

# Kodak's toxic moments

**MAUREEN REYNOLDS**, a former neighbor of Eastman Kodak's sprawling Kodak Park facility in Rochester, New York, suffers from more than her share of Kodak moments – believing that Kodak poisoned her and her neighbors. She wasn't suspicious when her three-year-old son developed asthma. Rushing him to the hospital for adrenaline shots was traumatic, but these things happen. She also wasn't suspicious about the thin layer of ash on her car's windshield. She even noticed ash sometimes on her young son's glasses. Cities have dirty air, however, and a little ash isn't uncommon.

Things started getting strange, however, when Reynolds' herself developed asthma at age forty. During the next ten years she developed cancer, neuropathy, fibromyalgia, arthritis and the autoimmune disease, Primary Biliary Cirrhosis (PBC) — a rare disorder that only affects one person in a million.

Reynolds moved out of her Kodak Park neighborhood four years earlier, after living there for 23 years. As Reynolds began to confront the downturn in her health, she noticed that many of her old friends from the neighborhood were suffering similar fates — plagued by fibromyalgia and a host of other diseases. Curious, Reynolds started focusing on the rarest disease that she suffered from — PBC. PBC, which primarily attacks women, is related to Primary Sclerosing Cholangitis (PSC), which primarily affects men. What she learned was startling. PSC is one of a host of ailments which Vietnam veterans exposed to Agent Orange suffer from. After a little more research she discovered that, like

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her Kodak Park neighbors, these same veterans also suffer from neuropathy, diabetes, asthma and cancers of the thyroid and pancreas.

### **#1 in dioxin**

The most potent ingredient in Agent Orange is dioxin — which is often blamed for health problems suffered by those exposed to the herbicide. Reynolds' former neighbor, Kodak, has been releasing massive amounts of the same toxic substance into the Kodak Park environment. A 1992 trial burn at Kodak's incinerator released more dioxin into the environment than all of New York's other tested hazardous waste incinerators combined. Dioxin is a sore subject in Western New York since it was also found to be responsible for much of the sickness in Niagara Falls' Love Canal neighborhood.

According to the EPA, Kodak released more dioxin into New York's environment in 2000 than any other source. Kodak isn't just number one in dioxin emissions, however. As of 1999, they've also ranked as New York State's leading producer of recognized airborne carcinogens and waterborne developmental toxicants. They've also gained notoriety as New York's number one source for releases of suspected endocrine, gastrointestinal, liver, cardiovascular, kidney, respiratory and reproductive toxicants as well as neurotoxins. Kodak alone released more toxic chemical emissions listed in the federal Toxics Release Inventory (TRI) than all of the 144 major polluters in Erie (Buffalo), Niagara (Niagara Falls) and Monroe (Rochester) counties combined.

During the 13-year period from 1987 to 2000, thanks primarily to Kodak's toxic stew of emissions, Rochester ranked number one in the U.S. for overall releases of carcinogenic chemicals, according to the U.S. Public Interest Research Group (USPIRG). Kodak alone was responsible for over 90 percent of the 64.4 million pounds of carcinogens released during that period into Rochester's air and water.

### **Cancer in Kodak Park**

The end result of this dumping is a toxic-laden environment poisonous to human life. Hence, it should come as no surprise that according to the National Institute of Health and the National Cancer Institute, the Rochester area is in the top ten percentile for death rates from 13 different types of cancers. The New York State Department of Health found that "women living near Kodak Park had approximately an 80 percent greater [than average] risk of developing pancreatic cancer," which is often fatal. That rate increased to 96 percent among women who lived in the Kodak Park area for at least 20 years, leading the Department of Health to suggest that the longer people live near the Kodak facility, the greater their risk of getting pancreatic cancer becomes.

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Children seem especially susceptible to toxins in the Kodak Park area environment. One concerned area mother conducted a door to door survey in the Kodak Park neighborhood, eventually documenting 33 cases of brain cancer in children living within five miles of the Kodak facility. Currently the parents of five of these children are suing Kodak for \$75 million, holding the corporation responsible for poisoning their children. The concern about children's health is further exacerbated by the realization that there are 21 schools located within three miles of the sprawling Kodak facility.

Kodak's Public Relations division has been active for generations working to keep community protest at bay. Charlie Roemer, who lives two blocks from the Kodak facility, remembers a time 40 years ago when the company used to placate the community by offering to repaint cars whose finishes were damaged by ash from their smokestacks. Roemer says the "persistent bad smells" that have continuously come from the plant since his family moved into the community 51 years ago are just something people in the Kodak Park community learned to put up with. He recalls how his neighbors, during particularly bad air days in the 1960s, would chalk the stink up to "Kodak cleaning their stacks." On other days, especially during wind shifts, the stench of Kodak's effluent emissions into the Genesee River would overwhelm the neighborhood. In an effort to demonstrate how safe the stinky water was, the company at one time maintained a small aquarium near its discharge pipes, with fish allegedly swimming in waste water.

### **Let them drink methylene chloride**

Groundwater studies conducted in and around Kodak Park in the late 1990s show, however, that fluid wastes from the Kodak plant are anything but benign. A 1996 study, for example, found methylene chloride concentrations as high as 3,600,000 parts per billion. The permissible legal level is five parts per billion. In a self-congratulatory Earth Day 2003 press release, Kodak claims to have reduced methylene chloride emissions by 50 percent. They don't mention, however, that the New York State Comptroller's office points out that Kodak "only undertook serious remediation efforts after numerous fines from New York State and the EPA." It's also no accident that the press release doesn't contain data about current emissions. Given Kodak's previous astronomical emissions levels, a 50 percent or even a 99 percent cut still leaves an unacceptable amount of methylene chloride entering the environment. The federal Occupational Safety and Health Administration classifies methylene chloride as a workplace carcinogen. The Environmental Protection Agency labels it a "probable human carcinogen." For Charlie Roemer, it's the probable cause of the advanced prostate cancer he was diagnosed with three months ago.

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Many of Kodak's workers, like the residents in the Kodak Park area, have similar health horror stories. Ramona Miller worked at Kodak for 21 years, including working in a lab during a period when she was breast feeding her newborn baby girl in 1988. Miller blames her work at Kodak, which involved moving toxic samples in and out of drying ovens in what she describes as a "poorly vented environment," with the chronic health problems afflicting both her and her daughter. Her daughter suffers from bi-lateral spasticity, a form of cerebral palsy which Miller believes was induced by toxins accumulating in her breast milk. Miller herself suffers from various nervous system disorders. She continued, however, to work at Kodak while conducting research about the various chemicals she was exposed to while breastfeeding. Eventually she started getting panic attacks when she approached Kodak Park, much like a crime victim would when revisiting the scene where she was victimized. Miller finally left her job at Kodak last year. Kodak hasn't acknowledged any responsibility for Miller's health problems nor those of her daughter.

The hazards of working at Kodak are widely known. A 1987 article in the Journal of Occupational Medicine cites one of Kodak's own studies showing "an elevated number of deaths due to pancreatic cancer in workers exposed at Kodak Park to methylene chloride.

For workers and neighbors who believe they were injured by Kodak's legal and illegal dumping of toxics into the environment, finding lawyers willing to sue the politically powerful Kodak in what is essentially a company town is a difficult proposition.

### **Crime and politics**

Politics is a game Kodak has learned to play well, contributing funds generously to both Democratic and Republican war chests. In 1994 the EPA fined Kodak approximately \$8 million for environmental violations at Kodak Park. The EPA's laundry list of environmental crimes Kodak was guilty of included illegal disposal of hazardous wastes, illegal use of incinerators and waste piles, failure to notify the EPA of groundwater contamination, making undocumented shipments of hazardous wastes, and having a 20 year history of leaky underground pipes, among other violations. In 1995, however, Governor George Pataki's Economic Development Commissioner, Charles Gargano, in a letter to Kodak's former CEO, George Fisher, wrote, "Your leadership at Kodak is an inspiration to those of us trying to reengineer state government and make it more responsive to the needs of our business customers."

Such indifference to the criminal activities of, and tacit support for, the state's largest industrial polluter is shocking. But the letter to Fisher also had another purpose — that being to announce a \$20+ million state aid package composed primarily of tax credits. As

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the state money and tax abatements poured in during 1996, Fisher's compensation package as CEO soared to over \$9 million.

### **Recidivism in Kodak Park**

Despite the generosity of the Pataki administration, Kodak remained the state's number one industrial polluter. Showing no remorse for his company's past criminal activity, in May of 1996, Senior Vice President Richard T. Bourns told the New York State Assembly Subcommittee on Manufacturing, "In 1994 we believed that unjustified environmental regulations were the greatest competitive disadvantage associated with manufacturing in New York. Simply put, regulations that did nothing to help the environment were costing jobs." The upside for Kodak, according to Bourns, was that, "Under Governor Pataki, that is beginning to change." Still, for Kodak, this change wasn't coming fast enough. While complaining about the same state income tax that partially financed the Pataki administration's handouts to Kodak, Bourne warned that "Unless New York makes significant changes to be more competitive, Kodak investment will increasingly go elsewhere."

For environmental and community activists, this is exactly what the problem is at Kodak: their investment is going elsewhere. Michael Schade, Western New York Director of New York's Citizens' Environmental Coalition (CEC) argues that pollution control efforts at Kodak are not up to date. His organization is demanding that Kodak phase out emissions of extremely toxic chemicals. Kodak, despite modest investments in environmental safeguards made in lieu of fines, has still shown itself to be a serial environmental offender, being found guilty by the New York Department of Environmental Conservation of violations dating from 1993 to 1999, which included dumping wastes into the Genesee River. Thanks in large part to Kodak, that river has the dubious distinction of receiving more toxic wastes than the Hudson River.

While continuing to poison the environment at Kodak Park, the company has attempted to make rhetorical gains in the fight against the perception that it is a polluter. One of Kodak's many Earth Day 2003 pronouncements boasted how the EPA, now under the command of Bush appointee Christie Whitman, announced that "Eastman Kodak Company is a remarkable example of how organizations can combine environmental concerns with smart business strategy." Both the Whitman EPA and Kodak point to the company's new motion picture film cleaning technology which reduces the use of ozone depleting chemicals. Critics argue that Kodak is making small highly publicized improvements while maintaining a toxic status quo in Kodak Park. In an image-driven world, such a frontal assault against reality can be quite effective, hence

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environmentalists and public health advocates must be more vigilant than ever in working to expose Kodak's toxic legacy.

### **Just say NO! to Kodak**

Things may be changing soon, however. CEC and a host of other groups located around the world have been turning the heat up on Kodak. On May 7th, Kodak shareholders voted on a resolution that would have forced the company, literally, to clean up its act. Using neighboring Xerox, which saved \$300 million over three years by adopting a more environmentally friendly closed-loop production system, shareholder proponents of the resolution argued that in the long run, a clean company exercising respect for the environment would be a more profitable company as well. The resolution won the support of the New York State Comptroller Alan Hevesi's office, which manages the state's retirement fund. Hevesi, whose office pointed to Kodak's "long history" of releasing "bioaccumulative pollutants" at Kodak Park, argued that "Adopting and practicing sound environmental policies not only preserves our natural resources, but makes good business sense." Though it was voted down, supporters see the six percent of the vote that it garnered as a success, arguing that such numbers are promising for a first-time shareholder resolution.

Activist organizations also organized the first-ever National Day of Action for Clean Air at Kodak. Protestors from Washington State to Texas, Illinois and New York, picketed drugstores selling Kodak film and related products. In this new Kodak moment, CEC's Schade argued that, "For the health and safety of our communities, we need to raise our voices and expose the true picture of Kodak's pollution. It is critical that we stand up and demand the right to a clean and safe environment for our children." Suddenly, after decades of suffering alone, this is no longer just the Kodak Park community's issue. Activists from diverse nations around the globe such as India, Norway and Malaysia are banding together bring the message to Kodak that the global market will not tolerate what they are doing in Rochester. Given Kodak's international presence and their need to protect their brand image around the world, continued community activism will mean it's only a matter of time before Kodak listens and cleans up its act. ●

*To learn more about Kodak and toxic pollution, see <http://www.kodakstoxiccolors.org/>  
To volunteer to help CEC with this and other environmental struggles, call them at (716) 885-6848.*