



WEC@WORK

News from the NJ Work Environment Council

November 2009

Safe, Secure Jobs
and a Healthy,
Sustainable
Environment

WEC's Annual
Membership
Meeting

Chemicals Policy
Reform & You

Thursday,
December 10
6:30 pm

NJEA
180 W. State St
Trenton

Guest Speakers:

ANDY IGREJAS,
Campaign Director,
Safer Chemicals,
Healthy Families

DARIUS D. SIVIN,
International
Representative,
United
Autoworkers

\$12 Dinner Donation
Requested

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call us:
(609) 695-7100, ext
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Just Ask Workers!

The New Jersey Work Environment Council and the Blue Green Alliance (BGA), along with 104 other labor and environmental organizations from across the nation, are urging U.S. EPA Administrator Lisa P. Jackson to enforce an existing law encouraging worker and union participation during EPA inspections of facilities using highly hazardous substances. A letter sent to Jackson said allowing workers and their union representatives to point out dangers during agency inspections can help protect both communities and the public. A copy of the letter with all the signers, coordinated by WEC and BGA, can be found at www.njwec.org.

Because of WEC's *Chemical Safety and Security First!* Campaign, New Jersey is the only state now enforcing this law, *Section 112(r)* of the *Clean Air Act*. Jackson, as Asst. Commissioner of the NJ Department of Environmental Protection (DEP), helped issue a worker and union participation policy in 2005. The labor and environmental letter signers asked Jackson to take similar action, which could improve safety and security at thousands of industrial facilities across the nation.

"More than 80 million people live, work and attend school within range of a potential catastrophic toxic release from at least one of the nation's 101 most hazardous chemical facilities," said WEC President John Pajak, an officer of Teamsters Local 877 in Linden, NJ. "Workers are on the front lines. We can help



EPA protect both our coworkers and the vulnerable communities that surround our facilities."

"Enforcing this law will help us reduce toxic releases to our environment, more accurately assess facility vulnerabilities, and better prepare and respond to potential chemical catastrophes," said David Foster, Executive Director of BGA, a national partnership of labor unions and environmental organizations, of which WEC is a NJ affiliate. "It's time to follow the law and make our workplaces, communities and environment more safe and secure."

Since 1970, thousands of employees and union representatives have identified preventable hazards while accompanying OSHA inspectors. However, since 1990, when Congress enacted *Section 112(r)* of the *Clean Air Act*, EPA has not generally included workers and union representatives during agency inspections. In NJ, where this law is enforced by DEP's Toxic Catastrophe Prevention Program, worker participation has led to safety and security improvements. To see this policy, go to www.nj.gov/dep/newsrel/2005/05_0115ao.pdf

The letter also asked Jackson to establish a task force of EPA staff and labor and environmental stakeholders to assess how greater worker and union participation could benefit other EPA inspection programs.

Among the 106 signing organizations are the national AFL-CIO, Change to Win, 21 national labor unions, and 14 national environmental organizations.

For years, WEC has been a national leader for worker and union participation during government safety and environmental protection inspections. WEC helped win passage by the U.S. House of Representatives on Nov. 6th of the *Chemical and Water Security Act of 2009*. The bill's provisions for worker participation (and inherently safer technology) were modeled on NJ's precedent-setting policies. At WEC's request, Congressman Frank Pallone (D-6) successfully amended the bill to allow workers and union representatives to accompany Department of Homeland Security and EPA staff when they conduct security-related inspections. Action on this legislation is pending in the US Senate.

25 Years Later in Bhopal

On December 3, 1984, 25 tons of methyl isocyanate (MIC) leaked from a Union Carbide pesticides plant in Bhopal, India, in the world's worst toxic disaster, killing thousands. On the night of the accident, Union Carbide refused to identify the chemicals leaking from the plant out of fear of compounding their legal liability. Doctors treated victims the best they could without knowing the true causes of the skin burns and respiratory damages.

Soon after, it was revealed that none of the six safety systems at the Union Carbide plant were functional, and Union Carbide's own documents demonstrate convincingly that the company designed the plant with "unproven" and "untested" technology, cutting corners on safety and maintenance to save money.

Twenty-five years later, the lasting effects of the chemical leak continue to affect public health. Highly toxic chemicals, including lead, carbon tetrachloride and chloroform, still leak from the now abandoned plant and contaminate the groundwater. Local residents have limited supplies of safe, clean water, and when those run out they have no other alternatives than to use the contaminated water for washing and cooking.

A study by the Bhopal Medical Appeal found higher levels of several carcinogenic chemicals in water sources this year compared with last year - strongly suggesting that leaks from the site continue and future generations will be poisoned unless the area is decontaminated. This contradicts recent claims by government officials that the site is clean.

Those who were exposed as children still suffer from skin lesions, cancer and other health problems. And now, they are having children of their own, but studies show that women who were exposed in the disaster are ten times more likely to have children born with developmental problems.

Meanwhile, the legal fights

continue. Union Carbide made a settlement of \$470 million with some of the victims in 1989 based on early estimates of 3,800 deaths and 102,000 people injured. But, the site is still contaminated and continues to harm local residents. And now, advocacy groups think Dow Chemical, which bought Union Carbide and all of its liabilities in 2001, should be held responsible.

Dow continues to deny any responsibility for the criminal case or for clean up of the site. The company also refused to provide just compensation to the victims, fund necessary medical care and health monitoring studies, or reveal any of the company's research on the health affects of MIC.

Groups are fighting for justice for the people of Bhopal and to hold Dow Chemical responsible for the world's worst industrial disaster. Find out how you can help at www.studentsforbhopal.org.

WEC Awards Reception A Success!

On Friday, November 20th, WEC honored Joyce Powell, Immediate Past President of the NJ Education Association; Dave Foster, Executive Director of the Blue Green Alliance; Michelle DePass, formerly with the Ford Foundation; and Jeff Tittel, Director of the NJ Sierra Club. They were honored for their leadership and dedication to labor and environmental movements and efforts to unite them. Over 110

guests attended the event at the Rutgers Labor Education Center in New Brunswick. Special thanks to our Platinum Sponsor: New Jersey Education Association, and Silver Sponsors: United Steelworkers District 4 and Change to Win.

WEC Spurs EPA Alert

As a result, in part, of pressure from WEC and the Howell Township Education Association concerning the Zimek machines (see the October 2009 issue of WEC@WORK for details), the U.S. Environmental Protection Agency on November 30 warned the public through an e-mail alert to 42,000 recipients that they should beware of unscrupulous vendors who market ineffective and unregistered products or services that claim to disinfect surfaces or entire rooms against the H1N1 influenza virus.

News & Notes

- WEC Director Rick Engler had the honor of participating in a special White House Forum on the *Clean Energy Economy - The Public Health Benefits of Clean Energy Reform*, with EPA Administrator Lisa Jackson and Department of Health and Human Services Secretary Kathleen Sebelius.
- WEC is now on Facebook! Become a Fan of the "NJ Work Environment Council" today and get updates on our work, upcoming events and related issues!

Thank you to all our supporters for making 2009 a successful year! With your help, WEC will continue to bring together labor and environmentalists to fight for safe, secure jobs and a healthy, sustainable environment in the upcoming year.

Please consider giving a special year-end donation to show your support for WEC and the blue-green movement. All contributions to WEC are tax-deductible! Donate now through our secure website at www.njwec.org.

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Back issues of *WEC@WORK* are available at www.njwec.org. Rick Engler & Denise Patel, Editors. WEC is an alliance of 70 labor, environmental and community organizations working together for safe, secure jobs and a healthy, sustainable environment. WEC Staff: Rick Engler, Director; Debra Coyle McFadden, Assistant Director; Valorie Caffee, Director of Organizing; Cecelia Leto, Project Coordinator; Denise Patel, Campaign Organizer. Staff are members of USW or CWA.

CWA Local 38010/USW 4-149