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The LEAGUE LINE

Summer 2011



CPI Biomass: Greenhouse Gases, Air Toxins, Health Threats

By Louis Zeller, BREDL Science Director

On July 1, 2011 the US EPA Administrator Lisa Jackson signed into law a three year suspension of permitting requirements for biogenic carbon dioxide emissions.[1] Biogenic CO₂ emissions are greenhouse gas emissions resulting from the combustion or decomposition of biologically-based materials other than fossil fuels and mineral sources of carbon. During this three-year period, biogenic CO₂ emissions are not required to be counted in state air quality permits under PSD (Prevention of Significant Deterioration) and Clean Air Act Title V. What does this mean for global warming, air quality and public health? The pending permit renewal for a biomass plant in Roxboro, North Carolina provides an example.

Capital Power Corporation operates the CPI-USA plant in Roxboro (formerly EPCOR or Primary Energy). CPI is a nominal 56 megawatt electric generating unit with three boilers each rated at 220 million Btu/hour burning a mix of coal, wood and used tires. Originally constructed as a coal-fired power plant by Cogentrix, the plant was modified in 2009 to qualify for renewable energy credits under the NC Renewable Energy Portfolio

Standard (REPS). The existing NC Division of Air Quality permit allows the following annual pollution totals:2:[2]

CPI Permitted Emissions

Pollutant		Pounds per year
PM-10	fine particles	156,103
SO ₂	sulfur dioxide	8,730,216
NO _x	nitrogen oxides	3,179,880
CO	carbon monoxide	3,179,880
H ₂ SO ₄	sulfuric acid	121,413
Hg	mercury	17
HCl	hydrochloric acid	289,080

(continued on page 6)

How PC PRIDE Is Fighting Biomass Incineration in Roxboro

By Therese Vick, BREDL Community Organizer

CPI (formerly EPCOR) is an incinerator that generates electricity for Progress Energy. CPI burns tire derived fuel, adulterated and unadulterated wood, ash briquettes and coal. CPI is located in Roxboro, Person County- home to BREDL chapter PC PRIDE. Lou Zeller and Therese Vick journeyed to Person County in May to meet with PC PRIDE and others concerned with CPI's activities. Concerns expressed were emissions from the stack, the release of toxic fly ash throughout the neighboring community, noise, debris and ash dropping into the roadway from trucks, and deterioration of the roads in and around the community. CPI's neighbors spoke of the inability to enjoy their own property because of CPI's activities, and their health concerns. Troy Wilson lives near CPI and had this to say:

"Most people aren't aware of the problems down here. The air quality is bad; steam from the cooling towers and toxic ash and coal dust blanket the neighborhood day and night. We do not know what is in that steam cloud. We are woken up all hours of the night. The pile of wood smells awful. Runoff from the plant gets in the creek. People just don't know what we have to live with." (continued on page 7)



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BREDL: Who and what we are

In March 1984, fifty citizens of Ashe and Watauga Counties met in the Mission House of Holy Trinity Church in Glendale Springs, North Carolina. Teachers and farmers, home-makers and merchants listened to the report of the Episcopal Church Women on the US Department of Energy's siting search for a high-level nuclear waste dump in the rain-rich east.

Recognizing that the North Carolina mountains were a region at risk, the assembled group organized the Blue Ridge Environmental Defense League (BREDL) to protect their own backyard and those of other threatened communities.

Grassroots organizing was a cornerstone of our early all-volunteer organization. One of our first multi-county boards of directors adopted our credo, which embodies our mission statement:

BREDL Credo

We believe in the practice of earth stewardship, not only by our league members, but by our government and the public as well. To foster stewardship, BREDL encourages government and citizen responsibility in conserving and protecting our natural resources. BREDL advocates grassroots involvement in order to empower whole communities in environmental issues. BREDL functions as a "watchdog" of the environment, monitoring issues and holding government officials accountable for their actions. BREDL networks with citizen groups and agencies, collecting and disseminating accurate, timely information. BREDL sets standards for environmental quality, and awards individuals and agencies who uphold these standards in practice.

Moving into the future

Since then, the Blue Ridge Environmental Defense League has grown to be a regional community-based, nonprofit environmental organization. Our founding principles - earth stewardship, environmental democracy, social justice and community empowerment - still guide our work for social change. Our staff and volunteers put into practice the ideals of love of community and love of neighbor, which help us to serve the movement for environmental protection and progressive social change in Maryland, Virginia, North Carolina, South Carolina, Georgia, Alabama and Tennessee.

Grassroots Campaigns

Nothing creates hopefulness out of helplessness like a successful grassroots campaign - and our chapters have a history of winning. For twenty-six years Blue Ridge Environmental Defense League chapters have protected their communities by stopping dangerous facilities and promoting safe alternatives.

In the 1980's and 1990's, BREDL prevented a multi-state ThermalKEM hazardous waste incinerator, a southeastern nuclear waste dump and a national nuclear waste dump. In the 2000's, our coordinated grassroots citizens' campaigns have had further victories. We won a legislative victory with the passage of the NC Solid Waste Act, effectively blocking at least four multi-state mega-dumps. Our Person County chapter convinced their Board of Commissioners to reject expansion of the Republic Services landfill. Our Cascade, Virginia, chapter shut down a huge hazardous waste incinerator. We eliminated mercury waste from the Stericycle incinerator, shut down a tire incinerator in Martinsville, won the landmark environmental justice court decision in Greene County, NC. Further, with our chapters we have protected air quality by blocking scores of asphalt plants, four medical waste incinerators, a PVC plant and a lead smelter, and passage by local governments of eight polluting industries ordinances. Our work on nuclear power and coal plants laid the groundwork for our new Safe Energy Campaign. Victories over twenty-four mega-dumps have resulted in our affirmative Zero Waste Campaign. Guided by the principles of earth stewardship and environmental justice, we have learned that empowering whole communities with effective grassroots campaigns is the most effective strategy for lasting change.■

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30% GENUINE
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PAPER



Japanese take interest in Shell Bluff stand against New Nukes at Plant Vogtle

By Charles Utley,
BREDL Community Organizer



Shell Bluff's stand against Southern Company's request to expand their nuclear reactor at Vogtle has caught the interest of the youth and the people of Japan. In the wake of Fukushima Daiichi Plant disaster in March, the Japanese TV has an interest in the work that has been taking place around Shell Bluff.

Their plans are to investigate how the people around Vogtle are reacting to the pressures from the regulators to move forward with the construction of two new reactors. With the NRC Commission overlooking the process, how much influence will the people of this small community have on the decision of the Nuclear Regulatory Commission, Public Service Commission and the legislators to stop the development of Units 3 and 4.

There is one common thread that the Shell Bluff Community has with the people of Japan: that is the youth must take an active role to help stop the expansion of companies who desire to expand their nuclear capability.

Youth around the world are fighting for a clean environment free from nuclear power and coal fired furnaces. The Shell Bluff Community welcomed the young adults from Japan, the hit star "Genki Sudo" and members of the Japanese TV documentary crew. Having the opportunity to exchange ideas and philosophy about the effect of nuclear power on their generation was an experience that all those present could relate to. Although there were some language barriers, the point of who benefits from nuclear power and the

danger of nuclear power was unanimously understood by all. It does not matter what country you are from to understand that the benefits are always for those who are in control of the purse strings.

It is worth noting that it will take a continuous effort on all of our parts to invoke to youth of Shell Bluff and around the world to take a stand with the Concerned Citizens of Shell Bluff. Genki will be performing in California, but we want him to take the Shell Bluff message with him as he records You Tube, TV and other media productions.

The Shell Bluff Community will be launching its ad campaign to notify all those who are in our area of the dangers of adding two more reactors. The community is actively seeking youth to participate in the production for these ads. We believe that the concerned voices of the youth can be magnified through their music, as it was demonstrated by Genki. We have



Genki Sudo

(須藤 元気)

is a retired Japanese mixed martial artist and a kickboxer. He is admired on many levels; for his grappling ability, his striking skills, his incredible dance skills and intricate entrances, his acting, his people skills, world outlook and music.

inspiring artists who would love to have the opportunity to incorporate their talents by telling the world about their concerns of contamination and the fall-out from nuclear radioactive waste.

Hearing about the Fukushima Daiichi Plant disaster that took place in March, all Americans should be asking the question: why should we be investing in such a dangerous adventure when there are other alternatives? If Germany can arrive at a decision to ban nuclear power, why can't America?

The Shell Bluff Concerned Citizens hope to continue to inspire youth from around the world to become activists in preserving mother earth. It was a pleasure to see these young folk from Japan take an interest in our work at Shell Bluff. ■

BREDL welcomes Genki Sudo and the TV documentary crew who brought the message that youth around the world are fighting for a clean environment, free from nuclear power.

Genki Sudo's message to the Japanese people and world remains as clear as ever:

WE ARE ALL ONE.

EXECUTIVE DIRECTOR'S REPORT:

By Janet Marsh



The Midas Touch: Impacts of the 2011 NC General Assembly

A most peculiar bill passed the 2011 NC General Assembly. Ratified Senate Bill 129 reads simply "Gold (Aurum) is adopted as the official State mineral of the State of North Carolina." My first thought upon learning of this new state law was that some uninformed legislator may be planning to propose the gold standard for our state's currency. However, a review of the impacts of 2011 legislation led me to conclude that corporate profits have been elevated above public health and that our new legislature encourages the pursuit of filthy lucre.

The Bad News

The costs to industry of complying with a new rule is now limited to \$500,000 per year (Senate Bill 22). This new statute requires no analysis of the externalized cost of environmental damage. S22 requires no accounting of human health costs such as doctor fees, emergency rooms visits, medications and treatments, or absences from school and work. The major exception is EPA regulations or court orders. This effort at returning to the old days when the Hazardous Hardison Amendments reigned supreme was moved forward later in the session in Senate Bill 781, which blocks any state regulation more restrictive than federal regulations. Governor Beverly Perdue vetoed this bill. It took North Carolina environmentalists many years to overturn the Hardison amendments; the NC legislature and polluting industries are determined to reinstate them.

At risk are North Carolina's exemplary toxic air pollutant rules, which limit air poisons at a smokestack facility's property boundary. For three decades polluting industries have argued that these limits are duplicative of federal rules; they are not. The EPA regulations depend on the capabilities of pollution control devices and the average performance of similar facilities. North Carolina's pollution limits are based on health. The independent Science Advisory Board has labored for more than twenty years to recommend specific limits for more than a hundred air poisons in order to protect plant neighbors. One of

the goals of our Blue Ridge Environmental Defense League has been to replicate these health-based rules in other southeastern states. Now industry has the advantage: the 2012 General Assembly may well move forward to gut one of the most progressive and protective standards in the nation.

North Carolina is now open for dirty business. The 2011 General Assembly rolled out a red carpet to gas companies by removing the ban on dangerous hydrofracking. They removed the few existing state regulations on biomass incinerators and encouraged energy production at any cost.

I am genuinely puzzled. With a state budget which amounts to deprivation of education and environmental protection, the 2011 legislature took away from polluters and moved to taxpayers the liability for cleanup of leaking underground storage tanks. Moreover, the injustices of the risk-based approach were expanded to include leaking landfills and state superfund sites. With the infamous model of dry-cleaning contaminated sites, the 2011 General Assembly has essentially rendered harmless the polluters and told innocent neighbors of contaminated sites that they have no recourse. These actions are neither conservationist nor *conservative*. The vocal right wing in America has long denounced the taking of personal property uses and rights without compensation. One major impact of the 2011 General Assembly is the taking of personal property. For example, in Graham, North Carolina the owners of a daycare center were told by a state official not to use the back part of their property. The soil and air contamination from an un-permitted steel galvanizing plant make much of the property unusable. The specific message was: "Do not linger there."

Completely innocent and often unwitting neighbors of contaminated groundwater sites throughout North Carolina have had their property rights taken. They cannot drill safe drinking water wells, they cannot develop their own land and they cannot enjoy the rights of a property owner.

This spring in Flat Rock, North Carolina an elderly man told the General Assembly committee on regulation that they had come to hear from the people only to punch that card and that they planned to go back to Raleigh to do what they planned to do in the first place: eliminate regulations. With the dismantling of the NC Department of Environment and Natural Resources through budget cuts, that public hearing may be the last one to be held in our state.

The Good News



We all know the moral of the story of King Midas. His short-sightedness and greed resulted in the near death of his beloved golden-haired daughter Marigold. We at the Blue Ridge Environmental Defense League have an opportunity to reverse the ill-gotten gains underwritten by our state legislature.

First, community organizing is more important than ever. We must organize new chapters in the newly threatened communities across North Carolina. We must spend staff and volunteer time expanding and strengthening our 36 chapters across the state. For example, if membership has waned, every chapter member becomes an emissary to expand membership. Staff and volunteer trainings must be put on the 2011-

2012 calendar—with the goal of at least one training a week. Our staff and chapters with success stories must again go on the road to present “We’ve got the power” meetings.

Second, throughout our 27 year history, our League has worked with hospitals, clinics and medical professionals. We must now expand this work to promote county and regional health department resolutions which are protective and which establish and support local government ordinances. North Carolina law gives to county governments the responsibility and the power to take action to anticipate and counteract health threats. Our long history of working with local governments at the county and municipal levels to secure protective ordinances and regulations will serve us well.

Our League, chapters, staff and volunteers will move from our strengths to create new and even unexpected partnerships to take on the coming onslaught. As always, our children are the most susceptible to environmental contamination and adverse health effects. We dedicate our community campaigns to protecting all the Marigolds. ■

We must organize new chapters in the newly threatened communities across North Carolina.

Our staff and chapters with success stories must again go on the road to present “We’ve got the power” meetings.

CPI Biomass: Greenhouse Gases, Air Toxins, Health Threats

By Louis Zeller, BREDL Science Director

Capital Power Corporation has applied for a permit renewal which is now under review by state regulators. The draft permit would both renew the existing permit and apply the Clean Air Interstate Rule to the facility. The Clean Air Interstate Rule[3] prohibits pollution in a state from contributing significantly to non-attainment of national ambient air quality standards in any other state. As this issue of the *League Line* goes to press, we await the decision on whether the state will grant a public hearing.

Coal-fired electric power plants are known sources of toxic air pollution and greenhouse gas. Biomass power plants—burning wood and organic waste—are supposed to reduce global warming. Does the burning of used tires or wood help or harm this goal? The recent air emission tests at CPI-USA in Roxboro used a fuel mix of roughly 25% tire-derived fuel (TDF), 25% wood and 50% coal. Using this fuel mix as a benchmark, we can draw several conclusions about the plant's impacts.

Carbon dioxide emissions are tied to carbon content in the fuel. Wood has lower carbon content than coal—49% versus 74%, but just half the heat value. That is, a ton of wood produces about half as much heat as a ton of coal. So, more wood must be burned to generate the heat needed to run a power plant's steam turbines, releasing more CO₂. At the CPI-USA Roxboro power plant, substituting one-quarter of the coal with wood will result in a 36% increase in carbon dioxide emissions.

Tire-derived fuel has both more carbon and a higher heat value than coal. So, substituting one-quarter of the coal with tire-derived fuel will result in a net decrease in carbon dioxide of 3.6%. The bad news is that toxic air pollution dramatically increases with the use of tired derived fuel. Research shows that enormous levels of polyaromatic hydrocarbons (PAH) are released by the combustion of used tires in a power plant, as much as 100 times more than coal alone.[4] PAH includes toxic, mutagenic, and carcinogenic pollutants.

The mix of used tires and wood in a relatively small plant designed to burn coal introduces further uncertainties and potential pollution increases. For example, an EPA study of 15% tire-derived fuel in a wood-fired industrial boiler found that emissions of chromium increased 53%, sulfur dioxide increased 127%, cadmium increased 491%, and particulates increased 826%. And the trend increased with the addition of more TDF.⁵ At another facility, a 30 megawatt wood-fired power plant using 7% tire-derived fuel emitted 2,200 pounds per hour of carbon monoxide, the toxic twin of the greenhouse gas carbon dioxide.[5] The 56 MW Roxboro plant's carbon monoxide permit limit is 363 pounds per hour.[6] With environmental budget cutbacks in Raleigh and the federal EPA under attack, who will ensure that CPI-USA's self-reporting is properly done?

The immediate impact of the wood-tire-coal fuel mix at CPI-USA Roxboro is a 17% increase in global warming CO₂. On a national scale, unless action is taken now to stop permits for new biomass plants and fossil-fuel unit modifications, the three-year loophole in EPA regulation of CO₂ emissions will let hundreds of other biogenic polluters to be built and, if history is any guide, grandfathered into air quality limits for decades to come. The bottom line is that biomass energy systems release greenhouse gases; if the emissions of the biomass system are as large as or larger than those from a fossil-fueled plant, there is no reduction of global warming.■

(1) The "Tailoring Rule," EPA Docket ID No. EPA-HQ-OAR-2011-0083

(2) Information source: NC DAQ Permit and Review documents, June 2, 2010

(3) CAIR was promulgated by EPA in 2005 pursuant to Section 110(a)(2)(D) of the federal Clean Air Act

{4} Alvarex R et al, "Soil, Water, Air Environmental Impact from Tire/Rubber/Coal Fluidized-Bed Co combustion," *Energy & Fuels*, 2004, 18 1633-1639

(5) US Environmental Protection Agency, Air emissions for Scrap Tire Combustion, EPA-600/R-97-115, October 1997

(6) NC Air Quality Permit No. 05856T12, CPI USA North Carolina-Roxboro Plant

How PC PRIDE Is Fighting Biomass Incineration in Roxboro

By Therese Vick, BREDL Community Organizer

BREDL science director Lou Zeller presented information on CPI's permitted emissions and facilitated a strategy session, which identified the ultimate goal—to shut CPI down.

Part of the strategy decided on by the group was to participate in CPI's upcoming permit renewal process. By doing so, PC PRIDE would be able to educate the community as well as public officials on the problems occurring at the facility. It was agreed that a public hearing on the permit renewal would be requested. Therese would check into CPI's air quality documents.

Therese discovered that CPI was already in the permit renewal process, and, that the NC Division of Air Quality had submitted a draft permit for public comment. Another meeting was scheduled in Person County and the group decided to write letters, and to ask others to write letters to the director of the Division of Air Quality requesting a public hearing. PC PRIDE members also decided to go door-to-door in the affected neighborhood to let people know how they could get involved. Therese facilitated a short strategy session with the group to decide on next steps. Potential allies were identified such as other organizations, churches, and farmers. Additionally, holding a press conference before the public hearing, putting signs up in the community around CPI, and writing letters to the editor were discussed. At this time, no decision has been made concerning a public hearing.

PC PRIDE is just one of many BREDL chapters who are faced with pollution from dirty industry. Biomass projects seem to be popping up everywhere. Who wants a tire, wood and coal burning monster industry as a neighbor? Not Roxboro!

Contact Therese Vick, BREDL Community Organizer at therese.vick@gmail.com to help your community encourage economic sustainable development and to keep dirty industry out. ■

BREDL Welcomes Duke Stanback Interns!



Kathie Sun, "Don't Sludge North Carolina" Project Intern

Therese Vick was delighted to meet our intern Kathie Sun in early May as she began her work on BREDL's "Don't Sludge North Carolina" project.

Kathie is pursuing a dual major in Environmental Science and Biology. She plans to pursue a career in toxicology research. Kathie has been on the Duke Varsity Women's Rowing Team. Other activities include being staff editor, writer and photographer for Duke publications.

Kathie began work right away and is making good progress on this large undertaking. Kathie and Therese went together to the NC Division of Air Quality to review files on sludge incineration, and attended a GIS mapping workshop held at the North Carolina Wildlife Resources Commission. Kathie is moving right along with the GIS—she is in the thick of mapping the sludge application sites and is working on adding the school, church, nursing home, etc layers. Additionally, she has compiled information on expected emissions from sludge incineration and is reviewing studies on the health effects of those emissions.

Therese and Kathie are looking forward to working together throughout the project. ■



Derek Hsu, Biomass Energy and Clean Air Act Project Intern

Derek hopes to apply his passion for environmental conservation into a career in the environmental sector.

Derek has enjoyed working in environmental research labs where he focused on toxicology. He enjoys writing classes and research at Duke University Hospital. Derek is also the Co-president of the 45 member Duke Club Tennis Team. He plays on the traveling team as the main singles player. He is Peer Tutor with Duke University Academic Resource Center, where he tutors other duke students in organic chemistry and provides academic advice. He is a volunteer in the orthopedics ward at Duke Hospital. He is proficient in Spanish and Mandarin Chinese.

Lou Zeller reports that Derek is busy researching permitting of biomass power plants and the impact on global warming in the southeast. ■



Gaining skills. Training talent. Growing green.

Fractures, Faults and Fission: Part Two

Amateurs, Cranks and Fakers

By Louis Zeller, July 9, 2011

Fukushima is the site of one of the worst nuclear accidents in world history. Four months after the disaster began, we still have only an incomplete knowledge of the cascading series of events there. But the radioactive landmark at Fukushima should serve as a warning, a signpost marking the failure of the most advanced technological societies on the planet to safely harness nuclear power. In this second installment of *Fractures, Faults and Fission*, we explore the disturbing problems we have uncovered during our work on Southern Company's Plant Vogtle in Georgia.

Vogtle Units 1 and 2: Data Indicates Harm to Public

Georgia Power has operated Plant Vogtle Units 1 and 2 since the late 1980's. Today, radioactive contamination from the reactors pollutes the Savannah River all the way to the ocean. Even downstream drinking water wells are contaminated.¹ The Georgia Environmental Protection Division monitoring at Vogtle reveals striking elevations of harmful radionuclides in several media ranging from 2 times to 50 times above background level.²

Vogtle Units 3 and 4: Unsafe Reactor Design Drives Ongoing Dispute

Southern Company plans to add two more nuclear reactors at Vogtle: newly designed Westinghouse AP1000's for Units 3 and 4. In 2006, the NRC endorsed the design, but problems developed when Westinghouse decided to prefabricate parts for the reactor containment building. A nuclear reactor's containment is supposed to shield the reactor from earth tremors, severe weather, impacts from missiles and aircraft and provide a barrier for radiation releases. The steel and concrete structure must function as a unit, but modular construction was a cost-cutting measure favored by Westinghouse. A further structural problem of the AP1000 is the emergency cooling water tank holding eight hundred thousand gallons of water weighing 3,334 tons atop the shield building. For comparison, the total weight of the nuclear reactor vessel is only 417 tons.³

In October 2009 the Nuclear Regulatory Commission sent Westinghouse back to the drawing board because the company had not demonstrated the ability of the AP-1000 structure to meet safety standards. But in June 2010 the NRC's review schedule for the AP1000 design "set an aggressive goal of completing the AP1000 certification rulemaking by the end of the fiscal year 2011 to support the needs of the Vogtle and Summer combined license applications."⁴

In September 2010 the NRC approved three related requests by Westinghouse to withhold documents from public disclosure, including information on the AP1000 nuclear reactor's problematic containment shield building.⁵ The request withheld information on steel welding inspections and benchmarking, analysis, testing, design and audits of the reactor containment shield. Shield building maintenance and inspection issues were central to the League's legal intervention and we requested a formal investigation. Despite inquiries, we await a formal reply.

Late in 2010 the tide turned. Dr. John Ma, NRC's Senior Structural Engineer leading the review of the AP-1000 project, filed a formal disagreement—known as a non-concurrence—regarding the shield building. Ma challenged the safety evaluation report for the AP1000, saying that a lack of flexibility in the containment building could lead to failure during an earthquake or external impact. Further, the design did not meet American Concrete Institute standards and had failed tests that could have shown it would be acceptable without meeting them.⁶ Despite Dr. Ma's concerns, in December the Advisory Committee of Reactor Safeguards recommended that the AP1000

reactors proposed for Plant Vogtle could be "built and operated without undue risk to the health and safety of the public." The Commission followed suit and the AP1000 was on track for final approval.

In March Rep. Ed Markey identified with Dr. Ma's concerns in a letter to NRC Chairman Gregory Jaczko, saying: "The AP 1000 shield building failed physical tests which showed it to be brittle, leading Dr. Ma to conclude that it could shatter 'like a glass cup' upon impact." Jaczko responded, pledging a more careful review of the AP1000. With this opening, on June 16 the AP1000 Oversight Group, a national coalition of citizens' groups including the Blue Ridge Environmental Defense League, filed a legal motion to terminate the approval process for the Westinghouse AP1000 reactor, declaring the design legally "null and void."

Major Earthquake Potential

Major earthquakes have affected the Plant Vogtle site, which is located in the Central Savannah River Area, on the Georgia-South Carolina state line. The National Earthquake Information Center reports that over 20 earthquakes of intensity V or greater (5 or more on a scale of 10 in the Modified Mercalli scale) have been centered nearby. The geological map⁷ indicates the magnitude and the extent of the 1886 quake:

"The initial shock lasted nearly one minute. The earthquake had a magnitude of 7.3 (Johnson, 1996) and was felt over 2.5 million square miles, from Cuba to New York and Bermuda to the Mississippi River."⁸

A principal measure of an earthquake's power is measured as horizontal acceleration. The Charleston earthquake's epicenter was 120 miles from the Vogtle site but caused an estimated peak horizontal acceleration of 10 percent of gravity (0.1g) during the quake (URS/Blume 1982).⁹ The horizontal component of ground motion for the NRC Safe Shutdown Earthquake is a peak ground acceleration of at least 0.1g.¹⁰ Note that the Charleston quake's impact on the Vogtle site was equal to the NRC's standard for so-called Safe Shutdown.

¹Source: Vogtle Electric Generating Plant Annual Radiological Environmental Operating Report for 2005, <http://pbadupws.nrc.gov/docs/ML0613/ML061380632.pdf>

² Environmental Radiation Surveillance Reports, 1995-1996, 1997-1999 and 2000-2002, published by the Georgia Department of Natural Resources Environmental Protection Division

³ AP1000 Design Control Document Reactor Coolant System and Connected Systems 5.3.4.1, Revision 15

⁴ Letter from David B. Matthews, Director, Division of New Reactor Licensing, Nuclear Regulatory Commission to Sadler D. Rupprecht, Vice President, Nuclear Power Plants, Westinghouse Electric Company, September 1, 2010

⁵ ADAMS Accession Nos. ML102660263, ML102670260 and ML102660378

⁶ US NRC Non-concurrence, "Dissenting View of the AP-1000 Shield Building Safety Evaluation Report With Respect to the Acceptance of Brittle Structural Module to be used for the Cylindrical Shield Building Wall," Redacted, December 3, 2010, ADAMS Accession No. ML102630229

⁷ US Geological Survey, Charleston Earthquake

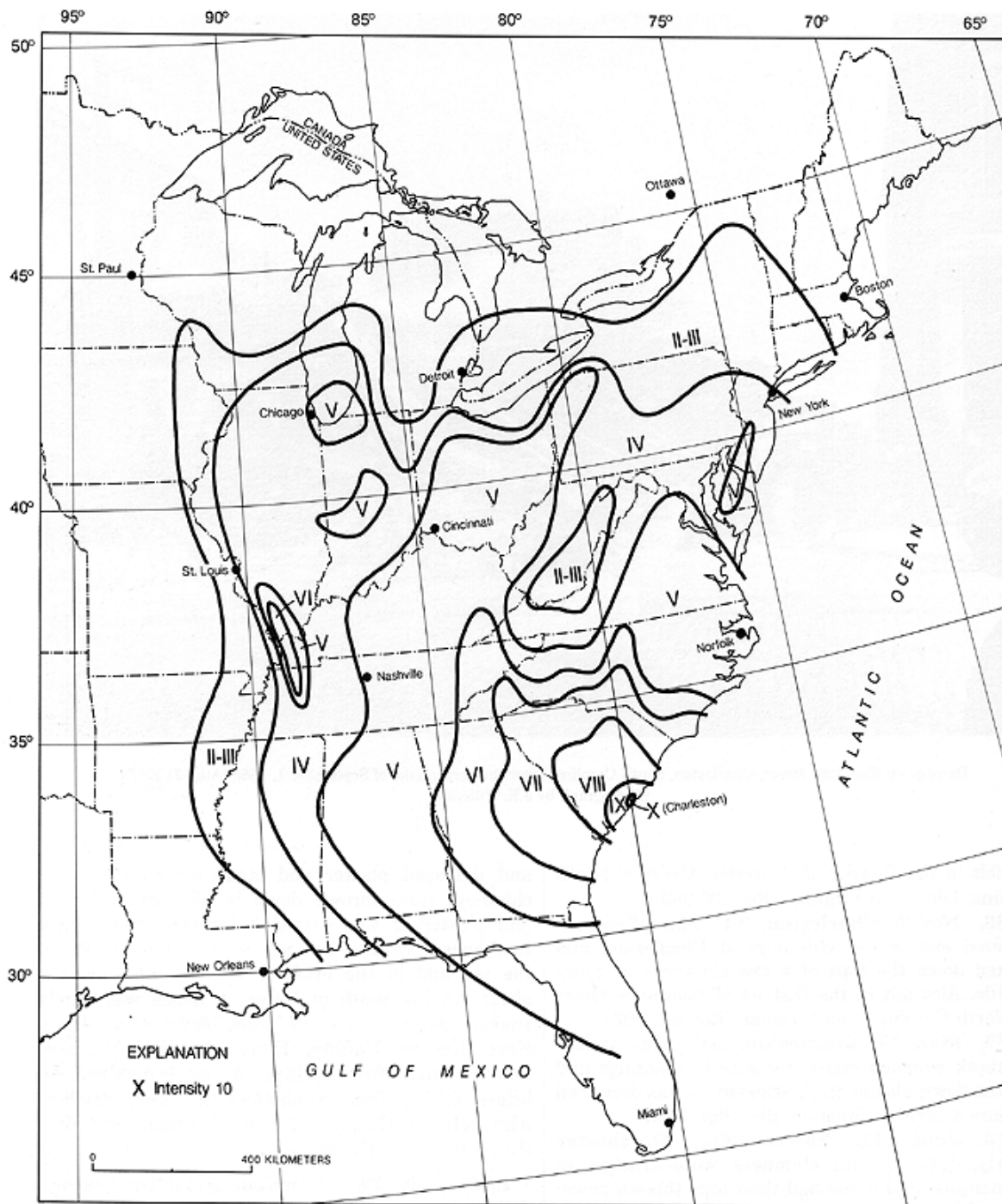
⁸ South Carolina Emergency Management Division has responsibility for the development, coordination, and maintenance of the Earthquake Plan and selected other plans, http://www.scecmd.org/news/publications/EQ%20Guide%202008/1886_EQ_New_08.html

⁹ C://my documents/BREDL/Campaigns/nuclear campaigns/SRS/EIS1995/3eis-Affected Environment

¹⁰ CFR Part 50 Appendix S—Earthquake Engineering Criteria for Nuclear Power Plants (IV)(a)(1)(i)

¹¹ Available at <http://earthquake.usgs.gov/earthquakes/states/georgia/seismicity.php>

¹² Geller RJ et al, "Earthquakes Cannot Be Predicted," Volume 275, Number 5306, pp. 1616, 1996, The American Association for the Advancement of Science, <http://sceec.ess.ucla.edu/~ykagan/perspective.html>



Earthquakes Cannot Be Predicted

An earthquake is an unpredictable event. This fact was made clear by the Fukushima disaster which occurred in an area with a known seismic history and to a society well adapted to living on the fault line. But modern science and engineering is no match for tectonic movement:

"An earthquake results from a sudden slip on a geological fault. Such fracture and failure problems are notoriously intractable. The heterogeneous state of the Earth and the inaccessibility of the fault zone to direct measurement impose further difficulties. Except during a brief period in the 1970s, the leading seismological authorities of each era have generally concluded that earthquake prediction is not feasible. Richter, developer of the eponymous magnitude scale, commented as follows in 1977: 'Journalists and the general public rush to any suggestion of earthquake prediction like hogs toward a full trough... [Prediction] provides a happy hunting ground for amateurs, cranks, and outright publicity-seeking fakers'" ¹²

The Central Savannah River Area is an active earthquake zone. In 1903 a quake centered in the Savannah River area was recorded at an intensity of VI (Mercalli). In 1907 a quake again affected Charleston, Augusta, and Savannah. Quakes occurred in 1912, 1913 and 1914. In 1924 an earthquake affecting an area of 50,000 square miles shook most of South Carolina. In 1945 a shock centered west of Columbia was felt as far away as Georgia and Tennessee. More quakes occurred in 1952, 1959, 1960 and 1967. A magnitude 3.4 (Richter scale) earthquake centered near Orangeburg in 1971. A recent US Geological Service map illustrates twenty-five years of seismic events in Georgia, many of which are centered along the Savannah River basin. ¹¹

Charles Richter, California Institute of Technology professor of seismology, spent most of his life in this field. He assisted officials in Japan and California with earthquake engineering and safety. His description of earthquake predictors ought to be taken seriously by the decision makers of the Nuclear Regulatory Commission.

-end-

In light of the unfolding tragedy in Japan, we call upon the President of the United States, the US Congress and government agencies to re-visit all nuclear issues—power, waste and mining. Earthquakes are not unusual in Japan. If an advanced, industrial nation like Japan with nuclear safeguards in place can be blind-sided by such an event, the United States should question all its assumptions about nuclear technology. This is the least we can do to honor the brave souls who sacrificed their lives to control the disaster in Fukushima, and to commemorate the the terrible loss of life among the innocent.



Anatomy of a Victory:

The Closure of BMWNC Medical Waste Incinerator

by Catherine Mitchell, CHE Chair

BREDL and Citizens for a Healthy Environment (CHE) have accomplished what some Mecklenburg and Union county residents thought would never happen: They shut down one of the dirtiest medical waste incinerators in the country, Biomedical Waste of North Carolina (BMWNC) in Matthews, NC. After 21 years of determined effort, residents of the region are finally breathing a collective sigh of relief, and appreciating just how long and difficult the path to closure has been.

Beginning in 1990, a group of area residents formed the first anti-incinerator group and BREDL chapter – Prisoners of Our Homes (POOH) — to try to bring attention to what was becoming an increasingly nightmarish problem: BMWNC, owned by Healthcare Waste Solutions of Cincinnati, Ohio, had quietly moved into their area with no prior notice to nearby residents and had begun to dump extremely high levels of toxic pollutants into neighborhoods in both counties. The incinerator burned waste from 12 states and had an extensive history of violations, fines and periodic shutdowns for safety issues. The site was situated off the main road in a heavily wooded area and not immediately visible to passers-by, but it soon became impossible to ignore.

Lifelong Matthews resident and close neighbor to the plant, Judy Drake, began to notice strong, acrid smells coming from the site and a greasy, black ash that covered cars, decks, drying laundry, grass and everything else. “It was almost impossible to remove. Sometimes you couldn’t. Smoke would come out of there (like) you’d think it was on fire,” she said

Others in the area noticed it as well, along with burning eyes and noses, rashes and respiratory symptoms, among other things.

Geneva Johnston, another close neighbor and one of the POOH founders and leaders recalls the level of truck activity that increased along the two-lane neighborhood road. “They would come day and night. Big tractor-trailers full of this waste to burn, and it would end up in our air, in our yards and in our bodies. We would leave messages with the county and never get called back.”

Despite the continuous complaints over the years to Mecklenburg County Air Quality (MCAQ), the agency governing local Title V permit holders in Mecklenburg County as well as the state, neighbors were repeatedly dismissed and told that the facility was “in compliance.” Residents knew that the once-a-year tests revealed that the owners knew in advance when the testing would take place and planned accordingly with the amount and type of waste burned, so the tests showed readings that met current standards – for that one day. The rest of the year was a pattern of excessive spikes and toxic emissions, particularly during “bypass events” such as startup and shutdown of the incinerators. In addition, the county did not acknowledge the physical evidence outside the plant – excessive ash and residue – even bits and pieces of used gauze, metal parts lying about on the ground and worse. Every time a complaint was issued, it was dismissed with the explanation: “They are in compliance.”

For a decade, POOH worked tirelessly to gain oversight on the issue and to bring justice to the affected neighborhoods. In 1999, the chapter brought Love Canal activist Lois Gibbs, director of Citizens for Health, Environment and Justice, to Matthews to draw media attention to the fight. They held a demonstration across the street from the incinerator and gained media attention and good attendance at an educational meeting for neighborhoods at Matthews Elementary School. Gibbs, who was responsible for the organization of the Love Canal community and the evacuation of over 200 homes in the town, was particularly concerned with the high dioxin and mercury emissions coming from BMWNC and called for neighbors to stand together in order to shut down the plant. They made calls, wrote letters, held demonstrations and press conferences, and made phone calls to local government officials, but residents were never able to convince the various governmental agencies involved that their health and quality of life were being heavily impacted by the toxic emissions – it all came back to the compliance issue.

Eventually POOH disbanded and the incinerator burned on with what looked like a free pass by the agencies assigned to monitor it. Then, in October 2009, a break was presented in the form of new rule changes by the EPA governing medical waste incinerators, setting the stage for the last full-out battle from committed residents to finally shut BMWNC down.

When the new EPA rules were finalized and approved, BREDL realized that residents might finally have an opportunity to gain some traction in their decades-long fight. The rules required that medical waste incinerators would have to reduce levels of toxic emissions and come into compliance under the newer rules by the end of 2014, with far stricter guidelines for emissions such as mercury, lead, cadmium, hydrogen sulfide, dioxins, and a host of other toxins and particulate pollutants generated by medical waste incinerators like BMWNC. Based on BMWNC’s more recent stack test results, analysis showed that the facility was emitting four toxins in particular, that were substantially higher than the new EPA rules allowed:

- Dioxins and furans at 600% higher than the new standards
- Mercury – 350% higher
- Hydrogen chloride – 1,150% higher
- Nitrogen oxide – 110% higher.

Other toxic air pollutants subject to EPA standards were lead, cadmium, carbon monoxide and particulate matter.

BREDL brought the fight back to the neighborhoods, contacting former POOH members and holding community informational meetings and calling for a hearing regarding BMWNC's upcoming license renewal and was granted that hearing. In February 2010, concerned neighbors packed the conference room at Central Piedmont Community College in Matthews for the MCAQ hearing. On that evening, BMWNC and MCAQ had unwittingly handed neighborhood residents a great gift – the powerful spark of absolute resolve, through the coordinated effort of community, that the poisoning should end there. From that point, things began to change quickly.

A series of community meetings were held, where residents could talk to each other and BREDL staffers, share information and develop a plan for action. As neighbors talked about their experiences, the full impact of the effects of decades of toxic emissions on the neighborhoods became all too clear: excessive and increasing numbers of cancers in certain areas, including rare, childhood cancers; respiratory problems; rashes; autoimmune diseases; pet cancers and more. One month later, in March, 2010, the newly formed BREDL chapter CHE began to speak out not only to the community, but to county officials in both Mecklenburg and Union counties, town leaders in smaller municipalities affected by the incinerator, and state officials.

BREDL and CHE worked together to develop a long-range strategy for requesting earlier implementation of the new EPA rules to better protect the people in the neighborhoods closest to the incinerator. If the EPA had finally considered the existing levels too dangerous to continue, and the area had already been exposed to these dangerous levels for over two decades, four years was too long to wait for compliance under the newer, more protective rules. BREDL and CHE determined to force earlier compliance, with the ultimate goal of shutting down the facility.

On April 20, 2010, the county commissioners unanimously passed two resolutions supporting the request for earlier implementation of the new rules. The two resolutions directed Mecklenburg County Air Quality to request special permission from the state Environmental Management Commission to adopt and implement the new EPA rules by December 2010 and require the BMWNC incinerator to be in compliance with new EPA rules no later than Oct. 6, 2012, instead of 2014. They also asked that the NC Division of Air Quality follow their lead in requiring all medical waste incinerators in NC comply with the new EPA rules the same date. The commissioners further called for additional oversight of the permitting process and requested environmental and health impact studies to be undertaken. The passage of the resolutions by Mecklenburg county sent a strong message to the NC EMC and began a coalition movement statewide to ask other municipalities to do the same. Union County soon followed, along with the towns of Matthews and Stalling, NC. The BREDL chapter CAN in Chatham County, fighting the Stericycle incinerator in their community, worked with other municipalities to pass resolutions as well, and in the end, a total of 16 municipalities and counties adopted resolutions requesting earlier implementation of the new rules (see BREDL website for a partial listing).

With a powerful show of support from local governments in NC joining the effort, BREDL asked for and received a public hearing by the state EMC on Sept. 7, 2010. The turnout in Greensboro was standing room only and overwhelmingly in favor of early adoption of the new rules and no exemption for bypass emissions, with the lone exception of waste industry representatives. Based upon the hearing officer's recommendations, the EMC voted at their November 2010 meeting to allow Mecklenburg County to require a compliance date of Oct. 6, 2012 for the BMWNC incinerator and to give Stericycle incinerator until July 1, 2013 to come into compliance with the new rules.

The implementation of the new dates was a welcome victory, but the goal of shutdown still loomed. In an effort to keep the heat on BMWNC and continue momentum toward shutdown, CHE and BREDL staff developed a three-part strategy to prove the level of contamination the community knew existed. CHE members were trained in the Bucket Brigade model to gather air samples from areas near the facility when overpowering smells could be detected. In addition, trainings were held for both soil sample gathering (to test primarily for dioxins) and a full-scale health survey to accurately determine the number of households with cancer in the most critical areas.

The chapter, along with BREDL, held a press conference in Matthews that month at which Science Director Lou Zeller released an air pollution study concluding that the BMWNC incinerator was too dangerous to operate. Both groups called for an immediate shutdown of the incinerator.

In March 2011, the sale of all assets of Healthcare Waste Solutions to Stericycle was announced, with the sole exclusion of BMWNC. Stericycle was not interested in acquiring BMWNC and would not proceed with the "merger" with Healthcare Waste Solutions unless HWS disposed of it. Most speculated that liability issues associated with the site and neighborhood contamination might be a factor. In a letter to Mecklenburg County Air Quality director Don Willard, HWS' CEO stated that "the most prudent course" would be to shut down the facility and attempt to sell it. The ownership of BMWNC was shifted to a holding company, MNC Holding Inc.

In early spring, two neighborhoods completed health surveys, which will be reviewed by BREDL staff and relevant experts. The chapter also completed three soil surveys for dioxin in areas near the plant, following prevailing wind patterns. In each case, surprising levels of dioxins were found in the soil outside the BMWNC property boundaries. More tests will be conducted and the results compiled in a report.

In a May 11 letter to MCAQ, incinerator manager Lewis Renfro notified the county that the company "has ceased operations at the incineration facility in Matthews, NC and has begun the process of decommissioning the site." Without the pressure applied from BREDL and CHE, this incinerator would have continued to pollute as long as possible, poisoning the neighborhoods and then simply walking away at the last minute, closing the doors. And without the committed effort from others across the state, the rules for the state of NC would not have changed.

Members of CHE, the residents of the neighborhoods surrounding this incinerator and all those in Mecklenburg and Union counties who supported the effort are very grateful to the BREDL organization for the leadership and effort put forth in this long fight.

The work still isn't over in the CHE communities. It certainly isn't over for the communities impacted by Stericycle either, and our support is with them. But our victory is a testament to the value of the collective work of the BREDL organization. ■

A Nuclear Excursion: Cancer Risks Near Nuclear Facilities

by Beverly Kerr, BREDL Communications Coordinator

Working Towards A Common Goal My husband Julius, a dedicated BREDL volunteer, was sitting with me at the Renaissance Concourse Hotel in Atlanta. We were having an animated mealtime discussion with a dozen environmentalists from North Carolina and Georgia. We came together with the common goal of expressing our concerns regarding cancer risks near nuclear facilities and to hear what the experts had to offer. We were in good company and felt fortunate to be among this group of knowledgeable environmentalists. Sitting with us was Annie Laura Stephens, a sister of BREDL Board member Claude Howard. Both Annie Laura and Claude have been at every meeting since the founding of our BREDL chapter Concerned Citizens of Shell Bluff. Annie Laura is a pillar of her church, Fairfield Missionary Baptist. She passed me her business card, which expresses her faith and invites all to prayer and to her church. Annie Laura lives near Plant Vogtle, a 2-unit nuclear power plant located in Burke County, near Augusta and Waynesboro, Georgia. In fact, the entire Shell Bluff Community is a short distance from Plant Vogtle.

Annie Laura brought with her members from Concerned Citizens of Shell Bluff. Also having lunch with us were environmental friends Bobbie Paul, Executive Director of Georgia Women's Action for New Directions (WAND) and Dianne Valentin, Board Member of WAND, Cindy Folkers, Radiation and Health Specialist of Beyond Nuclear and good friend, Dr. Steve Wing, Associate Professor of UNC School of Public Health.

National Academy of Sciences Updates U.S. Nuclear Regulatory Commission In April 2010, the U.S. Nuclear Regulatory Commission asked the National Academy of Sciences to update a 1990 study of cancer risks near nuclear facilities. A committee of experts selected by the Academy was formed to consider approaches for assessing off-site radiation doses, pathways, receptors, regulations, operations, design of large scale case-control studies and cancer registries. So, here we all were at the third meeting of the committee, which was held in Atlanta on May 23.

An impressive cast of characters formed the Nuclear and Radiation Studies Board and invited guest speakers. Some of these 20 plus experts were indeed, "characters" and came from as far as Spain. The data gathering session began at 8:30 am. We heard from The US Regulatory Commission, Centers for Disease Control and Prevention, Nuclear Safety Council of Spain and the Institute of Health of Spain. All these good people talked quite a lot about what they have done and what they intend to do. Questions and answers were permitted among this group, but not from the public audience. Our mission was to listen and be prepared to ask questions or to make comments at the very end of the day.

Our Nuclear Excursion By the time we broke for lunch, we had much to discuss. We were amused by the gentleman who cheerfully described radiation as sometimes going on an "excursion". This brought on visions of little Ronnie Radiation going on a pleasant field trip and doing no harm along the way. We were relieved to have something that caused us to smile. Later on, a little research revealed that the lighthearted "excursion" phrase was actually a pleasant way of describing the release of a surge of ionizing radiation which is highly dangerous to humans and causes induced radioactivity in the surroundings.

We were not so entertained by statements from committee members who claimed that there are no reports of unusual cancers around nuclear plants. Committee members went on to say that if there were, it might be caused by risk factors such as lifestyle, smoking, alcohol, diet, genetics, occupation and access to care. This statement brought fury and tears from those who live close to nuclear facilities. Some of our group spoke with great emotion and challenged committee members to visit their community and see for themselves how the people are suffering and being given no relief or hope.

Public Relations or Scientific Data? Right after lunch, our good friend, Dr. Steve Wing, presented a written report and spoke with conviction, recommending studies of childhood cancer incidence because children are less exposed to potentially confounding occupational and lifestyle carcinogens than are adults. Dr. Wing stated that "studies of cancer mortality among adults, cancers with long latencies, large geographic zones, and populations that reside at large distances from nuclear facilities are better suited for public relations than for scientific purposes."

We were delighted with Dr. Wing's comments and felt encouraged. More often, we were discouraged by what we heard from professors and scientists. While we agreed that it is good that information is discussed and studied, we did wonder when the usable end products for the general public would be revealed. As Charles Utley, BREDL Environmental Justice Coordinator/Community Organizer asked, "Where are the recommendations for those who want to know how to protect themselves from radiation? What next step can you offer for communities who live at ground zero? How will you deliver this information?" Many of us were asking the same questions, but no answers came forth from our experts.

Divine Intervention Needed At 5:30 pm, I had the questionable privilege of being the last person to provide public comments at the end of that long day. Those in the public audience, guest speakers and committee members alike had been fighting to stay awake and look interested. Even with the whole meeting being webcast for the world to see, several lost the battle and slumped over the table sleeping peacefully.

Knowing that everyone was clearly tired, I kept my comments short and upbeat and yet still expressed my concerns clearly. I asked the committee if they were hearing the outcry from the people to stop the irresponsible proposals coming from nuclear supporters and the laughable and false "acceptable" levels of contamination that keep changing. Acceptable to whom? Not to those who live close to ground zero. I asked the committee to make serious efforts to alert the public to all the hazards and to use honest human safety levels, not artificial industry standards. I thought of my new friend, Shirley, who was at the meeting with us and who told me she had no idea of the hazards when she moved into a home within walking distance of a nuclear plant. She didn't even realize the nuclear plant was in her community. Alerts and notices should be posted in public places like libraries, grocery stores, schools and churches. Environmental and social justice calls out for us to remember those who don't have the luxury of the internet, newspapers, TV or radio to get their information. Mailing notices to those in the nuclear danger zone should be mandatory. How much could be accomplished if we took all the time and money that continues to be spent towards trying to prove what everyone already knows? What if we took that time and money and used it to reduce existing hazards, to clean up pollution without creating new sacrifice zones and to stop new nuclear facilities? After all, who doesn't already know that high doses of radiation are damaging and deadly and that lower doses lead to cancer, heart disease and other ailments? We know that there is no safe level of exposure to ionizing radiation.

I thanked the committee members for the opportunity to take part in the meeting and I asked them to remember all of us in their prayers, because we surely do need divine intervention throughout our nuclear excursion. ~ Amen ~ ■

Poultry Power USA Puts the Chicken Before the Egg

By Therese Vick, BREDL Community Organizer

Progress Energy announced in April 2011 that they had inked a contract with a company named "Poultry Power USA" to generate electricity incinerating chicken manure. The incinerator is proposed to be located in Biscoe, North Carolina. So of course being the nosy person I am I decided to pay a visit to the Poultry Power website. Ummmm-there is no website? That's odd. The company has signed a contract to produce electricity for Progress Energy and has no website?

Ok, I will check out their parent company, Green Frontiers Energy Group: <http://www.greenfrontiersenergy.com/>. On their home page, you find...a picture of wood chips. We'll try another page. How about the "About" page? Oh- that says "coming soon." So does the "Portfolio" link. Maybe the "People" link will have something. It does! There are some names there. The CEO, a Mr. Hugh Connerty Jr., has 25 years in the restaurant business—he was the founder of Hooters. They sell chicken wings, right? I guess that makes him an expert on chicken poop incineration. Let's see if we can contact Mr. Connerty. Yes, there is an address and an email address. I will send him a note. Voila- just shot him an email. Waiting. Waiting. Waiting. Hmmm. No response. Maybe it was too simple. I will write a more formal letter:

Mr. Hugh Connerty Jr.
Green Frontiers Energy Group
4315 Pablo Oaks Court, Suite 5
Jacksonville, FL 32224

May 2, 2011

Dear Mr. Connerty:

On behalf of our members across North Carolina, I am again writing you concerning Poultry Power USA's proposed chicken litter-to-biogas facility. Mr. George Erickson Sr., listed as chief executive officer for Poultry Power USA was quoted in the Montgomery Herald as saying that "[Poultry Power's] commitment is to be a clean and solid corporate citizen with a small carbon footprint."

I am interested in understanding how the company plans to fulfill that commitment. However, I can find no website for Poultry Power USA, no information on operations or compliance history, and no specific contact information at <http://www.greenfrontiersenergy.com/>.

In order to learn more about your process, I have a few questions.

1. Where else does Poultry Power have a facility like the one proposed for Biscoe?
2. Does Green Frontiers Energy Group have any other biomass/energy subsidiaries?
3. Is there a website for Poultry Power USA?

I look forward to hearing from you and learning more about Poultry Power USA.

Sincerely,

Therese Vick

June 22, 2011: No response. I will look again to see if Poultry Power has built a website yet.

UPDATE June 23, 2011: Poultry Power has a website! It looks like it may have been created June 15, 2011. Now, at last, I can get my questions answered! I will drop them a note.

June 28, 2011: Still waiting

July 1, 2011: Yes, still waiting.

July 4, 2011: Still waiting and I have to turn this article in today or else Beverly will be very unhappy with me. I think I can answer the questions myself.

1. *Where else does Poultry Power have a facility like the one proposed for Biscoe?*

Answer: No place.

2. *Does Green Frontiers Energy Group have any other biomass/energy subsidiaries?*

Answer: Who knows? I am not sure this one even exists.

3. *Is there a website for Poultry Power USA?*

Answer: Yes, now there is, but their contact link must be broken. I can't seem to get anyone to respond to my requests for information.

Poultry Power USA didn't even have a logo when they signed the contract with Progress Energy. They had a design contest, and while they have a logo now, we like the one designed for us by our good friend Lynn Austin.



Yep. This is perfect. Looks like Poultry Power has stepped in, well you get the idea.■

What Does Sustainable Economic Development Mean for Environmental Justice?

By Therese Vick, BREDL Community Organizer

Many millions of federal stimulus dollars are being spent on green industry and green jobs. Upon hearing vague, feel-good terms like “green,” “renewable,” and “bio;” the public takes comfort in the assumption that somehow Corporate America has come to its senses and is moving in the right direction towards a more sustainable future with the added benefit of “jobs.” Unfortunately, these terms are misleading. Undesirable industry is exploiting current economic conditions to obtain regulatory relief often siting in poor communities and communities of color—and using federal tax dollars to do so. Additionally, the jobs brought to communities chosen to bear the burden of society’s excess are often the ones with no benefits and low pay.

Recent policy decisions have failed to identify the disparities inherent in current environmental policy and have in fact exacerbated a “business as usual” mentality. This same mentality sparked the environmental justice movement. Traditionally, polluting industries have been located in poor communities and communities of color. Despite huge gains in environmental justice, this is still true, and with the blessing of state and federal government. The report, “Environmental Justice and the Green Economy” warns that “Green investment policy decisions cannot be solely synonymous with the adoption of green lifestyles by those who can afford them or with the limited provision of lower tier “green” jobs” (6).¹

Communities across the country are defining what a green economy and climate justice means to them. The words justice and sustainability are often combined in the term “just sustainability.” The Massachusetts Green Justice Coalition was founded on three key principles:

1. Greening is not only our responsibility, it is our right.
2. A sustainable economy must be as equitable as it is green.
3. Lower income communities and communities of color that have been overburdened by the dirty fossil fuel industry must be at the forefront of the green wave.²

“Green energy” is perhaps the most troubling sector of the green economy, cloaking itself with a green blanket and following the footprints of its gray brethren. Promoting the burning of almost anything as economic and environmental saviors, companies are reaping the benefits of millions of dollars in tax breaks, while creating defacto sacrifice zones in disenfranchised communities.³ Dr. Robert Bullard, author of “Dumping in Dixie” describes this move towards so-called renewable energy as “energy apartheid.”⁴ In North Carolina, three of several proposed biomass incinerators would be located in predominately African American communities. In Valdosta Georgia, BREDL chapter Wiregrass Activists for Clean Energy (WACE) has been fighting a proposed biomass incinerator.⁵ The incinerator site is in the area of other polluting facilities and the Valdosta NAACP has charged environmental racism in the siting.⁶

The words “sustainable economic development” bring to mind small business, farmer’s markets and vibrant, diverse communities. In the current economic down turn, “renewable” energy is the industry garnering the most attention, and most of the federal stimulus money. However, in order to achieve *just* economic development, policy makers must look beyond what has been relied on in the past and have minds open to non-traditional, sometimes novel, projects and ideas. The status quo simply won’t do.

Sustainability and justice—“just sustainability”— are not, and must not be, mutually exclusive.■

¹ Environmental Justice and the Green Economy: A Vision Statement and Case Studies for Just and Sustainable Solutions

² Towards “just sustainability”: A Colored Perspective on the Green Economy

³ Therese Vick: BREDL comments on proposed EPA deferral of biomass rules

⁴ Dismantling Energy Apartheid in the United States

⁵ Wiregrass Activists for Clean Energy

⁶ Valdosta NAACP

CLEAN AIR NOW (CAN) and NEIGHBORHOOD ENVIRONMENT WATCH (NEW) in Alamance County.

CAN representatives spoke at the Greensboro hearing of the N.C. Legislature's Joint Regulatory Reform Committee. The perceived purpose of the Reform Committee's hearings was to ask businesses and the public to help them eliminate annoying environmental and public health safeguards.

CAN and NEW's focus has been on the County Planning Committee's steps toward replacing the Polluting Industries Ordinance with a weaker ordinance. A subcommittee produced a draft ordinance in May. With BREDL support, chapters CAN and NEW worked to alert the public to the differences between the ordinances and urged comment.

BREDL presented a report, "The Importance of Sustainable Development in Troubled Economic Times" in a press conference May 12. Thanks to Therese Vick for preparing the report! The *Burlington Times-News* gave positive coverage to the report, and Beverly followed it up a week or so later with a letter to the editor. Carole's letter in early June addressed specific problems with the proposed replacement ordinance. Special thanks to Janet Marsh and Lou Zeller for Janet's letter to the Planning Board and Lou's statement, "The Case Against Compromising Alamance County's Health, Safety and General Welfare."

John Shapiro from P.A.C.E, Protecting All Children's Environments has recently finished filming a PBS Special on the History of Chemical Injury and has done radio programs on neurotoxins and mold exposure in children. **Recommendations:** Reduce chemical use in the home, at work and in neighborhoods. One may do a blood, fat and tumor test for organochlorines as well as having your home tested. Work for clean air, food and water. Remember that prescribed organic food and home improvements may be tax deductible. Elizabeth O'Nan, Protect All Children's Environment, Marion, NC reports that John works out of Sante Fe and has been a major help and contributor to NC PACE for over 20 years.

NUCLEAR UPDATES:**Emergency Petition**

On April 18, 2011 the Blue Ridge Environmental Defense League and twenty-one other petitioners from across the nation requested that the U.S. Nuclear Regulatory Commission exercise supervisory jurisdiction over all pending proceedings for the consideration of 1) applications for construction permits, 2) new reactor licenses, 3) combined construction permit and operating licenses, 4) early site permits, 5) license renewals, and 6) standardized design certifications for nuclear reactors. Our goal is to ensure that all new and significant information is considered regarding the safety and environmental implications of the accident at the Fukushima Daiichi Nuclear Power Station before these actions are taken. The Commission has yet to respond to our request.

Emergency Enforcement

On June 7, 2011, the Blue Ridge Environmental Defense League formally requested co-petitioner status to Beyond Nuclear's Petition for Emergency Enforcement. The petition requests enforcement action under Section 2.206 of Title 10 of the Code of Federal Regulations. This action is intended to protect the public by the prompt and thorough evaluation of health and safety problems at nuclear facilities. Specifically, the Petition focuses on the unreliability of General Electric Boiling Water Reactor Mark I containment system—the Fukushima reactor—to mitigate a severe accident and the lack of emergency power systems to cool high density storage pools containing hundreds of tons of extremely radioactive used reactor fuel assemblies. At the initial hearing on June 8, Beyond Nuclear's Paul Gunter and two co-petitioners presented arguments to the Nuclear Regulatory Commission. Further proceedings are expected but have not been scheduled.

**Request to the Advisory Committee on
Reactor Safeguards**

Less than a week after the Japanese earthquake, German Chancellor Angela Merkel spoke about the disaster, saying, "We cannot and must not simply return to business as usual....When, as we have seen in Japan, the apparently unthinkable happens, the absolutely improbable becomes reality, the situation changes....if in doubt to come down on the side of safety"¹[1] Following a review, on May 30th Merkel announced that Germany would phase out all 17 of its nuclear power stations by 2022 and generate electricity from other sources. The decision was based on sound legal and technical analysis. On June 23rd the Blue Ridge Environmental Defense League formally requested that the US NRC Advisory Committee on Reactor Safeguards take the same steps recommended by the German Reactor Safety Commission. 2[2]

1[1] "Germany stands by Japan," *Germany.info*, German Embassy's Department for Press, Information and Public Affairs, March 17, 2011, <http://www.germany.info/Vertretung/usa/en/Impressum.html>

2[2] *Anlagenspezifische Sicherheitsüberprüfung (RSK-SÜ) deutscher Kernkraftwerke unter Berücksichtigung der Ereignisse in Fukushima-I (Japan) Plant-specific safety review (RSK-SÜ) of German nuclear power plants in the light of the events in Fukushima-1 (Japan)*

Blue Ridge Environmental Defense League Mission Statement

The Blue Ridge Environmental Defense League is a regional, community-based non-profit environmental organization founded in 1984. BREDL encourages government agencies and citizens to take responsibility for conserving and protecting our natural resources. BREDL advocates grassroots involvement to empower whole communities in environmental issues. BREDL also functions as a “watchdog” of the environment, monitoring issues and holding government officials accountable for their actions.

We are a true league of grassroots chapters working in rural communities in the Southeast. For twenty-six years the same organizing principles have guided our work: public health protection, environmental democracy, earth stewardship and social justice. Our mission is to prevent harm from air and water pollution and to create sustainable alternatives for sound waste management and economic development. Protecting children’s health from environmental poisons, empowering whole communities to engage in crucial decision making, and changing the balance of power to prevent injustice are key components of our work.

It’s easier than ever to *join*, *renew* and *donate* online.

Check out our secure online donation forms at www.bredl.org. Help us save trees and other resources by donating online.

Yes, I support BREDL’s work! Send your check to: BREDL PO Box 88 Glendale Springs, NC 28629

or use your credit card at **www.BREDL.org**. For more information contact BREDL at 336-982-2691.

All donations help BREDLs mission and are tax deductible.

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(Please share your email address so we can send you updates and alerts!)



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