



For immediate release: May 21, 2014

Contact Bradley Angel, Greenaction for Health and Environmental Justice (415) 447-3904 x 102
Maricela Mares Alatorre, El Pueblo/People for Clean Air and Water of Kettleman City (559) 816-9298

**Kettleman City Residents, Greenaction and the Environmental Justice Movement
Vow to Fight State Department of Toxic Substances Control's Permit
to Allow Chemical Waste Management to Expand Violation-Plagued Hazardous Waste Landfill**

**Permit to Expand Toxic Dump Based on Racial Discrimination & Fraudulent and Inadequate Studies
Will be Challenged with Appeals, Legal Action, Civil Rights Challenges and Action!**

Kettleman City, CA – In one of the most glaring examples of environmental racism by a government agency in the history of environmental justice, the State Department of Toxic Substances Control/California Environmental Protection Agency has issued the long-anticipated permit to expand the controversial and violation-plagued Chemical Waste Management Kettleman Hills hazardous waste landfill.

Maria Saucedo, whose daughter, Ashley, was born with a cleft palate and other ailments, and died at 11 months, said she felt saddened that the department had even considered allowing the dump to expand. "For them to go ahead and approve this permit means our lives and our children's lives are not important."

Kettleman City resident and Greenaction community organizer Maricela Mares-Alatorre described the permit as "another environmental burden" on the community. "This fight isn't over," she said.

Greenaction and residents are particularly outraged that the state and other agencies essentially held residents hostage by linking approval of the dump expansion to acquiring funding for a new drinking water system that would provide clean drinking water to residents.

"The use of police dogs at a public hearing to intimidate residents, racially discriminatory processes and misleading and fraudulent studies have no place in our state or country, and will be challenged," said Greenaction Executive Director Bradley Angel. "We will not allow this racist and illegal decision to go unchallenged. The battle is on, and David will defeat Goliath. "

Greenaction, Kettleman City residents and their community group El Pueblo/People for Clean Air and Water and the entire environmental justice movement vow to fight this outrageous and illegal decision. Our opposition based on facts, the law and public policy held up the permit for 8 years, forcing the dump to reduce disposal by over 99% as they ran out of space. By forcing such a massive reduction in transportation and disposal of hazardous waste for several years, we succeeded in reducing diesel and toxic pollution in Kettleman City from 200-400 truckloads per day to just a handful.

If the dump expansion is upheld, Chemical Waste Management will be allowed to accept about 400 truckloads a day, posing a major and increased threat to the health of this small community where residents already suffer from birth defects, childhood cancer and other health problems. We will challenge and seek to reverse this outrageous decision.

DTSC issued the permit despite years of violations, racially discriminatory permit processes, flawed and misleading studies, the failure to conduct a cumulative impact analysis, and the state's own CalEnviroScreen tool that ranked Kettleman City among the top 10% impacted zip codes in the state. .

Chem Waste has been cited for violations including years of illegal disposal of hazardous wastes and PCBs, years of failing to conduct some of the required monitoring, failing to report 72 spills of hazardous waste over a four year period, and faulty laboratory results. These chronic violations clearly are grounds for a permit denial, yet the state's decision to issue a permit sends a message to polluters that they can violate their permit dozens of times as Chem Waste has, yet still get new permits.

The State's decision relies heavily on and incorporates into its decision Kings County's Environmental Impact Report that was approved in 2009 with the use of police dogs, police intimidation and racially discriminatory rules that gave Spanish-speaking residents half the time to testify as was given to white employees shipped into the county to pack the "public hearing" held by Kings County. This Jim Crow-style racism makes a mockery of the state's alleged commitment to environmental justice, is a blatant violation of civil rights, and DTSC's reliance on the county's EIR is an affront to justice.

The DTSC also relied on an "environmental exposure" study done in the end of 2010 by state agencies as part of the so-called investigation into the large number of birth defects in Kettleman City. State agencies conducted monitoring of emissions from the landfill and concluded that these emissions could not have caused the birth defects. However, this supposedly unprecedented and comprehensive study was a fraud, as waste disposal was down to much less than 5% of regular operations at the time the testing was done, in contrast to the 100% capacity and waste disposal operations that were in effect in 2007 when the spike in birth defects took place. The state never revealed this enormous contrast in the amount of truck traffic and waste disposal operations between the time the birth defects took place and the time the testing was done several years later.

El Pueblo and Greenaction will both be filing Petitions for Review to the DTSC, asking them to review their decision. If as expected they rule against our Petition, the permit will be challenged with legal action and with administrative complaints that will allege, and document, serious violations by the DTSC and San Joaquin Valley Air Pollution Control District of state and federal civil rights laws.

###