

EVERYONE'S BACKYARD

VOL. 31 No.4 WINTER 2013

ORGANIZING HARDER & SMARTER TURNS THE TABLES ON NUCLEAR POWER



**IS MOUNTAINTOP REMOVAL
HAZARDOUS TO YOUR HEALTH?**

**HIGH RADIATION LEVELS FOUND
IN FRACKING WASTEWATER**



The Journal of the Grassroots Environmental Movement

www.chej.org

Center for Health, Environment & Justice

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Everyone's Backyard is published quarterly by the Center for Health, Environment & Justice, Inc. The Managing Editor is Stephen Lester, with Action Line contributions from Jose Aguayo and Jordan Haferbier, and layout design by Gregory Kolen II. EB is printed on 100% recycled and 100% post-consumer waste paper, not bleached with chlorine, using low VOC vegetable oil-based inks.



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Library of Congress
 #ISSN 0749-3940.
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On the Cover:

Nuclear protesters gathered to call for the closure of the San Onofre Nuclear Plant.

Photo By: Grant Slater/KPCC

Environmentalism Has Expanded Sparking a New Grassroots Environmental Health Movement

This year marks the 35th anniversary of the Love Canal crisis. The community's efforts at Love Canal successfully won the relocation for 900 working class families away from a leaking toxic waste dump and awoke a nation to the hazards of toxic chemicals in our environment. By overcoming powerful resistance from government and a multi-billion dollar company (Occidental Petroleum), this grassroots effort demonstrates how ordinary people can gain power by joining together. Love Canal sparked a nationwide social justice movement concerned about the link between health problems and exposure to chemicals. Hand-in-hand with these concerns are questions about the rights of corporations to increase their profits through decisions that sacrifice the health of innocent families and the environment.

Traditional environmentalism in America has centered, in general, around protecting the natural environment through laws and regulations. The newer grassroots movement, however, built on a diversified base of workers, people of color, faith-based organizations, rural and urban families and indigenous peoples whose lives have been affected by environmental issues, are as much about protecting public health as the environment. This network values the basic human right to clean air, water, food and soil along with preserving our nation's natural resources.

Grassroots leaders believe that systemic change comes from the bottom up—people plus organization equals strength—the strength to influence policy and win protection of these basic rights, and the strength to counteract the money and pressure corporations bring to bear on elected representatives to oppose or weaken protective laws. As a result, the grassroots strategy is to build a stronghold at the local and state levels that can trickle up to influence federal representatives and national policies.

Another distinction between these two movements is the contrasting approaches to achieving the same overarching goals of protecting public health and the environment. Traditional environmentalism is focused on regulations and regulatory controls and inevitably winds up debating how many parts per million of a chemical can be released into a river. In contrast, today's grassroots efforts are focused on prevention and avoiding exposures to chemicals. Grassroots leaders are now asking "Why do we allow chemical X to be discharged into our rivers when non-toxic alternatives exist?"

Neither approach is right or wrong, or superior to the other. Both seek to protect the environment and all living things. When operating on parallel paths, these two approaches together can make significant progress in protecting public health and the environment. Let's keep moving.

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 12,000 groups nationwide. To learn more, visit www.chej.org.

By TIM JUDSON

FROM RENAISSANCE TO COLLAPSE: ORGANIZING HARDER & SMARTER TURNS THE TABLES ON NUCLEAR POWER

2013 has been a stunning year of victories for the anti-nuclear movement. Five reactors announced they will permanently shut down and plans for six new reactors were cancelled. Even large power rate increases were abandoned at five reactors, a sign of how uneconomical nuclear power is now. Over the last several years, operators were routinely getting approval to “uprate” (increase) reactors’ power output -- in some cases by 20% -- but now the extra electricity they could sell wouldn’t pay off the necessary equipment upgrades. The corporate spin has been to portray these decisions as purely economic, but the truth is that most of it would never have happened if not for grassroots organizing and smart, strategic campaigns.

The anti-nuclear movement has turned a corner, and the industry is on the run. It is an important story for the whole environmental movement. The impact we are having on nuclear power has big repercussions for the entire energy industry, and gives us an important opportunity to accelerate the transition to a sustainable energy future.

Just a few years ago, the industry was beating the drum of a supposed “Nuclear Renaissance.” Existing reactors were getting approved for power upgrades and getting their operating licenses extended for an extra 20 years. And for the first time in 30 years, utilities were moving forward with plans to build new reactors. Activists had not been successful in shutting down a nuclear plant in over a decade, and the industry was building a reputation that it was unstoppable.

Rising energy prices had made nuclear power plants “too profitable to beat,” even though the industry had long since failed in its original promise to make electricity “too cheap to meter.” Deregulation had resulted in many states giving up what little democratic control they had over power generation, making the industry-allied Nuclear Regulatory Commission the sole agency with any authority. Energy companies began to merge with one another, with reactors increasingly owned by national conglomerates in large nuclear fleets with complex corporate structures, instead of by local utility companies accountable to communities and state elected officials.

Photo By: Michael Gauding, The Orange County Register



Protest at San Onofre nuclear power plant on anniversary of accident at Fukushima, Japan.

Vermont Victory

A campaign to close the Vermont Yankee (VY) reactor broke the mold. The reactor was taken over by the Entergy utility company in 2002. That same year, Citizens Awareness Network (CAN), Vermont PIRG and other local groups adopted a state-based strategy to shut VY down. First, they got the state to pass Act 160, a law requiring legislative approval before the reactor could apply for a twenty-year operating extension.

They also developed new capacity and infrastructure, as well as a statewide coalition that enabled groups with different tactics and organizing models to coordinate together effectively. CAN took an unprecedented step for a small grassroots group. Instead of waiting to hire a lawyer to fight a bad decision later, they formed a lobbying organization and hired a lobbyist to be their eyes and ears in the legislature and help time grassroots action in legislators’ home districts to key moments in the process.

In early 2011, major radiation leaks were discovered at VY, with extensive tritium contamination in groundwater, proving that Entergy hadn’t told the truth when it said in legislative hearings the year before that there were no underground pipes at VY that carried radioactive material. Within weeks, the Vermont Senate voted 26-2 to deny Entergy its request to operate VY for another 20 years.

Continued on page 4

The vote set up a series of lawsuits, with Entergy suing the state to overturn Act 160. Though Entergy appeared to win the lawsuits, the courts affirmed states' rights to regulate nuclear power on any other grounds but nuclear safety. But most importantly, thanks to organizing and grassroots opposition to VY and Entergy that took root throughout the state, every statewide elected official and representative in the state House and Senate actively supported the closing of the power plant. The state began passing other laws levying new taxes and threatening to enforce water quality permits, further raising the cost for VY to do business in Vermont.

At the same time, electricity prices were plummeting and Entergy could not get the state's utility companies to renew contracts to buy electricity from VY. With the threat of unending political pressure, lawsuits and regulatory enforcement, Entergy was forced to pull the plug in August 2013 and announced it will close VY permanently in 2014. Victory at last!

California Shutdown

Earlier in the summer, on the other side of the country, a coalition of local activists and national groups celebrated the closure of the San Onofre Nuclear Generating Station (SONGS) in Pendleton, California. Southern California Edison (SCE) succumbed to a fierce, year-and-a-half campaign that began after a radioactive steam leak revealed that the utility company had covered up its use of improperly designed steam generators at the SONGS 2 and 3 reactors. Local groups formed the Decommission San Onofre Alliance and Nuclear Free California Network, and began mobilizing around public hearings held by the Nuclear Regulatory Commission (NRC). They were joined by NRDC and Friends of the Earth (FOE), who commissioned expert analyses of the safety issues and NRC's technical reviews.

Local organizing targeted town boards and city councils, many of which, including Los Angeles, passed resolutions opposing the restart of SONGS. The multi-faceted campaign included an active media component, from extensive use of social media to renting billboard trucks with messages about the impossibility of nuclear evacuation in traffic-snarled Southern California. An interactive web tool allowed local residents to see how close they live to SONGS and what parts of the inadequate emergency plans applied to their town.

FOE and NRDC mounted a legal effort to force the NRC to conduct a thorough, public review of the steam generator problem and SCE's plans for restart. The campaign also



Photo By: Jim Cole / AP

Hundreds protest decision to keep Vermont Yankee open after its license to operate expired.

pressured SCE through a Congressional inquiry led by Senator Diane Feinstein (D-CA) and then-Representative Ed Markey (D-MA), and a threatened investigation by the California Public Utility Commission (PUC), which could have prevented the utility from recovering the costs of the repairs from ratepayers. The Congressional and PUC efforts forced SCE to disclose more documents confirming the cover-up, and the NRC case resulted in rejection of the restart plans. With the situation spiraling out of its control, SCE surrendered on June 7, 2013 and announced it would shut down SONGS.

The David vs. Goliath odds of a grassroots campaign taking down a billion-dollar corporate facility are never great, but the SONGS and Vermont Yankee campaigns show that passionate, smart, strategic, well-organized campaigns can do just that. Other victories this year show the movement really is turning the tide: in Florida, there is the shutdown of the Crystal River 3 reactor and cancellation of two proposed new reactors in Levy County; and in Maryland, there's the first-ever victory in an NRC licensing review resulting in the rejection of the Calvert Cliffs 3 reactor.

Together with large numbers of coal plants closing, the decline of nuclear power is driving home the message that we need to start building a new, renewable, sustainable energy-based electricity system -- one that is carbon-free AND nuclear-free.

Tim Judson is Associate Director at Nuclear Information & Resource Service (NIRS), where he works to support the grassroots anti-nuclear movement. He has been an organizer on nuclear power, workers' rights, sustainable energy, and environmental justice issues for fifteen years, working with the Citizens Awareness Network and Alliance for a Green Economy. ♦



PROGRAM HIGHLIGHTS

CHEJ Testing Reveals PVC Widespread in Children's School Supplies



Photo By: Center for Environmental Health

New independent product testing coordinated by CHEJ this fall revealed toxic vinyl (PVC) plastic is commonly used in school supplies sold by Disney and other companies. In August, CHEJ purchased 20 children's school supplies such as backpacks and lunchboxes and sent them to a lab for testing. Products were purchased at the Disney Store, Target, and Toys "R" Us stores in NYC. Sixteen of 20 products contained high levels of chlorine, indicating the products were made out of vinyl plastic.

One of the products tested, a SpongeBob Squarepants vinyl rain poncho, contained levels of phthalates nearly seven times the federal Consumer Products Safety Commission safety standard for toys. The brand new SpongeBob test results were released in late October at the Washington, D.C. The Stroller Brigade event featured parents and children from around the country at a news conference and rally at the federal Capitol (see Action Bulletin in DC). Families then met with their U.S. senators to urge federal reform. The vinyl ponchos were used at both the press conference and in meetings with U.S. Senators to highlight the problem of unregulated dangerous chemicals in children's products. The results were also released by our partners at the Environmental Health Strategy Center in Maine, who held a news conference releasing the results to build support for forthcoming Maine legislation that would require disclosure of phthalates in consumer products. The proposed legislation would provide parents the right to know about toxic phthalates in consumer products.

On the positive side, most of the products we tested did not contain measurable levels of the phthalates that have been banned in toys, which means that companies are cleaning up their act and eliminating the worst of the worst phthalates from their products. The continued presence of PVC in the school supplies demonstrates however that we still have our work cut out for us! To learn more, visit www.chej.org.

CHEJ Publications Now Available for FREE!!

Many of CHEJ's publications are now available on-line for free. You can download a wide array of reports, how-to guidebooks, fact-packs and fact sheets at <http://chej.org/assistance/publications/>.



For over 30 years, CHEJ was developed specific resources written to help grassroots leaders be more effective and successful. Many of these publications are now available electronically for free. Some of our self-help guidebooks include *How to Conduct a Health Survey*, *How to Work With Experts*, *How to Block a Proposed Facility*, *How to Win at Public Hearings* and *How to Raise and Manage Money*. We also have issue oriented guidebooks on topics such as *Environmental Testing*, *Landfills*, *Incinerators* and *Deep Injection Wells*. Other guidebooks cover topics such as *Relocation*, *Legal Advice* and *Science Issues* targeted for grassroots leaders. Some of our best selling fact-packs cover topics such as asphalt plants, cell towers, landfill failures, burning tires, cement kilns and cancer clusters. We have fact-sheets on PCBs in schools, the hazards of PVC products and dioxin, and on siting safe schools. CHEJ's publications also feature reports and tool kits on *Green Purchasing*, *Superfund*, *Green Cleaning*, and much more. See <http://chej.org/assistance/publications/>.



PROGRAM HIGHLIGHTS

Go PVC-Free this Holiday Season



This year while you're spreading the holiday cheer, be on the lookout for PVC (aka vinyl) in the holiday gifts you're buying for your family, friends and loved ones. Vinyl is the most toxic plastic for children's health and environment. We've compiled these quick tips for avoiding PVC in common holiday products for this holiday season.

Children's / Infant Products and Toys

- Look for toys and infant products labeled PVC-, phthalate- or lead-free.
- Look for PVC-free products listed in CHEJ's guides: <http://chej.org/campaigns/pvc/resources/pvc-free-products/>
- Consult <http://www.healthystuff.org> to find out whether your children's toy is made out of PVC.

Christmas Trees

- Most artificial Christmas trees are made with PVC and sometimes contain lead.
- Purchase vintage aluminum trees, or real, locally grown and sustainably harvested organic trees. You can also purchase a live tree in a pot, which can later be planted outside.

Electronics

- Avoid electronics such as smart phones and computers containing PVC. Consult Greenpeace's Greener Electronics Guide at www.greenpeace.org/electronics.

Packaging

- Look at the packaging of potential gifts. Avoid the three-arrow "recycling" symbol with the number 3 and/or the letters V or PVC, indicating it's made with PVC. If no symbol is present, call the manufacturer's question/comment line (usually a toll-free 800 number) listed on the package to find out what it's made of.



National Training Calls

Join CHEJ's monthly training calls and learn about cutting-edge tactics and successful strategies to address environmental health hazards, and learn new skills on topics such as media outreach, fundraising and social media. In the first six months of 2014, CHEJ will hold the following one-hour Training Calls:

- January 21st – Fracking
- February 18th – Engaging the Media
- March 18th – Grassroots Fundraising
- April 15th – Health Studies
- May 20th – PVC & Green Purchasing
- June 17th – Dealing with Troubled Situations in your Group.

The calls are all held on the third Tuesdays of the month at 12 Noon (EST). Contact CHEJ at chej@chej.org to receive notices of the Training Calls.

BY STEPHEN LESTER, CHEJ'S SCIENCE DIRECTOR

IS MOUNTAINTOP REMOVAL MINING HAZARDOUS TO YOUR HEALTH?

Mountaintop removal (MTR) mining is the removal of all or some portion of a mountain or ridge to access coal seams. It results in significant large-scale impairment to local topography compared to other types of surface or underground mining, and is highly associated with environmental pollution and degraded soil, water, and air quality. MTR mining has become the primary method of coal mining in the Appalachian Mountains, where coalfields cover about 12 million acres of land in Kentucky, Tennessee, Virginia and West Virginia.

For years CHEJ has worked with groups in Appalachia including the Coal River Mountain Watch (CRMW) and Ohio Valley Environmental Coalition (OVEC) that are addressing the health and environmental impacts of mountaintop removal mining. As a way to help these groups bring attention to this issue we prepared a report on the health impacts of MTR mining. This report reviewed the most significant studies on the human health impacts of MTR mining. The health studies described in this report provide strong evidence that MTR mining has impacted the residents in the surrounding communities and that further research is needed to better understand the relationship between adverse health effects, especially reproductive effects and MTR mining.

The studies reviewed in this report show that areas where there is MTR mining have higher rates of cancer, cardiovascular disease-related mortality, overall mortality, and birth defects, and that the residents of these areas report lower health-related quality of life than residents of any other part of Appalachia. Reproductive effects were especially strong. Birth defects in MTR counties were 26% higher compared to non-mining areas and the prevalence of birth defects was positively correlated with MTR mining activity. Following a review of these studies by the Agency for Toxic Substances and Disease Registry (ATSDR), the agency stated that "the available published evidence is sufficiently strong to warrant further epidemiological research into the potential public health impacts of mountaintop removal."

As part of this work, we commissioned a group of medical and scientific experts called the **National Commission on Health Impacts of Mountaintop Removal Mining** and asked them to review this report. Commission members included Dr. Jerome Paulson, Professor of Pediatrics and Public Health, George Washington University; Dr. Steven B. Wing, Associate Professor of Epidemiology, School of Public Health at the University of North Carolina in Chapel Hill; and Dr. Daniel Wartenberg, Professor of



Photo By: [loveourmountains.org](http://www.loveourmountains.org)

Environmental Epidemiology and Statistics, Environmental and Occupational Health Sciences Institute at the Robert Wood Johnson Medical School in Piscataway, New Jersey.

The Commission strongly supported the findings in the report and developed recommendations to improve the understanding of the interactions between MTR mining and human health. The main recommendation called for "an immediate moratorium on MTR mining until such time as health studies have been conducted that provide a clearer understanding of the associations between adverse health impacts, notably adverse reproductive outcomes and MTR mining." The Commission also called for the use of appropriate safeguards including remediation and engineering controls during the moratorium period to mitigate air and water pollution related to MTR mining.

The actions called for by the Commission are in line with recent government initiatives to protect the health of Appalachian communities. Earlier this year, Congressional Representatives introduced the Appalachian Community Health Emergency Act (ACHE) Act, HR 526. If passed this bill would require the Department of Health and Human Services to lead a federal investigation of the reported links between MTR mining and human health impacts. Until such an investigation is conducted, the ACHE Act would require a moratorium on all new MTR permits, as well as on any expansion of existing permits. The ACHE Act would address the primary recommendation of the Commission which is to place an immediate moratorium on MTR mining until such time as health studies have been conducted that provide a clearer understanding of the associations between adverse health impacts and MTR mining.

To read the report including the Commission's statement and recommendations, click on http://www.chej.org/wp-content/uploads/MTR_Mining_Final_April_18_2013.pdf. For more information on the health impacts of mountaintop removal mining see <http://www.ohvec.org/> and <http://crmw.net/>. ♦

By ANDREW MORRIS, CHEJ COMMUNICATIONS FELLOW

RADIATION FOUND IN FRACKING WASTEWATER

Scientists from Duke University released a startling new report on the levels of radioactivity found in streams and sediment downstream from a plant that treated wastewater generated by hydraulic fracturing (fracking) in Western Pennsylvania. According to the journal *Environmental Science and Technology*, the researchers found radium levels to be about 200 times greater in sediment samples collected downstream from the Josephine Brine Treatment Facility compared to sediment samples collected upstream of the plant. Radium is a radioactive material found in certain rocks that is linked to adverse health effects, including Leukemia. Radium enters the wastewater as a by-product of the fracturing of shale rock during the extraction of nature gas.

One of the study's co-authors and Professor at Duke University's Nicholas School of the Environment, Avner Vengosh told [USA Today](#), "We were surprised by the magnitude of radioactivity...It's unusual to find this level." Vengosh noted that while the treatment facility removes a portion of the radium from the water, the metal left in the treated water that is discharged into the river settles out and accumulates in the downstream sediment.

"Radium can make its way into the food chain by first accumulating in insects and small animals, and then moving on to larger animals, like fish, when they consume the insects and smaller animals, Vengosh told [LiveScience](#). "But it's not known to what extent this is happening, since this study didn't address that question."

The facility is among numerous wastewater plants in Pennsylvania that treat the wastewater left behind from hydraulic fracturing. As of now, there are no standards that guide the treatment process. Furthermore, most treatment plants are not designed to remove radiation and little has been done to monitor the discharges from these plants to ensure it's safe.

In 2011 Conrad Daniel Volz, the former director of the Center for Healthy Environments and Communities, testified before a subcommittee of the U.S. Senate Committee on Environment and Public Works on the impact of natural gas drilling in Pennsylvania and the wastewater this process generates.

In his testimony, Volz shared his discovery of at least nine pollutants that exceeded "nationally recognized human and/or aquatic health standards" in the treated wastewater. This included bromide, benzene and chlorides all above the minimum risk level.



Photo By: Pat Sullivan / AP

A jar holding wastewater from hydraulic fracturing is held up to the light.

Volz warned about the risks posed by water downstream from treatment facilities, like the Josephine Brine Treatment Facility, "Direct and complete human and ecological exposure pathways via ingestion, dermal absorption and inhalation (gill transfer in fish) can be demonstrated for different classes of elements, and compounds in the wastewater, constituting a potential exposure threat to recreationalists, private well water users and municipal drinking water users."

Lisa Kasianowitz, an information specialist at the Pennsylvania Department of Environmental Protection, told [ClimateCentral.org](#) that "the treatment facility is handling "conventional oil and gas wastewater in accordance with all applicable laws and regulations." Despite this, the levels of radium present were well above regulatory levels for drinking water.

William Schlesinger, a researcher and president of the Cary Institute of Ecosystem Studies, in Millbrook, N.Y. told [LiveScience](#) that, "The occurrence of radium is alarming — this is a radioactive constituent that is likely to increase rates of genetic mutation" and poses "a significant radioactive health hazard for humans."

Vengosh is concerned that contamination of rivers and streams might also be occurring at other facilities in other states, such as Ohio and New York, dominated by hydraulic fracturing. The wastewater discharged from the Josephine Brine Treatment Facility feeds downstream directly into the drinking water for the city of Pittsburgh. ◆

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 30 years of operation. We welcome and encourage contributions.

Alaska

Castle Mountain Coalition, Mothers Against Mercury, Alaska Community Action on Toxics (ACAT) and local residents spoke at a hearing in September held by the Alaska Mental Health Trust Authority in the Matanuska Valley to address concerns related to the decision to use public lands owned by the Trust for coal development. Local community members raised concerns about the disruptive nature of the coal industry and the production of mercury, a known developmental toxin. Pam Miller of ACAT called for the Trust to divest from coal, stating that participation in an industry that produces toxics creates an ethical dilemma and is ultimately antithetical to the Authority's mission. While the Trust maintains that they intend to comply with federal and local regulations to protect human and environmental health, local groups are calling for the public land to be used in a manner that benefits, rather than harms the local community.

California



The **Butte Environmental Council (BEC)** and the **Oroville Dioxin Education Committee** launched a new campaign to educate people about the possible effects of dioxin exposure on residents of the Oroville area. The groups are using billboards that proclaim "Demand a dioxin free Oroville" to get their message across (see photo). The groups want to make sure that people understand the history of potential dioxin contamination in Oroville that dates back to the Koppers Company wood treatment plant fire in 1987 that followed an earlier fire at this site in 1963. BEC and the committee are offering presentations to local organizations, agencies and churches to educate and inform the community about possible dioxin contamination and health risks. CHEJ provided copies of *Dying from Dioxin*, its book on the health effects of dioxin and what people can do to top dioxin exposures to BEC as part of this campaign.

Washington, D.C.

Empower DC, a nonprofit that works to promote the welfare of DC communities, is deadlocked in its struggle to protect Ivy City, a poor DC neighborhood affected by several environmental stressors, from Mayor Vincent Gray and the Union Station Redevelopment Corporation. Empower DC is fighting to block the operation of a proposed tour bus parking lot in the center of the community at the historic Alexander Crummell School. This parking lot would open the area to a substantial increase in traffic and bus emissions, as well as infringe on the historic portion of the neighborhood. With the support of an attorney, Empower DC was successful in securing an injunction that prohibits the city from operating the bus lot. However, this measure is temporary and hinges on the results of a health study being conducted.

On October 29th, Washington D.C. witnessed the return in full force of **The Stroller Brigade!** Countless people from across the country gather in our nation's capital to exclaim together in one voice "We want REAL reform of our toxic chemical laws!" A joint coalition of organizations coordinated the event that took place at the U.S. Capitol lawn and in on-line social media sites across the country. In the aftermath of the explosion of the fertilizer plant in West, Texas, chemical policy reform is more relevant than ever. The Stroller Brigade came to DC to once again tell the administration to create and enforce better chemical safety laws that protect our families and children, and to do it now!

Florida



The **Indian River Lagoon Program** and the **Marine Resources Council** held a Hands Across the Lagoon Event in September in Melbourne to bring awareness to the declining state of the Indian River Lagoon. Coinciding with National Estuaries Day, attendees gathered at eight locations in five counties, ranging from Volusia to Martin. More than 5,000 attendees came out on foot or by kayak to support the cause. Organizers of this demonstration hope to make the health of their local lagoon a top priority for leaders at the local and state level and garner support for community action groups such as the **Indian River Lagoonwatch**, a local volunteer water quality monitoring team.

Maryland

Local residents of the Curtis Bay neighborhood of Baltimore have formed the group **Free Your Voice** in response to plans to build the largest trash burning incinerator in the nation. The incinerator would be sited near two local schools, violating state law prohibiting the siting of such facilities within a mile of any school. The Curtis Bay area has been plagued by pollution for years and was once first in the nation in toxic air pollution. The area suffers from higher than average rates of cancer, heart disease and respiratory problems. The proposed incinerator would release 240 pounds of mercury per year, in addition to lead, dioxins and particulate matter. Free Your Voice seeks to educate local citizens, bring awareness to environmental justice issues and stop the proposed incinerator. Visit their petition on change.org to learn more about this community group and what you can do to help.

A coalition of several organizations have banded together to defend the state of Maryland and the entire east coast against the Dominion Cove Point liquefied natural gas (LNG) export terminal in Lusby on the Chesapeake Bay. This installation would not only serve to provide foreign markets with access to natural gas extracted from the Marcellus Shale, and thus encourage fracking in the surrounding states, but it would also result in the creation of compression stations that spew thousands of tons of pollutants near the Ellick Diabase Flatwoods Conservation site and the Solomon Islands. The coalition, which includes the **Sierra Club** and **Earthjustice** to name a few, has vowed to do everything within their power to prevent this damage to the Chesapeake area.

Massachusetts

In addition to concerns about the controversial CAD (Confined Aquatic Disposal Cell) design adopted by the EPA to clean up PCBs in New Bedford Harbor, the **Hands Across the River Coalition (HARC)** is also calling into question the EPA's decision to use hydraulic dredging practices,

ACTION LINE

rather than environmental ones. According to the **Hudson River Sloop Clearwater**, a group who has been dealing with dredging of the Hudson River for years, EPA's proposed dredging methods are more appropriate for construction and navigation purposes. Environmental dredging, which is not currently employed in New Bedford, is more appropriate because of the more precise and controlled nature of the technology. HARC asserts that this technology is essential when dealing with sediment containing PCBs because of the compound's tendency to re-suspend when disturbed and because the PCBs will not be completely removed from the harbor.

Montana

Citizens Technical Environmental Committee (CTEC) is fighting EPA's decision to place a cover/cap on top of contaminated soil rather than remediate the Montana Pole and Treatment Plant Superfund site in Butte where chemicals used to treat fence posts and railroad ties caused a 42-acre plume of by-products including dioxins to leak into the surrounding area. Cleanup began in 1993, but somewhere along the way EPA decided to abandon active treatment and switch to containment and institutional controls. The result being that the contamination will now stay on site. CTEC does not agree with the shift away from active treatment, and cites past issues with caps that have failed. CTEC also points out that extensive contamination remains in soil and groundwater despite progress to clean up the site. Leaders of the committee fear that remediation has halted at 24 acres and citizens will be told they're going to "cap it and say stay away."

New Jersey

Homes in Pompton Lakes adjacent to the DuPont Chemical site have toxic chemicals moving underneath their foundation. Chemicals have been leaking from the DuPont site for decades. EPA found that the level of chemicals accumulating inside these homes was unsafe and ordered mitigation systems installed, essentially a pump that draws the contaminated air out of the home and into the ambient air, except when there is no electricity such as when Superstorm Sandy hit last year. **Citizens for a Clean Pompton Lakes** and CHEJ recently brought this issue to the attention of EPA Region 2 Administrator, Judith Enck. The group wants a total cleanup and is pushing for a backup power system for homes at risk in the meantime. EPA agreed to explore options on backup power sources.

New Mexico

Citizen Action New Mexico is organizing to address an aquifer contaminated by a 6,000

foot plume of Ethylene Dibromide (EDB) in Albuquerque. The aquifer was contaminated by Kirtland Jet Fuel who dumped of 24,000,000 gallons of jet fuel into Albuquerque's water supply. EDB, which can cause cancer, birth defects, and liver disease, has migrated within ¾ of a mile from the city's municipal well. Citizen Action is calling for the Centers for Disease Control (CDC) and the Agency for Toxic Substances and Disease Registry (ATSDR) to address these issues, rather than calling for the wells to simply be shut down. The group is calling for remediation or an adequate alternative water supply.

New York



Over 30 organizations sent Governor Cuomo a letter recently expressing strong opposition to a proposed Eastman Kodak cleanup plan capped at \$49 million. For decades, Kodak has refused to clean up toxic hot spots at its main site in Rochester and in the contaminated Genesee River. Now the company and the state have worked out a sweetheart deal in total secrecy that would allow the company to pay only a portion of the true cleanup costs. If approved, state taxpayers will end up paying for Kodak's toxic legacy while the company walks away with billions made over the years using cheap, environmentally unsound waste disposal practices. The proposed settlement requires government agencies to waive their rights to sue the company in the future, though the federal EPA has not agreed. The groups believe that the state is "putting the cart before the horse" by agreeing to a cap without knowing the actual cleanup costs because comprehensive testing has not yet been done. A single toxic waste cleanup can cost more than \$100 million. The groups vow to continue to fight the settlement.

North Carolina

Scotland County of Tomorrow (SCOT), a chapter of the **Blue Ridge Environmental Defense League (BREDL)** formed in 2005 in response to a Waste Management proposal to build a megalandfill that would threaten the community's groundwater. As a result, the Solid Waste Management Act of 2007 was passed and the Scotland County's water was spared. In an effort to maintain the gains made by this act, SCOT is organizing against the "Landfill Bill (SB 328)" which proposes a waste to energy

mega landfill be built in their community. In September the group held a community meeting to educate local citizens and politicians on the dangers to public health and local economic interests that the landfill poses.

The **Blue Ridge Environmental Defense League (BREDL)** kicked off a statewide campaign to stop hydro-fracking in North Carolina with a press conference in Winston-Salem. Spanning the state with a series of local events, the tour featured CHEJ's Executive Director, Lois Gibbs. BREDL's goal was to take its message directly to many of the communities most at risk from hydrofracking, the invasive process for the extraction of natural gas. "Our goal is to simply block fracking in North Carolina," said BREDL's Teresa Vick. The four-day No Toxic Trespass - No Fracking Way! Tour visited Germantown, Sanford, Raleigh, Pittsboro and Wadesboro, covering the Triassic Basin, the prime target for the fracking industry. The tour included conferences, community meetings, school educational events and public forums.

Ohio

Less than a month after the Niles City Council passed a Citizens Rights Based Ban on fracking they did an about face. Under pressure from the oil and gas industry the council voted to rescind the community rights based ban. If the ban stood the city would no longer be able to sell water to the frackers and when they realized this, they saw what they think is a real money maker going down the drain, so to speak. While the City of Niles has bowed to the oil and gas industry, citizens in **Oberlin** voted no to this industrial extraction process



ACTION LINE

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in their community. In **Athens**, the city council voted to support the county council who opposed a proposed injection well for their community. And in **Mansfield**, the city voted unanimously to support a statewide ban on injection wells for wastewater generated by fracking.

The Children's Center for Science & Technology in **Youngstown** hosted an unusual event just before Thanksgiving that was co-sponsored by the Ohio Oil and Gas Energy Education Program (OOGEEP) and Radio Disney. The goal of this "interactive show" was to bring information on gas and oil exploration (fracking) in Ohio to younger audiences and parents. The topics covered in this event mimic the Teacher Workshop Program produced by OOGEEP that is currently used by thousands of teachers in all 88 counties of Ohio to educate students on energy exploration and development. Three other "Rocking in Ohio" events took place at the Ohio State Fair in Columbus, the Washington County Fair in Marietta and the Wayne County Fair in Wooster. OOGEEP and Radio Disney proudly promote these events on their [websites](#) as opportunities for educational instruction and entertainment. While similar events are planned for other Ohio communities, the real question is why is Disney partnering with OOGEEP to brainwash the children of Ohio?

Pennsylvania

Located in the outskirts of Philadelphia, the Lower Darby Creek Superfund site is the target

of another intense environmental justice fight. The local residents formed the **Eastwick Friends & Neighbors** and are fervently asking EPA to clean up a landfill that operated in the 1950s and 1960s, and that now has a recreational park and part of a neighborhood built on top of it. Citizens have been complaining of cancers as well as respiratory problems for decades and only recently has EPA started to act. CHEJ visited the site back in 1990 and recently the group asked CHEJ to review EPA's proposed cleanup plan. CHEJ's science staff did that and submitted comments that the group plans to submit to EPA as part of the public comment period. CHEJ is continuing to provide technical and organizing assistance to the group.

South Carolina

Members of the **Horry Environmental Action Team (HEAT)**, a chapter of the **Blue Ridge Environmental Defense League**, have joined forces with the **Chirping Bird Society** to encourage local zero waste living. The Chirping Bird Society is named in honor of Helen Suzman, a member of the British Parliament, who spoke out so fervently against apartheid policies she was given the name "chirping bird." In line with that legacy, HEAT seeks to "chirp" in their community to bring awareness to the dangers of the "Plastics Age." They are actively supporting the Trash Reduction Act (HR1686), which would require users to pay a fee for single use plastic bags in their community by holding zero waste events, monthly educational meetings, and recognizing local businesses who support these policies. Way to go HEAT!

Tennessee

Dozens of residents wearing "Stop the Mega-Dump" t-shirts and buttons stating "I won't take this sitting down" recently crowded into a regional planning commission meeting to protest a proposed mega-landfill on 845 acres in Maury County. Members of the group **Preserve Maury** strongly urged the commission to make zoning changes to prevent construction of the landfill. More than 4,000 people have signed a petition opposing the landfill. The property of the proposed landfill was once owned by Monsanto and residents are concerned that the site contains toxic chemicals left by the company. Any construction at the site would expose these contaminants. The group vows to continue to oppose the landfill.

Utah

Stericycle, a medical waste incinerator in **North Salt Lake** may be on its way out of the state after residents organized protests and meetings demanding the company move out of the area and shut down operations. The facility has had a long history of violations, most notably from May 28th

this year when the Utah Division of Air Quality found that the incinerator had released too much nitrogen oxide. The agency also accused Stericycle of manipulating emissions tests to appear like the company was in compliance. The final solution may come in the form of a piece of legislation. Senator Todd Weiler is drafting a bill to ban incinerators across the State of Utah. This permanent solution would be most welcome by the residents of North Salt Lake.

Virginia

Fracking is once again in the forefront of national as the Forest Service, part of the U.S. Department of Agriculture, is having the drilling limits it proposed in 2011 attacked by industry. The limit applied to horizontal drilling within the George Washington National Forest in west central Virginia along the Appalachian mountain range. Industry representatives argue that the ban sets a bad precedent and that it severely limits their productivity. However, water managers from Fairfax Water and Washington Aqueduct as well as organizations such as EPA and the National Park Service support the ban because there is enough evidence to warrant a precautionary approach to fracking, especially near our nation's water reserves. It is CHEJ's hope that the Forest Service maintains its ban and safeguards our forests.

West Virginia

The **Center for Biological Diversity**, CHEJ and other environmental, civic and religious groups has joined **West Virginia Citizen Action for Real Enforcement Campaign (CARE)** which seeks better regulation for the destructive mining practices currently permitted in West Virginia. Practices such as mountaintop removal mining have already had devastating effects in Appalachia. With tens of thousands of acres currently permitted or slated for permits, this irreparable damage will continue. In June, 18 public interest groups from across the country submitted a de-regulation petition under Part 733 of the Surface Mine Control and Reclamation Act in light of damage to public health, endangered wildlife and water supplies. CARE is urging the Office of Surface Mining Reclamation and Enforcement to withdraw approval of West Virginia's regulatory program for coal mining after failing to meet minimum federal requirements. Offenses levied against the coal industry include the failure to protect endangered species, lenient permitting and enforcement of policies, understaffing, failure to protect water quality and the increased risk of flooding. ♦



Photo From: eastwickfriends.wordpress.com.

With Special Thanks

CHEJ would like to acknowledge the following individuals and organizations that made critically important donations to support our work from August 1, 2013 to October 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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