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Record 5 of 60

The News & Observer

November 14, 1998

PCB pollution now haunts Wake site

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Edition: Final

Section: News

Page: A1

Index Terms:

Ward Transformer Co.

waste

environment

highway

NC

EPA

RDU

Estimated printed pages: 4

Article Text:

Twenty years after a contractor for Ward Transformer Co. illegally dumped dangerous chemicals along North Carolina highways, the company has again come under scrutiny for potentially toxic pollution.

State inspectors told the U.S. Environmental Protection Agency this summer that they had found dirt, mud and ash contaminated with polychlorinated biphenyls (PCBs), dioxins, arsenic and metals at Ward's headquarters near Raleigh-Durham International Airport. The EPA responded that more investigation is warranted, and the site may be included on the agency's Superfund list of the nation's most polluted places.

The Superfund designation, which would make the site eligible for federal cleanup funds, would be the second associated with Ward. The 1978 spraying of PCB-tainted oil along more than 200 miles of roads landed the company's owner, Robert "Buck" Ward Jr., in prison and led to a second environmental debacle when Gov. Jim Hunt ordered the burial of the waste in Warren County.

Now saturated with water, the PCB landfill in Warren County will cost taxpayers up to \$24 million to clean up.

State environmental officials acknowledge that levels of pollutants they recently measured at Ward's Raleigh headquarters are relatively low compared with levels at other Superfund sites. But they said the detection of PCBs in a creek and wetland downstream from Ward's headquarters makes

the case a priority.

"There's not anybody who's in immediate danger at the site," said Pat DeRosa of the N.C. Division of Waste Management's Superfund section. "What we're looking at now is the possibility of a long-term threat from the site and address that so it doesn't get any worse."

It probably will be years before officials know the extent of the pollution, what needs to be cleaned up and who should pay for it. The company's current owner, Robert Ward III, declined to talk about the investigators' findings.

"We haven't been notified by the EPA, and we're reserving our comments until such time as we can discuss this matter with the EPA," Ward said. But the issue could become a matter for public debate if the state again tries to make Ward pay for the cleanup.

The name of Ward Transformer and PCBs have been intertwined for 20 years. Until the mid-1970s, PCBs were commonly used in an insulating fluid to keep transformers from overheating. But the federal government banned PCBs in 1977 after finding that exposure to them can cause cancer in humans. That left Ward with a large amount of toxic chemicals on its hands. Although he paid a New York company to get rid of more than 30,000 gallons of PCB-laced oil, Buck Ward later testified in court that he didn't know the contractor's solution was using a specially designed tanker truck to dribble the mess along road sides from Fort Bragg to the Virginia border. The dumping horrified the state. Under pressure to get rid of the problem, Hunt decided to excavate the contaminated soil and bury it in Warren County, prompting massive protests from the predominantly poor and black residents there.

Meanwhile, federal and state investigators converged on Ward's headquarters at 6720 Mount Herman Road. Since 1964, the company had used the site to buy, sell, dissect and rebuild large transformers, which are used in factories, hospitals, laboratories and other facilities to modify electrical voltage to usable levels.

Officials found soil contamination inside and around the company, presumably from chemicals released during years of stripping and rebuilding transformers. But the government's efforts were focused on getting Ward to pay for cleaning up the roadside spills. Although government attorneys originally sought \$12 million in compensatory and punitive damages, they settled with Ward in 1986 for \$3 million, the cost of the clean-up.

Tom Moffitt, a special deputy attorney general who worked on the case, said the state never wanted to drive Ward out of business.

"It makes sense to keep the company in business to generate cash flow to clean up their own mess," he said. "If we put them out of business, then it's going to be tax dollars to clean up the mess because they're going to go bankrupt and disappear."

The government didn't get its money until a decade after the settlement.

It had to seize some of Ward's property and even considered taking the company headquarters, but rejected that because of the pollution. The case was declared closed this spring, 12 years after the settlement and more than a year after Buck Ward died.

By that time, government officials weren't through dealing with Ward's legacy. The settlement had removed Ward Transformer from any responsibility for the soil laced with its spilled oil. When the landfill where that soil was stored began to fill with water, residents looked to the state for a solution. This year, the General Assembly voted to spend \$2 million to start detoxifying the dump, a process expected to take several years and cost \$24 million.

But Ward Transformer could be held responsible for what inspectors found

on its own property. A series of investigations began in 1993 on the basis of reports that the company might go bankrupt, DeRosa said.

In February 1997, environmental officials wearing protective gloves and boots dug up soil samples all around the property, which is in an industrial area wedged between Aviation Parkway and the one completed section of Raleigh's Outer Loop. Stained soil near the company's incinerator was shown to contain levels of PCBs, dioxin, arsenic and copper that were above residential health standards.

Lower levels of PCBs were detected in mud at the bottom of the company's storm water pond and Little Brier Creek, a tributary of the Neuse River. Jeanette Stanley, a state environmental chemist who did much of the sampling, said the contamination probably dates to the less regulated days of the 1970s. She said there's little chance of the public's coming into contact with the pollution. But, she said, "it's not something you just want to walk away from."

The relatively low levels of pollutants and the lack of tainted groundwater or other acute health threats made one Superfund expert, Joel Hirschhorn, doubt the site would join the EPA's National Priority List of the nation's most polluted sites.

Officials have hesitated to punish the company for environmental violations. Ward's wastewater treatment plant and burn-off oven have violated pollution restrictions without penalty, state records show. Wastewater from the company's small treatment plant has been tested toxic for aquatic organisms at least seven times in the past five years, drawing notices from the state but no fines. Ward's incinerator - used to burn transformer wires to recover valuable copper - violated its permit by burning transformer oil in 1993. The state's response: a notice of violation and a request not do it again.

EPA officials said they expect to decide within a few weeks about the next step in dealing with the Ward site.

The contamination does not surprise Bill Easterly, who worked at the company as a truck driver for 18 years until 1997. Last year, Easterly complained to the state about tainted soil on the site.

In an interview, Easterly said he now has a better understanding of why people in Warren County have been so upset about the landfill.

"Those people up in Warrenton had to live with the stuff," he said.

Caption:

c graphic; Another Superfund site?; Staff

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Record Number: 1998317009

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