

MS. BABICH: Good afternoon. My name is Cynthia

20 Babich. I'm the founder and director of Del Amo Action
21 Committee. I'm also the Los Angeles Environmental Justice
22 Network coordinator.

23 My community lies in the unincorporated L.A.
24 County strip, or the newly named Harbor Gateway in Los
25 Angeles. We're surrounded by two major freeways, the

1 Exxon Mobil refinery, Dow chemicals plastic manufacturer,
2 two superfund sites -- one was the World War II synthetic
3 rubber factory. The other was the west coast's largest
4 manufacturer of DDT.

5 Our groundwater has pure Benzene floating on top
6 of it, and as it rises up, it smears in the soil layers
7 between the aquifers, and we have hundreds of small
8 permitted facilities.

9 The reason that I'm here -- and my story begins
10 in 1994 when I moved into my community, which I thought I
11 chose very carefully, looked for parking and make sure you
12 could have animals and all those things that are
13 important, I forgot to look for toxic waste. And
14 consequently found out I was living on pure DDT 976,000
15 parts per million, after for many years I was assured by
16 the California EPA and the U.S. EPA that extensive testing
17 had been done in my area and, "good news, Ms. Babich,
18 nothing was found." I persisted as the bloody noses came
19 and was told again that my area had been tested and good
20 news, nothing was found. Then the vomiting came and was
21 again told there was no problem.

22 And it was through activism and getting together
23 with my neighbors that we pushed the agencies to actually
24 really come in there and do some state-of-the-art testing,
25 and that's when they discovered that the DDT manufacturer

1 had just dumped their pure technical grade DDT in my
2 backyard. That was really a wake-up call to me that
3 sometimes community people become complacent and think
4 that because we pay taxes and we follow the laws ourselves
5 that other people are doing the same and that the agencies
6 have a good handle on protecting public health. I think
7 in environmental justice communities we understand that
8 it's not just a burden that you bear, it's a burden we
9 also bear.

10 So I really wanted to tell you my story, because
11 that's why I come here and I'm engaged. I'm not a
12 lobbyist. I'm not paid to come here.

13 I can't have children now because of the
14 contamination that I faced. To be honest with you, I
15 wasn't planning on having them, but it's different when
16 you have that choice, rather than the choice being taken
17 from you.

18 So specifically I wanted to talk about -- you
19 talked about the SEP funds and those things. And you
20 talked about legislation and the laws not allowing you to
21 have as much latitude as maybe you'd like to have with
22 these penalty moneys.

23 And I'd like to say three years ago I spent a
24 great deal of my time away from my family. I am a
25 caregiver for my handicapped mother as well. When we

1 leave our families, it has to be something fairly
2 important.

3 And we pushed very hard for legislation that
4 would not only set minimum penalties, but would also
5 ensure that penalties were set high enough to deter
6 violations and illegal activities impacting public health,
7 our health. We propose penalties be tripled in
8 environmental justice areas, similar to the double fines
9 in construction zones.

10 We pushed for assessed penalties to be shared
11 with the communities being impacted, especially penalties
12 given due to harm to human health, our health.

13 Money could be used for nebulizers to reduce
14 asthma deaths or asthma medications home evaluations and
15 trigger asthma assessments that can be taught to community
16 people. This attempt was thwarted by dozens of high-paid
17 industry lobbyists. This leaves the ball in your hands to
18 explore other methods that put resources into our
19 over-burdened communities. Be it increased SEP funds or
20 some of the things that I think Mr. Fentis was talking
21 about. He seems to have a wealth of knowledge in that
22 area on maybe how we can get together and figure out how
23 some of the communities can be more protected.

24 When I go and do work in my community, you know,
25 a lot of times people think, oh, community people just

1 want a free ride. They want this and that. My people
2 come to me and ask me if there is a way that we can get
3 \$100 so they can have a nebulizer so they don't have to
4 spend seven hours at the county hospital dealing with
5 asthma issues as they arise with their children.

6 They don't ask me to get rid of the refinery.
7 They're just trying to handle a very dramatic situation
8 the best way they know how. I think \$100 is pretty
9 reasonable.

10 I heard about some of the training opportunities
11 that you're offering to a lot of the businesses. We, too,
12 seek training opportunities from ARB which would allow us
13 to be better partners and help us achieve our common
14 environmental justice goals. Trainings could include
15 smoke school. I attended a partial glimpse of one at AQMD
16 in South Coast there, and it was fabulous. I was pretty
17 darn good at it, and the next thing you know, no more
18 smoke school for us. And the complaint at the time was
19 you guys are seeing Salton steam come out, and we were
20 like, show us what the difference is. Sure enough, there
21 is a big difference between Salton steam and a number five
22 Ringelmann.

23 So another thing that a lot of us would like to
24 see is some help with the diesel idling enforcement. We
25 want to know how to go out and count trucks, too. When a

1 community like Maywood passes an ordinance for truck
2 idling and they go right across the street to Vernon and
3 do the same idling, how do we kind of bridge that gap?
4 You know, how do people that really don't have the
5 resources actually be able to partner with you to do
6 something better?

7 We seek real pollution reductions in our
8 communities. The ways we have gone about regulating air
9 pollution burdens in our communities are not as effective
10 as they need to be. We are engaging with the agency's
11 collaborative efforts to work on focused issues identified
12 by the communities being impacted themselves.

13 I know you've heard a lot about DTSC's work. As
14 the L.A. EJ network coordinator, I'm proud to say I like
15 to lead the community's efforts with the U.S. EPA and
16 Cal/EPA collaborations which we've asked them to please
17 use a more coordinated effort in our community. And I'd
18 like to say they're doing a fabulous job.

19 We would also want to engage with ARB on a deeper
20 level. We're talking about the partnerships that we're
21 forming. We do have some of ARB agency members that are
22 formed there, but we also are forming work groups. I
23 think the San Bernardino tour that just happened, they
24 formed a task team, which is probably going to be pretty
25 fabulous since Penny Newman is involved in that.

1 And again we want to achieve these real
2 environmental justice measures. And the regulations are
3 only going to be as good as the enforcement measures.

4 So I'm going to leave my card here. And I really
5 encourage you guys as you've heard from many people to
6 really utilize the eyes and ears that are free in our
7 communities, because this is what we're going to continue
8 to focus on. And I think that we can go back and forth,
9 but if you get people into a room together, I think we can
10 find common ground and really find some solutions, because
11 we're certainly not going to go away. We're just going to
12 get more effective.