

Contamination scandal in the German city of Dortmund

By Katharina Wied
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A major environmental scandal has featured in the German media since the spring of this year. In Dortmund transformers were dismantled and recycled by the company Envio Recycling GmbH & Co. The recycling process resulted in setting free highly poisonous PCB chemicals in what amounts to a grievous violation of the most basic industrial safety regulations. Workers at the factory were continually exposed to extremely high doses of the poisonous chemical.

PCBs (polychlorinated biphenyls) are considered highly virulent, carcinogenic chemicals that affect the genetic makeup and are biologically very difficult to remove from the body. Environmental organizations such as Greenpeace held PCBs responsible for the mass deaths of seals on the North Sea Coast in 1988. In 2001 they were banned, together with 11 other highly poisonous materials (“the dirty dozen”), as part of the Stockholm Convention.

Blood tests taken in May and June this year showed that 95 percent of all Envio workers tested exhibited PCB levels that were approximately 8,600 times more than the average. The exact risks involved in such high levels have not been fully proven. Workers in neighboring firms have also registered increased PCB levels in their blood.

The scandal erupted after one employee finally turned to the press following a number of unsuccessful attempts to receive a response from the supervisory authorities or political bodies. Following publicity of the scandal the authorities could no longer ignore the situation and on May 20 this year the company was shut down by the local administration in Arnsberg.

At the beginning of August it then emerged that not only were Envio and workers in neighboring locations affected by the poisons, but their families and subcontracted workers employed at the plant were as well.

On August 6 a local newspaper quoted the father of one worker who reported that “dust was everywhere. No

protective clothing was provided by either by Envio or the subcontracting companies. His son had to wear his own overalls which were clammy and smelt horribly after just one day.”

The long-term affect of exposure to PCBs remains uncertain due to the lack of reliable studies. What is clear is that in the current case entire families are involved. In addition to the physical consequences of the poison is the psychological burden of not knowing the precise nature of the side effects of the chemical.

The extent of the contamination due to the PCBs was such that the entire immediate environment was affected up to a distance of nearly a kilometer removed from the immediate vicinity of the chemical usage. Although the authorities had already been informed about the existence of the threat in 2007, Envio was allowed to continue its profitable activities for another three years.

In 2006 the company made a profit of €1.8 million. In 2007 the company was put on the stock exchange, raising an additional €5 million and the company’s two managing directors had plans to expand their lucrative business to South Korea and internationally. According to the Envio business report, profits this year amount to €1.9 million.

The two directors of the company, Christoph Harks and Dirk Neupert, pocketed a salary of €200,000 in 2007 and, with 75 percent of the company shares, also profited considerably from the company’s flotation.

In 2008 the city of Dortmund and the local council in Arnsberg received details of the catastrophic conditions prevailing at Envio. An anonymous letter was posted to the Dortmund environmental office in September headed “The illegal activities of the company, Envio, Kanalstraße 25”. This letter was then passed on to the appropriate supervisory authority in Arnsberg.

The details given in the letter made clear it had been written by an insider. The latter noted that Envio had

agreed to recycle large transformers used for the underground dispersion of refuse and conducted its operations in the open air, allowing the poison to be released unhindered into the environment.

Despite the fact that they had been alerted, the authorities did nothing. Instead the authorities gave the impression that it was extraordinarily difficult to determine whether the recycling process was responsible for the contamination of the environment. There were even efforts made to divert blame away from Envio, with one press report declaring this year that the argument for Envio as the source of contamination had not been proved.

Under such circumstances the main issue to explain is why the authorities turned a blind eye to what was happening. Internet blogs and some press reports have drawn attention to the massive reduction of personnel at the supervisory level and the relaxation of existing regulations and controls. These cuts were carried out by the Social Democratic-Green Party coalition in North Rhine-Westphalia as part of its so-called “reduction of bureaucracy” program and were continued by the succeeding conservative coalition. In fact, there are just 10 inspectors employed to regulate the activities of 20,000 factories in the region.

Nevertheless the scandal cannot be reduced to the lack of inspectors. There are a number of indicators pointing to the complicity of leading authorities in the attempt to prevent any investigation into the activities at Envio.

Information has emerged that the Arnsberg supervisory authority had first been informed of anomalies at the Envio plant in 2007, resulting in the recommendation by one specialist in the monitoring department that part of the Envio plant be shut down.

When the reports on the PCB contamination at Envio finally emerged in the press in 2010 a financial investor in the company, Murphy & Spitz, declared it intended to pay the factory a visit and inspect the premises. The environmental technician who then inspected the factory reported that she was surprised by the fact that the company lacked modern facilities and was in the process of installing a second exhaust air system. This was despite the fact that she was informed that the level of PSB pollution was far below what constituted a dangerous level.

Her account of the obvious lack of elementary safety precautions at the plant contrasts dramatically with statements by representatives of the authorities who declared that the company had employed “great criminal

energy” aimed at ensuring that “nothing suspicious could be detected”.

The public prosecutor’s office has now been appointed the task of clarifying all the inconsistencies surrounding the role of supervisory authorities. What is clear already, however, is that a major reason for the scandal is the tight mesh of relations between business and political circles in the state. This is why no one has been held to account for what has taken place.

The Dortmund prosecutor’s office has already made an official statement on the case in which it sought to provide cover for the responsible authorities. According to the senior prosecutor and press spokeswoman of the Dortmund public prosecutor’s office: “One could have closed down the factory but one was not obliged to.” Instead, “Arnsberg had exercised its discretionary powers gently”. Negligence and failure to exercise diligence on the part of a supervising authority, however, are “not punishable offences”. In fact the public prosecutor’s office had only intervened in the affair after a number of particularly incriminating Envio company documents, including internal minutes, had been passed on and published in the local press.

For its part, the management of Envio shows not the slightest sign of remorse. The company management declared that the entire workforce had been made redundant in order to save money and that the work of cleaning the still contaminated area had been halted due to reasons of cost. The company has lodged an appeal against a resolution of the district government, which has called upon the company to put up a security of €1.5 million to cover costs involved in compensation and cleanup.

The directors of Envio also took the precaution of setting up a network of “subsidiary companies” which facilitates the task of covering their tracks and ensuring they do not have to take responsibility for the contamination scandal. Based on the thoroughly dubious role played by the local and supervisory authorities it is entirely possible that the Envio management will then be able to continue their lucrative activities under a new name.

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