

EVERYONE'S BACKYARD

Vol. 22 No. 4 Winter 2004



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PRECAUTIONARY APPROACH**

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TO LIQUIFIED NATURAL GAS TERMINAL**

**BAD NEWS COMES IN ♻️'S:
PVC—THE POISON PLASTIC**

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

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TURNING LEMONS INTO LEMONADE

2005 will be an interesting year and YES, it can be an exciting one as well. It's clear what we can expect from the Bush administration. From an environmental perspective, we'll have to closely watch-dog federal regulations and policies and undertake strategic defensive campaigns.

We also need to think about how to turn some of the lemons into lemonade. Everyone now understands that little will come from Washington, D.C. in the form of protective policies or federal dollars over the next four years. This understanding provides an opportunity for organizations to focus on moving local and state policies because there is no other choice.

The movement has been very successful in the past four years. There have been significant victories at the state and local levels – such as phasing out nasty chemicals like fire-retardants, reducing pesticide use on public property, building greener schools, and passing policies that limit the use of persistent bioaccumulative toxins and adopt precautionary approaches.

With each progression of these new policies and approaches, new leadership, new people and groups are engaging, thus building and expanding our base. It's important not to lose sight of our history. Most significant social and federal policy changes have resulted from bottom-up educational and organizing efforts, not from "wise" men or women in Washington.

Moreover, all federal representatives need to go home to keep their elected seat. Our power to create change is in our own states and communities. State laws and regulations can be stronger than those at the federal level. The next four years provide the opportunity to increase our collective power by making change at the local level—and setting the stage for more protective federal policies down the road.

So, let's set up our lemonade stands, market our products, sell small and large quantities to decision makers, and move our community to become a healthy place to live, work and play, while setting the stage for systemic change.

For a healthy environment,
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 need help with. We also refer callers to other grassroots groups who are working on the same issues or fighting the same polluter.

Portland Oregon City and County Adopt Precautionary Approach

BY NEHA PATEL, OREGON CENTER FOR ENVIRONMENTAL HEALTH

This past fall community, health and environmental leaders celebrated as the Portland City Council and Multnomah Board of Commissioners unanimously passed a joint resolution recognizing National Pollution Prevention Week and directing the development of a Toxics Reduction Strategy for Multnomah County and the city of Portland based on the Precautionary Principle. The resolution, proposed by the Sustainable Development Commission (SDC) of Portland and Multnomah County and the Oregon Center for Environmental Health (the Center), aims to reduce toxics in city operations and protect public health and the environment by using the common-sense idea that an ounce of prevention is worth a pound of cure.

Work began on this effort in the spring of 2003. Two key components that were essential to our rapid success included the availability of existing model policies and resources from cities such as San Francisco and organizations such as the Science and Environmental Health Network (SEHN), and our collaboration with the SDC of Portland and Multnomah County. The SDC is made up of community members tasked with making policy recommendations to the city and county designed to ensure a sustainable future. In May 2003, the Center and the Health and Environment Committee of the SDC hosted a workshop session for the Sustainability Forum in which toxics were identified as an important issue. Shortly after the workshop, one of the Center's board members, a professor of public health at Portland State University, was recruited to join the SDC as a commissioner and the Health and Environment Committee began working with the Center on a strategy for policy change and recommendations.

Through our involvement with the national BE SAFE campaign at CHEJ, the Center presented the opportunity to the SDC to co-sponsor a workshop on the Precautionary Principle. The resolution was the outgrowth of this April, 2004 event, *Precautionary Principle Workshop: A New Approach for Protecting Human Health and the Environment*. Experts from around the country including the Director and the Toxics Program Manager of the San Francisco Office of the Environment, and representatives from the SEHN introduced the precautionary framework and initiated a dialogue between 120 members of the public and public agencies on proactive solutions that use precaution as a basis for environmental and public health policy.

As an outcome of the workshop, the Center helped convene a workgroup tasked with defining the scope of the problem of toxics in our community as well as with developing recommendations on how the Precautionary Principle can be incorporated into all aspects of city and county governmental operations.

The following is a summary of the workgroup's key findings regarding the scope of the problem:

1. Toxic pollution accumulates in our bodies and threatens our health. There are hundreds of contaminants present within each of us, contaminants that have accumulated over time through exposure to cleaning products, plastics, fuels, pesticides, cosmetics, and other chemical products.
2. Cancer, asthma, birth defects, developmental disabilities, infertility, and Parkinson's disease are all on the rise and they are linked to chemical exposures from air, water and food, and products used in our schools, homes, parks, and workplaces.
3. These health problems are widespread — affecting nearly 1 in 2 Americans — and they are also very expensive, costing \$325 billion yearly in health care costs, loss of productivity, and for special education programs.
4. Environment matters; exposures influence health. Unfortunately, toxicological data only exist for about 7% of 85,000 registered chemicals, and tens of thousands of chemicals are not even registered. This makes it difficult to know definitively which products or toxic contaminants threaten our health and environment.

The workgroup also found that while Portland and Multnomah County are often perceived as environmentally healthy communities, they are not exempt from the impacts discussed above. For example:

- ◆ A section of the lower Willamette River is listed as a Superfund site, designating it as one of the most polluted rivers in the country. River sediment is polluted with unsafe levels of toxic chemicals including mercury, PCBs, dioxins, DDT, as well as pesticides and herbicides.
- ◆ Fish from the Willamette and Columbia Rivers are contaminated with high levels of toxic pollutants which has resulted in consumption advisories from the Oregon Department of Health and Human Services.
- ◆ The air levels of 14 toxic substances in Multnomah County exceed health-based benchmarks, with six pollutants more than ten times higher than national health standards.

In 2003, both the city and county of San Francisco adopted the Precautionary Principle. By following their example and developing a strategy which utilizes the Precautionary Principle framework, the city of Portland and Multnomah County plan to take a systematic inventory of current purchasing practices and evaluate alternatives to toxic products.

Continued on page 10



Bad News Comes in ♻️'s: PVC—The Poison Plastic

PVCl (polyvinyl chloride) is widely used in plastic pipes, building materials (such as vinyl siding), consumer products (such as toys or tablecloths) and disposable packaging. But, PVC is a *poison plastic*. It has earned the title after decades of harming our health and environment. PVC's destructive toxic life begins with manufacturing, continues during product use, and then creates devastating pollution when incinerated or landfilled.

A new national report concludes that billions of pounds of PVC are being thrown away every year in the U.S.—but there is no 'away' as PVC waste poses perpetual hazards. It is with us forever—a legacy left to the next generation. "You can't burn it—it creates dioxin, another very toxic pollutant. You can't bury it—chemicals leak out into the surrounding soil and groundwater. You can't recycle it—because it contaminates the recycling process," noted report co-author Stephen Lester, CHEJ's Science Director.

Our country's fire fighters and first responders are worried about exposures to PVC's toxic fumes every time they encounter a fire. Consumers are concerned about vinyl shower curtains that release toxic fumes, often referred to as "that new product smell." Parents are worried about the leaching of toxic chemicals from PVC toys that their children use.

The United States is facing a looming waste crisis with a conservative estimate of 70 billion pounds of PVC slated for disposal in the next decade. And, the problem is going to get worse. An estimated 125 billion pounds of PVC installed in the last 40 years in construction and other long lasting uses will need to be disposed of as it reaches the end of its useful life.

The report, *PVC, Bad News Comes in Threes: The Poison Plastic, Health Hazards, and the Looming Waste Crisis* includes a precautionary action plan to phase out PVC in the U.S. over the next ten years. "We can prevent harm from PVC by replacing it with safe, available alternatives, and by diverting PVC waste away from incineration," said report co-author Michael Belliveau, Director, Environmental Health Strategies Center.

BE SAFE released the report with many national and statewide organizations in 20 states on December 7th and kicked off a consumer campaign to urge two companies to endorse a PVC-Free Pledge. While many companies have stopped using PVC bottles, Johnson & Johnson still uses them for health care products, such as baby shampoo. Microsoft uses the wasteful PVC "blister packs" for its software products.

Send an email letter today to Johnson & Johnson and Microsoft and urge them to stop using the poison plastic. Visit www.besafenet.com for a sample letter.

The sad truth behind the harm caused by PVC, is that in most cases there are plenty of available alternatives. PVC products are marked with the number "3" or a "v" for vinyl often within the recycle symbol triangle.

Don't Buy PVC—the Poison Plastic.

If you see the #3, Put it Back on the Shelf for Your Health!



The report details how PVC poses serious environmental health threats from the start. During production, PVC requires the manufacture of raw chemicals, including highly polluting chlorine and cancer-causing vinyl chloride. PVC plastic also includes large amounts of toxic additives, which are then released during use and disposal, resulting in elevated human exposures to chemicals.

Dioxin formation is the Achilles heel of PVC. Burning PVC plastic in incinerators and backyard burn barrels forms dioxins, a highly toxic group of chemicals that build up in the food chain. Dumping PVC in landfills poses long-term problems due to leaching of toxic additives into groundwater, dioxin-forming landfill fires and toxic landfill gases.

Unfortunately, PVC recycling is not the answer. When PVC products are mixed in with non-chlorinated plastics, they contaminate the *entire* recycling process.

A growing number of responsible corporations have decided to stop using PVC, such as Firestone, Bristol Myers and Nike. But irresponsible corporations have refused to move to safer plastics. "As consumers we need to send a strong message to these corporations by letting them know we will not purchase their products. And, we need to enlist all levels of government to pass strong policies to phase-out PVC," said Lois Marie Gibbs, CHEJ Executive Director.

For a copy of the report, visit www.besafenet.com. Share the report with your local government officials to educate them about the hazards of PVC in landfills and incinerators. And, remember, if you see the #3 on a product—put it back on the shelf for your health! ☺

COMMUNITY SAYS NO! TO LIQUIFIED NATURAL GAS TERMINAL

BY KEVIN STECH

Speaking to Joseph Carvalho, founder of the Coalition for Responsible Siting of LNG Facilities, the urgency of his cause comes across immediately. As described on the Coalition's website, Carvalho's community, the city of Fall River, MA, "has been targeted by Weaver's Cove Energy to site a huge LNG facility only feet away from a residential neighborhood, a school, at least 2 nursing homes, and family development." Fall River is one of many areas in the United States that has been targeted by petroleum companies as sites for liquefied natural gas (LNG) terminals. LNG is natural gas that is drilled largely overseas, chilled to -260° Fahrenheit, and then shipped to U.S. terminals in tankers the size of aircraft carriers.

What sets Fall River apart is the proposed location of the facility. Weaver's Cove Energy, LLC, and Hess LNG, a subsidiary of Amerada Hess, have chosen a site for their proposed LNG plant which is 25 miles up the Taunton River in Fall River. A

tanker would have to travel those 25 miles, past residences which line the river and under four major bridges. One of those bridges is the unfinished Brightman Street Bridge, currently under construction by Boston contractor Jay Cashman, who incidentally, also owns the land where Hess LNG aims to build their facility. According to Carvalho, "There's 25 ft. of clearance on either side [of the bridge's supports] for a ship 145 ft. wide." Even the Weaver's Cove's environmental impact statement states that the tankers will come into contact with the supports.

When asked why Hess LNG would want their facility so far inland, via such a dangerous route, Carvalho offered a case study in ruthless business practice. According to Carvalho, the reason they want it so far inland "is because of the existing Algonquin pipeline. It's a gas pipeline that's been here forever." He continued, "They only have to build about, I think it's less than two miles — a mile and five-eighths — of new pipeline to connect. So the savings, you see, it's all about cost savings." He describes it as putting "profits before people." Indeed, if the Hess LNG plant in Fall River were to have an explosion, conservative estimates put the death toll in the thousands.

An unfortunate example of the danger posed by LNG facilities occurred on Jan. 19, 2004 when a pipeline at a LNG facility in Skikda, Algeria leaked and caused a cloud of gas vapor to form, which subsequently ignited. Twenty-seven people were killed and 80 injured in the blast that demolished over half of the plant.

Only the remote location of the facility prevented higher casualties. The Dept. of Energy (DOE) and Federal Energy Regulatory Commission (FERC) initially claimed the blast occurred because of outdated boiler equipment, which would not occur in the U.S. However, Sonatrach, the owner of the plant, later confirmed that gas leaked from a pipe. Professor emeritus at the Massachusetts Institute of Technology and distinguished LNG scientist James Fay said, "That

certainly doesn't give you a lot of faith in their gas detection equipment, with all this gas leaking out. I guess this means sometimes that equipment doesn't work." What's more, the Skikda plant was thoroughly renovated by Halliburton in 1999. Halliburton subsequently issued a press release claiming that the facility "passed all performance tests." Halliburton's oversight of a leaking gas pipeline demonstrates that LNG is never completely safe.



Coalition for Responsible Siting of LNG Facilities members protest. Photo courtesy of CRSLNGF.

The accident in Skikda is not an isolated incident. The Coalition's web site lists numerous other locations around the world where LNG accidents have occurred. Other issues raised include the questionable need for LNG, the continued reliance on foreign fossil fuel, the terrorist threat posed by LNG facilities, the contribution of natural gas to climate change, the destruction of aboriginal habitats and fragile ecosystems in the Amazon, Russia, Asia, and other places mined for LNG, and the availability of renewable energy alternatives that are not being developed.

Using liquefied natural gas will not alleviate our dependence on foreign sources of fuel, mostly from politically volatile regions on the globe. It will continue to impact our already staggering half trillion dollar trade deficit. Most of all, an emerging reliance on LNG will continue to pollute the air with greenhouse gasses and particulate matter and delay the inevitable transition to cleaner and safer sources of renewable energy. Current policies at the federal level act to subsidize the petroleum industry, with the fledgling LNG industry presently receiving a large share of those tax dollars. Renewable sources of energy on the other hand, receive very little public funding. Although these technologies cannot reasonably be expected to replace fossil fuels immediately, we must develop the capacity and the will now. Shifting government subsidies from LNG to renewable technologies would be a great way to start correcting America's narrow-minded energy policy. *Continued on bottom of page 10*

ACTION LINE

ALASKA

Alaska Community Action on Toxics, Chickaloon Tribe, Cook Inlet Keeper, and Military Toxics Project announced in October a critical agreement with the Department of Defense (DOD) that will protect public health, land and waters from toxic releases. The two years of intense negotiations leading up to the settlement were focused on the bombing at Eagle River Flats by Fort Richardson. The Army wanted to continue its release of munitions into the river, despite the presence of 10,000 pieces of unexploded ordnance. The groups were suing the DOD for harming water quality and creating a toxic hazard to local Indigenous subsistence users and nearby residents. Fort Richardson has been on EPA's national Superfund list since 1994. The plaintiffs are happy with the settlement that supports their claim that "no federal agency should be above the law, especially the laws that protect the public's health and safety." Congratulations!

CALIFORNIA

On August 8th, the people of Livermore and **Tri-Valley CAREs** honored those who died at the horrific bombings of Hiroshima and Nagasaki 59 years ago while also bringing attention to the continued threat presented by nuclear weapons. Speakers at the anniversary-day rally and march highlighted local concern over a requested \$6.6 billion dollars for nuclear weapons activities and the concurrent closing of two area schools due to lack of funding. "Books Not Bombs" was the cry heard from the crowd of 500 as they marched to the Livermore Lab. A book drive to benefit local youth culminated in a "pyramid of knowledge" with books piled high at the nuclear laboratory gates. Art activities included paper crane folding and painting a 35-foot banner used in the march. The event, significant for its positive energy and strength, culminated in a peace camp at Lake Del Valle and more direct action at Livermore Lab the next morning.

DISTRICT OF COLUMBIA

The **National PTA** released its 2004 Legislative Action Packet, which calls for healthy construction and renovation of school buildings. The packet includes the School Environmental Checklist, created by the **BE SAFE** Network, CHEJ's Childproofing Our Communities Campaign, the National PTA, and many local, state and national organizations, and released for the first time in August.

FLORIDA

Concerned residents are organizing to stop the placement of a new bombing range in Taylor County. Despite government efforts, the group has grown to include over fifty people whose efforts can be seen in the numerous yard signs, buttons, and bumper stickers displayed throughout the county. Taylor County government has been offered \$40 million (and the local Rotary Club \$10,000) if it will support the bombing range. Nevertheless, successful organizing efforts

forced a non-binding referendum on the issue on the November ballot. Over 6,000 voters opposed the bombing range while only 2,000 supported it. Continued grassroots organizing will be necessary to convince the local government to listen to the voters.

ILLINOIS

No Burn Evanston succeeded in shutting down the Evanston Hospital medical waste incinerator (MWI) and all 11 of Illinois' other MWIs. This neighborhood group formed in the summer of 2003 when Clare Kelly Delgado began talking at a block party about what the incinerator was burning, including plastics and mercury-containing equipment. Soon, people were meeting with hospital administrators, city council members, and educating the public with yard signs, protests and press coverage. As they increased pressure on the Evanston City Council to order the hospital to close its incinerator, they also caught the attention of the Illinois governor. On September 13th, he announced that all MWIs must close by Nov. 8th or he would ask lawmakers to ban them. It's amazing what a few concerned citizens and parents can do when they organize!

LOUISIANA

Triumph over Exxon Mobil! In a lawsuit filed by **St. Bernard Citizens for Environmental Quality** and **Louisiana Bucket Brigade**, the Exxon Mobil refinery in Chalmette is charged with noncompliance with the Clean Air Act. The corporation's motion for a stay in the lawsuit was denied by Judge Sarah Vance. The prosecuting attorney dramatically appealed to the judge stating that Kenneth Ford (president of **St. Bernard Citizens for Environmental Quality**) already lost one lung to cancer and shouldn't be forced to breathe pollution while Exxon Mobile delays the process. "We are just very, very satisfied," said Ford, "We have coke dust falling on our homes and it's time to do something about it."

MICHIGAN

Southwest Detroit Environmental Vision, the National Lawyers Guild/Sugar Law Center, the Mexican American Legal Defense and Education Fund, and concerned parents celebrated a major victory. In 2001, parents brought suit against Detroit Public Schools on environmental justice grounds to secure a safe learning environment for their children. The Roberto Clemente Learning Academy in southwest Detroit (formerly the New Beard School) was built on top of soil that was contaminated with arsenic, lead, PCBs and other toxins. Last October, the parties reached an out of court settlement, which provides parents access to information about the contamination, and legal recourse if the contamination is not properly contained or if the area is not tested as scheduled. Both parties agreed that the terms of the settlement are in the best interest of the students and staff.

◆ Four state agencies have issued a warning to hunters and their families urging them to avoid eating game hunted in or near at least 22 miles of the Tittabawassee River floodplain downstream of Midland. This adds to the longstanding fish consumption advisory still in place for the area and is notable for being only the second such warning to be issued regarding terrestrial animals in the state. The warnings were issued in response to elevated dioxin levels found in turkey, deer, and squirrel as reported in a recent Dow Chemical Company study. The dioxins are presumed to have come from the Dow Chemical plant in Midland.

MINNESOTA

BE SAFE Minnesota released a Mercury Free power-point presentation for schools and groups. Coordinator Janelle Sorenson is touring MN schools to give precautionary workshops on mercury and the School Environmental Checklist, which helps parents, teachers and students identify and fix environmental hazards. Visit www.besafenet.com to see the mercury power point and Checklist.

NEW MEXICO

The Taos-based group **Amigos Bravos** is using creative tactics to illustrate the need to reform the federal 1872 Mining Act. Mocking the ease with which one can claim public land for mining, Amigos Bravos is staking a fake claim. They are going through the necessary paperwork and plan to pound their stakes in the ground at the mouth of Dalton Canyon. "We're staking a claim to demonstrate the absurdity of the 1872 mining law and why we want it changed," says Janice Varela, campaign manager for Amigos Bravos. Environmental groups in Washington, Oregon and Idaho are staging similar events to draw public attention to the mining law. This event should also help publicize Amigos Bravos' activity in demanding cleanup of the Molybdenum molybdenum mine near Questa. Good work!

◆ **Citizen Action New Mexico** is working to stop a plan to leave radioactive waste, PCBs, beryllium and large quantities of heavy metals sitting atop the aquifer that supplies Albuquerque's drinking water. They're calling for a massive turnout at a December public hearing held by the New Mexico Environment Department (NMED). The mixed waste sits in a shallow landfill, and in unlined pits and trenches at Sandia National Laboratory and contains 100,000 cubic ft. of radioactive and hazardous waste. The NMED plan is to cover the waste with 3 feet of dirt and abandon it until it decays to lower levels of radiation, essentially forever. Citizen Action New Mexico is calling for immediate clean-up and excavation of the waste to be stored at a properly engineered above ground facility on site.

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

ACTION LINE

NEW YORK

Two environmental justice public forums in Syracuse featured CHEJ's Lois Gibbs, activist Vernice Miller-Travis and author Dr. Sandra Steingraber. The first event, held at Syracuse University was a panel discussion for students and faculty on various issues of environmental justice. The second event, organized by **Syracuse United Neighbors** and **The Partnership for Onondaga Creek**, was an informational and strategizing session for how to fight a proposed aboveground sewage facility in an African-American neighborhood. Presently, raw sewage is being dumped into the creek and the proposed solution involves a football field-sized holding tank for overflow sewage. The community is outraged that the tank will be above ground, forcing a portion of the neighborhood to be relocated and the remaining residents to endure the odors coming from the storage tank. Vernice Miller-Travis spoke of her community's success in West Harlem of placing a similar facility below ground. Lois Gibbs helped the group focus on a target for their campaign and also demanding below ground placement. The group's proposed solution would stop the flow of partially treated sewage into Onondaga Creek, allow for economic and environmental revitalization, and prevent exposure to toxic chemicals.

◆ **Citizen's Environmental Coalition (CEC)** along with the **Kandid Coalition** released a new report by MacArthur Fellow Award chemist Wilma Subra. Subra analyzed air-monitoring data from Kodak's Rochester plant and found that Kodak exceeded state ambient air guidelines for methylene chloride 14 years in a row from 1990-2003. She also compared Kodak's data with results from the local **Bucket Brigade**, a community-based air-monitoring testing group, and found them to be in agreement, validating the accuracy of Bucket Brigade's testing. **Global Community Monitor**, who provided training and technical assistance for the Bucket Brigade, along with Kandid Coalition and CEC are calling on Kodak to install a comprehensive continuous air-monitoring system that would monitor the air around Kodak 24 hours a day, 7 days a week, 365 days a year and to inform the community of the results.

◆ The first ever Citizen's Conference on Fluoride took place in Canton this past summer. The five day event, co-sponsored by **Fluoride Action Network (FAN)** and **Haudenosaunee Environmental Task Force** brought together community activists, scientists, environmentalists, and those working in the public health sector to share knowledge and stories about the effectiveness of fluoridation and the toxicity of fluoride. Modeled after the successful Citizen's Conferences on Dioxin, the presentations were targeted at communicating with community activists. The scientists had the rare opportunity to learn from activists about their experiences and perspectives on the issue.

GROUPS DELIVER PIZZAS TO SENATORS TO SUPPORT CORPORATE "PIZZA" TAX

Support
the
Corporate
"PIZZA"
Tax

On the one year anniversary of the Federal Superfund's bankruptcy, groups across America delivered pizzas to U.S. Senators in 32 states to highlight that companies would pay the equivalent price of a large cheese pizza—\$12 on every \$10,000 in profits—if a tax was restored to help refinance Superfund. The September 29th national event focused on the 52 U.S. Senators who voted against reinstating the "polluter pays" principle for the Superfund toxic waste cleanup program.

Superfund ran out of "polluter pays" tax funds last fall and taxpayers are now paying upwards of \$1.27 billion. Over 30 groups including CHEJ and Sierra Club, wrote Senators that, "Since you voted against reinstating polluter pays taxes, we ask you to examine the question of fairness. Corporations making \$2 million or more in taxable income would pay these "pizza" taxes. Taxpayers—who usually make much less than \$1 million—are now shouldering the entire cost of Superfund. This is unfair to American taxpayers. The fairest Superfund tax is the corporate tax—the wealthy corporations can better afford the cost of a few "pizzas." The national action garnered much media attention, including front-page newspaper coverage, editorials and a *Time* magazine article. Visit www.besafenet.com/superfund for more information.

NORTH CAROLINA

Neighbors for Environmental Safety Today (NEST), a chapter of the **Blue Ridge Environmental Defense League (BREDL)**, celebrated the end of its decade-long fight against Waste Management Inc. The Piedmont Landfill was capped and closed, ending WMI's attempts to expand the landfill on 300 acres on the Forsyth-Guilford county line in North Carolina's piedmont. Seven times NEST defeated WMI's efforts to expand on the old tract. NEST members, including several BREDL Board members, gathered for a Pig Pickin' Celebration in Oak Ridge, NC which included anti-dump music, victory speeches, and awards.

◆ **The Mold Advocacy Prevention Education & Research (MAPER) Coalition** of Greensboro held a press conference and Congressional briefing in Washington, DC during Mold and Indoor Air Pollution Awareness Week. They called for immediate action by Congress, the President, state legislatures, local elected officials, professional associations, healthcare providers and governmental health agencies to protect all people from the public health hazards posed by exposure to mold and other indoor air pollutants.

◆ Happy 20th anniversary to **Clean Water for North Carolina (CWFNC)**! For twenty years they have been working to create safe, just communities. Begun in 1984 by Lark Hayes, CWFNC was founded to help environmental organizations that work with people affected by pollution and to help involve them in the political process. Since that time, they have been instrumental in supporting North Carolina communities and safeguarding clean drinking water. Keep up the good work!

OHIO

Concerned Citizens of Lake Township blasted a report released by the USEPA Office of the Inspector General on the Industrial Excess Landfill in Uniontown. CCLT charged that the report ignored specific comments and recommendations made by the agency's own experts as well as the community's expert. The group claims that the testing done at the site is inadequate to evaluate the levels of plutonium radiation present in the soil and groundwater and that people who rely on groundwater for drinking are at high risk of exposure to radiation. Although EPA says that no further cleanup is needed at the site, CCLT promises to continue to fight the agency and demand additional testing and cleanup.

OREGON

Victims of TCE Exposure (VOTE) were astonished by the results from a preliminary health study conducted by the Federal Agency for Toxic Substances and Disease Registry. The study looked at the exposure of former Mattel View-Master employees to trichloroethylene (TCE) in the plant's drinking water for three decades. The draft report, issued in June, found that former employees died of kidney cancers and other digestive system illnesses at rates 6 to 8 times higher than the general state population. VOTE believes that even these astounding estimates are too low. They are pressuring the state to fund a more comprehensive and scientific study. Concerns have also been raised, however, that the estimated \$1.8 million needed for such a study would be better spent on medical treatment for former plant workers.

ACTION LINE

PENNSYLVANIA

Landfills in Our Neighborhood Stink (LIONS) are getting organized to fight groundwater contamination they believe is caused by the Henry Landfill in Crawford County. One neighbor hasn't used water from her well in two years, since she noticed pungent odors coming from her tap. Reports of various illnesses from neighbors using their tap water have shaken the town. The group had made numerous requests for testing and action from the Pennsylvania Department of Environmental Protection (DEP) to no avail. Finally, LIONS involved Senator Arlen Specter (R-PA), who forced DEP to take water samples from the well closest to the landfill. When the state declared their tests revealed no contamination, local suspicion began to boil over. LIONS' group leader, who observed the DEP's testing from her home suspected faulty testing methods and contacted CHEJ for assistance. CHEJ is helping LIONS to evaluate the testing and ensure sound methods were used and accurate results are provided to the community.

◆ Congratulations to **Group Against Smog and Pollution, Inc. (GASP)**! October 20th marked 35 years of hard work to create a healthy environment for the folks of southwestern Pennsylvania. Numerous successes over the years have resulted in cleaner air, water and land. As early as the 1970's GASP's work on local air quality resulted in the strengthening of Allegheny County regulations. Enforcement of air quality standards at a U.S. Steel coke facility was achieved in the 1980's and the 1990's saw a successful lawsuit and eventual closing of another steel coke facility at Hazelwood. More recently, GASP won an agreement with Reliant's Cheswick Power Station in Springdale to reduce particulate emissions. They have been particularly successful in joining their efforts with other environmental and advocacy groups in the region and in educating the public about pollution and its remediation. Congratulations!

TENNESSEE

"Gov. Bredesen: Don't Let Mining Turn Rocky Topless," read the banner placed alongside the Cumberland River in Nashville last summer. The banner, which greeted a fleet of almost 60 small boats arriving from a 16-day journey, also served as a backdrop to the news conference held by members of **Save Our Cumberland Mountains (SOCM)**. Over a hundred people participated in paddling or piloting a boat during the relay event that ran through some 400 miles of rivers and streams, all originating in the coal fields of Tennessee, symbolizing the flow of pollution from the mountaintop mines to the capital - and Governor Bredesen's backyard. The river trip was a brilliant way to bring attention to the issue of mountaintop removal and led to a successful media campaign that received widespread radio coverage as well as 50 print stories and two TV station accounts. Congratulations, SOCM on such a mobilizing event!

TEXAS

Community In-power and Development Association (CIDA) held a protest in front of City Hall in Port Arthur, one of the most polluted areas in the state. The community protested the county giving \$1.9 million dollars in tax breaks to Premcor, a billion dollar oil company, in exchange for a promise of jobs, most of which will go to outside contractors. CIDA is tired of the mayor catering to the oil industry and ignoring the community's needs such as for a community center, restaurants, stores and services. Hilton Kelly, founder and CEO of CIDA, says "it's time for our local government to look at new options for economic growth and stop depending on big oil. People are dying from their chemicals." (Thanks to CIDA for our cover photo.)

◆ The **North Greenbriar Neighborhood Association** is organizing to address contamination on the National Stockpile Center in Fort Worth. The group is concerned about the risks to children attending a day care center on the site as well as to people who work there and to numerous homes built about 200 feet from the site. CHEJ reviewed several technical documents prepared for the Army and the EPA that evaluated the contamination. There are several large waste piles on this site that have high levels of lead, arsenic, and manganese. The Army wants to limit cleanup to levels typical of an industrial site, but the community recognizes that this will not be enough to protect the children's health and that additional cleanup is needed.

VIRGINIA

The Homeowner's Association in the Cherry and Winter Hill neighborhood in Falls Church received several complaints of headaches and nausea after an herbicide was applied on the neighborhood's common grounds. They requested information and a speaker from CHEJ to share with them the health affects caused by herbicides, and information on non-toxic pest control alternatives. Following this meeting and their own research, the homeowner's association has committed to using only non-toxic methods to control unwanted weeds on public grounds.

◆ Concerned parents have formed **Protect Schools**, a group committed to stopping the Fairfax County School Board from putting cell towers at schools as a way to make money. The group gathered a wealth of information regarding the health effects posed by cell towers to growing children, established a website to share this information (www.protectschools.org), hosted their first community meeting, and attended many school board meetings to express their opposition to this action. Their web site has already helped several other communities fighting the construction of cell towers on school property. We wish them luck in this important fight!

WEST VIRGINIA

Friends of the Mountains (FOM) and **Ohio Valley Environmental Coalition** are at it again with their creative protests against Massey Energy. While Massey CEO Don Blankenship spoke to supporters about the "Challenges Facing Southern West Virginia Coal Production," over 60 people turned up outside, proudly representing one such challenge. Don "BlankCheck" and the All Star Coal Baron Chorus sang specially created songs to protest mountaintop removal coal mining and Blankenship's buyout of democracy. John Denver never imagined lyrics such as those being sung to the tune of his "Country Roads." "Almost level, West Virginia..." Kudos to the spirit, energy, and strong voices of these creative groups!

WYOMING

Newcastle Action Group finally received a report from the Acting Ombudsman for the USEPA on Wyoming Refinery Company's accidental release of 20 tons of "catalyst" in March, 2002. Originally, residents were told that the catalyst was made up largely of silica sand, aluminum oxide and clay. Community members suffered health effects after the release such as pulmonary diseases including asthma, lung fibrosis and reactive airway disease. They requested a review by the EPA of potential adverse health effects from the incident which led to the report they received. The report states that the catalyst contained the metal vanadium, known to cause severe respiratory conditions, at concentrations of 800 mg/kg and an estimated "plume" concentration 100 times greater than Minimal Risk Levels set by the Agency for Toxic Substances and Disease Registry (ATSDR). The report recommends that the Ombudsman request that the ATSDR conduct a more detailed and comprehensive public health assessment.

CANADA/BRITISH COLUMBIA

Last May, Victoria saw close to 2,500 First Nations elders, youth and leaders from communities across British Columbia on an historic caravan to the Legislature. The event, entitled **Moving Forward in Unity**, was organized by the newly formed **Title and Rights Alliance** that brings together First Nations leaders from across B.C. "to move forward in preventing infringements of our Title and Rights, to compel the Province and industry to recognize our Title and Rights, to hold the Federal government to its fiduciary duty and to stand unified in the threats by the Province." One key issue is the province's shameful practice of taking advantage of the poverty of Aboriginal communities with "take-it-or-leave-it" deals that force them to sign agreements with the Ministry of Forests, giving up land rights in order to receive token economic benefits. Now, for the first time since the 1970s, treaty, non-treaty and independent First Nations from all over B.C. are united to protect land, forests, and communities for future generations. ☘



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

Child Proofing Our Communities (CPOC) has recently launched a letter-writing campaign to the EPA Administrator to halt the agency's Children's Health Environmental Exposure Research Study (CHEERS). The proposed study would give the parents of sixty children (ages 0-3) in Jacksonville, Florida \$970 and a camcorder for their child's participation in the study. To qualify for the project, parents must continue using pesticides – linked to neurological damage among children – in their homes for two years while their child's reactions to the chemicals are recorded.

By offering money and a camcorder, it seems the EPA is trying to entice low-income families to participate. Some families may actually be tempted to begin using pesticides, or to increase their usage, in order to qualify for the study. There's more: the industry-funded American Chemistry Council (ACC) will pay \$2 million of the project's \$9 million cost, and have been encouraging the EPA to go forward with the study.

Another concern is that the pesticides used in this study are known to have long-term adverse health effects. Since this is a short two-year study, many of the adverse effects are not likely to be detected in this time period. The ACC can be expected to use the study results to try and convince the public that EPA's own "scientific" findings show that it's safe to use pesticides around infants and children and to lobby Congress for more relaxed regulations.

The backlash to the initial announcement of the proposed study was so severe that the agency suspended the study until some time in 2005 and decided to set up a peer review group to evaluate the study design. At this time, our message to the EPA is first and foremost, "Don't experiment on children!" We already have ample information that toxic chemicals, such as pesticides and flame-retardants, can cause serious illnesses. We know enough to advocate prevention and precaution, and are calling on the EPA to use the \$9 million to investigate prevention strategies and non-toxic alternatives that can be used in place of toxic chemicals.

Where we suspect potential harm, we should take precautionary action. Grassroots campaigns across the country can work together to shift the current way of doing business, which defines how much harm is acceptable, to a precautionary approach that looks at how can we prevent harm.

Let's take action now! Share this information with your community, educate others about the dangers of pesticide use, and seek non-toxic alternatives in your home, public space and schools. And join our campaign to stop this dangerous study by **signing** the attached postcard and **mailing** it to the Administrator of EPA!

Learn more about this issue at www.childproofing.org. To learn about non-toxic alternatives to chemical pesticides, contact the Childproofing Our Communities Campaign at (703) 237-2249.



Green Flag School Program

Are you a young person looking for a way to make change in your community? Frustrated with the lack of recycling at your school? Think that the school would look great with some native gardens? Want to take action to reduce illnesses such as asthma? Looking for a meaningful community service project? Want to connect with other environmentalists across the country?

Form a Green Flag Team!

We'll be here every step of the way to help you make your school healthier and more environmentally friendly than ever before. And when you and your friends and teachers make good things happen, you'll win a national award!

Young people have some of the most creative ideas to improve the environment, and we want to help you make your ideas reality. Log on to www.greenflagschools.org to check out the program, sign on to our Members Only Page to see what other schools are talking about, and give us a call at CHEJ to get going.

Meet Other Green Flag Teams!

Even if you are not yet a Green Flag partner, join us on the second Tuesday of each month at 3:30 EST for a Green Flag School Conference Call. Dial in toll free and join in the discussion with other schools. Hear from experts on topics ranging from Indoor Air Quality to Youth Leadership Development. Or propose your own idea for a guest speaker. To participate, call CHEJ's Stacey Gonzalez at (703) 237-2249 x 21. ☎

PRECAUTIONARY

Continued from page 3

“The Portland City Council and Multnomah County Commissioners deserve to be commended for leading by example and choosing to use government operations as a starting point for reducing toxics in our community and protecting the health of our children,” said Jane Harris, Executive Director of the Oregon Center for Environmental Health.

Residents of Portland and Multnomah County have a right to a healthy and safe environment. In order to achieve this goal locally, our government, citizens, and businesses must work together to ensure that our air, water, soil and food are safe. The SDC and the Center recommended that the city take the following steps towards achieving this goal:

- ◆ Create an active workgroup made up of delegates from the City of Portland, Multnomah County, and the SDC.
- ◆ Create a Toxics Reduction Strategy for government operations using the Precautionary Principle. This strategy should identify short- and long-term goals to reduce toxic products in government operations and identify specific actions to support these goals.

These actions may include:

1. Conducting an inventory of toxic substances in use at both agencies.
2. Prioritize toxic substances found in the inventory for replacement with safer alternatives. Include development of guidelines to eliminate the twelve priority Persistent Bioaccumulative Toxics (PBTs - often called the “Dirty Dozen”) that have been identified by the EPA as toxic to humans and the environmental.
3. Prepare a policy for adoption by the city and county that integrates the Precautionary Principle into existing processes and develop an action plan with “benchmarks” toward meeting identified goals within one year of adoption of this policy.

Government can and should play a key role in rehabilitating our communities and planning for a future that is free of toxic inputs. We hope this first step will produce results for Oregon and inspire other cities around the nation to do the same.

For more information including the full text of the resolution that was passed and the accompanying report visit the Center's website at www.oregon-health.org or contact Neha Patel at 503-233-1510, neha@oregon-health.org.

Contact BE SAFE about holding a Precautionary Principle Workshop in your region. CHEJ's BE SAFE Precautionary Campaign, Science and Environmental Health Network and Environmental Research Foundation are holding workshops and strategy sessions on how to apply the precautionary principle to a range of environmental issues. If you are interested in sponsoring an event in your area, contact Anne Rabe, CHEJ / BE SAFE at annerabe@msn.com or 518-732-4538. ☺

National Gathering Reports on Increase in Precautionary Actions

Community, health and environmental leaders from across the country gathered last Fall in Illinois at a national meeting on the Precautionary Principle to discuss an exciting increase in local, regional and state precautionary ordinances and policies on a range of environmental issues. Sponsored by the Science and Environmental Health Network, CHEJ's BE SAFE Network and the Environmental Research Foundation, the event featured an extensive training session by SmartMeme on developing effective messaging on precaution. If you are interested in participating in a national Precautionary Conference which may be held in the next year, contact the BE SAFE Coordinator at annerabe@msn.com.

No LNGs

Continued from page 5

To the residents of Fall River, however, liquefied natural gas represents a more immediate threat. Gordon Shearer, CEO of Weaver's Cove Energy, has actually described what would happen if there was an accident at the proposed plant: “It would be the world's largest Roman Candle.” Faced with such a prospect, the community has responded. The Coalition has sent a petition with over 4,000 signatures to FERC and Attorney General Thomas Reilly, and in the week preceding FERC officials' survey of the proposed site, the coalition organized a huge effort to display anti-LNG signs, many on homes near the site. The mayor of Fall River, Edward Lambert Jr., also organized a demonstration that same day. One FERC official, Robert Arvedlund was impressed with the “healthy turnout” and said he would “report back to the commission the opposition.”

It is yet to be seen how these efforts will affect the decision of the commission, which is headed by Patrick Wood III. Wood is a former attorney at Baker Botts, the same law firm representing Weaver's Cove and Hess LNG. He also has a lengthy track record of protecting corporate interests at the expense of taxpayers. Fortunately many public officials have also spoken out against the project, including Senators John Kerry and Ted Kennedy, Massachusetts Governor Mitt Romney, Reps. Barney Frank and James McGovern, and Mayor Lambert. Their participation underscores the progress that the Coalition has made on this issue, and may very well act to turn the tide against the corporate interests.

For additional information about LNG facilities and the proposed siting of this facility in Fall River, see <http://www.nolng.org/index.html>. ☺

WITH SPECIAL THANKS

CHEJ would like to acknowledge the following individuals and organizations that made critically important donations to support our work between September 1, 2004 and November 18, 2004. We wish we had space to acknowledge each and every one of CHEJ's donors in these pages because all gifts, regardless of their size, are very much appreciated.

GUARDIANS' CIRCLE

(Gifts of \$1,000 or more)

Community Protectors

Devra Lee Davis
Genevieve K. Howe
Gerrish H. Milliken

PARTNER'S CIRCLE

(Gifts of \$100-999)

Family Partners

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Richard B. Lee & Harriet Rosenberg
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Organizational and Community Group Supporters:

Breast Cancer Network of Western New York (NY)
Hands Around Maury (WA)
Horizon Organic Dairy, Inc. (CO)
Hydro Electric Watch (ME)
Jewish Organizing Initiative (MA)
Mothers Organized to Stop Environmental Sins (TX)
Public Employees for Env. Responsibility (DC)
Southeastern Minnesotans for Env. Protection (MN)
Texas Campaign for the Environment (TX)

Tribute to Mary Beth Doyle - Environmental Warrior September 6, 1961 – November 13, 2004

A leading environmentalist; beloved sister, daughter, friend and colleague; cheerful and a bit mischievous at a meeting.

Mary Beth Doyle was widely recognized as one of Michigan's most prominent environmental advocates. For the past 12 years she worked with the Ecology Center, in Ann Arbor, MI, most recently as its Environmental Health Campaign Director.

Over the years Mary Beth worked with dozens of local communities to provide support and inspiration to close down incinerators, stop polluting facilities from being sited and to help build a strong environmental justice coalition. She was the leader behind a recent state legislative ban on brominated flame-retardants, no simple endeavor.

At CHEJ, our staff and members had many opportunities to work with Mary Beth on schools, dioxin, health care, incinerators, the BE SAFE Campaign and much more. She was one of the smartest people we worked with, always thinking out-of-the-box and asking the hard questions about a campaign or approach when no one else had the courage.

Mary Beth's memorial service had over 600 friends, colleagues and admirers in attendance. A tributary plaque was presented on behalf of the Governor for her outstanding and tireless efforts.

Mary Beth will be missed by many, including CHEJ Board, staff and members. A Mary Beth Doyle Memorial Fund has been established at the Ecology Center. For more information visit www.ecocenter.org.



2005 Reasons to Give

Every day American families discover their homes, schools or workplaces are contaminated with toxic chemicals. For 24 years, CHEJ has helped tens of thousands in their fight against environmental exposures through scientific, organizing, information and referral services.

In 2005, calls from concerned people will continue to flood in each day. Help us ensure these calls are answered, and that CHEJ can provide the one-on-one assistance communities need.

With your gift of:



2005 pennies (that's \$20.05!)

You can provide a local group with detailed guides on the health risks posed by landfills and how to test for contamination and interpret the results.



2005 nickels (that's \$100.25!)

You can equip a team of students with materials to pass school policies or establish programs that create a healthier environment in schools.



2005 dimes (that's \$200.50!)

You can sponsor a 20-person conference call, enabling 20 groups with limited resources to develop organizing strategies for holding polluters accountable.



2005 quarters (that's \$501.25!)

You can send Lois Gibbs to meet with a community group to help them plan their organizing strategy and to speak at a public meeting, educating the entire community about the local contamination issue.

Call our membership office at **(703) 237-2249 ext. 24** for giving information or visit our website at www.chej.org.

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