

EVERYONE'S BACKYARD

Vol. 22 No. 2 Summer 2004



**Virginia Passes Green Schools Legislation
Mercury Contamination in Fish
Echoes of Love Canal in Tar Creek Relocation**

**The Journal of the Grassroots Environmental Movement
Center for Health, Environment and Justice**

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EVERYONE'S VOTE MATTERS

It is critically important that people vote in November if we want to attain the government that we desire. Your organization can help. As a non-profit 501 (c) (3) organization, there are restrictions on what you can do as far as supporting a particular candidate or party, but there are no restrictions on "reminding" people in your community to get out and VOTE.

Voting is the tool we use to select leaders and to hold them accountable. CHEJ is encouraging our members to *Get Out and Vote and to Take a Friend to Vote*. Reach out to your friends, family, and neighbors with the message that voting is important to our families and communities.

Many people justify not voting by saying: "I'm just one person. My little old vote doesn't make a difference."

Here's evidence to the contrary:

- Leslie Byrne was elected to the Virginia Senate in 1999 by 37 votes, less than one vote per precinct.
- Donald Sherwood was elected to the House of Representatives from Pennsylvania in 1998 by a margin of 515 votes, less than one vote per precinct, making this election the closest race ever in the House of Representatives.
- John F. Kennedy's margin of victory over Richard Nixon in 1960 was less than one vote per precinct.

Your vote and that of your neighbors does count. Studies have shown that the single most powerful component in moving someone from nonvoting to voting is when *they are asked by someone they know* (friend, colleague, family member, church member, etc.) to vote. Vote this year and take a friend—it's important to all of us.

ABOUT CHEJ

The Center for Health, Environment and Justice is a nonprofit, tax-exempt organization that provides organizing and technical assistance to grassroots community organizations nationwide. The center was founded in 1981 by Lois Gibbs, who together with her neighbors won the relocation of more than 900 families from their neighborhood after it was contaminated by chemicals leaking from the Love Canal landfill in Niagara Falls, NY. Hundreds of people living near contaminated sites around the country contacted Lois as her efforts and those of her neighbors captured national attention and proved, for the first time, that toxic waste is not an abstract issue but one that's in everyone's backyard.

The center's mission is to help people build democratic, community-based organizations to address public health and environmental threats. We believe strongly that the best way to solve local problems is from the bottom up, when the people directly affected speak for themselves and have a meaningful role, as equals, in any and all decisions that affect their lives, homes and family. Our focus and resources are devoted to helping local community based organizations form, grow, and become effective in achieving their goals. We do this by providing information, advice, training, and support. CHEJ has staff scientists who can answer many of your questions and who can review technical documents and test results you need help with. We also refer callers to other grassroots groups who are working on the same issues or fighting the same polluter.

Mercury Contamination in Fish

Robert Shimek
Special Projects Coordinator
Indigenous Environmental Network

I was netting in the fall of 1996 on the White Earth Ojibwe reservation in Northern Minnesota with another reservation member. We were fishing on Round Lake for tulibee, a fish commonly caught during that time of the year, then smoked and consumed. We were catching anywhere from one to three large northern pike a day. We continued to fish in this location for about a week. When I say large northern pike, I'm talking about pike that were in the range of 12-20 lbs. in weight. As it turned out, my partner did not like northern pike, so I ended up with most of them. It's important to understand that I love fried northern pike! As we were catching all these fish, I was very jubilant and celebratory, knowing that I was going to be able to eat one of my favorite foods for an extended period of time.

So I proceeded to enjoy this fish three times a day for a week or so. I had fried northern pike for breakfast, lunch, and dinner. I gave some of it away to other family members and people in the community, but I kept the biggest portion for myself. In retrospect, it's fortunate that my two young sons, ages 10 and 12, who were living with me at the time did not share my enthusiasm for fried northern pike.

After a week or so, I decided to eat the fish only once a day in the interest of making my supply last longer. Approximately 2 weeks after that, I decided to cut back further to only several times a week. It was during this time that I first started experiencing some tingling sensations and some problems in my left hand and arm. Initially I didn't think anything of it. I thought, perhaps, I had a little bit of a pinched nerve or muscle strain and that it would go away with time. As I kept eating this fish, the numbness and the tingling that started off in my left hand and arm spread to my other arm and to my feet and legs and I also developed a speech impediment.

By this time I was beginning to wonder if I had a more serious health problem. It even crossed my mind that I'd had a small stroke. I was very deliberate with my actions and my words, though I did appear to be fairly normal. But I did have to think through every action before moving. For me, to pick up a cup of water was a very deliberate thought process, as it was to walk. Walking was particularly difficult if the ground was uneven, because I had reduced sensation in my feet and legs. I had to think through every word before I pronounced it, think through every sentence to make sure

it was complete and that it conveyed the thought that I had intended. I also curtailed a lot of activity and conversation in the interest of covering up the problems I was experiencing.

Eventually, I ran out of northern pike. I had thoroughly enjoyed the entire fishing process as well as the consumption of some of the bounty of our beautiful land and waters and very much looked forward to doing it again next year. Approximately 1½ to 2 months after I finally ran out of northern pike, I began to see a decreased level of physical and speaking problems. By this time of course, I had thoroughly adopted the practice of deliberately thinking through my actions and my words, so life was somewhat easier. Then I noticed that slowly, the numbness and the tingling in my arms and legs were going away. The symptoms diminished for several more months and eventually were almost completely gone. I thought how lucky I was, that the stroke, or whatever it was that had caused these problems, had gone away on its own and that I could resume living life as I had prior to this incident, with one exception, I still had a little bit of a speech impediment.

By the time the majority of the symptoms had dissipated it was late spring of 1997. I decided to take some time off from working and was still in the process of regrouping and reorganizing myself when I got a call from Tom Goldtooth, who is the Executive Director of the Indigenous Environmental Network, (IEN), headquartered in northern Minnesota. IEN was involved in a mercury education project with the goal of providing education to Indigenous peoples in Minnesota on the hazards of fish consumption related to mercury contamination. Because of my previous community organizing experience, I was contacted and I agreed to participate in this project, though I knew relatively little about the specifics of mercury contamination in fish.

In order to educate myself, I read what was the equivalent of two bushels of printed information on mercury contamination, its sources and its human and ecological health effects. In the course of reviewing this information, I found an article that described in great detail the symptoms of mercury poisoning in humans. As I read it, I was stunned. Many of the symptoms that I had experienced during and after I ate all those large northern pike out of Round Lake on the White Earth Reservation were in fact symptoms of mercury

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Groups Spring To Action Across U.S. Call for Precautionary Policies on Toxic & Nuclear Hazards

The BE SAFE network of over 300 organizations is promoting precautionary action on a wide range of environmental hazards by organizing “days of action” media events, forming state coalitions, and holding educational activities. Coordinated by the Center for Health, Environment and Justice, the BE SAFE network is building support for a precautionary approach to prevent pollution and environmental destruction *before* it happens. BE SAFE had a successful spring organizing events on nuclear power and Superfund toxic waste sites held by more than 80 groups in over 40 states. This summer and fall, groups will hold events on nuclear weapons, school environmental hazards and polyvinyl chloride (PVC) disposal hazards.

■ Prevent Nuclear Power Hazards

In commemoration of the 25th Anniversary of the Three Mile Island (TMI) nuclear power meltdown near Harrisburg, Pennsylvania on March 28th, 47 media events were held across the country. Groups released a list of “Precautionary Actions to Prevent Nuclear Hazards & Protect Our Children,” including halting four proposed nuclear power plants in ID, IL, MS and VA. The anniversary events received widespread media coverage, generating over fifty news articles, television and radio stories.

CHEJ, Nuclear Information & Resource Service and Public Citizen also organized a TMI 25th Anniversary Congressional & Media Briefing in Washington DC with Representative Ed Markey, and TMI witnesses Mary Osborn and Dr. Judith Johnsrud. The BE SAFE network is also supporting the request made by the local group, Three Mile Island Alert, to have secret agency TMI documents declassified. Congressman Markey has requested declassification of all environmental and health information on TMI, citing a Presidential Order requiring document releases after 25 years.

■ Support Superfund “Polluters Pay” Policies

On April 15th, a broad coalition of groups held 43 “Polluters Pay Tax Day” events in 25 states to remind taxpayers they are footing the bill to clean up toxic sites, and to urge reinstatement of the “polluters pay” tax to replenish the Federal Superfund program. CHEJ, Sierra Club, U.S. Public Interest Research Group, National Environmental Trust and dozens of state and local groups, held media events at post offices with signs stating: “*Make Polluters—Not Taxpayers—Pay to Clean Up Toxic Waste.*” Over 60,000 “polluters pay” stickers were given to people to place on their IRS envelope or send to policymakers. The events received substantial media coverage, including *Time Magazine* and National Public Radio’s Marketplace show.

■ Clean Up, Don’t Build Up: Nuclear Weapons Days of Action

In July and August, “Days of Action” will be held on nuclear weapons and military waste focusing on the Bush administration’s substantial increases in nuclear weapons and the simultaneous deregulation of the cleanup requirements for military sites. The events will commemorate the anniversaries of the world’s first atomic detonation at the Trinity,

NM site on July 16th 1945; the atomic bombings of Hiroshima on August 6th and Nagasaki on August 9th, 1945; and the signing of the international Nuclear Non-Proliferation Treaty on July 1st 1968. The BE SAFE network, including the Alliance for Nuclear Accountability, Military Toxics Project and many state and local groups, are developing a Blueprint for Precautionary Action on Nuclear Weapons and plans to hold media events and citizen’s weapons facility inspections. For more information, contact the BE SAFE Coordinator at 518-732-4538.

■ Healthy Schools Back-to-School Checklist

The BE SAFE network, including the Coalition for Healthier Schools, is organizing “Back To School” events in August with national, state and local groups. An Environmental Back-to-School Checklist will be released to highlight precautionary actions needed to address environmental hazards in schools, such as indoor air quality and pesticide use.

■ What A Waste: Problems with the Disposal of PVC

A report will be released this Fall detailing the hazards and serious disposal problems of polyvinyl chloride (PVC). Written by CHEJ and the Environmental Health Strategies Center in Bangor, Maine, the report will include precautionary-based recommendations to phase out PVC products and disposal practices that are creating serious persistent chemical pollution.

■ Endorse the BE SAFE Precautionary Platform

Support the precautionary approach and prevent pollution *before* it happens. Sign on to the BE SAFE Precautionary Platform today! Be counted when we deliver this national platform to the White House in 2005. Visit www.besafenet.com or email chej@chej.org

■ New Publications

How can a precautionary approach address environmental problems? Check out the BE SAFE website (www.besafenet.com) and download dozens of fact sheets on a wide range of environmental hazards, such as dioxin, food irradiation, mercury, or nuclear power.

■ Your Vote Counts

The next election will set the country’s course on policies to prevent hazards to our health and environment. For information on environmental voting records, contact www.sierraclub.org or www.lcv.org. To register to vote, contact www.earthday.net.

Echoes of Love Canal in Tar Creek Relocation

Who would imagine that the New York Yankees and the Tar Creek Superfund site in northeast Oklahoma would have something in common?

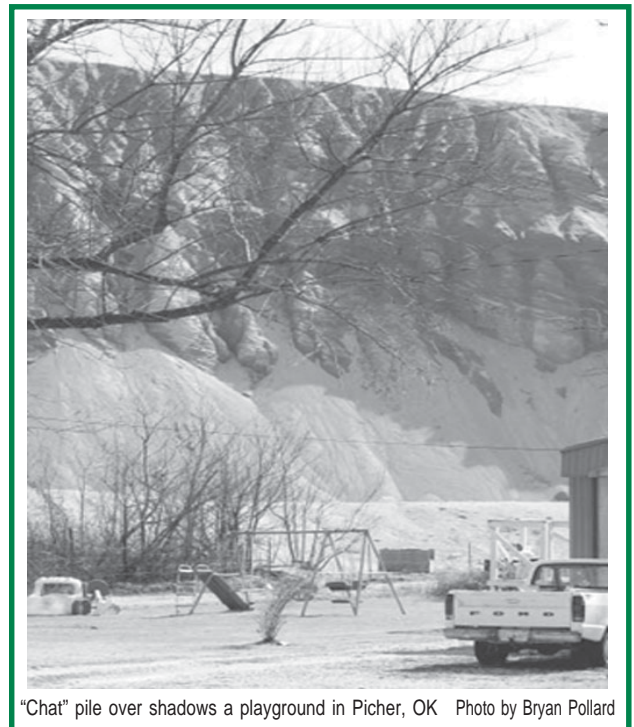
They do. Mickey Mantle. The childhood home of Mickey Mantle, considered one of the most popular and feared sluggers to ever play baseball for the Yankees is located in Commerce, OK, which is part of the 40-square mile Superfund site that is heavily contaminated with lead, cadmium and other toxic metals.

Mantle was born in Spavinaw, Oklahoma but moved to Commerce at the age of three. His father was a lead miner and Mickey worked in the mines as well during the summers. Some credit his unusual strength to working in the mines as a “screen ape.” This involved smashing large rocks into small stones with a sledgehammer. Today Mantle’s childhood home and the barn where he honed many of his baseball skills are being renovated as a tourist attraction.

At the same time, many people in Commerce and other towns that are part of the 40-square mile Superfund site are anxious to leave. Some families will have this option beginning September 1st when \$5 million approved by the Oklahoma state legislature to purchase homes is made available to families with children six years old or younger who live in the towns of Picher and Cardin located at the center of the Tar Creek Superfund site. The option to relocate using these funds is voluntary.

“It’s time,” Regena Carder, who lives in Picher with her 3 year-old granddaughter and plans to apply for the relocation funds, told reporters. “I’m just glad they’re doing something,” she added. For residents who have been given the option to leave, there are mixed feelings says Rebecca Jim, Executive Director of the local community group, Local Environmental Action Demanded (LEAD). Jim told CHEJ that “Some will take it and go, some may take it but continue to let their children attend the local school, some will come back in the evenings and weekends to see their children’s grandparents, friends, etc.”

Children under the age of six were targeted because they are especially vulnerable to the effects of exposure to lead and because there’s strong scientific evidence linking chronic lead exposure to adverse health problems in children including permanent neurological damage and learning disabilities. Not surprisingly, there’s a high incidence of



“Chat” pile over shadows a playground in Picher, OK Photo by Bryan Pollard

learning disabilities among students in the Picher-Cardin school district.

Tar Creek was once the location of extensive lead and zinc mining operations that has left more than 50 million tons of mine tailings in hundreds of piles and ponds over a 40-square mile area. Some of these piles are hundreds of feet tall (see photos) while others are as wide as several football fields. There are sinkholes and abandoned mineshafts everywhere. These mountains of lead and zinc waste completely surround the towns of Picher and Cardin located at the center of the site. The nearby towns of Commerce and Quapaw are also affected as are portions of the Quapaw tribal reservation. The Quapaw tribe owns most of the land which has been leased to people who have built homes on the site.

Dust contaminated with lead, cadmium and other toxic metals blow off these huge storage piles onto streets, homes and school yards throughout these communities. Not realizing that there was any danger, residents used this dust, known locally as “chat,” to make driveways, foundations

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ARIZONA

Families Against Cancer and Toxins are trying to find out what's causing a cluster of 12 children with leukemia in Sierra Vista, a small community 70 miles southeast of Tucson. Some suspect contamination of groundwater with jet fuels (JP-4/JP-8) coming from Fort Huachuca, a nearby Army base that has an airfield. Later this summer, the Centers for Disease Control (CDC) is coming to the community to take blood tests, though they don't want to look for JP-8. Given CDC's and their sister agency ATSDR's track record of not recognizing cancer clusters and their reluctance to acknowledge public health risks, some members of the community are not sure they want CDC's "help."

CALIFORNIA

The **Torrey Hills Community Coalition (THCC)** and the Del Mar Union School District of Corte Langostino are struggling to stop two biotech research and development labs from being installed within 1/4 mile of their local elementary school. The groups have filed three lawsuits against the city of San Diego, developers and the biotech company to halt the project. THCC is also educating and organizing the community to safeguard their children's health.

◆ The **Computer Takeback Campaign (CTBC)**, a project of the **Silicon Valley Toxics Coalition** in San Jose issued its fifth annual "report card" of corporate environmental behavior in May. The report found that a few manufacturers have begun to set up recycling programs to accept used computers from consumers, but that most companies provided little or no recycling of their products. Hewlett Packard and Dell, the nation's largest personal computer makers, earned the highest scores, though both companies barely achieved passing grades. Both companies issued statements, just as the CTBC report was released, saying that they were committing more funds to support computer recycling. CTBC welcomes these efforts but recognizes that much more work still needs to be done. The report is available at www.svtc.org/ or by calling 408-287-6707.

CONNECTICUT

Keep the Children Safe members in New Haven had a victory in May when the state passed legislation that calls for power lines to be buried underground and more utility accountability to the public concerning power line construction. The community group continues their efforts to establish formal and enforceable buffer zones.

DELAWARE

More than 200 people showed up at Carneys Point High School about a mile from DuPont's Chambers Works plant in Deepwater, NJ and overwhelmingly rejected the Army and DuPont's plan to dump millions of gallons of VX nerve agent into the Delaware River. People cited concerns about odors, health, quality of life,

property values, transportation issues, and presence of the nerve agent as reasons for rejecting the plan. The Delaware River has suffered enough.

DISTRICT OF COLUMBIA

Citizens for a Clean Environment (CCE) are angry and feeling betrayed by DC Mayor Anthony Williams and the City Council who both promised to close a waste transfer station in Northeast Washington at the end of the year (2003) when BFI's contract expired. BFI walked away, but the owner of the building reopened the transfer station to other waste haulers after a short period of being shut down. The transfer station is located in a heavily populated area with homes a few hundred feet away. Residents have complained of odors, rats, birds, truck traffic, and diesel exhaust from trucks delivering trash. Many children in the neighborhood suffer from asthma that community leaders believe is linked to the constant truck traffic. CCE is gearing up for a public meeting in July where they want to hold the mayor and the City Council accountable for their failure to shut down the transfer station.

FLORIDA

Once again, the Escambia/Agrico Superfund site in Pensacola, the one-time home of a huge pile of dioxin-contaminated dirt coined "Mt Dioxin" by area residents, is the center of controversy. Recent testing by the state's Department of Health at a magnet middle school located across the street from the Superfund site gave it a "clean" bill of health. The technical advisor for **Citizens Against Toxic Exposure**, however, who reviewed the same data, disagrees and claims that students are at risk. Parents of students at the school are getting organized to demand the truth and protect their children.

GEORGIA

An explosion and fire at a chemical warehouse in Conyers, a suburb of Atlanta, created a plume of smoke visible for miles. The warehouse contained swimming pool and spa chemicals, and the smoke contained chlorine and other unidentified chemicals. Hundreds of residents were evacuated from a 1.5-mile radius around the site. Hospitals reported treating at least nine people who had trouble breathing or suffered irritation from the chemicals. Residents were concerned that dioxins might result from the burning of the chemicals that included chlorine which when burned is associated with dioxin formation. No testing for dioxin was done.

IDAHO

The U.S. EPA's Inspector General got it right when it concluded that the agency's Seattle office "messed up" when it gave a \$50,000 Superfund grant to a Coeur d'Alene business group called the Basin Cleanup Coalition. That's what Barbara Miller, of the **Silver Valley Community Resource Center (SVCRC)** said about the EPA's decision to withdraw a Technical Assistance Grant given to the group. Miller had

complained that this group was a front for the Coeur d'Alene Chamber of Commerce, which opposes any Superfund cleanup of the 75 million tons of mostly lead-tainted mine sediments at the bottom of Lake Coeur d'Alene. These grants are supposed to foster grassroots involvement at Superfund sites, not support business interests. According to Miller "Had we not called attention to it, the special interests - tourism and mining - would have continued to deny that further Superfund cleanup is necessary." SVCRC is pushing for additional cleanup of the second largest Superfund site in the nation.

KENTUCKY

Industrial pollution from chemical plants in the Rubbertown section of Louisville has resulted in serious health risks for area residents. Activists from across the country who gathered in Louisville in May to plan strategies for the **Coming Clean** coalition joined local community leaders in a protest rally and meeting with the newly appointed secretary of the state's environmental protection agency. Local leaders expressed their concerns that the new Republican governor might sidetrack pending local clean air regulations at the request of business interests. CHEJ's executive director, Lois Gibbs, spoke to reporters, reminding decision-makers that "there are eyes all across the country looking at Rubbertown." She later met with the local activists to discuss strategies, tactics and to offer CHEJ's ongoing assistance.

LOUISIANA

Congratulations to the **Louisiana Bucket Brigade (LBB)**, honored by the City of New Orleans Business Magazine as one of the most innovative companies in the state. "Recognition by the business community makes us stronger and puts us in the arena with the petrochemical industries, an arena they would like to keep for themselves," said Anne Rolfes, executive director of the LBB. The bucket brigade, in operation since 1999, empowers local communities by giving them a way to test the air in their community. The "bucket" is a simple device that allows people to collect an air sample in a plastic bag that is then analyzed. If certain substances are above the legal limit, citizens have evidence to back up their complaints. "There is a vacuum of information about what the communities are breathing," said Anne Rolfes, one the Bucket Brigade helps to fill.

MAINE

Griffin Park Citizens Against Toxic Stream (CATS) is trying to get the Maine National Guard and commercial airlines at Bangor International Airport to stop dumping de-icing chemicals into Birch Stream which runs behind their apartment complex. De-icing chemicals, primarily propylene glycol, run through a series of above ground drains and eventually discharge into Birch Stream. Fumes from the creek have been pretty bad at times and the group is organizing to address the problem. CHEJ is helping the

ACTION LINE

group interpret and understand the testing that has been done in the stream.

MARYLAND

The **PTA Health and Environmental Issues Committee** in Glenwood recently discovered that new school buildings are being constructed without return air ducts, which leads to collection of dust, debris, moisture and other materials in suspended ceiling cavities. The group is working to eliminate this poor construction practice from all future building designs. Simultaneously, concerned parents have discovered that the neighboring auto body paint shop is releasing toxic paint fumes into the air path of the school's windows. They are seeking zoning regulations to eliminate this health risk.

MICHIGAN

Area residents gave a sigh of relief this past April when the Central Wayne County Sanitation Authority announced they would proceed with their plan to shut down and dismantle its Dearborn Heights garbage incinerator. Although the facility was closed last August, the company had filed for bankruptcy and tried to sell the incinerator to another company who could have reopened it. The company had defaulted on \$80 million in bonds and owed over \$1 million in back taxes. When no one stepped up to purchase the incinerator, the authority realized that, economically, they had no choice but to shut it down for good. Opposition to the incinerator from members of the city council and area residents began in 1994 when it was first proposed. This decision means that Westland residents can avoid what happened in Columbus, Ohio where the city council tried repeatedly to reuse its closed garbage incinerator to burn other waste materials. If the building is demolished, there can be no efforts to reuse it. Congratulations for this danger averted!

MINNESOTA

Residents in the rural town of Preston organized **Southeast Minnesota Environmental Protection (SEMPEP)** in 2002 to block a plan by Heartland Energy & Recycling to build a tire-burning facility. Though they succeeded in electing two write-in candidates, including the mayor, the plan was approved by a 3 to 2 vote of the city council. SEMEP continued to organize in opposition to the facility and filed an appeal against the Minnesota Pollution Control Agency (MPCA) who issued an air permit for the facility. In April, the court ruled that Heartland had not adequately prepared its environmental impact review of the proposal and ordered the MPCA to consider a long list of questions and concerns raised by the community. Until then, Heartland cannot begin construction and the project is on hold, buying the group more time to educate and organize the community. CHEJ's executive director, Lois Gibbs, met with SEMEP's leaders and spoke to the community in June.

◆ **BE SAFE Minnesota** sponsored a workshop for Dakota County Environmental Services on precautionary healthy school activities in May.

2004 Goldman Prize Winners

Congratulations to Margie Richard from Norco, LA, this year's winner from North America of the Goldman Environmental Prize, the world's most prestigious award honoring grassroots environmentalists. CHEJ has worked with Margie and supported her efforts to relocate families impacted by the refineries in Norco for many years. The Goldman Prize, sponsored by the Goldman Foundation in San Francisco, is awarded annually to an environmental hero from each of the world's six inhabited continental regions. CHEJ's Lois Gibbs won the award for North America in 1990, the first year the prizes were given. For more information about this year's winners, see www.goldmanprize.org.

Preventing Harm MN held a Precautionary Principle Public Policy Forum with the **Science & Environmental Health Network** and **BE SAFE Minnesota** in April. Janelle Sorensen of the **Environmental Association for Great Lakes Education** is the new BE SAFE Minnesota staff person based in Minneapolis.

MISSOURI

Citizens Learning Everything About Amoco's Negligence and Underground Pollution announced that the first of many lawsuits was filed against BP Amoco Oil Company in Sugar Creek on behalf of a child who was diagnosed with Non-Hodgkin's Lymphoma at age 11. Amoco operated a 400-acre refinery for near eighty years in Sugar Creek and refined 100,000 barrels a day at the peak of their operation. There are more than 200 storage tanks and miles of underground pipes on the property that have been the source of significant leaks and spills, exposing residents to benzene, a known human carcinogen, as well as other petroleum ingredients. An estimated 160 million gallons of petroleum products have leaked from the site.

NEW JERSEY

Concerned Citizens of Glow-Town are worried that private homes costing an estimated \$200,000 are being built next to the GEMS landfill Superfund site in Gloucester Township. Lois Gibbs, CHEJ's executive director, called the decision to build these homes "totally irresponsible" in an interview with CBS TV-3 in Philadelphia. "Down the road, someone is going to get sick and someone is going to point the finger at the landfill and that someone is going to be right," Gibbs told reporters. The state blames the USEPA who has responsibility for the site and who has given the state no authority to stop anyone from building.

NEW YORK

BE SAFE New York groups, including the **NYS Breast Cancer Network** and **Citizens' Environmental Coalition**, held a successful all-day workshop on April 29th in Albany with the NYS Assembly staff and the **Science & Environmental Health Network** to develop precautionary-based environmental health legislation. **BE SAFE NY** is also supporting a package of five precautionary bills on state-funded technology research, and phasing out brominated flame retardants, the aesthetic use of lawn pesticides, burn barrels and mercury products in schools.

◆ Filmmaker Judith Helfand visited Buffalo in April to mobilize public opposition to the proposed CertainTeed PVC fabrication plant. She held a series of screenings of her award-winning documentary "Blue Vinyl" that tells of the health hazards associated with PVC plastics. The screenings targeted key constituencies, including the Buffalo City Council and other decision makers, architects, labor leaders, and members of the general public. More than 200 people packed the theatre, and more had to be turned away due to fire code regulations. 120 participants signed letters to the Mayor and CertainTeed regarding the proposed PVC fabrication plant.

◆ Concerned parents in Hauppauge, Long Island successfully organized against the re-opening of the Whiporwil School closed two decades ago due to vinyl chloride and mercury contamination. They disseminated information about the health risks posed by the Superfund site, wrote letters, shared information, and spoke out at meetings, which the local news consistently aired. Activists from **In Defense of Our Children** in nearby Mineola, Long Island, who had recently succeeded in shutting down a child care center located next to a contaminated site helped the Hauppauge parents get organized by sharing their story, providing contacts, and offering moral support. In May, the school board, under pressure, allowed the community to vote on-line for their choice of how to deal with overcrowding at the middle school and the community voted for expanding the middle school, the more expensive option, and against the use of the

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at info@chej.org to
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ACTION LINE

Whiporwil School, to ensure their children's safety.

◆ Congratulations to the **Kandid Coalition** and to the **Citizens' Environmental Coalition** who helped organize efforts urging shareholders attending Eastman Kodak's annual meeting to adopt a non-toxic chemicals policy to phase out emissions of persistent toxic pollutants at Kodak's main facility in Rochester. Over 8.6 million shares voted in favor of the "Adopt a Non-Toxic Chemicals Policy" resolution, or ~ 5.4% of the total. Carol Messina Provost, a neighbor of the facility, did a great job of speaking on behalf of the resolution, talking about how the odors from Kodak Park have impacted her quality of life.

Outside of the meeting, a spirited group dressed in "Kodak Toxic Cleanup Crew" hazmat suits and toxic barrels wearing pollution masks, held signs as well as a giant 100+ square-foot banner which read "Kodak - Clean the Air!" and encouraged people to vote for the resolution. *Provided by CEC.*

NORTH CAROLINA

Swamp Watch Action Team (SWAT) of Leland is getting organized to oppose an auto fluff plant proposed by Hugo-Nu (Nevassa), the same company that residents in Allendale, SC chased out of their community because they did not want the pollution generated by this type of facility. Once again, Nevassa has targeted an African-American neighborhood as the place to build their new plant. Members of SWAT have already been in contact with the residents in Allendale and are vowing to keep Nevassa out!

◆ The **Waccamaw Basin Preservation Alliance** in Whiteville and the **Friends of the Green Swamp** in Columbus County have been fighting efforts to site the Green Swamp "dump" through bureaucratic and regulatory channels for years. They're trying a new tactic this fall and hope to swing the decision their way by supporting and electing candidates who oppose the landfill to the County Commission. FOGS and WBPA are hoping to elect at least two candidates who oppose the landfill to the three seats that are up for election this fall. Two of the seven existing County Commissioners currently oppose the Green Swamp landfill. The groups are hoping to get out the vote and kill the landfill at the Commission level.

OREGON

Victims of TCE Exposure (VOTE) in Portland is planning to meet with former EPA Ombudsman Robert Martin and former Alabama Senator and attorney Donald Stewart who won a significant settlement for the residents of Anniston, Alabama against Monsanto for heavily contaminating their town with PCBs. VOTE wants to explore options to address the most serious trichloroethylene (TCE) contaminated community in the nation. Workers at the former View-Master Mattel plant were exposed to TCE in their drinking water at levels as high as 1,670 parts per billion (ppb), perhaps for as long as 30 years. *Provided by VOTE.*



Interntaional POPS Elimination Network (IPEN) Global Day of Action recognized May 17th as the day that the Stockholm Convention became legally binding by holding more than 70 activities involving 62 non-governmental organizations in 31 countires.

Photo: IPEN Day of Action in the Philippines

◆ The City of Portland may be on its way to establishing a set of precautionary environmental policies after a successful conference sponsored by the **Oregon Center for Environmental Health**, Multnomah County Departments, the City of Portland Office of Sustainable Development and co-sponsored by **BE SAFE Oregon**. Participants were excited to learn about the environmental and human health benefits of precautionary policies. San Francisco government officials provided practical hands-on advice by explaining how they established such a policy for their city. Officials for the City of Portland and other participants indicated that they were ready to participate in a follow up meeting to discuss the nuts and bolts of moving such a policy forward. Congratulations to everyone who made this meeting a success.

PENNSYLVANIA

Congratulations to residents of Snow Shoe Township who wasted little time when they learned that they were targeted for the "biggest landfill east of the Mississippi"- 6,000 acres that would straddle Snow Shoe and Rush Townships. The proposal by Resource Recovery of Lancaster County also includes an industrial park and waste incinerator. Rush Township supervisors immediately signed an agreement to host the landfill, but Snow Shoe was having none of that. Residents immediately began organizing in opposition expressing concerns about contaminated groundwater, air emissions, truck traffic and more. At the first public meeting in June, Resource Recovery didn't even get to present their plan before a crowd of hundreds of people shouted them down and took control of the meeting. Three weeks later, the company withdrew its request for a zoning change in Snow Shoe saying it had encountered "hysterical people with wild stories and half-truths." Let's hear it for those "hysterical housewives" who know more about the health and environmental risks posed by landfills than any developer or landfill operator ever will!

SOUTH CAROLINA

Residents of Sumter County, who have watch dogged the Safety-Kleen hazardous waste landfill (previously owned by Laidlaw and GSX) for years, were dealt a blow this past month when they learned that Safety-Kleen Corp was turning ownership of the landfill over to the state

and that the company would no longer be responsible for cleanup costs incurred at the closed, 27-year-old waste dump, near Lake Marion, the state's largest reservoir. The state accepted only \$14.5 million towards future cleanup costs, far short of the estimated \$133 million needed to pay for a major pollution spill, figuring it was the best they could get from the bankrupt multinational corporation. Sumter County resident Janet Lynam, a longtime nemesis of the landfill, summed up the situation by saying "South Carolina was hoodooed." Lynam, a member of **Citizens Asking for a Safe Environment** that once claimed 3,000 members, said "Safety-Kleen did exactly what they wanted to do. They used us, made their money and left us with the liability." There's a lesson to be learned here - make sure that closing and cleanup costs sufficient to cover a major leak or failure are set aside early and protected against bankruptcy proceedings. If they won't do it, shut them down until they do.

SOUTH DAKOTA

Congratulations to the **Dakota Resource Council**, the **Western Organization of Resource Councils**, and other activists and activist groups who have worked for years in opposition to the development of genetically engineered wheat. Last month, Monsanto ended its efforts to market genetically engineered wheat due to strong resistance from farmers and consumers. For more than five years, farmers made it clear that they just did not want "roundup ready wheat." Way to go!

WISCONSIN

CHEJ joined 68 other groups, nationwide, in signing a letter sent to the USEPA in March opposing a proposal by the U.S. Army to decontaminate buildings at the Badger Army Ammunition Plant by way of open burning. The paint in some of those buildings is contaminated with PCBs at concentrations of up to 22,000 parts per million, 400 times more than the limit allowable for the open burning of wastes. The move would set a dangerous precedent, pose serious health risks to surrounding communities, and threaten downwind dairy pastures, crops and wildlife habitat. The coalition's letter recommends the use of non-thermal technologies, including biological deactivation, that have been successfully implemented at military bases across the country.



Childproofing Our Communities: A Campaign to Reduce Risks Children Face at School

Alternative School Receives First Green Flag in Delaware

In May 2004, the Douglass Alternative School in Wilmington, Delaware became one of the first schools in the nation to earn their Reduce, Reuse, Recycle patch under CHEJ's Green Flag School Program.

The Douglass School, an alternative public school for students who have had difficulty in traditional school settings, embarked upon the Green Flag School Program in September of 2003 and established a Green Team club to provide the impetus for an integrated school recycling program. Cans, bottles, plastic containers, and paper products are diverted from the waste stream through a school-wide commitment that includes staff, teachers, and students. Teachers were initially charged with defining their own recycling stations, using containers from home or converted wastebaskets. A core group of about twenty dedicated students collected the recyclables, and their teacher and mentor took them to a public recycling center. Some teachers at the school have begun to integrate recycling concepts into lesson plans, further expanding the reach of these efforts.

The success of this program led to the Green Team club receiving a substantial grant from an individual donor that the group used to purchase a large scale recycling station. The school plans to continue its participation in the Green Flag Program not only to improve the environmental health of their facility, but also to teach students about the integral role young people play in community improvement, and to provide them with the lifelong tools of leadership skills, self-esteem, and model behavior.

This past May, the Green Team kicked off a tour of Washington, D.C. with a stop at CHEJ's office in Falls Church, VA. We were excited to meet the students and staff that have taken this program so far and embraced it so enthusiastically. We are continually inspired by the work at Douglass Alternative School, first in the state of Delaware to be a nationally recognized Green Flag School. ☺

Any Green Flag School coordinator interested in replicating the VA Green Schools legislation in their state should contact CHEJ's Childproofing Our Communities Coordinator, Stacey Gonzalez at (703) 237-2249 ex. 21.



The Green Team of the Douglass Alternative School in Wilmington, DE. Photo by Barbara Sullivan

Virginia Passes Green Schools Legislation

On June 23, 2004, Virginia Governor Mark Warner signed legislation that authorizes the Board of Education to assist local school boards in the development and implementation of a green schools program in the state. This legislation came about in large part due to efforts by staff and students at Herndon High School, one of the first schools to participate in CHEJ's Green Flag School program.

The legislation *Green Schools Program: education programs to promote waste reduction and resource efficiency* will focus on "waste reduction through recycling and other mechanisms and educating students to help schools contain costs and reduce waste production through resource efficiency." The legislation states that the Virginia Board of Education may and should cooperate with environmental groups and government agencies that provide guidance, technical assistance and resources to develop and implement green schools programs.

Virginia Senator Janet Howell, Herndon High School educator and Green Flag School Coordinator Gary Gepford, Green Flag School students and others were present for the signing of the legislation by the Governor. Hanging behind the Governor during the signing was CHEJ's Green Flag, an award given to each Green Flag School. In the coming year, CHEJ will work with Mr. Gepford to involve more Virginia schools in this program and to put this important piece of legislation into action. ☺

Tar Creek

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for their homes, or as fill for home improvement projects. Children innocently played on these piles often riding their bikes up and down them.

According to the USEPA, approximately 25 percent of the children living on the site have elevated blood lead levels, compared to a state average of 2 percent; approximately 1,600 residential homes have been identified with unsafe soil lead levels (having more than 500 ppm lead in soil); and five public water supply wells have been impacted. An estimated 28 billion gallons of acid mine water is draining from the mines, contaminating groundwater and spreading contamination across a vast watershed. Portions of the site are so severely scarred and disrupted by past mining activities that it looks like a lunar landscape. All this despite the fact that the EPA has already spent \$107 million on cleanup.

The relocation bill makes no provision for residents with older children whose health is similarly endangered. This decision is eerily reminiscent of the progressive stages in which the Love Canal community in Niagara Falls, New York was evacuated 25 years ago. First, those living immediately adjacent to the now-infamous dumpsite were relocated, followed by families with pregnant women and children under the age of two who lived on historically wet areas and swales that crossed the landfill, then it was those who got sick during the cleanup, and finally, all 900 families in the neighborhood were able to leave. The contaminants at Tar Creek are different from those at Love Canal, but the effect is the same – a whole community suffering from exposure to toxic chemicals.

After each evacuation at Love Canal, the state would tell the residents who remained that their risks were “low,” no different than living anywhere else in Niagara Falls. But the residents persisted in their efforts to win relocation for everyone who wanted to leave and continued to ignore the state’s constant reassurances “that everything was all right.”

Similarly, the EPA has said that the health risk to the general public living on the Tar Creek site is “low.” What does this mean to the children who are now 8, 10 or 12 who lived in Tar Creek when they were six and younger? What does it mean to adults who have lived there all their lives and who now suffer from neurological problems linked to lead exposure?

What does it mean to Quapaw tribal members who live on the site? Did the EPA’s “risk assessment” take into account the cultural traditions of Native American people who are likely to gather herbs for medicinal use, consume more fish, and gather berries along Tar Creek?



Aerial view of “chat” pile looming over town. Photo by L.E.A.D. Agency

Rebecca Jim told CHEJ that “we know that it’s more than just the children and its more than just the families in the epicenter [of the site].” There are, says Jim, “... four other whole towns, the Quapaw tribal headquarters where tribal members have danced for 130 years, with two rivers that have fish advisories for metals that form Grand Lake which is a water source for another three counties of people.” The Mayor of Picher agrees, “There are massive problems in this area and it’s not just Picher and Cardin.”

The LEAD group has done its own health study of the community using a grant from EPA. They found many health problems in adults including diabetes, kidney disease, Parkinson’s disease, cancer and heart disease.

How can the government turn its back on so many people who live on what the EPA describes as the “worst toxic waste site in the nation,” an area described in the federal Tar Creek Restoration Act as a site that “...can never be made safe for human habitation?”

It took time at Love Canal and continued pressure from the community before the state and federal governments finally agreed to relocate the entire community. Rebecca Jim met with Lois Gibbs, CHEJ’s Executive Director and the community leader at Love Canal, to learn from her experiences. They now know what they have to do – ignore the government’s hollow reassurances and keep the pressure on.

Says Jim, “We’ll continue to demand relocation for those who want to go and for clean up for those who want to stay. We need to find ways to make the area habitable for those who want to stay.” Hopefully, in time, the people who live on the Tar Creek Superfund site will succeed in getting the state and federal governments to agree to relocate those in the entire affected community who want to leave, not just those who are most vulnerable. ☺

WITH SPECIAL THANKS

CHEJ would like to acknowledge the following individuals and organizations that made critically important donations to support our work between February 14, 2004 and May 28, 2004. All gifts, regardless of their size, are very much appreciated.

GUARDIANS' CIRCLE

(Gifts of \$1,000 or more)

Community Protectors

The Cardoza Tribe
Lee Halprin & Abby Rockefeller

PARTNER'S CIRCLE

(Gifts of \$100-999)

Neighborhood Advocates

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Family Partners

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In Memoriam:

Robert J. McClellan

Organizational and Community Group Supporters:

Children's Health Environmental Coalition (NY)
Citizens for the Cleanup of Lower Darby Creek (PA)
Community Toolbox for Children's Environmental Health (CA)
Concerned Citizens of Glow-Town (NJ)
Douglass Alternative School (DE)
General Board of Global Ministries, United Methodist Church (NY)
Healthy Living Foundation (FL)
Jackson County Citizens Against Rumpke Expansion (IN)
North Carolina Waste Awareness & Reduction Network (NC)
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Public Health Institute, Inc. (NY)
Quality Living (WI)
Southeastern Minnesotans for Environmental Protection (MN)
Wheaton Franciscan Sisters Corporation (IL)

Mercury

Continued from page 3

contamination. It was only then that I realized that I had overdosed on mercury contaminated fish on the home waters of my reservation. It was also then that I realized what a huge problem we had before us in trying to educate Indians about the dangers of eating fish from our lakes. Because of the work I was involved in, I thought I was pretty well informed on many of the social and environmental issues of the time, and yet I knew very little about the dangers of mercury contamination. I knew many others shared my lack of information and were likewise unaware of the dangers facing them.

I've learned that mercury pollution from coal burning power plants is the largest source of mercury pollution in the U.S. It is incumbent upon all of us to do our very best to ensure that what happened to me can never happen again. The current proposal (by the USEPA) to reduce mercury emissions by 70% from its current level is not adequate. With the prospect of new coal burning power plants coming online, even with clean coal technology, mercury emissions would not be reduced from these new sources. In the long term, overall emissions will not be dramatically reduced. Ninety percent cuts in mercury emissions all across the board are more realistic if we are ever going to get to a point where we can lift fish consumption advisories in Minnesota and elsewhere throughout the nation.

Where I live, on the White Earth Reservation, many Indian people fish because we have to. We do not fish recreationally or as a sport. We fish in order to stretch the food dollar. We fish for cultural and ceremonial purposes and we fish because it is our treaty reserved right. It is imperative that the U.S. EPA and the U.S. government live up to its trust responsibility to protect our land, to protect our water, and to protect our resources, so that we can continue to enjoy the benefits that our ancestors envisioned, and that the United States of America promised us.

All across the nation, Indigenous peoples are confronted with this issue and this question: What good is a treaty reserved and protected resource if it is too toxic to consume? As a regulatory agency, the U.S. EPA can act now to begin the process of cleaning up this mess for the current and future generations of all citizens of this country.

This article was excerpted from testimony prepared by Robert Shimek and presented at a public hearing held by the USEPA on the Mercury Power Plant Rule (Proposed National Emissions Standards for Hazardous Air Pollutants), Chicago, IL, February 26, 2004. For more information on this issue, contact Robert Shimek at IEN at 218-751-4967 or at <rslimek@ienearth.org>. ☺

Clean Up, Don't Build Up Nuclear Weapons Days of Action

July & August 2004

BE SAFE: Take Precautionary Action to Prevent Harm from Nuclear Weapons & Waste

Commemorate the Anniversaries of the:

- * World's first atomic detonation at the Trinity, NM site on July 16th, 1945
- * Atomic bombing of Hiroshima on August 6th and Nagasaki on August 9th, 1945
- * Signing of the international Nuclear Non-Proliferation Treat on July 1st, 1968

Support Healthy Schools!

Hold a Healthy School event in your community on August 23rd! Join the BE SAFE coalition and co-release the **Back to School Environmental Checklist** for parents and teachers. Help raise awareness about school environmental health issues and learn how we can take precautionary actions to safeguard our children's health.

New Report on PVC Disposal Coming Soon!

Learn about the hazards of polyvinyl chloride (PVC) and precautionary solutions to phase out PVC products and halt disposal practices creating chemical pollution.

**For more information on these events, contact CHEJ's BE SAFE
Coordinator at 518-732-4538. Visit www.besafenet.com**

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