Beyond Erin Brockovich: Threats From Our Toxic Environment
Beyond Erin Brockovich: Threats From Our Toxic Environment

Contaminants in the air and water are taking a toll on the health of Americans. But how bad is it really? Environmental health experts on the panel spoke about growing rates of asthma, cancer and other diseases that affect millions of Americans and exposed the burden environmental toxins place on our health care system and quality of life. Two women who faced life-changing environmental exposures told their alarming and moving personal stories. Hollywood, Health & Society, at the USC Norman Lear Center, in conjunction with the Writers Guild of America, west, hosted a discussion on the topic, featuring leading thinkers and activists in the public health and environmental worlds, including one mother who decided to be an active part in changing the pollution that was affecting her family's livelihood.

The Norman Lear Center

The Norman Lear Center is a multidisciplinary research and public policy center exploring implications of the convergence of entertainment, commerce, and society. From its base in the USC Annenberg School for Communication, the Lear Center builds bridges between eleven schools whose faculty study aspects of entertainment, media, and culture. Beyond campus, it bridges the gap between the entertainment industry and academia, and between them and the public. For more information, please visit www.learcenter.org.

Writers Guild of America, west

The Writers Guild of America, west (WGAw) is a labor union composed of the thousands of writers who write the television shows, movies, news programs, documentaries, animation, CD-ROMs, and content for new-media technologies that keep audiences constantly entertained and informed.

Their primary duty is to represent their members in negotiations with film and television producers to ensure the rights of screen, television, and new-media writers. Once a contract is in place, they enforce it. Because of the WGAw's long-term efforts, writers receive pension and health coverage, and their financial and creative rights are protected.

Introduction

Patric Verrone, President
Writers Guild America, west

Moderator

Neal Baer, M.D., Executive Producer
Law & Order SVU

Participants

Thomas Sinks, Ph.D., Deputy Director
National Center for Environmental Health/Agency for Toxic Substances and Disease Registry at the Centers for Disease Control and Prevention

Gina Solomon, M.D., M.P.H., Associate Clinical Professor of Medicine, University of California at San Francisco

Paul Rosenfeld, Ph.D., Adjunct Professor, UCLA School of Public Health and environmental chemist/founder of SWAPE (Soil, Water, Air, Protection Enterprises)

Cynthia Babich, Executive Director
Del Amo Action Group, which provides support for families affected by underground toxic waste at the Del Amo Superfund site

Elvia Hernandez, a Pacoima, California mother who has dealt with lead pollution problems in her home that affected her family's health
Patric Verrone: Hello. I’m Patric Verrone. I’m the president of the Writers Guild America, west. Among my duties as president of the Guild is to basically introduce events, like this one, to welcome our guests and the audience, to make sure everyone is fed and seated. So effectively, my role is as a glorified maitre’d, which I’m pleased to take on. So those of you, if you have a cell phone, please, at this time I’ll ask you to turn it off. If you have a pager, please get a cell phone. Nobody has a pager anymore.

Thank you for being here tonight as we ponder a very provocative topic, “Beyond Erin Brockovich: Threats From Our Toxic Environment.” Those of you who came in on the elevator – well, you all came in on the elevator – you had the choice of this or a Comedy Central program on the fourth floor, and believe it or not, there’s going to be more laughs here than there will be up there. I won’t go into that.

Our panelists tonight will share their expertise, their cases, and their stories. In many instances, these are stories that we will find difficult to fathom, because we take for granted – in our homes, our communities, our schools – we take for granted that those places are safe.

We hope that you will leave tonight with some new ideas for your storytelling, and that you will call Hollywood Health & Society for the experts that you need. This is a free resource that’s offered to Writers Guild members to put producers and writers together with experts on health topics you’re considering writing about.
Since we want to ensure that this remains a free service, we ask you to please complete the survey on the green sheets, which you all have in your packets.

I’m going to conclude the welcoming remarks by introducing our moderator tonight. There’s a joke I do typically at these events which goes something like this: We have more creative scientific, medical, and academic expertise at this table since the last time Neal Baer dined alone. We can’t exactly do that joke because we have Neal Baer with us tonight, so perhaps we have double the amount of creative scientific, medical, and academic expertise tonight.

Let me introduce our moderator, the executive producer of *Law & Order SVU*, Neal Baer.

**Neal Baer:** Thanks, Patric, and to everyone at the Writers Guild. And we do use the services of Hollywood Health & Society in our show. I think we just called the other day because we’re doing a show about can a 14 year old be a sex addict? and so, of course, we get into the medical and psychiatric issues, and sure enough they provide people who can answer those questions for us.

So we’re very grateful to all of them. And to Pam Wiley for coordinating the event tonight.

To PSR, my special friends, who are here tonight, who met with Hollywood, Health & Society. Physicians For Social Responsibility. Full disclosure:
I’m on their board. And they do amazing work. Please look at their website on nuclear disarmament and on the toxic environment. And, in particular, Jonathan Parfrey, who is the Director of PSR and Martha Aguayo, who I’ll make special thanks to in a moment when I show a clip from my show. Since I’m the moderator I get to show a clip from my show about this topic. Martha was the one who inspired me and our writers to do the topic.

In addition to the people at Hollywood Health & Society, Marty Kaplan and Vicki Beck – who is really the person who really gets involved – Iva Schroeder, Grace Huang, Kathy Le and Scott McGibbon, as well. Thank you for your support and allowing us to call all the time, like we do, to ask you questions. And to Dr. Tom Sinks and Charles Green, who are joining us from the CDC in Atlanta. Thank you all.

So, I was inspired at a meeting at PSR, hearing about toxic exposure across California. PSR does a lot of important, seminal work in evaluating and getting the word out to people who are exposed to toxic environments. Martha was telling me about this recently, three or four months ago – which is what’s great about television: you can put stories right out there – it’s everywhere in California. It’s in Beverly Hills where the high school is; it’s downtown where a high school was built which has been unuseable; it’s in the Central Valley; it’s in the water. There are many, many stories I hope our panel tonight will inspire you to write.

Martha told me about some EPA issues and possible loopholes in its regulations, so I’m going to show you a very brief clip on how we were inspired by this topic and then I’ll introduce the panel.
Thank you, Martha, for pointing out the loopholes in observational testing at the EPA. That inspired our show. Now, I hope you all will be inspired by our panel. Because we started a bit late, I’ll introduce them as we go along. They’ll speak for five minutes. I’ll ask them a couple of pointed questions, and then we’ll open it up to all of you.

Our first panelist is Dr. Gina Solomon, who is the Assistant Clinical Professor of Medicine at the University of California at San Francisco. She’s a senior scientist in the Health and Environmental Program of the Natural Resource Defense Council. She also has an interest in reproductive health and the environment, and has written a book called Generations At Risk, Reproductive Health And The Environment.

Dr. Solomon, is it true that the health effects of toxic exposures can be so subtle and not present until it’s too late? And if that’s the case, what are people to do about it?

**Gina Solomon:** Thanks. You know, I wear a number of different hats, so I sometimes see toxic exposure issues in my clinic at UCSF. We see adults who were exposed either in the workplace or in the community to hazards or may have been exposed and become ill. I also see kids – because I consult with the Pediatric Environmental Health Specialty Unit at UCSF – who are similarly exposed or ill. And then in my work at the National Resources Defense Council and PSR, I work on entire communities sometimes that have been exposed to these kinds of hazards.
And the trick is there are cases where the environmental exposure or illness hits you over the head. It’s obvious, it’s acute, the acute pesticide poisoning, the acute reproductive affects and miscarriage or birth defects, or in some cases of really high dose levels an acute heavy metal poisoning where somebody might end up in the hospital.

In a lot of cases, however, these kinds of environmental exposures creep-up on people. They tend to masquerade as common illnesses. So a woman gets breast cancer, was it from the pesticides that she was exposed to? I saw a woman in my clinic not too long ago who had very severe, invasive breast cancer. She was actually not doing well at that point on chemotherapy.

And she had a compelling story. She had worked as an agricultural inspector in the Central Valley in California for 30 years, had a really interesting life. She vividly recalled being directly sprayed by DDT and all kinds of other pesticides, many of which have now been linked in some studies to breast cancer. But that link can be hard to prove.

I’m involved right now with a community in Tennessee. They were drinking contaminated water for well over a decade, even though, apparently, government officials knew about it in 1990. The family wasn’t informed. One of the family members just died of cancer two months ago and another family member is sick with cancer. So we see cases where there’s
this injustice committed, but proving it can be tricky.

**Neal Baer:** How do we talk about this without talking about causality? Because you’re talking right now about links. I think it’s important. Often times we’ll see in the media that you can’t prove causality, but you’re telling us a compelling story. So, is causality that important?

**Gina Solomon:** In many cases, causality isn’t that important. If a community is seeking justice — like in the Erin Brockovich case with the whole issue of trying to actually hold the bad company accountable — it matters. In other cases, causality isn’t important because the key issue is, if there’s a toxic hazard, what can we do to stop it from happening, how can we take public health action? In a lot of cases, you see a problem, a hint of a problem — I’m sure Tom is going to talk about this — and the public health agencies swing into action, if they’re doing their job right, and prevent other people from getting sick.

**Neal Baer:** Okay. Thank you. So we’ll move on to Dr. Thomas Sinks who’s the Deputy Director of the CDC’s National Center For Environmental Health, Agency for Toxic Substances and Disease Registry.

Dr. Sinks, as Deputy Director of the CDC’s program to address environmental health hazards, what are the emerging and reemerging environmental health issues that you see today and expect tomorrow?

**Thomas Sinks:** Thanks for the question. As probably the only federal bureaucrat here at the table watching that video, showcasing my colleagues at EPA, I just want to say that I’ve worked at the CDC for 22 years, and it’s offered me the incredibly rewarding opportunity to be a public servant.
and to actually do public service. I’ve had these great opportunities to get out into the field and deal with epidemics and things I knew nothing about and suddenly had to become an expert. It’s been a real privilege for me.

I want to say one thing on Gina’s last comment about causality. One thing I see that happens a lot when dealing with hazardous waste and exposure situations is the calls to do complex, difficult health studies. Sometimes those are good to do but, honestly, if it’s an issue of cleaning something up, get it cleaned up and don’t wait for the health study to come along because sometimes those health studies take years. Sometimes they’re equivocal, they don’t prove anything. What we really want to do from the public health standpoint is get them cleaned up. So we take action and deal with it.

Emerging and reemerging issues – I probably have three minutes, so let me go for it. One of the reemerging issues I want to talk to you writers about is lead poisoning, and I want to give you a little different spin. Lead poisoning on one hand has been the public health success story in environmental health over the last 30 years.

In 1978, 90% of kids less than five years of age had a blood lead level above 10 micrograms per deciliter, which is the CDC level at which we take notice and say, “This is above our screening level, there’s risk, we should do something.” In 1990 there were only 8% of kids at that level. That’s a tremendous shift.
Let me tell you something that happened three years ago. There are a lot of refugees coming from Africa to the United States, and these kids spend years and years with insufficient nutrition and anemia before they come to this country. Three years ago in Manchester, New Hampshire a child came into the emergency room. She was two years old and had diarrhea and a low fever. She was given an antibiotic and sent out the door. Three weeks later she was back. Within 24 hours she was comatose and quickly perished. That was the first child in ten years who had died from lead poisoning. She was a Somalian refugee and she had a blood lead level of 335 micrograms per deciliter. When she came to this country, she was a super lead absorber because she was so malnourished. She was placed in a home built in the 1920s, with lots of lead in it, she started eating plaster and she got lead poisoning.

And the other side of the story is that in the 1950s, every pediatrician in this country knew what lead encephalopathy looked like. They wouldn’t miss it, because they saw it all of the time. I was born in 1950. In 2005 there probably isn’t a pediatrician who graduated since the ‘90s who has ever seen a child with lead encephalopathy.

So one side of this story is, there are susceptible populations, there’s ongoing lead exposures, and there are people that are well-trained pediatricians who haven’t seen a disease that actually used to be quite common. The other side is that the number of refugees coming to the United States from Africa has changed tremendously. 20 years ago, out of 75,000
refugees coming to the U.S., about 2,000 of them were from Africa. Two years ago, out of 50,000 refugees admitted to the U.S., 20,000 of them were African.

And that’s the end of my story. Onto the next panelist.

**Neal Baer:** Not quite the end. I have to ask you a question as a pediatrician. Two questions, because we have a little time. Is any lead okay? And, secondly, did the Bush administration try to change the lead levels that were acceptable?

**Thomas Sinks:** Okay. Great questions. There are some issues about lead that are ongoing. Over time, the CDC has brought down its level from 40 micrograms per deciliter to 20; it’s now at 10. There is clearly research out there that says there is no threshold for harm from lead, that there’s a risk of slight cognitive issues as you get down to 5 micrograms and maybe even lower. So the question becomes, what is a safe level? And Neal is quite right: there is no safe level.

The Bush administration had – I mean what is the “Bush administration?” We’re part of the federal government so you could say while he’s in office we’re part of the Bush administration. We were part of the Clinton administration, too.

We did, however, look at the issue of should we redefine our guidelines in terms of a threat – this level of 10 micrograms per deciliter – and we decided not to do that, even though there was compelling information that there is some harm as you go down below 10. Why? One, we very
much want to focus on where the problem is the worst, the kids that are up at the 20, 30 and 40 levels. Also, we were concerned if we open up this issue, should the level be 8, should it be 5 or 2?

We chose to focus on where the problem was worst. And there is also a technical issue in terms of labs; can labs running these tests offer reproducible, accurate measurements? If something tests at 5, is a 5 really a 3, or is a 5 really a 7. So there are some technical issues, as well.

**Neal Baer:** Thanks. Definitely grist for the writer’s mill.

Cynthia Babich is next. She’s the Cofounder and Director of the Del Amo Action Committee. And she’s a grassroots environmental justice community group leader. She works on issues of toxic waste in communities, and she became a community advocate while dealing with the legacy of DDT contamination in her own neighborhood. So I want her to tell us her story.

**Cynthia Babich:** Thank you very much.

**Neal Baer:** Thank you.

**Cynthia Babich:** I think it’s been about 12 years that I’ve been involved in this nightmare, the toxic contamination nightmare. I remember when I moved into my community, it was a very nice Latino community in the unincorporated Harbor Gateway area. And I thought, “Oh, wow, how nice. There’re chickens and dogs.” I’m one of those animal people. It’s not that I don’t love kids but I just, you know, have as many animals as I could
And here you are, sick and dying, and you’re ready to start trying cancer treatment medicine because you’re so desperate, you want to get better. I was actually at the point where, since I don’t have children, I was starting to give my belongings away to my family members. My husband and I were pretty much resigned – people die, you know.

BABICH

possibly get my hands on. I thought, “What a wonderful place this is, this big open space in the back of my house.” And I settled right in.

It wasn’t long before we started noticing strange smells in the community. And I remember thinking one of my dogs had been bitten by a black widow or something, because it was kind of staggering around. It actually looked like it had had a stroke. I thought, “That’s just kind of weird.”

There were these subtle things that you don’t really pick-up on and you don’t really focus on.

So I had a couple surgeries. They took out one of my ovaries and looked around in there, and pretty much said it looked like glue inside, and if they kept clipping they would just be creating more of a problem. We

And all of a sudden, I started getting really sick. I’d consider myself pretty much a normal person in the medical area, maybe not in my mental capacity, but medically. And doctors just could not put their finger on what was going on with me. They came up with some of the strangest diseases. They diagnosed me at one point with Crohn’s Disease, telling me if I didn’t get a colostomy bag my husband would leave me because I couldn’t take care of my womanly duties. You know, really bizarre things like that.

And here you are, sick and dying, and you’re ready to start trying cancer treatment medicine because you’re so desperate, you want to get better. I was actually at the point where, since I don’t have children, I was starting to give my belongings away to my family members. My husband and I were pretty much resigned – people die, you know.
ended up moving a few houses down on the same block in the same area because it was a nice little house where I could have more animals. And I started getting a little bit better, and, of course, I was recuperating at home.

One day my neighbor yelled over and said how good I looked, what kind of a diet was I on? And I said, “Oh, the wrong kind, the death diet.” By that time I was doing a little gardening work, because I think when you come so close to something like that you realize life is really fast and if you don’t enjoy your life and live in the moment then you might turn around and not be able to do anything. It was that serious.

So I put in this beautiful organic garden, and I still did not have a clue that I was actually living on top of a toxic waste dump. My dad, who was also ill at the time with a different kind of disease, decided that he had to pass on traits to me so I could survive off the land. I don’t know what time he thought we were living in, but he decided I needed to have 12 little baby chicks. I had to draw the line at starting to raise pigs and things like that because I thought, “Oh, my gosh, what’s he going to have me do there?”

I got these little baby chicks that were just the tiniest little things. I’m the big mom, so I would be with them in the cage, and I noticed they weren’t looking so good. Everybody said, “You know, not all of them are going to make it.” And I’m like, “You don’t know. I’m the mom, they will all make it and they will all be happy and healthy.”

And about that time my nose started bleeding, off and on. I thought, “That’s kind of weird, that hasn’t happened since I was a kid.” While
cleaning house one day, I emptied the trash in the bathroom, and noticed some more tissues with blood. And I thought, “Those aren’t mine.” I asked my husband, “Has your nose been bleeding?” He said, “Yes, it’s been bleeding for about three weeks.” And he’d been up every night getting sick to his stomach.

We just really didn’t know what was going on. People came to the house and said they could smell some kind of a poison or Raid. And I am not a poison person. I don’t use that kind of stuff.

I remember sitting there one day looking out my backyard at this big, nice empty field I would let my dog go running into through the breaks in the fence. And I saw this tiny little blue sign that said “Del Amo Hazardous Waste.” I will never forget that day. I felt even more ill to my stomach and thought, “My God, what does that mean?”

So I started asking questions. I called Environmental Affairs. They said, “What do you want to know? There’s the Del Amo Superfund site behind your house.” I said, “Well, what’s Superfund?” They explained, “Those are the most toxic sites in the country. You should really call the EPA.”

I called the EPA and they said, “Great news, Mrs. Babich, everything is fine. We tested your yard a few years ago and everything was great.” I said, “Well, thank you, Environmental Protection Agency – what a great name – could you please send me some information on that?” And they did, and I found out that people had been complaining about bloody noses and rashes for 40 years, and by this time I had a pretty good rash going, as did my neighbor across the street.
Now, I won’t use any foul language because I promised my good friend, Martha, that I would be on my extra best behavior today, but I got really mad. I got really mad that this wasn’t the law of averages. My community had actually been targeted because it was a Latino community of color. I looked around at these people who were so happy just to be somewhere where they thought life was going to be better for them, and I really felt the need to do something about it.

That’s when we formed our group, and we started finding out that a lot of our other neighbors were having miscarriages. We’re probably some of the few people who have ever read the toxicological profile on DDT, which I don’t recommend before you go to bed. I was like, “Wow.”

So this is what Superfund is when you actually live on a Superfund site. You realize there are some good people in agencies. There aren’t very many, but there are some good ones. And we really needed to partner with those people and try to find some answers.

I certainly agree with what Dr. Sinks said. You don’t need to test us and keep testing us for 40 or 50 years. We were able to get some of the polluters in our community – because we have three Superfund sites – to actually buy some of the homes before the market values fell off the chart so that people could get out of the area. We got the homes torn down, and now we’re working to get it cleaned up because the EPA and all the agencies have sent really nice letters saying, “Go ahead and put your park in, it’s time.”
So the work goes on. I luckily don’t live there anymore, but I know a lot of people that still live there that are counting on somebody to stand up and do something. It’s a really long process. When Martha told me about all the great work you guys are doing, I thought, “Yeah, people need to know what’s going on.” Because I sure wasn’t equipped with the right tools to focus on what was going on, and it’s been a nightmare. It scares me now what we know about DDT. There’s still little children being born with birth defects in this community that I, someone who didn’t even take chemistry in school, can figure out. Yet it seems like a lot of other people can’t figure it out. And if you can’t do the cause and effect, then let’s be cautious about it, and let’s save some lives.

That’s my short, tiny little version of my 12-hour saga.

Neal Baer: Thank you. We’ll move on to Elvia Hernandez who is an Environmental Health Educator for Pacoima Beautiful, a community-based nonprofit environmental justice and health organization based in Pacoima, California.

Ms. Hernandez, you’re currently working with the Department of Toxic Substances Control and the Water Board to help clean-up two Pacoima toxic sites. How did you get involved? What brought you to these projects, and what are you doing to clean-up those sites?

Elvia Hernandez: That’s part of my speech, and you will get that answer once you hear my story. My name is Elvia Hernandez. I am a mother of three children, and my story is that my husband and I wanted to buy a house because we were living in a small house. We saved money, we
Because my husband and I were so happy to buy a house, we didn’t pay attention to the fact that the house was built pre-1947. As we did all those repairs, we poisoned our children with lead... Pacoima Beautiful trained me about lead and how bad it was for children, that it causes brain damage, problems with behavior, and many other bad things. As the trainer was training me, I said, “Oh, my God, oh, my God, I did that.”

HERNANDEZ

worked very hard and we saved money.

And I realized my American dream. My family was very happy. My children finally had their rooms. But because there was no money left to do repairs, we had to do them ourselves. At that time I was three months pregnant. I had a two-year old and a four-year old. So I started scraping and sanding, because we got the house from HUD and HUD sells houses “as is.”

Because my husband and I were so happy to buy a house, we didn’t pay attention to the fact that the house was built pre-1947. As we did all those repairs, we poisoned our children with lead. And then I joined Pacoima Beautiful, still knowing nothing about lead. Pacoima Beautiful trained me about lead and how bad it was for children, that it causes brain damage, problems with behavior, and many other bad things. As the trainer was training me, I said, “Oh, my God, oh, my God, I did that.” All those bad things, I did them.

The next day I told my two children we’re going to the doctor, and we’re going to ask for the lead blood test. That’s the only way to know if they have high levels of lead or not.

So I went to the my daughter’s doctor – I had insurance at that time, private insurance – and I told her about the dust from our repair work and that I wanted my daughters tested for lead. And the doctor said, “Why are you so worried about it?” She was calm. I said, “I’m very worried because I just learned that lead is very bad for my children, and I want you to test them now.” And she said, “Okay, let’s do it.”
The result came back: 15.3 micrograms per deciliter. But the doctor said, “Don’t worry about it. The State of California says 20 micrograms per deciliter are okay, so your daughter is just fine.”

I told her, “How can you say that this is fine? I know that even small levels of lead can be very dangerous.” And she just said, “It’s fine, don’t worry, come back in three months.” That was it. I got so mad hearing that. I thought about the mothers that don’t have any information, and they just get stopped right there. Someone tells them, “Don’t worry.” Because at that time I trusted doctors. I thought she was a good doctor, she went to school, she knows stuff, and I’m just a mother. And now you know what I think? Maybe doctors don’t know that much, because I found out they just get six hours of environmental education.

So I decided I wasn’t going to fight again with this doctor. I went to the public clinic. I took my two-year old daughter, and that was worse. When the receptionist saw us, she said, “Your daughter looks normal, she looks fine, healthy. She doesn’t need that blood test.”

And I told her the same story about the house and the repair work. And she still said, “No.” I had to hassle her. I told her, “You have to do it. Call the doctor.”

She tried to stop me there. She was lying to me, she said, “Maybe in another clinic your child was tested already.” And I said, “Okay, if the test was done here or wherever, get on your computer and show me how many micrograms per deciliter.”
And she said, “What? Micrograms per deciliter?” She called the nurse and said, “This lady’s talking about micrograms per deciliter, what is that?” The nurse told her to send me to the doctor. And we finally got the test.

Thank you, God, that I found Pacoima Beautiful. It’s provided me with training and information. So now what am I doing? I decided to be a community organizer. We did trainings for physicians so they would understand our perspective, the mothers’ point of view. Before, they tried to stop us because we weren’t empowered. We didn’t have access to that information.

I listened to what the person from CDC said. All those children from Africa getting placed in those houses is exactly what happened to me. What are you waiting for? And he was right when he said, “Don’t wait for the study to get done; just push for it, have them cleaned up.”

So use the things I’m saying, use them by yourself, and do it, you know? Because there’s not only the issue of lead in my community. We have many, many issues in our community. I care about my children. That’s why I decided to be a community organizer because I know that I can make a difference and I can push for that clearance, push for the clean-up. Yes, I will.

Neal Baer: Thank you very much for your story. Our last panelist is Dr. Paul Rosenfeld. After he speaks we’ll open up the panel to some questions. Dr. Solomon has to leave, though, to catch a plane, so don’t mind
when she scoots out.

Dr. Paul Rosenfeld is an Environmental Chemist at Soil, Water, Air Protection Enterprise and an Assistant Professor at the UCLA School of Public Health. And he provides litigation support, risk assessment, and modeling on air pollution, surface water, ground water, and waste water investigation and remediation.

Dr. Rosenfeld, what do you think are the biggest problems we face today in major urban areas versus rural areas? And can you give us some stories about what's going on?

Paul Rosenfeld: That was the nicest question. Okay, I’m going to talk really fast. I have a book that just came out entitled “Toxic Legacy.” We’ve ranked the 40 largest cities in the United States, looking at air pollution, water pollution, and pesticide residue pollution. Guess which U.S. city is the most toxic to live in? L.A. We win!

Unidentified Audience Member: Los Angeles.

Paul Rosenfeld: L.A. We win! We’re so good at so many things. Okay. I’ve provided a list of 21 brilliant ideas. They’re colorful handouts. I want to go down the list quickly. I’m going to talk very fast, so you’re going to have to wake-up and actually be conscious, okay? Let’s go.

Number one, mercury contamination. There are eight chloral alkaloid facilities in the United States that are allowed to discharge as much mercury into the environment as all coal-fired power plants. The technology is old,
antiquated, criminal. Through my UCLA research we found increased rates of missed days of school, which could be assertive for autism and babies born without brains.

Number two, Montrose Chemical, have spilled thousands of pounds of DDT off the coast of L.A. in Long Beach and now you can’t eat the fish in L.A. If you go fishing in Long Beach, you’re catching DDT-contaminated fish. Do you know the bald eagle is extinct in Southern California because of Montrose Chemical? Now you do.

Every landfill in the United States is a Superfund site waiting to happen. The landfills emit gases. I’m working on cases all over the place where gases are coming out of the landfills and literally killing people. I’ve actually seen people die from the gases from landfills.

Number four, Treasure Island, California. I worked for the Navy for a few years. I was the Remedial Project Manager there. I learned the Navy can pollute the environment, and you can’t sue them. Doesn’t that suck? The Government is immune from all liability. They contaminated all these soldiers with PCBs and they’re going to have to tear down 1,000 homes, but they have absolutely no liability. I think that’s interesting, something to think about.

I’m going to skip to number six, Smelterville, Idaho. I did a lot of my Ph.D. research there. Here’s an interesting correlation. I found a strong relationship between the Aryan nation and lead poisoning. Now, I know this sounds absurd but white supremacists that live in Cour D’Laine, Idaho, have been poisoned by one of the biggest Superfund sites in the United
States – Smelterville, Idaho. And guess what? They had some of the highest lead concentrations reported in history, and they were all white supremacists. I fit in, because of the way I look, but my last name’s Rosenfeld.

Number seven, the Port of Los Angeles. The Port of L.A. kills 1,500 people a year due to diesel particulate emissions from both boats and diesel trucks. I did that air model. I’m working on that. The Port admits they kill 1,500 people a year. It’s an environmental justice issue, because it’s mostly poor people.

Skipping down to number nine, Braidwood, Illinois. I’m working on this one right now. This wonderful company called Excelon runs a nuclear power plant, a privately-owned nuclear power plant. They spilled 3 million gallons of radioactive water on a community and didn’t tell them. Now, everyone has to drink bottled water and they can’t sell their homes, and the power plant says “We’re immune. Forget you guys.” Excelon is evil.

Let’s see, Georgetown, South Carolina. International Paper burns wood that has chlorine on it and has contaminated communities with dioxin all over the nation. They’re one of the worst 100 polluters in every city that they’re in.

Number 11, is another case I’m working on; I was there this week. CITGO Oil, owned by Hugo Chavez, the Venezuelan guy, spilled a million gallons of slop oil, containing hydrogen sulfide. And everyone in that community had their lungs fried because the hydrogen sulfide turned into sulfuric acid and benzene. The whole community basically can’t breathe well
anymore.

I’m going to skip down to number 14, one of the biggest examples of how the oil companies lied to the EPA. The oil companies said, “MTBe won’t contaminate the groundwater, and it’s not a problem.” The EPA said, “Good. Let’s add it to gasoline to clean the air.” It ended up contaminating over 2,200 water systems. The oil companies don’t want to pay for the clean-up, but cities want them to cover the costs. It’s in litigation in Federal Court right now. We’ll see how that gets resolved.

I’ve only got one more and I’ll quit. Number 15 is one that’s a really big deal. Agricultural communities in California, which are typically poor, have been treated with a chemical called Telone. It’s a fumigant created by Dow and Shell which is applied to the ground and it kills little white worms that eat all the broccoli or whatever – tobacco, grapes, tomatoes.

Well, instead of magically volatilizing and becoming a gas, it magically sank to the bottom of all the aquifers in central California, and now we’re drinking it in over 300 water systems. It’s considered the eighteenth most carcinogenic chemical known to man according to the EPA. Dow and Shell, ironically, don’t want to pay for it to be filtered out of our drinking water. Imagine that.

Finally, the last one I’ll point out is one of the biggest problems in the United States, which is TCE and PCE pollution. Basically, anyone who lives near a drycleaner is breathing these chemicals. It’s in groundwater all across the nation. Every Navy base has so much liability because they’ve let this stuff leak into the groundwater. But because the government has
Finally, TCE and PCE pollution. Anyone who lives near a drycleaner is breathing these chemicals. It’s in groundwater all across the nation. Every Navy base has so much liability because they’ve let this stuff leak into the groundwater. But because the government has spilled so much of it, they don’t want the regulatory limit to be set at a certain level. They interfere with regulators who say it’s very toxic.

So that’s basically my philosophy. The government tries to protect us – sometimes. Industry pressures the government, so sometimes you basically have to sue industry in order to get the outcome that you want. That’s my closing sentence.

Neal Baer: Thank you. You’ll keep us all from sleeping tonight.

I have a question, then I’ll open it up for discussion. Both Ms. Hernández and Ms. Babich talked about DDT, so I guess this is to Drs. Sinks and Solomon. There’s a lot of discussion about DDT and the use of it in Africa as an anti-malarial because, as probably most of you know, malaria causes a high number of deaths amongst children and adults throughout Africa. And we know that DDT is effective. When it was used the malaria rates went down.

So it’s not simply that some people are bad and some people are good, obviously, but some things do really work. How should we think about this issue of DDT and malaria, a common disease that can be prevented, where the alternative, mosquito netting, is so expensive, even if the Gates Foundation is pouring in money for that? And how does this case make us think about things in the United States?

Cynthia Babich: I’d love to take a crack at that. I think there are really
two issues here. One is, how much money are you willing to spend? You know, historically, countries haven’t been willing to spend as much as it takes to eradicate malaria or beat it back. There are lots of ways to fight malaria. DDT just happens to be cheap.

It is fairly effective, but there are other effective methods. They just cost more. So the issue ends up being, let’s cut corners and do it cheaply.

That brings me to the second issue, which is health and health tradeoffs. Because there’s been enough research now on the health effects of DDT to have uncovered a very interesting health fact, which is that DDT is a hormone disrupter that interferes with both estrogens and androgens. It mimics them, basically.

A number of studies on populations have shown that DDT exposure markedly shortens duration of lactation. Women who are trying to breast feed can no longer breast feed because they no longer produce milk when they’re exposed to higher concentrations of DDT.

What that means in Africa is that babies of those women end up being switched to infant formula, which is often mixed with water of very uncertain quality. So you end up having on the one hand deaths from malaria, on the other hand deaths from infant diarrhea and dehydration, two of the top causes of death in Africa.

So, in my opinion, I’m not totally opposed to ever using DDT, because there are certain situations – when there’s an epidemic – that it may still have a role. But what I’m suggesting is let’s try not to have these...
tradeoffs. Let’s go for a third way, which is safer alternatives to get rid of malaria.

**Neal Baer:** Thank you. Dr. Sinks?

**Thomas Sinks:** A terrific question. Let me say, I’m not a DDT expert in terms of exactly what the tradeoffs are and the cost benefits of DDT versus some other pesticides. I will tell you that, if we have another choice that’s as cost effective, we ought to be considering it, particularly if it has less risk. But let me put a different perspective on it for you.

Pesticides are used primarily to protect agriculture. In L.A. several years ago, they were spraying Malithion on all of you, not to protect your health but to prevent the fruit fly from destroying crops. DDT is being used – if and when it’s being used – not to protect crops, but to prevent malaria. And DDT played a dramatic role in eradicating malaria, which was an endemic disease, in the United States.

The Centers for Disease Control used to be the Malarial Control Center, based in Atlanta. It’s the only federal agency based outside of D.C., primarily, because that’s where we were established to eradicate malaria. DDT was one of the many different tools used and we now no longer have malaria in this country. Malaria could, however, come back if certain climate change predictions come to pass.

It’s very important for us to have a wide array of tools to deal with really difficult issues and diseases like malaria. I would prefer not to judge from a distance. We are a very far distance from a remote area where...
there’s endemic malaria, and judging for the people who live there what tradeoffs they would choose for their health and their children regarding DDT use. We know about the environmental risks for DDT. They are severe. The work Rachel Carson did, which was one of the lightening rods of the environmental movement, was all based on DDT. We shouldn’t forget it. We need to know it. And I think one of the things about past DDT use is the knowledge we’ve gained from it.

So I don’t want to judge whether it should be used or not. It is a tool and we need to have those tools.

Neal Baer: Thank you. All right. We have a little bit of time left, so let’s open this up for questions.

Unidentified Audience Member: Are we deluding ourselves when we look at the environmental issues within our own homes, the off-gassing of materials used in furniture construction? It hasn’t been mentioned. You’ve talked about large scale issues. When we look at managing our homes, where does that fall on the scale of preventing health hazards for us?

Neal Baer: We’ll just go down the line, and limit it to a very brief, one-minute response. So we’ll start with Dr. Thomas Sinks.

Thomas Sinks: So your question is about indoor air pollutants and off-gassing and things like that.

Neal Baer: Is that a threat?
Thomas Sinks: Well, Paul and I actually were discussing this a little earlier, and I'll use asthma as an example. Asthma is huge in the United States: 20 million people have it; 500,000 are admitted to hospitals every year with it; 4,500 people die from asthma every year. There are risk factors in ambient air, but indoor air is a major factor in how people are exposed to organics and various irritants. It does cause a significant burden of asthma.

The interesting thing about the indoor environment is you're the regulator of your home and what's in it. The federal government does not really tell you what should and shouldn't be there. The closest we come are the standards we put out for lead and radon in terms of guidance and advice, but we don't regulate it. We do regulate some issues surrounding people who clean-up lead and asbestos. But it's a big issue and it does have a big burden on disease.

Neal Baer: What do you think about that, Ms. Babich?

Cynthia Babich: Well, my mom keeps buying those plug-in air-freshners. She thinks it's making her house smell good, but she has horrific asthma, so I keep saying, "I want your house to smell good, too, but let's try some of the things we used to use. What about vinegar and water?" I can't even put chlorine bleach in my laundry anymore because it just takes my breath away.

I don't know if Dr. Solomon will talk a little about the things they're finding in the cushions and padding in our furniture, the formaldehydes and
such. As consumers we expect products to be safe.

You know, now they’re putting a Winter Fresh smell into RAID and products like that. One of the great things PSR has done, is list alternative household solutions. We want to get these ideas out into our community because we feel like we’ve already been poisoned once, by DDT.

How can these folks who are already carrying a body burden – maybe from the country they came from where DDT is still used – how can we say to them, “Ooh, that’s too bad, you have to have a stinky house or let the rats run through the woodwork.” We ought to be able to offer them workable alternatives.

There are a lot of things people can do. There are a lot of websites out there where people have done that kind of research. But the first thing people need to do is to become aware that just because they’re buying it off the shelf doesn’t mean it’s safe for them or that these things don’t accumulate in their bodies. That’s one of the bad things about DDT: it’s bio-cumulative. One of the only ways you can get it out is breastfeeding your child. How do you handle that? On the other hand that’s the basic, important source of nutrition that a baby needs, and it does this repair. How can a mom try to decipher these kinds of things, if we don’t have the right information and tools in front of us or we don’t even think about it.

**Neal Baer:** Dr. Solomon, is it a matter of choice simply or if it’s not, then what can one do?
The laws that govern introduction of new chemicals into the market in the U.S. are so full of holes that chemicals are usually put on the market with zero scrutiny for health effects.

**SOLOMON**

Gina Solomon: One of the most common myths people believe is that if it’s sold in a store somebody has tested it and discovered that it’s safe. That’s not at all the case. The laws that govern introduction of new chemicals into the market in the U.S. are so full of holes that chemicals are usually put on the market with zero scrutiny for health effects. Laws governing safety of consumer products are focused on things like choking hazards for kids, but aren’t really looking at toxic hazards.

So there are plenty of things that you can go out and buy that are really not safe to have in the home. We could list a whole bunch of specific things – I’d be happy to do so if you’re interested, but I don’t think that’s necessary to dispel that myth.

Neal Baer: Okay. You had a question?

Unidentified Audience Member: I live in Echo Park and my community filed a lawsuit against Los Angeles Unified School District because of a site where it wants to place a school. The school would be located at Alvarado and Sunset. We went to the board and my particular concern was the air pollution and how it would effect the children. Would you be willing to become involved in that lawsuit?

Paul Rosenfeld: Sure.

Unidentified Audience Member: You would. I’ll speak to the attorney.

Neal Baer: Okay. Thank you. Yes?
Unidentified Audience Member: I wonder if any panelists have an opinion of the clause in the E.U. environmental proposals that essentially kind of turns our system upside down? Rather than prohibiting chemicals once they’re already in the marketplace, it mandates that they qualify at some point before they’re introduced. Do you think that’s workable here?

Paul Rosenfeld: Well, the General Accounting Office is not a liberal bastion of radical hippies, right? They wrote a scathing report that the EPA TSCA, Toxic Substance Control Act, was doing a horrible job because there are 80,000 chemicals that haven’t been tested on either lab animals or people. No testing at all.

Why does the GAO care that TSCA is doing such a lousy job? Because they’re worried about the liability all these huge corporations are going to face by dumping billions of pounds of unknown, untested chemicals into the environment. I think our government is dropping the ball in protecting human health in the environment.

Neal Baer: Yes?

Unidentified Audience Member: I live basically in the Erin Brockovich community. We’re in the process of fighting what would be the largest, open-air sewage sludge dump, west of our town. The EPA is being used against us. The Air Quality Board is being used against us. We pretty much lost the first round. I don’t know if you heard about that. One of the questions is “What’s in the sludge and should it be spun around in the air 8 miles from my kids’ school?”
Paul Rosenfeld: You’re going to be breathing a lot of poop.

Unidentified Audience Member: Is there any way to stop it, though? I mean as far as –

Paul Rosenfeld: In terms of closing the facility, like they mandated in southern California? They don’t want to do that because it’s not cost effective and you’re a poor community.

Unidentified Audience Member: Right.

Paul Rosenfeld: They asked me to work on that project. You guys are just going to get a bunch of crap in your neighborhood and breathe it. Enjoy it, it will be nice.

Unidentified Audience Member: Well, maybe we’ll look for a writer when we get sick and we can make a movie together.

Cynthia Babich: You just need to fight! That’s what you need to do. You need to stand-up and tell them to take their you-know-what somewhere else. That’s what I think. If people had told me all the things we couldn’t do in our community when we started our work, we wouldn’t have had the first clinic of its kind in the country. It wasn’t perfect, but it was another way of dealing with it.

And you’d just be amazed what you can do when you and your neighbors stand up and get those kind of things stopped. I think being a good victim is a crime that we do to ourselves. And I know you’ve got some excellent
people trying to do their best to help you out there, Jane Williams being one of them. That woman rocks! I’ll be right there by her side when it’s time for you to call in the troops.

**Neal Baer:** So give us a concrete example of what he could do.

**Cynthia Babich:** Well, we started going around and talking to our neighbors and getting them together. We would have public meetings where we’d have 150 people until the EPA started having one-on-one listening sessions. We started getting it out there, and people would say, “Oh, my God, a bloody nose? Have you been looking in my window? I have a bloody nose.” You know, “One of my chicken’s livers exploded.”

I always believed that if I could just bring this to the people, they would do the right thing. We’re going to do the right thing. Get angry, is what I say. I’ve never hit anybody, I’ve never spit on anybody, I’ve never done any of that, but you know what? I will get in your face, and I’m not lying about it. This stuff is affecting people’s kids.

So those are some of the things: just stand up, read and research. Who wants to read the DDT tox profile unless you’ve been poisoned? It was very illuminating. I don’t think enough people read that information and share it with other people. That’s what humanity is about, you know? So you fight.

**Neal Baer:** Yes?
Unidentified Audience Member: We’re living in an ecological society. Is class-action the only way? It seems like there are no environmental cops who are really protecting us.

Paul Rosenfeld: Class-action doesn’t work anymore because Bush federalized all class-action lawsuits. Look at number 13 on my list, the last state class-action lawsuit filed in the United States was for contamination in the State of Illinois. Now all class-actions have to be in federal court, so class-actions have basically been destroyed by the Bush administration.

Neal Baer: Dr. Sinks, what do you have to say about that?

Thomas Sinks: Wow. I guess I would say it’s easy to look at these things as all or nothing, but the reality is it’s not an all or nothing proposition. Environmental protection has actually been very successful in drinking water, in air pollution and what’s coming out of the millions of cars in California. California has been on the leading edge of setting environmental controls on many of the things the federal government has adopted, and there have been very significant success stories.

The other side of the coin is there’s a whole lot more we can do, and we can do it better and we can do more of it. There’s also a lot of things we don’t know. The reality, I think, is that for those issues that we do know and have good information about, we shouldn’t wait. One of the sidetracking ploys used by people who don’t want to see action taken is “Well, you don’t have enough information, do a big study.”
I just want to say if you’ve got the information, you need to act on it. Of course, there are times when we overreact. I’ll just throw out the issue of mercury as a perfect example. There was a huge fear created about immunizations being dangerous because they had a small amount of Thimerosal in them. Yet one of the biggest tools in increasing the survival of people in this country over the last century has been immunizations. None of you have ever had smallpox. 100 years before immunizations, 70% of you would have had smallpox. And the issue of mercury being tied to autism, which is what that fear is about, is theoretical and we need to be open-minded. We ended up getting the Thimerosal out of almost all of the vaccines.

But if we look at it as all or nothing, it's, “My God, don’t immunize your child,” and then you put them at risk of mumps, of all of the infectious diseases, which have caused far more deaths to children in this country and throughout the world than this issue with mercury, which, nonetheless, is a very real issue.

So there does need to be a balance. You do need to look at these things objectively and open-mindedly. And where you’re going to get action isn’t you as a single voice, but you as a community and the people around you who elect the people that represent you. There are a lot of tools out there.

Neal Baer: Thank you so much for all of your comments and stories. It’s great to hear the individual, valiant stories that you two have fought, so we really appreciate Ms. Babich and Ms. Hernandez sharing your stories with us. Thank you, Dr. Sinks, Dr. Rosenfeld, and Dr. Solomon. One last
Unidentified Audience Member: Is there some solution that you advocate?

Neal Baer: Well, Dr. Sinks?

Thomas Sinks: I will tell you that every day all of us are faced with what is it we’re empowered to do and what we can do versus what is the right thing to do. I guess I hope that most of us choose to do the right thing rather than to do the thing that we can do.

You know, the federal bureaucracy is a bureaucracy, and we are often hamstrung by the laws and the groups that want to see that those laws work a certain way, so there are restrictions.

Cynthia Babich: When the crisis in our community began, we wished we were in a FEMA-type situation. In fact, we attended workshops that this merging agency, ATSGR, sponsored about the “psychological effects of living near a hazardous waste site.” And what they found was that tornados and hurricanes and earthquakes are really bad, but the effects of living on top of a toxic site never go away.

You know, the EPA actually hired a consulting firm one time to put out these little tapes in our neighborhood in Spanish saying “What is wrong with Cynthia Babich? She won’t let us take the DDT away.” They didn’t tell them that they were shipping the DDT to an all black community in Port Arthur, Texas and burning it and creating dioxin.
So these problems can be very complicated. Sometimes just getting the people out of harm’s way is the best you can do. I swear I know they don’t have a secret powder they could sprinkle over it and make it go away, and they’re just withholding it.

But you can’t have people living on top of it; it’s bio-accumulating in the chickens that people are eating in this community. I sure don’t want it. I went to Port Arthur, Texas with Jane Williams, and my heart was broken. I felt like an accessory to murder. Then they found the next motherload of DDT in the community and it’s now stockpiled at the facility that it came from while we try to figure out what we’re going to do with it as a whole.

Neal Baer: Ms. Hernandez, do you want to have a last comment?

Elvia Hernandez: I hope this testimony helps, and I really would like to see action. I attend so many meetings. I hope I’m more than just “good testimony.” We take this issue seriously, because it’s a very big issue. Nobody takes the blame. They just wash their hands of it.

And because we’re poor they think we don’t really have value, but we have value. We value ourselves, and we’re going to continue to organize ourselves and make our lives better and also bring justice because at this point there is no justice in our community. I don’t have justice, so I’m going to continue. Thanks.

Neal Baer: Thank you. Dr. Rosenfeld?
Paul Rosenfeld: Okay. Last comment. As a guy who’s worked on a lot of these cases, when you read the e-mails these polluters write, they know they’re doing it. And if you look at the amount of money they spend on their defense attorneys rather than just cleaning it up, we could have solved a lot of the problems a long time ago. In closing, I think the best thing to do would be to make defense attorneys illegal.

Neal Baer: Thank you, everybody, for coming. If you have other questions, our panelists may stay around for a moment so that you may ask them.