

*El Pueblo Para El Aire y Agua Limpio/People for Clean Air and Water
Kids Protecting Our Planet
Center on Race, Poverty and the Environment
Greenaction for Health and Environmental Justice*

March 3, 2010

Governor Arnold Schwarzenegger
State Capitol
Sacramento, CA 95814

Concerns Regarding State Agencies, Kettleman City Birth Defects and Infant Deaths

Dear Governor Schwarzenegger,

On behalf of the people of Kettleman City, we first want to express our appreciation for your recent order instructing state agencies to conduct a thorough, on the ground investigation of the birth defects and environmental pollution in this suffering community.

Unfortunately, the State Department of Public Health seems to have ignored your direction to conduct a thorough investigation and instead issued written documents, verbal statements and “findings” that demonstrated bias and downplayed the severity of the health situation before they stepped foot in the town or talked to the families involved in the birth defects and infant deaths.

In fact, the birth defect situation is worse than was known on February 9, when DPH held their meetings and made their pronouncements downplaying the problem. As we write this letter, we have just learned of three more infants with birth defects, one additional in 2008, one additional case in 2009, and in a troubling development, one new baby born with a birth defect on February 17, 2010.

Instead of five birth defects since late 2007 in this tiny town, we now know of eleven.

Many of the DPH’s written and oral statements and findings made on February 9th are contradicted by the facts, including understating the number of infants born with birth defects in 2008 and making the blatantly incorrect statement that there was only one more birth defect than would have been expected that year.

DPH’s incorrect and unfounded statements were reported widely by the media across the country, resulting in millions of people hearing DPH claim there is no problem in Kettleman City. DPH’s public statements raise serious questions about whether DPH and other state agencies are capable of or willing to conduct a fair, honest, transparent and thorough investigation.

Infant Deaths Totally Omitted and Ignored:

DPH omitted any mention of the infant deaths plaguing Kettleman City from their written and oral presentations and material. How can they imply there is no problem in Kettleman City when they did not even consider the many infants that have died and have announced they will not consider this terrible reality in their “investigation.”

DPH mentioned only four birth defects in 2008 when information at the time indicated there were five in 2008 and a sixth a few months earlier – and another cleft lip and cleft palate birth defect in 2008 was just discovered, making the known 2008 total six:

The Community Health Survey conducted by Kettleman City groups and Greenaction confirmed four birth defects in 2008 and one in late 2007. Another 2008 case was revealed by Kings County in late January. DPH improperly omitted one case by claiming it was not a Kettleman City infant, when in fact the mother lived in Kettleman City for most of her pregnancy. A sixth birth defect (cleft lip and cleft palate) in 2008 has just been discovered, when the mother contacted US EPA.

State DPH claimed “overall birth defect rates not higher than expected” and only one more birth defect “than would be expected” by watering down the numbers and spreading the number of cases over a 22 year period going back to 1987.

We now know there were at least six birth defects in 2008, and a total of at least eleven since late 2007.

We now know that the increase in birth defects in 2008 was not a random spike as we now know of at least three in 2009 and one already in 2010.

In the 20 years prior to the recent spike (1987 – 2006), there was not even one birth defect in fifteen of the years and only one in five of the years, for an average of .25 birth defects per year.

There were at least 5.75 more birth defects in 2008 than seen on average in the prior 20 years, and five more than any of the prior twenty years.

In addition, Dr. Kreutzer of DPH admitted during his presentation that some defects may not be in these numbers as the families may have moved away before the defects were reported – a real concern since it took DPH over 15 months to come to the community to start looking into the situation on the ground.

Fact Sheet section on “Causes of Birth Defects” Omitted Environmental Exposures that DPH knows can cause these types birth defects – DPH now claims this was an “oversight.”

When challenged following the DPH presentation to the Kings County Board of Supervisors on March 9th, Marilyn Underwood of DPH said that the omission of environmental exposures as a cause of birth defects was “an oversight.”

Studies show that proximity to a toxic waste site and pesticide exposure have been linked to the types of birth defects being experienced in Kettleman City. It is truly troublesome that this information was omitted from the DPH “fact sheet” and presentation.

Claim of “No Patterns Among Cases to Suggest That There was a Common Underlying Cause” is without a basis in fact.

As DPH failed to step one foot in the town, talk to the affected families or do any environmental testing in town, they have no basis in fact or reality to claim there was no common pattern. Without investigating, it was irresponsible and a violation of your instructions for them to make this statement.

The evidence shows there is a common pattern:

- Five of the six birth defects in 2008 involved cleft deformities, as did one in 2007 and one in 2009
- At least seven of the eleven birth defects we know about had facial deformities (cleft lip and/or palate)
- To the best of our knowledge, the mothers we know were healthy at the time of pregnancy (except for the one who got sick during pregnancy after her baby already had birth defects).
- Mothers did not do drugs or alcohol
- Genes/family history do not appear to be a factor
- All mothers were exposed to multiple pollution sources, including the types of exposures that studies have indicated could cause these types of birth defects.

In light of the above, we respectfully request that you take the following actions:

- 1) Instruct DPH to rescind their incorrect and premature statements;
- 2) Work with the community to establish an independent body to work with state agencies in this investigation – and provide funding for the community to hire their own experts to participate in this study and investigation;
- 3) Stop state agencies from issuing permits for more pollution in this suffering community.

Thank you for consideration of these requests.

Sincerely,

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