

EVERYONE'S BACKYARD

Vol. 22 No. 1 Spring 2004



**Tire Burner Proposal Up In Smoke
ACE Trumps WMI and Stops Landfill Expansion
Our Messages are Working**

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

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HAVE YOU HEARD THE BUZZ?

There's a buzz of excitement at CHEJ over our expanded group membership benefits. Of the hundreds of groups that CHEJ assists each year, many are choosing to contribute the \$100 it takes to become a "group member" of CHEJ. Why do so, when CHEJ provides assistance free of charge regardless of a group's ability to donate?

One important reason is because CHEJ relies on generous contributions like these to fund our work. We have never accepted government funding or corporate grants from polluters. Groups who are grateful to CHEJ for services or resources we made available to them want to help make sure we continue to be there to answer the phone when the next community is threatened by toxic waste or hazardous emissions.

Groups also appreciate the added value they receive for their group membership: subscriptions for four group members to *Everyone's Backyard* as well as our quarterly *CHEJ News* bulletin; recognition in our publications; and access to the new password-protected portion of our website reserved specifically for group members.

There you will find past and current newsletters, downloadable guidebooks, and new articles every month that feature a wide variety of helpful how-to information - everything from the basics (getting your neighbors involved or how to block a proposed facility) to more advanced (working with coalitions and election year tools for the grassroots). Web links to other group members facilitate networking and sharing of valuable resources.

So take up a collection at your next meeting or join now on our secure site. Become a part of our growing on-line community and start receiving your group membership benefits today!

For environmental justice,
Lois Marie Gibbs

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 may need help with. We also refer callers to other grassroots groups who are working on the same issues or fighting the same polluter.

Tire Burner Proposal Up In Smoke

Lois Marie Gibbs

In the winter of 1994, residents living just outside Columbus, Ohio placed a chain and padlock on the gate of the recently closed incinerator (see cover photo). This solid waste (garbage) incinerator was the largest contributor of dioxins to the environment in the country according to the U.S. Environmental Protection Agency. What a wonderful day that was for the residents of Grove City and the community organization Parkridge Area Residents Take Action (PARTA).

Since the closure of this incinerator, there have been many proposals to re-open the facility. The most recent idea was to burn tires using a technology called pyrolysis. But the community has successfully stopped every proposal. They want the incinerator torn down, not turned into another source of pollution in their community.

PARTA is a good example of how grassroots environmental groups don't disappear when they win their fight, but continue to monitor and advocate to protect the health and quality of life in their community. When members of PARTA learned about the proposal to use the old incinerator to burn tires, they geared up and began using tried and true organizing techniques they had previously learned. They also decided to form a new group called Southwest Neighbors Protecting Our Environment (SWNPE).

The company proposing to build the pyrolysis plant was Universal Purifying Technology Co. The plant would process as many as 10,000 scrap tires a day. The company had built a similar plant in Taiwan, but it was shut down after a short period of time leaving many unanswered questions about the quantity and nature of the emissions from the facility. There are no similar plants operating anywhere in the world; several that were built have all closed their doors. Consequently, there was no way to evaluate what, if any, impact this plant would have on human health or the environment.

SWNPE did find that the emissions from these plants include dioxins, one of the most toxic chemicals ever tested. Exposure to dioxins can cause cancer, learning disabilities, diabetes, immune damage, and reproductive problems. Emissions could also include heavy metals such as lead or chromium, particulates, sulfur oxides, and various volatile organic compounds (VOCs). Exposure to lead can cause learning disabilities in children; chromium can affect kidney function; particulates increase asthma and mortality.

In reviewing the proposed plan, the Solid Waste Authority of Central Ohio expressed concern about the lack of an existing plant that could be inspected and critically evaluated by the agency. They were also concerned about the many unanswered



questions and uncertainties regarding the plant's ability to successfully operate on a sustained basis in an environmentally acceptable and technologically reliable manner.

This lack of information by itself was not enough to stop the plant from being built. What made the difference was that SWNPE brought these and other issues to the forefront and created a great deal of attention and pressure on the decision-makers.

SWNPE's efforts were successful in pressuring the Solid Waste Authority who voted unanimously, on January 6, 2004, to reject the plan to build the tire burning plant. They argued that the system held "great promise" but that there were too many unanswered questions, a lack of proven track record, and the need for additional technological development.

Grassroots leaders across the country can learn from this success. In brief, here are several lessons that the leaders shared with CHEJ staff.

■ **Organize and show support for your position.** SWNPE turned out hundreds of people at public meetings to oppose the proposal. They were visible and persistent in pressuring decision makers.

"We began by circulating a petition opposing the facility. When we had 6,000 signatures, the group approached the President of the Columbus City Council. Armed with signatures indicating citizens' (voters') concerns, the group asked the President of the City Council to direct the city Board of Health to review the permit and application for health risks."

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Make Polluters — Not Taxpayers Pay to Clean Up Toxic Waste Sites

Join a Superfund Tax Day Action at your Post Office on April 15th

If you were empowered to decide where millions of federal tax dollars would go—where would you designate those dollars? Schools? Health care? The homeless? There are many social programs where public taxpayer dollars are needed. Alarming, some of your tax dollars are now going to clean up toxic waste sites instead of to other programs. That's right, *taxpayers—not polluters—are paying to clean up Superfund sites across America.*

This past October, the federal Superfund toxic waste cleanup program ran out of polluter-contributed funds. This has left taxpayers to shoulder the burden. It also allows corporations who use the chemicals that end up in toxic waste dumps to save about \$4 million dollars a day.

The American taxpayer should not have to pay to clean up some corporation's mess. A fair solution is to "make the polluters pay" by reinstating the taxes on corporations that create and use the chemicals that find their way into our environment and our children's bodies.

Polluters Pay Tax Day Events

The BE SAFE campaign to prevent hazardous exposures is organizing a national day of action in support of reinstating the Superfund's "polluters pay" tax. On April 15th while live cameras at Post Offices all across America cover the tax day story, groups will hold media events with posters stating: *"Polluters – Not American Families – Should Pay for Toxic Waste Cleanups."* Thousands of stickers will be distributed for people to place on their IRS envelope stating: *"Our Health. Our Tax Dollars. Their Toxic Waste. Make Polluters Pay."* CHEJ and the BE SAFE coalition, including local, state and national groups, such as Sierra Club and US PIRG, are holding events in many states.

You can help Make Polluters Pay!

Polluters Pay Stickers: Contact CHEJ for "Polluters Pay" stickers to use on your IRS tax-return envelope, and on postcards to send to your Senator urging support of the polluters pay principle and renewing Superfund taxes.

Tax Day Events: On April 15th, people across the country will be standing outside their post offices handing out stickers and carrying signs. Join people at your local post office. We can send you materials to hold an event.

Letters Count: Send a Letter to the Editor to your local newspaper. (Visit www.besafenet.com Superfund page for a sample.)

Support: You can also support BE SAFE's efforts by making a contribution of \$25, \$50 or \$100 to help us get the word out.

**Support the Precautionary Approach.
Sign on to the BE SAFE Platform today.
Visit www.besafenet.com**

Be counted when we deliver this national platform to the White House in 2005!

How Did Taxpayers Start Funding Superfund?

Here is some background on the issue.

- Nearly 70 million Americans — including 10 million children — live within four miles of a Superfund site.
- Superfund became law in 1980 to address the most extreme toxic messes — sites like Love Canal—and the program has successfully cleaned up hundreds of toxic waste sites.
- Superfund embodies a national commitment to make polluters pay. Congress created a trust fund paid into by polluters to finance the cleanup of Superfund sites when polluters refused to pay or could not be found.
- Superfund also provides an incentive for industry to act in a precautionary way. If industry is held to the same standards as a private citizen—paying for the damage a person creates—it makes more sense to switch from costly, dangerous toxic chemicals to safer chemicals and technologies or recycling and waste reduction.
- Under pressure from the oil and chemical industries, Congress allowed the polluter pays tax to expire in 1995. At its peak, there was \$3.8 billion in Superfund from these taxes, but last Fall, the Fund was drained of its polluter-contributed funds.
- There has historically been wide bipartisan support for polluter pays taxes—President Reagan signed a bill to expand the program in 1985, and the first President Bush signed a tax extension in 1990.
- Former Presidents Bush and Clinton both asked Congress to reinstate the tax—President George W. Bush has not.
- Taxpayers have had to fund more of the program, and the number of toxic site cleanups completed every year has significantly declined. People can no longer count on Superfund funds to clean up toxic waste sites as quickly and thoroughly as they should be.*

ACE Trumps Waste Management and Stops Landfill Expansion

By Stephen Lester

Donna and Lewis Cuthbert, the **Alliance for a Clean Environment**, and other area activists got a Christmas present this past year from an unexpected source - the Pennsylvania Department of Environmental Protection (DEP). Last December, DEP suddenly announced that it was denying Waste Management's request to expand its landfill in Pottstown effectively forcing the landfill to close. The Cuthberts could not believe it. After more than 8 years of effort, ACE had won its biggest struggle - to shut down the Pottstown landfill! They were ecstatic. "This is the happiest day of my life," said Donna Cuthbert who together with her husband Lewis led ACE's efforts to close the landfill.

According to DEP, they denied the permit because of continuous complaints about odors, the potential conflict between a vertical landfill expansion and the safe operation of the adjacent Pottstown airport, and because the expansion would only add 2-1/2 years to the life of the landfill. The landfill is scheduled to close in December of this year. DEP also ordered Waste Management to begin forming a plan to close the facility that addresses the many concerns raised by the community.

The news was a big surprise for several reasons. First, Waste Management had never been denied a permit or been forced to close a landfill in the state before, and there was no reason to think that anything would change. Second, the state had previously opened its doors to waste from anywhere. With six landfills within a 35-mile radius, Pottstown has the largest concentration of landfills in a state that accepts more out-of-state trash than any other state in the country.

But there is clearly another reason why the landfill expansion was denied: the involvement and activism of the community. ACE was relentless in their efforts to close the landfill. They refused to accept it as a neighbor and did everything they could to close it down.

They made fliers with information about the problems at the landfill and distributed them everywhere. They went to meetings, meetings and more meetings. At every opportunity, they made it clear that they wanted the landfill shut down. ACE held workshops and public forums with invited guest speakers. They issued press releases and produced a weekly television show that aired on public access TV. They involved their local politicians, several of whom, including the town's mayor, supported their efforts. They searched for and found allies everywhere including the local hospital and local businesses.



Pottstown's Mayor Anne Jones (at podium), with Lewis and Donna Cuthbert speaking at an ACE community meeting. Photo by Daniel Creighton, Pottstown Mercury.

ACE also did their own research on the health problems in the community and found high rates of cancer compared to state and national statistics. They made maps that showed a clear pattern of disease that pointed at the landfill as the primary cause.

They focused on the toxic chemicals present in the gases generated by the waste in the landfill which became a major issue when Waste Management proposed selling this gas and building a pipeline to the Occidental Petroleum PVC plant located on the other side of town. This plan was defeated when ACE organized major community opposition.

ACE is excited by their success, but they know that the battle isn't over. They've already prepared a detailed set of guidelines for closing the landfill that begins with their direct involvement in deciding what needs to be done. They want to make sure that there are no last minute changes in this decision.

ACE's success is a shining example of what can be achieved with hard work and determination. Other communities can look to ACE's experience in Pottstown and realize that they too can win. This is a real victory for the community, a community that would not quit and would not accept what everyone told them was inevitable. You have to believe that you can win in order to win. *

ACTION LINE

ALABAMA

A coalition of over a dozen citizen groups called on the U.S. Army to stop burning chemical weapons at its incinerator in Anniston citing accidents which led to worker exposures, the distribution of incomplete and misleading information, and repeated shutdowns. The groups are also seeking an independent investigation into these charges. **Serving Alabama's Future Environment** expressed frustration at the Army's lack of response to the community and is concerned that the Army is covering up events that could harm the community as well as the workers. "Why do they feel like the community most affected can't be trusted with the truth?"

CALIFORNIA

Residents of an African American neighborhood adjacent to the Fort Ord military base in Monterey have formed the **Fort Ord Environmental Justice Network** and acquired an EPA Technical Assistance Grant (TAG). The site is a former military training base where a great number of bullets, bombs, and what the Army calls "Unexploded Ordnance" or UXO, are scattered over 8,000 acres. The group is concerned about high levels of lead in soil, groundwater contamination and the danger of explosion. The Army has been trying to clean up the site for years and transfer land to civilian use. As many as 300 people were temporarily relocated last fall when a controlled burn of the ordnance got out of control. FOEJN contacted CHEJ for advice on how to prepare a work plan for their TAG advisor, who to hire, and related questions. The group is now focused on getting their technical advisor on board and up-to-speed.

◆ **Environmental Health Coalition** in San Diego, is fighting for more testing in order to evaluate whether a contaminated site can be used to build a new elementary school. The school district wants to build a new school on a site contaminated with heavy metals such as lead and arsenic as well as other substances. The land is also adjacent to a former landfill. EHC used CHEJ's "Creating Safe Learning Zones" report in developing their strategy and they have asked CHEJ technical staff to review the environmental testing done at the site.

FLORIDA

The **HealthyLiving Foundation** in Palm Beach County successfully worked with their local representatives to introduce a new indoor air quality (IAQ) bill for schools. This bill ensures good indoor air quality for educational facilities by establishing oversight by the Department of Education and Department of Health, and makes all educational facilities comply with commercial building codes. It also

establishes reporting, monitoring, record keeping and enforcement actions for non-compliance. HLF is a participant in CPOC's Green Flag program.

GEORGIA

The **Newtown Florist Club** held a workshop to teach area residents how to become part of the "Bucket Brigade" that uses a simple user-friendly air monitoring device to "grab" and store air samples for analysis. This equipment lets the group take samples when odors in the air are strong or when people are reacting to the odors. Before, they would have to wait for the state DEP who might not show up for several days. The Florist Club is quite excited because they'll be able to take samples immediately and go to government agencies with the results. The bucket monitors, that can detect up to 88 toxic gases and have been approved by the USEPA, have been described as the "environmental equivalent of a crime watch program."

HAWAII

Citizens Advocating for a Safe Environment (CASE) of Honolulu have been frantically gearing up to fight a plan by Synago-WWT to build a bioconversion plant to "recycle" 8,200 tons of sewage sludge into pelletized fertilizer. CASE has been arguing that the sludge needs to be tested, but Synago says that it doesn't and has convinced the City Council to hold two public workshops to discuss the issues. CASE has some support on the City Council, but they're trying to convince 5 of the 9 council members to vote against the plan.

ILLINOIS

Residents in Peoria are getting organized to stop Peoria Disposal Company (PDC) from tripling the size of its hazardous waste landfill and operating it for 30 more years. Residents are collecting signatures on a petition asking the Peoria County Board to deny PDC its expansion permit. The residents also want to permanently close the landfill.

KENTUCKY

Congratulations to long-time friend and colleague Craig Williams, Director of the **Chemical Weapons Working Group (CWWG)** in Berea. Craig received the 2003 *John O'Connor Citizen Achievement Award* given by the state Public Interest Research Groups (PIRGs). Craig has devoted much of his life to addressing the storage and disposal of chemical weapons at eight U.S. weapons storage facilities (see Anniston, AL).

Email us today
at info@chej.org to start
receiving EBY electronically.

MARYLAND

The **Harmans Civic Association** is organizing to address the cleanup of contamination at the Kop-Flex, Inc. metal coupling site in Harmans. The group is concerned about the dumping of trichloroethane and other chemicals into Stoney Creek following on-site treatment. The group had their first victory when they forced the state to cancel a public meeting that was scheduled at a time and place when most of the community could not attend. The meeting will be rescheduled at a convenient time and place in the community.

IN MEMORY

We want to extend our prayers and condolences to the family and friends of Gustave (Gus) Jackson from Shadyside, MD. Gus was a colleague and friend who had a terrific sense of justice and how to address injustices in communities around the world. We will miss him.

MASSACHUSETTS

Templeton Citizens Against the Dump (TCAD) are fighting a landfill proposal by Casella Waste Systems who made a deal with the town Dept of Health to dig up the town's old unlined landfill and build a new double-lined landfill next to the old one. TCAD was angry because DOH cut the deal before the Town's Selectman had a chance to agree. TCAD organized and gathered enough signatures to hold a recall election for the three members of the board of health. Residents filled the Narragansett School auditorium and overflowed to the cafeteria and gym. One group member said "this is the first time in over 30 years that this number of people have shown up for a town meeting." The town approved a proposal that limits trash at the landfill to in-town trash only.

MICHIGAN

Residents of Midland and other areas downriver of the Dow Chemical plant continue to be stunned by the results of soil testing for dioxin being done by the state. Dioxin levels as high as 5,600 parts per trillion (ppt) were found in an area frequently flooded by the Tittabawassee River; 1,435 ppt was found in Imerman Park in Saginaw Township; 1,600 ppt was found in Freeland Festival Park in Tittabawassee Township. The state's standard for dioxin in soil is 90 ppt. Additional tests are planned. The **Lone Tree Council** and the **Tittabawassee River Watch** are carefully monitoring the state's testing.

ACTION LINE

MINNESOTA

CHEJ's Executive Director Lois Gibbs met with residents and concerned citizens in northeast Minneapolis from the **Shoreham Area Advisory Committee** that includes six neighborhoods located next to the state's largest contaminated site, an abandoned railroad site owned by Canadian Pacific Railway. They had a lively discussion about strategies and how residents could "turn up the heat" to get action on the site. They also discussed Superfund clean up and the expiration of the polluters pay tax.

◆ The **Environmental Association for Great Lakes Education (EAGLE)** of **BE SAFE Minnesota** gave a presentation on precautionary actions at the Minnesota Pollution Control agency's annual Air, Water & Waste conference in February. In Duluth, at the annual Living Green Conference, CHEJ's Lois Gibbs was the keynote speaker before over three hundred people.

MONTANA

Congratulations to **Women's Voices for the Earth** for their recent victory. In January, County Commissioners voted to shut down the aging Park County solid waste incinerator in Livingston, the single largest source of lead emissions in the state and the second largest source of mercury and dioxin emissions. The group cites its low-profile strategy for beating an entrenched "good old boy" network in local government. The incinerator which was over 20 years old faced mandatory upgrades of its emissions system by a 2005 deadline. The County cited the cost of these upgrades and added maintenance costs as factors in their decision.

NEW HAMPSHIRE

Citizens Leading for Environmental Action & Responsibility (CLEAR) testified at a January hearing of the state House Committee on Environment & Agriculture which is considering a bill to phase out persistent toxic chemicals. The NH Dept of Env. Services is supporting the bill which would include chemicals like mercury and dioxin. CLEAR is also urging the state to use its new biomonitoring grant from the federal Centers for Disease Control to investigate communities such as Penacook that are exposed to waste incinerator emissions.

NEW YORK

Citizens' Environmental Coalition and the **NL Health Study Committee** are conducting a health survey of people exposed to depleted uranium, lead and other toxic chemicals from the NL Industries factory in Colonie. For 20 years, the groups have been asking for a health study of former workers and community residents to no avail. The groups are also investigating

biomonitoring of exposed residents and federal compensation claims for former workers, while watch dogging the Army Corps of Engineers remediation of the site.

◆ The **New York Committee on Occupational Safety & Health (NYCOSH)**, a member of **BE SAFE NY**, gave testimony on why the City of New York should follow the example of San Francisco and adopt the precautionary principle at February oversight hearings of the council's Environmental Protection Committee.

◆ A broad coalition of organizations has banded together to fight CertainTeed's proposed PVC fabrication plant on Lake Erie in Buffalo. Activists are urging Buffalo leaders to deny CertainTeed access to the Union Ship Canal and choose safer economic development alternatives. CHEJ has signed onto the coalition's letter to the Mayor of Buffalo, and is supporting the efforts of **Citizens Environmental Coalition** and other New York activists. *Provided by CEC.*

◆ Congratulations to **United Communities of Westchester** who earned a hard fought victory in their efforts to stop the Millennium Pipeline (a gas pipeline from Canada to New York) project from tearing through their community. The proposed pipeline was approved in December 2001, but state officials objected to the plan and the Secretary of Commerce was brought in to decide the fate of the project. Last December, Secretary Donald Evans upheld a New York state ruling blocking the proposed pipeline from crossing the Hudson River at environmentally sensitive Haverstraw Bay. UCW remains vigilant in their efforts as they expect Columbia Gas to seek another place to cross the Hudson River.

Landmark "Dirty Dozen" Toxics Treaty to Become Law

The International Treaty on Persistent Organic Pollutants (POPs), a historic initiative to ban or severely restrict a "dirty dozen" list of chemicals, will soon become binding international law, now that France, the 50th country, approved it on February 17, 2004.

The POPs treaty targets 12 chemicals, including polychlorinated biphenyls (PCBs), dioxins, and several pesticides. POPs are very toxic and persistent chemicals that can cause cancer and damage the nervous, reproductive and immune systems. Although the United States signed the treaty in 2001, it has not amended U.S. laws to implement it.

NORTH CAROLINA

BE SAFE North Carolina, a coalition of groups including the **Blue Ridge Environmental Defense League (BREDL)**, **Clean Water for North Carolina**, **Swamp Watch Action Team** and others held a People's Hearing to protest International Paper's efforts to circumvent federal clean air standards requiring technological improvements at their Riegelwood facility. The groups spoke out against IP's delays, variances and pollution trading schemes. BE SAFE North Carolina hosted the hearing because the NC Division of Air Quality refused to do so despite many requests. Transcripts and videos are being sent to state and federal officials.

◆ As many as 50,000 military personnel stationed at the U.S. Marine Base at Camp Lejeune from 1967 to 1985 may have gotten more than they bargained for during their stay at the camp. It appears that trichloroethene (TCE) and other volatile organic compounds used at the base contaminated the base's drinking water. TCE levels as high as 1,400 parts per billion (ppb), 280 times the current federal drinking water standard, were found. It now appears that the military knew about the contamination as early as 1980, but they failed to inform anyone until recently. Birth defects and childhood cancers are common among the families that lived on the base in the 1960s and 70s. To address these problems and the lack of information provided by the military, several retired marines have formed **Water Survivors**. The group remains angry over the way they have been treated but they are determined to get to the bottom of what happened.

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ACTION LINE

OHIO

Residents of the racially-diverse Winton Hills neighborhood in Cincinnati are surrounded by three landfills and three polluting facilities - Sun Chemical, Proctor and Gamble and Cognis Corporation - that collectively emitted over 484,155 pounds of toxic chemicals in 2001. CHEJ's organizing staff has been taking local leaders through steps for forming a strong local group, holding a community meeting to educate and recruit members, and identifying goals, targets and organizing strategies.

◆ Congratulations to the **Protectors of Everyone's American Rural Life Style (PEARLS)** which won a major victory in February when a local judge upheld a zoning regulation established by Blanchard Township that would stop National Lime and Stone from building a limestone quarry in the township. The company had filed a lawsuit against the township trustees after voters approved a new zoning law in November of 2000 that prohibited the construction of the quarry. Theresa Allen, a township trustee and key leader in PEARLS was thrilled with their victory after four long years of struggle. She told a local reporter "this proves what PEARLS has said all along that a lot of little fleas can make a big dog miserable."

OREGON

Victims of TCE Exposure (VOTE) were angered when they learned that the old Mattel/Viewmaster site in Portland may be torn down to make room for an expansion of an adjacent shopping center. The Mattel/Viewmaster site has been heavily contaminated with trichloroethene that was found in drinking water wells at levels hundreds of times higher than the federal safe drinking water standard. VOTE has been trying to get the site cleaned up for several years and is upset at the potential demolition of the site at a time when they are fighting for an investigation of the health problems caused by the contamination.

◆ The **Oregon Center for Environmental Health (OCEH)** and **BE SAFE Oregon** are organizing a Precautionary Workshop this April with the Multnomah County Health & Sustainability Initiative Departments, the City of Portland Office of Sustainable Development and Portland State University. The daylong event features national speakers from the Science, Environment & Health Network and is designed to investigate local precautionary policy initiatives in the Portland area.

RHODE ISLAND

The **Alton Neighborhood Association** is organizing to address contamination from a textile mill in their community. A number of volatile organic compounds including benzene, 1,1-dichloroethane, and tetrachloroethene have been found in residential drinking water wells. The RI Dept of Env. Management has told the residents that they have no money

for testing and has been unresponsive to the group's questions and concerns. ANA is determined to have their questions answered and to hold the company accountable for any contamination they have caused in the community.

SOUTH CAROLINA

Allendale Residents Against the Landfill continue to organize to get the Allendale landfill cleaned up and properly closed. Two local businessmen recently purchased the landfill and want to put a game reserve on the site. The problem is that they aren't interested in paying for the testing needed to properly clean up the site nor in installing monitoring wells as part of the closure requirements. The group is paying close attention to all this in order to make sure that the new owners and the state get the testing done and install the monitoring wells.

TEXAS

The **Northeast Neighbors Coalition** of Austin are trying a new strategy to stop expansion at two operating landfills in their community. They want the government to set up a regional planning group to address waste management issues. While the city of Austin has an excellent recycling and waste reduction program, most of the trash going to these two landfills comes from 10 other counties. NNC is arguing that before making a decision to expand, these other counties should set up recycling and waste reduction programs similar to what exists in Austin. If these efforts succeed, they may not need to expand either landfill.

VIRGINIA

Residents of several neighborhood associations are organizing to oppose a plan by Safeway (yes the food people) to build several underground gasoline storage tanks in Fairfax County. The community doesn't understand why Safeway wants to put these tanks in a highly populated area and vows to stop it. One of the neighborhoods affected by the plan experienced a major gasoline tank farm leak in the early 1990's when gas fumes found their way into basements and many homes were bought or renovated. No one wants to revisit that nightmare except Safeway who conveniently doesn't remember much about what happened then.

WASHINGTON

Washington Toxics Coalition, People for Puget Sound and other WA groups had a major victory in January when Governor Gary Locke ordered the state Dept of Ecology to resurrect a plan to phase out persistent toxic chemicals that the state legislature failed to fund last year. Using \$100,000 of emergency funds, the Governor directed the agency to first work on phasing out a toxic flame retardant known as PBDE (polybrominated diethyl ether) which is used in many consumer products and has been found in breast milk, fish and wildlife. PBDE impairs memory, learning and behavior in laboratory animals at low levels. Infants and young children are most at risk.

WEST VIRGINIA

The **Ohio Valley Environmental Coalition (OVEC)** in Huntington celebrated a major victory this winter when a federal WV judge ruled that the USEPA had to rewrite the anti-degradation rules of the Clean Water Act. (These rules prevent unnecessary degradation of clean waterways.) Apparently, the EPA had illegally approved the state's plan which the judge felt didn't meet minimum standards required by the regulations. "The Bush EPA's original approval of the plan was nothing less than an attempt to undermine a critically important Clean Water Act provision," said OVEC's Vivian Stockman. The group is waiting to see if EPA will rewrite the provision or appeal the decision.

◆ **The Forgotten Communities of Lick Creek, Rawl, Merrimac, and Sprigg** organized and had a major victory in March when they convinced their federal representative to provide 250 families in the area with a new source of drinking water. The wells of these families were contaminated with arsenic, lead, manganese, and other substances leaking from a nearby landfill and from local coal mining activities. The group had been fighting to get the water for 8 years. What made the difference? The group pushed their decision makers and held them accountable. Way to go!

WISCONSIN

Residents are organizing to stop expansion of the Browning-Ferris Industries (BFI) Lake Area Landfill near Saron. BFI wants 70 more acres that would more than double the current capacity of the landfill. The group is concerned about the impact of the landfill gases and contaminated groundwater on nearby residents. CHEJ's technical staff reviewed the testing done on the landfill gases and pointed out that BFI only tested for methane and not any of the toxic chemicals commonly associated with landfill gases like vinyl chloride or benzene. Armed with this information, the group went into a big public meeting well prepared and asked hard hitting questions.

◆ **Neighbors Against the Shire** are fighting to prevent a wooded buffer around a closed Superfund site in Milwaukee owned by Waste Management (WM) from being sold to private homeowners by a real estate developer. WM bought the land next to the old Brookfield landfill to create the buffer. The developer named homes and streets in the proposed development after the land of the Hobbits in JRR Tolkien's Middle Earth from the popular Lord of the Rings films. So far, there's been limited testing at the site. The group is concerned about the migration of landfill gases off site and contamination of groundwater. NAS had a major victory when the developer decided at a recent council meeting, packed by over 150 people, not to build on 17 of the proposed 42 lots because they were too close to the landfill. Bolstered by this success, NAS is continuing their efforts to stop development of this property.

Our Messages are Working !

This is what we've learned from information acquired from the American Chemistry Council (ACC), the main lobby group for the chemical industry. They've acknowledged that our messages - our communication tools - are changing public opinion and having an impact. It's rare that we have the opportunity to look at our messages, frames and organizing from the position and perception of our opponents. Their views and opinions provide a unique perspective on which of our messages are the most effective. We need to use this information to guide our work as we move forward.

This unique insight became possible when several documents developed by the ACC became available. The first was their report, *2003 in Review, A Focus On Results*, which we got from their web site. This report was prepared for an ACC Board of Director's meeting. A section in this report directly speaks to where the chemical industry is having problems getting its message out because of the effectiveness of the messages being used by the environmental health movement. Below are two statements from this report that are worth their weight in gold. The ACC told their board:

"ACC understands the power of REACH [this is the new EU chemical regulatory policy] and the power of the people utilizing basic societal values of—prevention, substitution and proof of safety—over calculated harm and sacrifice. It is the strength of promoting these values that will continue to propel this type of program forward not only in the UK but beyond."

The ACC also said:

"Using common sense and driven by the basic value—protection against trespass—people are successfully moving public opinion to demand the elimination of unnecessary involuntary exposures to dangerous chemicals."

These statements reflect the industry's concern that precaution and the phase out of persistent toxic chemicals resonates well with the American public and that these policies have a real potential to be established here in the U.S. They also speak to our success in wrapping our messages in social values, our effectiveness in "moving public opinion" and our ability to discredit the use of risk assessment ("calculated harm"), the industry's most powerful and valued tool, used to justify their pollution.

The second source of information on the effectiveness of our messaging, frames and movement building became available when two activists attended an ACC conference last fall called *"Communicating in a Volatile World."* Below are statements from handouts distributed at a session that was cancelled when they saw activists among them.

- The environmental health movement's success is due to its diversity of members and supporters who include community groups, environmental justice organizations, health professionals, and researchers who focus on body burden and low-dose chemical exposures, shareholder/investment institutions, and consumers.

- The use of "value-based" messaging by activists: "A chemical-free world for the future of our children."

- The "hydra-headed" impact of activists organized into networks or coalitions in which members target several aspects of one issue with the support of the full network. For example, community activism around local chemical facilities, health studies that focus on mothers and children, shareholder activism, and outreach to major customers of chemical products.

There are important lessons to be drawn from this unique insight. We have learned that our opponents are worried that our messages are working and effective in influencing policy. This means that we should make sure that we continue to use these messages/frames at every opportunity. We may want to tweak the messages that we've been using, but we clearly don't need a complete overhaul.

We should also pay careful attention to the language of risk assessment. We can move our goals forward if we can convey to the public that there's a different approach - a common sense value driven alternative that displaces the unethical process of *calculated harm and sacrifice*.

The ACC is clearly worried about the multi-faceted organizing work and messages that grassroots groups are promoting including precautionary policies, phase outs of persistent toxic chemicals, the reduction of air and water pollution, children's environmental health risks, biomonitoring, green buildings and others.

Let's congratulate ourselves ... Let's continue our choir of voices "on message." *



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

Concern for children's health and safety is a common denominator in communities across America whether rural or urban, progressive or conservative, northeast or southwest. Local leaders fighting for environmental health are finding their message resonates on a deeper level with the public if they can link it to health risks to children.

The Center for Health, Environment and Justice launched the Child Proofing Our Communities (CPOC) campaign to provide local leaders with information, organizing tools, media attention, and other resources they need to make this case effectively. If you haven't already done so, visit the campaign's website at www.childproofing.org to find out what we have to offer.

There, for instance, you can download our report *Creating Safe Learning Zones: Invisible Threats, Visible Actions*. This report shows that there are more than 1,000 schools in just five states located within a half-mile of a federal Superfund or state identified contaminated site. That's more than 600,000 students potentially placed at risk. Then you can download the safe school siting criteria we developed in collaboration with a committee of 14 organizations.

Also available is our *Poisoned Schools: Invisible Threats, Visible Actions* report that lays out the health-threatening problems common to our schools, like overuse of pesticides or inadequate ventilation. School buildings are routinely sprayed with toxic pesticides to kill pests, often without parent notification, leaving toxic residue on carpets and soil, exposing children as they play indoors and out. Improper ventilation encourages the growth of mildew and toxic molds. The off-gassing of building materials like particle board and vinyl flooring further contributes to the toxic stew of chemicals in the air students breathe.

CHEJ works to combat these hazards every day. Through our Childproofing Our Communities campaign, we provide organizing and technical assistance to help community groups make schools safer, one at a time. To support these efforts, we published *The ABCs of Healthy Schools*. It provides information on building a "clean and healthy" school from the ground up or retrofitting/renovating existing facilities, and also includes recommendations and sample policies for integrated pest management and pesticide use.



Herndon High School (VA) won a Green Flag Award for its model recycling program. Students recycle more than 100 tons of paper and other waste annually and have raised nearly \$175,000 for scholarships.

Finally, the Green Flag Program is our popular program for involving students in efforts to make their schools safer, healthier and more environmentally responsible. Working with adult mentors, young people form teams to tackle four key areas: indoor air quality, non-toxic products, recycling, and integrated pest management (IPM).

Since the program was launched last fall, 15 schools from across the country have received awards recognizing their achievements in identifying, researching, and changing policies in their schools.

"For me, the Green Flag Program is great because we learn a lot, and then we turn our knowledge into action," said Becky Elstad, a senior who serves as the current president of the Herndon High School (VA) environmental club. "It's cool to know that even us young people can make a difference in protecting our environment and our health."

Go to our website to download the start-up kit or call CHEJ for more information about how to bring this innovative program to your local schools! *

WITH SPECIAL THANKS

CHEJ would like to acknowledge the following individuals and organizations that made critically important donations to support our work between December 1, 2003 and February 13, 2004. All gifts, regardless of their size, are very much appreciated.

GUARDIANS' CIRCLE (Gifts of \$1,000 or more)

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Pennsylvania Environmental Network
Sierra Club – Delaware Chapter
Texas Campaign for the Environment
Coalition for Health Concern

Up In Smoke

Continued from page 3

While the Board of Health reviewed the proposal, SWNPE continued to collect signatures. They also met with their county representatives and provided targeted information that suggested serious environmental health risks and many unknown factors due to the lack of operating history anywhere in the world.

■ **Do Your Homework.** Carefully research the issues so that you understand the proposal and can use the information strategically to move your group closer to its goals.

Because this was a new process with no long-term operating experience, there was virtually no information about the plant's emissions and operating history. SWNPE used this information to convince the decision-makers and to anger the community about being used as a guinea pig.

■ **Turn People Out.** SWNPE organized and got people out to the public hearings. They also came up with a strategy to influence the way the hearings were run so that their voices would be heard. At one hearing sponsored by the Solid Waste Authority, about 200 people came out, some carrying signs like "Ban The Burn" and "Tires Belong On Cars Not The Air Children Breathe."

From their earlier efforts, SWNPE knew that the Ohio EPA would speak first. They also knew that to win this fight they needed to

make sure their voices were heard and that meant speaking during that first hour when the media covered the story. So SWNPE came up with a plan to make sure that they would be heard.

Twenty minutes into OEPA's testimony, a SWNPE member stood up and asked a question. For the next 60 minutes they continued to ask questions, many of which the OEPA could not answer. However, SWNPE's leaders often knew the answers and they were quick to say so publicly. This strategy exposed the agency's lack of knowledge and scientific understanding about the dangers and "unknowns" of this process and was an important element in winning.

■ **Develop relationships with local government agencies and get them on your side.** The local health departments from Franklin County and the City of Columbus were swayed by the information the grassroots leaders provided them and they came to the hearing to support the group and oppose the facility.

So when the Solid Waste Authority of Central Ohio voted unanimously to reject the plan to convert the old incinerator into a tire pyrolysis plant, the residents celebrated their victory. They also agreed to meet again to address any other environmental threats in their community. SWNPE had won a significant victory and they are committed to continuing to watch and protect their homes and families from polluting industries. Congratulations, again!*

Need Funds? More People? Media Coverage?

Let's work together! CHEJ can help your group reach its goals!

Do you need to recruit new members?

Inspire people to give generously to support your work?

Generate media coverage on a local environmental health threat?

Join with CHEJ and let's PARTY!

Last fall, the **Toxics Action Center (TAC)**, located in Boston, MA and **CHEJ** piloted an easy, fun and lucrative way to attract new donors. Over the course of one week, we held **joint fundraising parties** in four New England states. In addition to the fundraisers, the days were used to provide support to local efforts by having Lois meet jointly with editorial boards, do radio and print interviews, and meet with local community-based groups.

Matt Wilson, Director of TAC, said this about the results: *"The tour of house parties with Lois was great. It was a win-win for everyone. It was great for staff, local leaders, and gave Lois some good visibility. Lois was a good hook to get people to come. It was a real benefit to have Lois there and share the donations. The week was successful because we identified new donors, raised lots of money, got great media coverage ..."*

TAC and CHEJ split the donations from the events, after subtracting expenses. Both organizations kept the names of donors who responded to the invitations. Best of all, TAC is preparing a how-to manual with step-by-step instructions based on their experience and lessons learned which will be available on the CHEJ group members' website. So now, you can easily put this powerful fundraising tool to work in your own community!

For more information, or to discuss holding joint fundraising events with CHEJ, contact info@chej.org or call 703-237-2249.

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