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ENVIRONMENT-PERU: US-Owned Smelter Fined for Pollution

By Milagros Salazar

LIMA, Apr 23 (IPS) - The U.S. company running a large multi-metal smelter in the Peruvian city of La Oroya, one of the most polluted places on earth, is facing sanctions for violating air quality standards.

Mining and metallurgical company Doe Run Peru overran emission limits to such an extent that on Mar. 11 the German independent auditing firm TÜV Rheinland withdrew their ISO 14001 environmental certification, issued in 2006.

In a document seen by IPS, the state Technical Committee on Air Quality in La Oroya reported that the smelter failed to meet annual emission limits for lead and for particulate matter, which has a maximum limit of 50 micrograms per cubic metre of air.

The report is based on measurements carried out by the bodies responsible for environmental monitoring at La Oroya.

"What should follow now is implementation of mandatory corrective and punitive measures and avoidance of further blackmail of any kind. The state has already failed in its role once before, when it postponed the company's deadline for meeting its environmental responsibilities without imposing any sanctions," Iván Lanegra told IPS.

Lanegra is the manager of natural resources and the environment for the regional government of Junín, in the central Andes, with jurisdiction over La Oroya.

In 2006 the authorities agreed to a three-year extension of the deadline for Doe Run Peru to meet acceptable limits for sulphur dioxide emissions.

The state "failed because its oversight system allowed this situation to develop instead of preventing it earlier. If it overlooks the company's non-fulfilment of the regulations now, it will be failing again," Lanegra said.

The Energy and Mining Investments Supervisory Body (OSINERGMIN) confirmed to IPS that sanctions will be imposed on Doe Run, and that the size of the fine involved would be announced in about two months' time.

Last year the firm had to pay over 230,000 dollars in fines for breaking environmental laws.

The strange thing is that the monthly figures for the smelter's lead emissions in the Technical Committee report to the government's National Environment Council (CONAM) indicate that these have fallen, except for those from one of the several monitoring stations in La Oroya.

This led the head of the General Directorate of Environmental Health (DIGESA), Fausto Roncal, to suggest that a change in the regulations is needed so that the annual and monthly results are consistent with each other.

"Ministry of Health regulations permit the monthly Air Quality Standard (AQS) to be exceeded up to four times in a year, but this flexibility does not take into account the annual standard that has to be met. The law should be changed to stipulate progressive fulfilment of the standards throughout the year, so that emissions of toxic agents are reduced," Roncal told IPS.

In Lanegra's view, the problem is not related to the standards. "If it were, many cities in Peru would be in a similar situation, but in fact it is only La Oroya that has this problem."

"According to the free trade agreement with the United States, we cannot flexibilise our legislation to favour a particular investor (Doe Run, in this case). The people of La Oroya have a right to a lead-free environment," he said.

The Blacksmith Institute, a New York-based non-governmental organisation dedicated to supporting pollution-related environmental projects in developing countries, included La Oroya on its 2006 list of the world's 10 most polluted places.

The Technical Committee report indicates that emissions of other polluting agents, such as antimony, thallium, bismuth, arsenic and cadmium, have fallen, and it says the company has managed to reduce fugitive emissions (non-stack leaks from equipment, windblown dust, etc.) from the metallurgical complex by 53 percent.



Credit: Courtesy of La República newspaper.





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As for sulphur dioxide, which causes acid rain and respiratory problems, the smelter has been emitting 890 tons per day since it was taken over by Doe Run in 1997. In 2007 the company cut these daily emissions by only 109 tons.

The authorities want the emission rate reduced by more than 80 percent, but they will not be able to enforce this limit until November 2009. The sulphur dioxide will be diverted to three sulphuric acid plants instead of being released into the atmosphere. The national standards, however, are well below those accepted internationally, according to experts.

Doe Run Peru communications manager Víctor Andrés Belaúnde told IPS that while some parameters have not been met, significant progress has been made in limiting emissions of other toxic agents. He said "additional projects" would be needed.

Company technicians are reviewing what other measures can be taken to remedy the current situation, Belaúnde said.

The state Technical Committee report also indicates that little has been done to reduce the risk of exposure to polluting agents for the 35,000 people of La Oroya.

The contingency plan approved last year to protect the city's residents from the worst peaks of pollution from the smelter complex is still in the preliminary stages of an awareness-raising campaign.

Medical studies carried out by the social development organisation CooperAcción in 1999 and 2003, and by the St. Louis University School of Public Health in Missouri in 2005, found that the majority of children under six in La Oroya have toxic levels of over 40 micrograms of lead per decilitre of blood (mcg/dl).

The World Health Organisation (WHO) regards the maximum safe limit to be 10 mcg/dl. Lead poisoning inhibits neurological development in children, with lifelong effects.

In 2004 the company itself, in cooperation with the Health Ministry, carried out a study of lead levels in blood. Out of 788 children examined, only one had a lead level below 10 mcg/dl.

"The company that emits these pollutants is chiefly to blame, because there will only be less harmful exposure when emissions are reduced," said Lanegra.

"Special measures to protect vulnerable people are only provisional, and they will always be inadequate. The other responsible party is the state," he said.

At least measurement of air quality has improved, because four monitoring stations now supply real-time results, and epidemiological studies have been carried out in children under six and pregnant women. (END/2008)

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▶ [A family in La Oroya.](#) Credit: Courtesy of La República newspaper.

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