



# BLUE RIDGE ENVIRONMENTAL DEFENSE LEAGUE

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## The LEAGUE LINE

Winter 2016

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### As Clear as Coal Ash

*Therese Vick, Sustainable Economic Development Coordinator*



The second anniversary of the Dan River coal ash spill is near and the two years since have been marked by scandals, investigations, lawsuits, convictions, and record fines. Governor Pat McCrory and Duke Energy have a 150-million-ton coal ash problem. An article in the Spring 2015 League Line explored the similarities between

then Governor Jim Hunt's handling of the Warren County PCB issue of the 1980s and the current situation involving Duke Energy and the current administration forcing 20 million tons of coal ash on communities in Lee and Chatham Counties.

Even though Duke Energy's plan to dump the toxic coal ash in the two counties wasn't announced until

November 2014, the scheme was hatched as early as that spring. Emails obtained by the Blue Ridge Environmental Defense League (BREDL) through public records requests show that state regulatory staff met with Charah, the owner of the landfills and the contractor handling coal ash disposal for Duke, former House member

Mitch Gillespie who was at that time Assistant Secretary of Environment for the Department of Environment and Natural Resources (now the Department of Environmental Quality-DEQ) to "discuss permitting options." This meeting was held on May 8<sup>th</sup>, 2014. Interestingly enough, (Cont. on pg. 9)



### Knocking on Doors to Build Power

*Whitney Whiting, Community Organizer*

*In October 2015, just weeks after Dominion filed its official application for the Atlantic Coast Pipeline, BREDL began knocking on doors to spread the word - and the work - on the dangers of a proposed compressor station in Buckingham County.*

It's been said before that all organizing starts with talking to one person. If you've considered door-to-door work as

a strategy in your organizing goals but shuddered at the thought of actually doing it, you're not alone. Before October, my only experience with this activity was during the 2008 presidential campaign, and I'd be lying if I said I enjoyed it way back then! It's understandable that people dread knocking on doors, even when they are passionate and knowledgeable about an issue. The idea of having to persuade complete strangers to care about "X-Y-Z" is overwhelming.

But when you are trying to organize people, is your goal really to "convince" someone about an issue? Or is your

goal to find people facing a problem and connect them to others so that they can do something about it?

What I learned in October is that when your goal is building a group, the dialogue changes. Instead of being about the issue, it's about the person you are talking to. It's much more about *asking* instead of telling: "What have you heard about this? What are your concerns? Would you like to do something about it?"

We knew that Buckingham residents wanted a public hearing on the proposed compressor station, so we set out with a (Continued on pg. 6)

2016





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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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(BREDL)**

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Sharon Ponton  
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## Atlantic Coast Pipeline: Local Economic Benefits Overstated & Not Auditable

*Pastor Cary Rodgers, Environmental Justice Coordinator*



In the 1980's only a couple of miles from Duke Energy's Combustion Turbine power plant in Hamlet, NC was a proposed site for a low level nuclear waste dump. Because of the work of the local resident's resistance and BREDL the proposed site sits vacant today with pine trees. Even though that was a great past victory, it is apparent that since 2001, the citizens of Richmond County have been Duke's toxic air pollution dumping ground.

To add insult to injury, in the summer of 2014 Duke was given permission by NC Department of Air Quality division to dump 36% more toxic pollution on the citizens of Richmond County. This includes increased operations from **1,392 to 8,760 hours per year**. They are permitted to expand their turbines which in total are proposed to dump 3,514,000 pounds of nitrogen oxides, 714,800 pounds of sulfur dioxide, 3,985,800 pounds of carbon monoxide, and 303,600 pounds of particulates/PM-10 on the residents of Richmond County, NC each year!

Duke loves to boast about its great technological advances and how their carbon foot print will be lowered as a result of burning natural gas instead of coal. This is the "smoke" they like to blow to the public and politicians, but reality reveals that since they shifted to natural gas in Hamlet their overall level of pollution nearly tripled in the last seven years. From 2008 to 2012 the actual emissions of pollutants increased by 115% for nitrogen oxides, 145% for sulfur dioxide, and 146% for formaldehyde even though they switched to burning natural (methane) gas. This is an example of how the use of natural gas to generate electricity is a bad alternative to other fossil fuels.

Richmond County can not afford more toxic air because they are already a community that is vulnerable to respiratory illnesses. The Richmond County Health Department's 2014 Report states that "Richmond County ranked significantly higher than its peer counties for the five year span 2007-2011 for Emergency Department visits and hospital inpatient stays related to a primary diagnosis of asthma."

Since 2014, Concerned Citizens of Richmond County (CCRC), a BREDL chapter, has been hard at work to hold the state and the EPA accountable concerning Duke's permit to dump more toxic air. They are also

working to have this unjust permit rescinded. When the state permitted Duke to expand their power plant and dump more pollution, they ignored the EPA's initial recommendations, environmental justice laws, and cumulative toxic air impacts.

Before Duke was given the permit, members of CCRC requested a public hearing. The state refused. They also ignored submitted written comments. Because of the state's failure to address the serious flaws in the permit, in September of 2014 CCRC filed its initial legal challenge to EPA Region 4 in Atlanta for them to rescind the state's decision and charged that North Carolina granted a permit to Duke that was in violation of the federal Clean Air Act and Environmental Justice laws. EPA Region 4 acknowledged that they received legal challenge, but failed to act. One year later after attempts to get EPA Region 4 to act, CCRC filed another legal challenge concerning the state and EPA region 4 failure to EPA Washington, DC. They also acknowledged that they received the legal challenge, but about 100 days later NO ACTION. How many legal challenges will it take for EPA to act?

As Richmond County chokes on the toxic smoke of Duke doing untold harm to the citizens health, North Carolina and the EPA continue to fail to act on the serious environmental concerns, regulate, and enforce. Hamlet resident and CCRC secretary, Kim McCall, who lives less than a mile from Duke Energy's turbines believes her current health and new respiratory challenges are due to Duke's increased pollution. "EPA along with the state has done nothing to investigate the permit Duke was given to increase more pollution on top of air that is already heavily polluted" said CCRC Treasurer, Debra David. "Our group has tried for over a year make sure Duke and the state is held accountable, but it is shameful that the EPA Region 4 has also dropped the ball."

CCRC is not giving up. Matter of fact they are getting stronger and building the people power to create more attention to the issue. They are building capacity and moving forward with more strategic-planning and actions planned for 2016. So Duke, it ain't over, CCRC is still on the move!

## Living Without A Voice

*Rev. Charles Utley, Environmental Justice Campaign Director*



The Savannah River Site (SRS) is a nuclear industrial complex operated by the US Department of Energy (DOE). It covers 310 square miles and stretches into parts of Aiken, Barnwell, and Allendale Counties; the Savannah River, which separates South Carolina from Georgia, borders it to the southwest. The site is slated to receive foreign Plutonium without the local community's consent or comments.



*Savannah River Site, Aiken, SC*

Every community should have the opportunity to comment when faced with decisions like this. Where there is no input it's like living without having a voice. These decisions are often cited as being "top national security secrets" but everyone knows except the targeted community. This has become an increasing problem for the residents living in South Carolina and Georgia because they are forced to accept decisions such as receiving plutonium without an opportunity to be heard.

When there is public participation there is an opportunity for the public voice to be heard which allows the process to be open and transparent, but to deny this process is an out-right slap in the face of democracy. Surely removing 1,984 pounds of plutonium out of reach of potential terrorist hands is a good thing. However, haven't the residents in South Carolina and Georgia sacrificed enough for those same reasons?

When only those who stand to profit from such a move of this highly deadly product, it is given the thumbs-up without going through proper protocol. This begs the question, "Why?"

We must remember that Plutonium has always been given a new name when it comes to the general public, such as MOX, which is actually plutonium mixed with

another substance, usually uranium.

There is always something to keep the residents from knowing the real truth. Plutonium in any form or fashion is deadly. Changing the name makes no difference.

As I continue to watch how our communities are consistently denied their rights to open and transparent communication in situations like this one, I am led to believe more and more that these withholdings are being driven by the almighty dollar. Legislators foster the idea of having these industries and foreign countries place their businesses and their nuclear waste in the least influential and least vocal communities. We can no longer afford to be silent, our voices must be heard to let the regulators and nuclear operators know that our lives do count.

We must continue to be the eyes and ears for those who are afraid to speak out because of the uncertain consequences. Not only is this true with Savannah River Site it is also true with other nuclear programs, they all target the same kinds of communities. The Blue Ridge Environmental Defense League will continue to demand that these Environmental Justice communities have inalienable rights and a voice that must be heard.

I urge each of you to help us by being vigilant, that we may not become a community without a voice.

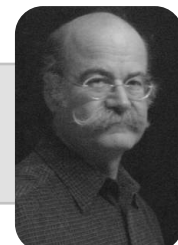


*Plant Vogtle, Waynesboro, GA*



## Director's Report: Social Change Availeth

Louis A. Zeller, Executive Director



I first saw a stanza of the poem by Arthur Hugh Clough "Say not the Struggle Naught availeth" carved into the windowsill at the National Cathedral in Washington, DC. It struck me.

*Say not the struggle naught availeth,  
The labour and the wounds are vain,  
The enemy faints not, nor faileth,  
And as things have been they remain.*

The occasion was a meeting at the culmination of an anti-nuclear cross-country barnstorming tour, towing a 20-foot long mock nuclear waste cask to New Mexico and back in August 1995. Later I found the rest of the poem, and it revealed even more. In cynical times, the simple and the pure of heart are often relegated to sentimental backwaters far from the nation's capital. But "Say not" does not allow sophistry.

*If hopes were dupes, fears may be liars;  
It may be, in yon smoke conceal'd,  
Your comrades chase e'en now the fliers,  
And, but for you, possess the field.*

Social change is claimed more often than it is embraced. Advocacy groups call for modification of public policy and equate that activism with social change. This traditional approach to environmental policy is one based on access to decision makers and working for incremental improvements. BREDL mentor Pete Hill called these

"professional opposition organizations," or POO's. They have a role to play, certainly. But social change groups are properly described by community organizer Saul Alinsky in *Rules for Radicals* as People's Organizations, as "groups led by the people who are facing the struggle." They plant lasting, true social change, sometimes like seeds, unaware of others, responding to the rain of justice.

*For while the tired waves, vainly breaking,  
Seem here no painful inch to gain,  
Far back, through creeks and inlets making,  
Comes silent, flooding in, the main.*

"I'd like a cup of coffee please," said Ezell Blair at the Greensboro sit-in on February 1, 1960. His appeal—simple, straightforward, without rancor—distilled a revolutionary drive for social change into something the average non-political person could easily understand and support. The movement grew rapidly and the tide of social change reordered society.

*And not by eastern windows only,  
When daylight comes, comes in the light;  
In front the sun climbs slow, how slowly!  
But westward, look, the land is bright!*

Hoping without knowing, asking not telling, identifying and cultivating local leaders is the community organizer's trade. *Rules for Radicals* opens: "What follows is for those who want to change the world from what it is to what they believe it should be." Community organizing is about people. Social change is about power.

A handwritten signature of Louis A. Zeller in black ink.

Louis A. Zeller,  
Executive Director

**POWER TO  
THE PEOPLE**

## Preserving our History, Protecting our Land

*Carolyn Reilly, Community Organizer*



Lately, I've been visiting with many landowners in Franklin County, VA, whose land and lives are in the crossfire of the proposed Mountain Valley Pipeline. Going to various landowner sites and learning the history, heritage, and stories from diverse people has been both humbling and beautiful. Many are devastated at the thought that a massive pipeline could rip through their land and homes, including property their ancestors have stewarded for several generations.

Here's the good news: **THERE IS HOPE!**

Section 106 of the National Historic Preservation Act provides an opportunity for local citizens to seek protection of the land they love and preserve the history attached to that land. The Section 106 process requires consideration of impacts to structures, districts, and archaeological sites that are eligible for listing on the National Register of Historic Places. Having the public involved

is a key factor to coordinating and organizing potential historic homes, sites, districts, etc.

The National Environmental Policy Act is the law that requires the preparation of an Environmental Impact Statement in the planning of large-scale projects involving federal funding. NEPA requires that the entity responsible for writing the EIS – in the case of the proposed MVP the Federal Energy Regulatory Commission – also engage in review processes under a number of federal laws, one of them being Section 106.

To make an appeal, learn more from your state historic office: the State Historic Preservation Office in North Carolina, the Historic Preservation Division in Georgia, the Tennessee Historical Commission in Tennessee, the Alabama Historical Commission in Alabama, and the Virginia Department of Historic Resources in Virginia.

BREDL, working in collaboration with Ann Rogers, has cultivated robust public participation and effective support from historic, legal and archeological experts. I've enjoyed working with a diverse group of landowners who are sharing their time and welcoming those of us who are diligently working to protect the land. Many artifacts have been found, including some dating back to the Paleolithic era. There are several areas that may qualify to be designated rural historic districts. We're making good progress!

While the gathering of information and data is important, I've found that there's more to it than just writing reports and compiling material. As my feet have traversed green grasses, soft forest floors, rushing rivers and muddy tilled soil, one thing remains evident: the connection between people, history and the land runs deep.

(Continued from cover) clear goal: get as many personalized letters signed by residents in the immediate vicinity of the proposed site, emphasize the most pressing concerns about air quality, and send them to the agencies who held the official decision-making power. Additionally, we brought factsheets and flyers to remind them about upcoming community meetings.

The majority of people we met agreed to submit letters on the spot and were interested to know more. Many invited us into their home and asked for additional flyers that they could help distribute. Some residents even hugged us before we left.

Some residents were concerned about the compressor station, but expressed doubt that anything could be done about it. Instead of insisting that they not lose hope, we made sure to listen and validate those very real feelings of frustration. Then we made sure to tell them how many other residents we had spoken to who were willing to do something about it.

Buckingham residents have now sent dozens of letters to the DEQ, which will prove valuable in the coming months as the agency moves through their decision-making process on an air permit.

But the work doesn't end with one petition or one person. Building a group that can win means people finding power of their own doing. It's a continuous process, and thus it is never wasted energy. In order to knock down the barriers that keep us from building lasting power, first, we knock on doors.

## Vogle: League Identifies, Challenges Vogle Relaxed Construction Standard

In a legal petition to the US Nuclear Regulatory Commission, the Blue Ridge Environmental Defense League identified three major problems with the Plant Vogtle nuclear power plant related to construction and radiation exposure levels. The League filed the petition December 7, 2015 with its chapter in Burke County, Georgia, the Concerned Citizens of Shell Bluff, who submitted 63 affidavits supporting the action.

The petition states that 1) the plant does not meet minimum industry construction standards, 2) the plant would not keep plant workers exposure to radiation as low as achievable, and 3) the licensing agency has failed to properly consider disproportionate impacts to the residents living near the plant.

Rev. Charles Utley, the League's Environmental Justice Project Director, said, "For Southern Company to request such a dangerous change in standards for the construction of Plant 3 and 4 is unacceptable by the residents living in the surrounding counties. This request has raised great concern and doubt in the minds of the residents. Has the focus changed from the quality of construction and the quality of life to overrun costs and missed deadlines? The residents in their declarations with a resounding voice say 'no' to this request."

Southern Company submitted a Preliminary Amendment Request which would permit the relaxed standards before a thorough review by the Nuclear Regulatory Commission.

Zeller added, "If permitted by the US Nuclear Regulatory Commission, the changes would

alter the reactors' critical radiation shielding walls. BREDL and Concerned Citizens of Shell Bluff oppose the license amendment because it would endanger plant safety, plant personnel and the surrounding community."

The US Nuclear Regulatory Commission will consider the petition and decide whether to grant Blue Ridge Environmental Defense League a hearing.



*Plant Vogtle Waynesboro, Georgia*

# Meet The New BREDL Staff!

**Carolyn Reilly**, along with her husband, own and operate Four Corners Farm and Four Corners Recycling in Rocky Mount, Virginia. When they moved from suburban Florida over five years ago, they had 4 backyard chickens. Now they are happily rooted in rural SW Virginia with over 400 pasture-raised chickens, range-raised pigs and a handful of grass-fed cows. Carolyn is a home-schooling mother of four children, a book lover, and an aspiring writer. She stands in firm opposition to the proposed MVP for the health and safety of thousands of people, for the beauty and grace of local community, and for the sacredness of their personal land, which rests in the direct path of the proposed MVP. Carolyn began working for BREDL as a Community Organizer in July 2015. Working for BREDL has further deepened Carolyn's commitment to sustainability .



**Sharon Ponton** has been an activist and volunteer for most of her adult life. From participating in school Parent Teacher Organizations, to running her husband's campaigns in local Board of Supervisors elections, to stepping forward to fight Dominion and the proposed Atlantic Coast pipeline. She understands what community means and the importance of working to have a safe, healthy environment in which communities can prosper.

Before joining the BREDL staff, Sharon also spent many volunteer hours in Nelson County planning events and actions through the grass-roots group, Free Nelson, in opposition the proposed ACP. She traveled to West Virginia to speak to groups about how they could join the fight and shared strategies and tactics being used in Virginia. She is pleased to be a part of the staff now and is anxious to continue her work as a community organizer.

## **Whitney Whiting**

never suspected that such a group of doers as the BREDL community even existed prior to joining the Virginia staff in August of 2015. She has since been humbled and honored to join this team and the fact that she was born the same year that BREDL formed is not lost on her. She hopes to continue to learn from the past experience of all the staff, not to mention the vast network of community members she has encountered, while also growing her own and expanding the reach of BREDL's successful work. She is of the opinion that if we are going to have a better world, it will be because of people working to make it so in their own communities, with their own power.

She would like to thank BREDL, for all that it has accomplished so far, and thank all of you for letting her become a part of it.



**Leigh Rainey** is the newest addition to the BREDL team. She has been doing activist work in some form or another since she was a high school student in Stone Mountain, GA. She moved to Floyd, VA four years ago where she later helped to found the BREDL chapter, Preserve Floyd, with her partner Mara Robbins which mostly consisted of finding things, printing out fact sheets and petitions, setting up tables at the local community market and making sure that the maps did not blow away.

She has been working with BREDL in multiple capacities since then, including graphic design, editing and assembling the 2015 Annual Report and the last two issues of The League Line, social media analysis and even some cartooning. In December of 2015 she was hired to be the new Development Director and Communications Coordinator



(Cont. from cover) Charah reserved the name “Green Meadow, LLC” with the Secretary of State on May 5th. Green Meadow formally recorded their articles of organization with the State May 14<sup>th</sup>- the same day the Coal Ash Management Act (CAMA) was introduced. The CAMA allows coal ash to be used to “reclaim” open pit mines.

The two sites are in the Brickhaven community in Chatham County and the Colon Community, in Lee. The majority of either site has never been excavated, giving lie to the myth of the projects being “mine reclamation”. The state concocted the permitting scheme and manipulated the process to benefit Duke Energy, and get the two landfills out from under the more stringent solid waste regulations- which, among other things, allow for local government approval, more monitoring wells and site considerations. The speed at which the permits were issued was unprecedented- municipal waste landfills take years, and these two landfills for dangerous coal ash were permitted in months.

BREDL chapters EnvironmentalLEE and Chatham Citizens Against Coal Ash Dump have strongly resisted these plans, through organizing, demonstrations, and filing lawsuits against DEQ’s issuance of the permits. The first court hearings were on December 7, 2014, and January 8, 2015. The judges have issued no decisions as of the writing of this article.

On January 6, 2016, Raleigh-based WRAL TV reported that on June 1, 2015 Governor McCrory had Duke Energy CEO Lynn Good over for supper. This was just days after Duke pleaded guilty to nine

criminal misdemeanors and agreed to a fine of 102 million dollars for violations of the Clean Water Act. DEQ Secretary Donald van der Vaart was also in attendance. Four days later, permits were issued for the Chatham and Lee dumps. This meeting was not disclosed in the public records provided by DEQ, or in discovery responses to the legal challenge of the permits.

BREDL released a report in January 2015 showing the locations of clay mines across the state, and recognized the terrible precedent that allowing these two sites to go forward presented. Communities across the South without clay mines are not in the clear— those with commercial waste dumps are also at risk. For example, Anson County, North Carolina has been targeted by Duke Energy, as well as Amelia, Virginia and Homer, Georgia. In Pickens, South Carolina, MRR Pickens (a Raleigh based company) tried to allow coal ash dumping there. The community is vigorously opposing the plans.

It is clear that spreading the contamination is not the answer. Transporting coal ash over long distances from contaminated sites and disposing of it in landfills simply dilutes Duke Energy’s liability, and victimizes other communities. In North Carolina, a new alliance has formed: “ACT Against Coal Ash.” Members of ACT are people who have been impacted by Duke Energy’s coal ash and they have agreed that dumping on someone else is not acceptable. In 2014, BREDL offered a safer solution using the Department of Energy’s Saltstone process which isolates the coal ash from the surrounding area. It is of vital importance that communities organize and remain vigilant against the threat of toxic coal ash.

## Timeline

**April 16, 2014:** Email from DEMLR staff that the “areas that General Shale [former owner of Lee and Chatham County clay/shale mines) are interested in releasing from the permit and all the areas either have been completely re-claimed or were never disturbed to begin with.”

**May 5, 2014:** Charah, Inc. reserves the name “Green Meadow, LLC” with the North Carolina Secretary of State.

**May 8, 2014:** Charah meets with state agency and legislative staff to “discuss permit options.”

**May 14, 2014:** Green Meadow files articles of incorporation.

**May 14, 2014:** Coal Ash Management Act is introduced.

November 13, 2014: Residents of Chatham and Lee Counties were shocked to discover that Duke Energy planned on dumping 20 million tons of coal ash in clay pits. The scheme was being called “beneficial reuse” and “mine reclamation.”

**November 21, 2014:** Charah submits permit applications to DEQ.

**May 8, 2015:** Emails obtained by BREDL show that Tom Reeder, DEQ Assistant Secretary for Environment solicited permit decisions before the public comment period concluded.

**May 14, 2015:** Duke Energy is convicted on nine counts and fined a record 102 million for years of groundwater contamination.

**May 26, 2015:** BREDL submitted the first of 2 records requests to DEMLR.

June 1, 2015: Governor Pat McCrory, DEQ Secretary Donald van der Vaart, and Duke Energy CEO met over dinner. Other attendees included Duke Energy’s chief legal officer and Governor McCrory’s general counsel.

**June 5, 2015:** Two of the major permits for the coal ash dumps, mining (DEMLR) and structural fill (DWM) were issued.

June 7, 2015: BREDL submitted the second of two records requests, to DEMLR and DWM expanding the scope of the first one.

## Paris Agreement Points to Global Resolve, Effective Local Action.

*by Sandy Kurtz, Vice President, BREDL Board of Directors*

On December 12 in Paris, France, representatives from 196 countries approved the Paris Agreement after two weeks of negotiations. A framework is now in place to collectively address rising temperatures on the planet caused primarily by burning fossil fuels. It was an extraordinary moment and a crucial turning point for global climate action. My 17-year old granddaughter, Wenona Kunesh, and I traveled to Paris to participate in this historic event, sharing its aspiration to create a healthier future for all life on Earth.



Paris rolled out the carpet for all those who came to be part of this United Nations Conference of the Parties (COP21), though large demonstrations were cancelled due to terrorist attacks in the city only a few weeks prior. Pro-COP21 messages were projected on the Eiffel Tower each night.

Parisians were helpful as we negotiated the mass transit system and found our way along narrow streets in this beautiful and historic city.

The feeling among those attending was electric. We knew we could tackle the problem and take effective action that would make a difference. The huge Generations Space on the old Le Bourget Airfield easily accommodated 20,000 people. A multitude of educational sessions, demonstrations, and exhibits in the hall and throughout the city made it all but impossible to see everything. Many people of influence gave presentations including James Hansen, Al Gore, Arjun Mahkijani, and Naomi Klein. President Obama and Secretary John Kerry attended. Google presented several informational pieces showing impacts of climate disruption on individual cities.

We didn't get much sightseeing done. We were too busy with our tasks as part of various coalitions, clubs and a Mobilization for Climate Action group. We exchanged thoughts and ideas with international visitors at exhibit booths, participated in public photo-shoots and festivals, interviewed influential people for video postings on social media, discussed issues and messaging at strategy meetings, attended informative scientific, art, and theatre sessions, and heard daily delegate reports about negotiations.

In terms of the actual agreement, brackets were a big deal. Throughout the negotiations, any country that had a disagreement with the language in the draft document could place a bracket in the text and recommend a change. At first, the text was filled with many, many brackets, but over time, each suggested issue was addressed and eventually the brackets disappeared. It was an impressive collaborative and cooperative process.

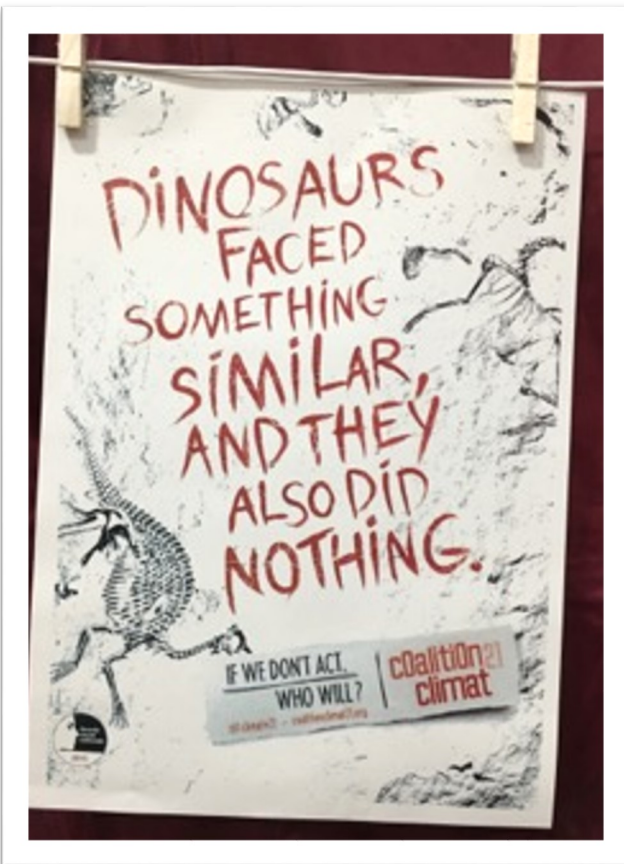


Would nuclear energy be favored to replace fossil fuels? Fortunately, it was not endorsed in the Agreement, though the industry pressed hard. While countries have the option to choose nuclear, the expense, when compared to solar and wind, should cause cheaper, safer, healthier choices to be made. The radioactive waste legacy must be avoided!

We also learned that methane gas is significantly more

quick acting in warming the planet than carbon dioxide. Since the idea in the Paris Agreement is to frontload the actions so that the rate of disruption will be slowed, we should work diligently to stop fracking, as well as transportation and exportation of fracked gas. BREDL's programs of work already reflect this necessity.

We cannot continue destroying our planet's support system. With ice melting, temperatures rising, increased catastrophic weather, coastlines disappearing, deforestation, and loss of agricultural land, we hoped that the Paris Agreement would declare an ambitious goal. It did. We wanted fair treatment for those who are suffering from the impacts of climate disruption. That was addressed, at least in part, and there was certainly a focus on environmental justice and ethics sewn through all the discussions. This was robustly emphasized by the actions and presence of many grassroots groups comprised of and supporting indigenous peoples.



Now? It's time for implementation. Much of it will happen at the community level. Citizens must keep pushing for swift action. Leave fossil fuels in the ground. Build and protect forests. Reduce energy use. Eat local food. Prepare for climate refugees. Support sustainable Clean Power Plans. Advocate for a strong US climate plan. My granddaughter and her peers deserve a sustainable planet.

It's time to step up and participate. It's time to share our resources! Let's begin 2016 with global resolve and effective local action.

## A Brief Overview of the Paris Agreement

by Sandy Kurtz

The Paris Agreement was adopted by 196 countries on December 12, 2015 and is published in five languages. The established goal is to take actions that will prevent a less than 2 degrees Celsius rise in average Earth temperature above pre-industrial levels with an objective to reach 1.5 degrees Celsius (2.7 degrees Fahrenheit).

Reaching this goal involves these factors: **Mitigation and Adaptation** – Reducing emissions early on to achieve the goal while strengthening ability of countries to deal with climate disruption impacts. A \$100 billion fund will support transition to low-carbon growth. A Mission Innovation Fund will seek new energy technologies.

**Global Transparency**— Accountability for climate actions. Each country submits a plan for assessment every 5 years. Plans will be ratcheted up over time. The official Paris Agreement goes into effect in 2020, but countries are now working on current plans with a 'facilitative dialogue' to take place in 2018.

**Loss and damage consideration**— Strengthening ability to recover from climate impacts. Catastrophic weather, rising sea levels, warming temperatures, plus destroyed food/forest production and biodiversity will result in massive refugee numbers? The Agreement advises prevention measures and risk protection for displaced and marginalized people.

**Support** –Financing nations to build clean, resilient futures. Sending a strong market signal and business certainty. Twenty countries are doubling research and development investments.

The Agreement is 30+ pages long. You can read the entire document here:

<<http://documents.latimes.com/un-climate-change-draft/>>



## From Turkey to Paris: Adventures and Actions of a Traveling Climate Activist

*Mara Robbins, Campaign Coordinator*

Lacy MacAuley, climate activist and devoted member of BRED's "Preserve Floyd" chapter, demonstrated at the COP21 Paris Climate Summit in late November and early December. Lacy is currently seeking a Masters Degree of International Service at American University in Washington DC, and was also in Antalya, Turkey, before the Paris COP21 to cover alternative voices at the G20 Summit.



*A climate justice angel*

At the Turkey summit, which was far less publicized than the Paris COP21, the G20 advanced its commitment to the creation of a Global Infrastructure Hub that will "unlock the ways and means for countries to better prepare, prioritize, and finance infrastructure projects," according to its communiqué. Of course, the funding for these projects will flow through the World Bank, the infamous dam-building and coal-financing "development" organization, and other so-called multilateral development banks (MDBs), which will no doubt get a cut of the cash.

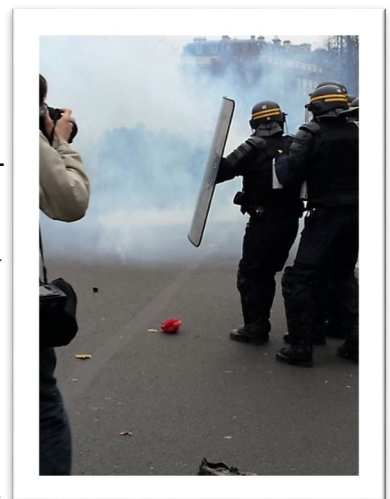
Right now the prospects don't look good that this project will move forward with environmental sustainability at the center. The project would expand and update roads, ports, railroads, energy infrastructure, and more. Though the G20's summit of energy ministers articulated clearly that energy efficiency and even renewable energy remained a priority, the text on the infrastructure project scarcely makes a mention of sustainability at all. These huge construction projects promise to greatly increase global carbon emissions if done wrong.

In March, an open letter signed by economist Herman Daly, activist Vandana Shiva, former Green Party presidential candidate Winona LaDuke, Greenpeace USA director Annie Leonard, *Earth First!* co-founder Mike Roselle, and others urged the G20 to rethink the infrastructure project. The letter suggests that the G20 "discuss significant changes to the economic model," educate themselves on planetary ecological boundaries, and shift toward ecologically sound infrastructure.

The G20 did take a few steps that can be celebrated:

They affirmed that they would broaden their acceptance of refugees and migrants, the tired and the weary. They also paid lip service to reducing inequality and including more women and youth in the workplace, though these may also be simply a new rhetorical twist behind old policies to "eliminate poverty" through more trickle-down economics.

From Antalya, Lacy traveled to Paris where she connected with other vital activists who were determined to demonstrate the day before the summit began despite the prohibition on protest. She was assaulted by tear gas multiple times as she documented the unnecessary attacks on peaceful protesters. From her reports on that day via social media: "We all knew that despite a ban on protest at Paris COP21 climate summit, many would march anyway. The COP21 meetings with UN and government personnel begin tomorrow morning. We got tear gassed so many times by French police, pushed and clubbed, then trapped by police on a tiny street corner for hours. At one point everyone thought that the Paris police would arrest everyone trapped, but many of us were let go."



*Riot police in Paris*

We were in the streets to call for real climate justice, to demand solutions. We were in the streets for our



children and grandchildren. We were in the streets for the poor of the world, for those without a voice, to demand system change. We were in the streets because climate catastrophe breeds terrorism, to stand for the freedom to demonstrate, and to show the Paris attackers that they did not win. We were in the streets because we have the audacity to believe in our own wild dreams!"

Lacy went on to help facilitate the "The Climate Ribbon: An arts ritual to grieve what each of us stands to lose to Climate Chaos, and affirm our solidarity as we unite to fight against it." People shared stories as part of a commitment to support each other, transforming strangers into allies in a global movement built by love, vulnerability, and trust. "What do you love and hope to never lose from climate chaos?" That was the question asked and answered by thousands of people around the world who wrote their hopes and dreams onto ribbons that were tied onto a tree as part of the action.

Over the course of several weeks, Lacy experienced and participated in a wide variety of activism on a grassroots level and witnessed vibrant participation by indigenous peoples, heartfelt messages of urgency and hope, and, unfortunately, lots of false solutions that will not save the planet. Lacy says: "We need less posturing and more real urgency. There is so much at stake!"



*Thousands of pairs of empty shoes were lined up in Paris filling in for protestors who were unable to participate in a march that was cancelled due to security reasons. Many shoes were adorned with notes and some even had plants planted in them.*



*This young man from Basque just wanted to leave his message with a pair of shoes and instead was trapped in a protest zone. Roughly translated, his note reads: "Let's change the attitude of nature #climatemarch"*



*This now iconic image was coordinated by SpectralQ, 100possible.net and taken by Yann Arthus-Bertrand. Lacy MacAuley was part of the rim on the upper right-hand side.*

*All other photos courtesy of Lacy MacAuley*

## How To Train A Trainer, Grassroots Style

*Sharon Ponton, Community Organizer*



What happens when BREDL staff and Lois Gibbs, the ultimate community organizer and founder of the Center for Health, Environment and Justice (CHEJ), meet for two and a half days of intensive training, planning and strategy sessions? Simply put—**AWESOMENESS.**

People living and working in several states do not often get the chance to meet face-to-face. It takes planning to create the opportunity to support the natural camaraderie others often take for granted in their daily work lives. This “training for trainers” in October was arranged to offer BREDL staff the chance to learn from Lois Gibbs and each other, but it also allowed us to bond. Breaking bread together at each meal gave us the time to get to know each other, to learn about each other’s families, and to make personal connections that are not as easy to cultivate over the phone.



*Whitney, Cary, Charles, Lou*

Lois Gibbs led the training in a way that allowed us to share the diversity of the work we complete and about the accomplishments the communities in which we work achieve, but also to explore our natural leadership styles in the context of who we are as people. The real work is done by the volunteers and activists in each community—passing fracking moratoriums, fighting coal ash, refusing to allow irresponsible and illegal survey activity, opposing pipelines, saying NO to natural gas infrastructure, challenging nuclear activity, taking a stand against asphalt plants—they fight each and every day for clean air, land and water. They fight for the very souls of their communities. We, as organizers, simply support their work in the best way we can. Organizers help the communities create strategies and plan activities that will help

each community reach their goals. Here at BREDL, one of the many things that makes our work unique is our commitment to learn all that we can about the communities we serve so that we’re able to appropriately support them in a way that is participatory, effective and sustainable.

Over the course of two very full days, Lois helped us broaden our skills to better help our communities succeed. She was detail oriented, but encompassed the bigger picture; she was pragmatic, but inspiring. From exercises that encouraged us to practice active listening to (actual!) juggling lessons, we worked and played together, stretching our muscles mentally, emotionally and physically. We left our training session a plan in place—including a timeline—to capably continue the programs of work already in process and to assertively embark upon new initiatives, such as local community choice agreements regarding a truly CLEAN power plan, in ways that are measurable and achievable. We sincerely appreciate our time with her and it has greatly increased our efficiency and expanded our skill sets. We’re an awesome team!

P.S. Though we enjoyed our focus on the training, we kept up with pressing projects of the moment, stealing a few minutes at breaks to make phone calls or edit the ACP Intervention document. The work continued every day!



*Mara, Carolyn, Whitney, Therese, Sharon, Charles, Lois, Cary, Lou*



## Bellefonte: TVA Fiddles While Commission Churns

On August 25, 2015, the Atomic Safety and Licensing Board issued a Memorandum and Order requesting a Status Report from the parties involved in the license proceeding at Bellefonte: Tennessee Valley Authority, the legal staff of the United States Nuclear Regulatory Commission, and Joint Interveners Blue Ridge Environmental Defense League, its chapter Bellefonte Efficiency and Sustainability Team/Mothers Against Tennessee River Radiation and the Southern Alliance for Clean Energy. BREDL is a party because we filed a petition to intervene in 2008 to prevent construction of new nuclear reactors at the plant site near Scottsboro, Alabama.

On Monday, September 14, 2015, the Parties held a conference call during which TVA informed NRC Staff, SACE, and BREDL that it is still evaluating its plans for Bellefonte Nuclear Power Plant Units 3 and 4, and does not intend to withdraw the combined license application at this time. Nevertheless, the Parties agreed to enter into settlement discussions to consider a variety of approaches for terminating the adjudicatory proceeding in this matter. On October 23, 2015, the NRC Staff posed three potential approaches: 1) Clean Slate, 2) Preserve Parties' Standing and Admitted Contentions, and 3) Preserve Parties' Standing and Assess Mootness of Admitted Contentions.

All three options presented by NRC Staff were unacceptable to us. For example, the proposed language in the Clean Slate option would place the Joint Interveners in an untenable po-

sition, depending on NRC Staff to "use its best efforts" to notify BREDL and SACE of new hearing opportunities. We proposed two other options: 1) That TVA withdraws its Combined License Application for Bellefonte, or 2) That the Bellefonte license proceeding remain in its current status.

TVA's 2015 Integrated Resource Plan reports that renewed licensing activity at Bellefonte is anticipated to occur, if at all, in the mid-2020's or beyond. TVA said that it intends to rely on additional natural gas generation, energy efficiency, and renewable power to meet future demand, and there is no immediate need for new baseload plants through 2033. Who will be present a decade or two hence? Who will be serving on the Atomic Safety and Licensing Board? Or on TVA's Board of Directors? Discussions continue but we will continue to press TVA to withdraw its plans for new reactors at Bellefonte.



*Bellefonte Plant Hollywood, Alabama*

BREDL  
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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

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