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## Celebrating a Toxic Legacy's End

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In [my story](#) from last night about the massive amounts of trash piling up north of the border in southern San Diego County, one sentence summed up why the problem persists:

The problem falls into the intractable policy gap that often defines the border environment.

On Wednesday, activists and government officials will converge in a Tijuana industrial park to celebrate one of the rare cases that bucked that trend. After more than a decade of waiting for a pollution cleanup, Metales y Derivados, a former Tijuana lead smelting business, is no longer contaminated.

Metales recycled American car batteries before Mexican authorities closed it in 1994. Batteries were sent there and cracked open with an ax. Lead was yanked out, melted down and returned to the United States.

When the business closed, the battery casings and much of their lead remained. Its owner, Jose Kahn, fled Mexico after criminal charges were lodged against him alleging violations of Mexico's environmental laws. The elderly man moved to Point Loma, where he died in 2005 without ever being prosecuted. U.S. officials couldn't extradite him to Mexico to face the charges.

When [we visited](#) the still-polluted site in 2006 -- 12 years after the business closed -- the soil was severely contaminated, garbage remained and a Guatemalan immigrant appeared to be living at the vacant site, which was supposed to be secure. Residents of Colonia Chilpancingo, a neighborhood down the hill from the site, had been fighting for years to get the lingering waste removed. They feared that it was affecting their health.

From our 2006 story:

Neighbors in nearby Colonia Chilpancingo still look to the hillside that towers above them and worry about the remaining contamination. Rains bring rancid runoff down the hill, breezes stir up puffs of dust.

In the years since Metales opened, babies have been born with birth defects in Chilpancingo, a tin-roofed neighborhood of 10,000 people. Women have miscarried.

Such troubles occur in communities around the world. But here, in Colonia

Chilpancingo the question becomes: Is Metales to blame?

Now the waste is gone. At least 4,000 tons were hauled away; another 42,000 tons of contaminated soil have been buried in a lined cell on site. The Mexican government spent an estimated \$1.5 million on the cleanup with the U.S. Environmental Protection Agency contributing almost \$100,000.

"It's a historic cleanup," said Amelia Simpson, director of the border justice program for the National City-based Environmental Health Coalition. "Never before have two governments worked together and with the community to clean up a toxic site in the border region. The satisfaction comes for the community -- it wasn't done for them, it was done with them."

Excavation of the contaminated soil was finished in April 2008, Simpson said. Remaining mitigation work -- including building a wall to keep people out -- was finished within the last week.

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