25th Anniversary Issue

The LEAGUE LINE

A publication of the Blue Ridge Environmental Defense

Winter 2009

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Activists Fight For ZERO Waste

Detroit Conference Builds The Movement To Protect Communities

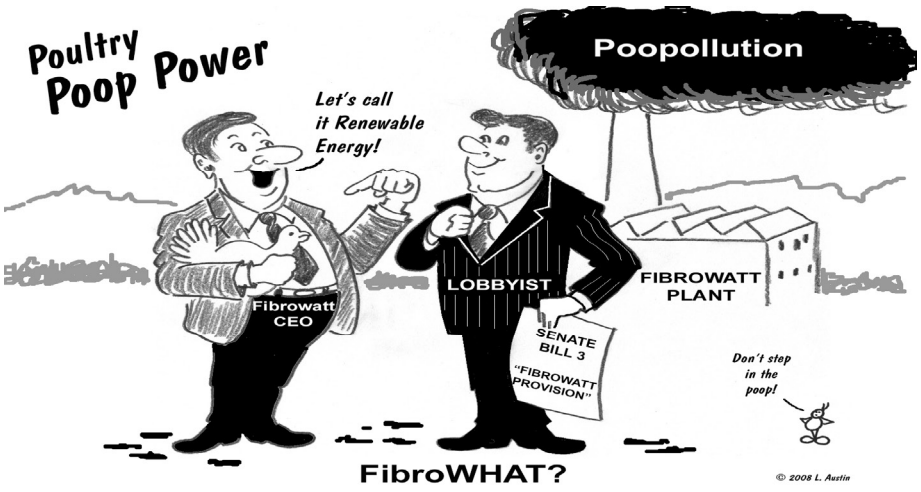
By David Mickey
Zero Waste/Clean Energy Campaign Coordinator

Over 100 activists from across the United States and Canada gathered in Detroit in early February to share their stories and fight back against the growing wave of expanding landfills and waste to energy incinerators. Pat and Ken Hill from PC PRIDE and Zero Waste Coordinator David Mickey attended the conference organized by the Global Alliance for Incineration Alternatives.

In Detroit we heard about the neighborhood in Florida that is surrounded by landfills, a sewage plant and a Stericycle medical waste incinerator; a neighborhood decimated by cancer and infant mortality. From Canada came stories of Native American communities overwhelmed by mining wastes and people in the far reaches of the Arctic contaminated with toxics from incinerators far to the south. Listening provided a valuable lesson in how waste harms both our neighbors next door and people far away, people that we will never know.

Threats and the impacts from incineration, gasification, pyrolysis, plasma arc, bioreactors and even old-fashioned dumps were addressed in a variety of workshops. The conclusion: regardless of the technology, waste disposal harms people and the environment, wastes valuable resources, and perpetuates the environmental destruction around the world. At the conference we distributed our updated "Waste Gasification" report analyzing toxic emissions and greenhouse gases. (See http://www.bredl.org/pdf/wastegasification.pdf).

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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 back-yard 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 southwest Virginia, east Tennessee, north Georgia, the foothills of South Carolina, and all of North Carolina.

Grassroots Campaigns

Nothing creates hopefulness out of helplessness like a successful grassroots campaign -and our chapters have a history of winning. For twenty-four 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 stopped the ThermalKEM hazardous waste incinerator and the proposed southeastern nuclear waste dump. In 2007, our coordinated grassroots citizens' lobby won a legislative victory with the passage of the NC Solid Waste Act, effectively blocking at least four multi-state mega-dumps. This year our chapter won a victory when the Person County Board of Commissioners rejected attempts to expand the Republic Services landfill there. Our Cascade, Virginia, chapter shut down a huge hazardous waste incinerator. Other chapter victories over the years include the elimination of mercury emissions from the Stericycle incinerator, the shut down of a tire incinerator in Martinsville, the landmark environmental justice court decision in Greene County, and passage by local governments of eight polluting industries ordinances. Further, our chapters have protected air quality by blocking scores of asphalt plants, four medical waste incinerators, a PVC plant and a lead smelter.

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. Our work on air and water quality has led to the creation of our newest campaign: the NC Healthy Communities Project. Guided by the principles of earth stewardship and environmental justice, we have learned that empowering whole communities with effective grassroots campaigns is an effective strategy for change. ■

The LEAGUE LINE

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DIRECTOR'S REPORT

25 Years: Reflections on Lessons Learned

By Janet Marsh, Executive Director

I was minding my own business when I was drafted to fight the war on pollution. I read in our local paper that the US Department of Energy had a bead on my beloved Ashe County. The federal government was looking for a place to dump high-level radioactive waste from the nation's nuclear power plants.

Diving headfirst into research, I learned that almost nobody was paying any attention to a project which I saw more and more as a threat to my home. But what could I do? I was rearing three little children and running a small farm. I became exasperated with officialdom. One elected representative actually patted me on the head and said, "Now little lady, you know I'm not gonna let anything like that happen."

Thus, the first lesson I learned was to trust my instincts. I called high school friends I hadn't seen in years. I talked to neighbors across back fences. And I called a meeting. Fifty merchants and teachers, farmers and homemakers met in the Mission House of Holy Trinity Church in Glendale Springs and created the Blue Ridge Environmental Defense League. Three years later, when the federal government announced the decision to end the eastern dump project, we all celebrated our first big victory.

☼

That first meeting took place twenty-five years ago. My children have grown up and the League has grown in all directions—in geography, in causes, and in spirit.

Over the years I have learned to listen to the wisdom of the people. In a county targeted as a regional dumping ground, a young woman stood to her feet and said to a large crowd, "I don't care who gets the methane, let's talk about how to stop this megadump." In a county threatened by solid, hazardous and radioactive waste, a wizened old cab driver told me, "I knew we were poor but I didn't know we were *that* poor." In a community in danger of becoming an eight-state nuclear dump, a 75-year old woman who had never before been an activist, asked, "Why don't they just stop making that stuff?"

I have learned that community action campaigns are like poker. Every hand's a loser and every hand's a winner. Strategy and timing are everything. When people join together to fight for the health of their community, when they insist on making the decisions which affect their quality of life and when they catch their opponents off guard—victory is a sure thing.

In the war against pollution, I'll bet on the determination and vision of community people every time. I have learned that one person speaking alone may not be heard, but many people speaking with one voice cannot be ignored. ■

"The League has grown in all directions - in geography, in causes, and in spirit."

- Janet Marsh, Executive Director, BREDL



Harnessing America's Energy



By Lois Marie Gibbs
Executive Director, CHEJ

This year has brought historically significant changes with the first black president and a record 1.7 million people attending the swearing in of President Barack Obama. Millions of Americans are hopeful that change is on the horizon and that soon the economy will boom, college will become affordable for their children, and grandma will be able to afford her medicine.

I'm sure you've heard many conversations about hope and change. However, members of the Blue Ridge Environmental Defense League (BREDL) know that change doesn't just come knocking at the door. Change happens because *people make it happen.*

The fact that people are talking about change is good news for all of us who are trying to involve community leaders in efforts to protect human health and the environment. People are talking about what you are doing. Therefore, your next approach to neighbors and community leaders should be to ask for their involvement to work on changes in the community. Focus your conversation not only on what harm can come to the community because of a particular problem you're fighting, but also on the positive things that can happen if you succeed!

You can, and really should, take a positive approach in addition to addressing the immediate impacts of your current struggle. For example, BREDL and the Center for Health, Environment and Justice are having "community conversations" in North Carolina focused on these questions: What is your vision for your community? What types of industries do you think would be right for your community? What is your community missing that would add to the quality of life of families—a playground, a theatre, a river walk, a farmers market?

All of the meetings that we've had have been fun, with extraordinary ideas generated with follow-up steps advancing the community's vision. For example, in Duplin County, BREDL's chapter Citizens for a Safe Environment, decided to continue their work to stop Fibrowatt from coming in and burning chicken poop that would contaminate their air. They also decided they needed a farmers' market after they realized that while Duplin County is one of the largest produce centers in the state, there was no place where farmers could sell their produce directly to the public! Instead of creating one farmers' market, they are actually looking at *establishing two farmers' markets in the county.* They also wanted to create a recycling program since there is no recycling program in their county.

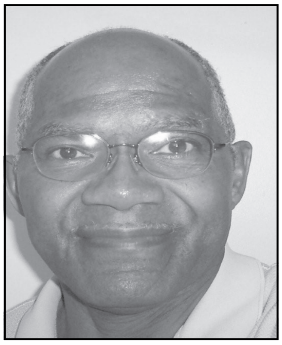
We can help those looking for change by knocking on their doors. As people open their doors we can talk with them not only about the threats to their community, but the positive changes that they would like to see in their community as well. Every group should think about having this duel focus. In this way, people who don't want to get involved in the struggle against the threat will be able to get involved in creating a positive vision. Eventually, they may even join in the efforts to stop the threats!

We are part of the many change-makers. Interest in our work just received a boost from the recent elections. Let's take advantage of this opportunity, untapped energy and enthusiasm, and knock on as many doors as we can over the next several months. Let's also be *for positive change,* as well as *against* threats. **We can do it, *you can do it!*** ■

"Let's also be *for positive change,*

as well as *against* threats."

- Lois Gibbs, Executive Director, CHEJ



Our stewardship will make a difference!

A message from BREDL Co-President James Johnson

Happy New Year to everyone! I hope that all is well. It is about time for us to get back to doing what we know best, and that is taking care of this great earth of ours. No one has to tell us about the tough times we all have seen and heard about, but I don't think there is another group of people on this earth that knows more about tough times than BREDL.

BREDL is a wonderful group of people who have spent most of their lives trying to take care of this earth, with all of the obstacles that they run into in trying to keep our earth, air and water clean and safe. The BREDL staff has leadership and organizing abilities that move us into the right direction. Of course, there are other groups which I call "the driving forces." These are our courageous chapters, and our financial supporters and friends. With people like these behind us we give out before we give up.



I am very happy to be working with such a caring group of people. We all believe that all people have a right to live in a clean and safe environment, and that is why we work so hard to keep our communities clean and safe for children and adults.

Let me say this: how many lives have been saved or improved by people like you who are taking a stand for what you believe in? I believe that if each one of us would just do a little to help protect and keep our earth free from harm, which in itself, would go a long way in helping us fix our environmental problems.

So, let us continue to work to make changes on a national, state and local level, and this will invariably make life better for everyone. *Thank you all, for your help.* ■

*(***Activists Fight For Zero Waste,** *continued from page 1)*

What are the alternatives to incinerators and mega-dumps? Experts at the conference demonstrated that we already have the solutions we need to solve the waste dilemma: Zero Waste. Composting, waste reduction, recycling and reuse, Extended Producer Responsibility and product take-back programs can directly reduce air emissions and other environmental impacts. Composting food wastes avoids methane from landfills, a greenhouse gas 72 times more potent than carbon dioxide over twenty years, while providing valuable nutrients and returning carbon to the soil. As the Institute for Local Self Reliance's Brenda Platt stressed in her workshop, halting new incinerators and landfills is crucial to meeting the challenges of global warming.

Meanwhile the waste-to-energy proponents are actively pushing their projects around the United States and Canada. Geoplasma, Covanta, Wheelabrator (Waste Management), Plasco and Casella, are just some of the companies promoting waste-to-energy as solutions when in fact they would perpetuate the problems. All of them promote themselves as "green" industry producing energy from renewable resources. Garbage, however, is not a renewable resource.

Biomass is the big issue for the South. The waste-to-energy PR machine describes the South as the "Saudi Arabia of biomass". Why? Because the South is home to industrial farms growing hogs, chickens, turkeys and trees. While municipal solid waste and landfill methane are often included in the category "biomass", the term usually refers to agricultural wastes, animal wastes, wood wastes, and crops grown for fuel.

The North Carolina Biomass Council defines biomass as "any organic material that is available on a renewing or recurring basis, including agricultural crops and trees, wood and wood wastes and residues, plants, (including aquatic plants), grasses, residues, fibers, animal wastes, and segregated municipal waste…processing and conversion derivatives of organic matter are also biomass." (The NC Biomass Roadmap May 2007) The lesson from Detroit is that the waste-to-energy companies will burn anything.

(continued on page 7)

Lois Gibbs' new book: We have achieved the impossible!

Lois Gibbs, Executive Director of the Center for Health, Environment and Justice (CHEJ), has published a new book entitled, "Achieving the Impossible: Stories of Courage, Caring & Community." The book, dedicated to victims of toxic pollution everywhere, is a collection of over forty, passionate stories told by everyday people who have triumphed in making their lives and communities a cleaner, safer place to live. The following article, "One in a Million," written by Ginny Hoyle and re-printed with permission from Lois, is one of these stories.

One in a Million

By Ginny Hoyle



Ginny Hoyle

Sitting in the back of a dimly lit college lecture hall, a blond-haired, wide-eyed 6-year-old girl munched on animal crackers and low-fat milk, silently wishing they were the Coke and Cheetos that she had asked for.

The girl watched curiously as hundreds of people filed into the room, many dressed in brightly colored T-shirts with phrases like "DUMP THE DUMP" scrawled on them. Why do I have to go to these meetings? Ginny thought to herself. And why does Mom always have to talk forever… even after they're over? Suddenly, she realized someone was walking toward her.

"You just have got to be Janet's daughter," a cheery, plump woman said to the girl. "You're Ginny, right?" She nodded slowly. "I remember when you were this big," the woman said, holding her outstretched hand over her knee. "Your mom carried you on her hip to every single meeting and you didn't cry once."

Ginny smiled politely. The woman, suddenly distracted by a man waving at her in a huge, sweeping motion from across the room, wandered across the room to sit next to him. Relieved to be away from the woman, Ginny scrunched down in her chair and scowled. "Alright, let's get started," said Janet, the director of Blue Ridge Environmental Defense League, a grassroots, nonprofit environmental organization. "I want to talk to all of you about risk assessment."

Janet walked solemnly to the center of the stage, looking down once before raising her chin confidently. "One person in a million," Janet said. "Those are pretty good odds, right?" She began passing something out from a brown grocery bag with the top folded down. Each person took something out of the bag.

Ginny craned her neck to see what was in it. She was surprised when her mom walked to the top of the stairs carrying the bag, waiting expectantly for her to reach in. She knew she wasn't supposed to peek, but she couldn't resist. Inside the bag were poker chips – all white except for one, single red chip.

Ginny reached in and felt around for a few seconds before finally picking out a chip. She slowly opened up her fingers to see that she had selected a white one. "A common standard in risk assessment is to allow a given level of poison in the air, water or food supply to cause one person in a million to die from cancer," Janet said, locking eyes with people as she spoke. "The Environmental Protection Agency uses this benchmark for hazardous air pollutants including benzene and cadmium, among others. The Nuclear Regulatory Commission uses a 1 in 10,000 standard. All of this is done in a very cool, clinical and seemingly rational way."

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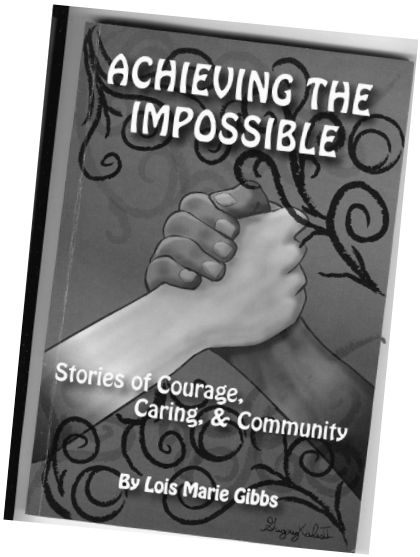
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Janet walked a straight line in front of the audience and then turned and walked the same line again. "You might think 1 in a million or 1 in 10,000 seem like pretty good odds. After all, don't we live in a modern world; don't we need to have incinerators to burn waste, nuclear power plants and so forth?"

She stopped walking and turned to face the audience. "Now, whoever has the red chip, please stand up," Janet said. A petite, redheaded woman in her late 20s stood up, appearing out of nowhere in the center row. "Tell a little bit about yourself and your family," Janet said. "Well, let's see … my name is Clara. I'm a grad student here at UNC-Asheville. I have a 2-year-old daughter who you see conked out beside me. My husband is in advertising for the Citizen-Times. They both mean the world to me – they're the reason I wake up happy every day."

Janet flashed a knowing smile and looked up at her daughter, who was leaning on the chair in front of her, listening to every word. "Clara, who selected the red chip, is the 1 in a million who died from cancer at an early age." One in a million seems like an acceptable risk; unless you, or someone you love, is the one. Would we all agree to kill a young mother to accommodate the emissions from a waste disposal incinerator? ■

Lois Gibbs' book can be ordered on the CHEJ website at: www.chej.org. The cost of the book is $19.95 for the general public, and $10 for BREDL chapter members. Lois is encouraging chapter members to host book-signing parties (signed by the author!) as a way to raise funds for their chapters and to build public awareness that YOU TOO can achieve the impossible! Congratulations on your new book, Lois!



(Activists Fight For Zero Waste), *(continued from page 5)*

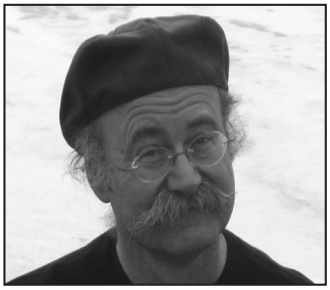
In North Carolina poultry litter is the biomass fuel in the news. Fibrowatt, a company that once owned poultry litter power plants in the UK, has announced similar plants in three North Carolina counties: Sampson, Surry and Montgomery. Demonstrably dirtier than new coal plants (see http://www.bredl.org/pdf/AirPollutionComparison_poultry-coal.pdf), this company is relying on legislation passed in 2007 that required North Carolina utilities to provide 900,000 kilowatt hours of electricity each year from poultry litter.

This proposal raises serious questions about North Carolina's energy policy regarding biomass. Poultry litter has a huge potential to satisfy some of the state's need for fertilizer. Rising fertilizer prices have resulted in poultry litter shortages in the same areas where Fibrowatt hopes to acquire litter for fuel. It's no surprise that a spokesperson for the company recently told the Wilkes Journal-Patriot that "the company was giving stronger consideration to buying portions of trees now usually left behind in logging operations." (Wilkes Journal-patriot 2-11-09)

The Detroit activists gathered to find ways to change policies that promote wasting energy and resources while waging the local fights to stop new polluters. Zero Waste and clean energy are the solutions; the challenge for the Blue Ridge Environmental Defense League and the many groups confronting landfills and incinerators is to build the awareness necessary to create change.

Reversing a law that requires burning fertilizer is a first step toward cleaner energy in North Carolina. Detroit was just the beginning. ■

For more information contact David Mickey at: (336) 769-0955 or davidmickey@bellsouth.net



Victory in Landmark Clean Water Act Challenge!

League Overturns Nuke Permit

By Louis Zeller, BREDL Science Director

On February 20, 2009, a Virginia court ruled that state agencies violated federal law and revoked the water quality permit for Dominion-Virginia Power's North Anna nuclear station. In response to an appeal filed by the Blue Ridge Environmental Defense League, the court ruled that water quality is governed by the federal Clean Water Act and that Virginia's Attorney General was wrong in supporting the state's water permit.

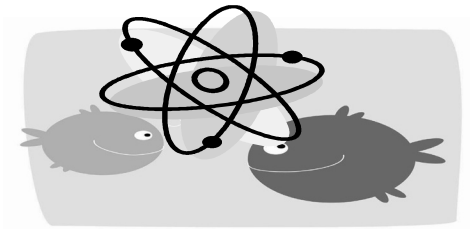
This *landmark victory* by the League and co-plaintiffs residing near Virginia's Lake Anna turned on whether the lake was "waters of the United States." The permit is now remanded, and the Virginia State Water Control Board must go back to the drawing board to evaluate the adverse impacts of hot water discharges to Lake Anna from two nuclear reactors. In 2007, the State Water Control Board approved a permit for Dominion Virginia Power to discharge hot water from its North Anna nuclear power plant into Lake Anna, the second largest fresh-water inland lake in Virginia. Under the Clean Water Act, heat from power plants is a pollutant. As with all pollutants, discharges into lakes and steams may not impair water quality. This permit was similar to others previously issued by the Commonwealth of Virginia to Dominion, and ripe for a challenge.

The permit was illegal for several reasons. First, under the federal Clean Water Act, Virginia must protect the water quality of the lake. Second, the state did not establish limits on the reactors' hot water discharges into Lake Anna. Third, the EPA requires that a scientific study be conducted before a state grants a variance from the requirements of the Clean Water Act, another omission. Most important, lakeside residents report that water temperatures in Lake Anna reach dangerous levels - as high as 104-degrees Fahrenheit - in the summer. Dominion Virginia Power's legal defense was that Virginia permits are issued under state law, not federal law. Also, the company claimed that a quarter of the 13,000 acre lake—known as the "hot" side—was its own private waste lagoon. The company claimed that the lake was created for the power plant and, therefore, the law did not apply.

Dominion's defense was built on sand. Virginia law incorporates federal law. In reality, Virginia is running a Federal program—the National Pollution Discharge and Elimination System (NPDES)—not an independent program. The granting of federal authority to any state to enforce the Clean Water Act and grant permits comes with strings attached. Authority is delegated with a floor below which the state may not go. In its defense of the North Anna permit, the Commonwealth of Virginia claimed that its surface water regulations exclude certain waters—in this case, the hot side of the lake. However, state law may only make regulations more stringent, not less. In short, the permit failed to uphold water quality standards.

The League argued that it doesn't matter who created the lake. Lake Anna is "waters of the United States," and as such is governed by the Clean Water Act. It doesn't matter that the state has granted the permit many times before; committing an error more than once does not justify the original error. What matters is that Virginia is bound to enforce water quality standards. These standards include the limitation of pollution, and heat is a pollutant under the Clean Water Act.

It's likely that Dominion-Virginia Power may appeal this decision. Meanwhile, the State Water Control Board and Virginia Department of Environmental Quality must bring the permit into compliance. The Blue Ridge Environmental Defense League plans to continue its campaign to end Virginia's breach of the law, and to bring common sense to its environmental oversight.



For more information contact Lou Zeller: (336) 982-2691 or bredl@skybest.com



Safer incineration? Not likely!

BREDL takes EPA to task on new incineration rules

By Sue Dayton, NC Healthy Communities Coordinator

The mood was somber and the group was small, but our voices rang powerful when BREDL staff, members and others joined together to deliver their comments on the EPA's newly proposed rules for medical waste incineration.

The long-awaited hearing held last month in NC's Triangle Park was the result of a lawsuit filed by the Sierra Club and the Natural Resources Defense Council in 1999 challenging the EPA's methodology for adopting new regulations for toxic air emissions from waste incinerators. The only people to show were BREDL staff and supporters, a guy from the incineration industry who spoke about the benefits of plasma arc technology as an "alternative" to incineration, and an interesting man who had flown all the way from Massachusetts (on his own dime) to give an animated presentation about the dangers of incinerating pharmaceuticals. We liked him.

In an attempt to satisfy the requirements set forth in the lawsuit, EPA's proposed changes did little more than tighten up the current emission standards for air pollutants from medical waste incinerators and raise the costs for incineration, but we were there to tell EPA that the changes don't go far enough. The overall theme: **the only good incinerator is no incinerator.**

North Carolina has two of the country's largest and dirtiest medical waste incinerators in the country: Stericycle in Haw River, and the BMW NC in Matthews, NC. BREDL's Zero Waste Coordinator, **David Mickey,** described how in 1996, members of BREDL's chapter GASP for Clean Air lobbied hard for a plan that forced Stericycle to segregate dental waste from medical waste, cutting mercury emissions from the incinerator by more than half. The EPA's newly proposed rules, however, do not require segregation of dental waste – or any other waste, for that matter.

Beverly Kerr, from the BREDL chapter Be Safe, Not Sorry, told the panel she's concerned when her daughter and grandchildren go for walks along the Haw River, not far from the incinerator. She said the burden of toxic emissions from medical waste should lie squarely on the shoulders of the operators of such facilities who make millions incinerating medical waste that is compromising public health and the environment.

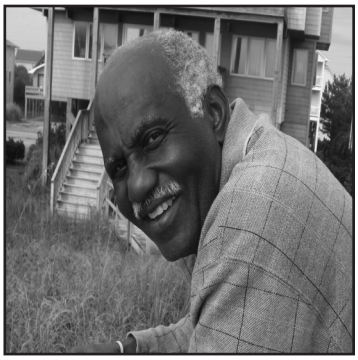
Elaine Chiosso, Executive Director for the Haw River Association and recently appointed the Haw River Keeper, talked about the impacts of mercury, dioxin and furan emissions on fish and other aquatic life in the Haw. She voiced concerns about the growing number of people who eat fish containing unsafe levels of mercury, and the lack of signs at impaired lakes, rivers and streams informing people about the potential health effects from eating mercury-tainted fish.

Christian Stalberg with the Center for Community Alternatives, outlined a 10-step plan on how to cut toxic air emissions from medical waste incinerators. Christian's recommendations included regulating emissions from "by-pass events" as a result of operator error or a plant malfunction. He noted that removing paper products from the medical waste stream would drastically reduce toxic air emissions and stop the needless burning of recyclables.

Despite her recent bout with pneumonia, BREDL member **Carolyn Cole** appeared at the hearing with a strong request that EPA require all medical waste not required by law to be incinerated – such as chlorinated plastics that contribute to dangerous dioxins – to be recycled or disposed of using a non-incineration method such as autoclaving or microwaving. As a former health care worker, Carolyn said that while health care facilities do a good job of healing people, they unwittingly place the public at risk by contaminating the air and environment through the incineration of medical waste.

Permits for both the Stericycle and BMW NC medical waste incinerators will soon be up for renewal, and BREDL will be on the ground organizing communities to help in shutting down these prehistoric, fire-breathing monster machines while advocating for cleaner, safer alternatives. ■

*People at most risk from illness and disease from exposure to toxic emissions from medical waste incinerators live in neighborhoods in close proximity to incinerators. They may have compromised immune systems; they are getting up in age and may already have health problems; they are unborn infants; and they are young children who are the most susceptible to toxic air pollutants which can cause nerve damage, delayed development, birth defects, brain damage, respiratory and cardiovascular ailments, and cancer. Are you one of these people? Check out the newly updated Stericycle Awareness Campaign for Clean Air, created by Carolyn Cole, at: http://www.bredl-medwaste.org/index.htm. **For more information** contact Sue Dayton, NC Healthy Communities, at: (336) 525-2003 or sdayton@swcp.com*



BREDL and residents of Hyde Park continue struggle with environmental injustices

By Charles Utley

Environmental Justice and Savannah River Site Coordinator

The residents of Hyde Park loved to recall how families who were lucky enough to have canoes would paddle from house to house, through the swamp and flood water, to ensure that the children in the neighborhood made it safely to school each day. It wasn't until decades later that the residents of Hyde Park would discover the swamp and flood waters contained toxic chemicals that would change their lives forever.

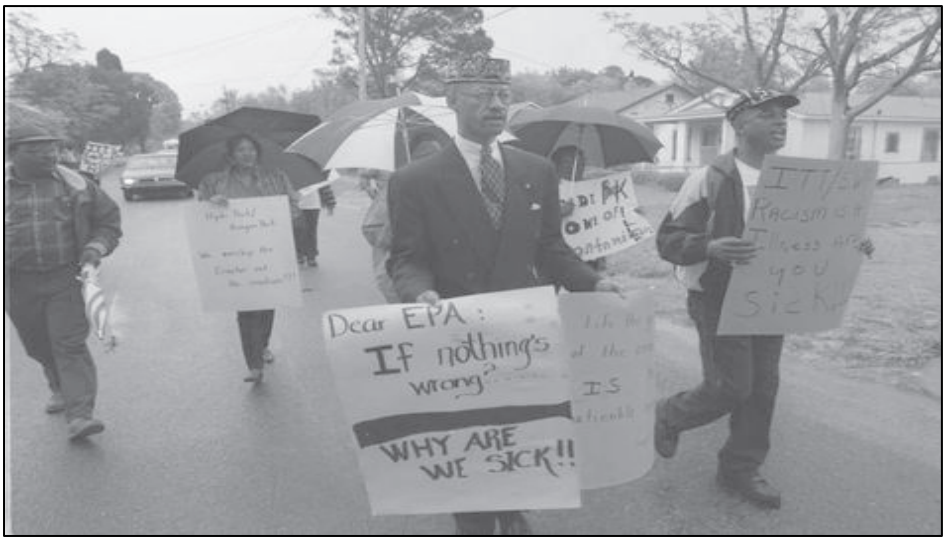
Hyde Park is a subdivision located in a swampland in Augusta, Georgia, that stretches between two railroad tracks and the Merry Brothers brickyard. In the midst of another nearby field, the Piedmont Wood Preserving Company (which became Southern Wood Piedmont in 1970) processed telephone poles. Although swampy, the low price of the land, its proximity to downtown Augusta, and the fact that it had been set aside as a place for minority populations, lured several African American families to the area.

Augusta was expanding rapidly in the years following World War II, and factory and service jobs were plentiful in the area. Men could walk to work at Merry Brothers, the Babcock and Wilcox ceramics factory, Piedmont Wood, or the new Georgia Power plant. Women could take the bus a few miles into Augusta's "Hill" section to work as domestics. Those who had saved enough money from military service and/or farming could afford to buy property. Moving to Augusta offered rural African American families a double wage, a chance for economic mobility, and a chance to build equity.

Within ten years, the field of swampland now known as Hyde Park was transformed into a growing neighborhood which would eventually house two hundred families**.** Hyde Park didn't have city water, and families used outdoor pumps connected to underground wells for their drinking water. In addition, they had no gas or sewer lines, paved roads or street lights. Living in a "swamp" also meant that flooding was a major problem**.**

In the 1980s, Hyde Park residents realized that the hands that had been feeding them had also been poisoning them. Ash created from brick making at the Babcock and Wilcox factory filled the air, settling on residents' homes and gardens. Lead from abandoned cars and buried batteries at the Goldberg junkyard contaminated the soil and groundwater. Chemicals used to preserve wood for telephone poles at Southern Wood Piedmont leached into the land and contaminated drinking water wells.

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Residents and supporters of the Hyde Park Community march against the EPA and Southern Wood Piedmont in Richmond County, GA.

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Illnesses began to surface among the residents. People were diagnosed with skin and circulatory problems, liver and bladder damage, and Hodgkin's Leukemia. There were miscarriages among many of the women who lived in Hyde Park, and some of the children in the community were born with birth defects.

The health problems seen in the community warranted an investigation that lead to testing for environmental contaminants. Soil testing by the EPA concluded that enough lead was present in the soil to warrant a $100,000 clean-up of the Goldberg junkyard. In 1991, the Community of Hyde Park launched a lawsuit against Southern Wood Piedmont that contended the plant had contaminated both the air and soil with dioxin, arsenic, chromium, creosote, copper, PCBs, and pentachlorophenol, a manufactured chemical that can damage the liver, immune system, reproductive organs and nervous systems.

The government found the study to be inconclusive, but medical professional, including Dr. Frank Rumph, Director of the Richmond County Health Department, was confident that industrial pollutants were the cause of much of Hyde Park's sicknesses. BREDL's Lou Zeller assisted the community by conducting "bucket brigade" trainings - a scientific method by which community members can conduct their own air sampling to determine if air pollutants are present. Lou helped the Hyde Park residents to better understand the nature of air pollutants, and how these pollutants could impact their health and environment.

Today, the residents of Hyde Park continue their fight to survive the environmental injustices they were exposed to over 30 years ago. The lawsuit filed against Piedmont Wood came to an end when the judge decided it was impossible to pin the responsibility on one industry in the midst of contamination by so many. Those who suffered were lucky enough to get a small amount of compensation. The worst offenders, Southern Wood Piedmont and Goldberg Brothers, were shut down with contamination either controlled or removed.

There is no doubt that serious environmental problems have existed in the vicinity of Hyde Park throughout much of the past century. We are producing a documentary to tell the residents' stories with a $50,000 Environmental Justice grant from the EPA Brownstones program. The residents are still in need of relocation. There is hope that Hyde Park will someday be turned into an industrial park due to the high amounts of chemicals still present in the water and soil.

The Hyde Park community has been revitalized with the knowledge gained about the effects of toxic chemicals on the community's health and environment. We will continue our Environmental Justice fight with the help of BREDL who has committed to help us in creating this new vision. ■

For more information contact Charles Utley at: (706) 772-5558 or utleyc@mail.paine.edu



Official ground breaking for the new water and sewer system for the Hyde Park community in the 1970s. Pictured "on the shovels" are Mary Utley, founder of the Hyde-Aragon Park Improvement Committee, and Richmond County Commissioner Chair Ed McIntire, who also served as the first African American Mayor of Augusta, GA. Photo courtesy Sharon Wells.

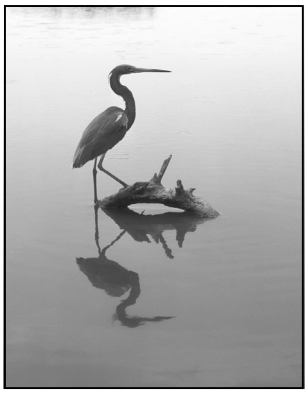
Chapter Spotlight: Friends of Rich Fork Creek

Please, save our Creek!

By Mary Cridlebaugh, Friends of Rich Fork Creek

Many persons don't understand why anyone would love a creek, but we do. Rich Fork Creek is ours; we want it to be like it was. We remember a stream that was unpolluted; where a cathedral of trees arched over cool clean water; where we could observe the many delights of a hidden, secret world of the creek and hear frogs' songs in the meadows. Now, those memories clash with the reality of urban sprawl upstream. A few wild and inaccessible places, like a **rare heron rookery**, survive downstream.

Traditionally, much of the pollution of Rich Fork Creek originated in the furniture and textile plants of High Point and Thomasville. Sewer line overflows were frequent along the Payne Creek tributary, but neighbors continue to accuse High Point's Westside Treatment Plant of the most harmful and constant pollution.



From its headwaters in High Point, Rich Fork Creek flows only a little over 20 miles. It is a small, slow-moving creek. The sewage treatment plants for High Point and Thomasville, plus another one downstream for the city of Lexington, sit on its banks. During droughts the feeder streams dry up, and ninety-percent of the creek's flow downstream from the Westside Plant is wastewater effluent, contributing to problems in High Rock Lake.

When the Friends of Rich Fork Creek joined the Blue Ridge Environmental Defense League (BREDL) in 2005, the creek was impaired, the waste treatment plant was failing, the outfall lines were broken and overloaded, and open storage pools of sewage sludge at Westside befouled the air.



One of our first actions was to challenge a sweetheart Special Order by Consent (SOC) arranged by High Point with the Division of Water Quality (DWQ) in Winston-Salem. The consent order, required because the plant could not meet its permit conditions, actually called for more pollution. The Environmental Management Commission (EMC) chairman thought Westside should get an additional 100,000 gallons of capacity immediately to entice the city to begin reconstruction. The capacity of the plant was increased a total of 800,000 gallons in increments, and is now at 7 million gallons per day - which means even more problems for the watershed.

The EMC's Marian Deerhake was alarmed at the pollution going into High Rock Lake, so an environment assessment was added to the terms of the consent order. When High Point insisted on rebuilding an outfall line on the old easement, DWQ refused to grant the permit until it was located further from the creek.

As the state deadline approached, High Point was forced to accept the state's demands. Now the city is working on the last outfall and is rebuilding the Westside Plant. There are still problems, but low dissolved oxygen has given way to new populations of large fish. Today, the overt pollution created by High Point is slowly giving way under the watchful eye of the Friends of Rich Fork Creek.

However, storm water problems continue to impair the creek. Massive sprawling development has occurred on the creek's headwaters near High Point. The increased impervious surfaces (roofs and pavement) cause rapid run-off along with erosion of newly graded building sites. Polluted sediments rush downstream, scouring away creek life or drowning it in sand, creating flash floods and tearing away the vegetation on the stream banks. The Piedmont Triad Council of Governments has studied the situation and recommended construction of riparian buffers to help protect the creek.

When the Westside Plant is complete and the bad odors are gone, the city will again attempt to annex us, once again changing our lives and our creek. Our members are deeply committed to fighting High Point's annexation, and the destruction of the Rich Fork Creek Basin. If High Point continues to expand, most of our creek's beautiful environment will be cut down and graded from the face of the earth. This is not just about urban sprawl, pollution, the environment or even protecting the herons; it involves basic American rights!

BREDL members, talk to your legislators about supporting annexation law reform, controlling sprawl and enforcing laws that protect our streams. ■ **For more information** contact Mary Cridlebaugh at: (336) 889-2567 or cridlebaugh@northstate.net



BREDL's Website Hits 10-Year Mark!

Stay in touch via our website!

By Mark Barker
BREDL webmaster



On February 15, BREDL will be celebrating our tenth year on the world wide web. In 1999, our first year on the web, we averaged just 209 hits per day. As our website has grown so has the number of hits and visitors. We surpassed the 10.5 millionth hit total in November. In 2008, we had 954,491 hits for a daily average of 2608 hits and 333 daily visits with a daily average of 901 pages viewed.

Our website is over 119 MB and contains over 2300 files, including BREDL press releases, letters, comments, reports, photos, graphics and in-depth facts and insight on BREDL campaigns and chapters. **We accept credit card donations online using PayPal's Secure Server.**

Some of our more popular postings involve the issues of asphalt plants, proposed new nuclear power plants, waste gasification, sewage sludge, and zero waste. For example, we post online our legal documents regarding several proposed nuclear power plants planned throughout the southeast. Internet surfers throughout the world have stopped by the BREDL website. We also get our share of visitors affiliated with colleges and universities, the U.S. military, industries, utilities, anti-environmental public relations firms, and local, state, and federal governments. ■

www.bredl.org

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BREDL "one click" sample letter successful in lobbying for clean air!

In December, 2008, **forty-four concerned citizens** used our website "one-click" sample letter to send comments to members of the North Carolina Environmental Management Commission regarding the combustion source exemption. The form letter, which outlined several reasons why the exemption must be removed, could be either sent as posted or altered to include specific comments. Several people chose the option of adding their own personal comments to the sample letter.

The submitted letters were sent directly to the North Carolina Division of Air Quality. The website was set up so that BREDL also received a copy. To ensure that all comments were received, BREDL compiled all the letters into a final electronic pdf (Portable Document Format) and submitted the file to the Division of Air Quality.

The public comment period concluded on December 31, 2008. The sample letter that was used can be found on our website at: www.bredl.org/alerts/NC-ToxicsRule.htm. This is one action tool that BREDL hopes to utilize more in the future! ■



Pricey's legislation to ban toxic flame retardants in NC

By Sue Dayton, NC Healthy Communities Coordinator



Firefighters around the world have for decades been exposed to toxic PBDEs in battling fires.

Before it was known they were toxic, these chemicals were added to products to protect the public from being injured or killed in burning buildings. Brave fireman who battled fires to save both people and property were unknowingly exposed to toxic chemicals created to protect lives. Now, years later, we are all faced with the health risks associated with the use of these harmful compounds.

North Carolina State Representative Pricey Harrison is doing her best to stop these toxic chemicals from entering our bodies and environment. Pricey's been working with a number of state agencies, health care providers, firemen's associations, and other public interest groups to enact state-wide legislation to ban PBDEs – short for polybrominated diphenyl ethers.

PBDEs are a class of brominated flame retardants that are added to televisions, computers, upholstery, carpets, furniture, curtains, mattresses, infant car seats, and baby strollers, to name a few. PBDEs are found everywhere: in dust particles in your home and office; in your vehicle; in waste water effluent; in sewage sludge used as fertilizer on farmlands; and in drinking water. The only commercially produced PBDE product today is called Deca BDE or brominated diphenyl ethers. Two others - Penta and Deca BDEs - were voluntarily withdrawn by industry in 2004. However, when exposed to the sun Deca BDE degrades to Penta BDE and tetraBDE, other hazardous flame retardants.

The first evidence that showed PBDEs accumulate in human body tissue was after elevated levels of PBDEs were found in workers at a computer recycling facility in Sweden. Research shows PBDEs are associated with hyperactivity and lower birth weight babies, and may harm the developing brain, immune system, reproductive system, thyroid function, and sperm production. Exposure to high levels of PBDEs produces cancer in rodents. Most worrisome is that PBDEs have been found in human breast milk, with women in the U.S. holding the record for the highest body burdens of PBDEs than anywhere else in the world.

Against enormous industry pushback, Washington, Maine, Hawaii, California, Michigan and New York have enacted successful partial or full bans against PBDEs. Pricey's legislation may be crafted on Washington State's successful campaign against PBDEs. Alternatives to PBDEs exist, but research needs to continue to ensure that alternatives to PBDEs do not bioaccumulate and bioconcentrate in the food chain.

If North Carolina is successful in enacting legislation to ban PBDEs, we'll be the first state in the south to do so. BREDL will be assisting with efforts to ban PBDEs in North Carolina. Once the bill to ban PBDEs has been drafted, members of BREDL chapters will be contacted to ask for their support in contacting their state representatives to enact statewide legislation to ban PBDEs.

We all agree that we must protect people from fires; however, in doing so we do not need to make the wrong choice between toxic chemical exposure and fire safety. ■

For more information about Pricey's statewide ban on PBDEs contact Sue Dayton at: (336) 525-2003 or sdayton@swcp.com

TOXIC TVs

By David Mickey
Zero Waste/Clean Energy Campaign Coordinator

On February 17, 2009, television stations across the United States switched their broadcast signal from analog to digital. Millions of old, analog TVs stopped working. Sets that receive their signal over the air through rabbit ears or rooftop antennas are left without a signal unless their owners install a converter box. In late January, the Nielson Company estimated that 6.5 million homes were not ready for the transition to digital.



Ideally, old televisions will find their way to recycling companies where valuable materials are removed for re-use in new products. However, only six states-California, Iowa, Minnesota, Massachusetts, Maryland, and Maine regulate the disposal of televisions. Televisions and other electronic "e-waste" contain heavy metals, plus plastics contaminated with hazardous flame-retardants, also known as PBDEs. When dumped in landfills or thrown into incinerators these electronics products threaten the environment and people who live nearby. Another question is whether television parts containing PBDEs and other toxic substances will be recycled.

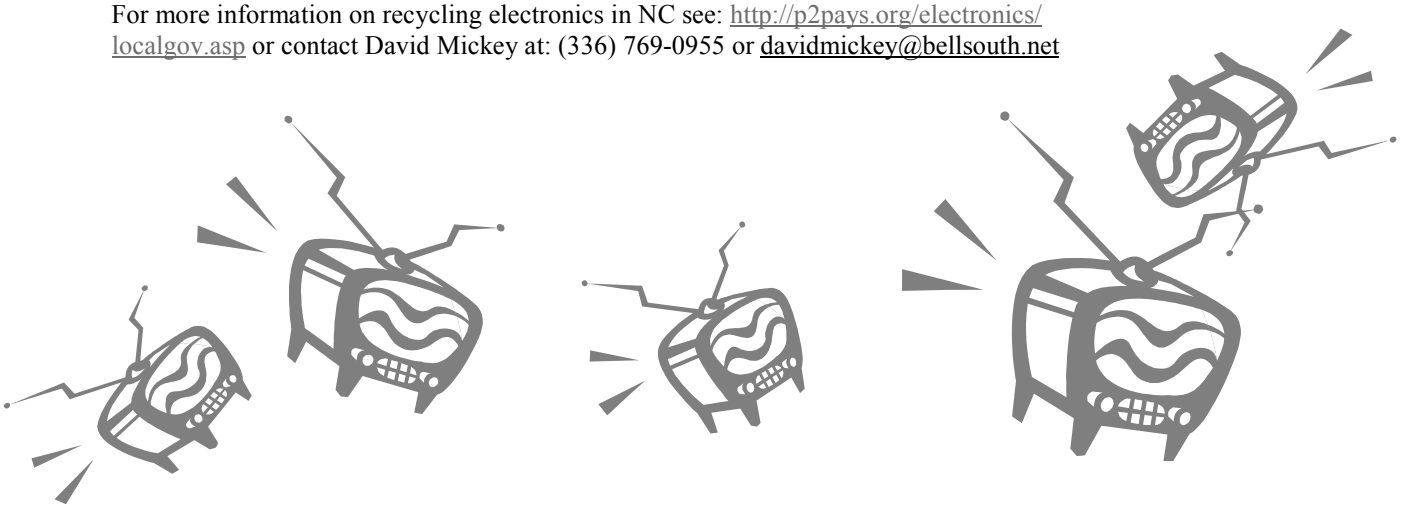
The Silicon Valley Toxics Coalition reports that 80 percent of electronic waste in the United States is exported. Some of what remains is shipped to Unicor, a government corporation that uses prison labor to recycle electronics. Electronic waste is also illegally exported to Asia and Africa where waste-pickers, often children, strip toxic materials out by hand.

The Silicon Valley Toxics Coalition has a useful guide on how to deal with your old television or computer. You can find out more on their website at: http://www.etoxics.org/site/PageServer?pagename=svtc_electronic_recycling

I called the Alamance County Landfill to find out if I could get rid of my TV at the dump. The nice man at the gate told me that yes, they take old TVs, and that sometime in the near future they would have a space where old TVs would be collected and sent "somewhere" to be recycled.

For now, consumers are responsible for safely disposing of old analog TVs. Extended Producer Responsibility programs would hold manufacturers responsible for the products they sell. For most of us this step toward Zero Waste remains in the future.

For more information on recycling electronics in NC see: http://p2pays.org/electronics/localgov.asp or contact David Mickey at: (336) 769-0955 or davidmickey@bellsouth.net





Get your message out via the BREDL website calendar!

Is there a public meeting coming up? A public hearing? Special eco event? A fundraiser for your chapter or BREDL? Now you can advertise it through the *Events Calendar* on the BREDL website!

We'll be posting information on public hearings, meetings, comment deadlines and other eco-related events on our website calendar.

The BREDL *Events Calendar* website address is: www.bredl.org/ecoevents.htm.

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To submit an event to be posted, just email the information to:
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