



Beverly High, Oil Wells, Power Plants, Cancer: Disproven? Not So Fast

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Four years ago this month I started writing the first nationally published article on the unusual preponderance of three types of cancers among alumni and teachers at my alma mater, Beverly Hills High. Toxins emitted by the 17 oil wells adjacent to and under the school were suspected to be the cause. The city and school district joined the massively deep-pocketed oil companies to vigorously defend themselves against the suit filed by Masry & Vititoe (with Erin Brockovich as figurehead); and so far they were winning. They had a rapid-response system (never was it easier to get an oil company V.P. on the phone), and the "neutral" expert --a major-university-affiliated citywide-cancer-incidence compiler (though *not* an *environmental*-cancer investigator) -- nixed the theory. (It was later revealed that her colleague/husband was an oil industry consultant.)

The story I delivered raised the issue of an inordinately high rate of cancer and the anguished plaintiffs' determination to seek answers, but I obviously had to leave the cause a big question-mark. The burden of proof is overwhelmingly on the cancer-cluster-*claimers*, and oil companies customarily wear out plaintiffs' attorneys' funds in extenuated litigation. Plus, these are legal, not scientific findings: other than the DES case from the 1970s, cancer cluster cases (not even the Hinkley, California case that Brockovich is famous for winning) have *never* been scientifically proved. But in meeting the young woman who initiated the suit -- who had two different cancers before age 27; in speaking to a second young woman with the exact same misfortune; and meeting a 28-year old man who had a double bout of non-Hodgkins lymphoma and completed a harrowing bone marrow transplant only to watch a classmate die of pancreatic cancer; in getting to know a young social worker who evinced unbelievable grace in the last throes of terminal Hodgkins -- and to hear about the dozens (since then, hundreds) of other cases of afflicted students and faculty-- it was impossible not to form the *personal* opinion that this was simply too much cancer in one small population of health-conscious young people to be coincidence, and that (duh) it was wrong to have a large, toxins-emitting oil-drilling operation on top of a school.

The school district profited handsomely from the oil revenues (as, a tiny bit, did my own family -- we lived a half-block from the school and my mother used to kiss her yearly Wainoco royalty checks), and the city and especially the oil companies had a vested interest in blaming easy-target Brockovich (her cleavage-y photo on the law firm website didn't help) for her "publicity stunt." Many residents wanted the case to fade away, even after it was handed over to one of the biggest toxic tort firms in the country, Baron and Budd and even after it emerged that the Sempra power plant at school-abutting Century City had also emitted toxins.

Well, journalist -- and Beverly High alum -- Joy Horowitz, starting when I did but with a (well-earned) book contract, went on to spend four solid years investigating the story: interviewing hundreds of cancer survivors, activists on both sides, and authorities in medicine, science, petroleum, geology, air flow, public health, and law; reading hundreds of thousands of pages of historical records and documents (and ordering up boxes of never-viewed files moldering in state-agency basements), closely following the litigation, and painstakingly culling studies on the effect of toxins on humans and animals. The authoritative account she puts forth in her eloquent and compelling *Parts Per Million: The Poisoning of Beverly Hills High School*, which will be published in July by Viking, is a clarion call about how Big Oil trumps scientific inquiry (down to paying a single trial expert witness a million dollars and underwriting "research" for countless millions more) and definitely trumps concern for the health of children and adolescents, even in cases where coincidence seems beyond the pale (nine Beverly Hills soccer team members with thyroid cancer?). Anyone who thought the Beverly High case was rightfully settled when the judge (in a surprising and, some say, legally questionable summary dismissal) threw out the first raft of twelve lawsuits in November (other cases may yet be brought) owes it to him- or herself to read Horowitz's book.

It's so easy to *not* be "meddlesome" after a decision has been made by the deciders. The day it was announced that we were going into Iraq, I was meeting a source at a restaurant in L.A. This person had been a longtime employee of the Beverly Hills Unified School District. When he learned, years earlier, that temporary classrooms were being put on the site of abandoned oil wells because the oil companies were paying for school improvements, he said he asked the school board: "Don't you think you should do air testing first?" He said he was told, "Those tests are too expensive"; then, he says, when he kept pushing, he was told that if he valued his job he'd stop asking that question. I listened to this man (whose account -- which I recently reconfirmed with him-- fell outside the purview of my article) as the restaurant TV blared news of our supposedly justified Iraq invasion, whose casualty-laden fourth anniversary we are of course marking now. I didn't think, at the time, that the two things had anything in common. Now I do.

This Friday, March 23, the Beverly Hills Unified School District-- which (I state the obvious, as a grateful recipient) has for many decades provided the highest-quality free public education in the country-- goes to court to try to have all the potential 1,065 cancer patients' lawsuits against them dismissed.

For all this irony, tragedy -- and maybe some ideas for a way forward: Joy Horowitz,

Parts Per Million -- make a note to buy it when it comes out.