



## Government funds Tijuana toxic site final cleanup

**Tijuana, Mexico**— Environmental Health Coalition (EHC) and its Tijuana affiliate, the Colectivo Chilpancingo Pro Justicia Ambiental, celebrated today formal delivery of funding for the final cleanup of the Metales y Derivados abandoned lead smelter. Secretary Juan Rafael Elvira Quesada, head of SEMARNAT, Mexico's equivalent of the EPA, signed the document turning over federal funds to the state of Baja California in a ceremony this morning at Tijuana's State Government Headquarters.

"We are proud that the *Metales y Derivados* Working Group was successful at building a respectful and honest working relationship to achieve this historic cleanup," declared Magdalena Cerda, organizer for EHC's Border Environmental Justice Campaign. "We believe that this unique model of transparency and collaboration can inspire other communities in their efforts to improve public health and the environment." The working group members includes the Colectivo, EHC, and government officials from Mexico and the U.S.

The cleanup plan calls for the excavation of a pit on the site, where 15,400 cubic meters of contaminated waste mixed with concrete will be contained in a lined cell. "While leaving the toxic waste on-site in a stabilized cell is not the best or most just solution, reaching consensus on a final remediation plan is an important step forward and represents a historic moment for my community, for the environment, for our crossborder region, and for Mexico," said Lourdes Luján, a member of the Colectivo.

Although the community wanted the removal of all contaminants, they approved the proposal with several conditions, including the following:

- implementation of a Community Health and Safety Plan to inform residents of the cleanup process and respond to questions and complaints;
- resources for a third party representative of the community to oversee the process;
- placing 10 – 25 centimeters of clean soil over all areas of the site after the cell is sealed; and

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## Toxic cleanup

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· long term monitoring  
"The success of the project will depend on its proper execution and future vigilance in monitoring," said Enrique Medina, President of Alliance Consulting International and longtime consultant for the Colectivo and EHC on the *Metales y Derivados* case. "Since many things can go wrong with this kind of cleanup, we're calling for a series of stringent oversight and monitoring procedures to be sure that this remediation is done right and the community is protected from contamination during the process and for many years to come."

On June 13, 2007, the Border 2012 Program's California-Baja California Waste and Enforcement Task Force announced approval of funding for community oversight. The U.S. and Mexico partnership on the *Metales y Derivados* toxic site cleanup meets objectives established under Border 2012 Goal 3 to reduce land contamination.

### BACKGROUND

Mexico's top environmental minister made cleanup of *Metales y Derivados* a top priority in June 2004, when members of the Colectivo and Mexican government officials signed a landmark agreement calling for a four-stage remediation to be completed within 5 years. \$750,000 has been spent to date to remove 1,976 tons of toxics from the surface of the site. Fifty soil samples taken in September 2005 showed concentrations of lead as high as 200,000 mg/kg. 800 mg/kg is the industrial cleanup level in both Mexico and the U.S.

José Kahn, the owner of the San Diego-based New Fron-

tier corporation, parent company of the *Metales y Derivados* battery recycler, abandoned the site in 1994 after a warrant was issued for his arrest for allegedly violating Mexican environmental law. The mixed hazardous waste left behind included 7,000 metric tons of lead slag. A 1998 petition filed with the environmental oversight commission of the North American Free Trade Agreement (NAFTA) by EHC and Colonia Chilpancingo prompted a report released in February 2002 validating community health concerns about the toxic contamination from *Metales y Derivados*.

"Metales y Derivados is exhibit A for the failure of NAFTA to protect public health and the environment," said Amelia Simpson, Director of EHC's Border Environmental Justice Campaign. "NAFTA encourages industries to operate in Mexico, without creating any enforcement mechanism to compel those industries that pollute to clean up their toxic waste. Although today we're celebrating a landmark cleanup project, we're very concerned about the free trade agreements that the U.S. government is promoting with Peru, Panama, Colombia and South Korea, which include the same NAFTA mechanism that, as we know from our experience with *Metales y Derivados*, doesn't work for communities seeking to defend themselves from polluting industries. It's time to reject the NAFTA model in favor of a fair trade model that includes enforceable environmental mechanisms that citizens can use to protect their communities."