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## SUBCOMMITTEE ON TECHNOLOGY, INFORMATION POLICY, INTERGOVERNMENTAL RELATIONS AND THE CENSUS

Congressman Adam Putnam, Chairman



### OVERSIGHT HEARING STATEMENT BY ADAM PUTNAM, CHAIRMAN

Hearing topic: "Phosphogypsum: Should We Just Let It Go To Waste?"  
Parts 1 & 2

Monday, March 15, 2003  
9:30 a.m.

Southwest Florida Water Management District Headquarters  
170 Century Drive, Bartow, FL 33830

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#### OPENING STATEMENT

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Good morning and welcome to the Subcommittee's hearings on phosphogypsum. Today's hearings are appropriately titled, *Should We Just Let It Go To Waste?* Currently there are about one billion tons of phosphogypsum stored in 24 stacks in Florida- 21 in central Florida. Thirty million *new* tons of phosphogypsum are produced every year.

Phosphogypsum is a by-product of the chemical processing of phosphate rock, which is mined in Florida. In 1989, the US Environmental Protection Agency promulgated a rule determining that the commercial product of phosphogypsum was a "waste" product and banned its use for any purpose whatsoever. From that point on, the phosphogypsum has just been accumulating all over Florida.

Three years later, EPA modified the rule to allow the use of phosphogypsum from northern Florida for agricultural use.

Since then only one other rule regulating the use of phosphogypsum has been promulgated. In 1999, EPA raised the limit on the quantity of phosphogypsum that may be used for indoor research and development from 700 lbs to 7,000 pounds and clarified sampling procedures for phosphogypsum removed from stacks for other purposes. That was one step in the right direction.

The possibility of a “catastrophic spill” in Manatee County last year raised local and federal concern. Back in 2001, Mulberry Corp., the owner of Piney Point Phosphates, went bankrupt, leaving a plant with unattended stacks of phosphogypsum. Since then the state of Florida has kept the electricity on at the plant and monitored water levels in its phosphogypsum stacks.

Last year, The Florida DEP was granted federal permission to discharge more than 500 million gallons of treated wastewater from the Piney Point plant into Bishop’s Harbor, part of Tampa Bay. EPA and DEP insisted that it would not be harmful to the marine life, and others contended that the solution, while only the lesser of two evils, would be less environmentally damaging and more economically sound than a spill.

That discharge was estimated to span 19, 500 square miles and cost about \$10 million. Although that cost will be covered by a trust fund that phosphate companies pay for environmental restorations, Florida state government has spent about \$40 million so far to maintain Mulberry’s abandoned plants at Piney Point and in Polk County. The expected maintenance and closing costs will total \$170 million, which will fully deplete the trust fund.

Scientific research conducted and the results found by various entities support a position that phosphogypsum is not a “waste” but rather a potentially valuable product. Conclusive evidence by independent researchers and research councils challenge the claims that use of the product is harmful and suggest that specific applications be reviewed. It can be environmentally safe and economically attractive to use phosphogypsum in a variety of ways serving industries and potentially benefiting public taxpayers.

The witnesses of our first hearing will propose that the use of phosphogypsum can be favorable to farmers, cattlemen, and taxpayers when used as a soil amendment, road base, and a land fill cover. Our second hearing will focus on understanding the purported risks of phosphogypsum as determined by the US EPA. Also, a representative from Florida’s Department of Health will share his thoughts on the risks and uses of phosphogypsum. And finally we will hear the concerns of a dedicated environmentalist.

Considering the environmental dangers of stacking phosphogypsum, do the unlikely risks associated with the use of it outweigh the risks of storing it as a waste product? We will examine this question and the environmentally safe potential uses for phosphogypsum this morning.

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