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Denka says EPA estimates for chloroprene risk in St. John the Baptist Parish are too high; agency says science is sound

BY DELLA HASSELLE | DHASSELLE@THEADVOCATE.COM SEP 11, 2017 - 6:45 PM

AVERAGE CHLOROPRENE LEVELS IN AIR SAMPLES

Measurements taken above 0.2 micrograms per cubic meter signify an increased cancer risk



Location	Average levels	Highest levels
1 East St. John High School	2.5	24.9
2 238 Chad Baker	11.6	46.1
3 5th Ward Elementary	9.1	75.1
4 Mississippi River levee	9.1	147.0
5 Acorn and Highway 44	5.2	153.0
6 Ochsner Hospital	4.3	66.7

Source: U.S. Environmental Protection Agency

Advocate graphic

Della Hasselle

A chemical manufacturer in LaPlace that has come under fire in recent years for releasing concerning levels of chloroprene into the air has accused the Environmental Protection Agency of using faulty science when estimating safety limits for exposure.

Since 2010, the EPA has asserted that a certain level of exposure to the chemical — specifically more than 0.2 micrograms per cubic meter of air every day for a lifetime — puts people at increased risk of getting liver or lung cancers.

Air monitoring over a single year in St. John the Baptist Parish showed that the chemical plant at times exposed residents to between 12 and 58 times that amount.

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But the company that produces the chemical, Denka Performance Elastomer, is claiming that the EPA's calculations are fundamentally wrong, and that the flawed assessment has caused the company "severe reputational damage."

In a letter to the agency on June 26, Robert Holden, a lawyer for the company, and Jorge Lavastida, the plant manager, complained that the EPA's public assessment had "created unnecessary public alarm" in the parish.

The letter said that environmental activists and plaintiffs' lawyers were handing out misleading flyers and protesting near the company's facility wearing shirts labeled "Only 0.2 will do" while spreading false assumptions about chloroprene.

Many residents have turned Denka's air emissions into an "environmental cause célèbre," Lavastida and Holden wrote in the letter, later adding: "For (Denka), this matter is at a crisis point."

They said the company couldn't possibly lower chloroprene amounts to the level that residents demand, even with the help of advanced air pollution control measures.

Denka also formally requested that the EPA withdraw its assessment and review its interpretation of chloroprene exposure and health effects. That request was submitted under the Information Quality Act, a law meant to ensure that federal agencies disseminate accurate data to the public.

Instead of classifying chloroprene as "likely to be carcinogenic to humans," the company wants the EPA to say chloroprene has "suggestive evidence of carcinogenic potential."

The EPA has until the end of October to formally respond to the company's request, but spokeswoman Nancy Grantham said the agency takes issue with the conclusion that its science is shaky.

The predictions about chloroprene's health effects are "based on very strong scientific studies," she said, adding that the EPA's conclusions "underwent very extensive review" by experts within the agency and independent expert peer reviewers.

In the letter, Lavastida said that "Congress repeatedly instructed EPA" to improve its risk assessment methodology, and that while the agency previously agreed, its staff indicated last summer they'd be unable to update the chloroprene assessment due to "resource constraints."

St. John residents have been living near chloroprene production for about 50 years. The chemical is manufactured in the area to produce neoprene, a synthetic used to make durable, waterproof products like wetsuits, orthopedic braces and electric insulation.

Denka bought the LaPlace plant from DuPont in late 2015.

That purchase happened just a month before the EPA released its National Air Toxic Assessment, which estimates exposure for 180 air toxins nationwide.

The study found that residents of St. John have the highest potential risk of cancer from airborne pollutants in the country. It traced that risk to the LaPlace plant, putting the facility under increased scrutiny.

Although the plant has been producing chloroprene within permitted limits for decades, the findings in the National Air Toxic Assessment prompted a series of actions by the EPA and the state Department of Environmental Quality.

Initially, the agencies started working together to monitor air quality around the plant.

When data started coming back showing high levels of chloroprene, the state in January entered into a consent decree with the company. Denka agreed to spend nearly \$18 million on "state of the art technology" to retrofit the plant and reduce emissions by 85 percent before the end of 2017.

Now, Denka is saying what residents have long suspected — that an 85 percent reduction won't get the levels down to 0.2 micrograms per cubic meter of air.

But even so, chloroprene production shouldn't be a problem, company officials said.

Lavastida and his lawyer point to a study done by Ramboll Environ, a private environmental, safety and health sciences consulting firm. Researchers with that firm determined that for chloroprene, the EPA's human inhalation unit risk, called the IUR, is 156 times too high.

In fact, Ramboll Environ said its researchers reached opposite conclusions from some of the EPA's studies.

For instance, Ramboll Environ found that when assessing risk, the EPA rejected a "leading epidemiological study" that showed there was no elevated cancer risk to workers exposed to chloroprene.

The company also said the EPA relies on studies involving animals without properly taking into account "significant differences across species" in how chloroprene is metabolized.

"Humans are likely to be comparatively much less sensitive to the effects of chloroprene exposure," the firm's researchers said.

Lavastida has further said that the only ambient standard applicable to chloroprene is an exposure of up to 857 micrograms per cubic meter for an 8-hour time period, calling the EPA's health risk estimates "unreasonably conservative."

Denka officials and Ramboll Environ aren't the first ones to question claims made by some residents.

State health experts say measuring the risk to St. John residents has been difficult because of several variables, including the proximity of the exposed person to the site, the amount of time chloroprene stays in the body and the tendency for chloroprene levels in the air to spike and dip over time.

Chuck Brown, the state DEQ secretary, has said the environmentalists are "fear-mongering."

In the meantime, though, many remain convinced that they're being put at risk. Thirteen residents joined a lawsuit asking a judge to order the plant to stop or reduce production until emissions are lowered. That suit, which was filed in state court but has been moved to federal court, seeks class-action status and also asks for monetary damages.

Among the plaintiffs in the suit is Robert Taylor, the founder of the activist group Concerned Citizens of St. John, who said he was "astounded" by the company's letter to the EPA.

"They are asking the EPA to allow them to poison us in order to save their reputation," Taylor said. "What about our health?"

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