

Environmental Health Coalition

COALICION de SALUD AMBIENTAL

401 Mile of Cars Way, Suite 310 ♦ National City, CA 91950 ♦ (619) 474-0220 ♦ FAX: (619) 474-1210
ehc@environmentalhealth.org ♦ www.environmentalhealth.org

MEDIA RELEASE

For Immediate Release

Contacts:

Amelia Simpson: (619) 474-0220 ext 116

Mobile: (619) 952-5568

Magdalena Cerda (Español): (619) 474-0220 ext 117

Mobile: (619) 307-1695

Lourdes Luján: 011.52.664.647.7766

Community celebrates start of long-awaited Tijuana toxic site cleanup

Demands for public participation and toxic cleanup are met

(October 3, 2007) – Tijuana, Mexico. Environmental Health Coalition (EHC) and its Tijuana affiliate, the Colectivo Chilpancingo Pro Justicia Ambiental (Colectivo), celebrated today the start of the final cleanup of the U.S.-owned *Metales y Derivados* abandoned lead smelter. “We are very proud this historic cleanup has finally begun. We have struggled for over a decade to find a solution to this terrible injustice. Workers, families, and the environment will be protected from the high levels of toxics left at the site,” said Magdalena Cerda, organizer for EHC’s Border Environmental Justice Campaign.

The 10,000,000 peso (\$900,000) remediation project is financed by the Mexican government, which has already spent 7,000,000 pesos (\$650,000) to remove above-ground contaminants at the site. The final cleanup, for which Almaco Construcción y Diseño S.A. was awarded the contract, is expected to take two to three months. The U.S. EPA approved a \$20,000 grant, distributed by the Border Environment Cooperation Commission, to support independent community monitoring of the remediation project.

In 2004, a landmark agreement was signed by community residents and Mexican government officials that established a *Metales y Derivados* Working Group to oversee the cleanup process. The working group, consisting of Colectivo members, EHC, and Mexican and U.S. government officials, “can inspire other communities in addressing environmental injustice,” said Evangelina Langarica of the Colectivo.

The cleanup plan calls for excavation of a pit on the site, where 15,400 cubic meters of contaminated waste mixed with concrete will be contained in a lined cell. The cleanup will be completed ahead of the June 24, 2009 deadline established by the 2004 agreement. “We are pleased that this binational, community-driven effort has been so successful that the site will be cleaned up even faster than the agreement called for,” said Yesenia Palomares, a member of the Colectivo.

“A final remediation plan represents a historic moment for my community, the environment, our cross-border region, and Mexico,” said Lourdes Luján, a Colectivo member and long-time resident of colonia Chilpancingo.

Although the community wanted the removal of all contaminants, they approved the proposal with the following conditions:

- implementation of a Community Health and Safety Plan to inform residents of the cleanup process and respond to questions and complaints;
- resources for a third party representative of the community to oversee the process;
- placing 10 – 25 centimeters of clean soil over the site; and
- long term monitoring

Enrique Medina, President of Alliance Consulting International, will supervise the monitoring on behalf of the community. “Since many things can go wrong with this kind of cleanup, we’re calling for a series of stringent monitoring procedures to be sure this remediation is done right and the community is protected from contamination during the process and for many years to come,” said Medina.

Luz Elena Félix, a member of the Colectivo, said, “I’m the mother of five. I’m committed to the struggle for environmental justice because of them. What happened at Metales y Derivados is wrong and should never happen again to anyone, anywhere.”

BACKGROUND

Mexico’s top environmental minister made cleanup of *Metales y Derivados* a top priority in June 2004, when Colectivo members and Mexican government officials signed a landmark agreement calling for a four-stage remediation to be completed within 5 years. After removing 1,976 tons of toxics from the surface of the site, fifty soil samples were taken in September 2005. These showed concentrations of lead as high as 200,000 mg/kg. 800 mg/kg is the industrial cleanup level in both Mexico and the U.S.

José Kahn, the owner of the San Diego-based New Frontier Corporation, parent company of the *Metales y Derivados* battery recycler, abandoned the site in 1994 after a warrant was issued for his arrest for allegedly violating Mexican environmental law. The hazardous waste left behind included 7,000 metric tons of lead slag. A 1998 petition filed with the environmental oversight commission of the North American Free Trade Agreement (NAFTA) by EHC and colonia Chilpancingo prompted a report released in February 2002 validating community health concerns about toxic contamination from *Metales y Derivados*. Independent analysis by experts cited in the report confirmed the need for urgent action to halt adverse health effects on people living or working near the hazardous site. However, since the NAFTA commission has no enforcement mechanism, there was no site cleanup.

“*Metales y Derivados* is exhibit A for the failure of NAFTA to protect public health and the environment,” said Amelia Simpson, Director of EHC’s Border Environmental Justice Campaign. “NAFTA encourages industries to operate in Mexico, but leaves citizens and communities with no legal mechanism to compel those industries that pollute their neighborhoods to clean up. The free trade agreements that the U.S. government is currently promoting with Peru, Panama, Colombia and South Korea only perpetuate the same flawed NAFTA model and should be rejected.”

###