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Covanta Violations of Environmental and Labor Standards in the U.S.

Covanta Energy, a U.S.-based waste incineration firm, has been cited by U.S. regulatory agencies for the following violations of environmental and labor statutes:

Environmental Violations

- ✓ In September 2008, the Massachusetts Department of Environmental Protection issued an order finding Covanta had exceeded the allowable emission rate for dioxins and furans at its incinerator in Pittsfield, Massachusetts by nearly 350%, according to tests conducted in November and December 2007. The World Health Organization classifies dioxin as a known human carcinogen.
- ✓ The Massachusetts regulatory agency also cited Covanta for failing to report other violations of its air quality permit at the Pittsfield facility during January, February, and March 2008, as required by environmental regulations, and imposed a U.S. \$7,653 penalty on the company.¹
- ✓ Three weeks after signing the Massachusetts order, Covanta violated it by failing to properly operate an air quality control system for one of the boilers at the Pittsfield plant over a 16-hour period in October 2008. The agency imposed a U.S. \$1,000 penalty for the new violations.²
- ✓ In October 2008, the Pennsylvania Department of Environmental Protection fined Covanta U.S. \$45,600 for excessive emissions of toxic nickel and related compounds at its incinerator in Chester, Pennsylvania during 2006. Nickel emissions for a waste combustor at the plant were more than twice the permitted level, according to tests conducted in November 2006.³ Nickel compounds are also known human carcinogens, according to the World Health Organization.
- ✓ Five months later, the Pennsylvania agency once again cited Covanta for multiple air pollution violations at the Chester incinerator, including excessive emissions of nickel and total particulate matter during 2008.⁴
- ✓ In August 2008, the New Jersey Department of Environmental Protection fined Covanta U.S. \$14,025 for air pollution violations at the company's Newark, N.J. incinerator between 2006 and 2008. The agency has cited the Newark incinerator – which is located in a densely populated urban area – for violating air pollution regulations every year from 2003 through 2008.⁵

- ✓ The New Jersey agency has also cited Covanta for violating air pollution regulations at the company's incinerator in Oxford, N.J. each year from 2005 through 2008,⁶ and at the incinerator operated by Covanta in Rahway, N.J. each year from 2005 through 2007.⁷

Labor Standards

- ✓ In June 2009, the U.S. Department of Labor cited Covanta for serious violations of safety rules at its SEMASS facility in West Wareham, Massachusetts, based on an April 2009 inspection. The violations included an accumulation of fly ash on energized 208-volt electrical equipment, flexible cords "hot-wired" into electrical equipment as a substitute for fixed wiring, unguarded lamps exposing workers to burn hazards, and emergency lighting units missing or not functioning.⁸ The agency assessed total proposed penalties of U.S. \$13,500.
- ✓ The Department cited the same Covanta facility in April 2009 for violating safety rules, based on an October 2008 inspection, and proposed total penalties of U.S. \$6,375. The unsafe conditions included electrical equipment "maintained" with cardboard and duct tape, and improper storage of oxygen and acetylene cylinders side-by-side with no barrier between them.⁹ Fire safety rules in the U.S. require employers to store oxygen and fuel gas cylinders at least 20 feet apart, or to separate them by a non-combustible barrier at least five feet high.
- ✓ The Department of Labor had previously cited Covanta for failing to require employees fighting a fire inside the SEMASS plant in March 2007 to wear appropriate protective clothing.¹⁰
- ✓ In May 2009, the U.S. National Labor Relations Board issued a complaint charging Covanta with maintaining illegal work rules at 46 Covanta facilities throughout the U.S. The government's complaint is scheduled for a hearing in October 2009.
- ✓ In June 2009, the Board amended its complaint, charging Covanta with illegally withholding bonuses and wage increases from employees at the SEMASS plant because they had voted for union representation. The complaint also charges Covanta with numerous other unfair labor practices at the SEMASS plant.¹¹

Utility Workers Union of America Local 369 represents employees at Covanta's SEMASS incinerator in West Wareham, Massachusetts, USA. The company has failed to agree to a collective agreement for these employees, despite workers there having voted for union representation in May 2008. Please contact us for more information concerning our campaign for justice for Covanta employees.

¹ http://www.cjcw.org/notice/Covanta_Massachusetts_environmental_violations.pdf

² http://www.cjcw.org/notice/Covanta_DEP_penalty_11-24-08.pdf

³ http://www.cjcw.org/notice/Covanta_Pennsylvania_environmental_violations.pdf

⁴ http://www.cjcw.org/notice/Covanta_PA_NOV_3-19-2009.pdf

⁵ http://www.cjcw.org/notice/Covanta_NJ_Newark_env_citations.pdf

⁶ http://www.cjcw.org/notice/Covanta_NJ_Oxford_env_citations.pdf

⁷ http://www.cjcw.org/notice/Covanta_NJ_Rahway_env_citations.pdf

⁸ http://www.cjcw.org/notice/Citation_June1-09.pdf

⁹ http://www.cjcw.org/notice/OSHA_Complaint_SEMASS.pdf

¹⁰ http://www.cjcw.org/notice/Covanta_safety_citation_SEMASS_fire_2007.pdf

¹¹ http://www.cjcw.org/notice/Covanta_consolidated_complaint.pdf