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U.S., Mexican Plans to Store Hazardous Waste Near Border Raise Concerns

by LADB Staff

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Opposition is growing to plans by the US and Mexican governments to locate disposal sites for toxic and radioactive materials near the US-Mexico border. Most of the protests have centered on a US government proposal to open nuclear waste storage facilities in border regions in Texas and New Mexico. But there is also opposition to the Mexican government's proposal to build waste-treatment facilities along the US border, thus eliminating a requirement that maquiladora plants and other foreign-based factories repatriate hazardous material. In the case of the proposed US nuclear-waste facilities, Grupo de los Cien and other Mexican environmental groups have raised strong concerns that leakage at the proposed sites near Sierra Blanca, Texas, and Carlsbad, N.M., could endanger the lives of residents on both sides of the border.

A petition circulated by Grupo de los Cien to the US and Mexican governments has requested that the US-Mexico border be designated as an "inappropriate" location for disposal of nuclear waste. Furthermore, the petition urges that both governments enact stricter laws prohibiting the dumping of any hazardous material along the US-Mexican border. In regard to the Sierra Blanca site, Grupo de los Cien also urged the Texas state government to "recognize and admit" the potential cross-border contamination from the location of a nuclear-waste dump in Hudspeth County, Texas. The proposed Sierra Blanca disposal facility which would hold waste from nuclear-power plants, hospitals, and other industrial sites would be located about 32 km from the US-Mexico border. "There is no justification whatsoever for our country to suffer the consequences of the US nuclear-storage crisis," said Grupo de los Cien, which warned that any leakage of nuclear waste could endanger the health and well-being of several generations of residents on both sides of the border.

For its part, the Mexican Senate's Environmental Committee (Comision de Ecologia y Medio Ambiente) has also expressed its total opposition to the proposed US construction of nuclear-waste dumps in US states that border Mexico. The committee suggested that the location of the dumps near the border could undermine progress made by the US and Mexico through the Border Environmental Cooperation Commission (BECC). The BECC was established under the auspices of the North American Free Trade Agreement (NAFTA). At a meeting of US and Mexican environmental authorities earlier this year, representatives for the two countries ratified an agreement reached in 1995 that neither country could engage in any projects that would be detrimental to the other country.

Ironically, NAFTA also provides the framework for another controversial environmental proposal advanced by the Zedillo administration. To comply with pledges made to the US under NAFTA and to the Organization for Economic Cooperation and Development (OECD), the Mexican government has announced a controversial change in environmental laws. The proposed change would encourage the construction of waste-treatment facilities to substitute for a requirement that maquiladora plants repatriate hazardous waste to their country of origin. The Mexican

government plans to promote construction of regional waste-treatment facilities in states such as Sonora, Chihuahua, and Tamaulipas, all of which border US territory. The increased cooperation under NAFTA has also created new economic opportunities for Mexico in environmental services. According to Abraham Nehmad Hanond, deputy secretary of Mexico's Environmental, Fisheries, and Natural Resources Secretariat (Secretaria del Medio Ambiente, Recursos Naturales y Pesca, SEMARNAP), the Mexican government views the construction of the new waste-disposal and treatment facilities as an economic-development opportunity. "Mexico will enter into direct competition with US states in the area of waste disposal, whether municipal, toxic, or radioactive," said Nehmad Hanond.

Indeed, in a joint statement, spokespersons for SEMARNAP and the US EPA acknowledged that the construction of the waste-treatment facilities could even include nuclear material. "This represents a commercial opening in the treatment of industrial waste of all kinds," the statement said. Nehmad Hanond dismissed concerns by environmental groups such as Grupo de los Cien that the new waste-treatment facilities would, in effect, convert the US-Mexico border region into a "dump" for hazardous materials. "We also have a framework for cooperation on a bilateral issue of interest to the two countries," he said. The US and Mexican governments have launched a series of technical and geological studies to determine the best locations on both sides of the US-Mexico border for disposal of hazardous wastes. As part of the change which will become effective in the year 2000 the Mexican government plans to begin a stricter crackdown on maquiladora plants and other factories that illegally dispose of hazardous materials in clandestine dumps and even in waterways, such as the Rio Grande.

According to estimates by the office of Mexico's environmental attorney general (Procuraduria Federal de Proteccion al Medio Ambiente, PROFEPA), at present roughly one-third of the maquiladora plants near the US-Mexico border already fail to comply with the waste repatriation regulation. The PROFEPA statistics show that the roughly 5,000 maquiladora plants located in Mexican territory generate between 5,000 and 6,000 metric tons of hazardous material annually. Of that total, only 1,500 to 1,800 MT, or 30%, is returned to the country of origin. The rest is dumped illegally in clandestine locations or in the country's waterways. A recent study published by the bilateral US-Mexico International Boundary and Water Commission showed that the Rio Grande and its tributaries are polluted by 40 separate toxic substances. The study was based on a sampling at 19 separate locations along the river.

The study said discharge from the maquiladora plants located near the shores of the Rio Grande has contributed significantly to pollution of the river. Other sources are residues of chemicals used in agriculture and municipal waste from communities along the river. Almost one-half of the communities along the river in Mexico do not have adequate sewage systems. Meanwhile, the EPA and PROFEPA have written companies with plants in Mexico to review their hazardous-disposal methods and correct any potential violations of Mexican law. "We are urging the companies to impose voluntary actions to correct any disposal problems before Mexico's deadline goes into effect," said Colin Smith, an EPA representative in the regional office covering the US-Mexico border. However, enforcement of the stricter regulations may become a problem, since the US and Mexican governments are reducing and not increasing funding for environmental enforcement and cooperation programs.

At the third annual meeting of the BECC, held in June in San Diego, Calif., Mexican and US environmental authorities agreed on several measures involving environmental cooperation. However, representatives of the US EPA acknowledged that only US\$100 million is allocated for environmental programs along the border, and that future financing is not a certainty. (Sources: Inter Press Service, 05/15/96; Agence France-Presse, 05/16/96; The News, 05/22/96; Excelsior, 06/14/96, 06/17/96)

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