

Britain: Planned disposal of defunct US ships poses environmental hazard

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Able UK has signed a £16 million contract to break up 13 US ships that were docked on the James River in Virginia. The ships had once been part of the US National Defence Reserve Fleet, which is administered by the Department of Transportation's Maritime Administration (MARAD). They are part of a fleet of around 150 ships that MARAD wants to send for disposal.

The former US cargo ships are ageing and in a dilapidated state. All of them are more than 35 years old, and some 55 years old. Able UK has been granted a licence by the British government's Environment Agency to dismantle the vessels. The plan is to tow them across the Atlantic to be broken up in Hartlepool, a town on the estuary of the River Tees on the North East coast of England. The enterprise threatens an environmental disaster caused by the sinking or spillage of asbestos and harmful chemicals from these rusting hulks.

The pressure group Friends of the Earth (FOE) has published a table giving details of the structural state of the ships. It shows that they have a high risk of their hulls leaking. On a scale of 1 to 5, with 1 being highest risk and 5 being lowest, 9 of the 13 ships fall in category 2 or higher. Between them, the ships hold more than 500,000 gallons of oil and fuel. Some of them are also heavily polluted with asbestos and PCBs (polychlorinated biphenyls).

PCBs are organic pollutants that can enter the food chain and become concentrated, posing a risk to human health. They are thought to damage DNA and are probably carcinogenic. If they were to enter the sea, they could be ingested by fish and then by humans.

There is a strong possibility of oil spillage during the operation. The contract with Able UK calls for an oil spillage management company to be retained during the

towing operation and on arrival in Teesside. According to FOE, one of the vessels, The Donner, has already spilt oil into the James River in Virginia.

The ships are due to be "tandem towed" across the Atlantic—a cheap but risky option whereby two ships are simultaneously towed by one tug. A report issued by the Basel Action Network (BAN) has highlighted the deterioration of the ships' hulls and claims that tandem towing will increase the risk of the ships breaching, leaking or sinking. The report, issued October 20, also quotes a shipping insurance expert: "We believe it is extremely difficult if not impossible in this market to insure any tandem scrap tows. The reason being the high level of risk involved of a loss at sea."

Environmental groups in the US went to court on September 26 in an attempt to stop the ships being towed across the Atlantic, arguing that it would be safer to dispose of them domestically. BAN and the Sierra Club represented by Earthjustice, sought a temporary restraining order (TRO). Part of the groups' case was that the export of the ships contravened the PCB export prohibition. Whilst partly granting a TRO, Judge Rosemary Collyer ruled that four of the ships could be exported. The fate of the remaining nine ships will be decided at a court hearing scheduled for October 20.

The main contract for the disposal of the 13 ships was signed between MARAD and US holding company Post-Services Remediation Partners (PRP). Able UK was subcontracted to dismantle them. As a sweetener, the sale of two partially built naval refuelling vessels was linked with the deal. BAN cites industry insiders who claim that around \$150 million profit is likely to be made out of the sale of these two ships. The report also claims that Able UK, which was formerly the subcontractor for the holding company, has bought up

PRP.

If the export of these ships is allowed to go ahead, it will set a legal precedent to bypass the Toxic Substances Control Act's ban on the export of PCBs. This would make it easier in the future for such ships to be sent to countries with little or no environmental protection legislation.

Four of the vessels are now on their journey to Hartlepool. The contract to break up the ships includes a clause that dry dock provision will be available on arrival at their destination. (Dry dock facility would help reduce possible contamination by containing any leakage.) Currently such facilities do not exist.

The company originally applied to Hartlepool Council to reinstate dock gates on a previous dry dock. However the council advised Able UK's solicitors "that if Able UK requires dry dock facilities to enable it to carry out its proposed ships' decommissioning, the required planning permissions are not in place." English Nature, a government conservation agency, also stated that before planning permission could be granted, an Environmental Impact Assessment should be carried out.

At this point, the company withdrew its application and instead proposed to build a rock-filled "bund," using planning permission granted in 1997 by the now-defunct Teesside Development Corporation. Hartlepool Council has questioned the validity of the previous planning permission, and insists that planning permission for the necessary dry dock "is not in place."

The council's statement was issued on October 8 after the first two boats had set sail. On the following day, FOE UK issued a statement calling for the two vessels to be turned back. Campaign director Mike Childs said, "The whole issue is becoming a sorry farce. Able UK does not have planning permission to build a dry dock to dispose of these boats, and it won't be allowed to deal with them in a wet dock. Yet two heavily polluted, rusty and dilapidated ships have been allowed to set sail from the USA to Teesside, and two more are due to leave any minute."

FOE is trying to get a judicial review of the licence originally issued by the Environment Agency.

Local member of parliament Peter Mandelson, former minister in the Blair government and a close confidant of the prime minister, has lined up with local business interests to support Able UK's managing director Peter

Stephenson. In a statement to the House of Lords, Labour's environment minister Lord Whitty insisted that the vessels were no threat, saying they "would not be permitted into UK waters if they presented a specific risk of environmental pollution."

The Royal Society for the Protection of Birds (RSPB) opposes the scheme. Nick Mason, a conservation manager for the RSPB, said; "We would remind everyone involved in this issue that the wildlife and habitats of Teesmouth and the Cleveland coast are designated as a special protection area under the European Birds Directive."

There is widespread opposition throughout the Teesside area to the proposal to scrap the ships. More than 90 percent of calls to a local newspaper condemned the plan. A local protest group has been formed, the Hartlepool Volunteer Defence Force.

Teesside was once a major coal mining area. The Northumbria Tourist Board, which covers the area, is opposed to the proposal to bring in the ships. It has labelled the move "a serious environmental threat" to the coastal area, which had been damaged over many decades as a result of the coal mining industry—one of the practices of the mining industry was to dump waste just off shore.

Across the estuary from Hartlepool are giant chemical factories. This area has the highest rate in England for cancer, and there is a high incidence of respiratory disease.

Geoff Lilley, a local worker, was quoted in the *Guardian* newspaper of October 14:

"We've had more than our share of pollution... If they went to Southend [on the south coast of England] there would be a revolution."

The paper also spoke to Margaret Sneddon, a community volunteer:

"This is not a middle class protest... People there don't want the ship. OK they'll perhaps give us jobs, but how many people will it kill? The stigma for the town will last for years and years."



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