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State proposes stricter rule for carcinogens in waterways

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MONTGOMERY - Alabama could see less cancer-causing agents in state waterways following a vote Friday of the Alabama Environmental Management Commission.

The commission voted to begin the rule-making process to change the allowed cancer risk in Alabama rivers and streams. Environmental group members, who have long lobbied for the change, cheered the action.

However, the decision is far from final. There will be a period of public comment and a public hearing before the commission votes whether to make the change.

"As a physician, I believe lowering exposure is a benefit to the state of Alabama and its citizens," commission member Dr. Kathleen J. Felker said before making the motion.

Felker proposed revising the cancer risk level that ADEM uses to calculate accepted pollution levels in Alabama rivers and streams.

It would allow pollution levels in Alabama waterways that pose a one-in-a-million chance of cancer for humans swimming and eating fish. The rule now allows a one-in-100,000 chance.

Felker said the change would move Alabama from a lax standard on carcinogens to one that is more in line with other states. Felker said she saw no proof that the change would be an unreasonable economic burden on companies.

Commissioner Sam Wainwright, an engineer, voted against the change. "I don't think they made a case here that this risk factor will have any effect on the mortality tables," said Wainwright.

The change would cover the more than 50 regulated carcinogens with the exception of arsenic. Felker proposed that exception, saying Alabama companies now discharging toxic arsenic are putting out less of it than their counterparts in other states. Members of Alabama environmental groups did not disagree.

Representatives of environmental groups, including the Alabama Rivers Alliance and others, applauded after the commission voted.

"We're very pleased the commission has taken this first step, because of what it means for the health of Alabama citizens," said Adam Snyder, executive director of Conservation Alabama.

Environmental lawyer David Ludder said that, in the EPA's Southeast region, only Alabama and Tennessee have the one-in-100,000 standard. All the other states have stricter requirements, he said.

Ludder said "it's a positive outcome" if the commission moves forward and makes the rule final.

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