

Testimony of Becky Bornhorst, Volunteer for Downwinders At Risk  
(Dallas-Ft. Worth, Texas)

My name is Becky Bornhorst and I traveled here from the Dallas-Ft. Worth area because I feel strongly about mercury pollution in my neighborhood and in other neighborhoods around the country. I am a volunteer for Downwinders at Risk, a grassroots citizens group organized to oppose cement plant pollution in North Texas.

I live immediately downwind of Midlothian, Texas, the self-proclaimed cement capitol of Texas. When I walk my dog through my neighborhood I can see the stacks on the horizon. A total of ten kilns, or furnaces produce over 6 million tons of cement a year for three large companies - TXI, Holcim and Ash Grove. In 2002, they also produced 57,486,000 pounds of toxic air emissions, or an average of **90 pounds of toxic air pollution every hour over the past five years.**

These plants are allowed to burn not only coal for their energy source, but a veritable toxic soup of waste products as "fuel," including EPA-registered toxic wastes with nonflammable metals and chlorides, hazardous wastes, rubber wastes, used tires, refinery wastes, oil filter fluff waste and castoff roofing materials. According to the self-reported Toxic Release Inventory data, these plants have produced 823.31 pounds of mercury emissions in the last four years. Because loopholes in the law allow these cement plants to burn such a wide variety of wastes under current permits, there is always the potential for an increase in mercury emissions with day-to-day changes in waste streams. This should not be considered an insignificant risk factor by EPA. Understanding this, and living with these plants the way my neighbors and I do, it's unconscionable that EPA would consider turning a blind eye to mercury emissions from cement plants.

According to the Mercury Policy Project, "Just one-seventieth of a teaspoon of atmospheric mercury can contaminate a 20-acre lake for a year." I wonder how many teaspoons 823 pounds adds up to.

My family enjoys outdoor activities such as sailing, canoeing and swimming in Texas lakes and rivers but such recreation is already curtailed by the fact that Texas has fish advisories or bans on 22 bodies of water.

Close to home, Joe Poole Lake, the water source for Midlothian, lies only a short distance downwind of the Midlothian cement plants. This is where my family most often goes to sail. It was found to have mercury levels of .5 ppm, just barely below the Texas Dept. of Health warning level of .7 ppm. This is depressing to me because the lake is not very old, which means that mercury is accumulating in its fish population a very fast rate. Mountain Creek Lake, a smaller body of water, which lies just north of Joe Pool, has a fishing ban.

Besides recreating in the state's waters, my family also enjoys eating fish. However, independent testing of fish from Dallas grocery stores by a statewide group found two-thirds of the fish samples tested exceeded EPA mercury guidelines. Mercury poisoning is a threat to me and my family whether we're at the lake, at the supermarket, or just breathing when the wind is blowing from the wrong direction. We cannot escape it.

I am here today representing the thousands of citizens who could not travel all the way to North Carolina from Texas to have their voices heard. If the EPA had really intended to hear testimony from the citizens most affected by cement plant pollution, why not hold hearings where they live? I don't believe there is one single cement plant in North Carolina.

One of the citizens who wanted to attend but couldn't is Sue Pope, a rancher from Midlothian who lives under the stacks of a local cement plant. She can't fly anymore because her lung function is so poor that she requires oxygen. In the twelve years that I have known Sue, she has lost her mother, her father, her son, and her ranching business. In 1971, Sue and her husband Ralph moved next to door to her parents onto their 70 acre property to raise and breed Arabian horses. By 1991, her previously healthy horses were having multiple problems. They quit breeding and when the mares did get pregnant they would deliver stillborn or badly deformed foals. Some developed cancer. Her vet could not explain it. Then Sue developed lupus and Ralph developed prostate cancer and heart disease. They no longer breed horses, they just take care of the ones that are left.

In 1994 a veterinarian from the area had noticed that in a neighborhood directly downwind of the Midlothian plants, " there appears to be an abnormally high incidence of reproductive problems (with area horses) for such a small area and population of horses." (3-7-94 letter from Dr. Athon to Carol Browner, EPA)

Another citizen who would have testified is Debbie Markwardt who lives under the five stacks of TXI. Since Debbie moved to Midlothian in 1990, she has lost her husband and has suffered with severe respiratory problems. Debbie raises dogs that have suffered with an array of birth defects and reproductive problems with each new litter of puppies.

First, there were the severe skin diseases, and then cancers began to show up in four-year-old dogs. Pups' teeth rotted out; other dogs didn't grow. Some developed malignant knots on their legs. The females began to miscarry or deliver whole litters of stillborn pups; others had pups with deformed genitals or no feet. Many of the dogs had to be put to sleep because there was nothing the vet could do for them.

Kathy Flanagan would have also liked to testify. She lives in the middle of the three plants in Midlothian. Her 15-yr. old stepson suffers from severe and

irreversible learning disabilities. He was born in Midlothian around the same time as a cluster of Down's Syndrome babies. Down's Syndrome is most likely to occur in babies born to mothers over the age of 40. But age didn't explain a cluster of 11 babies with Down syndrome born in and near Midlothian between 1992 and 1994. Another infant with the disease died in the womb. Even after adjusting for age, the Texas Department of Health found that Ellis County's rate of Down syndrome births was almost three times higher than average.

According to a 2001 Centers for Disease Control and Prevention (CDC) study one of 10 American women of childbearing age is at risk for having a baby born with neurological problems due to in utero mercury exposure. Statistically, that means 375,000 babies are at risk every year. Nearly six million women who might be considering having a child already have mercury levels above EPA safety guidelines.

A report by the National Academy of Sciences states that prenatal mercury exposure can hurt children's ability to remember, pay attention, talk, draw, run and play, and increase the number of children who have trouble keeping up in school or require special education. Relatively small amounts of contaminated fish eaten often, or larger amounts eaten occasionally, can harm developing fetal brains during windows of vulnerability. The fetus is extremely sensitive to mercury.

My children were in elementary school when I began this fight. They spent a lot of time outdoors as all children should. My daughter developed asthma and endocrine problems when she began playing soccer. I regret the time they spent in our toxic neighborhood. Thankfully, they are now in college and live far away from Midlothian. But, they will want to have children of their own someday and will face the risks associated with mercury contamination.

EPA is failing to protect our children, our families and our animals from mercury poisoning. Our children are already at risk for permanent brain damage and learning disabilities and instead of regulating every possible source of mercury emissions, the EPA is giving the cement industry another free ride. We should all be asking ourselves why.

I'd like to leave you with some recommendations. Let's find out what the actual mercury emissions are from the cement kilns. Then set strict limits and require real time stack monitoring to ensure compliance. AND, just like you considered the costs to the cement industry, you must consider the costs to us, the citizens, of health care, veterinary care, special education and lost business opportunities.