

Testimony of
Mr. Hilton Kelley

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My name is Hilton Kelley, Port Arthur, Texas. Community In-power and Development Association and the Refinery Reform Campaign.

I am grateful for the opportunity to speak out on behalf of refinery communities across the nation and tell the Senate the truth about what pollution is doing to us and how much worse it would be under the new EPA proposal to rollback New Source Review. For example, by allowing refineries to go backwards ten years to pick their baseline, pollution will increase. It makes no sense to go backward; we need to move forward and keep working to reducing pollution by enforcing NSR fully.

Everyone needs to know that the Clean Air Act, as it now stands, must be preserved and the new EPA proposal is really a death sentence for already sick industrial neighborhoods. The Clear Skies Proposal of the Bush Administration will do nothing for us because it deals only with power plants. It doesn't cover refineries and chemical plants.

Refineries are located in thirty-six states, 125 cities and up to 67 million people breathe air polluted by oil refineries. This is a national problem and the only solution we see is strict enforcement of the New Source Review, not a relaxation.

I grew up in Port Arthur's Westside in the Carver Terrace housing project right next to the cluster of refineries. I moved away, but in 2000, I returned. I am on a crusade to empower local citizens to fight for their health and a key element of that crusade is to protect the Clean Air Act's New Source Review.

The rest of the country needs what Port Arthur makes, just like other refinery communities. The neighbors live with the fallout, pollution and health problems. Texas is home to America's largest oil refineries and chemical plants. While the state produces the energy the nation needs, it also produces more industrial pollution than any other state according to the latest Right To Know data. Our neighborhoods pay the highest price for the rest of the nation's "cheap gasoline". Sometimes it can take your breath away. We benefit the least in this bargain as we have high unemployment. Although the plants get tax breaks by being in an "Empowerment Zones", our people don't see the benefits.

It seems that these heavy industries concentrate in low income communities and communities of color where there is the least resistance. They operate 24 hours a day, 365 days a year and expand constantly. Right now we are challenging another expansion of the Premcor refinery that wants to dump 525 more tons of pollution on us so that they can make low sulfur gasoline. It seems we never have a chance to get cleaner air.

This problem has a human face. In Port Arthur, almost every day, ten-year-old Cullen Como gets a breathing treatment for asthma. The illness causes him to miss school often. His mother and sister also have trouble breathing. The family lives right across the street from the refineries. Cullen's sister, Kendra Prince, says, " It's dangerous, and everybody around here is sick, everybody. It's just killing off people."

The plants emit a toxic soup of chemicals. These chemicals are known to cause cancer, affect brain functions, and hurt organ development and reproduction. We, like other refinery communities, have teamed up with Denny Larson, of the Refinery Reform Campaign to form a local "Bucket Brigade" for Port Arthur. The bucket is a simple, but effective air sampler. It uses a special bag and vacuum pump. Air samples taken during toxic releases have shown unhealthy levels of hydrogen sulfide, benzene and other dangerous chemicals. We were forced to do this because there are no real air monitors in our community.

Annie Edwards, who suffers from breathing problems, has two breathing machines and has a terrible reaction to the neighborhood atmosphere. "Like I panic and I can't catch enough air, and if I go outside, it's worse. I have to strap on my breathing machine at night so I don't pass on while I sleep."

I know from walking door to door that these problems are widespread. Too many people are dying from cancer. Too many people have thyroid problems. We have two dialysis clinics in this small town, and it's time for the citizens to say, 'Enough is enough,' and it's time to do something about it.

We want to work with industry. We want them to put the necessary controls on their stacks, put the necessary controls on their valves, so they will quit emitting so much tons of pollution in the community.

We also have a huge pollution problem with accidents, fires, explosions and upset emissions releasing thousands of pounds of chemicals into our air through flares, relief valves and dump stacks.

Some Examples are:

MARCH 2002

Premcor Refining -- Port Arthur

80,000 pounds of propane/butane mix, 7,704 pounds of VOCs per hour, 207,112 pounds of sulfur dioxide, 2,218 pounds of hydrogen sulfide, 163 pounds of nitrogen oxides.

FEBRUARY 2002

Premcor Refining - Port Arthur

Feb. 19, 2002 - About 5,650 pounds of propane and 143 pounds of hydrogen sulfide were released during the 219-hour upset.

JANUARY 2002

BASF Corp. - Port Arthur

Jan. 21, 2002, the plant experienced an upset, during a 14-hour period, about 57,000 pounds of benzene, 1,055,000 pounds of ethylene, 675,000 pounds of propylene, 462,000 pounds of butylene, 2,200 pounds of butadiene and 2,200 pounds of toluene were released.

Premcor Refining - Port Arthur

Jan. 2, 2002, upset, about 26 pounds of hydrogen sulfide per hour, 2,479 pounds of sulfur dioxide per hour, 295 pounds of VOCs per hour and six pounds of nitrogen oxides per hour were released. The upset lasted 168 hours.

A recent health survey done by University of Texas toxicologist Marvin Legator compared people living in housing projects in refinery communities like Port Arthur and Beaumont to a non-industrial similar population. Preliminary results show a vast difference between the health symptoms these communities report.

75 % of the people from Port Arthur complained of headaches and muscle aches compared to 20% in the control group.

80% of Port Arthur people had ear, nose and throat conditions compared to 20% in the control area.

80% percent of those questioned had heart conditions and respiratory problems in refinery neighborhoods compared to 30% in non-refinery areas.

Dr. Legator has made a strong correlation between the known health effects from the emissions from the refineries and the health symptoms we experience.

Another study conducted by MacArthur Genius Award winning Scientist, Wilma Subra, showed that health symptoms and emergency room visits increase when there is a spill or unexpected release from the plants.

Glenn Alexander, a pediatric nurse practitioner, has been treating local children for ten years. His waiting room is nearly always full. He sees an unusually large number of upper respiratory infections, allergies, skin rashes and asthma. "I do see things because I am a health care provider. The air is not always clear here. Sometimes it's hard for children to breathe." Some of the effects are irreversible and a life long problem.

Alfred Dominic was born in Port Arthur in 1928: "Many of my friends have died of cancer, and many of them are sick at the present time, because of the emissions."

Mabel Mallard a SUNOCO refinery neighbor of South Philadelphia, PA, states: "How can we live in constant fear not knowing what we will be forced to breathe next from these refineries? Don't tread on our New Source Review, we need the protection."

Conclusions:

New Source Review should be preserved and fully enforced. It is a grave matter of environmental justice to people who need the help of the U.S. Senate to protect their health and the health of innocent children. Going backward to allow refineries to pick a baseline from the last ten years is unthinkable to people living on the fence line suffering from current levels of

pollution.

The Clear Skies Plan won't help us. We need the federal protection and right to know of the New Source Review.

Thank you. I would be happy to answer any of your questions.