

Testimony of
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Before the
United States Senate
Committee on Environment and Public Works
On
“Oversight Hearing on Disease Clusters and Environmental Health”

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Chairman Boxer and distinguished members of the committee: Thank you for the opportunity to testify today on the issues of disease clusters and environmental health.

My name is Erin Brockovich, and I am the President of Brockovich Research and Consulting. As an environmental advocate I respond to requests for help in groundwater contamination complaints in all fifty states. I am currently working on investigations in California, Texas, Florida, Michigan, New York, New Jersey, Alabama, Louisiana, Illinois, Mississippi and Missouri. I am also the proud mother of three children, two who are presently serving their country as soldiers in the United States Army; my son Matthew with the Tenth Mountain Division, Fort Drum, New York has deployed to Afghanistan.

Each month I receive 45-60,000 visitors to my website of which thousands contact me personally reporting issues ranging from environmental pollution, cancer and other diseases resulting from contamination of their property and environment, worker injuries and illnesses; and more. These inquiries come from 140 countries. These people make up whole communities that are witnessing first-hand the harmful health effects exposure to toxic chemicals such as hexavalent chromium has on them and their families. Recently, my colleagues at Environmental Working Group detailed the widespread chromium-6 pollution in our drinking water – an issue that this committee explored earlier this year.

In April 2010, the President’s Cancer Panel declared that the number of cancers caused by toxic chemicals is “grossly underestimated” and warned that Americans face “grievous harm” from largely unregulated chemicals that contaminate air, water and food (President’s Cancer Panel 2010).

These communities – both large and small and in every corner of the United States – are sending out an SOS. From Cameron, Missouri to Midland, Texas to Champaign, Illinois and unfortunately yet again in Hinkley, California, communities beleaguered by contamination need their elected leaders to listen, and to take action. Approximately 40 million Americans are on private domestic well water; a group of citizens that has fallen off the grid, unaccounted for, when it comes to understanding what might be poisoning

them.

Protecting the health of our children should be a top priority, yet the system for investigating and responding to these concerns is inadequate. That is why I strongly support S. 76, “The Strengthening Protections for Children and Communities from Disease Clusters Act,” also known as Trevor’s Law for this brave young man Trevor Schaefer.

Trevor’s Law will bolster federal efforts to assist communities that are impacted by potential disease clusters and will identify sources of environmental pollutants and toxic substances suspected to cause developmental, reproductive, neurotoxic, carcinogenic and other adverse health effects.

In the United States, 1 in 3 people will develop cancer in his or her lifetime (CDC 2011). As an advocate for the past twenty years I have reached an undeniable conclusion: there are simply too many cancers in this country and not enough answers. And that’s all these communities are trying to do – get answers to the most basic questions: why is my son, who was perfectly healthy just months ago, now sick with leukemia? Why does my daughter have two brain tumors at the age of six? And why is the same thing happening to my neighbors’ kids? Mothers and fathers ask me these questions by the hundred every week.

Part of the puzzle that has been missing is that there is not an agency on the ground going door-to-door talking to and identifying residents who may be affected by contamination in their area. As a result, people have no faith in the federal government to investigate what’s making people sick in their communities, and that is why they turn to me. But I cannot take the place of a disease registry or an official reporting program. Trevor’s Law, S.76, however, takes steps to address this problem by strengthening federal coordination with state and local authorities in investigating the potential causes of a disease cluster. This bill will empower communities to work with these agencies and therefore facilitate investigation and response.

I am not here to play scientist, nor am I here to sling accusations or assign blame. This is not a partisan issue. Gathering the information necessary to take action protective of human health is a long and daunting task, and when it comes to the health of our children, we cannot afford to jump to conclusions. But it’s time for us to stop turning away from these communities. How many childhood brain cancers is enough for us to start getting serious about investigating the potential causes of these illnesses? We need to be listening to community members’ concerns when they raise their hand and say something is not right in their neighborhood.

You, members of this Committee, carry the voice and the will of those who elected you to serve this country. I can tell you those voices are crying out for help. Some of your constituents are fearful, others are frustrated; they all need your help to stay united as a community that is trying to find answers.

This process needs to be transparent; I cannot stress that enough. Not only does transparency ensure accountability but it also enables a healthy flow of communication between all involved parties, which is crucial in an investigation of a public health issue that in some cases may be linked to industrial pollution.

Trevor's Law requires the Environmental Protection Agency (EPA) to establish and regularly update a publicly accessible online database that provides communities important information on investigations, associated illnesses and pollutants. This database would foster transparency.

Another important factor to take into account is that just because people are exposed in one neighborhood or one town does not mean they live there forever. One of PG&E's favorite arguments about the cancer rate in Hinkley, California is that it isn't higher than should be expected. What they fail to mention – though I do every chance I get – is that there are people who are sick that were exposed to chromium-6 in Hinkley that may have since moved out of Hinkley. If you believe the environment where you live is harming you wouldn't you move if you have the resources to do so? I urge all of you and the agencies to explore all tools, including social media, to ensure that all people affected are contacted and brought into the response process – not just those that are still there.

Better Coordination, Transparency and Accountability is Needed

For my nearly two decades as a consumer advocate I have met and spoken with tens of thousands of Americans who have suffered the consequences when big companies pollute the water or the air in their communities. And what you and I have known for many years, Chairman Boxer, and what you've worked tirelessly on for your nearly 20 years as a Senator, is that the government needs to help these people.

Because of my work and because the government agencies that should be doing it have dropped the ball, in recent years I have become a kind of reporting agency for suspected disease clusters around the country. Thousands of Americans contact me every month asking for help and telling me about unexplained diseases in their neighborhood or on their streets. I've started to put together a map. This is not a scientific sampling but simply a map of people who are reaching out to me for help because they are concerned that environmental pollution in their community has made them sick. I believe this simple map demonstrates we need to do a better job of listening and responding to these communities including the ones I haven't heard from. (Appendix A)

This is the issue of our time – whether it is pollution in our water, our air or products we use every day. The government must play a stronger, better role in helping all Americans. I understand this might not be a popular position in some circles but most of my life has been about taking unpopular stands against big polluters so I'm okay with that. Madam Chairman, Senator Crapo, I believe that your legislation "The Strengthening Protection for Children and Communities from Disease Clusters Act" will help Americans that desperately need it. And the bipartisan nature of Trevor's Law will send a very valuable message that clean air and clean water and healthy communities are

not political issues – they are human issues. American issues. I will also remind the public that it was a Republican President – President Nixon – that created the Environmental Protection Agency.

We need better coordination among all government agencies and I have major concerns about the Agency for Toxic Substances and Disease Registry's (ATSDR) efforts to identify and deal with disease clusters. Because ATSDR doesn't effectively respond to citizens' concerns they turn to anyone who will listen, including to me, to report the strange clusters or high numbers of disease in their neighborhoods and towns. Better coordination among federal agencies that bring different expertise to the table including the Environmental Protection Agency (EPA), ATSDR, Department of Health and Human Services (HHS) and National Institute of Environmental Health Sciences (NIEHS) is necessary and appropriately addressed in S. 76.

It's also important that the federal government doesn't just come in, run some tests and leave. Make no mistake – the federal government must play a key role in identifying and responding to disease clusters because federal agencies have the research, response and enforcement capacity that states and localities often don't. But we can't lose sight of the most important part of any effort to identify and respond to a possible disease cluster – the people themselves.

That's why I'm pleased to see that this legislation requires EPA to establish and operate Regional Disease Cluster Information and Response Centers and Teams that will, among other steps, provide expertise to the public as well as state and local officials and involve the community in investigations through participatory research initiatives. Another important piece of the legislation is the establishment of Community Disease Cluster Advisory Committees to provide oversight over investigations and addressing causes and ensure effective community outreach and involvement. The affected people must and will be a part of these committees. Any response to a potential disease cluster cannot be considered successful and effective if the affected community is marginalized.

Everyone believes, because of a movie, that I am an environmental activist. I do care a great deal about the environment but my real work and my greatest challenge is trying to overcome obstacles that end up jeopardizing public health and safety; and to find ways to prevent them in the first place.

I am an advocate for awareness and a person's right to know. Often times we don't think about or understand what is happening to someone else until it affects us personally. Cancer or some chronic disease has touched all of us. And disease does not recognize our political party affiliation. I am proud to support this bill and am proud that it has bipartisan support.

The time has come for the federal government to step up and provide the expertise and resources only it can.

I commend your leadership Chairman Boxer and Senator Crapo. We must act now to help these communities who are suffering.

Thank you.

Sources:

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President's Cancer Panel. 2010. Reducing Environmental Cancer Risk.
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Appendix A

Map of Concerns About Disease Outbreaks Reported to Erin Brockovich

