

April 20, 2015

The Honorable John Kerry
Secretary of State
UNITED STATES DEPARTMENT OF STATE
2401 "E" Street NW, Suite 518 H, HR/REE
Washington, DC 20522

Ms. Gina McCarthy, Administrator
ENVIRONMENTAL PROTECTION AGENCY
Office of the Administrator, 1101A
1200 Pennsylvania Avenue, N.W. Washington, DC 20460

Dear Secretary of State Kerry and Administrator McCarthy:

We, the undersigned, represent U.S.-based organizations in support of public and occupational health, environmental justice, human rights, and conservation. Recognizing the opportunity of the upcoming Conference of the Parties (COP7) of the Stockholm Convention on Persistent Organic Pollutants (POPs) in May 2015, we call on both the U.S. Department of State and the Environmental Protection Agency to support the inclusion of pentachlorophenol (PCP) in Annex A of the Convention for global elimination with no exemptions.

Although the U.S. is not yet a Party to the Stockholm Convention, we recognize that, as a Signatory to this Convention, our government has an important responsibility in the upcoming COP7 to support global action that eliminates the production and use of PCP. We urge you to take this opportunity to show strong leadership that is informed by sound science and guided by human rights law.

The scientific expert committee of the Stockholm Convention, the POPs Review Committee (POPRC), determined that pentachlorophenol meets scientific criteria as a POP for its persistence, bioaccumulation, and adverse effects and that it will, as a result of its long-range environmental transport, **"lead to significant adverse human health and environmental effects such that global action is warranted."** At the most recent meeting in October 2014, the POPRC recommended the elimination of the production and use of PCP by listing PCP in Annex A of the Stockholm Convention.

PCP is a persistent and ubiquitous contaminant found in the breast milk, blood, amniotic fluid, adipose tissue, and seminal fluid of people throughout the world, including Indigenous peoples of the Arctic. **This chemical is associated with adverse health effects including damage to the developing brain and nervous system, impairment of memory and learning, disruption to thyroid function, immune suppression, infertility, and increased risk of certain cancers such as non-Hodgkin lymphoma.** In September 2014, the National Toxicology Program's Report on Carcinogens re-classified PCP "as reasonably anticipated to be a human carcinogen."

Dioxins and furans are produced and released as dangerous by-products of the manufacturing of PCP, as well as during use and disposal of PCP-treated wood. Emissions from PCP-treated wooden poles are one of the main sources of polychlorodibenzo-p-dioxins and furans (PCDD/Fs). PCP, dioxins, and furans have contaminated the soils and groundwater beneath PCP-treated poles. Dioxins and furans associated with PCP contribute to the global toxic chemical burden and substantially increase the costs of cleanup, waste disposal, public health response, and individual health care.

As an international environmental treaty, a primary objective of the Stockholm Convention is the protection of human health. At the upcoming COP7, we urge you to promote the centrality of human rights to achieving this objective. The protection of human rights, in particular the human rights to life, health, and a healthy environment without distinction as to race, is expressed in two international treaties ratified by the U.S. Government, namely the International Covenant on Civil and Political Rights and the Convention on the Elimination of All Forms of Racial Discrimination. In addition, the American Declaration on the Rights and Duties of Man, which the U.S. Government is obliged to uphold as a member of the Organization of the American States, also protects these human rights.

Your support for listing PCP in Annex A of the Stockholm Convention would build on the global progress of establishing and enforcing environmental protection as a human right. This progress includes 119 nations with constitutions protecting the right to a healthy environment; numerous countries that have instituted legislative reforms and imposed judicial remedies for human rights violations arising from toxic environments; and the recommendations by the United Nations treaty-monitoring bodies and rulings by the Inter-American Commission on Human Rights, which recognize the responsibility of countries, including the U.S., to protect, preserve, and sustain a healthy environment as a human right.

Your support would also help to advance the necessary regulatory reforms of domestic regulation of PCP. Since 1987 when the U.S. Government restricted PCP for almost all uses except for wood preservation, studies have confirmed that children in the U.S. suffer from exposure to PCP. Children may be exposed to this carcinogenic substance while they are playing in and around PCP-treated utility poles near schools, parks, and in residential neighborhoods. Unfortunately, the risk of harmful exposure has expanded with the unrestricted re-use of PCP-treated poles in landscaping, livestock enclosures, and gardening applications. The continued use of PCP in the U.S. exposes people, in particular, Indigenous peoples and people of color, to harmful chemicals that can reduce their life expectancy and cause them to suffer severe health problems.

Although safe and economically viable non-chemical alternatives to PCP are readily available for use, the U.S. and Canada account for approximately 83% of the PCP used globally. At least 36 countries have banned the use of PCP because of its high toxicity and hazardous effects on our environment and human health. Only one company claims to be the only producer of PCP for wood treatment. This company, KMG Chemicals, produces PCP in Matamoros, México, formulates PCP in the U.S. at its facility in Tuscaloosa, Alabama, and markets PCP wood treatment products in both the U.S. and Canada.

The continued use of PCP denies human rights, harms the global environment, and threatens the health of present and future generations. Therefore, we call upon you to support the listing of PCP in Annex A of the Stockholm Convention with no exemptions.

Furthermore, we urge you to take leadership in forging and implementing an agreement to phase-out the production and use of PCP throughout North America and Central America. We also urge your support for the Annex A listing of hexachlorobutadiene and chlorinated naphthalenes at the upcoming COP7. Your leadership is particularly important as the United States is now Chair of the Arctic Council, whose mission is to promote environmental protection in a region of the world where, as recognized in the Preamble of the Stockholm Convention, Indigenous peoples are particularly vulnerable to the adverse health and environmental effects of PCP and other POPs.

Thank you for your commitment to protecting the health of our environment and people.

Sincerely,



Alaska Community Action on Toxics (contact organization)

Pamela Miller, Executive Director
505 W Northern Lights; Suite 205
Anchorage, Alaska 99503
Phone: (907) 222-7714; FAX: (907) 222-7715
www.akaction.org

Advocates for Environmental Human Rights

Monique Harden & Nathalie Walker, Attorneys/Co-Directors
New Orleans, Louisiana

Rebecca Gasior Altman, PhD

Board of Directors, Science and Environmental Health Network
Arlington, Massachusetts

Beyond Pesticides

Jay Feldman, Executive Director
Washington D.C.

Beyond Toxics

Lisa Arkin, Executive Director
Eugene, Oregon

Breast Cancer Fund

Jeanne Rizzo, R.N., President and CEO
San Francisco, California

Center for Environmental Health

Ansje Miller, Eastern States Director
New York, New York

Lin Kaatz Chary, PhD, MPH

Environmental Strategies and Consulting
Gary, Indiana

Citizens Campaign for the Environment

Adrienne Esposito, Executive Director
Farmingdale, New York

Citizens for Clean Air

Patrice Lee, Joan Franz, Dr. Jeanne Olson-DMV, Jimmy Fox, Lou Brown, Carrie Dershin—individually and collectively as Citizens for Clean Air leadership
Fairbanks, Alaska

Citizens Environmental Coalition

Barbara Warren, RN, MS, Executive Director
Albany, New York

Clean and Healthy New York

Kathleen A. Curtis, LPN Executive Director
Albany, New York

Clean Production Action

Lauren Heine, Ph.D., Co-Director and Beverly Thorpe, Co-Director
Juneau, Alaska and Toronto, Ontario Canada

Clean Water Action

Elizabeth Saunders, Massachusetts Director
Boston, Massachusetts

Coastal Research and Education Society of Long Island

Arthur Kopelman, PhD, President
West Sayville, New York

Coming Clean (a network of 200 organizations and 300 individual experts)

Judith Robinson, Executive Director
Brattleboro, Vermont

Commonweal Biomonitoring Resource Center

Sharyle Patton, Director
Bollinas, California

Cook Inletkeeper

Bob Shavelson, Executive Director
Homer, Alaska

Concerned Citizens of Montauk

Jeremy Samuelson, Executive Director
Montauk, New York

Concerned Citizens of Wagon Mound and Mora County

Sofia Martinez, President
Wagon Mound, New Mexico

Delaware Concerned Residents for Environmental Justice

Paulyne A. Webster, Director
Wilmington, Delaware

East Hampton Village Preservation Society

Kathy Cunningham, Executive Director
East Hampton, New York

Ecology Center

Rebecca Meuninck, Environmental Health Campaign Director
Ann Arbor, Michigan

Empire State Consumer Project

Judy Braiman, President
Rochester, New York

Environmental Justice and Health Alliance for Chemical Policy Reform

Michele Roberts and Richard Moore, National Co-Coordinators
Washington D.C.

Farmworker Association of Florida

Tirso Moreno, General Coordinator
Apopka, Florida

Global Community Monitor

Denny Larson, Executive Director
El Cerrito, California

Grassroots Environmental Education

Patricia J. Wood, Executive Director
Port Washington, New York

Greenpeace

Rick Hind, Legislative Director
Washington D.C.

Green Science Policy Institute

Arlene Blum, PhD, Executive Director,
Berkeley, California

Group for the East End

Robert DeLuca, President
Southold, New York

Healthy Building Network

Bill Walsh, Executive Director
Washington D.C.

Healthy Schools Network, Inc.

Claire L. Barnett, MBA, Founder and Executive Director
Albany, New York

IPEN (with 37 participating organizations in the U.S. and 700 participating organizations internationally)

Manny Calonzo, IPEN Co-Chair
Dr. Olga Speranskaya, IPEN Co-Chair
Berkeley, California

Izaak Walton League

Jill Crafton, Chair—Great Lakes Committee
Minnesota, US

Ladies Village Improvement Society East Hampton

Janet Dayton, President
East Hampton, New York

Long Island Businesses for Responsible Energy, Inc.

Rebecca Singer, Co-Chair
East Hampton, New York

Long Island Neighborhood Network

Leigh Musarra, Manager
Farmingdale, New York

Los Jardines Institute (The Gardens Institute)

Richard Moore, Coordinator
New Mexico

Just Transition Alliance

Jose T. Bravo, Executive Director
San Diego, California

Marine & Environmental Research Institute

Susan Shaw, Director
Blue Hill, Maine

Maryland Pesticide Education Network

Ruth Berlin, LCSW-C, Executive Director
Baltimore, Maryland

National Toxic Encephalopathy Foundation

Angel De Fazio, BSAT, President/Executive Director
Las Vegas, Nevada

Northern Alaska Environmental Center

Elisabeth Dabney, Executive Director
Fairbanks, Alaska

Northwest Atlantic Marine Alliance

Niaz Dorry, Coordinating Director
Gloucester, Massachusetts

North Fork Environmental Council

Bill Toedter, President
Mattituck, New York

People Concerned About Chemical Safety

Maya Nye, Executive Director
Charleston, West Virginia

Pesticide Action Network North America

Judy Hatcher, Executive Director
Oakland, California

Physicians for Social Responsibility - Los Angeles (PSR-LA)

Martha Dina Argüello, Executive Director
Los Angeles, California

Physicians for Social Responsibility

Kathy Attar, Toxics Program Manager
Washington D.C.

Quiet Skies Coalition

Kathy Cunningham, Chair
Wainscott, New York

Renewable Energy Long Island

Gordian Raacke, Executive Director
East Hampton, New York

Residents for a More Beautiful Port Washington

Curtis V. Trinko, Chairman
Port Washington, New York

Resurrection Bay Conservation Alliance

Russ Maddox, President
Seward, Alaska

Save East Hampton

Lynne Brown, Co-Chair
East Hampton, New York

Science and Environmental Health Network

Ted Schettler MD, MPH, Science Director
Ames, Iowa

TEDX, The Endocrine Disruption Exchange

Lynn Carroll, Ph.D., Senior Scientist
Paonia, Colorado

WE ACT for Environmental Justice

Dr. Jalonne L. White-Newsome, Director of Federal Policy
Washington D.C. and New York, New York

Women's Voices for the Earth

Erin Switalski, Executive Director
Missoula, Montana