




# The LEAGUE LINE

Spring Issue 2010 

## The Inside Line:

### AP-1000 Nuclear Power Plant Reactors: Bad Design

Dear Administrator Jackson: **Stimulus Dollars Should Not Create Sacrifice Zones**

### Organizing at the Grassroots Level

### Risk-based Standards A Threat to NC Drinking Water

### Be Safe: Promote Precautionary Action

### Clean Up NC Energy Policy!

### Congratulations BREDL! Impact Fund Grant Award!

### NC Family Fights Galvanizing Emissions: Significant Risk to Human Health



## Inherently Dangerous

By Louis Zeller  
Science Director

The proposed Westinghouse AP-1000™ nuclear power reactor should rightly be re-named *inherently dangerous*. Based on our review of the so-called inherently safe design, the reactors, if constructed, would be accidents waiting to happen. At present, fourteen AP-1000s are planned in the United States and twelve more in China.

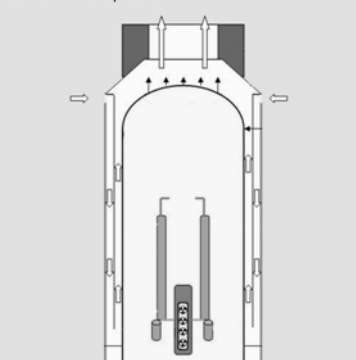
The AP-1000 is based on an earlier design, the AP-600, which was deemed too expensive to be competitive in today's energy market.<sup>1</sup> To bring down costs, they added more, larger fuel assemblies and a bigger reactor core, raising power from 1,933 megawatts-thermal to 3,400 MWt, a 76% increase. Westinghouse has worked for a decade to get the new AP-1000 design approved, but has run into a series of stumbling blocks. Today, it's in its 17<sup>th</sup> revision.

The two basic problems with the AP-1000 are:

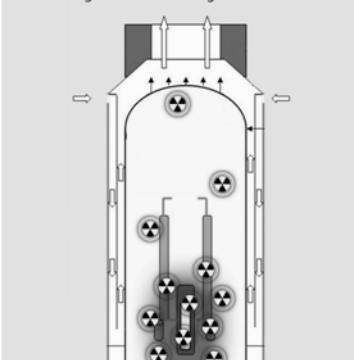
1. Modular construction of the reactor shield building and an 800,000 gallon tank of water suspended above the reactor core, subjecting it to severe stress and instability in the event of an earthquake, tornado or hurricane;
2. A ventilation system which allows the free flow of air from inside the reactor containment building to outside air, allowing radiation to escape in the event of a reactor core breach.

(continued on page 4)

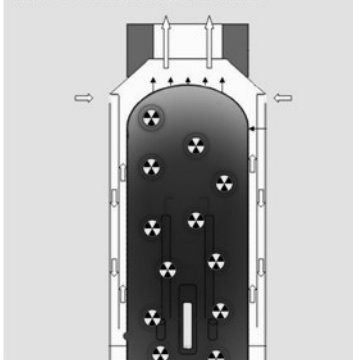
AP1000 Normal Operation



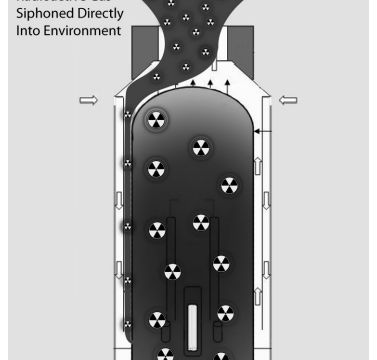
AP1000 Design Basis Accident Begins



Containment Fills With Radio Active Gases



Radioactive Gas Siphoned Directly Into Environment





## **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.■

A quarterly publication of:

**Blue Ridge Environmental Defense League (BREDL)**

**P.O. Box 88, Glendale Springs, NC 28629**

**Tel: 336-982-2691 Fax: 336-982-2954**

**email: bredl@skybest.com**

**www.bredl.org**

**Editor:** Beverly Kerr

**Co-Editor:** David Mickey

#### **Contributing writers:**

Janet Marsh, Lou Zeller, Anne Rabe, Sue Dayton,  
Charles Utley, David Mickey, Beverly Kerr

#### **BREDL Board Executive Committee**

##### **Co-Presidents**

James A. Johnson

Sam Tesh

##### **Piedmont NC Vice President**

Marge Cahill

##### **VA Vice President**

Mark Barker

##### **Western NC Vice President**

Elizabeth O'Nan

##### **Youth Representative**

Daisy O'Nan

#### **Community Organizing Staff**

##### **Executive Director**

Janet Marsh

##### **Nuclear/Clean Air Campaign Coordinator**

Lou Zeller

##### **Zero Waste/Clean Energy Campaign Coordinator**

David Mickey

##### **Environmental Justice/SRS Campaign Coordinator**

Charles Utley

##### **NC Healthy Communities Project Coordinator**

Sue Dayton

##### **Development Directors**

Ann Rogers

Beverly Kerr



30% GENUINE  
RECYCLED  
PAPER



# Stimulus Dollars Should Not Create Sacrifice Zones: A Letter to EPA

Lisa Jackson, Administrator

Environmental Protection Agency  
Ariel Rios Building  
1200 Pennsylvania Avenue, N.W.  
Washington, DC 20460



Dear Administrator Jackson:

EXECUTIVE DIRECTOR'S REPORT

As director of a grassroots environmental organization serving seven southeastern states, I write to request your direct oversight of the adverse impacts which federal stimulus funding is having on our communities. Throughout our region we are seeing a rush to site and permit dangerous facilities. Laws are being changed, local governments are being railroaded and public concerns are being ignored. Specifically, I request that you create a special task force to ensure that federal dollars will not endanger public health and sacrifice community well-being.

Federal funding and Obama Administration energy policies are encouraging speculative investments in power plants fueled by a variety of industrial, agricultural and forestry waste products. As you know, waste combustion causes air pollution, creates toxic wastes and consumes excessive amounts of water, a resource already threatened in our region. Burning biomass will increase fine particle pollution and ozone, two pollutants connected with the nation's asthma epidemic. Air toxics will increase the risk of cancer and birth defects. Carbon dioxide emissions from biomass, which new research demonstrates is not "carbon neutral" (as claimed by industry and government)<sup>1</sup> will accelerate global warming. As the Environmental Protection Agency found in issuing its endangerment rule on greenhouse gases, new carbon dioxide emissions, regardless of the source, will remain in the atmosphere for decades.<sup>2</sup>

Rural and minority communities are particularly threatened by this pollution. It is a cruel irony that while the government struggles to make healthcare more available to everyone, it is exacerbating the causes of disease among those most likely to lack access to adequate healthcare.

For example, Fibrowatt LLC—a Pennsylvania company, proposes to build three poultry waste incinerators in North Carolina. In December 2009 testimony before the North Carolina Utilities Commission, Fibrowatt claimed that delaying a state requirement to generate electricity from poultry waste would mean that the company "will not be able to take advantage of stimulus grants available from the Federal government."<sup>3</sup> This statement was a reference to Section 1603 of the American Recovery and Reinvestment Act that authorizes the Treasury Department to provide grants for up to 30 percent of the construction costs of new plants begun before December 31, 2010. For this one company, that would mean tens of millions of dollars, money that could go to good jobs and investments in energy conservation and clean energy alternatives such as wind and solar.

Proposed incinerators which would burn municipal solid waste are cropping up like mushrooms throughout the Southeast. For example, Covanta Energy has targeted Chester County, South Carolina for a 1600 ton per day waste incinerator. Local government approval processes have been quick and dirty. Covanta has inspired a bill in the SC legislature which would remove the cap on daily tonnage burned. A study conducted by our organization concluded that arsenic, cadmium and chromium would be deposited six miles from the site. Further, the incinerator would emit 1,200 pounds of mercury and 1.1 billion pounds of carbon dioxide annually. Covanta also plans to meet the December 31<sup>st</sup> deadline for stimulus funding in Elbert County, Georgia. These solid waste incinerators have the added disadvantage of undermining our communities' fledgling waste reduction and recycling programs.

Not only does the federal stimulus program put our communities at risk, it may create a loophole in the National Environmental Policy Act. The US Treasury Department maintains that, "A Section 1603 payment with respect to specified energy property does not make the property subject to the requirements of NEPA and similar laws."<sup>4</sup> Our people need the Environmental Impact Statement process as a counterbalance to the rush to approve and permit polluting projects. Thus, we need a new, dedicated EPA task force to evaluate the effects of stimulus funding on public health, environmental quality and social justice.

I look forward to hearing from you. Thank you for your consideration of our request.

Sincerely,

Janet Marsh, Executive Director  
Blue Ridge Environmental Defense League

*Editor's note: David Mickey, the League's Clean Energy Campaign Coordinator contributed to this letter.*

- 
1. Science, 325:529, October 23, 2009.
  2. [http://epa.gov/climatechange/endangerment/downloads/Federal\\_Register-EPA-HQ-OAR-2009-0171-Dec.15-09.pdf](http://epa.gov/climatechange/endangerment/downloads/Federal_Register-EPA-HQ-OAR-2009-0171-Dec.15-09.pdf)
  3. Carl Strickler's testimony to the NC Utilities Commission Docket E-100, Sub 113
  4. Payments for Specified Energy Property in Lieu of Tax Credits under the American Recovery and Reinvestment Act of 2009, page 20

## **Modular Construction Cuts Cost, Raises Concern**

One of the cost-cutting measures employed by Westinghouse is modular construction of the reactor containment structure. Older plants cast the concrete structure as a unit. Making matter worse is an emergency cooling water tank holding eight hundred thousand gallons of water. This tank would weigh 3,334 tons. For comparison, the total weight of the nuclear reactor vessel itself is 417 tons.<sup>2</sup> The water tank would sit atop the modular structure of the AP-1000 building.

Nuclear reactor shield buildings are supposed to guard against shocks from the outside and provide a barrier to radiation from the inside. Federal regulations require nuclear power plants to withstand earth tremors, severe weather and impacts from missiles and aircraft. 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 these standards. NRC said, "Specifically, the design of the steel and concrete composite structural module (SC module) must demonstrate the ability to function as a unit during design basis events."<sup>3</sup> In response to a question about the AP-1000, the chairman of the NRC replied, "Changes need to be made and additional information needs to be provided."<sup>4</sup> However, NRC itself is a leaky vessel for hope. At the Plant Vogtle nuclear power station in Georgia, Southern Company is pushing to build two AP-1000s. It will require effective action on the part of residents, activists, elected officials and others to prevent an aggressive company with powerful political support from riding roughshod over safety issues.

## **Passive Aggressive Reactor Containment System**

To reduce expensive plumbing, pumps and other hardware, the AP-1000 relies on so-called passive safety systems; that is, in the event of an accident, the reactor is to be cooled and controlled without electrical power and would "require no operator actions for 72 hours."<sup>5</sup> However, this passive design feature is the source of a fundamental weakness so far overlooked by the Nuclear Regulatory Commission.

According to a comprehensive review of the AP-1000 by Arnold Gundersen, recently discovered reactor containment failures at Florida's Crystal River and Pennsylvania's Beaver Valley reactors reveal fundamental problems which point to a dangerous design flaw in the freestanding steel and concrete containment system of the new AP-1000.<sup>6</sup> Gundersen stated the danger bluntly:

The unique AP1000 containment design allows it to develop a preexisting condition that could lead to a reduction in its wall thickness that would result in a rapid release of radiation. This scenario is likely and is not anticipated in the current design basis AP1000 analysis nor in the SAMDA analysis.

(continued)

(SAMDA means severe accident mitigation design alternatives.) According to Gundersen, the NRC underestimates the radiation dose consequences of containment failure in the AP-1000. Corrosion, cracking and leakage in nuclear reactor containment structures are more serious than anticipated by the NRC. And the high-oxygen and high-moisture environment in the AP-1000 makes it even more susceptible to corrosion in inaccessible locations than older plants. The AP-1000 design would siphon radiation leakage from the reactor containment to the atmosphere unfiltered and unmonitored (see diagram on page 1). And this leakage path is more dangerous than those previously identified. In the Crystal River and Beaver Valley plants, the steel and concrete containment have no gap between them; a breach of the steel structure would be blocked by the concrete. But an accident releasing radioactive gases from the AP-1000 reactor vessel would not be kept inside the containment structure because there is an annular gap between the steel containment and the concrete building. This gap is designed to draw air up and release it through the top of the building.

## Old Ideas in New Boxes

The drive for dozens of new plants here and abroad hinges on re-branding nuclear power, making an inherently dangerous enterprise appear safe. To do this, nuclear proponents must make people forget the past, or at least distance themselves from it; hence, the AP-1000 Advanced Passive 1000 megawatt Generation III+ reactor. Voila! But a paint job does not make an old car safer; and eliminating some pipes and valves does not alter nuclear physics. Under the hood, nuclear is still an expensive, dangerous technology. The problems with the AP-1000 center on an inherently unsafe technology. Other problems are political: a deceitful marketing strategy and an oversight agency which mixes promotion with regulation.■

### REFERENCES

<sup>1</sup> *A Roadmap to Deploy New Nuclear Power Plants in the United States by 2010*, Volume II, Main Report, Appendix D: Design Description AP-1000, US Department of Energy, October 31, 2001

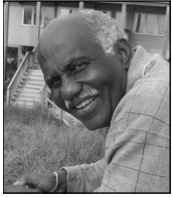
<sup>2</sup> AP1000 Design Control Document Reactor Coolant System and Connected Systems 5.3.4.1, Revision 15

<sup>3</sup> Letter to Westinghouse From Dave Matthews to Rob Sisk regarding AP1000 Shield Building Design, 10/15/2009, ADAMS ML092320205

<sup>4</sup> "NRC chairman says Vogtle design needs safety changes" *The Atlanta Journal-Constitution*, David Markiewicz, November 5, 2009

<sup>5</sup> *Roadmap*

<sup>6</sup> Arnold Gundersen is the Chief Engineer with Fairewinds Associates, Inc., specializing in nuclear safety, engineering, and reliability issues. Gundersen is a nuclear engineer with more than 38 years of experience in nuclear power plant operation, management and design.



## The Importance of Organizing at the Grassroots Level

*By Charles N. Utley, Community Organizer*

Shell Bluff Community in Waynesboro, Georgia, a community within arms reach of Plant Vogtle, has taken a stand to invoke environmental justice in their community. This is a community that has continuously faced the powers that be to see that environmental justice prevails in their community.

This type of grassroots initiative is the backbone of Environmental Justice in America. When communities collectively and cohesively stand against the giants of pollution and poverty in their communities, we have environmental justice at its best.

Organizing at the grassroots level is the most effective way to combat the unwanted disproportion of pollution that plagues most of our poorest communities. Those who rely on Mother Earth for their livelihood have a greater respect for protecting her resources. A community organized at the grassroots level against the undesired polluters, whether industry, city, county or the neighbor next door, has a greater rate of being successful.

Blue Ride Environmental Defense League leadership believes in starting at the core to reach the masses, and that core is at the grassroots level. There is a strong commitment in Shell Bluff to preserve the integrity of the community and protect their health.

We have started a good work in organizing at the grassroots level in Shell Bluff. The fruits of these efforts will spread to others who see the many positive effects that come from organizing at the grassroots level.

Environmental Justice must exert her power to empower the rural communities as well as urban and suburban. There is still a lot of work to be done in organizing at the grassroots level that we can achieve, with the assistance of Blue Ridge Environmental Defense League.

I implore you to join us in this continual struggle to empower the communities through community organizing at the grassroots level; to take a stand against the plague which is nuclear power as the Shell Bluff Community has done. ■

The Obama Administration approved funding for two new nuclear power plants near two existing nuclear power plants, all four of which are in the back yards of Shell Bluff, a predominantly low-income African American community in rural Georgia that currently struggles with very high rates of cancer.■

---

### New BREDL Chapters!

---

#### CHE

Center for a Healthy Environment  
Matthews, NC

Working to *finally* shut down the BMWNC incinerator.

#### SCRAP

Serious Chester County Residents Against Pollution  
Richburg, SC  
Clean Air Campaign

#### SBCC

The Shell Bluff Concerned Citizens  
Burke County, Georgia  
Two new reactors to be built at Plant Vogtle.

#### PON

Protect Onslow County Neighborhoods Foundation  
Onslow County, Jacksonville, NC



# Risk-based standards remain a threat to NC's drinking water



By Sue Dayton, BREDL, NC Healthy Communities

Groundwater is a lot like the arteries in a human heart: it feeds, nourishes, and replenishes the surface waters from which we drink. And sometimes, depending on where we live, we drill wells and drink from these arteries. In North Carolina, over 9 million people require a safe supply of clean drinking water.

Traditional thinking has treated surface water and ground water as if they were two, separate and sometimes unequal, entities. But over the years we've found out that almost all streams, lakes, reservoirs, wetlands, and estuaries interact with groundwater. Ground waters feed surface waters, and what affects one can affect the other. Thus, all waters of NC are destined to be absorbed into our bodies, and our lives. Whether our drinking water comes from a hookup to a city water supply, or a private well drilled in our backyard, these are the waters that people depend on for sustenance.

A rule adopted by the NC General Assembly in April of 2001, called Risk-Based Standards, side-stepped this logic. Instead of preserving the quality of all water, this rule uses a "risk based" approach that bases clean-up on the level of risk to people. For example, if groundwater has been polluted by a common dry cleaning solvent such as perchloroethylene, the groundwater will be "cleaned up" to a much lesser degree if it is not *directly* being used for drinking water.

---

*Whether our drinking water comes from a hookup to a city water supply, or a private well drilled in our backyard, these are the waters that people in NC depend on for sustenance.*

---

Why did the NC General Assembly enact the risk-based standards? The legislators decided that remediation of groundwater contamination takes too long and costs too much.<sup>1</sup> This rule not only threatens drinking water for our families, by default it allows polluting industries to set the standards for drinking water quality for future generations of North Carolinians.

For example, North Carolina has identified 200 sites contaminated with dry cleaning solvent. Underground plumes stretch as far as a half-mile from the source. Contaminated drinking water wells have been found at over 60 sites.

Under the current rule, tainted groundwater, in some cases heavily contaminated by chlorinated solvents, will not be cleaned up to drinking water standards. Instead, state-approved computer modeling will continue to spit out clean up parameters based on so-called acceptable levels of risk.

How will such a decision affect our long-term health, sustainability, and economy? Studies predict that by 2030 North Carolina's population will increase by 50%.<sup>2</sup> Where will clean drinking water come from to quench the needs of an additional 2.8 million people? Shouldn't we protect our precious drinking water supplies, at the very least, for future generations? Clean, potable water is not only a finite resource, it is also irreplaceable. ■

<sup>1</sup> General Assembly of North Carolina, 2001, House Bill 1009: "Consistent Risk-Based Remedial Actions," Sponsors: Reps. Gibson, Baker, Allen (primary sponsors), Arnold, Cole, Cox, Creech, Culp, Daughtry, Fox, Harrington, Hill, Holmes, McMahan, Morris, Owens Smith, Underhill, Warwick, Weatherly, and Wright.

<sup>2</sup> City-Data, quote from NBC news affiliate, 5/24/07.

For more information contact Sue Dayton, (336) 525-2003 or [sdayton@swcp.com](mailto:sdayton@swcp.com)



## Be Safe: Promote Precautionary Action

By Anne Rabe, CHEJ Be Safe Campaign Coordinator

The Center for Health, Environment & Justice's Be Safe Campaign promotes precautionary action to prevent harm from toxic and nuclear exposures. Precaution is a systemic change that transforms the way we approach environmental decision making. This change is rooted in a paradigm shift away from risk and cost benefit assessments that asks, "*what level of harm is acceptable?*" to a precautionary approach which asks, "*how can we prevent harm?*"

The Be Safe Campaign builds momentum for precaution-based policies, such as state bans on bisphenol A and other "bad actor" chemicals in consumer products, commitments from Wal-Mart and other retailers to phase-out products made with polyvinyl chloride (PVC), the poison plastic, and a state Pollution Prevention and Green Chemistry Institute in New York. A recent victory was the approval of a Chemical Avoidance List recommendation to guide New York's Green Purchasing Executive Order. The state would avoid purchasing products with 85 chemicals, including carcinogens, persistent, bioaccumulative toxic chemicals (PBTs) and brominated flame retardants (PBDEs). See our *Green Purchasing Tool Kit* at [besafenet.com](http://besafenet.com) for more information.

Be Safe is working with BREDL and North Carolina communities on Community Visioning Meetings to develop and promote "green job" projects to replace proposals for dumps, waste to energy plants and other polluting facilities. The first victory was in Person County which has successfully established a county materials recovery facility and we look forward to working with 3 more communities in the coming year.

On the nuclear issue, Be Safe and a coalition of groups obtained \$90,000 in state funding to hire economists and scientists to conduct a study on a nuclear site near Buffalo, NY. *The Real Costs of Cleaning Up Nuclear Waste: A Full Cost Accounting of Cleanup Options for the West Valley Nuclear Waste Site*, investigated the costs of digging up radioactive waste versus leaving waste buried onsite for the first 1,000 years. (The wastes will be dangerously radioactive for tens of thousands of years). The study revealed leaving buried waste at the site is both high risk and expensive, costing \$13 and \$27 billion if a catastrophic release occurs, while a waste excavation cleanup presents the least risk to a large population and the lowest cost at \$9.9 billion. The report helped convince the government to reduce their cleanup decision-making time frame from 30 years to 10 years and agree to investigate a pilot waste excavation project. See CHEJ's *True Cost Environmental Tool Kit* at [besafenet.com](http://besafenet.com)

Be Safe recently launched a project to help communities facing proposed reactors wage an effective publicity campaign that articulates why "no nukes" is good for a community's economy, environment and public health. Building on the recent victory in Vermont which voted to shut down the Yankee reactor, we helped groups fighting the Bellefonte TVA reactor in Alabama craft a publicity plan and will be working with groups in Georgia and New York. See CHEJ's new ***Media & Messaging Tool Kit*** at [besafenet.com](http://besafenet.com).

Anne Rabe, CHEJ's Be Safe Campaign Coordinator, has 30 years of organizing experience on environmental, health and social justice issues working for national, state and local organizations. She works in a satellite CHEJ office near Albany, NY and can be contacted at [anne@chej.org](mailto:anne@chej.org) or 518-732-4538. ■





# Clean Up North Carolina's Energy Policy!

*By David Mickey, Clean Energy Campaign Coordinator*

The 2007 renewable energy policy was already dirty. The legislation that launched the state into the uncharted territory of renewable energy listed a variety of eligible energy fuels to generate electricity. In one category were resources that would not contaminate the air and devastate the landscape: solar, wind, hydropower, geothermal, ocean current or wave energy. Unfortunately, the legislators went on to add agricultural waste, animal waste, wood waste, pulping liquors, combustible residues, combustible liquids, combustible gases, energy crops, and landfill gas. Swine wastes, poultry wastes and solar received special attention with a mandate that the state's utilities "set-aside" a certain amount of those resources for electricity generation.

Companies, both new and existing, soon appeared before the North Carolina Utilities Commission to seek certification of their own particular projects. While the fuel burned to generate electricity has profound consequences for the environment, it is the Utilities Commission that decides what can be burned. The result is a growing list of certified renewable fuels that already includes "refuse derived fuel" (garbage), shredded tires, and sewage sludge. Currently operating plants burning railroad ties, particleboard, paper mill sludge, and cotton waste in addition to wood waste have also received the Utilities Commission certification.

The result is an energy policy that promotes pollution in the name of "green energy". Protecting the public health of local communities is relegated to a "Best Available Control Technology" (BACT) that allows permitting of virtually any facility. If the state says that's the best a company can do, that's good enough *regardless* of the increased emissions.

North Carolina has been called the "Saudi Arabia" of biomass. Biomass proponents previously cited the state's agriculture, timber, swine and poultry industries as an endless source of fuels for their green energy future. But now these same proponents are asking new questions about the North Carolina's capacity to both generate biomass electricity *and* provide biomass feedstocks for the new biofuels industry. Limbs and branches will not be enough, say the woody biomass promoters. They will have to divide up the forests.

Those forests could soon disappear. The demand for woody biomass will inevitably lead to the replacement of what we know as forests with genetically engineered species of trees grown in so-called monoculture plantations. Is this what the state's leaders intended?

A recent poll by Elon University found that a majority (52% to 39%) of respondents opposed "using wood, trees, leaves, or other forest products as fuel to produce energy".<sup>1</sup> While legislators have not been polled on this question, it is unlikely that a majority supports burning forests to generate electricity. Yet that is exactly what they enacted in 2007.

It is time to change the direction of North Carolina's energy policy. Legislators who obviously did not see or understand the consequences of their actions in 2007 must now be questioned about how North Carolina will move toward a renewable energy future that also protects public health and the environment. Communities targeted for incinerators must be given the tools to organize and resist. The utilities that contract for dirty power must hear from consumers that they will not pay more for dirty electricity that comes with a price tag of more pollution.

Emissions matter. An energy policy that ignores emissions and promotes incineration at the expense of public health harms people and fails North Carolina. Those who make policy can change policy.

Saudi Arabia is a desert. Don't let North Carolina become another Saudi Arabia.■

---

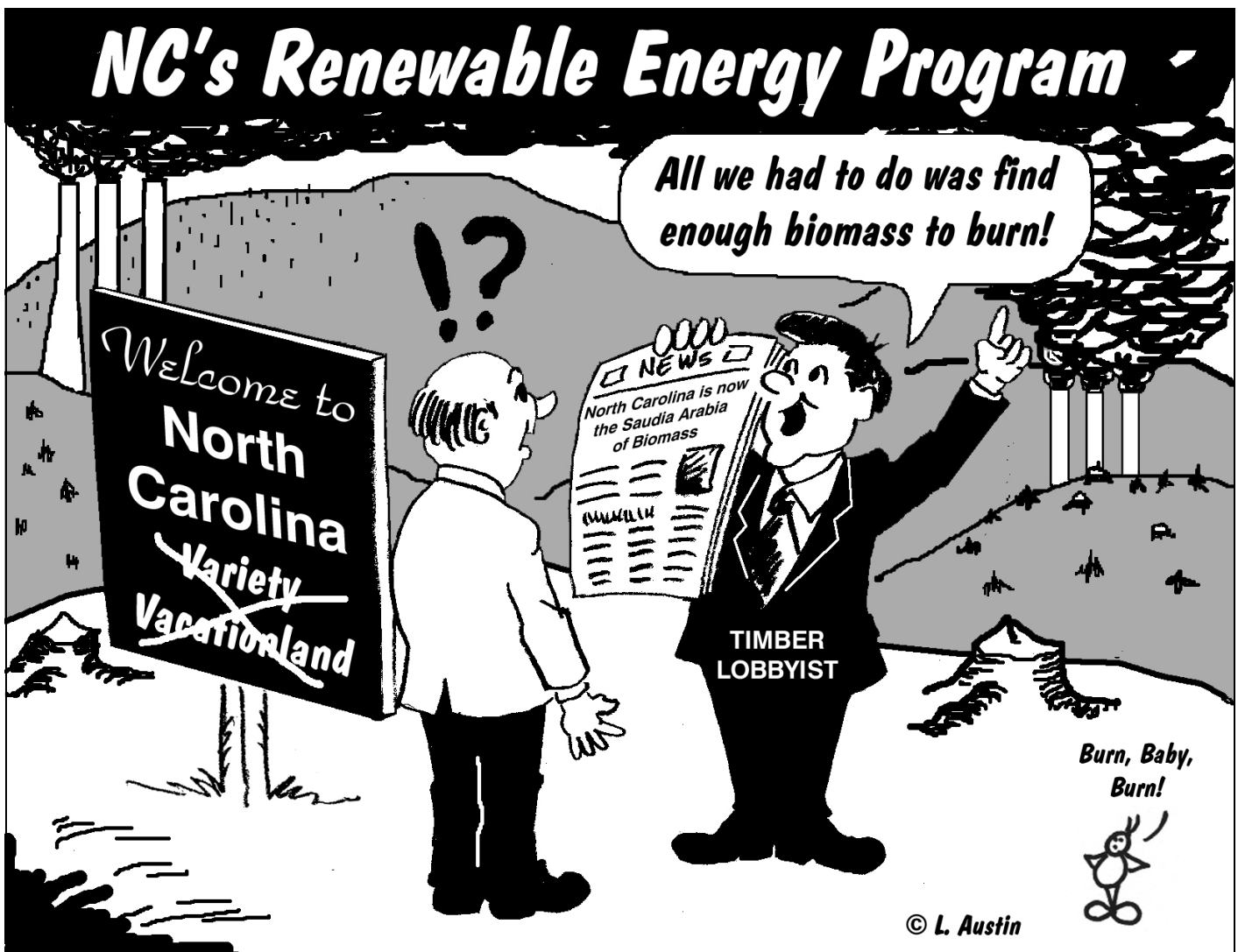
<sup>1</sup> Elon University Center for Public Opinion Polling March 2010

## Impact Fund Grant Awarded

The Blue Ridge Environmental Defense League is pleased to announce the award of a \$10,000 grant from the Impact Fund in support of our Clean Water Act challenge in Virginia. Impact Funds will be used for technical experts and other expenses.

The case, *Blue Ridge v. Commonwealth of Virginia* (Case No. 07-6083) is a groundbreaking lawsuit with potential national significance. Last year, the League overturned the NPDES permit for Dominion-Virginia Power's North Anna nuclear power plant. Now the company has appealed and the League must continue to defend the people of Bumpass, Virginia from the straight piping of pollution into Lake Anna.

The Impact Fund awards grants to advance the causes of civil and human rights, environmental justice, and poverty law. The Impact Fund, based in Berkeley, California, supports public interest litigation that will benefit a large number of people, lead to significant law reform, or raise public consciousness.■



# Toxics In Soil Increases Neighbors Concerns

## Alamance County Family fights For Rights



*By Julius and Beverly Kerr*

Concerns in a neighborhood near Graham escalated recently, when soil sampling analysis by BREDL confirmed heavy metals—cadmium, chromium, lead and zinc—are elevated far above background levels in the vicinity. Their neighbor is a polluting industry. Since 2006 neighbors have been trying to understand why South Atlantic Galvanizing has been allowed to operate without pollution limits, undergo no outside monitoring and comply with no state or federal permits.

Julius and Beverly Kerr have lived and worked in Alamance County most of their lives. For 25 years, they have operated a Christian childcare program out of their home in Graham. Every weekday, dozens of children are welcomed into their home and onto their playground. The Kerrs consider it a mission to keep the children safe and happy at *A Storybook Farm*.

Now there is growing concern among the citizens in this rural community about environmental trespass of home and land and bodies, just so this polluting industry can operate among homes, farms, child care centers and other small businesses

The Kerrs are forming a neighborhood environmental group and are seeking help through BREDL, who advises continued monitoring and logging of emissions and other galvanizing impacts. The goal is to secure regulation of steel galvanizing plants and to reduce pollution from South Atlantic Galvanizing specifically.

Who's going to shield us from toxic noise and chemical exposure since there seems to be no corporate accountability, but only avoidance of responsibility? Who's going to protect unsuspecting citizens from the encroachment that stops us from using our home and business? Who's going to protect the civil liberties we are entitled to as American citizens?

***The American Galvanizers Association (AGA), states "Most galvanizing operations are privately held with sales range from \$5 million to \$50 million." Somewhere in that sort of budget should be room for environmental protection.***

***According to the EPA, their mission is "to protect human health and to safeguard the natural environment—air, water, and land—upon which life depends." That is why BREDL and the Alamance County community call on the state and the federal government to investigate this public health risk. ■***

---

South Atlantic Galvanizing website: [www.southatlanticllc.com](http://www.southatlanticllc.com)

---

For more information, contact Beverly Kerr at [beverlykerr@triad.rr.com](mailto:beverlykerr@triad.rr.com) or 336-376-9060.

---

## 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](http://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](http://www.BREDL.org)**. For more information contact BREDL at 336-982-2691.

All donations help BREDL's mission and are tax deductible.

Name \_\_\_\_\_

Street \_\_\_\_\_

City/State/Zip \_\_\_\_\_ Email: \_\_\_\_\_

Date \_\_\_\_\_ Chapter \_\_\_\_\_

(Please be sure we have your email address so we can send you updates and alerts!)



BREDL  
PO BOX 88  
Glendale Springs, NC 28629  
336-982-2691  
[www.BREDL.org](http://www.BREDL.org)  
ADDRESS SERVICE REQUESTED

Non-profit Org.  
U.S. POSTAGE PAID  
Glendale Springs, NC 28629  
PERMIT NO. 1