

A publication of the Blue Ridge Environmental Defense League

The LEAGUE LINE

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Environmental Justice: A New Renaissance



By Louis Zeller, Anti-Nuclear Campaign Coordinator and

Charles Utley, Environmental Justice Coordinator, who also contributed to this article.



"Reverence for life includes an elemental concept of responsibility to which we must surrender ourselves. In it there are energies which compel us to a revision and ennoblement of our individual, social and political views and actions." ^a

A half-century ago physician-philosopher Albert Schweitzer expressed a vision of a better world based on the humanitarian ideal of reverence for life. In concert with this principle, the great social movements of the latter half of the 20th Century opposed racism, sexism, poverty and ecological destruction and advanced social justice and environmental sustainability. The ongoing struggle for environmental justice is part of this great change which seeks to alter society to become more humane, towards respect for all living things.

"Environmental justice is about social transformation directed towards meeting basic human needs and enhancing our quality of life—economic quality, health care, housing, human rights, environmental protection, and democracy. In linking environmental and social justice issues the environmental justice approach seeks to challenge the abuse of power which results in poor people having to suffer the effects of environmental damage caused by the greed of others." b

The principle of Environmental Justice incorporates 1) the equitable distribution of environmental risks and benefits; 2) the meaningful participation in environmental decision-making; 3) the recognition of community life, local knowledge, and cultural difference; and 4) the capability of communities and individuals to function in society. c It means avoiding disproportionate adverse environmental impacts on low income populations and minority communities.

Georgia Power's Plant Vogtle is a commercial nuclear power station located in the Burke County community of Shell Bluff on the banks of the Savannah River. Vogtle's two nuclear reactors came on line in 1987 and 1989, fifteen years after breaking ground and 1,300% over budget. But the injustices inflicted on the people in the local community of Shell Bluff far surpass the impositions of delay and cost overrun. Georgia Power acquired some of the off-site land unfairly to support Plant Vogtle. These events are recounted in an essay by local resident Claude Howard. (See article on page 11.) His testimony cannot be denied or explained away. And yet the injustice continues.

The facts tell the story of a continuing environmental injustice. Areas within 40 miles of Plant Vogtle are persistently distressed by unemployment and poverty. The community surrounding the plant has an exceptionally high percentage of both African American and low-income households. The plant routinely releases radioactive poison into the environment. People living around Vogtle suffer higher-than-average cancer rates Across the river from plant Vogtle is the Department of Energy's Savannah River Site, a shuttered atomic bomb plant where a new plutonium fuel factory is being built. A radioactive accident at SRS would disproportionately affect the people of Shell Bluff. Savannah River fish which provide subsistence for local families are already contaminated with radioactive cesium 137.

The Blue Ridge Environmental Defense League's Environmental Justice Campaign Coordinator, Charles Utley, explained the ongoing health impacts on the community saying, "You don't see anything in the air, but if you live there long enough, you'll know the effects of it. All I'm saying is that had the people had the knowledge they have now, a lot of decisions would have been made differently. I wouldn't see the number of cancer-related deaths. I wouldn't see the high rate of stillborns, children born with tumors. Nobody has to tell me about them. I know them for a fact."



BREDL: Who and what we are

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

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

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

BREDL Credo

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

Moving into the future

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

Grassroots Campaigns

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

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

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30% GENUINE RECYCLED PAPER





Park Foundation Awards Grant to BREDL

By Janet Marsh, Executive Director

The Blue Ridge Environmental Defense League is pleased to announce the award by the Park Foundation of a \$20,000 grant in support of our North Carolina Healthy Communities project. In 2011 League staff and chapters will work to protect our groundwater from contamination by sewage sludge, dry cleaning solvents and asphalt blending chemicals.

The state of North Carolina has identified more than 1,500 contaminated sites which threaten water quality. The League will seek solutions including the elimination of application of sewage sludge on farmland, the phase out of the use of perchloroethylene in dry cleaning and a shift to safer alternatives and actual cleanup of North Carolina Department of Transportation contaminated sites to the drinking water standards. Community organizing and public education are our key strategies.

The Park Foundation is committed to public education about freshwater issues. The Foundation's website states that "potable freshwater has emerged as a preeminent environmental and public health challenge in this century."

Virginia Supreme Court Agrees to Hear Our Appeal

By Louis Zeller, Anti-Nuclear Campaign Coordinator

This year the Supreme Court of Virginia will hear the Blue Ridge Environmental Defense League's appeal to end long-standing Clean Water Act violations at the North Anna nuclear power plant. A reason for cautious optimism: the Supreme Court does not take cases unless there is a compelling reason to do so.

In 2009 the Circuit Court of the City of Richmond ruled in favor of Blue Ridge Environmental Defense League, concluding that the State Water Control Board's NPDES heated wastewater discharge permit for North Anna was illegal. Both Dominion-Virginia Power and the Commonwealth of Virginia challenged this decision, and the Court of Appeals reversed the lower court based on a "waste heat treatment system" exemption and deference to the state in interpreting regulations. If allowed to stand, this would leave 3,400 acres of Lake Anna completely unregulated. Worse, the ruling would endorse the rubber-stamping of spurious state decisions.

Executive Director's Report

By Janet Marsh January 2011



On Taking Action: How to Win When the Obvious Things Have Failed

I dedicate this report to all chapters and activists who have worked hard but have not yet been victorious. If you have made presentations to your local government, if you have written letters to the editor, if you have even filed a lawsuit and not yet reached your goal, it may be time to take nonviolent direct action.

For years we at the Blue Ridge Environmental Defense League have relied on the wisdom of Gene Sharp, the "Machiavelli of nonviolence." Here is a summary of his most effective and creative ideas for taking your community action campaign to the next level.

"198 Methods of Nonviolent Action"

Practitioners of nonviolent struggle have an entire arsenal of nonviolent weapons at their disposal. There are three broad categories: nonviolent protest and persuasion; non-cooperation—social, economic and political; and nonviolent intervention. Historical examples can be found in *The Politics of Nonviolent Action* (3 Vols.) (1973) by Gene Sharp

Methods of Nonviolent Protest and Persuasion

Formal Statements

1 public speeches, 2 letters of opposition or support, 3 declarations by organizations and institutions, 4 signed public statements, 5 declarations of indictment and intention, 6 group or mass petitions.

Communications with a Wider Audience

7 Slogans, caricatures and symbols, 8 banners, posters and displayed communications, 9 leaflets, pamphlets and books, 10 newspapers and journals, 11 records, radio and television, 12 skywriting and earth writing.

Group Representations

13 deputations, 14 mock awards, 15 group lobbying, 16 picketing, 17 mock elections

Symbolic Public Acts.

18 displays of flags and symbolic colors, 19 wearing of symbols, 20 prayer and worship, 21 delivering symbolic objects, 22 protest disrobings, 23 destruction of own property, 24 symbolic lights, 25 displays of portraits, 26 paint as protest, 27 new signs and names, 28 symbolic sounds, 29 symbolic reclamations, 30 rude gestures.

Pressures on Individuals

31 "haunting" officials, 32 taunting officials, 33 fraternization, 34 vigils.

Drama and Music

35 humorous skits and pranks, 36 performances of plays and music, 37 singing.

Processions

38 marches, 39 parades, 40 religious processions, 41 pilgrimages, 42 motorcades.

Honoring the Dead

43 political mourning, 44 mock funerals, 45 demonstrative funerals, 46 homage at burial place.

Public Assemblies

47 assemblies of protest or support, 48 protest meetings, 49 camouflaged meetings of protest, 50 teach-ins.

Withdrawal and Renunciation

51 Walk-outs, 52 silence, 53 renouncing honors, 54 turning one's back

Methods of Social Non-cooperation

Ostracism of Persons

55 social boycott, 56 selective social boycott, 57 lysistratic non-action, 58 excommunication, 59 interdict.

Non-cooperation with Social Events, Customs and Institutions

60 suspension of social and sports activities, 61 boycotts of social affairs, 62 student strike, 63 social disobedience, 64 withdrawal from social institutions

Withdrawal from the Social System

65 stay at home, 66 total personal non-cooperation, 67 "flight" of workers, 68 sanctuary, 69 collective disappearance, 70 protest emigration

Methods of Economic Non-cooperation: Boycotts

Actions by Consumers

71 consumers boycott, 72 non-consumption of boycotted goods, 73 policy of austerity, 74 rent withholding, 75 refusal to rent, 76 national consumers' boycott, 77 international consumers' boycott

Action by Workers and Producers

78 workers' boycott, 79 producers' boycott

Action by Middlemen

80 suppliers' and handlers' boycott

Action by Owners and Management

81 traders' boycott, 82 refusal to let or sell property, 83 lockout, 84 refusal of industrial assistance, 85 merchants' "general strike

Action by Holders of Financial Resources

86 withdrawal of bank deposits, 87 refusal to pay fees, dues and assessments, 88 refusal to pay debts or interest, 89 severance of funds and credit, 90 revenue refusal, 91 refusal of government's money

Action by Governments

92 domestic embargo, 93 blacklisting of traders, 94 international sellers' embargo, 95 international buyers' embargo, 96 international trade embargo

Methods of Economic Non-cooperation: Strikes

Symbolic Strikes

97 protest strike, 98 quickie walkout (lightning strike)

Agricultural Strikes

99 peasant strike, 100 farm workers strike

Strikes by Special Groups

101 refusal of impressed labor, 102 prisoners' strike, 103 craft strike, 104 professional strike

Ordinary Industrial Strikes

105 establishment strike, 106 industry strike, 107 sympathetic strike

Restricted Strikes

108 detailed strike, 109 bumper strike, 110 slowdown strike, 111 working-to-rule strike, 112 reporting "sick" (sick-in), 113 strike be resignation, 114 limited strike, 115 selective strike

Multi-industry Strikes

116 generalized strike, 117 general strike

Combinations of Strikes and Economic Closures

118 hartal, 119 economic shutdown

Methods of Political Non-cooperation

Rejection of Authority

120 withholding or withdrawal of allegiance, 121 refusal of public support, 122 literature and speeches advocating resistance

Citizens' Non-cooperation with Government

123 boycott of legislative bodies, 124 boycott of elections, 125 boycott of government employment and positions, 126 boycott of government departments, agencies and other bodies, 127

withdrawal from government educational institutions, 128 boycott f government-supported organizations, 129 refusal of assistance to enforcement agents, 130 removal of own signs and placemarks, 131 refusal to accept appointed officials, 132 refusal to dissolve existing institutions

Citizens' Alternatives to Obedience

133 reluctant and slow compliance, 134 non-obedience in absence of direct supervision, 135 popular non-obedience, 136 disguised disobedience, 137 refusal of an assemblage or meeting to disperse, 138 slowdown, 139 non-cooperation with conscription and deportation, 140 hiding, escape and false identities, 141 civil disobedience of "illegitimate" laws

Action by Government Personnel

142 selective refusal of service by government aids, 143 blocking of lines of commend and information, 144 stalling and obstruction, 145 general administrative non-cooperation, 146 judicial non-cooperation, 147 deliberate inefficiency and selective non-cooperation by enforcement agents, 148 mutiny

Domestic Governmental Action

149 quasi-legal evasions and delays, 150 non-cooperation by constituent government units

International Government Action

151 changes in diplomatic and other representation, 152 delay and cancellation of diplomatic events, 153 withholding of diplomatic recognition, 154 severance of diplomatic relations, 155 withdrawal from international organizations, 156 refusal of membership in international bodies, 157 expulsion from international organizations

Methods of Nonviolent Intervention

Psychological Intervention

158 self-exposure to the elements, 159 the fast: a) fast of moral pressure, b) hunger strike, c) satyagrahic fast, 160 reverse trial, 161 nonviolent harassment

Physical Intervention

162 sit-in, 163 stand-in, 164 ride-in, 165 wade-in, 166 mill-in, 167 pray-in, 168 nonviolent raids, 169 nonviolent air raids, 170 nonviolent invasion, 171 nonviolent interjection, 172 nonviolent obstruction, 173 nonviolent occupation

Social Intervention

174 establishing new social patterns, 175 overloading of facilities, 176 stall-in, 177 speak-in, 178 guerilla theater, 179 alternative social institutions, 180 alternative communication system

Economic Intervention

181 reverse strike, 182 stay-in strike, 183 nonviolent land seizure, 184 defiance of blockades, 185 politically motivated counterfeiting, 186 preclusive purchasing, 187 seizure of assets, 188 dumping, 189 selective patronage, 190 alternative markets, 191 alternative transportation systems, 192 alternative economic institutions

Political Intervention

193 overloading of administrative systems, 194 disclosing identities of secret agents, 195 seeking imprisonment, 196 civil disobedience of "neutral" laws, 197 work on without collaboration, 198 dual sovereignty and parallel government ■

Environmental Justice: A New renaissance

In light of this, what could justify a federal environmental impact statement for Plant Vogtle which concluded: "The impacts of plant operations on environmental justice would be SMALL because no environmental pathways, health characteristics, or other preconditions of the minority and low-income population were found that would lead to adverse and disproportionate impacts." ⁹ Unbelievably, the report attributed the high percentage of minority and low-income people on the "sparseness" of the rural population. Such lunatic reasoning is an example of what too often prevails in nuclear power decisions. Unfortunately, it is also part of a pattern of environmental injustice which extends to other commercial nuclear plants and, indeed, to other areas of the nuclear power cycle including uranium mining, fuel enrichment and fabrication, and waste disposal; the ones most affected are Native American miners, nuclear workers, and people living near radioactive facilities. ^h

A landmark study published in 2009 examined environmental injustice in the siting of nuclear plants with a particular focus on Plant Vogtle. The study was based on the following general factors: 1) significant increases in infant and fetal mortality near nuclear reactors, 2) increased lung cancer and leukemia after the accident at Three Mile Island, and 3) higher percentages of women and children who are more sensitive to radiation in minority and poverty-level communities. The study concluded, "data suggest reactor-related environmental injustice may threaten poor people (p<0.001), at least in the southeastern United States." i

The environmental injustice at Vogtle had its origins in the 1970's, a period of industrial growth in the South. Business and government leaders partnered to fuel the economic engine with public money and private capital at the expense of local communities. According to Dr. Robert Bullard: "However, economic boosters could usually count on their promise of jobs as an efficient strategy of neutralizing local opposition to growth projects." ^j In *Dumping in Dixie* he cites the following to explain how profit motives were concealed:

"Perhaps the key ideological prop for the growth machine, especially in terms of sustaining support from the workingclass majority, is the claim that growth 'makes jobs.' This claim is aggressively promulgated by developers, builders, and chambers of commerce; it becomes part of the statesman talk of editorialists and political officials. Such people do not speak of growth as useful to profits—rather, they speak of it as necessary for making jobs." k

During the construction of Vogtle reactors 1 and 2, costs skyrocketed from \$660 million to \$8.87 billion, but Georgia Power made money regardless. Now the company has plans for two more reactors. Even with its track record, or maybe because of it, in 2009 Georgia Power was able to convince the state legislature to pass the Georgia Nuclear Energy Financing Act ¹ which allows the utility to charge electric customers for the financing costs of *building* a nuclear power plant. These costs, known as Construction Work in Progress or CWIP, are levied during construction years before power is delivered, even if the project is abandoned and no power is ever generated.

We must ask: Is the environmental and economic injustice which stole an African-American family's estate for Georgia Power possible today? Has the passage of time erased the last vestiges of racism and economic deprivation? Or, have we simply entered a new phase, where the pro-business arguments used to rationalize robbery in the past are dressed up in new cloths? A recent report by the United Church of Christ found that environmental injustice persists: "Unequal protection places communities of color at special risk. And polluting industries still follow the path of least resistance." ^m

Is present day environmental injustice deliberate? Is it based on skin color or ethnicity alone? In other words, is it racism? Or have the habits and patterns of the past become so much a part of the landscape that the perception of a color blind society can be maintained even while injustice persists? Dr. Bullard says, "On their face, policies may appear to be race-neutral. They say, 'We're going to look at unemployment, poverty rates, and educational level,' but the poorest areas oftentimes correspond to racialized places." ⁿ

There is a pernicious, unwanted legacy which regulatory agencies and elected officials must be forced to take into account when environmental decisions are made. The issues we must raise include historical land uses, financial practices and "the ways that race permeates zoning, development, and bank lending processes." ^o This is necessary even though "racial and economic and social equity can be very painful topics: people get uncomfortable when questions of poor people and race are raised." ^p

Faced with an initiative to bury high-level nuclear waste from commercial nuclear power plants on Native American land, Grace Thorpe bristled at a federal agency's attempt to co-opt tribal traditions. "It is wrong to say that it is natural that we, as Native Americans, should accept radioactive waste on our lands, as the U.S. Department of Energy has said." Grace leapt over mind-numbing discussions of millirems, radionuclides or vadose zones and called the question:

"What kind of society permits the manufacture of products that cannot be safely disposed of? Shouldn't we have a basic law of the land that prohibits the production of anything we cannot safely dispose?" q

To get the right answers, we must ask the right questions: for example, two decades after Vogtle commenced operations, why are so many local families still living below the poverty level? Where is the local economic development promised by business leaders in the 1980's? Why are so many residents in the Shell Bluff community suffering from cancer, birth defects and other problems?

"We fail to recognize that unless we are the agents of democracy and social reform, there will be neither democracy nor social reform." ^r

People in Burke County have been grievously wronged. Justice delayed is justice denied. How longer must we wait: a decade, a generation, a lifetime? No.

"A new renaissance must come—one much greater than that into which we stepped out of the Middle Ages. It must be a renovation in which mankind discovers that the ethical is the highest truth and the highest practicality." s

If two nuclear plants merely bring two more, the injustice is doubled. It is time to halt the making a sacrifice zone in Shell Bluff. Furthermore, on a global level, we must do all we can to halt the threat to our homes, our communities and future generations. ■



- ^a Pilgrimage to Humanity, Albert Schweitzer, 1961, Library of Congress No. 61-15250, page 101
- ^b Definition of environmental justice from the quarterly newsletter of the South African Environmental Justice Networking Forum: McDonald, David A. Environmental Justice in South Africa. Cape Town: Ohio UP, 2002.
- ^c Defining Environmental Justice: Theories, Movements, and Nature, Schlosberg, David (2007) Oxford University Press.
- ^d Senate Resolution 598, Senator Thomas (2007) 07 LC 25 4926ER http://www.legis.ga.gov/legis/2007_08/fulltext/sr598.htm
- e Resolution of Generic Safety Issues: Issue 153: Loss of Essential Service Water in LWRs (Rev. 2) (NUREG-0933, Main Report with Supplements 1–32)
- ^f Cancer Weekly, University of South Carolina, 1997 Feb 3, via NewsRx.com and NewsRx.net
- ⁹ NUREG-1872, published August 2008
- ^h Environmental Injustice in Siting Nuclear Plants, Mary Alldred and Kristin Shrader-Frechette, ENVIRONMENTAL JUSTICE, Volume 2, Number 2, 2009 © Mary Ann Liebert, Inc. DOI: 10.1089/env.2008.0544
- Ibid.
- ^j Bullard, R. D. 1990. Dumping in Dixie: Race, class, and environmental quality. Boulder, CO: Westview
- ^k Harvey L. Molotch, "The City as a Growth Machine: Toward a Political Economy of Place," American Journal of Sociology 82 (September 1976): 320
- ¹ Senate Bill 31, O.C.G.A § 46-2-25 (amended) 2009 Ga. Laws 39
- ^m Dr. C.J. Correa Bernier, *Toxic Wastes and Race at Twenty, 1987–2007*, A Report Prepared for the United Church of Christ Justice & Witness Ministries (2007)
- " "Justice in Time: Meet Robert Bullard, the father of environmental justice," Gregory Dicum, Grist, 14 Mar 2006, http://www.grist.org/article/dicum
- ° "The Geography of Despair: Environmental Racism and the Making of South Phoenix, Arizona, USA," Bolin, Grineski and Collins, *Human Ecology Review*, Vol. 12, No. 2, 2005
- ^p "Justice in Time: Meet Robert Bullard, the father of environmental justice," Gregory Dicum, *Grist*, 14 Mar 2006, http://www.grist.org/article/dicum
- ^q Statement of Grace F. Thorpe to the National Congress of American Indians, December 1, 1993, Sparks, Nevada.
- ^r Environmental Justice: Creating Equality, Reclaiming Democracy, Kristin Shrader-Frechette. Oxford University Press 2002. ISBN: 0-19-515203-4.
- ^s Pilgrimage to Humanity, Albert Schweitzer, 1961, Library of Congress No. 61-15250, p.52 ■

League's Clean Energy Policy and the 2011 Stop Biomass / Incineration Campaign

By Louis Zeller, Anti-Nuclear/Clean Air Coordinator and David Mickey, Zero Waste/Clean Energy Coordinator

Renewable energy from biomass presents a significant threat to North Carolina and surrounding states in the southeast. Recognizing the promise of clean renewable energy, the dangers of biomass incineration, and the confusion that often surrounds these projects, the Blue Ridge Environmental Defense League has produced a statement of *Energy Policy Recommendations*. This statement (available at www.bredl.org) addresses a wide range of energy sources, both conventional fuels and biomass, while reflecting the League's history of commitment to protecting communities, public health and the environment.

The League's recommendations call for an end to incineration and a phase-out of all nuclear and coal-fired power plants. It supports energy conservation and energy efficiency, two neglected resources that produce zero emissions. The League opposes offshore drilling and natural gas hydrofracking and calls for an end to destructive mountain top removal. The statement concludes with strong support for environmental justice and the enforcement of state and federal environmental laws.

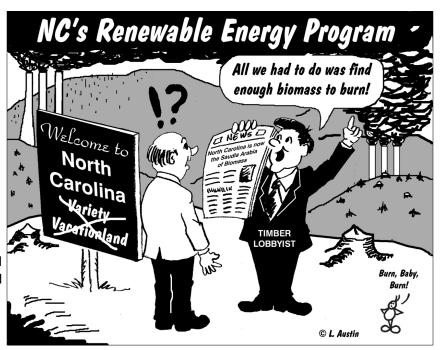
Confronting biomass incineration requires effective messages that will clearly define the issue and describe the risks. For this reason, the League is working with its chapters to develop messages for both the local and regional campaigns. Depending on the project, biomass may mean burning trash, trees, energy crops, tires, sludge, poultry litter or a combination of materials depending on the specific project. Or biomass might be Duke Energy's plans for co-firing whole-tree wood chips with coal. Many of these topics are analyzed in the League's biomass report released in January 2011.

As in previous years, the League's 2011 campaign begins with a focus on grassroots organizing. Chapters in North Carolina, South Carolina, and Georgia are already fighting biomass polluters like Fibrowatt (poultry litter), ReVenture (trash, sludge), Covanta (trash) and Wiregrass Power (wood chips, sludge). Two chapters have active campaigns against medical waste incineration. Supporting those local campaigns is key to the broader campaign against biomass and waste incineration.

2011 will be a challenging year for this campaign. The Environmental Protection Agency's authority to regulate greenhouse gas emissions from biomass is under attack by industry and some members of Congress. The U. S.

Treasury grants program, often cited by the biomass industry as key to financing their projects, has been extended for another year. North Carolina utilities are moving forward with plans to burn wood chips in their old coal plants. And the biomass industry continues its "carbon neutral" public relations campaign, often with the active support of some environmental groups.

Debunking the "carbon neutral" myth, attacking the false claims of the biomass industry, defending the EPA's authority and the Clean Air Act, educating the media and the public about biomass, and stopping biomass incinerators in targeted communities are all League goals for 2011 as we work toward a clean energy future.



North Carolina Tightens Rules For Medical Waste Incinerators



By David Mickey, Zero Waste/Clean Energy Coordinator

New rules adopted by the North Carolina Environmental Management Commission (EMC) at its November meeting require the state's three medical waste incinerators to sharply reduce their air emissions. The two Stericycle incinerators in Haw River have until July 1, 2013 to upgrade their pollution controls and conduct a stack test. Mecklenburg County's local air quality program requires an even earlier compliance date of October 6, 2012 for the BMWNC incinerator in Matthews.

Emissions reductions range from 26% for particulate matter up to 97% for lead and mercury. In addition, under the new rules by-pass events during start-up, shutdown, or malfunctions are no longer exempt and any excess emissions will be permit violations. Finally, options for continuous emissions monitoring are expanded and incinerator owners are now required to provide training to medical waste generators (their customers) on waste segregation and the preparation of medical waste management plans.

Adoption of the new rules follows a two-year campaign by the Blue Ridge Environmental Defense League. In January of 2009 League members and staff presented oral and written comments at the Environmental Protection Agency's public hearing on the proposed rules. When the new federal rules were finalized in October 2009, the League and its two new chapters in Mecklenburg and Alamance Counties organized local campaigns for early rule adoption by the state. In the end sixteen local governments passed resolutions calling on the EMC to move up the compliance date for the incinerators.

In an unexpected but welcome move, the EMC also approved a resolution calling on the Division of Air Quality and the Division of Waste Management to report back on how medical waste is managed in North Carolina and what steps could be taken to reduce medical waste incineration. Responding to requests for information, the Blue Ridge Environmental Defense League prepared a white paper, "Medical Waste In North Carolina", and submitted it to the Division of Air Quality. This report is available online at www.bredl.org.

Medical waste incineration has not been stopped, but emissions will be reduced and the League's campaign to end medical waste incineration has expanded statewide. While still celebrating an important victory, this successful grassroots campaign is moving forward to the next level.■

Virginia's 1% Solution

The top 1% of all income earners in the United States made 23.5 percent of all income in 2007, more than the entire bottom 50 percent. Now that a handful of wealthy individuals and corporations are working hard to convince the Virginia General Assembly to reinstate uranium mining in Virginia, not only will the wealthy get disproportionately wealthier by way of uranium mining in the state, but sources of income for middle-to-low-wage earners will be destroyed in the vicinity of the mines. To understand this, ask yourself the following question, inserting in the blank space just about any business, product, or service you can think of: "Would I want to within 500 miles of a uranium mine and milling operation?" For example, would I want to eat food raised on a farm within 500 miles of a uranium mine and milling operation? Or run a farm? Or buy real estate? Or send children for schooling? Or start a tourism business? Or visit a bed and breakfast? Or go river rafting? Or retire? Or run any business that depends on the local water supply?

Fellow Virginians, we are about to be 1%ed! ■



By Ann Rogers

Development Director

Biomass and Nuclear Plants Target Poor Communities

By Louis Zeller, Anti-Nuclear/Clean Air Campaign Coordinator

Where do undesirable industrial facilities go? How do developers of nuclear power plants and biomass incinerators select the sites for such plants? We checked US Census poverty data and found the following.

County	Percent in poverty	Above state average
Burke, GA	26.9%	62%
Lowndes, GA	23.6%	42%
Sampson, NC	21.7%	34%
Montgomery, NC	21.3%	31%
Hart, GA	19.7%	19%
Surry, NC	17.4%	7%

As shown in the table, all the counties with proposed or expanding polluting energy facilities in our survey have excessive levels of poverty. Georgia's statewide poverty rate is 16.6%; North Carolina's is 16.2%. The counties of Burke, Lowndes and Hart are in Georgia. Sampson, Montgomery and Surry are in North Carolina. Is the targeting of these economically distressed areas accidental, or is it by design? Do such facilities improve local economic conditions? Plant Vogtle has operated in Burke County, Georgia for over two decades. We see no trickle-down effect there.

Among these six rural counties, the two have succeeded in halting these proposals by working with the Blue Ridge Environmental Defense League. Campaigns to defeat the other four are underway.

For example, in Valdosta, The Wiregrass Activists for Clean Energy have mounted a direct action campaign to halt a 40 megawatt biomass incinerator in Lowndes County which, if constructed, would burn wood and sewage sludge. Georgia's Environmental Protection Division issued an air permit in 2010 but that does not seem to have dampened the enthusiasm of WACE; in fact, on the contrary. Sometimes success breeds success. Following the League's winning campaign against a proposed 50 megawatt poultry manure-fueled biomass power plant in Surry County, North Carolina, residents of Lavonia, Georgia followed suit. Uniting farmers and environmentalists, they succeeded in stopping a proposed poultry waste power plant which had had the full support of the Hart County Industrial Authority. Sampson and Montgomery counties are still the targets of poultry manure burners sanctioned by North Carolina's renewable energy plan. Burke County is the site of Georgia Power's Plant Vogtle nuclear power station (see cover story).

Superfund National Day of Action

As Bankrupt Superfund Program Reaches 30th Birthday, Environmentalists Take Action

By Charles Utley, Environmental Justice Campaign Coordinator and Beverly Kerr, Superfund Site Coordinator

BREDL partnered with the *Center for Health, Environment & Justice* (CHEJ) and other Superfund communities in 20 states, asking Congress to reinstate the 'polluters pay' fees and save the Superfund program. Local groups visited district offices of members of Congress to deliver a birthday cupcake for the ailing program along with their request. One of the fees, the Corporate Environmental Income Tax, paid by companies with \$2 million or more in profits was \$12 on every \$10,000 in profits—or the price of a few birthday cupcakes.

Reinstating these 'polluter pays' fees will reduce government spending and is the most equitable way to finance Superfund and get it back on track cleaning up hundreds of languishing toxic dumps.

BREDL focused on **The Peach Orchard Road PCE Ground Water Plume site**, located in the southern part of Augusta, Richmond County, Georgia, a tetrachloroethylene (PCE) ground water plume that has impacted one of the three Augusta Utilities Department (AUD) well fields. The PCE ground water plume covers an estimated 350 acres of the 900-acre well field.

BREDL calls for real clean-up of contaminated groundwater and elimination of the source of the problem: the use of the toxic solvent perchloroethylene in commercial dry-cleaning. ■

"Under the Foot of the White Man"

By Claude C. Howard Grandson of the late Julius Howard Waynesboro, Georgia



March 28, 2009 During the early years living in Burke County, my granddaddy had bought two parcels of land. He bought the first parcel across the creek in 1919 and the second parcel on the other side of the creek in 1928. He had said that he did not want his children to be under the foot of the white man. And when he died in 1943 the land was free and clear of all debts. Down through the years, I heard it said "I do not want my children to be under the foot of the white man." Now I understand what it meant. I believe it never was about the white man. It was the evil that possess him.

As we grew up on the Julius Howard Estate, there were men that came down and drilled up out of the top of the hill from Uncle Fellow's house across the creek. We did not know what they were doing. My daddy had said that they wanted to bring a railroad through the land but nobody approved for it to be done. Later the railroad came through across from the Julius Howard Estate.

Then a few years later it was told that Georgia Power was going to build a Power Plant on the river. Then we found out that Georgia Power wanted that parcel of land across the creek. There was a cave or vein of something that ran from the area where Georgia Power wanted to build up to Uncle Fellow's house. Whatever they found in the cave/vein caused construction to be shutdown about a year or better and Swan Trucking ran twenty-four-seven up and down the road hauling stuff. Then we found out that the taxes were almost \$9,000.00 behind. We came together and paid all the taxes owed on the land and once again it was clear of everything.

The court appointed an administrator to oversee the Julius Howard Estate. Before this appointment, the children were getting four acres of land to build their homes. Uncle Fellow wanted his four acres across the creek (first parcel) where he had farmed the land and raised his family. The other children took their four acres from the second parcel of land. After the court appointed the administrator, he sold the first parcel of land (minus the four acres Uncle Fellow's house was on) to Eagle Mountain Resort and then to Georgia Power in the same day, without the family's consent. Then Georgia Power planted pine trees around Uncle Fellow's house and this killed his spirit knowing that his heritage was being taken away for greed. This was the first instance of misuse of power by the court appointed administrator involving the Julius Howard Estate. There was no justice for the family.

This reminds me of a King in the Bible that wanted another man's garden but he would not sell it to the King. So the King's evil wife schemed and set false witness to condemn the man and the King got the garden. This is what Georgia Power did with the Julius Howard Estate. They sent a letter saying they had nothing to do with it. This is why I am against nuclear power, because it is as evil as its owner, Georgia Power.

Now Georgia Power wants to build two reactors down here and they are going back through the court system, along with our public officials, to legally steal from the public by changing the laws. They are charging the public for power that does not exist. But they are legally stealing it. This is how powerful they have become. Somewhere they have bribed and/or bought the people that God has allowed in office to do what is right for the people. But it is not happening. Even some of the people believe that nuclear power is safe. When the water gets radiation in it, all plant, animal and human life is affected. My family is dying from cancer, which I never heard much about until Plant Vogtle moved in. There was another King that counted the valiant men, which God had instructed him not to, but he did. Georgia Power reminds me of this King as well, that knew he had the power.

Now I see that there is no stopping Georgia Power from building the reactors. They have heard the pros and cons about nuclear power. They have blindsided the people to believe it is good, because it gives a temporary fix to make money and jobs. So to those who have not been blindsided for a temporary fix, I hope this will help all of us.

There was another King that came and they beat him and killed him, so he went on back to his Father. But this King that they killed is coming back to do justice for all people that believe that He is the Son of God. So Georgia Power and your friends, we can't stop you all from contaminating the environment, for you have the law in your hand. So all I have is what the Word of God says, to obey those that have authority over you. I am against the poison that you are putting in the poor community. \blacksquare

LEAGUE CAMPAIGNS TO PREVENT NATIONAL NUCLEAR WASTE DUMP

By Louis Zeller, Anti-Nuclear Campaign Coordinator

This year the Blue Ridge Environmental Defense League is expanding its campaign to prevent a national nuclear waste dump in South Carolina. To alert the public to the potential danger, BREDL's SRS Project Coordinator and Environmental Justice Campaign Director, Charles Utley, was an invited guest panelist on "Environmental Perspectives" at the January meeting of the President's Blue Ribbon Commission on America's Nuclear Future in Augusta, Georgia. Calling upon President Obama and the Department of Energy to eliminate the Savannah River Site from consideration as a national radioactive waste dumping ground, Charles addressed a variety of issues related to the Savannah River Site including:

- * Plutonium fuel manufacturing and use at nuclear power plants in Tennessee and Alabama,
- * Pollution impacts from SRS on surrounding communities and radioactive waste cleanup from a half-century of nuclear weapons development and manufacture,
- * New nuclear power plants, nuclear waste storage and disposition, nuclear fuel manufacturing, economic risks, energy policy, pollution and public health impacts.

Charles Utley has worked for the Blue Ridge Environmental Defense League since 2002. He is a lifelong resident of Augusta and the community leader who spearheaded the city's Brownfield project at a superfund site in the Hyde Park neighborhood. His experience includes assisting in the development of the President Clinton's Executive Order No. 12898: "Federal Actions to Address Environmental Justice in Minority Populations and Low-income populations." The Blue Ribbon Commission was established to seek input on the nuclear waste finances, commercial nuclear power, the nuclear fuel cycle, defense wastes and a national nuclear waste repository.

Groups Appeal Plant Vogtle Decision

"In trickery, evasion, procrastination, spoliation, botheration, under false pretense of all sorts, there are influences that can never come to good."

In Charles Dickens' classic novel *Bleak House*, attorneys, judges and clerks do all they can to sidestep justice. In similar fashion, we find that well-paid nuclear industry lawyers have influenced the nuclear regulators to ignore fundamental safety questions. Last August our nuclear engineering consultant, Arnie Gundersen, identified a serious flaw which could allow corrosion and cracks in the containment structure of the Westinghouse nuclear reactors proposed for Plant Vogtle and a half-dozen other power plants. In November the Atomic Safety and Licensing Board dismissed our case, evading these safety questions by ruling on procedural issues. Incredibly, the licensing board said that we should have realized and acted upon a relevant statement by the Advisory Committee on Reactor Safeguards two months before they said it.

"On such an afternoon, some score of members of the High Court of Chancery ought to be—as here they are—mistily engaged in one of the ten thousand stages of an endless cause, tripping one another up on slippery precedents, groping knee-deep in technicalities, running their goat-hair and horse-hair warded heads against walls of words, and making a pretense of equity with serious faces, as players might."

Refusing to accept this decision, the Blue Ridge Environmental Defense League, the Center for a Sustainable Coast and Georgia Women's Action for New Directions appealed to the full Nuclear Regulatory Commission to reverse the unfavorable decision. Our appeal filed in December pointed to enormous safety risks:

"The reactors proposed for the Vogtle Plant are not adequate to prevent the accidental release of radioactive materials. In fact, the releases of radioactive material directly from the environment from a hole or crack in the Vogtle containment vented into the atmosphere through a chimney effect is approximately 25 times greater than the design leak rate."

In our appeal, we want the Commission to consider the critical public safety hazards of the Westinghouse nuclear reactors proposed for Plant Vogtle. Our appeal to the full Commission is lodged in hope that they will deal with substance and not take the Dickensian way out: "Shirking and sharking, in all their many varieties..."

Chapter Updates!

Let Your Voices Be Heard Through BREDL, by sharing your strategies, actions and updates.

Send your updates to Beverly Kerr, BREDL Communications Coordinator Email: beverlykerr@triad.rr.com or call 336-376-9060

Clean Air Now (CAN) carried its 'resolution campaign' down to the wire in October, recruiting local governments to adopt resolutions calling on the N.C. Environmental Management Commission (EMC) to make October 2012 the effective date for new EPA rules on medical waste incineration. Heather Bjork led the effort, shared by several other CAN members visiting county, town and city governing boards. The resolutions were submitted to the EMC and became part of the Hearing Officer's Report and recommendations for adoption of the new rules.

The final push was October 5 to the Burlington City Council, which refused to consider the resolution, already adopted by thirteen governing bodies. The city council's resistance was fully described in *The Burlington Times-News* October 9, which also summarized Heather's presentation. The CAN message was further reinforced in letters to the editor October 9 and 15 critical of the city council's inaction.

Following up the EMC's action on the EPA rules in November, Carolyn Cole and David Mickey prepared a BREDL white paper, "Medical Waste In North Carolina," on the status of medical waste treatment in North Carolina. The report calls on the state to take steps to reduce the volume of medical waste incinerated in North Carolina.

In addition, the chapter is gingerly feeling its way towards engagement with local medical waste providers. On November 9, co-chairs Donna Bonds and Carole Troxler attended NC TraCS Database Sources Workshop. CAN is also participating in conference calls with David Mickey who is leading the chapter towards engagement in the broader issues of biomass and incineration with other concerned chapters and groups.

By Carole Troxler, Co-Chair of CAN. After teaching history at Elon since 1970, Carole retired in 2003. She is researching and writing -- and also enjoying more time with native plants and with traditional music of the British Isles and upland South.





To our Newest BREDL Chapters! Here we 'GROW' again!

Neighborhood Environment Watch (NEW) Citizens from Alamance County NC and surrounding areas are planning testing of the air, soil and groundwater at existing galvanizing sites and surrounding properties. NEW calls upon government agencies to reduce the level of pollution, noise and odor by implementing environmental permits at all steel galvanizing operations. NEW members are researching worldwide galvanizing plants, networking and forming alliances with those who have similar concerns. NEW plans public education and news media campaigns to expand support for the cause.

NEW welcomes inquires and appreciates support from BREDL.

For more information, contact Julius Kerr, NEW Treasurer at 336-376-9060.



- * Burnsville Air Report Card (BARC) Yancey County NC citizens working together to stop any adverse impacts of airborne toxins on our health, property values and tourism industry. Visit BARC facebook page at www.facebook.com/pages/Burnsville-Air-Report-Card/144702948903784
- * Wiregrass Activists for Clean Energy (WACE) Valdosta and Lowndes County Georgia citizens with two main goals: to promote clean and sustainable energies for the future, and to stop the biomass incinerator proposed for the community. Visit WACE website at www.wiregrass-ace.org
- * People for a Clean Environment (PCE) Citizens fighting a municipal water supply fluoridation project proposed by Grayson County and Independence, VA and Alleghany County and Sparta, NC. The two counties are beside each other on the NC-VA line. Visit PCE website at www.saynotofluoride.com.

Shades of Green - Buying the Nuclear Farm

A buyer walks up to the sales clerk and says, "Sir, I'd like to buy a nuclear plant. What would that cost?"

"It's about \$8-to-\$15 billion to get one operating, assuming they approve a design," the clerk replies. "Then you have to hire a paramilitary squad to protect against terrorism. We could have one ready for you by 2018."

"Whew, that's a huge investment!"

"Yes, but you don't have to worry, because even without insurance the government loans you the money and guarantees default. About half of them do."

"Oh, that's a relief. You know what they say in business—it's good to spend someone else's money," said the buyer smiling. "What else should I consider?"

"Do you have a site by a river?"

"Yes! I have 1,600 acres in Alabama!"

"Good. You need that. Once operating, a nuclear plant draws up about 20,000 extra gallons of water a minute," the clerk explains. "A third of that water goes back into the river, but it can't be too hot. We've had some trouble this summer and future summers are predicted to get hotter so you might not be able to run it all the time."

"H'mm, I want it to be reliable, but I guess fish, plants and aquatic animals wouldn't like the water too hot."

"Yeah, but they can always swim around hot spots." (Clerk laughs.) "Of course, that's not the only water problem."

"Really? What else?"

"There's the radiation."

"What? I thought radiation was all contained unless there's a meltdown or a terrorist attack."

"Mostly true—not counting the tritium and other pipe leaks or accidents—but no one can contain it all, so get an ALARA permit."

"What's that?"

"That stands for 'As Low As Reasonably Achievable'. Then you're allowed to put whatever you can't capture into the river and air every day."

"But isn't radiation cumulative over the years—maybe causing cancer?"

"True, but they say it's an insignificant amount."

"At least the air will be cleaner without all that CO2 and toxic emissions we get from coal burning," the buyer asserts.

"That's right," the clerk agrees. At your site, at least."

"Meaning?"

"Well, before fuel gets to the reactor there's mining and milling leaving low radioactive tailings; conversion and enrichment separating the U-235 from the rest of the radioactive material left behind; and fuel fabrication where they bake the U-235 material and form pellets for the fuel rods. These all cause greenhouse gas emissions. Finally, rods travel to the plant."

"Gee, I guess it's not clean when you consider the whole process. What then?"

"Once rods are put into the reactor, the U-235 atoms begin to split, making heat to boil water for steam to turn a turbine for electricity."

"Wow, that sure is a hard way to boil water."

"There's a lot of energy in those tiny atoms. They don't give all of it up either."

"How do you mean?"

"When they remove the rods, they are actually more radioactive. They are put in pools of borated water, cooled, and then removed to casks for storage on site."

"Where's the permanent landfill?"

"Oh, there isn't one."

"You mean the radioactive waste stays on the grounds? That's worrisome. How long do we have to keep it isolated?"

"Some say 1 million years. I don't know how the storage casks can last that long, but we'll leave that to our kids."

"One last question, sir," said the buyer. "What does a solar power plant cost?"

POSTSCRIPT: TVA wants to be the nation's leader in increased nuclear production. www.matrr.org, www.nirs.org, www.nirs.org<

Written by Sandra Kurtz, recently elected Vice President of BREDL Board of Directors and a leader of Bellefonte (BEST) Chapter. Sandy is also an environmental education consultant, a former classroom teacher and a founder of Tennessee Environmental Education Association. Presently she is

executive co-director with the Urban Century Institute, a local nonprofit organization promoting sustainability and sustainable thinking.

Nature Sanctuary Update: Securing and maintaining trails and picnic areas

By Julius and Beverly Kerr





Honoring a Mission of Good Earth Stewardship:

- ✓ Construction of a gate at the base of the mountain
- ✓ Preparation of picnicking/camping areas by bush-hogging/forest clean up
- ✓ Coordination of BREDL work days
- √ Promotion of the site on BREDL web page
- ✓ Provide hikers and picnickers with unspoiled natural environment

BREDL staff and volunteers spent two glorious weekends in October and November on the 52 acre nature sanctuary on the French Broad River in the town of Marshall. This inspiring property was generously donated by Ginny Lentz and transferred to BREDL in the year 2000.

We worked from sunrise to sunset to secure and maintain trails and picnic areas for the use of hikers and visitors. This was preplanned and coordinated at our October Board Meeting. The work project was deemed a success by all who participated.

Beverly, Julius and Bill Kerr brought their trailer loaded with tractor, drag box, riding mower, chain saws and loppers. Pat and Ken Hill brought chain saws and worked like a professional logging team. They were amazing! Lou Zeller was there an hour before everyone else with his 'magic' bush hog mower and had already blazed the trail up the mountain part way. He led the pack from beginning to end.

We cleaned up picnicking, camping and trail areas by cutting up downed trees, bush-hogging, forest brush clean up and mowing.

Julius worked with his tractor and drag box, clearing out the quarter acre at the bottom of the mountain and filling in the swampy places.

We were pleased to see the progress in our before and after photos we took as we worked. The weather was perfect and the views stunning! Everyone worked long and hard.

On our second trip in November, more trails were cleared and grass seed spread. Lou, Julius and Bill put up a split rail fence along the creek bank. Lou also created and hung a sign proclaiming the BREDL name and website address.

All agree that BREDL is blessed to own a beautiful property with so much potential. Funding for maintenance and improvements at the Sanctuary come from donations, in-kind contributions, and foundation grants, so we continue to promote the site on the BREDL web page and to encourage donations.

Please help BREDL realize the potential of this great gift. We encourage donations specifically for the nature sanctuary. Help create for our organization and for other groups a retreat center which demonstrates simplicity of lifestyle and offers a sanctuary for the spirit. \blacksquare







Blue Ridge Environmental Defense League Mission Statement

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

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

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

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

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

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

All donations help BREDLs mission and are tax deductible.

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