



# BLUE RIDGE ENVIRONMENTAL DEFENSE LEAGUE

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## The LEAGUE LINE

Summer 2015

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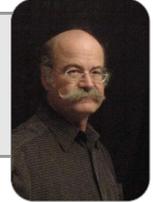
2014



### Natural Gas Power Plants

More Formaldehyde than Coal, No Help for Global Warming

By *Louis A. Zeller, Executive Director*



Generating electricity with natural gas-powered turbines is a dead-end technology.

Natural gas fuel, once deemed to have advantages over other fossil fuels such as coal, is the wrong thing, in the wrong place, at the wrong time. A close look at the Richmond County Combustion Turbine Facility in Hamlet, North Carolina, demonstrates that the failures of natural gas are both technological and regulatory.

The substitution of natural gas for other fuels has been based on marginal differences in emissions of greenhouse gases and other pollutants. However, the

supposed advantage of natural gas was based on a limited view of the pollution problem, taking into account only emissions from the smokestack or the tailpipe. If one considers only the end use, natural gas emits less greenhouse gas than other fossil fuels. But this is short sighted. Natural gas is extracted from the earth. Fugitive emissions—releases of gas which occurs during extraction and transport—must be considered part and parcel with other impacts of burning of natural gas. When this is done, the apparent reductions in global warming pollution disappear.

A Union of Concerned Scientists study estimates that unburned natural gas escaping from production infrastructure is equivalent to emissions from about 170 coal-fired power plants. A total of 7.7 million tons of methane are released annually by oil and gas production facilities: wells, processing, compressors, transmission and storage. Methane, the principal component of natural gas, is 34 times more powerful than carbon dioxide at trapping heat. In fact, reducing coal use from the present 74% to 40% of the power supply by mid-century and substituting natural (Continued on pg. 7)

### 28 Counties Drink Our Water



By *Mara Robbins*

On July 9<sup>th</sup>, 2014, my friend Bill Kovarik entered a post on our local “Floyd Group,” a Facebook forum that now has nearly 2500 members, with this alert and challenge: “Its official—Floyd now has a pipeline fight on its hands. First step: Get informed. Sec-

ond step: Get organized.” That was my introduction to the Mountain Valley Pipeline (MVP). My friend Anne promptly created a Facebook page. We decided to pull the name “Citizens Preserving Floyd County” out of the relics of history, and Preserve Floyd was born.

A few days later, Bill and I spent a couple of hours discussing what it means to “get

organized.” We planned a meeting at the Floyd Country Store, expecting 20 or 30 folks to show up. By July 17, with only a three-day advance notice (mostly through flyers, phone calls, email and an announcement in our local paper) 117 people packed into the room for a community meeting. Suddenly, we had a movement on our hands.

The next week we spent hours



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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 over twenty-eight 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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forming committees, creating tasks and deciding how we'd proceed. Our initial plan evolved daily. By August 21 we had ten committees. We met weekly, planned community meetings and various creative events and showed up every Saturday at the Farmer's Market with our latest handouts.

When it's put into paragraphs, this sounds a lot easier than it was. There were interpersonal conflicts. There were hurt feelings. There was a pressing sense of urgency. Landowners were traumatized and we were all disgusted by the treatment and disinformation from the companies working with the MVP. Still, we supported each other, bringing food to share and offering reminders to get enough sleep. We persisted.

Because there was no detailed map, a local fellow who was familiar with GIS programs tracked the path through mapping calls from landowners who'd been contacted. We passed on the information to our local government and they made an official map with the Floyd County seal on it and a long red line indicating potentially affected landowners. We had a common goal, and we reminded each other of that through each daunting task.

The route changed, still inside the County. Our board of supervisors reached out to the companies and tried to get more information, a meeting—anything. We suggested a resolution requiring a meeting with EQT before they were allowed to do any more surveying, based on one that Friends of Nelson, a group opposing the Atlantic Coast Pipeline (ACP), had passed. The board drafted and approved it in record time and a meeting was scheduled for October. A few weeks later, the route changed again. This time it moved outside of Floyd County's borders.

“Winning” seemed surreal. And I was frustrated that a “win” removed the sense of urgency for many who were relieved to ease back to their “normal” lives—evenings without meetings and preparations for winter with the threat removed. I threw my shoulder behind the wheel of the growing resistance in other counties and many key players from Floyd continued to participate.

Nine months later, I still hear the question: **How did Floyd do it?** Each time I'm asked I have a different answer. There are so many. But in the interest of participation, I'll offer a list of what I think contributed to our success:

*Our message was consistently about protecting our water. In the process, we educated ourselves about water issues and passed that info along to the rest of the community.*

*Water is life and we felt that our life—and our way of life—was threatened. We expanded our definition of “environment” to include our lives beyond the ecosystem.*

*We made sure we had facts. If we were not certain that the information we provided was accurate, we said so. We used the words “likely” and “probably.” A project of this scope has never been implemented across the fragile, steep, karst-riddled and fractured-rock terrain of the Alleghany-Blue Ridge region. There is very little actual data to cite, so if we speculated, we said so.*

*We were determined to be as transparent as the corporations were being deceptive. We also needed to be as reliable as the companies were being unreliable. The MVP gave us plenty of material to draw from. They lied, did not communicate, and did not provide adequate or accurate information. We established, nurtured and maintained trust. They did not.*

*We did not reinvent the wheel, borrowing language and templates from Friends of Nelson and the Augusta Alliance who were a step or two ahead of us, given that the ACP was proposed a couple of months before the MVP. We modified letter-writing toolkits, utilized graphics from other groups and created and freely shared our own. We looked carefully at movements that were achieving strong support. We kept our focus local but networked vigorously through social media and email, collaborating beyond Floyd, making new connections and utilizing existing ones.*

*We allowed autonomy for group leaders, trusting each other to make sound decisions about smaller*

*things in the moment if necessary and proposed larger choices to the entire group before proceeding.*

*Within a few weeks, we had the vice-president of the local ministerial association at our group meeting and worked with her to arrange for a half-sheet handout to be included in most of the church bulletins in the county. This was one very important way in which we got the word out.*

*We reached out to farmers and our local extension agent. We focused on the dangers and complications of the pipeline to farmers, such as special crossings being needed for farm equipment and explosions related to tractor crossings, etc. We valued their voices.*

*We showed up well-prepared at town and county meetings with thick folders of information intended to educate and empower our supervisors.*

*We worked effectively with local and regional media, cultivating good relationships with reporters and camera operators and photographers. We were available, willing and confident in our messages.*

*We did not seek out legal representation right away. We represented ourselves. Though we did legal research and investigated the potential of various legal actions, we focused more on the things we could do within our own skill-sets and growing knowledge-base.*

But perhaps the most important thing we did was to prioritize the creativity in our community. We valued the voices of our artists, our puppeteers, our musicians, our filmmakers and our poets. We encouraged creativity and gave great value to all forms of expression, lending personal passion to our communications of every kind. We're still doing that to this day.

Finding ways to make our messages memorable increased our effectiveness exponentially. One example comes from a new song by a local songwriter. "Our Bodies, Our Water" became one of our community anthems. It celebrates our water: "28 counties/drink our water/wash their babies/grow their food//from these headwaters/it flows 10,000 miles/ain't no time/to sit and brood/ /Cause we've got trouble/in the mountain valleys/ this is bigger/than our back yard/ this is raping/all that we've come to preserve/it's time to join hands/ both near and far."

Yes, Floyd County's watershed actually reaches that far. But the song transcends the facts and tells our story. It reaches into the heart and evokes a sense of caring. It simply and intimately describes what we DO with that water. The connections make it memorable and uplifting. Such creative energy and passion sustains the work in ways that benefit everyone. As Theodore Roosevelt, a wise and

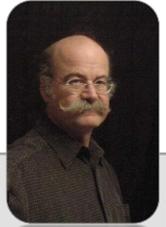
visionary leader, once said: "People don't care how much you know unless they know how much you care."

A year later, there exists Preserve Franklin, Preserve Bent Mountain, Preserve the NRV, Preserve Montgomery County VA, Preserve Giles County, Preserve Monroe, Preserve Greenbrier County, Preserve Craig, Inc., Preserve Roanoke, and Citizens Preserving Rockbridge County. The connections reach all the way from West Virginia to Pittsylvania, and we are networking effectively with central VA, WV and NC regarding the ACP. We did not plan for the "Preserve" movement to grow and expand the way that it has. We did not try to control it. We just engaged whenever we could and marveled at the evolution.

We're still writing songs, showing up for meetings and protests, and constructing community bill of rights resolutions that will help to proactively prevent another attack from another energy company. And we're ready to jump into action again if need be. Because "what we stand on is what we stand for," and "community is stronger than corporations," and "our water is your water." Preserve Floyd not only came up with those slogans, we've made them our way of life.

## Director's Report: Community Organizing 101

By Louis A. Zeller, Executive Director



I was hired by Blue Ridge Environmental Defense League as a community organizer in 1986. At the time, my home county was on a federal list of sites for a national nuclear waste dump. We had organized a county committee to oppose the plan to dump 70,000 tons of dangerous waste from scores of commercial nuclear power plants. BREDL offered us help. Since I was already doing the work of organizing, I was pleased to be offered a small salary and gas money. It felt good to have someone recognize the worth, the value, the merit and the importance of community organizing.

Working together with others in North Carolina, Virginia, Tennessee and across the country, the Blue Ridge Environmental Defense League went on to stop the high-level nuclear waste dump; it took five years. Since then, we have also stopped a low-level nuclear waste dump, prevented the nation's second-largest waste incinerator, prevented, shut down or hobbled eight others and prevented scores of waste dumps and polluting smokestacks in Virginia, North Carolina, South Carolina, Tennessee and Georgia.

For three decades we have fought for environmental justice. We have expanded our presence and had major impacts on a variety of issues at local, state and national levels. We work with allies in many nations. We addressed meetings at the United Nations, and traveled to Russia and Japan. The Internet has extended our reach to Ireland, South Africa, Turkey and New Zealand.

The tactics of community organizing are well known: get the facts, talk to your neighbors, call a meeting, form a committee, make a plan, take action. It doesn't take long to say, but it takes awhile to carry it out. Why do we do it? It works.

I have learned that community organ-

izing requires a jack-of-all trades approach, an appreciation for group dynamics, a measure of patience, and most of all taking real pleasure in working with people. I do not subscribe to the notion that an organizer must remain invisible or in the background in order to allow local leaders to develop. On the contrary, I believe we inspire bold leadership in grassroots groups by being forthright in our advocacy of ideas and principles which promote high ideals and social change. Teaching by example is the most efficient and effective way to educate and motivate other adults.

Typically, a grassroots campaign begins with a telephone call or an e-mail from someone with a concern and a plea for assistance. If effective assistance cannot be rendered long distance, then a trip to the local community is required. At the first meeting, we bring information about the environmental issue at hand and some basic organizing tools. As soon as possible, we organize a dedicated group, choose a name and a broad goal. This process provides clarity of purpose and unifies the group. Committees are formed for fundraising, publicity and research. From the beginning, open discussion and democratic decision-making are the rule of the day. At the earliest opportunity, we hold a planning and strategy session which advances the group from simply responding to events to taking the initiative.

When we work with a new group we ask questions which inspire thinking about greater goals as well as immediate needs: How far are you willing to go? Who else is affected by this issue? Why would they help us? When we plan a campaign we ask: What will advance our principal goal? What might we do which our opponents are not expecting us to do? Who has the power to help us and how can we get them involved?

Some environmental policy includes grey areas which do not lend themselves to obvious solutions. A community organizer must analyze complicated problems and give insights which lead to clear paths of action. For example: we found that a state permit was based on false information. Presenting this data at the public hearing gave residents an entirely new level of understanding regarding the pollutants emitted, the dishonesty of the company and the corruption of the permit process. The action steps followed naturally: members of the community group testified before the county board, something which they had never done. The die was cast. Teamwork and initiative led to victory a year later.

The Blue Ridge Environmental Defense League has evolved over the years, but we still hire community organizers from the field. We arrive early, stay late, and come prepared. Our approach addresses root causes—pollution as a social problem—and fosters people taking control of their lives. Putting the bulk of our efforts into community organizing is the most effective and democratic way to bring social change, an outcome which mere advocacy cannot match.

Since 1984 the Blue Ridge Environmental Defense League has prevented the deterioration of the quality of life in many communities. The preservation of local control and the promotion of clean industry have enhanced social and economic aspects of human life. Our blocking of the divide-and-conquer strategy of our opponents with the unifying theme embodied in the slogan "not here, not there, not anywhere" has created stronger, safer, and more ethical communities. Our mission is difficult. But, in the words of our Board of Directors Co-president James A. Johnson, "We don't quit; we find a way to do it."

## Export Exposé and the Renewable Revolution

By Diana Tarazzo

Recently, Roanoke Times reporter Duncan Adams released a story linking the controversial Mountain Valley Pipeline to an export project. As confirmed by Ruben Rodriguez, spokesman for the project, the natural gas transported via the Mountain Valley Pipeline could be bound for India. The private land EQT Corporation and NextEra Energy are forcing owners to cede on the basis of eminent domain is not in the name of “public good” at all.

Unfortunately, this represents a trend in the natural gas industry. The United States Department of Energy (DOE) has received 53 applications for long-term permission to export liquefied natural gas (LNG) to foreign countries. All of the applications received by the DOE have either been approved, or are pending approval. What is more, many of the applications propose exporting to non-Free Trade Agreement countries.

The United States Department of Energy’s mission is to ensure America’s security and prosperity by addressing its energy, environmental, and nuclear challenges through “transformative science and technology solutions.” Allowing dangerous pipelines to transport billions of gallons of fracked gas daily could hardly be considered advancement to our national security. Forcing owners to give up their land for the purpose of transporting gas that is bound overseas in no way increases our nation’s prosperity.

In the last issue of *The League Line*, Mara Robbins reported on Dominion’s Cove Point LNG Liquefaction project, located on Chesapeake Bay near Lusby, Maryland. On March

25, Dominion celebrated the construction of the project.

In a public statement following the celebration, Dominion Chairman Thomas F. Farrell II admitted that the facility will not be supplying domestic energy at all. In fact, Cove Point does not even have permission to distribute natural gas to homes in the community where it is located.

“Cove Point will supply critical American allies in India and Japan with much-needed natural gas that will help reduce global greenhouse gas emissions,” said Farrell. “Although the doubters said it could not be done, in late 2017 our liquefier will be online, and ships will begin receiving LNG for export.”

Farrell argues that by allowing Covepoint to become an export facility, Dominion is creating thousands of jobs and benefiting the economic environment. Evidence paints a very different story.

According to the US Energy Information Administration (EIA), an independent statistical and analytical organization within the DOE, LNG exports are not likely to affect the overall level of employment in the US. Further, the EIA reports that increased natural gas exports will lead to increased natural gas prices. Succinctly, the more we export, the more we will pay for domestic natural gas.

In 2014, the United States DOE invested about \$51.8 billion in clean energy, according to the Sustainable Energy in America Factbook produced by Bloomberg Finance. In 2004, the United States DOE invested \$10.4 billion. This means that in the last 10 years, the US has increased its investment in renewable energy five-fold. But

work remains to be done.

Converting Cove Point from an import facility to a high volume export facility will cost an estimated \$3.4 to 3.8 billion. These are billions of dollars that could have been put toward a renewable revolution in the United States. Instead, we are creating a natural-gas dependent coalition overseas.

That 3.8 billion dollars represents a staggering seven percent of the total money the US has invested in clean energy—money that could have gone toward innovative new wind energy solutions or designing more efficient solar panels. While we may not have the power to decide where big business puts its money, we have the power to question what is happening in our community, safeguard America’s resources and fight for the future of our energy.



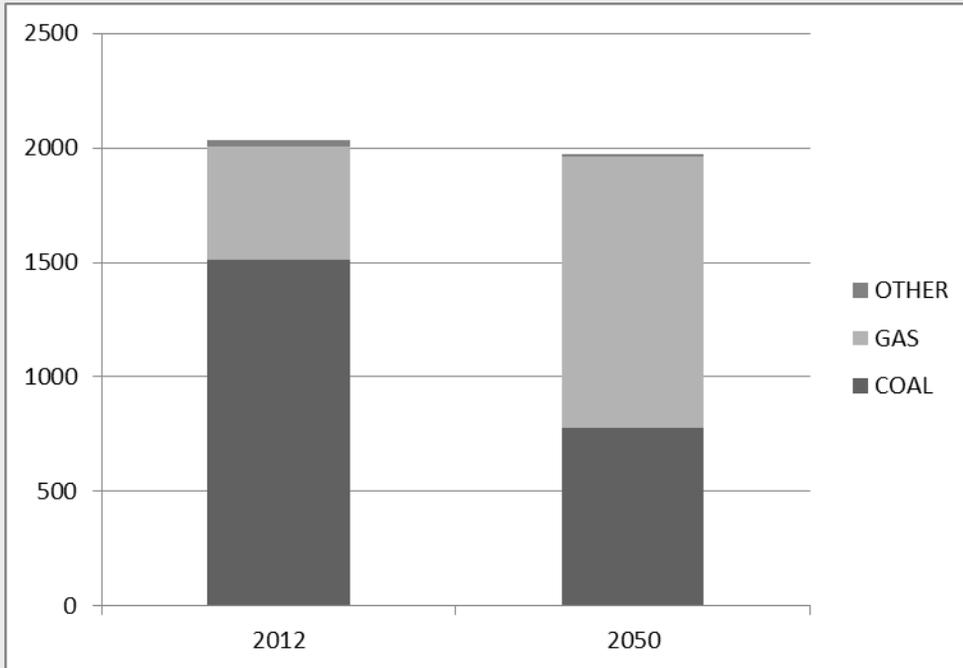
**Diana Tarazzo** is a rising junior at Duke University majoring in Environmental Science and Policy, with minors in English and Economics.

She hails from the colorful city of San Francisco, and has a strong interest in energy, environmental economics, resource development, and issues of environmental justice. She is also passionate about writing and journalism, and hopes to find ways to tie her interest in the environment with her love of writing. This summer she has a Stanback Internship funded through Duke, which has connected her with BREDL. She is currently working on a LNG pipeline project, and is very excited to be part of the BREDL team! She can be contacted at :

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(Continued from pg. 1) gas would reduce global warming emissions by only 3% (from 2,036 to 1,972 million metric tons, see graph).

*Global Warming Emissions are Unchanged by Substituting Natural Gas for Coal*



Natural gas combustion releases a wide variety of hazardous air pollutants: benzene, toluene, dichlorobenzene, arsenic, cadmium, chromium and formaldehyde. In fact, some of these pollutants are emitted in greater amounts from natural gas than coal. For example, for a given amount of electricity, emissions of formaldehyde from natural gas are 800% higher than from coal. Formaldehyde is a nearly colorless gas with a pungent, irritating odor even at very low concentrations. It is a probable human carcinogen. It is an eye, skin, and respiratory tract irritant. It can produce narrowing of the bronchi and accumulation of fluid in the lungs. Children are more susceptible to the respiratory effects of formaldehyde than adults.

Yet, last year the NC Division of Air Quality approved a permit which specifically exempts the Richmond County Combustion Turbine Facility from federal formaldehyde restrictions, stating: *Removed Formaldehyde requirements under 40 CFR 63 Subpart YYYYY due to a stay on the effectiveness of the emissions and operating limits under 40 CFR 63.6095(d) that is in place until final action is taken by the EPA in the Federal Register.* Duke Energy Progress operates the facility and requested and received permission to expand the plant by 36% and permit the following pollution levels.

Nitrogen Dioxide	3,514,000 lbs./year
Sulfur Dioxide	714,800 lbs./year
Carbon Monoxide	3,985,800 lbs./year
Particulates/PM-10	303,600 lbs./year

The DAQ's reference to Subpart YYYYY of the National Emission Standards for Hazardous Air Pollutants for Stationary Combustion Turbines is the rule setting operating limits on all hazardous air pollutants emissions, including formaldehyde, from combustion turbines. Clearly, the permit engineers in Raleigh are aware of the law. A forthcoming challenge of the Richmond County Combustion Turbine Facility by BREDL and the Concerned Citizens of Richmond County to the US EPA will detail (Continued on pg. 8)

(Continued from pg. 7) this and other pollution comparisons.

The evidence we have compiled shows that the Richmond County turbine plant is not in compliance with air quality standards. The photographs taken of dense smoke and the complaints made to officials by Richmond County residents indicate that the plant is in violation of the limit on opacity and particulates. Particulate matter can be emitted from the smoke stack or formed in the atmosphere when gaseous pollutants such as SO<sub>2</sub> and NO<sub>x</sub> react to form fine particles. Human health risks caused by exposure to particulates include damage to lung tissue, cancer, and premature death. The elderly, children, and people with chronic lung disease, influenza, or asthma, are especially sensitive to the effects of particulate matter.

The photograph in this issue of the League Line illustrates the problem. Residents of the Waymon Chapel Road community next to the turbine facility took photos near the plant in summer and winter, pointing to illegal emissions of thick smoke, accompanied by a metal taste and a burning smell.

*June 16, 2014, Hamlet, NC,  
Photo by Kim McCall*



The negative impact of the turbine plant on health, livelihood and well-being of local residents requires immediate attention. The plant is located in a county with a high percentage of African American residents and a high level of people below poverty level. The latest census data reveal Richmond County's population is 31% black, which is 41% above the state average. And 24.8% of residents live below poverty level, compared to the statewide level of 16.8%. In other words, Richmond County has 47% more of its people living below poverty level than other counties in North Carolina. Advocates nationwide argue that, because poor people of color bear a disproportionate burden of pollution, these communities should receive a greater share of money and technology to reduce pollution and close loopholes. Environmental justice law indicates that the disproportionate impacts of air pollution should be offset by greater attention to pollution sources and the reduction of air pollution wherever possible. Let's make Hamlet, North Carolina a test case.

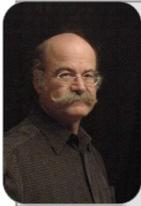
Sources:

-Union of Concerned Scientists. Emissions are annual greenhouse gases in millions of metric tonnes.

-Permit 08759T17, page 34-35, issued by NC DAQ July 18, 2014 to Duke Energy Progress, Inc., Richmond County Combustion Turbine Facility. An Attachment to the permit listed changes that were made to the previous permit No. 08759T16

-US Census Bureau Quick Facts, Richmond County, <http://quickfacts.census.gov/qfd/states/37/37153.html>

-*Environmental Justice for All: A Fifty State Survey of Legislation, Policies and Cases*, Fourth Edition, , University of California-Hastings College of the Law, February 15, 2010



## Nuclear Update

Louis A Zeller, Executive Director

Currently, there are new five reactors under construction at three nuclear power plant sites with Combined Licenses. A Combined License, or COL, permits both construction and operation (10 CFR Part 52). On February 10, 2012, combined licenses were issued to Southern Nuclear Operating Company and its financial partners for the Vogtle Electric Generating Plant Units 3 and 4. On March 30, 2012, combined licenses were issued to South Carolina Electric & Gas for the V.C. Summer Nuclear Station Units 2 and 3. On May 1, 2015, a Combined License was issued to DTE Electric Company (formerly Detroit Edison), for the Enrico Fermi Nuclear Plant Unit 3. In addition to these five, an older reactor, Watts Bar Unit 2, which has been under construction since 1973, is expected to begin operation within the next year.

**COST OVERRUNS**—Plant Vogtle is now more than three years behind schedule and the total project costs are at least \$4 billion over budget. The prospect of further delays has caused some to project an average completion date in 2022. With a projected average construction cost of \$9,149 per

kilowatt for each unit’s 1117 MWe Net Design Electrical Rating, the total would be \$10.2 billion per reactor, or \$20.4 billion for Units 3 and 4.

At V.C. Summer, contractors estimate an additional \$1.2 billion in construction costs for Unit 2 and Unit 3, initially projected to cost \$9.8 billion, and further cost increases are expected.

Construction delays are now expected to push completion into 2019.

The \$2.5 billion originally budgeted by Tennessee Valley Authority in 2007 to finish the Watts Bar Unit 2 plant has grown to an estimated \$4.5 billion. This “ice condenser” plant is a dated design developed in the 1970s. (See the Spring 2013 issue of the League Line for more on ice condenser reactors.) The start-stop-start construction schedule has resulted in some reactor components being 40 years old even before the plant begins operation.

### THIRTY YEARS OF CONSTRUCTION PROBLEMS

The U.S. Nuclear Regulatory Commission has the responsibility to perform inspections and audits to oversee the commercial nuclear industry to determine whether its requirements are being met by plant operators, license applicants, and their contractors.

The results of NRC quality assurance (QA) inspections and audits can be found on the NRC’s “QA Inspections for New Reactor Licensing” web

page at [<http://www.nrc.gov/reactors/new-reactors/oversight/quality-assurance/qual-assure-license.html>]. To oversee quality assurance, the NRC manages a Construction Inspection Program at plant sites. The core of the Construction Inspection Program is carried out by the NRC’s resident inspectors. The on-site resident inspector’s job is to assure that the actual facility as constructed conforms to the conditions of the license. However, Quality Assurance at nuclear reactors is an ongoing problem. In a report to Congress, *Improving Quality and the Assurance of Quality in the Design and Construction of Nuclear Power Plants, NUREG-1055*, the following problems were identified by the NRC:

“While some of the four projects studied had experienced extensive management problems, all had had problems implementing the quality assurance program, a key management control program for any complex project. Each nuclear construction project studied that had significant problems in the quality of design or construction was characterized by the failure to effectively implement a management system that provided effective oversight over all aspects of the project.”

This report to Congress was issued in 1984, but a review of current construction projects reveals that the omissions, defects and excuses continue. With construction management problems dating back at least three decades, the continuing litany of snafu’s point to a nuclear power construction program of accidents waiting to happen.



## United Landowners & Connected People Work to Preserve Franklin

*Carolyn Reilly, VA Community Organizer*



Franklin County consists of 690 square miles of beautiful rolling land in the foothills of the Blue Ridge Mountains and 21 square miles of shimmering, cool abundant water (making up 3 % of the county). It is here in this sprawling landscape that Mountain Valley Pipeline has hopes of stretching a 42” pipeline, forcing the land to bear the longest length of the 300 mile monstrosity, as well as proposing to use the open cut method *through* 102 water crossings. There are many revelations and truths like this that have been uncovered and shared amongst the grassroots group of Preserve Franklin, a chapter of BREDL.

Over the last three months, many people have dedicated their time and energy to raise awareness and concerns throughout the county about the proposed pipeline. Franklin is big, but our collaboration is bigger. We have brought our county’s folks together, united in purpose: to STOP the MVP.

Our work has included:

### **Monthly Preserve Franklin Meetings**

We have been rooted in our commitment to holding monthly informational meetings for the public. With a variety of speakers and special programs, the monthly meetings provide a time for questions and answers, meeting and sharing stories with others, as well as connecting and helping with special events and outreach.

### **Presence at Board of Supervisor Meetings**

Franklin County’s BOS holds its meetings on Tuesdays at 1:30pm. As you can imagine this time is not always easy for people to attend; however, many locals have made the effort to attend consistently. Any public comment is limited to 3 minutes and they only allow one speaker per month per topic. Between this frustration and being ignored by most of the Board, seeking the help of local government has been discouraging for our group. Yet, we have persevered. We will continue to voice our concerns to those who are voted into office to listen to us and protect our rights.

### **Flatline the Pipeline Music and Arts Festival & FUNraiser**

Because of a desire to develop an event that would draw attention to a variety of people in Franklin County and beyond, we developed a FUNraiser incorporating music and the arts. The Flatline the Pipeline event brought a creative and talented group of people together; a musician, a sound technician, an artist, a farmer, a voice-over professional, and several retirees. Held in early June, the Flatline the Pipeline (“FTP”) Festival was planned in just over 8 weeks. Preserve Franklin raised approximately \$1000, had over 150 in attendance (including folks from surrounding counties), plus great publicity through several media outlets.



The success and creative aspect of the Flatline the Pipeline event has spurred a movement to carry the festival to other counties and share the FUN in raising awareness and funds to pull the plug on this proposed pipeline!

### **Town Council: Public Hearing for Preserve Franklin**

The Rocky Mount Town Council caught wind of the environmental concerns—especially water body crossings such as the Blackwater River which is the town’s water supply—surrounding the proposed pipeline and extended an invitation to Preserve Franklin to come before them and share our concerns. Ten residents spoke against the proposed MVP, each person was given 5 minutes to speak. On July 13th the Town Council unanimously passed the resolution in opposition to

the Mountain Valley Pipeline. This is a huge victory for Preserve Franklin!

### Protest and Call to Action at June BOS Meeting and End Date for FERC Environmental Scoping Period

Preserve Franklin also held a rally and protest in front of the Franklin County Government Center on Tuesday, June 16<sup>th</sup>. Around 20 members joined together carrying

signs as well as a 42” diameter hula-hoop; voices united singing “We Don’t Want Your Pipeline!” and chanting “Community Veto! The right to say NO!” The protest lasted 30 minutes before the scheduled 1:30pm BOS meeting, with two TV stations and Newspapers arriving at 1pm to cover the event. All protesters quietly went into the meeting, giving support for June’s Preserve Franklin speaker. Excellent points were made about the myriad of wa-

ter concerns, as well as a request made that the Board request a 90 day extension of the FERC Scoping Period and request a scoping meeting be held in Franklin County. The Board voted and sent a letter to Senator Mark Warner. The protest and meeting were on the evening news and articles ran in local newspapers. The media coverage was excellent and gave encouragement for all of us to keep moving forward in our efforts to STOP the PIPELINE.

BREDL has special merchandise available in honor of our 30th anniversary in 2014. These items can be ordered on our web site at <http://www.bredl.org/bredlshop.htm> All prices include shipping fees. Thank you for supporting the Blue Ridge Environmental Defense League and *celebrating thirty years of grassroots action!*

#### T-shirt- \$15 (sizes L, XL)



Quote by Janet Marsh says, “One person speaking alone may not be heard, but many people speaking with one voice cannot be ignored.”

#### Water Bottle- \$18



#### Ceramic Coffee Mug - \$7



#### Shopping Bag - \$12



#### Travel Mug - \$16



#### Refrigerator Magnet - \$3



# Fracking Lease Risk

By Pastor Cary Rodgers



The promise of money and wealth is the selling point that many promoters of fracking industry present to potential landowners to encourage them to lease their land to them for the right to frack. But like the old saying goes, “If it sounds too good to be true, it’s not” you better check out the details. Anybody thinking about leasing their property to be fracked for the promises of money and wealth, need to think again. There are great risk to your health, money, family and property.

Let's look at the facts...

**1- Lack of Landowner Legal Protection** – Many states such as North Carolina have no legal protection for landowners leasing their land to oil and gas companies for fracking.

**2 - Home/Property Value can drop substantially** – There are examples where property values have dropped by 85%! That can also affect your surrounding neighbor's property values. If there is water, air, and/or soil contamination on your property who would want to buy it? The CEO and president of a credit union said, “if an owner allows a rig on his land, I have to say to your neighbors, ‘sorry, but your property has been devalued.’” (<http://usfinancepost.com/mortgages-and-hydraulic-fracture-16235.html#EUUMeg1XIMlcfJUB.99>)

**3- Major Financial Liability / You Can Be Personally Sued** – Many fracking leasing contracts have substantial lack of financial protection for landowners, you are susceptible to multiple lawsuits. For example, if there are accidents,

contamination spills, etc. on your property you can be sued by those involved in accidents even if they work for the fracking operator.

**4 - Expensive Legal Fees – Predatory mineral rights leasing is very common** – You are taking a VERY great financial risk if you sign a lease agreement without hiring an attorney who is knowledgeable about fracking lease agreements. If the fracking operator or if you violate the terms of the leasing contract you will need knowledgeable attorneys to fight for you. Also if you get sued by your neighbor, you will also need an attorney.

**5 - Breach of Mortgage Terms with Lender** - Most lenders/banks must follow the guidelines established by the major federal loan guarantors (Fannie Mae, Freddie Mac, Farmer Mac, FHA, etc.) and prohibit specific fracking activities on the mortgaged property. For example, the following is a statement from NC State Employee Credit Union:

“The standard Fannie Mae/Freddie Mac Deed of Trust document recorded for most real estate liens prohibits the homeowner from selling or transferring any part of the property during the term of the loan without obtaining prior written approval from an official of the financial institution holding the mortgage. This includes the oil, gas and minerals found on the property. Any property financed with a State Employees’ Credit Union mortgage falls under the aforementioned restriction. Approval of exceptions from State Employees’ Credit Union would not be granted due to heightened risk concerns

associated with extraction of these natural resources, including hydraulic fracturing technology (otherwise known as fracking or horizontal drilling). Specific, specialty real estate lending laws for North Carolina dealing with these types of transactions should be considered. Any questions relative to this position should be directed to SECU Loan Administration at 1-800-438-1105.”

**6 - Breach of Title Insurance** - Title insurance often contains the restrictions that fracking operations by its nature violate. For example, some title insurance does not allow structures exceeding 35 feet high or be used for any commercial purpose of any kind. If title insurance is violated, it would make it difficult to get title insurance and thus, difficult to get a mortgage or refinance.

**7 - House/Land/Farmers Insurance does not cover the “Fracking Liability”** – Since the fracking operators on your property are engaged in a commercial enterprise, they are NOT considered your guests. Your land/home insurance will NOT cover you from financial liability if a fracking worker gets hurt on your property you can get personally sued. Also they are not your employees you are NOT covered by farmers insurance.

**8 - Royalty Payment “Legal” Robbery (Common)** – Federal law requires that fracking operators give landowners a minimum of 12.5% in royalties of natural gas extracted from your land. BUT, they are legally able to subtract op-

erational cost, fees and other expenses from your royalty payments. For example your monthly royalty check can go from \$1000 to \$70 to \$0. You really don't have a reliable way to personally monitor how much gas is being extracted from your land and sold. You just have to trust them. Instead of selling the gas they can use it for themselves to run equipment, etc. No sell, no royalties for you. To keep royalties low, fracking operators have been known to set up another company or limited partnerships in which it sells the natural gas extracted from your land at reduced prices. Then the company they set up sells the gas at full value in the marketplace. Royalty payments are usually based on the initial transaction. You will NOT get royalties from the second full value sale. There are cases where companies barter for services "off the books" to hide the full value of gas extracted from your land.

**9 - Low lease payments per acre** – There are many cases were land-

owners are receiving as low as \$3 per acre each month. In 2014 many residents in Durham County, NC have been offered only \$40 per acre.

**10 - Cost for baseline soil and water testing** – In order to have any legal proof that the fracking operators contaminated your water or soil you will need to pay for baseline analysis of your water and soil before you sign a lease agreement.

**11 - Land will become an Industrial Zone** – Your landscape will drastically change. Roads, compressor stations, "fracking" towers, storage tanks, chemical waste ponds, flaring, heavy semi-truck traffic, diesel and chemical smells will be part of your landscape.

**12 - Denies Right to Opt Out** – Most lease agreements do not have protections for the landowner to opt out a signed agreement. You can be stuck for many years.

**13 - Lies of Promised Wealth** –

Signing a lease agreement is no guarantee of wealth. Many who have signed leases with fracking operators have been promised riches for many years to come only to find out that it was a lie. For example, struggling farmer in Pennsylvania with 360 acres sells his farm equipment and livestock expecting to retire and live off the lease payments and royalties that the fracking operators will pay him. He was promised great wealth only to find out his big \$8,506 check from the fracking operators dwindled down to \$1,690 per month (<http://ecowatch.com/2013/08/14/fracking-industry-avoids-royalties-landowners/>). Another was promised that her land will produce gas for 30 years only to find out it was only two and her last check was \$70 (<http://chej.org/2013/02/sad-story-lives-ruined-by-lies-and-mistruths/>).

These are the facts. Is it really worth the risk?

**Chatham County Against Coal Ash Dump Chapter Report**  
*By Judy Hogan, Chair CCACAD*

Our new Chatham Citizens Against Coal Ash Dump (CCACAD) came together quickly on December 5, 2014, shortly after we learned that Duke Energy was planning to transport 20 million tons of coal ash from the Riverbend plant near Charlotte and the Sutton plant near Wilmington to two sites near where many of us live: Brickhaven, near Moncure in Southeast Chatham County, and Colon Road near Sanford, NC, in northern Lee County, and to dump it into old clay pits or mines, and cover it.

We have been working to stop this plan. Duke and its contractor Charah call these coal ash sites mine reclamations, but we know they are actually coal ash landfills.

North Carolina coal ash legislation permits Duke Energy to do this and gives the counties no power. The EPA has not yet called coal ash hazardous, but it is. Many people would be exposed to it both from leakages into ground water and the Cape Fear River at the sites, the handling of ash as it is unloaded, and from the transfer of it by truck and rail through our counties and through much of North Carolina. Our new

county commissioners in Chatham voted a resolution to stop this in December, and they, as well as we, researched this thoroughly. Unfortunately in June our Commissioners agreed to a \$19 million deal with Duke Energy, in exchange for which they will be allowed access to certain tests, but it doesn't stop Duke's plan. Our group, with EnvironmentalLEE, BREDL, and NC WARN aim to stop it, and we are now seeking to overturn the two permits issued for mining and solid waste. The two water permits are not yet issued by DENR or the Army Corps of Engineers.

Our first acts were to begin get-

ting the word out through flyers and emails. We set up a website [[www.nocoalash.org](http://www.nocoalash.org)] a listserve, and (Continued on pg. 14) (Continued from pg. 13) created flyers to post and give to people. We attended several Chatham Board of Commissioners meetings when they met with representatives from Duke and Charah. We then spoke during the public comment periods. The EnvironmentalLEE BREDL chapter in Lee County had a vigil, a march, some other activity, and were better organized in the beginning, but we have been working with them and are catching up. Our members feel free to go to their meetings, and many of them come to ours.

We planned and held a prayer vigil (March 25) organized by Susan Poe, a resident of Brickhaven. Four ministers participated and 75 people attended it at the Buckhorn United Methodist Church, very close to the coal ash site. All the area churches were invited to participate, and Susan sent them packets of information and asked them to share the information with their congregations. Susan also collected over 340 signatures against the coal ash dump for the Army Corps 404 and the DENR public comment periods.

In the beginning Elaine Chiosso, the Haw Riverkeeper, led our meetings, but by April I had agreed to be the leader, and in April 21 we voted on four officers: Judy Hogan, Chair; John Cross, Vice Chair; Martha Girolami, Secretary; Rhonda Whitley, Treasurer. Others who are helping with major tasks are Mary Ann Perkins, who sends out the emails to our list of about 100

people now and who calls people with only phone #s to let them know about events and meetings. Chloe Corrigan is now our webmaster. Our researching activists continue to turn up important scientific information: John Wagner, Martha Girolami, Jeannie Ambrose, and BREDL's Therese Vick.

We had a protest against Charah, the coal ash transport/disposal company for Duke at the commissioner meeting on March 2, when Charah came to answer questions. The commissioners were not satisfied with the answers they received, nor were we.

On April 20, we held a press conference in cooperation with the NAACP in front of the NC Legislature's building at 16 W. Jones St, Raleigh, at 1 PM and attracted a lot of media. Rev. William Barber, II, the leader of the state's Moral Monday protests, was present, along with Ms. Kendra Glover, who works with environmental concerns at the national NAACP, as well as representatives from other counties facing coal ash problems. The Moral Mondays have taken up coal ash contamination as a statewide issue.

Many attended the Department of Environment and Natural Resources (DENR) public hearings April 13 and 16, in Sanford (Lee County) and Pittsboro (Chatham County). Both hearings were well-attended. DENR is rushing things, as they held one hearing for three of their permits. We have legal help now from the attorney John Runkle and on July 6, we filed an

appeal to overturn the mining and the solid waste permits.

Although we are specifically now working against coal ash dumping, this area has suffered over the years, since the early 90s from attempts to site toxic landfills (low-level nuclear waste in the 90s, three landfills in the early 2000s), and we have had to work on air pollution. A large number of factories are also located near us and near the Brickhaven site, as well as the Shearon Harris nuclear plant, so we may take on other issues in future years. Our prayer now is to stop the coal ash dumping which would affect the lives of hundreds of Chatham County citizens.

We are grateful to be a BREDL chapter. The long battle begins now to stop this coal ash train in its tracks. We have people resources, and are grateful to Therese Vick, who has impressed us by her skills in research, ideas, and how she works with people. She does a lot of "heavy lifting" as she calls it. We and EnvironmentalLEE wrote a grant for operating funds to Resist Foundation in early June, and now we are raising legal funds to pay Mr. Runkle. We will continue to work closely with EnvironmentalLEE in Lee County.

Judy Hogan

Chair, Chatham Citizens Against Coal Ash Dump.

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# Stanback Summer Internship Experience

by Jinxi "Lizzie" Feng



My internship project 'Groundbreaking Plant Vogtle Nuclear Project' focused on the environmental problems that are caused by the establishment of nuclear power stations and disposal of radioactive wastes. Due to the increasing requirement of electrical power in the modern world, traditional fossil fuel with high pollution cannot meet the need anymore. Thus, various kinds of new energy sources, such as solar energy, waterpower, hydropower, come to the world. However, nuclear power, distinguished by its highly radioactive energy, has caught the attention of many countries and governments and has been dramatically developed in recent years.

According to the data from World Nuclear Association, the USA, which is the largest nuclear power electricity generator, produces more than 30% of the nuclear power in the world. Nearly 20 percent of the total electrical output in the US is generated by the 99 nuclear power plants in 30 states. Though free from air pollution compared to traditional fossil fuel, nuclear reactor is notorious for its radioactive waste, which is even more hazardous to human beings and difficult to dispose with current knowledge.

Therefore, our project aimed at studying and monitoring the influence of nuclear power station on the environment to minimize the harm and achieve environmental justice. It is unfair for the people who live around nuclear power stations to bear the risk and radioactive pollution, when other people enjoy the so-called clean and convenient electric power generated by nuclear power stations. At the beginning of this project, we had a meeting with all the people involved in the project: Paine College faculty, Concerned Citizens of Shell Bluff, Paine College Intern La'Naisha Proctor, BREDL staff and myself. At this meeting we finalized our work plan. (Figure 1)



Figure 1 Conference at Paine College

After the meeting at Paine College, I, together with Lou, Charles and Kate had a chance to take a look at the Savannah River, next to which sits the Vogtle Nuclear Power Station. There were not one single fish in that river. The 'death of the river' enhanced my decision to thoroughly study radioactive wastes. (Figure 2)



Figure 2 Visit to Savannah River

The most hazardous wastes come from incomplete reaction of nuclear fuel and radioactive products. In order to cool down the waste, power stations have a continuous and huge need of cooling water (river, lake and sea), which increase the risk of environment pollution. Water, heated up after cooling the wastes will damage habitats of animals and pollute the environment. Thus, it is a must to monitor accurately the radioactivity in the waste.

By analyzing the research papers and working together with Dr. Burns and Dr. Durden at Paine College, I figured out several major radioactive elements that exist in the waste and needs to be tested, including cadmium, tin, selenium, zirconium, palladium and uranium. Then, detecting the ratio of these elements in soil and water by using an Inductively Coupled Plasma (ICP) instrument, we can quantify the emissions of a nuclear power station. Short of abolishing nuclear power, we must do our best to achieve environmental justice and minimize the harm to nature, wildlife and environmentally disadvantaged people.

At the Board of Directors meeting, I encountered a lot of people that share the same interest and belief. Their talks and determination touch me deeply, letting me know that I am not alone in the fight against environmental problems. I honor the effort given by all the members of Blue Ridge Environmental Defense League and especially thank Lou, Charles and Kate for their generous help.

BREDL  
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Glendale Springs  
NC 28629

**Contact BREDL to help organize your community and plan events to educate others about your issue and expand your membership so you can win!**

**BREDL** 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 in environmental issues. 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.

Visit [www.bredl.org](http://www.bredl.org) to view our interactive timeline that spans 30 years of environmental work across the southeast.  
Your donation will help us to carry on for years to come!

Thank you for supporting Blue Ridge Environmental Defense League  
It's easier than ever to **join**, **renew** and **donate** online.  
Check out our secure online donation forms and use your credit card at **www.BREDL.org**.  
Or send your check to: BREDL PO Box 88 Glendale Springs, NC 28629  
For more information contact BREDL at 336-982-2691.  
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