

Plaintiffs in chemical case argue state's lack of focus on health

By SARAH OVASKA
The Monitor

MISSION — With light streaming through the stained glass windows of Our Lady of Guadalupe Catholic Church, two men came to the church Friday to reflect on Mission's past as a large pesticide producer and pray for its future.

The men, both plaintiffs in a 2,800-person lawsuit filed against 33 chemical companies, had seen relatives, friends and neighbors die over the years and fear that their children will face the same fate.

"We hadn't realized what kind of hell we were living in with all the chemicals and pesticides," said Ramiro Barrera.

The lawsuit, filed in 1999, alleges that residents near two former chemical plants, the Hayes-Sammons and Helena plants, had suffered toxic effects from pesticides produced there.

Barrera, who grew up near the federal Superfund clean-up site at the Hayes-Sammons plant, said current remediation efforts by the state are not addressing the real issue of resident health.

Barrera is a pharmacist and serves on an environmental citizen committee focused on the neighborhoods along Holland and Miller avenues.

"Our concern is our children and we don't have the time," Barrera said. "The lawsuit will take care of itself."

Roque Duran, also a plaintiff

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plaintiff

on the suit, agreed that health does not appear to be the top priority for state officials.

"We're putting contaminated soil above a contaminated human," Duran said, referring to the \$2.3 million dollar soil remediation project being conducted by the Texas Commission on Environmental Quality, the state environmental agency. "Why don't we take the human lives and make that the main issue and figure out what's going to happen to the soil after that?"

State health officials have continuously said that contamination levels do not pose an immediate health risk to residents.

The men plan to discuss those issues at a meeting scheduled to be held between plaintiffs and their lawyers, Ramon Garcia, the Hidalgo county judge, and Linda Laurent of Houston's Reich and Binstock law firm.

The meeting will be at 6:30 p.m. Tuesday at Greg's Ballroom

in Mission and discussion will include encouraging residents to have their soil tested by TCEQ and discussions about whether or not to allow additional plaintiffs on the lawsuit, Barrera said.

Kelly Cook, project manager for TCEQ said 38 people have denied the state permission to sample for pesticide contamination. Approximately 141 people have had the soil on their property sampled and 35 of those properties had elevated levels of pesticide contamination.

Neither the Texas Health Department nor Hidalgo County Health Department has conducted health studies of the area except a study done by the Texas Cancer Registry that determine the area did not have abnormal rates of cancer.

J.M. Keenan, the county health director, said that the county health department was aware of the state clean-up project but did not have the resources to conduct a health study.

"The so-called health problems in the area — there is no cancer cluster there if you look at the experts. There is no increase of illness that would ever be reported," Keenan said. "There's no way that we could do that study, you can't just go and knock on doors and ask, 'Is anybody is sick here?'"

Keenan said that some of the illnesses residents have might be related to diet choices. Some medical publications have recently found a connection between corn tortillas and cancer, he said.

"The honest truth is that almost none of the cancer is linked to the environment," Keenan said. "There's been a widely held theory about health effects in the (Rio Grande) Valley. They think it's due to the consumption of corn and corn tortillas."

Barrera and Duran said that the community has not been respected by the state agency involved in the clean-up.

At one meeting, Barrera said he asked a TCEQ employee to specify what the difference between immediate and long-term effects was. The employee responded that putting a gallon of gasoline in a garage in an immediate incident, Barrera said.

"They refused to answer the question, we weren't being treated with respect," Barrera said.

"That's all we're asking for."