Winnebago are pushing for similar controls on farmland, some aren't, he said.

Brown County's progress may be diluted further by the onslaught of development during the past decade. Land laid bare for roads and buildings can be a major source of erosion if not properly controlled, Bechle said.

Vicky Harris, who in her former role with the state Department of Natural Resources served on the Remedial Action Plan committee until the late '90s, said property owners also contribute to runoff problems in the bay.

The rip-rapping that shoreline property owners did to protect their land from erosion when water levels were higher this decade may have instead caused more erosion problems, she said.

At least one study has shown that this sort of shoreline hardening doesn't absorb energy as a gently sloping shoreline does — resulting in waves that bounce and crash more violently than they otherwise would.

And the same folks who rip-rap to protect their property often strip the shoreline of tall grasses, shrubs and trees and replace it with lawn, Harris said. Lawns add insult to injury because grass lacks deep roots that help prevent erosion. And where there's grass, fertilizers and pesticides typically follow.

"Water quality naturally is affected by what people do with their property," Vicky Harris said. "Everyone's land drains someplace, whether it's to a stream, a lake or the Great Lakes."

Scientists to present findings at symposium

BY SUSAN CAMPBELL
PRESS-GAZETTE

As many as two dozen scientists will present research on the bay of Green Bay during a day-long science symposium in June at the University of Wisconsin-Green Bay.

The symposium is planned during the 44th Annual Conference of the International Association of Great Lakes Research, scheduled for June 10-14.

"The Green Bay Ecosystem: An

Interdisciplinary Synthesis, New Findings, New Directions" will feature an eclectic mix of findings, said Val Klump, senior scientist at the UW-Milwaukee Water Institute and co-chairman of the symposium.

"We'll be pushing people to take a broad look at the ecosystem," he said, adding the meeting will synthesize bay data from the past with issues of the future.

A series of 15- to 20-minute presentations will look at research focusing on topics ranging from fisheries to resource management to PCBs in the bay and Fox River.

The annual conference is held alternately in the United States and Canada and is hosted in cities around the Great Lakes.

It draws up to 500 scientists from more than a dozen countries to share their research on the great lakes of the world — such as Lake Baikal in Russia and Lake Victoria in Africa.

Other sessions will focus on topics such as sustainability, Lake Michigan perch, Fox River PCB remediation, and the economics of Great Lakes ports.

On the Net: For more information, www.iaglr.org.



Klump Senior scientist at water institute

Mussels out-muscle natives

State
of the
Bay

12-18-00

Mollusks' full effect on Green Bay not known

Second in a four-part series.

By SUSAN CAMPBELL
PRESS-GAZETTE



Zebra mussels cling to everything from clams to soda cans to metal rods like this one in the bay. Mike Drunette/Press-Gazette

More on A-4

- Invaders get free ride in ships' ballast tanks
- Lamprey and alewives form one-two punch in lake waters

The tiny zebra mussel looks harmless enough.

But when its discarded shells pile up by the ton, it isn't long before the mollusk's waterfront neighbors start complaining about reconfigured coastlines, beaches that are hostile to bare feet and an odor that smells like rotting fish flesh.

Zebra mussels were stacked up to 6 feet high in a cove outside Bill Acker's bayfront home on Nicolet Drive a year ago. Now there's no cove.

"It's pretty full," Acker said. "There used to be water in it and ducks swimming around. It's land now."

Since its arrival in Green Bay in 1991, the zebra mussel has out-muscled and out-reproduced all other species to become the bay's most prevalent creature.

Non-native invaders are nothing new to the bay and throughout the Great Lakes. But the invasion of these exotics has become so overwhelming in the past decade that top decision-makers now recognize the influx as one of the region's most pressing environmental problems.

Unmistakable influence

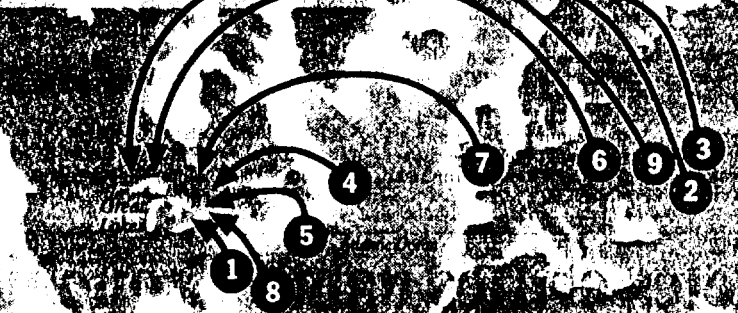
The zebra mussel's influence on the bay is unmistakable: clearer water, shorelines heaped with small shells, and underwater mollusk masses clinging to rocks, soda cans and whatever else they can find.

But the critter poses a number of unknowns in the bay as well, many of them troubling.

Researchers wonder how it affects native species by competing for the same tiny plants and organisms that other aquatics feed on. Others worry about its tendency to absorb contaminants such as PCBs and make them

Great Lakes invasion

Green Bay is a melting pot for invading species from around the world.



1 ALEWIFE



Origin: Atlantic Ocean
Arrival: Entered through the Welland Canal connecting Lakes Erie and Ontario. Arrived in Lake Michigan, 1949. Lake Superior, 1954.
Impact: Huge populations compete with other species for food. Large dieoffs foul beaches.
Length: 6 inches **Weight:** 4 ounces

2 CARP



Origin: Caspian Sea region of Asia
Arrival: Late 1800s
Reason: Introduced to help rescue seriously depleted commercial fishing.
Impact: Out-compete native fish and fowl for food.
Length: 15 to 22 inches
Weight: 1 to 7 pounds; Wisconsin record is 57 pounds, 2 ounces

3 ROUND GOBY



Origin: Caspian and Black Seas
Arrival: 1990 St. Clair River, near Detroit by ballast of trans-oceanic vessels.
Impact: Aggressive and robust, displacing native species.
Length: 4 to 10 inches
Weight: 4 to 11 ounces

4 SEA LAMPREY



Origin: Atlantic Ocean
Arrival: Entered through the Welland Canal about 1921.
Impact: Contributed to the decline of whitefish and lake trout.
Length: 12 to 20 inches
Weight: 8 to 13 ounces

5 SMELT



Origin: Atlantic Ocean
Arrival: 1920. Planted in the Great Lakes to provide food for salmon.
Impact: Compete with native fish for food.
Length: 7 to 9 inches
Weight: 3 ounces

6 RUFFE



Origin: Central and eastern Europe
Arrival: 1985, Duluth harbor, by ballast water in Great Lakes freighters.
Impact: Grow rapidly, displacing yellow perch populations.
Length: 4 to 8 inches
Weight: 2 to 5 ounces

7 SPINY WATER FLEA



Origin: Great Britain
Arrival: Lake Huron, 1984, by ballast water in ocean freighters.
Impact: Competes with perch for microscopic food.
Length: 3/8 inch

8 WHITE PERCH



Origin: Atlantic Ocean
Arrival: Entered through the Welland Canal around 1950.
Impact: Feeds on the eggs of yellow perch, contributing to the species decline.
Length: 5 to 7 inches
Weight: 8 ounces

9 ZEBRA MUSSEL



Origin: Caspian Sea region of Asia
Arrival: 1988, near Detroit by ballast water in ocean freighters.
Impact: Clog intake pipes of power and water treatment plants, foul beaches and kill native clams.
Length: 1/4 to 1 inch
Weight: 1/10 ounce or less

Please see **Mussels, A-4**

Joe Heller/Press-Gazette

Invaders get free ride in ballast tanks of ships

BY SUSAN CAMPBELL
PRESS-GAZETTE

Capt. Pierre Casaubon has steered giant cargo ships into Great Lakes ports for nearly half of his 24-year shipping career.

His job, as he tells it through his quick, French-Canadian accent: "Bring the ship from point A to point B. No lives lost, no cargo lost."

But in carrying out their duties of ferrying cargo and crews from port to port, commercial shippers have been known to carry a different and unwelcome sort of cargo.

These giant vessels have hosted aquatic hitchhikers from the world over, in earlier years ferrying non-native stowaways in ballast water picked up from the oceans to steady the ships, then discharged into the Great Lakes as the ships near port.

With the lakes said to average one new exotic species each year for the past decade or so, agreeing on new ways to halt their introduction via ship ballast is now being debated at the state, provincial, regional and national levels.

Members of the Great Lakes Panel on Aquatic Nuisance Species scheduled a meeting this month in Ann Arbor, Mich., to work on a policy statement calling on the federal government to develop ballast-water standards for the five Great Lakes.

'Biological pollution'

"Aquatic nuisance species are a form of pollution. We call it 'biological pollution,' and it's every bit as insidious as toxic pollution," said Michael Donahue, executive director of the Great Lakes Commission in Ann Arbor.

"We've done a lot of work documenting the economic and environmental damage of aquatic nuisance species, and it's overwhelming," he said. "We think it's time for a more aggressive approach to shut the door on new species coming into the system, and also be more aggressive within the Great Lakes in helping to slow their spread."

Federal legislation in 1990 established a voluntary ballast-exchange program, requiring ocean-going vessels to exchange their ballast water off the Atlantic coast before entering U.S. ports. The restriction became mandatory for ships entering the U.S. Great Lakes in 1996 and remains



Ship Captain Pierre Casaubon stands in the stern of the ship he pilots. He says many captains don't obey the law requiring ocean-going ships to exchange their ballast water in the Atlantic Ocean before entering the Great Lakes.

Patrick Férrou/Press-Gazette

to Donahue, is that only about 20 percent of the shipping traffic entering the Great Lakes carries ballast water.

The rest, known as "NoBOBs" (for No Ballast on Board), aren't necessarily clean. Large ships can take on sediment and muck in their ballast tanks, creating a haven for micro-organisms and other aquatics to survive in until the tanks are washed out.

Secondly, 80 percent of Great Lakes commercial shipping traffic travels solely within the Great Lakes. Although these ships aren't at risk of introducing new exotics, they can and do transport exotics from one Great Lake to the next, helping these species gain a foothold in a neighboring Great Lake more quickly than they otherwise would.

Thirdly, exchanging ballast on the open water can pose a structural threat to the integrity of a ship's hull, and thus risk the crew's safety.

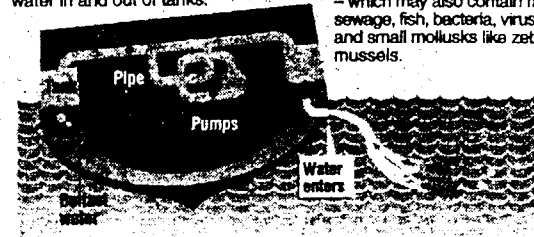
Casaubon, who ferried cargo to

Ballast gives ships stability

Ballast is the extra weight a ship takes on to give it stability as it floats. When a ship is fully loaded, it needs little ballast. But when a ship is empty, or nearly empty, the crew fills special on-board compartments with sea water. That ballast lets the boat ride lower in the water and keeps the vessel balanced in heavy seas.

1 As they load and unload cargo at ports, ships' crews pump ballast water in and out of tanks.

2 Pipes, up to 3 feet in diameter, suck in harbor water — which may also contain raw sewage, fish, bacteria, viruses and small mollusks like zebra mussels.



Source: Great Lakes Protection Fund

Gannett News Service/Press-Gazette

"That was the law, but everybody's cheating," he said on a recent stop at the Port of Green Bay

Casaubon heartily supports enforcing ballast rules for ocean-going vessels, or "Salties" as they

plied to ocean-going ships should be cost-efficient so as not to discourage them from doing business on the Great Lakes.

Those working on the issue of exotic species in ballast water say they want to avoid saddling Great Lakes shippers with onerous and costly restrictions.

The Great Lakes Panel on Aquatic Nuisance Species was established by the Great Lakes Commission in the aftermath of the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990. That act called for development of a standard for ballast-water quality and for recommendations regarding how the regulations should be developed and applied and what ships can reasonably be required to do.

Panel's plan

The 35-member panel's strategy is two-fold.

Firstly, it seeks to pre-empt individual efforts already under way in some Great Lakes states to develop ballast-water regulations, which could result in a patchwork quilt of regulations that discourage Great Lakes shippers.

Secondly, the panel wants to send a strong, unified message to Capitol Hill next year about the need for standardized ballast regulations as Congress prepares to reauthorize the National Invasive Species Act.

"There's a big frustration on the part of the states that the feds aren't acting on it," said Ron Martin of the Wisconsin Department of Natural Resources and chairman of the panel.

"We want to shape the argument. If we have a strong policy statement from the region, we can take it to our elected representatives and say, 'This is what needs to be done. This isn't just a Great Lakes issue — it's a global issue.'"

Martin said the federal government should be responsible for enacting regulations for Great Lakes ballast control. States may lack the authority to regulate interstate commerce, he said, and they don't have a ready enforcer on the lakes.

Donahue agreed. "There's support across the board for a balanced approach," he said. "The devil will certainly be in the details, but I think it's fair to say that all the states, provinces and federal governments involved want something

looked at to treat ballast water or sediment in the tanks of ships that travel outside or within the Great Lakes. Using ultraviolet light or chlorine to kill organisms or employing a filtering system are among methods being considered.

Casaubon is skeptical. "That's good in a lab, but you're aboard a ship," he said. "Everything aboard a ship is hard to control in every way."

Pointing to his own ship, which is 407 feet long, he said, "From here, I don't see what's on the bow. And nowadays, the bigger the ship the smaller the crew. So who would do it?"

Casaubon opposes any restrictions on commercial shippers that, like him, traverse only the Great Lakes.

Dean Haen, Brown County Port director, agrees.

"There should be no regulation on our lakers that are running around just the Great Lakes because they're not carrying saltwa-

Special report

Yellow perch decline remains mystery

12-17-98
Overfishing,
exotics take
much of blame

Third in a four-part series.

By SUSAN CAMPBELL
PRESS-GAZETTE

Yellow perch fishing wasn't the best last year or the year before, said Mark Maricque, a commercial fisherman on the bay of Green Bay.

Pressed a little more, he admits, "It was poor. It was very poor."

Down years are nothing new to commercial fishermen, however. And, like his predecessors in the family business, Maricque is hopeful about next year's catch.

"We'll wait 'til we start fishing May 20 and see if they're there or not. I'm optimistic," he said. "I have to be, otherwise I'll go nuts in this business."

But recent evidence suggests yellow perch are on the decline in Green Bay, and some researchers now worry the population there may face a yellow perch crash similar to the one that has occurred in Lake Michigan

State
of the
Bay

■ Research may help solve mystery of perch decline, A-4

since 1992.

The yellow perch mystery is one of the most controversial and closely watched on the bay and Lake Michigan, in large part because of the fish's economic value and popularity as star of the local Friday night fish fry.

The subject is also a catalyst for argument over

whether state fisheries managers are doing enough — or too much — to help fishermen, a debate that underscores the influences of human intervention on the bay.

After two dismal years of yellow perch reproduction on Green Bay, Bill Horns of the state Department of Natural Resources said there's no predicting how successful it will be in 2001 until the larvae are hatched next spring.

Furthermore, researchers still are trying to learn what

Please see **Perch, A-4**



Ken Behrend/Press-Gazette

Commercial fisherman Mark Maricque of Green Bay repairs a damaged section of gill net. He says the catch of yellow perch, the star of the Friday night fish fry, has been "very poor" the last couple years on the bay of Green Bay.

Research key to reviving yellow perch in bay

By SUSAN CAMPBELL
PRESS-GAZETTE

Learning what conditions favor yellow perch in Green Bay through the early life stages is the best way to make decisions about how to manage the population, a Milwaukee researcher said.

Fred Binkowski, a senior scientist with the University of Wisconsin-Milwaukee Great Lakes Water Institute, said that's just the sort of study he's suggesting in a grant proposal.

After observing an unusually long cycle of poor yellow perch reproduction on Lake Michigan — and to a lesser extent, Green Bay — during the 1990s, Binkowski said researchers and fish managers need to know more about the likes and dislikes of this popular commercial and sport fish.

"That's what this research all boils down to — to do experiments and get information and then pass that information on to the management people, so they can make decisions about how they manage this resource."

— Fred Binkowski,
UW-Milwaukee scientist

Then we can all go out on Friday afternoon, catch 18 or 20 jumbo perch and take them home for dinner."

With the commercial yellow perch fishery closed on Lake Michigan and cut back on Green Bay, coupled with bag limits for lake sport fishermen and a short-

ened sport season on the bay, those days seem far off.

But Binkowski said a study that focuses on two or three significant factors affecting the yellow perch would help improve understanding.

Specifically, he proposes continuing work begun in 1997 that involved collecting yellow perch in their early life stages; studying the white perch, which has emerged as a key predator and competitor of yellow perch; and studying the effects of temperature on developing perch.

Binkowski hopes to tie in with the Department of Natural Resources' annual yellow perch spawning assessments to predict annual year-class strength.

By collecting yellow perch larvae over the entire spawning period, he said, the larvae can be preserved for analysis of their food habits, age and growth. The health of the larvae also can be determined

through a new technique that enables researchers to study RNA and DNA ratios.

"It's critical that we know what's going on early," Binkowski said.

"If there are no perch larvae showing up, then we know right from the get-go that you're not going to be dealing with predator problems — that there's something else."



Ken Behrend/Press-Gazette

Jim Maricque cleans yellow perch from Green Bay. The bay's yellow perch fishery has been depleted by a number of stresses.

Perch/Good hatch in 1998 hasn't yielded higher fish samplings

BROWN TROUT



Length: 16 to 24 inches

Weight: 2 to 8 pounds

Coloring: 1 to 2 brown or tan back

■ From A-1

happened to the yellow perch that were spawned in 1998, the only good year for perch reproduction since the Green Bay population started to decline in the mid-'90s.

Those fish grew quickly, and trawling surveys in the summer of 1999 picked up expected numbers of them in the bay.

"The surprise came this fall,

with the population in the '90s, he contends.

"By keeping these big bag limits while everyone was catching a ton of fish, I guess a lot of people thought that meant, 'The good times have finally come.' But like everything, it's not going to last," Nelson said.

"It should have been a sign where we looked to other fisheries and said, 'Oh, we could be in



upset an ecosystem.

"But sometimes it's exactly what you need," he said.

For instance, Peeters said the DNR's decision years ago to stock Pacific coho and Chinook salmon to prey on the invading and out-of-control alewife population was just what the doctor ordered.

The alewife is credited with driving six of Lake Michigan's seven chub species out of the

brown trout, German trout, European brown trout, brook

Found in lakes: stocked in Michigan, Huron, Ontario, Erie and Superior

CHINOOK SALMON



Length: 47.5 inches (Wisconsin record)

Weight: 44 pounds 15 ounces (U.S. record)

Coloring: Indescent green to blue-green on back; sides below lateral line silvery; silvery to white

Common names: King salmon, type, spring salmon, quinnat

Found in lakes: Michigan, Huron, Ontario, Erie and Superior

COHO SALMON



Length: 11 to 26 inches

Weight: 2 to 8 pounds

Coloring: Steel-blue to slightly green on back; bright silver on sides; white underside

Common names: Coho, silver salmon, sea trout, blueback

Found in lakes: Michigan, Huron, Ontario, Erie and Superior

RAINBOW TROUT



Length: 20 to 30 inches

Weight: 2 to 8 pounds

Coloring: Steel-blue, blue-green, yellow-green to almost brown on back; sides silvery; silvery white below

Common names: Steelhead trout, coast rainbow trout, silver trout

Found in lakes: Michigan, Huron, Ontario, Erie and Superior

WALLEYE



Length: 13 to 15 inches

Weight: 1 to 5 pounds

Coloring: Olive-brown to golden-brown to yellow on back; paler sides; yellowish white

Common names: Walleye pike, yellow walleye, pickerel, yellow pickerel, pike-parch

Found in lakes: Michigan, Huron, Ontario, Erie and Superior

said Horns, a Great Lakes fisheries specialist who tracks yellow perch numbers in the bay. "The question is where those fish got to.

"We don't know whether it was a sampling problem, or they just died, or whether the low water levels affected their distribution."

The reasons offered for the extended down cycle for the yellow perch during the '90s are as varied as the influences the fish face in the bay and Lake Michigan. Some blame exotic or returning species. Others say it's the same old problem of humans tinkering too much with nature — or not enough.

"Everyone has their own point of view and their own bias," Maricque said. "Sportsmen may be more biased toward themselves and against commercial fishing — and vice versa."

Researchers blame not people but weather and exotic invaders such as the white perch and the alewife, both of which are known to feed on young yellow perch and compete for food.

Some fault the cormorant's return to the bay. Still others blame the Department of Natural Resources for failing to properly manage yellow perch, or for stocking new species that some claim are pushing yellow perch to the brink.

Fred Binkowski, senior scientist with the University of Wisconsin-Milwaukee's Great Lakes Water Institute, said that whatever the cause, it will be awhile before it makes sense to change quotas and bag limits for yellow perch fishing on the bay or Lake Michigan, even if things start improving.

"There's no point to make any hasty move toward opening everything back up again," he said.

Seeking a cause

Just what caused the yellow perch fishery to falter during much of the last decade?

The short answer, for now, is that more study is needed — an answer that leaves room for plenty of conjecture by experts and nonexperts.

Steve Nelson, who runs the fly department at Bob's Bait and Tackle in Green Bay, said overfishing is the reason behind perch declines in the bay.

The old days when the bag limit was 50 for anglers catching yellow perch on the bay finally caught up

fish daily bag limit on yellow perch for sport fishermen, and closed the commercial fishery on Lake Michigan.

On Green Bay, the agency reduced quotas for commercial fishermen, as well as shortened the season and lowered the daily bag limit to 25 for sport fishermen.

The commercial harvest on the bay has been correspondingly lower, down from a high of 475,000 pounds in the 1989-90 season to 200,000 pounds starting with the 1997-98 season, according to a DNR report.

Nelson said the limits should have been lowered sooner.

Still, he doesn't lay all the blame with the DNR. Wisconsin fishermen tend to believe they're entitled to catch as many fish as they want, he said, and resent any limitations on their catch.

"It seems that a lot of fishermen on the whole want more than they can reasonably have," Nelson said.

"Not that you should throw all your fish back, but 50 perch is a lot of perch. It would have been easier for the DNR to say, 'We need to lower the limit' if fishermen weren't so intent on taking as much fish as possible."

Working the nets

In the attic of Maricque's Fish Shop in Green Bay, Maricque spends off-season time weaving fish nets the old-fashioned way — by hand, using a handsome wooden needle carved by a distant relative years ago.

Though the commercial fishing industry has had its disputes with the sport fishing community, the two sides have joined forces since the yellow perch fishery fell apart, he said.

"We realize that if there's a strong population out there, we can both benefit," he said.

"It's not as adversarial as what it once was. ... When you go back to quota fishery, we were fighting over everything. We didn't believe the department and their numbers, we didn't trust the sportsmen, the sportsmen didn't trust us, and the department didn't trust commercial fishermen."

Today, Maricque faults exotics more than anything for the deteriorating yellow perch fishery, citing white perch in particular.

"We see them out there every day we fish," he said. "You can't go anywhere and get out of them; it's ridiculous they're so thick."



Ken Behrend/Press-Gazette

Mike Maricque uses a needle to weave a net used to catch yellow perch. Maricque says sport fishermen and commercial fishermen — who once blamed each other for the depleted yellow perch population — now realize cooperation is in both groups' best interest.

Maricque said he'd like to see the state help commercial fishermen cope with the enormous influx of white perch by providing funds to remove some of them — especially since the fish can't be marketed because they accumulate unacceptably high levels of hazardous PCBs in their flesh.

In the meantime, Maricque has grown weary of the continued attacks on commercial fishermen, who are blamed for fishery collapses around the world. As far as he's concerned, commercial fishermen merely provide a service.

"Some people can be awful irate. They think I'm catching all these fish and putting them all down in my basement and hoarding them," he said. "If people didn't like commercial fishing, I wouldn't have a job. It's as simple as that."

Finding fault

Scott Sprangers, a 47-year-old recreational fisherman who has fished the bay for about 40 years, misses the yellow perch fishing of

the '80s and blames part of the loss on the cormorants that have returned to the bay now that the waters are cleaner.

He also faults the DNR's fish-stocking program on the bay.

Sprangers suspects that the salmon, trout and muskie the DNR stock in the bay prey upon the yellow perch and bluegills, as well as other small panfish sought by anglers.

It was better, he said, when anglers could fish the bay for smaller fish and drive a half-hour to Lake Michigan to fish for salmon and trout.

"All the fish that they've planted in the bay in the last 10 years have been at the top of the food chain," Sprangers said. "I just wish they'd kept the two separate. I've got a little daughter, and if I want to take her out there, you know kids get bored right away if they don't get a little bite."

Paul Peeters, a Lake Michigan fisheries biologist with the DNR, said fish stocking can indeed

ruining and emerald shiner fisheries of the past.

By 1967, the alewife had outcompeted almost all other species in the lake, reaching a point where up to 87 percent of the fishery was tied up in alewife flesh, he said.

By stocking the waters with the salmon — free-swimming forage fish that feed on alewife — the alewife population since has been brought down to about one-tenth of what it was in the '60s.

"This is probably one of the greatest fisheries-management success stories in the history of fisheries management," Peeters said. "We're not going to eliminate alewife by stocking salmon, but we've controlled them. We've taken away that explosive element of their population."

Peeters admits there have been missteps along the way in trying to stock and manage various fish populations in Lake Michigan and the bay.

Always, it's a balancing act.

In the late 1970s, he said, the agency stocked too many salmon, crashing the alewife population and causing many salmon to starve.

He also wonders whether the agency should have obtained quota controls on commercial species sooner than within the past 20 years, and whether that might have helped prevent the current yellow perch problem.

"The commercial fishery, with the modern gear that they have, they have the ability to collapse stocks, as they have all over the world," he said. "But in the past we haven't had that (the quota rules). Was that a mistake? Probably (but) it was something we didn't have the ability to control."

To those who suggest the agency should stop meddling with the bay and lake fish populations and leave nature to work things out on its own, Peeters said that's wishful thinking.

Many of the basic building blocks that held up Lake Michigan's ecosystem are long gone, he said.

"It's kind of idealist to say, 'Now let's return to just the natives.' It's really not feasible," Peeters said.

"So instead of trying to do that, our department is taking the approach of trying to work with what we have, and develop and enhance what we have, while trying to help discourage the introduction of new exotics."

Sunday

■ Green Bay's recovery faces new foes

Monday

■ Zebra mussels and other invaders take over the bay.

State of the Bay

Today

■ The status of popular game fish.

Wednesday

■ Several species of birds have disappeared from the bay.

Original URL: <http://www.jsonline.com/WI/121900/wi--foxrivercleanup12190051729.asp>

Most support plan to clean up Fox River

Last Updated: Dec. 19, 2000 at 5:17:29 a.m.

GREEN BAY, Wis. (AP) - Most people who responded to a plan to cleanse the Fox River of industrial chemical PCBs favor assessing paper companies hundreds of millions of dollars for polluting the river.

About 95 percent of the more than 100 people and organizations that reviewed the plan supported it, said David Allen, assessment manager with the U.S. Fish and Wildlife Service.

A 45-day period to comment on the agency's plan to assess seven Fox River paper companies between \$176 million and \$330 million ended Friday.

"The companies have caused decades of economic, social and health damage and do not appear to be having any economic difficulties," Joann Kindt of Oshkosh said. "They should be held accountable."

Steve Krings said he appreciated the plan's aim to buy thousands of acres of wetlands.

"I know full well how such money could be used to restore valuable wildlife habitat and protect existing wetland," Krings said. "It's time we did the right thing for future generations."

Some groups, like the Wisconsin Commercial Fisheries Association, said the proposed dollar amounts assessed paper companies should be higher.

George Meyer, secretary of the state Department of Natural Resources, said the damage estimates were too high and called the plan "a disservice to the public."

The paper companies said the plan did not take into account other sources of pollution as partial causes of the river's contamination.

On the Net:

U.S. Fish and Wildlife Service: <http://www.fws.gov/>

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A look at Bush's
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Mental illnesses
often are overlooked
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BADGER LOSS
Gophers end UW's
winning streak at 10
SPORTS/D1



DIFFERENCE MAKERS
Ten ordinary citizens who
are doing extraordinary things
DAYBREAK/G1

THE SUNDAY



Wisconsin State Journal

SUNDAY, JANUARY 7, 2001

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Memo reveals paper firm's offer

Company's secret Fox River cleanup offer is criticized as low

By Andy Hall and Ron Seely
Wisconsin State Journal

A paper company secretly discussed paying a settlement to government regulators that would have fallen far short of the projected cost of removing toxic PCBs from Wisconsin's Fox River, public records and interviews show.

The proposed settlement, if applied to the seven paper companies responsible for the pollution, would be at least \$130 million shy of the likely bill for dredging and other cleanup efforts.

George Meyer, secretary of the state Department of Natural Resources, said late Saturday that although at least one paper company has proposed a partial cleanup settlement in

confidential negotiations, and talks continue, no deals have been signed.

"The bottom line is we are going to require the companies to come up with the full amount of money that is necessary to clean up the river," Meyer said.

"Because if the companies don't do it, the taxpayers would."

Meyer added that the total cleanup cost will be announced in March.

A memo written in mid-November by Jeff Schoepke, Gov. Tommy Thompson's environmental policy adviser, said that Appleton Papers Inc. "is negotiating a cleanup settlement for itself (in) the range



Appleton Paper, the owner of this plant near Kaukauna, has been involved in secret discussions with the state Department of Natural Resources on settling PCB cleanup claims.

Please see OFFER, Page A8

File photo

ANALYSIS

States are eager to take on more

Bush administration is expected to accord states more responsibility for their own affairs.

By Robert Pear
New York Times

WASHINGTON — One thing is already clear about

THE McCALLUM FAMILY



Perrier tests had raised red flags

During pump tests, drop in water levels raised DNR concerns about trout safety.

By Ron Seely
Environment reporter

The state Department of Natural Resources considered stopping Perrier's pump tests of Adams County springs in

Date	1/8/01	# of pages	2
From	J Feyzabadi	Co.	
Phone #	608/257-4794	Fax #	
Post-It® Fax Note	7671	To	Dave Allen
		Co./Dept.	
		Phone #	
		Fax #	920/465-7410

Aide wrote routine memo, revealing negotiations

On his last day on the governor's staff, Jeff Schoepke wrote a routine one-page memo to update his colleagues on one of the most controversial issues in Wisconsin — hiding the Fox River's sediment of toxic PCBs.

But the memo, released last week under the Wisconsin Open Records Law, revealed secret negotiations and immediately added to the controversy surrounding the decade-long debate over cleaning up the river.

"In the past few weeks, (Appleton Papers Inc.) has engaged the other com-

panies in settlement discussions, with no resolution to date," wrote Schoepke, the governor's adviser on environmental issues.

"These discussions are considered highly confidential and should not be discussed with anyone other than the DNR or Appleton Papers."

Schoepke didn't specify in that November memo which government agencies have negotiated with Appleton Papers and other paper companies over cleanup of polychlorinated biphenyls.

The memo said that after seven years, "under the terms of the draft settlement discussed to date," the U.S. Environmental Protection Agency would have the power to order Appleton Papers to pay for additional cleanup work.

Schoepke, who didn't return the State Journal's calls Friday or Saturday, left to begin a job with Wisconsin Manufacturers and Commerce, a pro-business group, said Tony Jewell, the governor's spokesman.

Jewell said the governor's office wasn't involved in the Fox River

cleanup settlement negotiations, but has received some briefings.

Jewell said that some of the memo's description of the proposed settlement was incorrect, but he declined to be specific.

He added, "To the best of our knowledge, talks have broken off and there are no current talks ongoing. This is one of the options being discussed, but there have been several options, more expensive, less expensive."

— Ron Seely and Andy Hall

Official: Elian file ordered destroyed

Associated Press

MIAMI — An attorney Immigration and Naturalization Service employees in a deposition that his clients were told to destroy conceal documents that rained "anything derogatory" about the Elian Gonzalez case.

Donald Appignani made the statement while testifying for a federal lawsuit by Elian's Miami relatives against the INS and Atty General Janet Reno claim the April 22 armed raid removed the boy from his home violated their constitutional rights.

In his deposition, Appignani said Miami INS workers had told him the U.S. government could break the law by ordering evidence destruction, the South Florida Sun-Sentinel reports Saturday.

Appignani declined to state which employees told him of the orders, who gave the instructions and what information the documents and electronic mail contained. He said in an interview with the Fort Lauderdale-based news that he didn't hear the alleged orders and doesn't know whether the allegations were true.

"Basically this is what I heard," Appignani testified. "People were instructed to remove anything derogatory to the Elian Gonzalez case."

Dave Lee, regional director of government and public affairs for Gladfelter, said "while we have continued to talk from time to time with the agencies, I don't think anybody is holding out hope that there'll be significant developments before" at least nine months.

That, Lee said, would come after the DNR and EPA have released the cleanup plan, the public has commented on it, and the agencies have issued a decision about the best course of action.

INS spokeswoman Pat Mancha said Saturday she could not comment on accusations because the case was pending.

Appignani said he approached Ronald Guralnik the attorney for the family Lazzaro Gonzalez, Elian's great-uncle, about the information in November at the request of his clients.

"This is a major break in the case," Guralnik said. "I'm looking forward to court's ruling... and I'm looking forward to talking (Appignani's) clients."

Offer

Continued from Page A1

of \$10 million a year over seven years, for a total of at least \$70 million."

Appleton Papers is responsible for an estimated 40 percent of 330 tons of polychlorinated biphenyls, or PCBs, that seven paper companies legally discharged into a 39-mile stretch of the Fox River over two decades. PCBs, formerly used in carbonless copy paper, since have been linked to cancer in humans and to wildlife deformities, leading to warnings not to eat certain Fox River fish.

Schoepke's unsigned memo, obtained last week by the Wisconsin State Journal under the state Open Records Law, said that if other companies were to settle for similar amounts in proportion to their role in the pollution, "a total settlement of approximately \$170 million would be reached."

But cleaning the river is projected to cost \$220 million to \$721 million, with the bill likely to exceed at least \$300 million, according to 1999 DNR estimates.

Emily Green, director of the Sierra Club's Great Lakes program, said the memo shows that the DNR is prematurely negotiating with polluters — before a plan being developed by the DNR and U.S. Environmental Protection Agency is complete.

That proposal is expected to be made public in March.

The closed negotiations, said Green, who has long criticized the DNR's methods, cater to polluters while shortchanging the public and environment.

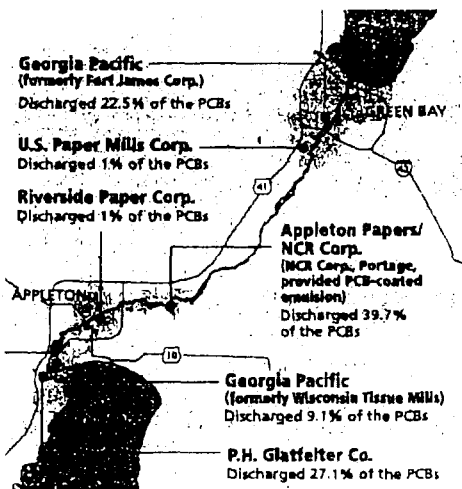
"I think it is a complete sell-out of the community and the environment in the Fox Valley," Green said. "It is a shame. We're obviously extremely disappointed that the DNR is once again settling behind closed doors for too little money without any public input."

Green said that if scant funds are available, fish will remain contaminated longer — perhaps for more than 100 years, instead of becoming edible in 10 to 27 years under prior cleanup methods.

Green last month blasted the DNR for secretly negotiating a proposed \$7 million settlement with another of the responsible paper companies, Fort James Corp. (now owned by Georgia

PCBs and the Fox River

Seven paper companies discharged an estimated 330 tons of polychlorinated biphenyls (PCBs) into the Fox River. Below are estimates of the portion each plant discharged.



NOTE: Figures used in determining percent of total PCB discharge do not represent percentage of liability. The estimates were made for the sole purpose of evaluating cleanup alternatives. Figures do not add up to 100 due to rounding and other PCB pollution sources.

SOURCES: DNR; U.S. Fish and Wildlife Service

WIS graphic

Pacific), to compensate the public for damage to the Fox River.

In response, Meyer, a Thompson appointee, said then that the agency acted in the public's best interests in the damages settlement and would fight for the estimated \$390 million to \$700 million from the companies in the case's most crucial phase — cleanup of the river.

On Saturday, Meyer said the memo from the governor's office erred on key points.

For example, Meyer said, the \$70 million mentioned as an Appleton Papers settlement is an old figure that hasn't been on the table for at least six months.

And, he said, that figure "was merely designed to keep a cash flow under way for cleanup of the river" as soon as possible, before more PCBs wash from the river into Green Bay and Lake Michigan. The figure never represented the company's total liability, he said.

"Those numbers are not reflective of the ongoing discussions," Meyer said.

Schoepke, the memo's au-

thor, didn't return messages left at his home Friday and Saturday. He left his job at the governor's office shortly after writing the memo.

Meyer said his agency participated in cleanup settlement talks last week in Washington, D.C., with officials from the EPA, U.S. Fish and Wildlife Service, state and U.S. Justice departments, and Indian tribes.

Meyer said the agencies considered a cleanup proposal — which he declined to describe — from Appleton Papers, and progress was made.

Bruce Baker, the DNR's top official on the Fox River case, said the memo "might have been accurate at one time."

"Whoever put it together hadn't been updated on negotiations," said Baker, who added that some of the paper companies provide briefings to the governor's staff.

Baker said the latest figures discussed by Appleton Papers "have changed considerably." Asked whether that meant the company was willing to pay more money, or less, he replied: "It depends. It's confidential. I can't say."

Furthermore, Baker said, the method used by the memo's author to produce the \$170 million estimate is flawed.

That's because all discussions involving Appleton Papers have involved partial settlement figures, which can't be relied upon as the basis for estimating the final settlement figures, Baker said.

Baker said no settlement is imminent.

In fact, he said, none could be adopted until the agency's cleanup proposal is issued, because that's when the cleanup price will emerge.

Asked whether the companies ultimately will be forced to pay more than \$170 million for cleanup, Baker said, "I believe so, yeah."

Baker said the companies are jostling for position in the negotiations. "The bottom line for all of them is, 'What does this mean for me?'" Baker said.

And he protested that Green wrongly depicted the DNR as acting alone.

"Nothing happens without all of the agencies being involved," said Baker, who spoke Friday from Chicago while returning to Madison from meetings with the agencies in Washington.

But Bill Hartwig, regional director of the Fish and Wildlife Service's eight-state Great Lakes and Big River Region, said Saturday he didn't know about any negotiations concerning a cleanup settlement. Hartwig said he was told the talks in Washington focused on calculating Fox River damages, not on cleanup settlement proposals.

Hartwig added it is the second time the Fish and Wildlife Service has been surprised by negotiations between the DNR and Fox River paper companies. The federal agency, he said, had been unaware of the talks between the DNR and Fort James concerning a proposed damage settlement announced Nov. 15 by Thompson.

"That was a surprise to us," Hartwig said. "And if they are

anticipating looking at a similar settlement with Appleton on cleanup, that would be a surprise as well."

Hartwig said it is his understanding that such negotiations were awaiting release of the DNR and EPA report on how best to clean up the PCBs in the river.

Roger Grimes, an EPA attorney in charge of the Fox River case, declined to comment about the memo, saying "any dealings we have had with (Appleton Papers) relative to a settlement are confidential. And they claim them to be confidential, and I would honor that."

He referred inquiries to Appleton Papers attorney Andy Schlickman. However, Schlickman and Appleton Papers spokesman Dennis Hultgren didn't return messages left at their offices Friday, and on Saturday, spokesman Jim Leonhart said the company would have no comment.


Schoepke's memo listed four "contacts" — the DNR's Baker, Appleton Paper's Leonhart and representatives of two other paper companies, P.H. Gladfelter Co. and Fort James.

Dave Lee, regional director of government and public affairs for Gladfelter, said "while we have continued to talk from time to time with the agencies, I don't think anybody is holding out hope that there'll be significant developments before" at least nine months.

That, Lee said, would come after the DNR and EPA have released the cleanup plan, the public has commented on it, and the agencies have issued a decision about the best course of action.

Lee said that the memo's attempt to quantify companies' total financial settlement are purely "the author's guesswork."

Mark Lindley, director of communications for the former Fort James plant, said he knew nothing about figures in the memo and added, "I'm not aware of any negotiations going on between the companies."




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Christmas

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Three views on the Fox River cleanup

Settlement is fair, equitable

By George E. Meyer

Last Sunday's Wisconsin State Journal story, headlined "Fox River sellout?", contrasted a damage settlement proposed by the U.S. Fish and Wildlife Service with one negotiated by the state Department of Natural Resources and the state attorney general's office.

Fish and Wildlife is proposing a figure in the range of \$200 million to \$300 million for damages to the Fox River's ecosystem caused by discharges from the operations of seven paper companies located along the Fox River corridor. The state has a proposed settlement with one of the seven Fox River companies for \$7 million.



Meyer

While the Dec. 17 story presented some general arguments for both positions, it failed to include several facts that show the DNR-attorney general's settlement is the correct and appropriate one.

◆ In 1999, in a similar situation, Fish and Wildlife reached a settlement with General Motors on the Saginaw River in Michigan for \$17.6 million using the same approach that was used in this case. The state's settlement on the Fox is for \$7 million with just one of the seven responsible companies.

◆ In 1999, in another similar situation, Fish and Wildlife reached a \$15 million settlement with General Electric on the Housatonic River in Massachusetts for a PCB problem almost identical to the Fox River situation. When complete, the Wisconsin settlement on the Fox is expected to exceed this.

◆ The \$7 million state settlement on the Fox River is with just one of seven companies and is by far the largest environmental settlement in the history of Wisconsin. Previous high settlements were \$1.7 million and \$1 million.

◆ The economic theory used by Fish and Wildlife in this case was struck down by a federal court in California in a case involving Montrose Chemical Co. The Fish and Wildlife request for \$700 million was settled for about 10 cents on the dollar after 10 years of litigation.

◆ The economic theory used by Fish and Wildlife to build their case has been severely criticized by economist Daniel McFadden, the 2000 Nobel Prize winner in economics.

◆ Finally, when presented with Fish and Wildlife's practice of proposing extremely high claim amounts and then settling for 10 cents on the dollar, David Allen, the coordinator of the Fox River project for the U.S. Fish and Wildlife Service, said: "That's a valid charge."

The bottom line is that the seven Wisconsin companies in this matter should pay a substantial amount of money for past damages to the Fox River from their former discharges

"Should these Wisconsin employers pay 20 times what General Motors paid in Michigan ...?"

GEORGE MEYER, DNR secretary

"It is even more dismaying to watch the DNR change its role from protector of the environment to protector of polluters."

JENNIFER FEYERHERM, Sierra Club



STEVE APPSAWSJ

Georgia Pacific, formerly Fort James Corp., is Green Bay's largest employer. The company recently agreed to pay \$7 million in a settlement of PCB damage to the Fox River.

DNR sells state short by cutting a secret deal

By Jennifer Feyerherm

We are writing to thank the State Journal for the Dec. 17 news stories on the Fox River settlement.

As we enter the 16th year of debate over how to clean up the river and reimburse the public for the damages wrought by PCB pollution, it is disheartening to see such animosity and bickering originating from the secretary of our Department of Natural Resources, an agency that is supposed to be working on behalf of the public. It is even more dismaying to watch the DNR change its role from protector of the environment to protector of polluters, shielding the process from the public, opening it to polluters, and selling us down the river.

If Meyer is not going to cooperate in the efforts to compensate the public for PCB damages, he should stop undermining the responsible efforts of other involved agencies and tribes and instead devote his energy to a comprehensive river clean-up plan.

The DNR's settlement with the Fort James Corp. flagrantly undermines the public interest. Behind closed doors, the DNR and the company reached an agreement that is supposed to compensate the public for past and future damages from PCB pollution. How can the DNR possibly know the extent to which our environment will continue to endure the ravages of PCB pollution before a cleanup plan is out?

parking lots and other recreational facilities.

Unfortunately, this denial of the public's best interests seems rooted in the first deal the DNR made on the Fox River.

In 1997, the DNR agreed to give the paper mills access to the DNR's damage assessment process. It essentially allows the industries to conduct their own damage assessment and to do work designed to support the clean-up itself, including risk assessment. This allows the paper companies to develop and control the information that will ultimately be used against them. Obviously, they cannot be unbiased in this task, and thus the agreement clearly serves industry and not the public.

What we are seeing today is the result of giving industry access to and control over the assessment process. Clearly in this case the DNR is placing the rights of the polluters over the rights of the public.

Three days researching documents from the reading room where the U.S. Fish and Wildlife Service archives all documents pertaining to the Fox River revealed at least four offers from the Service to pay for an independent panel of economists, chosen by both the DNR and the USFWS, to review both studies and decide which is the more accurate. The DNR rejected each of these offers. In addition, the USFWS had a 52-day comment period with five public meetings throughout the assessment area. The DNR did not attend

Fish & Wildlife estimate based on solid research

By Charles Wooley

Wisconsin and the U.S. Fish & Wildlife Service have joined forces many times on common resource management issues. Now, Fish and Wildlife, the National Oceanic and Atmospheric Administration, the state of Michigan and the Oneida, Menominee and Little Traverse Bay tribes want to join forces with Wisconsin again on restoration of Green Bay.

After years of intensive work by dozens of national experts in a process that was joined and endorsed by many local and state agencies and that was open to the public and scientific community, we arrived at conclusions regarding what is needed for a fair restoration of the Lower Fox River and Green Bay.

Unfortunately, we have not yet reached a consensus with Wisconsin. Our conclusions, which are based on one of the few comprehensive Natural Resource Damage Assessments that has been conducted in the country, differ from the settlement recently struck between Wisconsin and Fort James Corp.

Why is significant restoration needed here? Because most of the PCBs have already escaped the Fox River (where they could have been cleaned up) and the natural treasures throughout thousands of square miles of Green Bay have been and will be injured for decades.

Fish and Wildlife wants to forge a coordinated cleanup and restoration that is based on the comprehensive damage assessment, that is fair to the public, and that is fair to the paper mills responsible for the Fox River and Green Bay PCB (polychlorinated biphenyls) problem.

Just as importantly, however, Fish and Wildlife still wants a cooperative working relationship with Wisconsin to further our shared cause — ecological restoration of the Fox River and Green Bay.

Fish and Wildlife's approach has been characterized as proposing extremely high and inflated claims and then settling for a fraction of that amount.

However, it is inappropriate to suggest that our damage assessment claims for Green Bay or elsewhere are artificially inflated to achieve a "better" settlement. We have conducted a comprehensive and detailed evaluation that is subject to public scrutiny and technical peer review. This evaluation was detailed in the recently published "Restoration and Compensation Determination Plan" (www.fws.gov/r3paoinrda), which lays out the technical basis for our restoration proposal and damage estimates.

It is true that government agencies often settle for less than their full esti-

one negotiated by the state Department of Natural Resources and the state attorney general's office.

Fish and Wildlife is proposing a figure in the range of \$200 million to \$300 million for damages to the Fox River's ecosystem caused by discharges from the operations of seven paper companies located along the Fox River corridor. The state has a proposed settlement with one of the seven Fox River companies for \$7 million.



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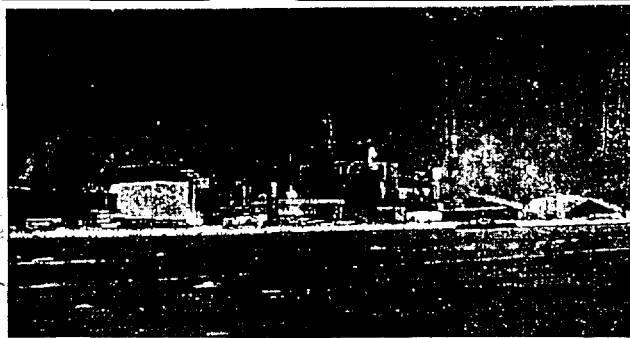
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The bottom line is that the seven Wisconsin companies in this matter should pay a substantial amount of money for past damages to the Fox River from their former discharges. However, should these Wisconsin employers pay 20 times what General Motors paid in Michigan or 20 times what General Electric paid in Massachusetts? That is the tough question that the Wisconsin State Journal did not ask.

The Dec. 17 story contained several allegations that the state's settlement was entered into by the DNR as an example of a cozy relationship between Gov. Tommy Thompson's administration and business. These allegations are false. The damage determination and settlement between the company and the state was negotiated by career public employees of the DNR in full partnership with three excellent lawyers from Attorney General Jim Doyle's Department of Justice. There were no games here, just a major fair and equitable environmental settlement.

Meyer is secretary of the Wisconsin Department of Natural Resources.



STEVE APPSAWS

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Why would the DNR turn its back on the public, not only refusing public scrutiny of their settlements but also blatantly ignoring public comments that already have been made?

Ninety-five percent of the people who commented on the restoration and compensation plan recently released by the U.S. Fish and Wildlife Service supported the (much larger settlement proposed by Fish and Wildlife.) In fact, many noted that the assessed damages were not enough to compensate for the years of destruction we have and will continue to suffer. And almost all supported spending the money to preserve and restore natural areas, as opposed to developing recreational facilities.

The DNR blatantly ignored three public agencies, three tribal governments, and the will of the public when it settled for a woefully small sum that will be spent primarily on

parking lots and other recreational facilities.

Unfortunately, this denial of the public's best interests seems rooted in the first deal the DNR made on the Fox River.

In 1997, the DNR agreed to give the paper mills access to the DNR's damage assessment process. It essentially allows the industries to conduct their own damage assessment and to do work designed to support the clean-up itself, including risk assessment. This allows the paper companies to develop and control the information that will ultimately be used against them. Obviously, they cannot be unbiased in this task, and thus the agreement clearly serves industry and not the public.

What we are seeing today is the result of giving industry access to and control over the assessment process. Clearly in this case the DNR is placing the rights of the polluters over the rights of the public.

Three days researching documents from the reading room where the U.S. Fish and Wildlife Service archives all documents pertaining to the Fox River revealed at least four offers from the Service to pay for an independent panel of economists, chosen by both the DNR and the USFWS, to review both studies and decide which is the more accurate. The DNR rejected each of these offers. In addition, the USFWS had a 52-day comment period with five public meetings throughout the assessment area. The DNR did not attend any of the public meetings.

We are disappointed that the DNR passed up these many opportunities to find common ground and have instead chosen to air their differences in the press.

Each day that settlements are negotiated behind closed doors and economic studies are being debated in the press, more PCBs move into Lake Michigan where their effects will be felt for generations. It is time to quit the bickering and finish the clean-up plan by early spring so that work can begin as soon as ice goes out on the river. The public has dealt with enough delays. We must move ahead so that our children and grandchildren will have a chance to know the joys of fishing and the glory of a clean Green Bay.

Feyerherm, of Madison, is associate midwest representative of the Sierra Club's Great Lakes Program.

forces many times as common resource management issues. Now, Fish and Wildlife, the National Oceanic and Atmospheric Administration, the state of Michigan and the Oneida, Menominee and Little Traverse Bay tribes want to join forces with Wisconsin again on restoration of Green Bay.

After years of intensive work by dozens of national experts in a process that was joined and endorsed by many local and state agencies and that was open to the public and scientific community, we arrived at conclusions regarding what is needed for a fair restoration of the Lower Fox River and Green Bay.

Unfortunately, we have not yet reached a consensus with Wisconsin. Our conclusions, which are based on one of the few comprehensive Natural Resource Damage Assessments that has been conducted in the country, differ from the settlement recently struck between Wisconsin and Fort James Corp.

Why is significant restoration needed here? Because most of the PCBs have already escaped the Fox River (where they could have been cleaned up) and the natural treasures throughout thousands of square miles of Green Bay have been and will be injured for decades.

Fish and Wildlife wants to forge a coordinated cleanup and restoration that is based on the comprehensive damage assessment, that is fair to the public, and that is fair to the paper mills responsible for the Fox River and Green Bay PCB (polychlorinated biphenyls) problem.

Just as importantly, however, Fish and Wildlife still wants a cooperative working relationship with Wisconsin to further our shared cause — ecological restoration of the Fox River and Green Bay.

Fish and Wildlife's approach has been characterized as proposing extremely high and inflated claims and then settling for a fraction of that amount.

However, it is inappropriate to suggest that our damage assessment claims for Green Bay or elsewhere are artificially inflated to achieve a "better" settlement. We have conducted a comprehensive and detailed evaluation that is subject to public scrutiny and technical peer review. This evaluation was detailed in the recently published "Restoration and Compensation Determination Plan" (www.fws.gov/r3pao/mrda), which lays out the technical basis for our restoration proposal and damage estimates.

It is true that government agencies often settle for less than their full estimate of damages. Indeed, this is the essence of a "settlement." However, negotiation strength increases with knowledge of the facts under discussion.

Fish and Wildlife and its partners have conducted one of the most comprehensive, detailed assessments ever performed in the United States. We believe our analysis is technically sound and thoroughly defensible. Our goal is a fair and equitable settlement.

Rather than attempting to decide issues unilaterally with the companies and leaving the public to muddle through widely differing damage estimates, the goal of Fish and Wildlife for the new year is to unify the public's damage assessment claims. Fish and Wildlife is committed to redoubling our efforts to develop a unified position with Wisconsin.

Wooley is the assistant regional director of the U.S. Fish and Wildlife Service in Ft. Snelling, Minn.

Cleanup plan for Fox River will be unveiled in 2001

Proposal may cost paper companies over \$400 million

By Ed Culhane

Post-Crescent staff writer

After more than 10 years of studies, countless meetings and mountains of reports, state and federal officials have now promised to unveil a cleanup plan for the Fox River during the first quarter of 2001.

The tightly guarded plan, years in the making, will likely call for significant environmental dredging in Little Lake Butte des Morts and below the De Pere Dam and could cost the seven paper companies who once discharged PCBs into the river more than \$400 million, informed government sources said.

The release of the final remedial investigation and feasibility study, or RIFS, by the state Department of Natural Resources, probably in April, will start a 60-day period of public comment and signal a new round of public hearings.

Thirty years have passed since scientists first traced birth defects and reproductive failures in fish-eating mammals and birds to the estimated 80,000 pounds of polychlorinated biphenyls still clinging to millions of cubic yards of river sediment along the 39-mile stretch of the lower Fox River.

Health researchers have since linked the chemicals to low birth weights and learning disabilities in the children of mothers who regularly ate contaminated fish from Lake Michigan.

The seven paper companies, who formed the Fox River Group, have challenged the validity of government science. Industry-funded studies argue that most of the contamination that remains in the river, a fraction of the total historic discharge, has been buried under layers of cleaner sediment and is better left undisturbed or capped in place with sand.

Whether the release of the

Paper industry acquisitions reshape market

By Joanne Zuhl

Post-Crescent staff writer

Despite its staid reputation, the paper industry proved in 2000 it could still drum up a little action under pressure.

Faced with overcapacity, globalization and poor performances on Wall Street, the fragmented industry consolidated in leaps and bounds. In the process, it reshaped the marketplace and said goodbye to some of Wisconsin's long-standing elders.

The series of acquisitions seen in 2000 is likely to have far-reaching effects on local mills and employees juggled in the mix.

Among the biggest moves:

■ Stora Enso Oyj, a papermaking leader based in Helsinki, Finland, paid \$4.8 billion for Consolidated Papers of Wisconsin Rapids. Consolidated was North America's leading producer of coated papers and the owners of Inter Lake Papers in Kimberly. It was a large first step into the North American coated market for Stora Enso, itself the product of a 1998 merger between the Swedish Stora and Finnish Enso corporations.

■ International Paper, the owner of three mills in the Fox Valley including the Thilmany mill in Kaukauna, outbid Finland's UPM Kymmene for Champion International. The \$7.3 billion deal further solidified International's standing as the world's largest paper and forest products company.

■ Georgia-Pacific Corp., barely a year after buying the former Wisconsin Tic-

PLAN: DNR plans to release detailed report on the Fox River cleanup this spring

From C-1

RIFS this spring will be followed by a cleanup decision late in 2001 is unknown. Such an outcome would depend on negotiations between regulators and industry officials.

The past year - marked by contentious politics - offered mixed signals about this possibility.

It opened on an upbeat note when a top DNR administrator, Bruce Baker, told a gathering of municipal officials in January that state and

possibly federal funds might be assigned to the cleanup, reducing the companies' cleanup costs, if the companies agree to not to sue area municipalities in an attempt to spread their liability.

Cities could be named by the companies as defendants in a civil case because they accepted PCB-laden wastewater from paper mills during the 1950s and 1960s and discharged PCBs into the river after treatment.

In March, the public learned that an FRG-funded dredging project at Site 56-57 in Green Bay, left unfinished with the onset of winter 1999, had exposed dangerously high levels of PCB contamination.

Environmentalists with the Sierra Club and the Clean Water Action Council called the partial dredging a disaster and demanded an emergency response.

Both the DNR and the U.S. Environmental Protection Agency insisted the FRG companies finish the dredging. The FRG refused, arguing that the \$9 million project proved dredging to be unpredictable, ecologically dangerous and too costly.

The companies offered instead to cap the area with six inches of sand. DNR officials rejected this plan and began discussions with the EPA about enforcement options.

The impasse was broken in May when the DNR and Fort James Corp. (now Georgia-Pacific) jointly announced that the paper company, acting alone, would finish the project, no matter the cost.

In return, the EPA and DNR, with the backing of state and federal justice departments, agreed to release the company from liability for those areas dredged to government specifications.

Rebecca Katers, director of the Clean Water Action Council, criticized the DNR's role in the cleanup process, complaining that deals favorable to industry were being negotiated secretly, without public review.

In April, the DNR released its analysis of the smaller, state-managed project at Deposit N, near Kimberly, saying it proved that dredging could be accomplished cleanly, with only minimal releases of PCBs into the current, and in a manner that did not disturb nearby homeowners.

FRG officials issued their own analysis, charging that Deposit N only proved their argument - that dredging is too costly and ineffective.

The project's numbers were not impressive. The DNR said 112 pounds of PCBs were captured while 80 pounds were left

behind in sediment stuck in cracks and fissures in the bedrock not easily reached by the dredger's cutting head. PCB concentrations at the sediment surface were reduced significantly but not dramatically.

"We know that dredging was very effective downstream," Baker said in April 2000. "However, it may not be suitable for all sites."

In May, officials with the DNR and the U.S. Fish and Wildlife Service signed a memorandum of agreement, promising to seek an end to their six-year, jurisdictional dispute. At issue is the Natural Resources Damage Assessment, or NRDA, that seeks to place a dollar amount on the public's loss of damaged resources.

Fish and Wildlife officials have conducted an expensive, six-year investigation of these damages. The DNR, which has never endorsed the federal effort, has conducted a separate NRDA with the FRG companies as part of a 1997 agreement.

Both state and federal officials said that a single NRDA would be in the best interest of the Fox Valley, but their attempt at reconciliation failed.

In October, the Fish and Wildlife Service released the federal NRDA, concluding that the companies should spend between \$176 and \$330 million on habitat and recreation projects to compensate the public for decades of pollution.

This would be money spent

"We know that dredging was very effective downstream. However, it may not be suitable for all sites."

BRUCE BAKER, DNR administrator

by the companies in addition to the hundreds of millions the cleanup will cost.

In late November, the DNR and Georgia-Pacific announced a settlement of the state's NRDA claim against the company, with the company agreeing to spend \$7 million on river habitat and recreation projects.

Environmentalists charged

that the state's action weakened the federal claim.

"It seems like they settled in secret again, behind closed doors, for too little money," said Emily Green of the Sierra Club. State Sen. Gary George, D-Milwaukee, called for a legislative audit of the state NRDA.

DNR Secretary George Meyer said he welcomed an audit.

The DNR strictly followed federal NRDA guidelines, he said, and reached a settlement comparable to those achieved elsewhere.

Meyer said the Fish and Wildlife Service had a history of publicizing high numbers, raising false hopes and then settling for 8 to 10 cents on the dollar.

"We don't want to play those sorts of games," Meyer said in December.

Also in December, officials announced the completion of project 56-57, saying that engineers with Georgia Pacific had worked around the clock for 69 days, removing 50,000 cubic

yards of sediment, bringing total removed to more than 80,000 cubic yards while meeting cleanup standards.

Georgia-Pacific and the other FRG companies had spent more than \$15 million at Site 56-57.

While the project removed just a fraction of the PCBs in lower Fox River, it did show that company officials could work cooperation with state and federal regulators to achieve a specific goal, in this case removal of the worst PCB spot in the Fox River.

After 20 years of studies and arguments, some observers might call that progress.



Memo on Fox cleanup called outdated, wrong

BY ED CULHANE
FOR THE PRESS-GAZETTE

APPLETON — A one-page memo from the governor's office describing a \$70 million "cleanup settlement" being negotiated by Appleton Papers Co. for its share of the Fox River cleanup is both outdated and inaccurate, said state and company representatives.

"These are not settlement offers at all, but interim agreements to keep things moving," said Dennis Hultgren, manager of corporate communications and environmental affairs for Appleton Papers.

Nor is \$70 million a number that is currently on the table, Hultgren said.

Bruce Baker, the DNR administrator overseeing the Fox River cleanup, offered the same assessment.

"The memo is in error," he said. "The \$70 million was never a figure that represented final settlement."

References to the memo surfaced Sunday in a front-page story published by the Wisconsin State Journal in Madison. The article

said Appleton Papers "secretly discussed paying a settlement to government regulators that would have fallen far short of the projected cost of removing toxic PCBs from Wisconsin's Fox River."

This is not true, Baker said Monday.

Baker said it is no secret that the DNR, along with the U.S. Environmental Protection Agency, the U.S. Fish & Wildlife Service and the Menominee and Oneida tribes are involved in cleanup negotiations with the paper companies.

The Wisconsin State Journal story is based on a memo written in mid-November to fellow staffers in the office of Gov. Tommy Thompson by Jeff Schoepke, an environmental policy adviser who was resigning.

THE NEWS OF 2000

HEADLINES: Fox River often in the news

FROM PAGE 5

James Corp., which with two paper mills is Green Bay's largest employer in manufacturing.

No blue-collar jobs will be lost according to the new owners, although some local management positions are likely to be moved to G-P's corporate headquarters in Atlanta.

► Fort James helped fund completion of a dredging project that cleaned up one of the most PCB-contaminated spots in the Fox River, near its west mill.

The cleanup finished before Thanksgiving with a cost of more than \$20 million. The project first started in the summer of 1999, but was stopped short by the onset of winter last December.

This latest dredging project started before Labor Day and scooped up the highly contaminated sediment which had been exposed to the river since last year.

► The company also negotiated a \$7 million deal with the state to compensate the public for damage to the environment caused by PCB discharges, which raised eyebrows when it was announced shortly after the release of a U.S. Fish & Wildlife Service plan that estimated compensation could range up to \$333 million.

The federal and state agencies have stated disagreements on how to formulate damages to the public and have attacked each other's plans.

► Recall mania. Brown County Executive Nancy Nusbaum was the subject of a much-publicized recall



H. Marc Larson / The News-Chronicle

ALTHOUGH FISH ARE TAKEN from the Fox River, such as seen here at Voyageur Park in De Pere, people are warned about possible health risks associated with PCB contamination, the result of paper

mill discharges that stopped in the early 1970s. An agreement to pay damages following the cleanup of the river will bring new recreation facilities to several Brown County locations.

effort by the group Citizens for Responsible Government, which ultimately generated only 96 signatures out of more than 19,000 needed for a recall election.

Village of Ashwaubenon trustee Jerome Van Sistine retained his seat by defeating Erik Swan in an August runoff after residents Terry and Gail Stuckart garnered enough signatures

to force a recall election.

Recall efforts were launched unsuccessfully in the town of Eaton and successfully in Kewaunee County, where 12 of 14 County

Board members lost their seats, a 13th resigned before the election and the lone survivor lost in the April general election.

All this activity led some people to wonder if stricter standards should be placed on recall efforts.

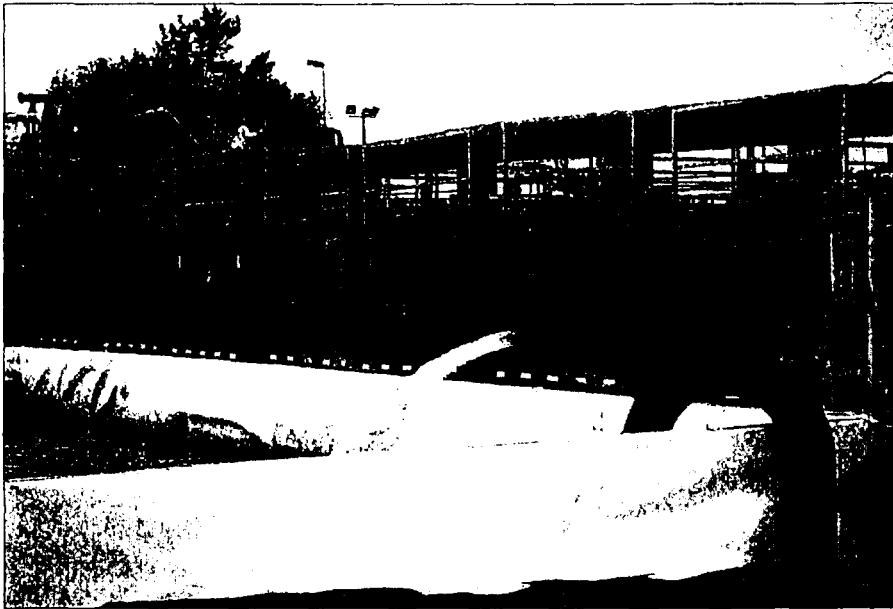
► Just when everyone needed to buy gas for their summer vacations, prices rose drastically, reaching \$1.859 a gallon in mid-June when the average cost was 47 cents a gallon lower less than two months before.

It was worse in big markets, as Milwaukee stations approached \$2 a gallon and Chicago topped that figure.

Even people involved in the business could not pinpoint a specific reason for the hike in prices, naming supply and demand economics and



PRESIDENT-ELECT GEORGE W. BUSH made several visits to the Green Bay



Tina Gohr / The News-Chronicle

DREDGING EQUIPMENT works on the Fox River near the Georgia-Pacific West Mill in 2000. A new study says the effects of both PCBs and dredging to remove them require further study.

Long-awaited report hedges on value of dredging for PCBs

The study avoids solid positions on effectiveness of cleanup technologies

1/5-7/01

By Jeff Decker
The News-Chronicle

A federally funded study has concluded that PCBs remaining in river sediments "may pose long-term public health and ecosystem risks," and its release will bring all proposed government-led river cleanups closer to reality.

But the report, commissioned in 1997 by Congress to evaluate the technologies available for cleaning up PCB-laden sediments, did not endorse or reject any specific dredging projects.

"The committee does not believe that it is possible to state unequivocally whether dredging, capping ... or any particular option is applicable in general to PCB-contaminated sediment sites," it reads.

Nor did the committee, assembled by the National Academy of Sciences — a private, not-for-profit society that advises Congress on scientific matters — close the door on a possible delay for any Superfund sites, including the \$460 million plan for the Hudson River in New York or a future cleanup on the Fox River, though both are mentioned.

Instead, it implied that more work needs to be done, particularly when it comes to evaluating risks the cleanup itself poses.

That's an argument frequently made by the Fox River Group of paper mills, held responsible for the

cleanup of 39 miles of the Fox River.

"There were a number of summary points made that I think are pretty much in alignment with what the Fox River Group has been saying," said Dave Lee, spokesman for the P.H. Glatfelter Co. of Neenah. "They speak to the uncertainty of certain types of remediation and the need to be site-specific."

Sam Borries, U.S. Environmental Protection Agency on-scene coordinator for the Fox River, said that the words of caution are not new.

"Most people already intuitively knew that," he said. Both the EPA and the mills submitted studies and comments to the academy when it held hearings in September 1999 in building the report.

"I can't tell you specifically how this is going to affect the Fox River," Borries said, because cleanup plans won't be released before March.

The academy released only a project summary Thursday and is holding the report's statistics and research.

"It looks like the NAS report will be out sometime in late February," Borries said. "I'm not sure if there's going to be any additional decisions made until everyone can look at the final report."

The EPA had already agreed, under strong urging from Congress, not to begin any new river cleanup projects until the full report was complete.

One exception to that was when the EPA used its Superfund power and ordered on Dec. 12 that 2.65 million cubic yards of sediment, containing 100,000 pounds of

PCBs, be dredged from a 36.7-mile stretch of the Hudson River.

The EPA wants General Electric to pay the entire cost, and an all-out legal war is underway between the two.

GE discharged an estimated 1.3 million pounds of PCBs into the river from its Hudson Falls and Fort Edward, N.Y., capacitor plants, where they were used as insulators in transformers and capacitors.

Paper mills along the Fox River dumped 660,000 pounds of PCBs, which they had used in inks and recycling processes. There are currently an estimated 11 million yards of contaminated sediment in the Fox River, with 400 to 600 pounds of PCBs entering the bay each year.

The committee also recommended further research, including:

- ▶ Better analysis of human health and ecological risks associated with PCB mixtures;
- ▶ the impact of other contaminants present in PCB-tainted sites;
- ▶ a more thorough understanding of how PCBs move in sediments;
- ▶ improvement of cleanup technologies;
- ▶ testing of innovative technologies;
- ▶ the effect of continuing PCB releases in the global environment.

The report, which was originally introduced by a New York congressman who is now a GE lobbyist, was originally due in November.

PCBs are known to cause neurological damage and cancer in humans and wildlife.

The Associated Press contributed to this report.

LOCAL/STATE

Inside
A Brown County judge puts a former Kaukauna dog track owner on probation for securities fraud charges. **On B-5**

* SATURDAY, DECEMBER 23, 2000

REGION

Public comment open on Fort James deal

A 60-day comment period began Wednesday on the state Department of Natural Resources' recent settlement with Fort James Corp. for natural resource damage related to PCB pollution of the Fox River.

The agreement requires Fort James, which is now part of Georgia-Pacific Corp., to spend about \$7 million to fund restoration and recreational projects in the Green Bay area. Economists estimate the projects have a value of about \$5 million.

The agreement is unrelated to the ongoing issue of PCB cleanup, which is being handled as a separate issue.

The comment period ends Feb. 21, 2001. Public comment will be incorporated into the agreement, which will be submitted to federal court for final approval.

The agreement may be viewed at the Fox River pages of the DNR's Web site, or at these locations:

- Appleton Public Library, 225 Onelda St.
- Brown County Central Library, 515 Pine St., Green Bay
- Door County Library, 104 S. High Ave., Sturgeon Bay
- Onelda Community Library, 201 Elm St., Onelda
- Oshkosh Public Library, 106 Washington Ave.

Written comment must be postmarked by Feb. 21. Comments may be mailed to Greg Hill, NRDA Coordinator, Wisconsin DNR, 101 S. Webster St., PO Box 2921, Madison, WI 53707-7921.

Groups who wish to meet with DNR representatives to discuss the agreement may contact Hill at (608) 267-5352.

— Staff reports

GREEN BAY PRESS-GAZETTE

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INSIDE



Cheaters have

Report sets goal of managing risk from PCBs

Panel finds no single approach to cleaning river

By PETER REBHAIN
PRESS-GAZETTE

A long-awaited report by a committee of the National Academy of Sciences re-

leased Thursday concludes no single approach will correct PCB contamination like that in the Fox River.

The report, in summary form, also concludes that managing risk to humans and wildlife, not a preoccupation with specific remediation methods, should be the top goal of government officials weighing PCB abate-

ment options.

Neither the summary nor the full report, due in two months, recommends specific actions.

"We didn't come up with a cookbook," said Roberta Wedge, an academy scientist and director of the study committee. "You just can't do that. You have to look at these sites very specifically."

Polychlorinated biphenyls, or PCBs, were released into the Fox River by seven area paper mills that manufactured or recycled carbonless copy paper during the 1950s, '60s and '70s. The chemicals have been linked to reproductive and developmental problems in humans, fish and wildlife.

The federal Environmen-

tal Protection Agency proposed designating the Fox River and 21.5 miles of the bay of Green Bay a Superfund priority cleanup site in 1998.

The agency has delayed a Superfund decision, which would force an expensive cleanup, while the state negotiates voluntary cleanup with the mills.

Wedge said the early release of findings was aimed at squelching speculation that the academy report would prescribe specific fixes for Fox River contamination, and a similar problem in the Hudson River in New York.

"We wanted to get the

Please see PCBs, A-2

PCBs/Risk of doing nothing not studied

From A-1

word out that we were not going to solve those specific problems," she said.

Emily Green, Great Lakes director of the Sierra Club, noted that the report contained little new information. If nothing else, she said, the report signals the need to end study and begin PCB remediation.

"I'd say it pretty clearly shows that the issue of how you clean up a contaminated site has been studied to the point of no additional returns," Green said.

State Department of Natural Resources Secretary George Meyer said he agreed with the report's basic conclusions, including the finding that compelling scientific evidence points to serious PCB-related health risks in humans and wildlife. "I think that debate is over," he said.

Meyer hailed the report as vindication of the DNR's handling of the Fox River problem — especially by the finding that PCB abatement plans must be tailored to site-specific characteristics. "That's exactly what we're doing," he said.

"There shouldn't be a focus on any one alternative way of dealing with (contamination), whether it's natural attenuation, capping or dredging," Meyer said. "And our final report will use different mixes of those alternatives to deal with the situation."

Tim Dantoin, spokesman for the Fox River Group, a consortium of the seven companies responsible for the contamination, called the report language "very consistent with a lot of things the Fox River Group has been saying."

Dantoin said the report supports the group's position that understanding and managing real-world PCB risk should guide remediation efforts. "Under risk management, you've got to understand that removal of PCB mass does not necessarily equate to reduction in exposure," he said.

Meyer said a risk-based approach has guided the DNR's work all along. "So I feel very comfortable that this reaffirms the extent we work the DNR and the U.S. EPA have been doing," he said.

The Sierra Club's Green agreed that a one-size-fits-all solution to PCB contamination won't work. "Just as you can't say that all rivers should be dredged, you can't say that all rivers should be left to natural attenuation," she said.

Green said she was disappointed the report didn't address the risks of doing nothing.

"That's where I thought they missed the boat with this report," she said, pointing to ongoing PCB migration from the river into Green Bay and Lake Michigan.

Wedge defended the report against the claim that it contained "little that was new." "We weren't charged with going out and finding new scientific information about PCBs," she said.

The academy's mission, Wedge said, was to provide a "risk-based scientific framework" to guide remedial choices that will only happen in the give-and-take world of public policymaking.

"There's a definite overlap" between public policy and science, Wedge said. "Science obviously informs policy. And anybody who thinks policy doesn't inform science doesn't know much about it."

Eagles, cormorants rebound in bay's cleaner waters

But reasons behind return aren't clear

BY SUSAN CAMPBELL
PRESS-GAZETTE

Too many empty nesters have been spotted along Green Bay during the past decade.

These aren't older parents whose youngsters have flown the coop, but young bald eagle couples that have had little or no success at breeding.

Things may be looking up for these couples, however. In the past three years, biologists report an increase in the number of young hatched by bald eagles along the shores of Green Bay.

Add to this the fact that bald eagles' numbers have risen along the bay in the latter half of the '90s, and the birds become one of a handful of success stories about wildlife rediscovering an area that not long ago was too polluted to call home.

Others are joining the flock — namely the cormorant, white pelican and greater black-backed gull.

"The bay's definitely cleaner; it's in better shape," said Ken Stromborg, an environmental-contaminant specialist with the U.S. Fish and Wildlife Service in Green Bay.

Experts agree that Green Bay's waters are clearer, and toxic contaminant levels are down from a peak reached in the 1960s and '70s.

Bald eagles started returning to the bay in 1986, and now as many as a dozen pairs are estimated to nest in the area.

As with many environmental success stories, however, the bald eagle's story is tempered by questions about just what's behind the improvement.

Stromborg and others say it's unclear whether the eagle's new reproductive success reflects declining levels of toxics in the birds — such as PCBs and DDE, a lingering byproduct of the insecticide DDT.

High levels of polychlorinated biphenyls have been found in eagle eggs, and as late as 1996, PCBs and DDE were blamed for the eagles' reproductive problems on the bay.



A group of once-rare cormorants and seagulls mingles on a small reef near the Michigan Street Bridge in Sturgeon Bay last May.

Another possibility put forth by researchers is that the reproducing bald eagles are not bay residents, but eagles from the state's environmentally cleaner interior that are moving to the bay and hatching young before becoming too contaminated.

"We can't tell the two apart yet. It would be difficult to know," said Mike Meyer, an ecological toxicologist with the state Department of Natural Resources who has studied Wisconsin's bald eagles for the better part of the past decade.

Stromborg hopes genetic testing of blood drawn from eaglets in the nest each spring will help determine whether the same parents are breeding year after year.

To date, he has a freezer full of samples, but no genetic tests have been run yet.

From lows to highs

Cormorants are another bird that has returned from nearly the grave. In the cormorant's case, however, its population has leaped from near-disappearance to notorious highs along the bay and the Great Lakes.

In the 1970s, fewer than 50 nesting pairs of the big, black seabirds inhabited an area spanning lower Green Bay to the islands off Door County in Lake Michigan, and the cormorant appeared on Wisconsin's Endangered Species List.

At last count, in 1997, the number of nesting pairs on the bay had risen to 14,000, reflecting the birds' protected status, improving water quality and the banning of DDT. The improvement mirrored a trend throughout the Great Lakes.

Stromborg said the number of cormorants probably has leveled

off on the bay, and may even be decreasing slightly.

Still, Fish and Wildlife has embarked on a national management plan for the seabird.

The plan is in response to complaints from fisherman in the South that cormorants eat catfish concentrated in commercial fish farms, and from recreational fishermen on the bay and the Great Lakes who claim the birds compete for their catches.

Although the cormorants' habit of denuding their island nesting colonies of trees and plants is unmistakable, studies to date show they don't have a significant effect on fish populations.

Tom Erdman, an ornithologist and curator with the Richter Museum of Natural History at the University of Wisconsin-Green Bay, said cormorants of the bay actually are beneficial.

"There's a plus in the amount of alewife, rough fish and other things they are eating — which prey on larval yellow perch and eggs," he said. "There's pluses to those birds that people don't want to deal with."

Stromborg said Fish and Wildlife's national management plan is expected out for public comment shortly after Jan. 1.

"What happens next is an open question," he said. "What the optimum number is, that's up to people more than anything else; Mother Nature doesn't really care."

Newcomers move in

Two other birds have set up shop on the bay in the past few years: white pelicans and greater black-backed gulls.

As far as biologists know, however, their presence on the bay doesn't represent a homecoming,

but discovery of new territory.

As many as 100 nesting pairs of pelicans are said to make their homes on the bay, their large silhouettes a boon to folks who make their way to the southern bay to see them.

Erdman said there are no records of white pelicans nesting on the bay, though around the turn of the century, a colony was referred to as Pelican Lake in Oneida County.

The pelicans are moving in from the west, according to Erdman, who said researchers found a dead pelican in the bay that had been banded five years earlier in Minnesota.

With their big, scooping bills and practice of fishing in groups, pelicans also eat substantial quantities of fish in the bay. But Erdman said the seabirds eat whatever is most available and easiest to catch, typically rough fish such as carp, shad and alewife as opposed to popular commercial and sport fish such as the yellow perch.

"If you take a look at the data and their impact, it's negligible," he said. "Yes, it's there; yes, it's real. But does it have an effect on the population? No."

Stromborg, meanwhile, saw his first black-backed gull nesting on the bay about seven years ago.

Last summer, he saw two more pairs of the birds nesting on nearby Hog and Gravel islands, near the northern Door passage.

Stromborg said the black-backed gull has been known to winter in the northern bay but not nest there.

No formal studies have been done to track the number of nests yet, but Stromborg said he'd like to start work on that this spring.



Sunday

Green Bay's recovery faces new foes

Monday

Zebra mussels and other invaders take over the bay.



Tuesday

The status of popular game fish.

Today

Several species of birds have disappeared from the bay.



Ken Stromborg of the U.S. Fish and Wildlife Service clutches a young eagle last June.

Birds/Low water levels, PCBs hurt tern population

From A-1

decades of change on the bay; eggs collected before and after the days of DDT spraying, waterfowl with crossed bills, related to PCB contamination, and native clams smothered by invading zebra mussels.

He picks up a taxidermied Forster's tern and notes that in the early 1980s, a colony of up to 500 pairs of the birds nested on Shepard Isle, a manmade dredge disposal facility built just a stone's throw from the bay's southern shore.

"This year we may have had one or two pair up in Oconto, but last year we know for certain there was absolutely no nesting of Forster's terns anywhere on the bay of Green Bay," Erdman said.

It is the first time the birds have been missing since 1961, the museum's earliest records of Forster's activity on the bay.

Habitat changes caused by development and recent low water levels may have played a role. But Erdman suspects decades of chemical contamination of Green Bay may be behind the terns' disappearance, as well as other problems that continue to afflict bay fish and wildlife.

Erdman said his data show that or at least the last 20 years tern reproduction had been poor: terns either failed to reproduce or their young died soon after leaving the nest.

A U.S. Fish and Wildlife Service report released in October assessing damages to bay fish and wildlife states that the terns have suffered toxicological effects, most likely resulting from exposure to polychlorinated biphenyls in the bay.

Area paper mills have discharged an estimated 530,000 pounds of PCBs to the Fox River, he bulk of them from the 1960s-70s.

The chemicals have been linked to deformities and reproductive problems in wildlife as well as delayed development and lowered Qs in babies exposed to higher levels in the womb by mothers who eat Great Lakes fish.

Terns and other fish-eating birds that are high on the food chain — as well as wildlife and people who eat tainted fish and birds — are most vulnerable be-



Ken Behrend/Press-Gazette

These dead terns were taken from Green Bay during the 1990s. They now are at the Richter Museum of Natural History at the University of Wisconsin-Green Bay.

cause they collect and accumulate higher doses of PCBs from their food than creatures lower on the food chain.

The Fish and Wildlife report, called a Natural Resource Damage Assessment, was performed in tandem with preparations for a proposed U.S. Superfund cleanup of PCB-contaminated sediment in the river and bay.

It notes that Green Bay Forster's terns have been documented with embryonic and skeletal deformities and lowered reproductive rates resulting from PCB exposure.

Common terns on the bay also are reported to have increased deformity rates and lowered hatching success. The report says field studies are less conclusive regarding the bay's Caspian terns, although one study has found similar problems with those birds.

Erdman wonders if PCB contamination may have weakened the local tern populations to a point where they couldn't absorb any more stress.

Additional stress came in the form of lower water levels during the past couple of years. Erdman said the low water levels, not seen

on the bay since the 1960s, wiped out marshland habitat favored by Forster's terns.

"The question is: Can this all be related to habitat loss or because of low water?" he asked.

"Or is this finally a reflection of the fact that these populations have had to deal with toxics for so long that when they do get stressed — as they have historically by changes in water levels — that the toxics maybe now have actually tipped the balance?"

Only time will tell, as cattails and other wetland plants march out toward the water, and water levels eventually rise again to meet them.

But Erdman's not holding his breath. The terns have evolved through the years by adapting to changing water levels on the bay, he said.

Furthermore, the recent low water levels should have made ideal habitat for Caspian and common terns because they are island nesters — but neither population is improving.

"At least in the lower bay, I think all three of those populations have been adversely affected by toxics. That's pretty obvious,"

Erdman said. "And that's one of the arguments in Fish and Wildlife's damage assessment."

More bad news

The bad news on the bay isn't limited to terns.

The numbers of other nesting waterfowl on the lower bay have dropped off as well, among them gadwall, pintails and black terns, Erdman said. All have decreased because of habitat losses or changes, he said.

Vicky Harris, who heads the Sea Grant office at the University of Wisconsin-Green Bay, said she's concerned about the impact zebra mussels are having on bay ducks.

The small mollusks have been something of a mixed blessing, providing a major source of food that attracts larger and larger numbers of migratory ducks to the bay each spring.

Harris recently repeated a three-year study of diving ducks on the bay that she'd performed back in the late '70s. What she discovered was an increase of more than 200 percent in the number of days diving ducks now spend on the bay compared with during

that first study.

Harris said she conducted her study from 1995-97 because that was a time when zebra mussels had begun to multiply rapidly on the bay. Her theory is that many ducks back then formed alternate migration routes when poor water quality on the bay had wiped out most of the local mayfly, fingernail clam and snail populations.

The zebra mussels' arrival offered rich new pickings for these birds in the mid- to late '90s, however, and many returned to using the bay as a traditional migratory staging area.

The potential downside of the bay's renewed popularity with diving ducks?

"There has been interest in whether these ducks would pick up enough PCBs by feeding mainly on zebra mussels to pose a risk to waterfowl hunters," she said.

Indeed, data show that PCB concentrations in diving ducks, mallards and other so-called "dabbling ducks" remain high, even though PCB use has been banned in the United States since 1976.

Waterfowl samples collected by the service in 1997, for instance, had PCB concentrations exceeding the FDA consumption standard of 2 parts per million in eight of 10 mallards.

PCB levels exceeded the federal standard in 18 of 38 ducks tested, including scaup, common golden-eye, red-breasted merganser, ruddy duck and bufflehead.

State and federal agencies report that PCBs continue to circulate from Fox River sediment northward into the bay, where they accumulate in the tissues of local wildlife by traveling up the food chain.

But Harris said the zebra mussel likely plays a role in contaminating bay ducks by concentrating the PCBs into higher doses and packaging them as a ready food source.

"The story about change here is being altered by this one organism," said Bud Harris, Vicky's husband and a retired professor of environmental science at the University of Wisconsin-Green Bay who has studied the bay for 30 years.

"It's having these multiple effects as it's ricocheting up the

chain, and now we're seeing that in terms of the concern for toxic effects and pathways to humans," he said.

Vicky Harris agrees. "It could affect really the damage and the risk faced by humans as well as wildlife."

PCB woes continue

Other problems persist on the bay as well — affecting birds, fish and water quality. Many of them continue to stem from PCB contamination.

The Fish and Wildlife damage assessment concludes: "Injuries to fishery, avian and surface-water resources continue to the present because the environmentally persistent PCBs continue to be recycled through the sediments, surface water and all levels of the diverse Lower Fox River-Green Bay food web."

Researchers have linked PCBs to the types of deformities Erdman saw in the lower bay last spring — cormorants and other birds born with crossed bills and backward wings.

And unacceptably high PCB levels continue to render fish unsafe for human consumption. PCB concentrations in fish — highest in the 1970s — declined through the late 1970s to mid '80s, but have declined more slowly since then, according to the Fish and Wildlife report.

During the same period, studies of the toxic properties of PCBs and their risk to human health brought about stricter state fish advisories. 17 bay fish species were under Wisconsin or Michigan consumption advisories in 1996, compared with seven in 1976.

Finally, PCB levels in bay sediment and water continue to exceed water quality criteria. Water quality is further eroded because sediment and phosphorus runoff to the bay hasn't changed in the past decade, despite warnings since the mid '80s that runoff is a leading contributor to bay problems, the Harrisess said.

Vicky Harris of Sea Grant stresses that the bay's problems are not insurmountable.

"Things that need to be done are doable," she said. "It's a matter of generating the will to be better stewards. We know what needs to be done. It's feasible, and so we should be encouraged by that."