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The LEAGUE LINE

Fall 2011

League Uncovers Secrecy Pledge Between NC Div. of Air Quality and South Atlantic Galvanizing



By Beverly Kerr, August 2011

Communications Coordinator / Community Organizer

League calls for veil of secrecy to be lifted.

BREDL has released documents showing that the Winston Salem Regional Office of the North Carolina Division of Air Quality improperly allowed South Atlantic Galvanizing, located in Graham, to keep test results of plant emissions hidden and away from public scrutiny. According to NC General Statute 132.1 regulations, emissions data must be made public. The League challenges this inappropriate confidentiality determination and requests a judicial determination be initiated.

Even though the industry will lawyer-up to argue against the county and the health department, The League calls for Alamance County Commissioners and Alamance County Health Department to take action by requesting this withheld information from the state and from South Atlantic Galvanizing. The confidential veil must be lifted and removed so that a proper permitting action can be carefully considered.■

Call to Action:

1.The League recommends that Alamance County calls for Department of Environment and Natural Resources to remove the confidentiality veil, release the secret information and investigate the permitting process for South Atlantic.

2. We ask the county and the state to regulate steel galvanizing plants under the strictest requirements.

3. Because of soil test results that confirm heavy metal contamination, we ask that Alamance County conduct soil and water testing in the properties adjacent to South Atlantic Steel Galvanizing in Graham.

4. Further, we request that Alamance County support our call for state air pollution testing at South Atlantic. (An earlier test conducted by the Winston-Salem Regional Office of the Department of Environment and Natural Resources tested only total particulates. The methodology for the test was flawed.) ■



League Announces $25,000 EPA Environmental Justice Grant Award
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BREDL: Who and what we are

In March 1984, fifty citizens of Ashe and Watauga Counties met in the Mission House of Holy Trinity Church in Glendale Springs, North Carolina. Teachers and farmers, home-makers and merchants listened to the report of the Episcopal Church Women on the US Department of Energy's siting search for a high-level nuclear waste dump in the rain-rich east.

Recognizing that the North Carolina mountains were a region at risk, the assembled group organized the Blue Ridge Environmental Defense League (BREDL) to protect their own backyard and those of other threatened communities.

Grassroots organizing was a cornerstone of our early all-volunteer organization. One of our first multi-county boards of directors adopted our credo, which embodies our mission statement:

BREDL Credo

We believe in the practice of earth stewardship, not only by our league members, but by our government and the public as well. To foster stewardship, BREDL encourages government and citizen responsibility in conserving and protecting our natural resources. BREDL advocates grassroots involvement in order to empower whole communities in environmental issues. BREDL functions as a "watchdog" of the environment, monitoring issues and holding government officials accountable for their actions. BREDL networks with citizen groups and agencies, collecting and disseminating accurate, timely information. BREDL sets standards for environmental quality, and awards individuals and agencies who uphold these standards in practice.

Moving into the future

Since then, the Blue Ridge Environmental Defense League has grown to be a regional community-based, nonprofit environmental organization. Our founding principles - earth stewardship, environmental democracy, social justice and community empowerment - still guide our work for social change. Our staff and volunteers put into practice the ideals of love of community and love of neighbor, which help us to serve the movement for environmental protection and progressive social change in Maryland, Virginia, North Carolina, South Carolina, Georgia, Alabama and Tennessee.

Grassroots Campaigns

Nothing creates hopefulness out of helplessness like a successful grassroots campaign - and our chapters have a history of winning. For twenty-six years Blue Ridge Environmental Defense League chapters have protected their communities by stopping dangerous facilities and promoting safe alternatives.

In the 1980's and 1990's, BREDL prevented a multi-state ThermalKEM hazardous waste incinerator, a southeastern nuclear waste dump and a national nuclear waste dump. In the 2000's, our coordinated grassroots citizens' campaigns have had further victories. We won a legislative victory with the passage of the NC Solid Waste Act, effectively blocking at least four multi-state mega-dumps. Our Person County chapter convinced their Board of Commissioners to reject expansion of the Republic Services landfill. Our Cascade, Virginia, chapter shut down a huge hazardous waste incinerator. We eliminated mercury waste from the Stericycle incinerator, shut down a tire incinerator in Martinsville, won the landmark environmental justice court decision in Greene County, NC. Further, with our chapters we have protected air quality by blocking scores of asphalt plants, four medical waste incinerators, a PVC plant and a lead smelter, and passage by local governments of eight polluting industries ordinances. Our work on nuclear power and coal plants laid the groundwork for our new Safe Energy Campaign. Victories over twenty-four mega-dumps have resulted in our affirmative Zero Waste Campaign. Guided by the principles of earth stewardship and environmental justice, we have learned that empowering whole communities with effective grassroots campaigns is the most effective strategy for lasting change.■

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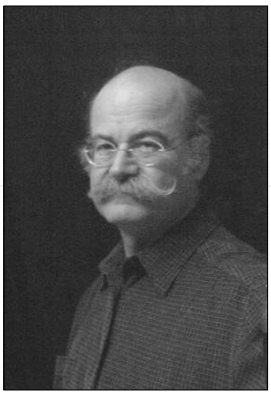
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Organizing Communities for Social Change
What BREDL Does Best

Director's Report~ *by Louis Zeller*

"Logic and sermons never convince. The damp of the night drives deeper into my soul." —Walt Whitman

Whitman`s allocution lends poetry to an exploration of community organizing by focusing on the way people's minds are changed and how social movements grow. Community organizing is about putting people first, not facts or arguments. One must know when to speak and when to listen. I saw an anti-nuclear activist who was meeting with national leaders from many diverse communities empty the room of important Native American allies by ignoring this simple courtesy. He meant well, but putting policy over people scuttled his effectiveness.

After 22 years of work in rural southern communities, I have learned to listen to the wisdom of the people. A wizened cab driver told me, "I knew we were poor, but I didn't know we were that poor." A brand-new 75 year old activist asked, "Why don't they just stop making this stuff?" An exasperated young woman concluded, "I don't care who gets the methane, let's talk about how we're gonna stop this mega-dump." -Janet Marsh

The way change comes about, change which is necessary for a community organizer to be able to move people, is not always consistent. We cannot depend on things unfolding in a logical fashion–first do A, then do B, then C happens. For example, if you want to prevent a waste incinerator from coming to your town, do you need to come up with a better way to dispose of waste? No, first you do whatever it takes to stop the incinerator. Logical thinking could direct one to solve the problem so that waste incinerators are no longer needed. That is A-B-C thinking. Better pollution controls, safer operation requirements, and more frequent monitoring would ordinarily be rational means of making such improvements. Oftentimes this is the approach of liberal policy groups. Too often such advocates devalue the territory between the logical and the inspired.

The motto of liberals, "We agree with your objectives, but not with your tactics." Saul Alinsky

However, such A-B-C problem-solving can lead to counterproductive efforts. In fact, the worse the immediate crisis, the easier it may be to change what really needs changed. In the case of a proposed incinerator, the fundamental problem is the sacrificing of one community for the benefit of others. But supposedly helping a community by getting its residents to breathe half as much additional pollution is not social change, it is accessory to the crime.

The community organizer's best question is "why?" A good organizer holds up a mirror to a group of people in the throes of planning what to do. For example, a community group in Tennessee was invited to meet with the lawyer of a company whose operations had contaminated the community. Rather than advising the group that to do so could put them in legal jeopardy, the community organizer asked: why would you do that? The impetus to accept the offer to meet—previously unquestioned—was thrown open to debate and, more importantly, analysis by the group. Further questions follow; such as, what could the polluter's attorney gain from meeting with us? Now the group is thinking in new ways, avoiding pitfalls and becoming better able to fend off future attempts to undermine them. They are a step closer to realizing their goal of stopping the pollution. And the method of defending their community is becoming intrinsic to the group and its leadership.

We don't quit. We find a way to do it. –Rev. James A. Johnson

Challenging authority is a fundamental principle of social change community organizing. Communities which grasp this concept early, or those which have life experience which gives them an intuitive understanding of power relationships, have a great advantage over communities which are unable or disinclined to act on it. *More than a tactic or a strategy, the dedication to winning is essential. It is not enough to make a good effort and be satisfied with, "We did our best. No one could have done it. At least we tried." Losing one campaign leads to further losses—loss of members, loss of funding or loss of the organization itself.*

"When we're losing, we know it—when we're winning, we're never really quite sure." Leon Lowery

In the midst of a community campaign, it is difficult to know whether you are winning or losing. It is hard because winning and losing can look the same. Why? Because the incinerator company or the government agency will never let you know where you stand. They will not tell you that that their expenses and legal fees are mounting and that at some point the bean counters will call it quits. A woman in Tennessee, after a couple months of effort, said, "Oh well. I guess corporation XYZ is gonna win this one." And she added:" We've had some bad luck." But had the fight already been lost? How would we know? Had construction begun? Had a permit been issued? What was the basis for the gloomy assessment? This aspect of a community organization's worldview colors its approach to dealing with adversity.

One person speaking alone may not be heard, but many people speaking with one voice cannot be ignored.-Janet Marsh

Social charge organizations appreciate power relationship and make it possible to implement new possibilities in a community. *Often, beginning community leaders dwell on why they cannot win and not how they can. Certainly, community leaders must assess their own group's weaknesses and their opponent's strengths. But by failing to assess the opponent's weaknesses and their own strengths, they can outsmart themselves into believing they cannot win. It is the task of the community organizer to open the door to a perception of victory. This is not pep talk, or Pollyanna. It is learning to play hardball. It is moving the group conversation from a self-defeating round robin of defeat to an empowering roundtable of possibilities.*■



"One person speaking alone may not be heard, but many people speaking with one voice cannot be ignored."

~ Janet Marsh

Stanback
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BREDL Duke Stanback Intern Kathie Sun Sheds Light on Sewage Sludge Sites



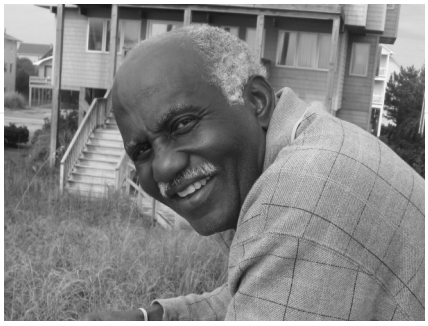
By the time I opened ArcGIS for the first time I had already tried to teach myself GIS (Geographic Information System) data management software in such fits and starts with convoluted free programs that I was already so frustrated and I was grasping at straws to make my map project work. In the end, the advantages of using the most popular, supported, and recognized GIS mapping program that comes with a whole backdrop of online tutorials and customer service representatives on-call 24/7 outweighed the $1500 price tag that so discouraged me in the beginning (thanks Duke University Nicholas School of the Environment!). With my fancy new CD unwrapped and installed, I was finally able to start my mapping process.

For those that do not already know, GIS is not necessarily just a kind of mapping program. It is a system of information and data that melds cartography, statistics, and data analysis into one package where spatial points on a map contain specific information aside from mere coordinates. For example, cities may map water pipelines along their routes with the additional information of the volume of water that passes through the pipe in a given period, engineering specifics about the pipe, the year the pipe was laid, and so on. In other layers, the same map may show the routes of the underground metro system, street roads, or key buildings. All of this information held together in this dynamic interface allows for rigorous analysis of the available data and sheds new light on potential solutions for old problems.

In short, GIS is a powerful tool, for those that use it correctly. That was the primary hurdle for me. My map project was simple enough. I had to pinpoint the locations of all the Class B biosolid land application sites in North Carolina and map them on a layer against an orthoimagery (a mosaic of satellite images) file of the whole of N.C. On separate layers, I would map the locations of public meeting sites, like schools (public, private, universities/colleges) and hospitals, along with key information like the name of the school, the address, the size of the student body, etc. All of the information was easily available, especially once I found the website NConemap.com, a feature of the North Carolina Geographic Information Coordinating Council that aggregates GIS files from the various counties and municipalities of North Carolina into premade layers found in one location.

The coordinates for the sewage sludge application sites, which I thought I might have trouble locating because of previous experience with uncooperative bureaucrats, were also surprising easy to find. For background, biosolids (aka sludge) are composed of everything that is taken out of water after it is cleaned in municipal wastewater treatment facilities, so the cleaner the end-product water the nastier the biosolid. The US EPA (Environmental Protection Agency) designates the resultant sludge waste from wastewater treatment as class A or class B. Class A biosolids contain no detectable levels of pathogens and have low metal content. Since the treatment for this class of biosolids is more rigorous, it is allowed to be packaged into bags and sold in standard bags of fertilizer and manure in home improvement stores like Home Depot. In contrast, class B biosolids have detectable levels of pathogens, which leads to much of the controversy over its use as fertilizer in land application on approved fields. Reports have surfaced of deadly infections arising spontaneously in otherwise healthy individuals that live near tainted fields. Biosolids also contain all of the chemicals and organic contaminants, such as dioxins and furans, flame retardants, heavy metals, organochlorine pesticides, among others, that are found in the original wastewater. BREDL has a rich database of information about the dangers of land application of biosolids which was the impetus for me to start my map project in order to evaluate the real-time danger to actual public meeting sites.

One single contact in the N.C. Department of Energy and Natural Resources in the Aquifer Protection Section led to an entire Excel file of the land application sites with permits on file. These permits last for a few years and not all of the sites are used in any given year. I did have a problem with faulty information, and data points that were supposed to be in North Carolina mysteriously showing up on my map in Virginia and South Carolina. I suppose that is just another one of the problems of working with user-submitted data and trying to get all of the thousands of coordinates for permitted fields to fit and map on the same coordinate system. In the end, I conquered my fear of GIS and synthesized the information into a usable map that hopefully the public can utilize and learn from. ■



Justice For One, Justice for All Is Still a Myth

By Charles Utley,
BREDL Environmental Justice/SRS Campaign Coordinator

There are still those who live for justice with strength and power and want justice for all, even while still facing persecution and imprisonment themselves.

There is always a price that has to be paid for standing and fighting for justice. Whether it is in America or any other country; Justice comes with a price tag. There are still those who are willing to take a stand by demonstrating for the rights of others. However, they themselves end up serving jail time for taking such a stand. It is a fact that those who are serving jail time for standing for justice themselves fall victim to the very same system that is suppose to protect them.

When protesters can be jailed for peacefully taking a stand and be charged for demonstration at the "Y-12" Nuclear Weapons Complex in Oak Ridge, Tennessee, it causes me to wonder if America has really lost it focus on the real enemy. Those who are fighting for safe, clean and contamination free facilities in America should be applauded, not condemned to a jail sentence. To fight to protect the innocent from unjust acts should be commended, not prosecuted.

Bonnie Urfer and others who were sentenced to jail for standing for what they consider a danger to human life causes me to wonder. As Ms. Urfer expresses in a personal letter to Blue Ridge Environmental Defense League, she relates her jail time to that of Mr. Mandela and how he must have felt while fighting for the rights of South Africans.

Statements that "causes gag orders prohibiting the defendants from relying on justification defenses which normally excuse a peaceful trespass are imposed," makes me wonder how justice can be so blind. How could justice prohibit a jury from possibly exposing criminal activity that could or could not be taking place? These types of allegations should be addressed by the courts and not gagged and put to silence. Although, these may be government facilities surrounded by fences, they still should not be exempt from justice and close scrutiny.

Ms. Urfer talks about the living conditions of these jail facilities; they are deplorable conditions that the poor and disenfranchised must go through for the cause of justice.

Is it a myth that it only happens to those who are less influential,? There is overwhelming evidence that those who have less representation, education and resources get the stiffer punishments. It is a fact that we must fight as Mr. Mandela, Ms. Urfer and the seven others prisoners, who took a stand for justice in Oak Ridge.

We can certainly say in the case of Ms. Urfer and the others that they are old enough to speak for themselves whether they chose to or not; and they have the wisdom and knowledge to know justice from injustice. With an age range from 46-83, we can say that in this case, those who took a stand in Tennessee were all old enough to speak for themselves and I want to commend all for doing just that.

Is justice equal for all? When a formal president and Pope make a cry out for justice for all and it falls on deaf ears, is it a myth or is it just another nail in the coffin of justice? It just goes to prove that the poor and disenfranchised must always go beyond the call of duty, however great the cause.

Hats off to Bonnie Ufer, Sister Jackie Hudson, Sister Carol Gilbert, Sister Ardeth Platte, Steve Bagarly, Father Bill, Jean Gump and Michael Walli. Also the others that were not jailed at this time were: Beth Rosdatter, Sister Mary Dennis and Mr. Lyttle and Mr. DuVall.

Is it a fact that Justice is truly Justice for all?



So Many Crimes, So Little Time
By Bonnie Urfer

To the Court: One of the most unpleasant things in life is to go to jail. But because they are places with some of the worst human rights violations in one of the most unjust systems, it is important that people know what happens in them. We need people in jails who have a voice, and people who know to tell the truth.

In the past 126 days I have been booked into three different jails. The hardest part of the experience is being just one person in the midst of so much systematic crime.

I heartily disagree with this court that Y12's production of nuclear bombs does not equate to imminent nuclear war. I can tell you about the women I met in the jails who lost family members from cancer after exposure to radiation while working at Y12. The government pays $150,000 to those with cancer or to their family after a death, if they can prove Y12's liability. Thousands of people are dead or dying from weapons production. How many deaths does it take to convince the courts that Y12 is killing its own in a nuclear war? How many does it take to name it a crime? In my mind — just one.

I have just one life and there is so much to do.

It doesn't matter what my sentence is. If I am returned to jail, I'll expose more crimes. If I am set free, I'll expose more crimes.



Source URL: http://www.progressive.org/urfer_nuclear_activist_jailed.html

Bonnie Urfer

Jailed Anti-Nuclear Activist, Defiant



Biomass Incineration: The Diagnoses Is In

By Therese Vick, BREDL Community Organizer

There are many problems with biomass incineration; exacerbation of global warming, depletion of forest resources, degradation of land and water, increased financial burdens on the public and declining air quality. Perhaps the most underreported aspect of this issue is the overwhelming opposition that medical professionals and health organizations have expressed towards combustion of biomass.

The American Lung Association, The American Academy of Family Practitioners, The American Heart Association and the North Carolina Academy of Family Physicians have all issued statements of concern citing the devastating health effects which will occur as a result of the explosion of this industry across the country. Many of the communities in North Carolina living with or threatened with biomass burners are medically underserved. The mostly rural counties facing these proposals have a higher number of minority residents.

Communities that are already disproportionately affected by poverty and pollution are yet again being threatened with environmental degradation. African Americans suffer from asthma at a rate higher than Whites do; Black children have almost two times the rate of asthma as White children.

Why aren't public officials listening to their doctors? Certainly not because statements are ambiguous or vague.

For example:[2]

AMERICAN LUNG ASSOCIATION.
Fighting for Air

American Lung Association (Georgia):

"The American Lung Association has significant concerns regarding the proposed biomass plant and the potential effects the pollution it generates could pose for children, older adults and at-risk groups, like those suffering from lung diseases such as emphysema and asthma, as well as people with diabetes and heart disease.

Burning wood, or burning any substance, releases toxic chemicals and particles into the air which affect both the environment and respiratory health. Biomass, even biomass comprised of wood, sounds benign, but it is not. "

"A recent review of available research in Inhalation Toxicology summarized some of the reasons why it is not:

Wood-smoke contains thousands of chemicals, many of which have well-documented adverse human health effects, including such commonly regulated pollutants as fine particles, CO, and nitrogen oxides as well as ciliatoxic respiratory irritants such as phenols, cresols, acrolein, and acetaldehyde; carcinogenic organic compounds such as benzenes, formaldehyde, and 1,3, butadiene and carcinogenic cyclic compounds such as PAHs. Wood-smoke contains at least five chemical groups classified as known human carcinogens by the International Agency for Research on Cancer,[1] others categorized by IARC as probably or possible human carcinogens and at least 26 chemicals listed by the U.S. EPA as hazardous air pollutants.[2]"

"Particulate matter (PM) emissions are the most significant health threat from biomass power plants. Without proper controls, combustion of wood and wood wastes for power production can result in PM emissions that are more than 20 percent higher than emissions from a coal plant. Emissions of carbon monoxide and volatile organic compounds (VOCs) can be more than 400 percent and 2,000 percent higher than emissions from a coal plant, respectively.[3]"

North Carolina Academy of Family Physicians:

"Biomass burning of poultry litter and wood wastes creates emissions of particulate matter that research has shown increase the risk of premature death, asthma, chronic bronchitis, and heart disease. This burning process also creates numerous byproducts, including nitrogen oxides and volatile organic compounds that increase smog and ozone, which are known to increase lung disease and mortality; sulfur dioxides which also contribute to respiratory disease, arsenic which can increase the risk of cancer; mercury which can increase the risk of brain and kidney disease and affect the developing fetus; and dioxins which may increase the risk of cancer, heart disease, diabetes mellitus, developmental delays in children, neurotoxicity, and thyroid disease."

"These health effects would increase disability and death in all age groups, but particularly in the most vulnerable—developing fetuses, newborns, children, those with chronic illness, and the elderly. As a result of this increased disability and disease, medical costs in the state will increase."

William Blackley, MD:

"Multiple scientific studies document adverse health impacts from emissions such as nanoparticles, particulate matter, nitrogen oxide, volatile organic compounds, sulfur dioxides (these leading to ozone and smog), carbon monoxide, dioxins, arsenic, etc. that are released or created by burning biomass. These increased health risks include, but are not limited to, asthma, cancer, heart disease, stroke, chronic bronchitis, premature birth, neurologic problems, immune deficiency, thyroid disease, endometriosis, polycystic ovary disease, etc. all leading to increased morbidity and mortality. Increase in greenhouse gases from burning biomass would also lead to climate change that the Union of Concern Scientists recently linked to increased health risks.

The North Carolina and American Academy of Family Practice last year wrote letters of concern about burning biomass because of increased health risks to citizens caused by increased air pollution. The North Carolina Institute of Medicine has identified 'poultry waste incineration' as a 'new and growing source(s) of air pollution' [and] point out that emissions from "poultry litter incineration' could be worse that coal-fired power plants.'"

It is time that those who have rushed to embrace biomass incineration as green and renewable ask for a "Second Opinion." While we are struggling with a delicate economy and record unemployment, the last thing that should be considered is supporting and subsidizing an industry that has such huge health and economic impact.■

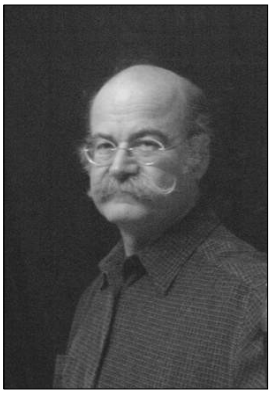
[1] "Children's Environmental Health Disparities": http://www.epa.gov/epahome/sciencenb/asthma/HD_AA_Asthma.pdf

[2] BREDL Report "Second Opinion: The Medical Profession Diagnoses Biomass Incineration" http://www.bredl.org/pdf3/SecondOpinion.pdf

"Listen to your Doctors!"



Faults, Fractures and Fission: Part Three



By Louis Zeller, October 2011

BREDL Nuclear / Clean Air Coordinator

On August 23, 2011 an earthquake in central Virginia rattled the North Anna nuclear power station twice as hard as what plant was designed to withstand. The August 23rd earthquake registered 5.8 on the Richter scale; caused 115-ton steel casks storing highly radioactive nuclear waste to shift 4½ inches on concrete storage pads; and was felt by residents from Georgia to Maine and Illinois. Both Units I and 2 shut down automatically, cutting electric power 100%. And because of the earthquake, all offsite electrical power to the site was lost. As this issue of the League Line went to press, the reactors were still shut down.

Dominion-Virginia Power's North Anna plant went on line over 30 years ago, generating power and high-level nuclear waste; today, about 1200 tons of waste is stored on site containing 228,000 curies of radiation. According to the Project On Government Oversight, North Anna's irradiated fuel pools hold from 15 to 30 times more radioactive Cesium-137 than was released by the Chernobyl accident. Cesium-137 has a half-life of 30 years, meaning it remains dangerous for 300 years. Cesium is water soluble. If ingested, it mimics potassium, an element vital to all cells in the human body.

The Virginia quake triggered an Emergency Action Level alert, an EAL HA6.1. An HA6.1 level alert indicates an event with substantial degradation of safety, in which releases of radiation are expected to be "small fractions" of the EPA Protective Action Guideline. However, the Protective Action Guideline is high: 1000 millirem total effective dose equivalent (TEDE) or 5000 millirem thyroid committed dose equivalent (TCDE). HA6.1 is issued for "unanticipated conditions not addressed explicitly elsewhere but that warrant declaration of an emergency." It is bad news.

This was a quake that couldn't happen, according to Dominion-Virginia Power, which operates two nuclear reactors and seeks to build a third at the North Anna plant. Now, events have overtaken predictions and assurances, with results indicating that the site is unsuitable for a third reactor.

A review of the August 23rd quake is underway, and reports and assessments will be generated. But the fundamental problems of building nuclear reactors in the Central Virginia Seismic Zone[1] are such that additional reviews and probability calculations could merely reestablish false assurances to the people of this region.

Probability is at bottom a gamble. Earthquake prediction here has foundered on the rocks of reality. This fact was made clear by the Fukushima disaster which occurred in an area with a known seismic history and to a society well adapted to living on the fault line. But modern science and nuclear engineering are no match for tectonic movement.

According to the NRC, to estimate earthquake risks, nuclear engineers use "probabilistic" techniques to describe ground motion potential. They attempt to account for all potential seismic sources in the region around the plant. The standard is ground motion with an annual frequency of $1x10^{-4}$/year, or ground motion that occurs every 10,000 years on average.[2] But the 5.8 scale quake in 2011 was preceded by a 5.8 quake in 1897.

Probabilistic assessments take into account what can go wrong, how bad and how likely based on current information. The problem is that probabilistic risk assessments do not account for unexpected failures. A physicist writing for the Bulletin of the Atomic Scientists said:

"The lesson from the Fukushima, Chernobyl, and Three Mile Island accidents is simply that nuclear power comes with the inevitability of catastrophic accidents. While these may not be frequent in an absolute sense, there are good reasons to believe that they will be far more frequent than quantitative tools such as probabilistic risk assessments predict. Any discussion about the future of nuclear power ought to start with that realization."[3]

In its license application to build a third reactor at North Anna, Dominion provided evidence that earth movements could exceed the regulatory requirements. Dominion requested an exemption citing *special circumstances* which "outweigh any decrease in safety that may result from the reduction in standardization caused by the exemption."[4] The special circumstances include cost factors unrelated to public safety. But the company was merely citing Nuclear Regulatory Commission regulations to get its exemption approved.

In 1967, soon after Dominion began work on the North Anna Power Station, evidence of a seismic fault was found at the site. Independent geologists visiting the site identified a major fault zone, took pictures and reported their finding to the company's resident engineer. But Dominion's representatives appearing before the Atomic Safety and Licensing Board stated: "Faulting at the site is neither known nor suspected." Years later, the Atomic Energy Commission received notification about the fault under North Anna. The cover-up did not come to light until a lawsuit was brought people in the Charlottesville area, the North Anna Environmental Coalition. The Nuclear Regulatory Commission imposed fines of $36,000 on Dominion for false statements, but issued the license.

In 2008, seeking a license for proposed North Anna Unit 3, Dominion admitted that a geological fault underlies the site, but that there is "no relevance."[5] But, even then, the Virginia Department of Mines, Minerals and Energy warned of seismic instability in the region:

"Six earthquakes of magnitude 6 or greater have occurred in the eastern United States during the period 1800-1985. Using simple rate estimates and the Poisson model yields a 28 percent probability for the recurrence of a similar size earthquake in the next 10 years and a 56 percent probability in the next 25 years. That is, there is roughly a one in four chance of a damaging shock in the next 10 years, and a one in two chance in the next 25 years. Exactly where in the region such an earthquake would occur is unknown, but clearly Virginia is a candidate site."[6]

This prediction was published twenty-two years before the August 2011 quake.

Is the North Anna site suitable for a third reactor? The record of decision for the site permit includes a scathing dissent by an Atomic Safety and Licensing Board judge, who said that Dominion's site selection process was "perfunctory" and that the NRC staff failed to exercise any skepticism in dealing with self-serving statements from the primary beneficiary of the project—Dominion. In his 2007 dissent, Judge Karlin stated:

"[The NRC Staff failed to consider and search for (or demand that Dominion search for) the 'best alternative sites that could reasonably be found' within the [region of interest], and instead short-circuited the alternatives analysis by fixating on a very small 'slate of sites' proffered by Dominion. Once NRC's vision was narrowed to this short slate of three sites, the result was predetermined because none of them were 'obviously superior' to the site preferred by Dominion – the North Anna ESP site. Thus, NRC's alternative sites analysis was, in my judgment, inconsistent with both the letter and spirit of [the National Environmental Policy Act]."[7]

Had the NRC required Dominion to do a rigorous comparison of alternative sites for Unit 3, in a region stretching from Oklahoma to New York, could a better site have been found? If there was no better site, could one conclude that no site is suitable? The inescapable conclusion drawn from the forty-year history at North Anna is that there should never have been a nuclear power plant built on Lake Anna.

Dominion Virginia Power and the Nuclear Regulatory Commission no longer have a reliable basis for determining the magnitude of the possible damage and the likelihood of adverse events at North Anna. Certainly the idea of adding a third reactor is folly. It is time to stop gambling with the future of this region.■

[1] Virginia's Department of Mines Minerals and Energy identifies Louisa County, the location of the North Anna power plant, in the seven-county Central Virginia Seismic Zone.

[2] NRC frequently asked questions related to the March 11, 2011 Japanese Earthquake and Tsunami, available at http://www.nrc.gov/japan/faqs-related-to-japan.pdf Ramana, NV, "Beyond our imagination: Fukushima and the problem of assessing risk," *Bulletin of the Atomic Scientists*, April 19, 2011. M.

[3] V. Ramana, a physicist, is currently appointed jointly with the Nuclear Futures Laboratory and the Program on Science and Global Security, both at Princeton University, and works on the future of nuclear energy in the context of climate change and nuclear disarmament. He is the author of *The Power of Promise: Examining Nuclear Energy in India*, to be published later this year by Penguin Books. Ramana is a member of the Bulletin of Atomic Scientists Science and Security Board.

[4] Dominion's legal brief to Atomic Safety and Licensing Board, In the Matter of North Anna Power Station Unit 3, October 28, 2010.

[5] Dominion Virginia Power, June 3, 2008

[6] Estimates of the Occurrence and Resulting Effects of Damaging Earthquakes in Virginia, Bollinger GA et al, Virginia Polytechnic Institute and State University, *VIRGINIA MINERALS* Vol. 35 No. 3 November 1989, Virginia Department of Mines, Minerals and Energy, http://www.dmme.virginia.gov/DMR3/dmrpdfs/vamin/VAMIN_VOL35_NO03.PDF

[7] Separate Opinion by Judge Karlin, June 29, 2007, LBP-07-09, 65 NRC 539 (2007)

In the Harnett Triangle: Waste, Politics and...Chicken? Congratulations to Harnett County Citizens!



In the Beginning

In early August, some Harnett County residents in the Johnsonville area received a lovely pink flyer announcing that they were soon to be the proud recipients of a 370-acre megadump. The flyer stated "WARNING. There is a proposal for a new mega LANDFILL in Harnett County." The flyer also advised citizens: "Take action by calling BREDL at (336) 982-2691. They work to protect communities from greedy landfill companies." Although where the flyer came from remains a mystery, Harnett County citizens are indeed lucky that it was sent. Soon, the phone at BREDL Central started ringing off the hook.

Sandhills Environmental LLC has proposed dumping up to 3000 tons per day of waste into a used up sand mine, and calling it "reclamation." The surrounding community is often recommended to Fort Bragg families as a "nice place to live." In addition to the sand mine, there are numerous other solid waste facilities in the vicinity. Harnett County is typical of areas where undesirable industry is sited; rural and poor with above average percentages of People of Color. Mount Moriah Baptist Church is located near the proposed dump, and already has problems with noise from operations at the sand pit. [1]

Sandhills Environmental (SE) had scheduled small meetings with individual subdivisions- essentially dog and pony shows- for the first weekend in August. At the request of a community member, BREDL staff attended one such meeting on August 6. The BREDL staff was me. Although I had not been to one of these kinds of productions in a while, some things in this rapidly changing world of ours never change. One of those being how the companies present their proposals; pretty pictures, nice slides, and happy people playing near a nasty facility.

BREDL staff responded to the community's requests for information and visited with the group. Community members identified what they wanted and who could give it to them and started putting pressure on their elected representatives. Some appeared to be listening. However, it was apparent that this dump was on speed dial, with at least one staunch supporter, Harnett County Commissioner Tim McNeil, who works at another landfill near the site. In addition, McNeill's boss, Thomas Womble, sits on the Harnett County school board.

As Butch Cassidy said to the Sundance Kid, "They're beginning to get on my nerves. Who are those guys?"

During the presentation, I asked a few pointed questions and so did Harnett County people. I had on a nametag with nothing identifying me as a BREDLian. When preparing to leave at the close of the meeting, a resident introduced himself and asked if I had a card. At that point, one of the Sandhills Environmental people walked up to us. I now know that this was David Garrett, the engineering director. To give you, dear reader, a sense of who David Garrett is, I present to you his statement from a hearing on proposed construction and demolition landfill standards:

"Good afternoon. I'm David Garrett. I'm a private consultant. I probably represent everybody in this room as a consultant or as an owner. I've worked for most of you, or maybe sometime in the future." [2] *–Garrett was speaking to the assembled waste companies in the room.*

I was getting ready to introduce myself to Mr. Garrett and he stopped me saying, "I know who you are. Your name is Therese Vick and you work for Blue Ridge Environmental Defense League. You haven't worked for them very long. You live in Raleigh." Well. I forgot just how unpleasantly rude waste companies can be, despite their polo shirts and nice smiles. Sandhills Environmental LLC had seemingly appeared out of nowhere, but they knew who I was, and where I lived. Turnabout's fair play.

The first order of business was to figure out who the Sandhills Environmental front-people were, and what waste companies they were connected with. The answer to the latter is just about all of them. The principals listed on the SE website included: Matt Kirkpatrick (Managing Director), Tom Terrell (Counsel and Super-Lawyer), Alvin Cagle (Operations Manager), David Garrett (Engineering Director), and Kenn Cassell (Operations Director).

The research rolled on. Dozens of "Limited Liability Companies" (LLCs), David Garrett's smiling face popping up on website after website, in venture after venture, and a naggingly familiar address danced through my nightmares. 4315 Pablo Court, Jacksonville Florida. Where had I seen that before? Then it hit me. Poultry Power! Poultry Power USA's parent company, Green Frontiers Energy Group LLC, listed their address as 4315 Pablo Court, Jacksonville Florida. I could not believe it. After consulting the Google from all angles, I found numerous associations between Matt Kirkpatrick, SE managing director, and Hugh Connerty, Jr., co-founder of Green Frontiers Energy. [3]

"Adde parvum parvo magnus acervus erit" Add a little to a little and there will be a great heap -Ovid

I was also looking for any connection between SE and Central Carolina Tire (CCT), a tire monofill and processing plant located near the proposed landfill site. Tire chips and shreds are used as landfill cover, leachate system drain materials, and other engineering applications in landfills. Central Carolina Tire also processes tire-derived fuel, burned in incinerators like the CPI facility in Person County. CCT 's president is Harnett County school board member Thomas Womble, and is where Tim McNeill, the Chairman of the Harnett County Board of Commissioners works. Central Carolina's monofill is currently being assessed for groundwater contamination.[4] Of additional interest, in 2006, Greg Peverall, well- known landfill lobbyist and waste company spokesperson gave a $500.00 contribution to Tim McNeill's failed bid for the North Carolina House of Representatives.[5]

Part of the concern around Tim McNeill's potential conflict of interest came from a Harnett County whistleblower. Beverly Kerr, BREDL Communications Director, got an urgent call from him. After our first meeting, it was clear he knew all too well how some Harnett County politicians did things. He gave BREDL the head's up on landfill uses for tire shred. Additionally, the way this dump was being fast-tracked was not the first time an environmental issue in Harnett County had gone awry.

Back to the Google I went. Kirkpatrick+McNeill. McNeill+Garrett. Connerty+Womble. McNeill+Kilroy? At the same time, I was looking into the groundwater contamination at the CCT site. Reviewing documents, I noticed a name. Brian Boutin. Boutin was the consulting geologist on the site, working with Garrett and Moore (no connection- yet- but stay tuned- both David Garrett and Garrett and Moore worked on the Horry County, SC landfill) who are consultants for CCT. Boutin's name was also familiar. Backtracking I realized that Boutin consults with David Garrett's firm, David Garrett and Associates. Garrett works with Boutin, Boutin works for Garrett, Boutin works for Garrett and Moore, Garrett and Moore work for Central Carolina Tire. [6] Board Chair McNeill has ample reason to recuse himself.

Pants on Fire

With Connerty's interest in incineration and SE's "waste-to-energy" clause in the franchise agreement, it would not be putting the chicken before the egg to ask this question: What interest do Connerty et al have in this project? Additionally, CCT's interest in selling tire-derived fuel is an interesting twist in an already complex and convoluted journey, and creates yet another reason for County Commissioner Tim McNeill to recuse himself from voting on the landfill. David Garrett's numerous incinerator proposals to various entities as well as the pilot project currently being constructed in Greenville, NC with actor John O'Hurley's reassuring voice saying all is well, certainly indicate his interest in fire starting. SE will need a Philadelphia lawyer to sort out who gets to light this match. Wait- maybe they can borrow Liberty Tire's (CCT is an affiliate) Pittsburgh Lawyer, who used to work with Kirkpatrick, Lockhart, Preston, Gates, and Ellis. (Nope- no connection with Matt Kirkpatrick- yet-still looking).

As of this writing, there have been five hearings before the Harnett County Board of Adjustments on granting Sandhills Environmental a conditional use permit. On September 26, 2011, the Harnett County Board of Adjustments voted 3 to 2 to deny Sandhills Environmental that permit. Although it is hoped that this is the end of the struggle for Harnett County citizens, Sandhills may still appeal that decision.

William Frederick from BREDL Chapter Sampson County Citizens for a Safe Environment previously expressed concern for my safety while travelling along the highways and byways of North Carolina. He forwarded me an email extolling the virtues of using wasp spray for self-defense. Mr. Frederick, you will be happy to know that I do not go anywhere without my Hot Shot.

Whew, did anybody see Jimmy Hoffa between the lines? ■

To be continued~

1 http://www.fayobserver.com/articles/2011/09/22/1124753?sac=Harnett

2 http://www.wastenotnc.org/swhome/CD/TranscriptHearing.pdf

3 http://www.bredl.org/pdf3/TVickBREDLHarnettCountyInvestigation.pdf

4 Source: North Carolina Division of Waste Management

5 North Carolina State Board of Elections

6 http://www.bredl.org/pdf3/TVickBREDLHarnettCountyInvestigation.pdf

By Therese Vick, BREDL Community Organizer





League Documents Flooding at Coles Hill, Virginia Proposed Uranium Mine and Mill Site

By BREDL Community Organizer, Ann Rogers

On September 26, BREDL released a report documenting the presence of frequent and pervasive flooding at Coles Hill, the proposed uranium mine and mill site in Pittsylvania County, Virginia. The report demonstrates not only that pervasive flooding regularly occurs throughout the Coles Hill site but also that flooding and other hydrological features would increase the risk of radioactive contamination, should the site eventually be used to store uranium mill tailings.

Press response to the report on flooding at Coles Hill has been positive, including a story on the front page of the Roanoke Times, an article appearing both in the Danville Register & Bee and the Lynchburg paper, and an interview with Ann Rogers, the community organizer who wrote the report, on WSLS-10 TV in Roanoke and Lynchburg.

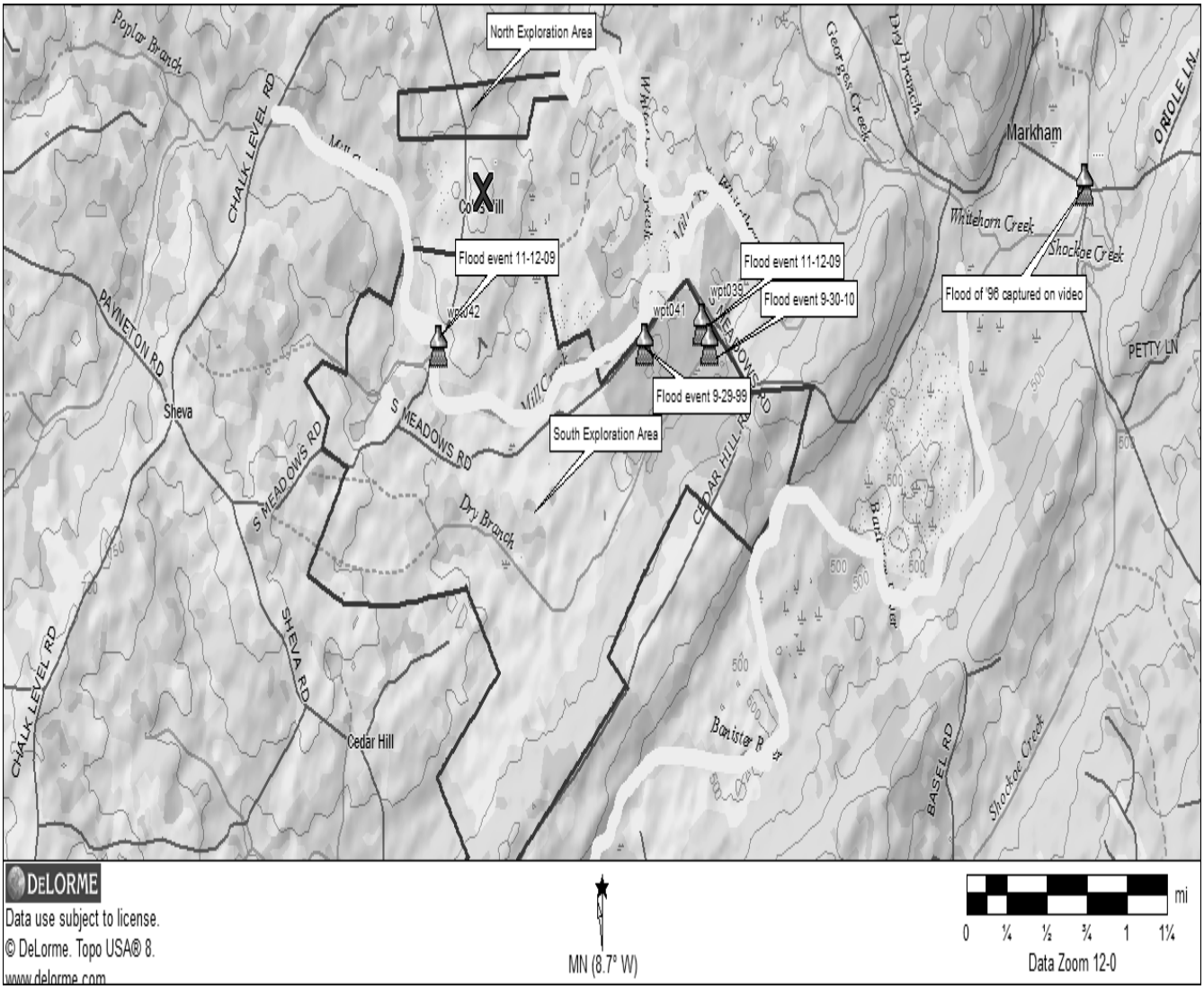
An editorial in Danville Register & Bee called for further study and caution prior to lifting the statewide moratorium on uranium mining.

Karen Maute, president of Piedmont Residents in Defense of the Environment, a chapter of BREDL with members in Pittsylvania County, supports the premise of the report, stating, “The industry is unable to concretely demonstrate that uranium mining, milling and waste storage can be done in a manner that safeguards human health and the environment. Any studies that attempt to address these and socioeconomic issues are hypothetical. Virginia puts itself and North Carolina at great risk if legislators lift the ban on uranium mining.”

Ann’s report is on the BREDL website ■



BREDL calls for a study of the hydrology at Coles Hill to determine whether mill tailings can be stored there with any assurance of safety throughout the 10,000 to 100,000-year period during which the tailings remain radioactive.



X	Coles Hill residence, located between the North and South Exploration Areas of the proposed Coles Hill uranium mine and mill site
	Historic Floods **(1)** 9-29-99 Mill Creek flooded S. Meadows Rd., within perimeter of South Exploration Area (source: National Weather Service) **(2)** 9-30-10 Dry Branch and Mill Creek both flooded S. Meadows Rd., within perimeter of South Exploration Area (source: National Weather Service) **(3)** Hurricane Fran flood of 1996 captured on video 1.75 miles from boundary of South Exploration Area (source: We the People) **(4)** 11-12-09 Mill Creek flooded Coles Road; Dry Branch flooded S. Meadows Rd. (source: photographs by George Stanhope, PRIDE)
	FEMA flood zones along Mill and Whitethorn Creeks and Banister River within perimeters of North & South Exploration Areas (source: www.fema.gov)
	Perimeters of North & South Exploration Areas of proposed Coles Hill uranium mine and mill site (source: www.virginiauranium.com





Photos courtesy of George Stanhope, member of BREDL Chapter Piedmont Residents in Defense of the Environment (PRIDE)

www.bredl.org

Gets a Format Overhaul



by Mark Barker, Web Manager

Our website is getting a much needed resolution format change to create a wider website. The old design has been for a resolution of 800 x 600. This was the standard for older CRT (cathode ray tube) computer monitors. The 800 x 600 format allowed for the entire website to fill the CRT screen. Over the years the CRT monitors have been replaced with LCD *(liquid crystal display) flat screens with higher resolutions. This has allowed for a wider screen, thus a wider website.*

NET Marketshare reports that in September 2011, only 1.16 percent of internet users still use the 800 x 600 resolution. Most users use the 1024 x 768 resolution or higher. Just over 17 percent of users use the 1024 x 768 standard. Just three years ago, 60 percent were using the 1024 x 768 standard and 17 percent were using the 800 x 600 standard. Most web designers feel the 1024 x 768 design is the current standard. Since only about 1 percent still use the older, smaller resolution, it is time to update our site.

In addition, most web designers are currently centering their websites instead of aligning them to the left. With the website overhaul, our website will also move from being aligned on the left to the center.

This change will occur over the next several weeks. It will be done in stages instead of all at once. You will see a mix of the new and old widths during the transition.

In keeping with the latest browser usage stats, our website is tested in Mozilla Firefox, Google Chrome and Microsoft Internet Explorer. ■

September 2011 Browser Usage

Browser	Percent of
Firefox	**39.7%**
Google Chrome	**30.5%**
Internet Explorer	**22.9%**
Safari	**4.0%**
Opera	**2.2%**

BEST/MATRR Report October, 2011 It's been a busy quarter for BEST/MATRR. Our work with zombies and press conferences drew unusually large numbers to the Tennessee Valley Authority Board meeting in opposition to continuing construction of the Bellefonte Nuclear Plant. While the board did vote for construction, they also voted to start only after fuel was loaded at Watts Bar Nuclear Plant. That means a delay and success for our work.

As if that wasn't enough, we also threw a *Future River Fest* in a park along the Tennessee River in Chattanooga. Brothers Julius and Bill Kerr brought BREDL's life-size mock radioactive nuclear waste cask over from North Carolina. Lou Zeller was there as well speaking eloquently to the crowd about the dangers of Bellefonte. Amidst speakers, there was live music, informational displays, children's science and art activities. It was all to stress the need for clean water and the need to move to alternative energies instead of nuclear and coal. Thanks to all the volunteers and a dynamite planning committee.



Neighborhood Environment Watch (NEW) October 2011

By Julius Kerr - As Captain of the BREDL Mock Nuclear Waste Cask Transport Team, I have a lot of fun, but I also take my volunteer work seriously. I participate in conference calls to plan events. I map out travel routes. BREDL provides me with handouts to distribute along the way. Advance planning of parking the large cask is coordinated from state to state. Carefully planned press advisories and press releases are created and coordinated by Lou Zeller and Therese Vick and gain BREDL positive media coverage wherever we take the cask.

Brother Bill joins BREDL cask trips and is a faithful volunteer co-pilot. He also helps with the BREDL Nature Sanctuary maintenance. Together, brothers Julius and Bill repainted and refurbished the cask and have taken over storage and maintenance of the big shining headline catcher.

July 15th the Cask made an appearance in Asheville NC as part of the "No Nukes Summer Days of Action" to peacefully protest large nuclear waste shipments through Asheville, NC.

September 25th we hauled the cask to Renaissance Park in Chattanooga TN where we met with BEST/MATRR. We set up the cask in the front parking lot where we had lots of pictures taken and plenty of questions. It was a successful "Future River Fest", right beside the Tennessee River. Mr. Lou Zeller was a guest speaker and gave a rousing speech about earthquakes down through time and the results to community and people and nuclear plants.

October 3rd we paraded the cask around the Raleigh State Capitol Building for over an hour. People with cell phones were snapping us up! The cask helped kick off the "NO Nukes Tour". Howie Hawkins was a guest speaker in along the multi-state route.

We turned a lot of heads as we hauled the nine foot cask slowly by the Legislature Building on a 24 foot trailer.

Recently, the cask was highlighted in many newspaper, internet and even television spots. Google search brought up an amazing number of results for the popular headline grabbing phrase,

"Enviro Group Circles NC Capitol with Fake Nukes"■

CONGRATULATIONS BREDL !

League Announces $25,000 EPA Environmental Justice Grant Award

"Advancing Environmental Justice at the Nuclear Crossroads: Burke County, Georgia"



Shell Bluff Concerned Citizens,
BREDL chapter in Burke County, GA.
Front and far right is BREDL's Environmental Justice Coordinator, Rev.Charles Utley

The Blue Ridge Environmental Defense League was notified on October 4 of the success of our application to the Environmental Protection Agency (EPA) for funding through the Environmental Justice Small Grants Program. The grant is in the amount of $25,000.

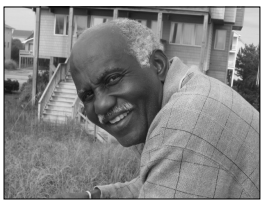
BREDL's EPA-funded project, titled, "Advancing Environmental Justice at the Nuclear Crossroads: Burke County, Georgia" will work (1) to eliminate the disproportionate impacts of radioactive air and water pollution on residents in the vicinity of the Plant Vogtle commercial nuclear power plant and the U.S. Dept. of Energy's Savannah River Site; (2) to involve low-income minority residents living in the vicinity of these two sources of radioactive pollution in scientific investigations of impacts to air and water; and (3) to assist low-income minority residents to become empowered to seek solutions to the inequality of the environmental burden they bear as neighbors of Plant Vogtle and Savannah River site.

The Shell Bluff Concerned Citizens, a BREDL chapter in Burke County, GA, will recruit, educate, and organize members of the Shell Bluff Community to participate in: (1) training on how to collect scientific data on air and water pollution in the vicinity of Plant Vogtle and Savannah River Site; (2) planning of and participation in actual collection of scientific data on air and water pollution in the vicinity of Plant Vogtle and Savannah River Site; and (3) participation in the public hearing process associated with state air quality permits for both facilities. The group of citizens so organized and trained will be called the Shell Bluff Sampling Team. Team members will recruit, educate, and organize individuals and groups from other communities in Burke County to participate in the process.

BREDL's Environmental Justice Coordinator, Charles Utley, will serve as Project Manager. Mr. Utley is pastor of McElmurray Spring Branch Baptist Church, located five miles from Plant Vogtle in Burke County. Mr. Utley provides a strong linkage between BREDL and the residents of Burke County.

BREDL's program will create new scientific data on radioactive pollution in Burke County, and also empower residents of Burke County to take an increasingly active role in the political, regulatory and permitting processes associated with pursuing environmental justice goals.

EPA funding begins in November, 2011 and lasts for one year.■



Rev. Charles Utley,
BREDL Environmental Justice Coordinator

Blue Ridge Environmental Defense League Mission Statement

The Blue Ridge Environmental Defense League is a regional, community-based non-profit environmental organization founded in 1984. BREDL encourages government agencies and citizens to take responsibility for conserving and protecting our natural resources. BREDL advocates grassroots involvement to empower whole communities in environmental issues.

We are a true league of grassroots chapters working in rural communities in the Southeast. For twenty-six years the same organizing principles have guided our work: public health protection, environmental democracy, earth stewardship and social justice. Our mission is to prevent harm from air and water pollution and to create sustainable alternatives for sound waste management and economic development. Protecting children's health from environmental poisons, empowering whole communities to engage in crucial decision making, and changing the balance of power to prevent injustice are key components of our work.



It's easier than ever to **join**, **renew** and **donate** online.

Check out our secure online donation forms at www.bredl.org. Help us save trees and other resources by donating online.

Yes, I support BREDL's work! Send your check to: BREDL PO Box 88 Glendale Springs, NC 28629

or use your credit card at **www.BREDL.org.** For more information **contact BREDL at 336-982-2691**.

All donations help BREDLs mission and are tax deductible.

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Date_____ Chapter_____

(Please share your email address so we can send you updates and alerts!)

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