Deadlock on Hazardous Waste

by Gregory E. McAvoy

The need to dispose of hazardous waste poses a challenge to public decision-makers and state officials. Waste collection provides a clean and safe environment for the general public but concentrating hazardous wastes increases the risks for those living near the waste disposal sites. Though many attempts were made to site new hazardous waste facilities in the United States during the 1980s, none were successful. Minnesota’s experience with this problem illuminates many of the obstacles.

In 1980, the Minnesota legislature passed the Waste Management Act, which authorized the state to assess the hazardous waste problem and the feasibility of establishing a hazardous waste landfill in Minnesota. Hazardous wastes are inorganic wastes, largely heavy metals. In Minnesota they are mostly by-products from chrome plating or ash from 3M’s hazardous waste incineration plant. Nuclear waste is not classified as hazardous waste, but is dealt with as a separate issue.

State officials originally planned to choose a site for a hazardous waste landfill based on geological criteria, but by 1984 a moratorium was imposed on the siting process because of public opposition. In 1986, amendments to the Waste Management Act authorized a voluntary siting process for a new stabilization and containment facility. Instead of landfill, the state would build a plant to process and stabilize waste in concrete pellets, which would then be stored in the containment facility. The county chosen for the site would be compensated. Thirteen counties volunteered, but by 1988 all but Red Lake and Koochiching Counties had dropped out.

To learn more about the kind of deadlock that hazardous waste disposal was bringing between citizens and public officials, I interviewed state officials and residents in both Koochiching and Red Lake Counties. I also conducted two random sample surveys of citizens in these counties in 1990. The survey in Koochiching County (spring 1990) was conducted after the county had withdrawn from negotiations to house the new stabilization and containment facility. The survey in Red Lake County (summer 1990) preceded a referendum in November, when citizens voted down the proposal that they house the new facility. No site has yet been found.

Not in My Back Yard

Typically, the impasse between public officials advocating siting and citizens challenging their efforts is portrayed as a consequence of the NIMBY (Not-In-My-Back-Yard) syndrome. Minnesota’s case illustrates that invoking the NIMBY syndrome obscures the nature of the conflict. The impasse is not simply one of self-interest, although this does play a role, it is also the result of different assessments of the risk and who should bear it. My research in Koochiching and Red Lake Counties showed that despite the interest in a hazardous waste facility among county officials in both counties, opposition among county residents was quite strong and highly visible. In Red Lake County the survey showed 25 percent wanted the facility while 60 percent opposed it. In Koochiching County, 17 percent said they had favored the facility and 70 percent said they had opposed it.

Perceptions of Risk

Despite the perception among state officials that the facility was safe and their attempts to convey this to local citizens, the citizens in both counties were generally suspicious of state claims regarding safety. The key issues were groundwater contamination, transportation of the materials, and declining property values.

The belief that the facility would threaten the groundwater was widely held. As Veima Oakland, an elementary school teacher in Red Lake County and one of the founders of the Concerned Citizens Against Hazardous Waste, explained:

“...I chose to live up here for the clean water and the clean air, and I guess that is what we have going for us in Northern Minnesota. We’ve got the environmental, the health, all these different things going for us. If they bring a site like this in, what would happen as far as ground water contamination?”

In the survey, citizens were asked if they believed “the chances of the hazardous waste facility polluting the groundwater were high.” In both counties, about two-thirds of those surveyed agreed with this statement.

In both counties, if the facility had been built, untreated waste would have been trucked approximately 250 miles. The traffic was estimated at four or five truck loads per day. As one citizen put it:

“Knowing the accident rates of commercial trucking and the quality of the roads to be travelled and the condition of the roads in the winter, I would have expected to see a spill of the untreated waste in a lake, river, or water-filled ditch along the way.”
Neighboring counties were equally concerned. Beltrami County, just south of Koochiching, passed a resolution asking the Koochiching board to allow it input in the decision-making process. They argued that they had a stake in the process because the waste would be transported across most of their county.

Asked if they agreed that the chance of hazardous waste accidentally spilling during transport to the treatment facility was small, citizens in the two counties were divided. In Red Lake County, 50 percent disagreed while 35 percent agreed. In Koochiching County, 61 percent disagreed and 25 percent agreed.

Citizens' assessments of risk differed starkly from assessments by decision-makers at the Waste Management Board. State officials were confident that the facility posed little threat to the groundwater and that the risks of an accident threatening the population were minimal. In the minds of policy-makers, the citizens' fears about groundwater contamination were considerably inflated. And, they argued, transportation of the waste constituted less of a threat than transportation of other chemicals. One of the strong proponents of the facility, County Engineer, the Red Lake County engineer, said:

"Local farmers are a much, much greater threat—pesticide spills or gasoline spills. This waste is not that volatile, and the fumes won't kill you. Some of this stuff hauled up and down the freeway everyday will."

Who Benefits?

An issue related to risk assessment is the evaluation of who will benefit and who will potentially be hurt by a hazardous waste facility. State officials clearly believed that the counties would benefit from the compensation package they were offering, as did many county commissioners. In addition, they believed that the facility would contribute to the general welfare of Minnesota through the safe disposal of some of the hazardous waste produced in the state. They assumed that Minnesota industry would benefit from a disposal facility within the state, since it would reduce shipping costs for some and provide a measure of insurance against future liability for others.

State officials also tried to push for some compensation for those directly adjacent to the facility site. They were sensitive to the fact that some people were at greater risk from the facility. But state officials thought the facility would benefit future generations of Minnesotans. The survey showed, on the other hand, that a majority of citizens in Red Lake County thought a hazardous waste facility might harm future generations. They were asked, "Who do you think will be hurt most" if a hazardous waste facility is built? Fifty-three percent said "future generations of Minnesotans," 51 percent said "county residents," 21 percent said "no one," 20 percent said "residents of nearby counties," and 10 percent said "residents of the state as a whole."

Trust

On some public policy issues, citizens are willing to put their trust in public officials and delegate decision-making to them. However, this kind of trust is not absent from decision about hazardous waste. The survey suggests that public officials were not successful in overcoming citizens' initial suspicions. The survey asked people to respond to the statement, "On technical issues like the disposal of hazardous waste, I trust the state government to look out for my best interest and the interest of Minnesota." In Koochiching County 45 percent disagreed while 41 percent agreed with the statement. In Red Lake County, 46 percent disagreed and 36 percent agreed.

Not unexpectedly, people who supported the facility seemed more willing to accept the state's claims about its safety. Ron Linder of Concerned Citizens for a Clean Environment said:

"We're living in a high-tech society. We've got to have faith in these people whether we want to or not, because the average person just doesn't understand these things."

Dan Joyce, a member of the Koochiching advisory council, echoed these sentiments. He felt that the state could be trusted and that the benefits it was offering made the facility attractive.

Location of the Facility

Many people felt that the facility should be located closer to the Twin Cities. Citizens argued that it was unfair to put the burden of risk on communities that produced very little hazardous waste. Since most of the waste is produced in the Twin Cities, metro area residents should assume the risk. The jobs and income that are generated from industrial production are the benefits that come with hazardous waste and those that receive such benefits should bear the majority of the risk.

This belief was echoed in responses to the survey questions as well. Citizens were asked about alternatives for coping with hazardous waste. In Koochiching County, 76 percent of the respondents agreed that the facility should be built closer to the Twin Cities. In Red Lake County, 66 percent of the respondents agreed that the facility should be located nearer the metropolitan area.

Most state officials, on the other hand, felt that Minnesota's moral obligation to ensure long-term protection of the environment justified having the facility anywhere in the state. All Minnesotans, they argued, must assume responsibility for disposing of hazardous waste. Similarly, supporters of the facility in the counties argued that

*Those surveyed could give more than one answer.

this was an issue in which all citizens must work together to protect the environment. Both state officials and county supporters insisted that citizens in remote areas are beneficiaries of industrial production, such as computer chips, and therefore were contributors to the hazardous waste problem. The facility was necessary to protect the environment from the degradation that could be caused by improper storage of hazardous waste.

Conclusion

One of the key issues in this debate is the NIMBY (Not-In-My-Back-Yard) syndrome. In academic writing, in debates about hazardous waste facilities across the country, and in the conflict over Minnesota's hazardous waste facility, the language of NIMBY is frequently invoked. State officials and academic observers consistently see citizens' opposition as emanating from parochial, uninformed, and overly emotional thinking. Despite the pervasiveness of the NIMBY syndrome, it should, in fact, be viewed with caution. The danger of invoking NIMBY arguments is that legitimate objections may too easily be dismissed. As this case demonstrates, citizens often have important objections to the way state officials implement policy. Citizens in the counties were generally in agreement that the facility should be built closer to the Twin Cities where most of the hazardous waste is produced. Building it more attractive to Minnesota businesses as well as reducing the risk of a spill. In this case, citizens' objections were shared by important players in the hazardous waste arena. Some of the major waste producers, like 3M, and some legislators expressed similar complaints about the remote siting.

The quandary remains, however. Citizens everywhere view hazardous waste disposal facilities as too risky to have in their communities, but we have vast quantities of hazardous waste that must be safely disposed of and we are producing much more on a daily basis. Can the deadlock between citizens and experts be overcome?

A strategy attempted in California may provide an alternative. The strategy was intended to redirect the responsibility for safe treatment of waste from the state to county level. This approach, known as YIMBY (Yes-In-Many-Back-Yards), makes each county cope with its own hazardous wastes. Six counties in southern California tried the approach recently, but with mixed results.

In the California approach, each county agreed that it was part of the problem and that it would take steps to manage the waste it produced. Hazardous waste was to move across county lines so that the hazardous waste facilities would be fully used. The location of the facilities were to be determined by private contractors who would manage and operate them. The
Project Awards

In an attempt to keep our readers more up to date about CURA projects, we are featuring a few capsule descriptions of projects currently underway in each issue of the CURA Reporter.

Chicano-Latino Projects
CURA has for a number of years supported a variety of projects with the Chicano-Latino community in the Twin Cities metropolitan area. The most recent projects have focused on a number of areas:

Research. For three years now, CURA has shared expenses for a half-time graduate research assistant working with a collaborative involving Ramsey County's Community Human Services Department, Metropolitan State University, and Chicanos Latinos Unidos en Servicio (CLUES). The collaboration provides community-based research on issues of importance to the local Hispanic community. Results of the collaboration include the formation of HACER (Hispanic Advocacy for Community Empowerment through Research), which recently hired its first director, and the organization of the Hispanic Child Care Council, a parents' organization pressing for more adequate and culturally appropriate child care for the Hispanic community.

Education. This is the second year of support for a graduate research assistant working with the Minnesota Minority Education Partnership on a variety of research projects. A major accomplishment this year was a report analyzing the low participation rate of Chicano and Latino youth in summer enrichment programs. This year, research is focusing on the transition from high school to college for students of color and how this compares to the experience of white students.

Equity. Two graduate research assistants have worked this past summer and now for the academic year with the new Ra Ra Federation. Ra Ra seeks "to empower the Hispanic community in Minnesota to achieve socio-economic equity through research and advocacy." The students have staffed several of Ra Ra's committees and are working with HACER and the Spanish Speaking Affairs Council on a major project concerning Hispanic children in poverty.

Careers and Abuse. In the latest round of Communityuniversity grants, CURA supported students working with the Minnesota Hispanic Education Program. They are helping to conduct its twelfth annual Career Education Fair, and with Casa de Esperanza to develop a resource book on domestic abuse from the experiences of Chicana/Latina women.

Planning Internships in Local Government
This CURA program offers help to local government planning administrators while providing hands-on learning experiences for graduate students in the Humphrey Institute's Master of Planning in Public Affairs Program. Local communities needing help on specific issues apply to CURA and compete for the assistance of a graduate intern. Four communities are involved this year, in the fourth year of the internship's operation.

City of Shakopee. A graduate student is involved in current planning—researching and writing staff reports for a variety of departmental procedures, including some reports to the City Council. The student has been included in many meetings with the Planning Commission and developers on topics such as wetland preservation. The student is also revising application forms and clarifying their use with the new regulations for zoning and wetlands.

Washington County. The county is updating its comprehensive plan for land use, transportation, and other physical development. A graduate student is working on data for the update, in particular, mapping information from the census that applies to the county regarding its socioeconomic profile, land use, development, housing, recreation, and other relevant issues.

City of Crystal. A graduate student is helping the city meet all the state requirements for being designated as a Minnesota Star City. In addition, the student is working with staff to encourage neighborhood-based organizations to become more active in city affairs.

City of Robbinsdale. The city is going through a total review of its comprehensive plan and a graduate student is working with it through this process. The student is also working on a revision of the city's sign codes and will be making recommendations to the Planning Commission and the City Council.

Gregory McAvoy recently received his Ph.D. from the University of Minnesota in political science. CURA provided a grant for him to survey citizens in Koochiching and Red Lake counties. This article represents a capsule version of his Ph.D. thesis. McAvoy is now working as a program evaluator with the Office of the Legislative Auditor.