

UTILITY POLES AND THE THREAT TO OUR HEALTH

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BRONX, NY - Wood utility poles dotted around the landscape have been a common sight for New Yorkers for generations, carrying electricity, phone service and cable television into our homes. But evidence is mounting that they may carry something else-an increased risk of cancer.

Since the early 1940s, wood utility poles across the country have been treated with a preservative that contains pentachlorophenol (penta). The chemical protects the wood from fungus, insects and decay. But it has also been [linked to an increased risk of certain cancers](#)-such as non-Hodgkin's lymphoma, kidney cancer and multiple myeloma-especially among sawmill and utility workers who have regular exposure to the chemically treated poles.

The chemical has not been available to the general public since 1986, but it is still used by companies such as National Grid and PSEG Long Island to protect new utility poles. It has also been used to treat railroad ties and decking.

"This product poses a clear danger to people's health," Bronx attorney Zachary K. Giampa said. "It is beyond belief that it continues to be used, putting utility workers, homeowners and children at risk." Giampa said his firm is currently working on a mass tort lawsuit related to the use of pentachlorophenol.

There are an [estimated 160 to 180 million utility poles](#) in the United States, with roughly 63% of them treated with

penta. People can be exposed to the chemical if it contaminates the soil, leaches into groundwater or moves through the air. And up to 6 million new utility poles are added each year.

EPA, utilities ignore health risks

In 2015, PSEG Long Island kicked off a \$729 million federally funded project to strengthen the electric grid, a project that involves the installation of thousands of new utility poles treated with pentachlorophenol. Concerned about the health of residents, the town of North Hempstead ordered the utility to post a sign on each pole, warning residents about the dangers of the chemical. PSEG Long Island sued and a judge later ruled the ordinance was unconstitutional.

In March 2015, U.S. Senator Charles Schumer (D-NY) asked the EPA to conduct an investigation into the health effects of using penta-treated poles, and called on PSEG Long Island to suspend the use of the chemical until the end of that investigation.

"Many of these wooden utility poles are standing nearby schools, parks, businesses and homes, and so, we must ensure that residents and children are not being exposed to the highly toxic chemical if it leaches into the ground water," said Senator Schumer at the time. No action was taken.

Two state legislators from Long Island, Sen. Kenneth LaValle and Assemblyman Fred Thiele, sponsored bills that would ban penta from Long Island in order to protect its aquifers, the primary source of drinking water for the majority of residents. The bills never came up for a vote. In 2014, [high amounts of the chemical](#) were found in the soil underneath newly installed utility poles in East Hampton. A PSEG executive sent a letter to town officials saying that the study "does not alter our position,

supported by volumes of scientific data, that penta-treated utility poles pose no unreasonable risk to human health or the environment."

But the risk of exposure is clear. A [research paper](#) published in January 2015 in the *International Journal of Environment Research and Public Health* found that penta had been "detected in air, soil, carpet dust, food, and hand wipes samples collected at U.S. homes and childcare centers" and that nearly all of the children in the study had been exposed to penta daily.

There is also an established risk to health. The [EPA](#) has classified pentachlorophenol as a Group B2, probable human carcinogen. The [International Agency for Research on Cancer](#), part of the World Health Organization, has taken a stronger stance, classifying the chemical as Group 1, carcinogenic to humans. In December 2015, the EPA decided separately-not in response to Senator Schumer's request-to conduct a routine re-evaluation of the use of penta on utility poles. That review is expected to take years.

But in the meantime, other countries have recognized the risk and taken action. Penta is already banned in 26 countries. The Stockholm Convention, an international environmental treaty, has classified penta as a persistent organic pollutant (POP)-a compound that poses a risk to human health and remains in the environment for long periods of time. On May 15, 2016, countries that take part in the Stockholm Convention voted 90-2 to ban penta. The United States did not ratify the treaty and is not bound by the decision.

Meanwhile, residents in the United States continue to be exposed to the chemical, putting their health at risk. "This is not acceptable," said Attorney Giampa. "The utility companies have not acted responsibly. People who

develop cancer as a result have the right to seek damages through the legal system. Maybe that's what it will take to ban this harmful product once and for all."

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