

# BLUE RIDGE ENVIRONMENTAL DEFENSE LEAGUE

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## *Press Release*

### **FOR IMMEDIATE RELEASE**

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### **GROUP CALLS FOR NEW HEARING ON AIR TOXICS REVEALS ENVIRONMENTAL AGENCY SKIRTED STATE LAW**

Raleigh- Today, the Blue Ridge Environmental Defense League (BREDL) charged that the NC Division of Air Quality has violated state law in pending changes to the state air toxics standards. BREDL revealed that state employees who were exempted by Governor McCrory from state personnel protections have been improperly utilized as hearing officers by the Division of Air Quality. According to the law, exempt employees cannot serve as hearing officers.

Lou Zeller, BREDL Executive Director, said, "Exempt employees are vulnerable to arbitrary firing. They lack protections designed to allow them to do their jobs without interference. The air toxics rules have been under assault by the regulated industry for decades. Clearly, the Division must go back to square one."

In a letter today to North Carolina Attorney General Roy Cooper, BREDL outlined the apparent violation of state personnel laws and called for new public hearings in cases over which vulnerable exempt employees presided, beginning with the air toxics rule now before the Environmental Management Commission.

Therese Vick, BREDL community organizer who uncovered the violation, stated, "It is clear that utilizing exempted employees as hearing officers is unlawful. The air toxics hearing should be declared invalid and rescheduled using a hearing officer that meets the requirements of the law."

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According to a WRAL database on exempt employees, DAQ Environmental Program Supervisor Brad Newland became an exempt employee July 2013—two months before he was appointed the hearing officer for the September 19, 2013 air toxics hearing. Tomorrow the NC Environmental Management Commission is scheduled to receive the hearing officer's report on proposed changes to North Carolina's health-based air toxics standards.

Zeller added, "Health-based limits on toxic air pollutants are for the protection of public health. Hundreds of communities throughout North Carolina are in grave danger from deregulation. That's what this is all about."

Blue Ridge Environmental Defense League (BREDL), is a regional environmental justice non-profit organization founded in western North Carolina, and celebrates its thirtieth anniversary this year. The League is active today on a broad range of environmental justice issues across the Southeast.

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