



Congress of the United States  
House of Representatives

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Richard E. Greene  
Regional Administrator, Region 6  
U.S. Environmental Protection Agency  
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Re: The former Helena Chemical Company site in Mission, Texas

Dear Administrators Johnson and Greene:

I write to you regarding a matter of great importance to the health of a number of residents of Mission, Texas. The Environmental Protection Agency (EPA) installed an asphalt cap at the site of the former Helena Chemical Company in 1982 in order to comply with a Consent Decree between the Department of Justice and Helena and Tex-Ag Company (the Companies). This action was necessitated because the Companies had failed to properly dispose of toxic chemicals such as DDT, DDE, and toxaphene, leaving these and other chemicals at the site to be absorbed into the air, water, and soil.

Last year, I learned that this 22-year old cap was leaking. This is not surprising, given that asphalt is known to crack and leak, even when it is not all that stands between young children at play and toxic chemicals. According to a December 19, 2003 EPA report ("Investigation Report Helena Chemical Company"), the surface of the one-inch thick cap was noted to be in "overall poor condition," that vegetative growth penetrating the cap was found "throughout the cap area," and that "[v]ehicular traffic and the storage of the trash dumpsters on the site has also *destroyed portions of the cap.*" (Emphasis added.) The cap is leaking pesticides into the air, endangering the health of neighbors.

Deeply concerned about the dangers posed by the chemicals that remain under this leaky cap, my office has contacted Region 6 staff repeatedly to determine when the EPA would finally respond to this hazard. I understand that the EPA will not take remedial action (which could range from repairing the degraded cap to complete removal of the underlying soil) until additional testing has been performed. Thus, one of my primary inquiries has been regarding when this additional investigation would be undertaken.

In May 2004, I was told that despite "no indication that the pesticides had leaked from the cap," that, "the EPA is contracting for that investigation, which we expect to begin within the next two

months.”<sup>1</sup> Interestingly, the Texas Commission on Environmental Quality contradicts the EPA’s assertion that no pesticides had leaked from the cap.<sup>2</sup>

In August 2004, I was told that EPA had not performed the promised investigation, and that it had been stalled by the July death of the landowner.<sup>3</sup>

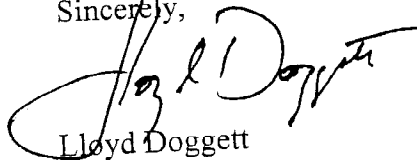
Since that time, multiple calls to EPA’s Dallas office have yielded no response to the following questions:

- When will the promised investigation occur?
- Why do the EPA and the TCEQ differ in their assessment of the risk posed to residents?
- What possible reason can justify this delay when the health of the community is at risk?

At this time, I urge the EPA in the strongest possible terms to begin the promised investigation immediately and notify me immediately that the investigation is underway and when the community might expect to receive the results.

I appreciate your immediate response and an end to the indifference of your agency toward a neighborhood composed overwhelmingly of Hispanics who, while poor in economic terms, are rich in spirit and deserving of much better treatment than the EPA has provided them.

Sincerely,



Lloyd Doggett

LD:cd

<sup>1</sup> Letter from Richard E. Greene, EPA Regional Administrator to Rep. Lloyd Doggett, dated May 26, 2004.

<sup>2</sup> See “INVESTIGATION REPORT HELENA CHEMICAL SITE,” dated September 2, 2003. See also Letter from Mark R. Vickery, Acting Deputy Executive Director, TCEQ to Rep. Lloyd Doggett, dated May 25, 2004 (“The TCEQ has already established that elevated levels of pesticides exceeding health-based cleanup levels are present in the surface areas where the cap is eroded, as well as other uncapped portions of the site. And, that actions to address the site are necessary.”).

<sup>3</sup> Letter from Richard E. Greene, EPA Regional Administrator to Rep. Lloyd Doggett, dated August 25, 2004.