

# EVERYONE'S BACKYARD

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## LESSONS FROM LOVE CANAL: 35 YEARS LATER



## FRACKING...HAZARDOUS TO YOUR HEALTH!



The Journal of the Grassroots Environmental Movement

[www.chej.org](http://www.chej.org)

Center for Health, Environment & Justice

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**On the Cover:**

*The children of Love Canal  
 in 1978.*

## A FIERCE GREEN FIRE: A FILM ABOUT THE ENVIRONMENTAL MOVEMENT

This year marks a very significant date – the 35th Anniversary of the Love Canal crisis. It is hard to believe it has been that long and in recognizing this fact, I realize that an entire generation of people has been born who may know little or nothing about Love Canal and how the environmental health and justice movement began. History is important and we need to find ways to retell the story so that we don't repeat our mistakes and so that we can reap the benefits of lessons learned through historical story telling. One key lesson from Love Canal is that a blue collar community with almost no resources was able to not only win their fight for justice but open the eyes of the nation and the world to the serious problems of environmental chemicals and their effects on public health.

Thanks to Mark Kitchell, an oscar-nominated filmmaker (*Berkeley in the Sixties*), there is a fun and factual way to educate people not only about Love Canal but about the past 50 years of the environmental movement. Mark has produced a new film called *A Fierce Green Fire* that documents the growth of the environmental movement. What's exciting about this film, which includes a prominent segment on Love Canal, is that it demonstrates in real footage, that change happens when people get involved.

*"The main difference between my film and a lot of other environmental films is that instead of it being focused on the issues, ours is focused on the movement and activism," Mark Kitchell said in an interview. "I feel that telling stories of activists, taking up the battle and fighting, is the best way to explicate the issues. And that was my main handle on the environmental subject, doing the movement story."*

As CHEJ moves forward this coming year we are partnering with groups across the country that plan to show the film either in a theater or home and then have a conversation about how change happens and what they might do differently in their efforts to win on environmental health and justice issues. By partnering with groups we hope to also raise media attention to their local issue and raise funds for their group as well as CHEJ. It's a plan that is hard to pass up. Narrators include Robert Redford, Meryl Streep and Ashley Judd. The film received great reviews at the Sundance Film Festival. *"The material is vast, and it's an incredibly dynamic film. It's shaping up to be the documentary of record on the environmental movement. I think it'll be hugely successful."* – Cara Mertes, Director, Sundance Institute Documentary Film Program.

If your group is interested, please contact CHEJ (chej@chej.org) and together we can inspire people to take action to protect health and our planet.

Lois Marie Gibbs,  
 Executive Director

## ABOUT CHEJ

CHEJ is a national non-profit organization that helps people build democratic, community-based organizations to prevent harm from toxic chemical hazards. CHEJ works with the environmental health and justice movement to eliminate harmful toxic exposures in communities impacted by hazardous waste sites, chemical plants and other polluting industries, as well as, eliminate unsafe chemicals in products used in homes, schools and other facilities. CHEJ mentors and empowers community-based groups to become effective in achieving their goals and build a national environmental health and justice movement where every community is safe to live, work, pray and play without toxic hazards. CHEJ has assisted over 11,000 groups nationwide. To learn more, visit [www.chej.org](http://www.chej.org).

## LESSONS FROM LOVE CANAL: 35 YEARS LATER

Thirty-five years ago a historical event occurred. The issue of Love Canal and the danger of exposure to toxic chemicals were made known. A blue collar community in Niagara Falls, NY awoke the world to the seriousness of environmental chemical exposures.

Many people within our network know some of the Love Canal story. The history includes burying 20,000 tons of chemicals and then building an elementary school, 900 homes and 240 low-income townhouses around the dump that later leaked and caused serious environmental and health damage. Children born at Love Canal during this period were found to have a 56% birth defect rate; miscarriages were common; and health problems like urinary tract disease, asthma and heart disease were found among residents.

There is something that Love Canal investigators also discovered that hasn't been discussed much in its connection to this historical site. When Love Canal leaked and the chemicals traveled through the ground, the chemicals evaporated into the basements of nearby homes. In 1978, investigators said that the chemicals in the air of the Love Canal homes were caused by consumer products like bleach, nail polish and yes even toothpaste. Residents at Love Canal insisted however that it was not consumer products but rather the chemicals leaking from the dump that was the source of the chemicals in their homes. Residents were later found to be right.

Today scientists have a name for this evaporation of chemicals into homes. It's called vapor intrusion. In fact, many families have been evacuated or have had their homes bought because of vapor intrusion. The U.S. Environmental Protection Agency (EPA) even has a dedicated website that explains what it is and how to remediate the problem (see <http://www.epa.gov/oswer/vaporintrusion/>).

Scientists working with Love Canal residents to investigate the health impacts from exposure to the chemicals made other key discoveries. In a follow-up study of former Love Canal residents, the NY State Department of Health found that the ratio of boys to girls was statistically lower at Love Canal. They also found that Love Canal children (now young adults) were giving birth to children with birth defects at almost the same rate as their parents who lived at Love Canal.

Both of these health related outcomes are likely to mean that the chemicals Love Canal families were exposed to



directly affect the endocrine and reproductive systems. It will take another generation (when the Love Canal children have their own children) to evaluate whether this effect is transgenerational. Will the Love Canal children have children with a similar birth defect rate and ratio of boys to girl births as their parents?

Endocrine disrupting chemicals have been discussed a lot in recent years. However, now that the Love Canal follow-up study is complete, no one is looking at the Love Canal population which is one generation away from evaluating if exposure to low level mixtures of environmental chemicals has had an endocrine effect. Dr. Theo Colborn was one of the first scientists to raise the awareness of low dose exposures to chemicals that interfere with development and function of the endocrine system. Dr. Colborn who is an independent scientist has done extraordinary work and we are grateful that she helped to connect the dots. Yet there is valuable data that can come from following the health outcomes among the Love Canal children and it is the responsibility of the public health investigators who have access to the data to collect and evaluate this data.

In 1978 there was little understanding about human health effects from low dose exposures to environmental chemicals. Often the investigating scientists would refer to workplace levels established by OSHA as being hundreds and thousands of times higher than the levels found at Love Canal and thus, they could not cause such health damage as residents were asserting. Today, 35 years later, there are plenty of scientific studies and agreement that health effects can and likely will occur when pregnant

*Continued on page 4*



LESSONS FROM LOVE CANAL: 35 YEARS LATER continued from page 3

women and small children are exposed to low doses of environmental chemicals.

Thirty-five years later we have a much better understanding of the effects of dioxin, one of the chemicals found at Love Canal. One resident found this dangerous chemical in her back yard at Love Canal and later in her blood. At that time the only health concern about dioxin was around cancer effects and even at that, health investigators said the levels were too low to cause effects, pointing to low cancer rates among Vietnam veterans who were exposed to much higher levels of dioxin. Today we know that this Love Canal resident was right to suspect that her miscarriages and that the birth defects and other problems in her children might be related to exposure to dioxin.

Last year in February, EPA released a report on dioxin that confirmed these fears from 35 years ago. After reviewing mounds of evidence, EPA concluded that there are potentially serious non-cancer effects at ultra-low levels of exposure to dioxins. Studies have linked dioxins to reproductive damage such as birth defects and reduced sperm counts, neurological effects in children and adults, immune system changes, effects on the endocrine system and skin disorders. CHEJ and our allies played a major role in not letting go of this study and pressuring the agency to release their findings.

Love Canal also was the impetus for the creation of the Superfund program to clean up toxic sites across the country. Over 1,348 sites have received some level of cleanup or assessment from the Superfund program. Superfund sites represent the most dangerous sites to human health and/or the environment in the country. Additionally, CHEJ and our allies used the Love Canal strategies to assist over 15 communities in obtaining a buy out because their homes were too dangerous to live in and could not be remediated. Love Canal established the precedent to allow relocation.

However, the most important learning that comes from the Love Canal experience 35 years ago is that people power, communities organized at the base, can create serious legislative, regulatory and precedent setting changes in our country. Ordinary people, voters, are the key to making the government and corporations change to protect public health and our environment. People have become a bit cynical recently because of all the money in politics, but people matter more than money and we saw that in the last presidential race. Let's take that key lesson from the historical fight at Love Canal and so many other places and create the change our country needs in 2013. We can accomplish a lot if we stand our ground, stop being afraid of what others think and construct the world we want rather than the world others want to create for themselves or their shareholders. We can do this...We must do this, today. ♦





# PROGRAM HIGHLIGHTS

## When was your school built?



If your school was built before 1980 and did not have its lighting fixtures retrofitted, your child could be exposed to polychlorinated biphenyls (PCBs) in the air or on the surface of the furniture while in school. This is frightening. PCBs are in old lighting fixtures in the ballast. Over the years the PCB oil can evaporate into the air or leak out of the lighting fixture onto the furniture or flooring below. The lights will still work and that's the frightening part because if the light is not broken no one will pay attention.

This is also an issue of environmental justice as evidenced by the research we did on schools in Texas. We found that most of the schools that had not replaced the light fixtures and were built before 1980 were in low-wealth areas. The higher income community schools had replaced its lights.

If students or school personnel are exposed to PCBs, it increases health risks. Short-term exposure to PCBs can irritate and burn the eyes, lungs, nose and throat. Long-term exposure may have serious effects on the liver, immune system, endocrine system, reproductive system, and thyroid hormone levels, which could affect normal growth and development impacting IQ and behavior. Exposure to PCBs also increases the risk of cancer.

To find out more about how you can take action, visit CHEJ's PCBs in Schools webpage at <http://chej.org/campaigns/cehp/projects/pcbs-in-schools>.

## Workshops on Children's Environmental Health Issues

CHEJ staff is traveling around the country to hold workshops on priority children's environmental health issues. Our goal is to educate communities on environmental hazards that target children and bring people together to collaborate on local initiatives to take action. Workshop options are described below.



**Get PCBs Out of Schools** – Learn what your group can do about toxic PCBs off-gassing or leaking from old lighting fixtures in schools. There is a solution – replacing them with energy efficient lights that save money.

**Safe School Locations** – Learn what your group can do to ensure that new schools are built on clean properties, away from toxic contamination or major sources of air pollution. Recent federal guidelines recommend that schools investigate potential environmental hazards when considering candidate school sites to ensure that they are not on or near toxic waste sites or major sources of air pollution.

**PVC-Free Schools** – Learn how toxic materials, such as PVC and phthalates, are in many school supplies and school building materials posing environmental and health risks. CHEJ's national Back-to-School Guide to PVC-Free School Supplies, product testing reports and other resources can help your school go PVC-free with cost-effective, safer alternatives.

CHEJ has held workshops in Alabama, Georgia, New York and Texas. **If your group is interested in hosting a workshop or webinar on any of these subjects, contact Anne Rabe at CHEJ: 518-732-4538/[anne@chej.org](mailto:anne@chej.org).**





# PROGRAM HIGHLIGHTS

## CHEJ to Disney: "Have a Heart – No More Toxic School Supplies!"

In recent months, CHEJ and our partners have been raising the pressure on Disney to phase out the use of phthalates and vinyl in their children's school supplies. During the 2012 holiday shopping season, CHEJ and concerned parents converged on Disney's flagship store in Times Square, NYC to deliver over 65,000 petition signatures calling on the company to remove these unnecessary chemicals. Phthalates have been linked to serious health problems including asthma, ADHD and diabetes.

**Penelope Jagessar Chaffer**, director of the new film **Toxic Baby**, who helped organize the action in NYC with CHEJ, had this to say: *"Like millions of kids out there, my son eats out of lunch boxes. But what most parents don't realize is that lunch boxes made by Disney may be toxic to growing kids. That's why I'm asking Disney to make sure its lunch boxes are safe for my son and other children."*

To keep the pressure up, CHEJ launched an online social media campaign on Valentine's Day, where activists and supporters posted photos of themselves holding signs calling on Disney to "be a sweetie" and "have a heart" by eliminating these toxic chemicals. **To get involved in this campaign, contact Mike Schade at CHEJ: 212-964-3680/mike@chej.org.**

## Get Your Message Out with CHEJ Media Training

*Tired of hearing the same old industry rhetoric in the media? Disappointed that the media didn't show up to your press conference? Learn how to craft savvy, compelling messages and a media publicity plan to help win your environmental fight!* CHEJ's Leadership Training Academy is holding Media & Messaging Trainings for community, environmental justice, health and environmental group leaders.

The two day trainings include presentations on how to develop messages, media outreach and publicity plans, followed by strategy sessions where participants craft messages for the media, education and advertising; role-play with a TV reporter; and develop a budget and plan. To sponsor a workshop, CHEJ asks groups to coordinate invitations, facility location and meals. CHEJ also asks that 12 to 20 people attend who are committed to following through with their publicity plan. **If your group is interested in hosting a workshop, contact Anne Rabe at CHEJ: 518-732-4538/anne@chej.org.**

## Vinyl Chloride Accident Reinforces Call for Chemical Disaster Prevention



Photo By Rae Lynn Stevenson/ South Jersey Times

Four tank cars containing vinyl chloride were dumped into the creek after bridge collapse.

In December, more than 200 families in southern New Jersey were evacuated after a train carrying highly toxic vinyl chloride derailed on a bridge near creek near Paulsboro, NJ. One of the train cars released 23,000 gallons of vinyl chloride,

which formed a cloud of toxic gas that drifted into the community. Hundreds of families were forced to evacuate their homes, and dozens were hospitalized. The accident was nothing short of a major environmental disaster.

The disaster in Paulsboro underscores the need for chemical disaster prevention. CHEJ is part of a broad coalition of organizations that has been calling on the EPA to use its existing authority under the Clean Air Act to safeguard chemical plants and reduce the use of deadly chemicals. The time to act is now, before the next toxic spill takes place in any of the hundreds of communities that are one accident away from disaster. **To get involved in this campaign, contact Stephen Lester at CHEJ: 703-237-2249/slester@chej.org.**

BY STEPHEN LESTER, CHEJ'S SCIENCE DIRECTOR

## FRACKING...HAZARDOUS TO YOUR HEALTH!

Natural gas extraction using hydraulic fracturing methods, more commonly known as hydrofracking or simply fracking, has swept the country in ways few could have imagined. While the process of extracting gas from shale deposits is not new, innovations in technology have made it possible to reach gas deposits that were previously not accessible. As a result, thousands of wells are being drilled in at least 28 states across the country and other states like New York and Maryland are considering getting in on the act.

The hydrofracking process involves injecting a mixture of water, chemicals and sand under enormous pressure into wells that are as deep as 15,000 feet below the surface. At some point the wells turn horizontally into previously hard to reach areas. The pressurized mixture causes the rock layer to crack creating fissures or passage ways in the rock. The fissures are held open by the sand particles so that natural gas can flow back up the well.

Many argue that fracking is safe and that there is no hard scientific evidence of groundwater contamination or adverse health effects in people who live close to the drilling operations. However, very little research has been done to identify and evaluate the health effects associated with exposure to chemicals used during fracking operations. As described below new research is now emerging that identifies the risks and is beginning to define the adverse health effects associated with fracking operations.

### Environmental Risks

The main environmental issues posed by the drilling operations are groundwater contamination and air emissions, though the entire life cycle poses varying risks. Groundwater can be readily contaminated in a number of ways. First, when the drilling fluids are injected into a well, they mix with natural components of rock and soil (heavy metals, petroleum, organic chemicals, radionuclides) and become part of the drilling fluid mixture. Second, some of the drilling fluid mixture escapes from the well into local groundwater, which can be significant if this groundwater serves as a source of drinking water. This can also result if the well casing leaks or ruptures. Third, when the drilling fluid mixture is withdrawn from the well, this fluid mixture is more contaminated than when it was initially injected. This contaminated liquid, often called wastewater, is usually stored in huge holding ponds that can overflow or run off which can lead to groundwater contamination. This liquid waste can also be stored in holding tanks prior to disposal.

Photo By Pacific Northwest National Laboratory



The other main concern with hydrofracking is air emissions that occur at many stages during the process. The air emissions include precursors of ozone, particulate matter, methane, a potent green house gas, volatile organic compounds (VOCs), radon and other air toxics. A major source is diesel emissions from trucks and equipment on-site. Trucks deliver water, sand, chemical additives and equipment. There are also diesel generators on-site that generate the power needed to drive the pumps that create the pressure. Diesel exhaust generates ozone, particulate dust and diesel gases that pose health risks.

Both ground level ozone and particulate matter pollution can increase the risk of respiratory infections and aggravate asthma, emphysema, and other respiratory diseases. Exposure to ozone alone can cause coughing, irritation of the airways, discomfort in the chest or when breathing; and premature aging of the lungs. Exposure to particulate matter can also lead to premature death. Exposure to benzene, common to diesel exhaust, can lead to neural tube defects, decreased birth parameters and childhood leukemia.

Other sources of air emissions at fracking sites include the drilling fluid mixture both when injected and withdrawn from the well. Some of the chemicals typically found in this mixture include benzene, toluene, ethyl benzene, xylene and hydrogen sulfide. These substances are volatile and will be released into the air during the fracking process from the well, compressor, storage tanks, pumps and pipes. These gases are often flared to dispose of them. This can cause toxic chemicals to be released into the air since some chemicals are not completely burned in the flare and in some cases new products of incomplete combustion can be formed. In addition, when the contaminated drilling

*Continued on page 8*

mixture is stored in large holding ponds, the volatile chemicals in the mixture will evaporate into the open air especially when it's hot outside. In some cases the drilling mixture has caught on fire posing additional air exposures.

One of the best kept secrets in the fracking industry is the identity of the specific chemical additives that are mixed with the water and sand as part of the drilling fluid. In some instances, the company may identify chemicals that may possibly be found in the drilling fluids such as naphthalene, formaldehyde, xylene, toluene, ethylene glycol, hydrogen chloride and ethyl benzene. Many of these substances are carcinogens and hazardous air pollutants. However, the specific mixture for a specific fracking event is considered proprietary, so it's not available to the public. Yet, this is the very information people need to understand the potential risks posed by the fracking process.

Another concern is noise and light pollution. Drilling rigs operate 24 hours a day, 7 days a week, 365 days a year. There are no days off or weekends. There's noise from trucks, generators, pumps and other machinery. The lights from the night-time operations can lead to sleep deprivation and stress for neighbors living nearby.

### Health Studies

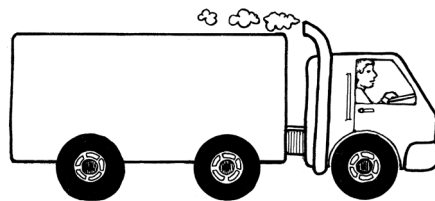
While the basic environmental risks have been identified, the impact on the health of people living close to the drilling operations is largely unknown. Anecdotal information has been collected by groups working with impacted residents, but no systematic study exists of residents living around fracking sites.

The group Earthworks looked at 108 residents (55 families) in 14 counties in Pennsylvania. They found that the closer people lived to a drilling site, the worse their symptoms were. For example, 70% of the people living within 500 feet of a drilling site reported sinus problems and 74% reported throat irritation. The most frequent complaints were:

- Sinus and Respiratory difficulties (throat and nasal irritation, sinus problems, shortness of breathe)
- Behavioral/mood changes
- Neurological problems
- Muscle/joint pain
- Digestive and stomach problems

There is only one study published in a scientific peer-reviewed journal that evaluated health effects related to hydrofracking operations. This study was conducted by researchers at Cornell University in Ithaca, NY and published in the journal *New Solutions* in 2012. The researchers describe a series of case studies on animal health effects and human health effects in 6 states (CO, LA, NY, OH, PA, TX) among 24 homeowners who had

## Truck Traffic at Fracking Sites



The number of trucks delivering supplies to a fracking site is staggering. Assuming 5 million gallons of water are consumed per fracking event (a low estimate) and that a single truck can carry 3,000 gallons of water, you get 1,667 truckloads for water alone per fracking event. For chemical additives, you need 1.5 million gallons per fracking event. If each truck carries 2,000 gallons of chemicals, you get 750 truckloads per fracking event. Combined, that's a total of 2,427 truckloads per fracking event. Since wells are fracked multiple times (4-6 events per well is common, but as many as 18 events have occurred), you can easily expect over 10,000 diesel truckloads for each site. Of course each of these trucks leaves the site empty as well.

suspected water and air exposures associated with living near natural gas extraction wells. The livestock suffered a variety of health effects and in some cases sudden death. The owners experienced health effects including respiratory, neurological, skin and gastrointestinal symptoms.

A published paper by researchers at the Colorado School of Public Health used standard EPA risk assessment methods to estimate health risks, but did not measure actual health effects in residents. These researchers found that the health effects from air emissions from fracking operations were greater for residents living within ½ mile of a fracking site compared to residents who lived further away. The increased risk was driven principally by toluene, xylene, ethylene benzene and trimethylbenzenes, all of which have neurological and/or respiratory effects. Ambient air samples were collected from monitoring stations in Garfield County, CO over three years. The authors also calculated higher cancer risks for residents living within a half mile of a fracking site.

An unpublished paper by a researcher at Cornell University in NY examined 2,437 births from 2003 to 2010 among mothers who lived within 1.5 miles of a fracking site. The author concluded that exposure to fracking emissions before birth increased the overall prevalence of low birth weight by 25 percent, increased overall prevalence of small for gestational age by 17 percent and reduced 5 minute APGAR scores. No impact was measured on premature birth.



## Public Health Concerns

To address the lack of information about public health risks posed by hydrofracking, the group Grassroots Environmental Education convened a series of meetings last year in New York that included scientists, medical professionals and senior government staff. This process produced a summary report on the *Human Health Risks and Exposure Pathways of Proposed Horizontal Hydrofracking in New York State*. The report identified twenty important public health concerns related to gas drilling including those listed below.

- Vehicles transporting radioactive chemical-laden waste (liquid or solid) increase the risk of human exposures and/or contamination of the environment in the event of accidents.
- Health impacts from hydrofracking will disproportionately burden sensitive populations.
- Radioactive sludge from drilling sites or from publicly owned water treatment plants (POWT) will contaminate landfills.
- Use of silica in hydrofracking operations exposes workers and possibly proximate neighbors to respirable crystalline silica.
- Multiple forms of stress are associated with hydrofracking operations, and these have real and significant health consequences.
- Health impacts related to hydrofracking will significantly increase health care costs—as it has already in fracked states.
- Local medical professionals in areas where hydrofracking is contemplated are ill-equipped to recognize or treat symptoms related to radiation exposure or exposures to hazardous chemicals in water or air.
- Non-disclosure agreements may obstruct efforts of public health officials to obtain accurate data in areas where hydrofracking is currently taking place.

The health impacts related to hydrofracking may not be evident for years. The people who live near fracking operations are part of a *de facto* living laboratory for the study of the human health effects caused by exposure to chemicals used in the fracking process. Only time will tell what the actual impact is. There is something seriously wrong with allowing drilling to continue without a better understanding of the adverse health impacts on the people who live closest to these facilities and without knowing specifically what chemicals are present in the drilling mixtures and without extensive monitoring of groundwater and air at these sites.



Speakers from Food & Water Watch, Sludge Stoppers, Reach Out America and Grassroots Environmental Education join together calling on Governor Cuomo and elected officials in both Nassau and Suffolk Counties to ban fracking.

For more information:

*Impacts of Gas Drilling on Human and Animal Health*, Michelle Bamberger and Robert Oswald, *New Solutions*, Vol. 22(1) 51-77, 2012. Available at <http://chej.org/wp-content/uploads/Health-Effects-from-Gas-Drilling.pdf>

McKenzie LM et al. Human health risk assessment of air emissions from development of unconventional natural gas resources." *Sci Total Environ* (2012), doi:10.1016/j.scitotenv.2012.02.02.018

Hill, ES, *Unconventional Natural Gas Development and Infant Health: Evidence from Pennsylvania (Work in Progress)*, Charles Dyson School of Applied Economics and Management, Cornell University, July 2012. Available at <http://dyson.cornell.edu/research/researchpdf/wp/2012/Cornell-Dyson-wp1212.pdf>

*Gas Patch Roulette: How Shale Gas Development Risks Public Health in Pennsylvania*, Earthworks Oil & Gas Accountability Project, October 2012. Available at [http://www.earthworkSACTION.org/library/detail/gas\\_patch\\_roulette\\_full\\_report#.UQrJm0L0vPw](http://www.earthworkSACTION.org/library/detail/gas_patch_roulette_full_report#.UQrJm0L0vPw)

*Summary Report: Human Health Risks and Exposure Pathways of Proposed Horizontal Hydrofracking in New York State*. Available at <http://chej.org/wp-content/uploads/Summary-Report-Hydrofracking-In-New-York-State.pdf> ♦

# ACTION LINE

*Action Line is the heart of Everyone's Backyard. This is where we tell the stories of grassroots groups that reflect their creative energy and accomplishments. It is also a way to share strategies, actions and industry trends. Although we do not always mention our role, CHEJ is providing organizing and technical assistance to many of these groups. For other stories, we draw on a large network of contacts and organizations that we have developed during more than 25 years of operation. We welcome and encourage contributions.*

## California

A new health impact study for the proposed Cabin Creek Biomass Energy Facility in Placer County conducted by the Sequoia Foundation came to the bogus conclusion that the facility will "likely benefit community health in the Lake Tahoe region." The study has been heavily critiqued by Norma Kreilein, MD, a Fellow of the American Academy of Pediatrics. "It contains several fallacies," and "the direct health effects of the particulates on the local population are not assessed whatsoever" argued Dr. Kreilein. The **Center for Biological Diversity** appealed the Placer County Planning Commission's decision to adopt the conditional use permit last December. Hopefully, with further support from the residents who would be affected by this proposed plant, they can overturn this so-called "scientific" study funded by large corporations such as Sunoco and Johnson & Johnson.

## District of Columbia



Photo By Tom Shemwood

*Ivy City residents are fighting to keep a bus parking lot from being built at the historic Crummell School.*

Residents in the Ivy City neighborhood of southwest DC celebrated when Judge Judith Macaluso granted a preliminary injunction stopping plans by the city to operate a charter bus parking lot at the historic Alexander Crummell School. "A victory for the people of Ivy City is a victory for all residents citywide who are sick and tired of developer-driven planning and development in our city," said Parisa Norouzi, Executive Director of **Empower DC**, the organization that led the community organizing efforts in Ivy City. The school had been slated for restoration before the Mayor's office thought it had a better idea. While the Mayor can appeal the judge's decision, residents are seeking City Council support to convince him otherwise. Instead, they want the Mayor to support their efforts to restore

the school for workforce development and adult education programs which is supported by DC's own Comprehensive Plan.

The **DC Environmental Network** hosted a networking event in January to discuss the possibility of a new waste-to-energy facility in the District. Organizations such as the **Sierra Club** and **Energy Justice Network** participated and voiced their opposition to the project, proposed by Mayor Gray as part of the District's Sustainable DC initiative. Recently budgeted \$300,000, the project looks to explore the possibility of building an incinerator within the district. All the environmental organizations present agreed that the money should be allocated towards recycling, composting and reduction, and not to build a new incinerator.

## Florida

Residents in the northwest section of **Miami** in Dade County are getting organized to address the pollution and what they believe is a cancer cluster in their neighborhood. News reports have identified many people with cancer including eight people who died from cancer in the past year. Others suffer from respiratory problems, including asthma. The cause is uncertain, but many blame a metal recycling plant in the midst of the neighborhood. There are, however, many other pollution sources within a half mile of the neighborhood including steel mills, a plastics manufacturer and chemical plants. Although the state health department did not find an increase in cancer in the community, many local residents are not happy with this finding and have reached out to CHEJ for help. One of our first tasks is to sort out what's known about the pollution and contamination that exists throughout the neighborhood.

## Georgia

**Concerned Citizens of Shell Bluff** has been training volunteers for months in preparation of distributing a radioactive survey. Their goal: halt the expansion of the Vogtle nuclear power plant operated by Southern Company. The group has been holding regular local meetings that are helping to convince people that, despite the news reports, "It's not a done deal." To educate the public, the group has asked their General Assembly representative for help extending emergency planning in the Shell Bluff community around the Vogtle site. The group

is angry that the Nuclear Regulatory Commission (NRC) voted not to apply the recommendations from its Fukushima Task Force to the Vogtle plant. The Fukushima recommendations call for significant changes in safety requirements that would alter the environmental analysis for Vogtle plant. The recommendations include preparations for earthquakes, floods and emergency evacuation at nuclear power plants. The NRC decision ignores the lessons learned from Fukushima and the permitting process is moving forward as if Fukushima never happened.

## Maryland

The **Stop Costco Coalition** has been successfully fighting plans by the big box retailer Costco to build a mega gas station at one of their stores in the Washington suburb of Kensington, a dense residential area. Homes are about 125 feet away. There's also a community pool 350 feet away and a school for children with special needs about 700 feet away. The gas station is projected to pump 12 million gallons of gas per year while the average gas station pumps only 1.3 million gallons. The group is concerned about air quality and health impacts, traffic and parking, environmental impact, noise pollution and smart growth issues. They also feel that there's no need for a mega gas station at this location as there already are plenty of gas stations in the area.

Three hundred activists from across state came together this past December in **Baltimore** to develop a strategy to keep hydro fracturing out of the state. Although an executive order has temporarily stopped any fracking, the gas industry is leasing large tracks of land in western Maryland anticipating a green light from the Governor. Marylanders are pushing the General Assembly to pass a moratorium and to require studies to evaluate the health and environmental risks. Unfortunately, there are no formal laws to protect communities from fracking dangers or to ensure that the risk studies are carried out before any drilling moves forward. For more information and to get involved contact <http://www.chesapeakeclimate.org/>.

Congratulations to the organizers and sponsors of the First Annual Symposium on Environmental Justice and Environmental Health Disparities in Maryland and DC held in December at the University of Maryland at **College Park**. Over 300 people attended the symposium which featured 8 workshop themes with 33 presentations and matching strategy sessions later in the day that were solutions oriented. The organizers hope the symposium will forge a network of environmental justice groups and activities in the region.

## Massachusetts



# ACTION LINE

The Governor of Massachusetts received a firm declaration from the people of Saugus and the **Saugus Board of Selectmen** saying that “we are strongly opposed to any changes that are proposed to the existing moratorium” on new or expanded waste incinerators. Debra Panetta, a member of the Board of Selectmen, voiced the concerns of the entire community when she wrote a letter to the governor citing the nearly 40 years of ongoing problems associated with environmental compliance at the local Wheelabrator/RESCO waste incinerator. “I don’t see any reason why anyone would want to expand on something that’s still having operational problems as is” says Panetta. We couldn’t agree more.

**Hands Across the River Coalition (HARC)** and the **Buzzards Bay Coalition (BBC)** continue to be frustrated by EPA’s insistence in changing the cleanup plan for the PCB contaminated sediment in the New Bedford harbor. The new plan calls for dredging and placing the contaminated sediment in confined aquatic disposal (or CAD) cells in the harbor as opposed to the existing plan which involves taking the dredged sediment to an approved off-site landfill. Both groups oppose the new plan because of uncertainties about the long-term security of the CAD cells. The situation was made worse when EPA announced it had reached a \$366 million settlement with AVX, the company primarily responsible for the PCB pollution in the harbor. Both BBC and HARC feel that this is not enough to pay for a complete cleanup of the harbor and are fighting to ensure that the agency leaves the door open to collect future costs for the cleanup.

## Michigan

Congratulations to **Water Action** **Vital Earth**, **Save the Wild UP** and other groups who have been fighting plans by global mining giant Rio Tinto to mine nickel and copper outside of Marquette. The Michigan Department of Environmental Quality decided not to issue a permit to the Marquette County Road Commission for its County Road 595 project. The project would have benefited Rio Tinto in its efforts to transport copper and nickel from its Eagle Mine to the Humboldt Mill. CR 595 was scheduled to run through several thousand acres of forested areas and wetlands, negatively impacting the habitat of the local wildlife. Existing roads will be used instead. This victory highlights that sensible policies can both protect the environment and allow economic development.

## Missouri

EPA Region 7 sent a memo to certain residents of **Wildwood** about a “small scale removal action on the Callahan property.” By “small scale,” they meant removal of 1,000 cubic yards of dirt from an

area 100 feet by 60 feet at an estimated depth of 13 feet. EPA claims that this action is being taken to remove paint wastes, but local residents remain skeptical. “That seems like a huge amount of dirt being removed for some paint waste. I do not believe the EPA has been completely honest” said Dan Topik, a Wildwood resident who lives next to the targeted area. This ambiguous description raises real concerns that EPA is not divulging the extent of the contamination.

## Montana

The **West Valley Community Council (WVCC)** in Missoula along with Montana Governor Brian Schweitzer wrote a letter supporting the placement of the ex-linerboard plant site in Frenchtown on the federal Superfund list. Green Investment, an Illinois-based redevelopment firm that bought the mill site in May 2011, strictly opposes the designation, arguing that, “we have extensive and specialized expertise in environmental remediation... We have a track record in redevelopment of properties that have thrown down more challenging roadblocks than those in Frenchtown.” WVCC as well as local residents hope to bring the guarantee of federal oversight and standards for a full environmental cleanup that come with a Superfund designation.

## New Jersey

In December, more than 200 families in southern New Jersey were evacuated after a train carrying highly toxic vinyl chloride derailed on a bridge and fell into a creek near Paulsboro. One of the train cars released 23,000 gallons of vinyl chloride, which formed a cloud of toxic gas that drifted into the community. Hundreds of families were forced to evacuate their homes, and dozens were hospitalized. The residents have formed the **Paulsboro Community Action Committee** to voice their concerns. The group has drafted a petition asking the local government to include the residents in evaluating what went wrong and how to avoid the problems that occurred following the accident. Multiple lawsuits have been filed against Conrail and CSX for damages. One group is asking for medical screening for early detection of life threatening medical conditions linked to vinyl chloride.

## New York

Members of the **Ithaca** and Cornell communities came together in January to participate in an anti-fracking rally and to send a message to Governor Mario Cuomo who is to decide soon whether to allow fracking, the practice of injecting chemicals and water into the ground to extract natural gas, in NY. “We are less frightened of jail cells than of poisoned water,” said Sandra Steingraber, professor



*Residents and students express their opposition to fracking in NY.*

of environmental studies and sciences at Ithaca College. The rally kicked off a week of 13 actions and trainings to prepare New Yorkers for civil disobedience should the governor decide to allow fracking. “Those who oppose fracking in New York State are determined, resourceful and organized in a growing movement,” Steingraber said. “All of us will hold [Cuomo] personally responsible for allowing our beautiful state to be colonized and plundered by a brutal, extracting industry.”

Residents in **Attica** are getting organized to address a huge waste pile on the property of Hillcrest Corporation located on the edge of town. The company accepts mixed recyclables and mines the waste to recover primarily glass for a manufacturing process. Initially, nearby residents complained about odors but that escalated when the waste pile spontaneously caught fire. The fire was extinguished but the residents are concerned about the health impact of the fire and wants the state Department of Environmental Conservation (DEC) to shut down the operation. DEC claims they have no authority to shut down the facility but the group is not buying it. CHEJ is helping the residents get organized to put pressure on the DEC to address the pollution at the facility.

The **Clean Air Coalition (CAC) of Western New York** scored a victory in January when a Judge ruled in their favor, telling the corporate polluter, Tonawanda Coke Corporation, that the

Photo By Seyoun Kim



# ACTION LINE

## Need organizing help?

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group did not have to turn over thousands of confidential documents. In addition, the judge issued a protective order for CAC. Tonawanda Coke demanded the group turn over seven years worth of documents. CAC asked the company to narrow the scope of the subpoena, but the company refused and dragged CAC into court. "We will not capitulate to institutions that cause illness and suffering in our communities," said Erin Heaney, CAC Director. "Corporate polluters across the country should take note of the court's decision." In 2009, CAC led a direct-action campaign to hold the company accountable for their notorious pollution. Public pressure resulted in a raid by the U.S. Attorney General. The plant manager was indicted in federal court and faces steep fines and jail time. The company has since signed a consent order with EPA that has resulted in their benzene emission levels dropping by 86%.

### North Carolina

The **Blue Ridge Environmental Defense League** (BREDL) filed a motion to intervene in the North Carolina Utilities Commission Integrated Resource Plans. These plans are filed by power companies to provide a long-range forecast of their operations and are important in setting the future path of the utilities. Together with **NC WARN** and **Greenpeace**, who filed similar petitions, BREDL wants a say in the electric utilities' plans for serving the state's power needs over the next 15 years which consists largely of nuclear, natural gas and coal. BREDL opposes pollution-generating sources of power including hydrofracking, biomass, landfill gas, incineration of solid waste, poultry and hog manure, waste gasification, and nuclear. Support for fossil fuels and nuclear power retards the growth of renewable energy sources such as solar and wind. Biomass and waste-powered plants present false solutions to global warming. Continued reliance on outdated, polluting energy sources has huge public health costs which are borne by all of us. For more information, see [www.bredl.org](http://www.bredl.org).

### Ohio

A study by an assistant professor of biogeochemistry at Kent State University, concluded that the volume of drilling wastes from Pennsylvania's Marcellus shale is growing and threatening to overwhelm existing waste-handling infrastructure in Ohio.

Pennsylvania generated about 20 million barrels (each holding 42 gallons) of wastewater in 2011, exporting over 7 million to Ohio. That same year, Ohio's injection wells handled 12.8 million barrels, meaning that almost 60% of the waste handled came from PA. Projections for 2013 put the capacity of Ohio at 14 million barrels, but this increase is not enough to accommodate the nearly 6,400 Marcellus shale wells in PA. A moratorium or ban on injection wells in Ohio is desperately needed.

### Oregon

**Neighbors for Clean Air** (NCA) in Portland enlisted the help of local representative Mitch Greenlick, who will introduce a bill in the 2013 legislative session addressing the health concerns of the local residents about industrial air emissions effecting the city's schools. If successful, this effort would see the nearly 1.7M pounds of toxic air pollution being released into the Northwest neighborhood reduced significantly. The Northwest neighborhood of Portland is the most affected region in terms of industrial air pollution according to an eight-month study conducted by *USA Today* published in 2009. Data extracted from EPA revealed that the Portland area schools sit in the top third of the nation's toxic industrial hot spots; 65 of them being ranked among the worst 5%, and all 7 found in the Northwest district ranked in the top 2%. NCA rallied around *USA Today* report and has not looked back since.

### Pennsylvania

Concerned citizens of the town of DuBois flocked to a town meeting in December to discuss the proposed construction of the Zellman #1 injection wastewater well on a hilltop just outside the town. **Pennsylvania Alliance for Clean Water & Air** attended the public hearing along with many residents and loudly voiced their opposition to the proposed well. Seismic disturbances, groundwater and reservoir contamination, and vapor intrusion by volatile organic chemicals (VOCs) were just a few of the potential dangers of the well that were raised. The Pennsylvania DEP is expected to make a decision early this year.

### Tennessee

**The Coffey County Land Alliance** is continuing its efforts to stop attempts to change the county's zoning laws for the benefit of developers in Hillsboro who want to build a large rock quarry. The Planning Commission has recommended against making the change but the final decision is up to the County Commission. The group is doing all it can to get people to attend the next County Commission meeting and to let the commissioners know how they feel about the proposed change. Not only will a zoning change open the door to a new

quarry, but the next big development, whether it's another quarry, or a landfill, or an asphalt plant, could be put anywhere in the county. This would radically undermine the assumptions on which many homeowners had purchased their property.

### Virginia

**Rockbridge County** celebrated an important victory at the end of last year, as the County Board of Supervisors suspended consideration of Community Energy Independence's (CEI) proposal for an incinerator to be located at the county landfill. Because Rockbridge does not produce sufficient garbage to support the incinerator, waste was to be imported from surrounding vicinities. However, the local community reached out to organizations such as CHEJ and the Global Alliance for Incineration Alternatives (GAIA) to educate themselves on the topic, and used that knowledge to fight the proposal. Big kudos to them!

Seventeen African American pastors from Roanoke and southside Virginia took decisive action in January to influence the anticipated vote in the Virginia General Assembly on the question of whether or not to lift the state's 30-year-old moratorium on uranium mining. By signing a resolution asking their elected officials in the General Assembly to retain the moratorium, the pastors have joined a growing and powerful throng of voices – including local governments, environmental organizations, historic preservationists and business interests – all speaking against corporate plans to bring uranium mining to Virginia. The pastors' resolution went one step further by asking the General Assembly to enact a permanent ban on uranium mining in the state. The ministers drafted their resolution with assistance from a Roanoke County-based organizer with the **Blue Ridge Environmental Defense League** as well as several other groups.

### Wisconsin

**The Green Bay City Council** became a role model to the rest of the nation when it rescinded the conditional permit to the Oneida Seven Generations Corporation for the construction of a waste-to-energy plant. The Oneida Seven Generations Corporation responded by promptly suing the city, but in January a Brown County judge ruled in favor of the city. The ruling was based on the grounds that the original proposal for the plant had inaccuracies and misrepresentations of the smokestacks and the resulting emissions from the plant that would affect air quality. The judge upheld the city's decision to deny the permit based on substantial evidence that was later found regarding health concerns tied to the proposed plant. ♦

# With Special Thanks

CHEJ would like to acknowledge the following individuals and organizations that made critically important donations to support our work from November 1, 2012 to January 31, 2013. We wish we had the space to acknowledge each and every one of CHEJ's donors in these pages because all gifts, regardless of size, are very much appreciated. Thank you for your support!

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# CHEJ's

## 35th Anniversary Love Canal

# Victory Toolkit

can help your group expand its membership, educate others and win!

The toolkit is available electronically and gives you a step-by-step guide on how to create a local event to help you energize your base and attract others to your cause. The toolkit includes:

- A special message from CHEJ founder Lois Gibbs, leader of the victory at Love Canal, on lessons learned that your group can apply in its fight for justice
- A CD of A Fierce Green Fire, The Battle for a Living Planet by Oscar-nominated filmmaker Mark Kitchell to help you put your local movement in a national and international context
- Event invitation templates, sample promotional/outreach flyers, press releases and more
- A Step-by-Step Guide to help you formulate the right questions, create conversation starters, encourage engagement and advocacy and more.

Whether your cause is autism, asthma, water contamination, fracking, air pollution, safe food, breast cancer or another issue, this toolkit can help you plan and execute an event to educate others about your issue and expand your membership so you can win!

To obtain a copy of the toolkit, visit [www.chej.org/toolkit](http://www.chej.org/toolkit). For more information contact Nury at [nmarquez@chej.org](mailto:nmarquez@chej.org) or (703) 234-2249 Ext. 24.



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