



BLUE RIDGE ENVIRONMENTAL DEFENSE LEAGUE

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The LEAGUE LINE

Winter 2018

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Coal Ash Recycling: An Ill-starred Technology for a Dirty Industry

By Therese Vick, Community Organizer



In 2016, the North Carolina General Assembly passed legislation requiring Duke Energy to recycle coal ash at three sites. Duke Energy chose the shuttered coal-burning power plants Cape Fear (Chatham County) and H.F. Lee (Wayne County), and the Buck Steam Station (Rowan County), which has been converted to natural gas. The method Duke is planning to use is the STAR (Staged Turbulent Air Reactor) process, which is being promoted by the SEFA Group based in Lexington, South Carolina.

According to the plan, Duke Energy will own the recycling facilities and SEFA group employees will operate the STAR technology, leaving Duke responsible for all other operations. From the beginning, Blue Ridge Environmental Defense League has had serious reservations about these proposals, which involve transferring heavy metals and other contaminants from one environmental medium to another. In short, it would increase toxic risk to people in communities already dealing with water contamination and years of exposure to air emissions from coal-burning power plants.

The proposed STAR process is essentially incineration; requiring burning the coal ash to reduce the carbon content, making it more desirable for use in concrete. Like every incinerator ever proposed, there are inherent concerns and potential problems. The STAR process has been touted by the company as being a "closed loop" system, implying that there are no negative by-products. Perhaps most disturbing, Duke Energy and the SEFA Group have misrepresented this process to local governments and communities. For example, in a presentation to the Chatham County Commissioners last year there was no mention of air emissions of heavy

metals such as hexavalent chromium and mercury, potential wastewater discharges, or waste needing to be transferred off-site for disposal. Review of the air quality permit for the proposed recycling facility at Buck show that the STAR method is problematic and far from clean.

Air emissions of hexavalent chromium, Cr(VI), which have been shown to cause lung cancer, are a big concern. On July 6, 2017 the North Carolina Division of Air Quality (DAQ) asked Duke Energy to "provide an explanation of how it intends to comply with the acceptable ambient level [AAL] for chromium VI (soluble chromate)." According to the version of the draft permit review available at that time, computer modeling of Cr(VI) levels exceeded the AAL safety level.

The permit documents we obtained regarding Buck Steam Station also state that depending on the end use for the recycled coal ash, additives may be introduced into the process. When questioned, the DAQ was not aware of this. Additives would impact the types and levels of air emissions from the facility. Duke Energy claims that only kaolin and crystalline quartz will be added. However, the market will likely be the deciding factor.

(continued page 7)

Vick obtained the *vial* of coal ash, shown in the photo:
A *vile* attempt at green-washing by Duke Energy!





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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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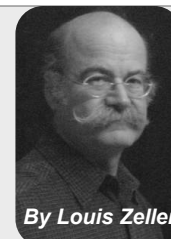
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The Myth of De Facto Segregation and its Impact on Environmental Justice



By Louis Zeller

January 8, 2018

Fifty years ago on April 11th, the Civil Rights Act of 1968 was signed by President Lyndon Johnson (Public Law 90-284, 82 Stat. 73). It was the product of tumultuous times which also saw the passage of the Civil Rights Act of 1964—outlawing discrimination based on race, color, religion, sex, or national origin, and the Voting Rights Act in 1965—prohibiting racial discrimination in voting. These landmarks of the 20th Century civil rights movement did much to rectify the injustices done to Americans of African descent, but did not go far enough. There remained a 100-year gap in enforcement which has become misconstrued by many as beyond the reach of the law to correct, that the present differences in housing, schools and transportation are the result of *de facto* segregation; that is, the division of American society, both North and South, into racially defined neighborhoods. The questions for us are, what is our responsibility as workers for environmental justice to take this into account, and what opportunities are before us to end the injustice of higher levels of pollution based on location? First, some background.



Title VIII of the Civil Rights Act of 1968, known as the Fair Housing Act, provides equal housing opportunities regardless of race, religion and national origin. Subsequent amendments expanded its coverage to include gender, people with disabilities and families with children. The Act makes it a federal crime to “by force or by threat of force, injure, intimidate, or interfere with anyone ... by reason of their race, color, religion, or national origin.”

In 1866, Congress enacted the first Civil Rights Act, a law designed to implement the 13th Amendment to the Constitution which abolished slavery. Since then it has been illegal to discriminate on the basis of race. However, because no federal enforcement was included, the remedy to a

violation was left to the individual. Admirably, the 1968 Act remedied this with enforcement in federal court. But the law was limited to future acts of discrimination; it did nothing to correct the consequences of an injustice dating back one hundred years.

Most people would agree that discrimination authorized by government action rightfully belongs in the dustbin of history. Many would also agree that some things cannot be changed by the wave of a legal wand, including intolerance and bigotry. However, the racial patterns of our neighborhoods, and consequently who gets the bigger dose of pollution, were established by laws enacted long after the end of the Civil War. Much of this history is spelled out by Richard Rothstein, an attorney at the Economic Policy Institute and the NAACP Legal Defense Fund. For example, during the New Deal programs of President Franklin D. Roosevelt, neighborhoods were color-coded by race by the Federal Housing Administration. Our history books omit and misrepresent this record. Rothstein describes this as willful ignorance on the part of judges, bureaucrats and other government officials. But the truth is there legal records up to and including the US Supreme Court, as recently as 2007.

Importantly, Rothstein shows that the continuing division of our communities into black and white i

s the result of a legally sanctioned, systematic policy of racial separation. In other words, it is *de jure*, created by law, not *de facto*, a matter of fact.

What does this mean for environmental justice? Rothstein’s analysis touches upon the higher levels of asthma in African American children, a medical condition which is often a consequence of greater exposure to air pollution. Dr. Robert Bullard, founder of the Environmental Justice Resource Center at Clark Atlanta University, clearly identifies the relationship of pollution and race:

We did a study of commercial hazardous-waste facilities and found that more than half of the residents living within a two-mile radius of these facilities were people of

color. When you look at two or more of these facilities in close proximity, that number jumps to 69 percent, and it’s likely that there aren’t just two or three but four or five in a single area. When smelters, refineries, and chemical plants are located near schools, the students attending those schools are predominantly low income and minority. And if you live in a community of color, you are two and a half times more likely to live near a polluting facility. That’s part of the reason why zip codes and neighborhoods are consistent, powerful predictors of people’s health.

People don’t really want to live near industrial smokestacks, nuclear power plants and waste dumps. The builders of these polluting facilities shop around, promising jobs, economic development and other fairy tales designed to entice gullible, hidebound and, yes, prejudiced officials to accept what they sell. So Uniontown gets the coal ash, Shell Bluff gets the nuke plant and Hamlet gets the combustion turbines. No more.

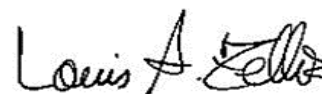
The opportunity before us is to take the truth about what we know, and about how things came to be this way, and broadcast it at every community meeting, on every radio and TV station, in every newspaper and on the electronic device in your pocket.

Will we be able to counter the rollbacks and rewrites which have characterized the present century? Moreover, what can be done to extend the reach of the laws designed to end discrimination and make permanent the justice they were designed to promote? The answers to these questions lead the way to a more equitable society for all, and a new wave of advances in environmental justice.

References

Robert Bullard interview for “In Their Back Yard” Rebekah Cowell, *The Sun*, May 2012

Richard Rothstein in *The Color of Law: A Forgotten History of How Our Government Segregated America*, 2017 ▲



The Public Service Commission Gives Vogtle a Resounding Gift at The Ratepayers Expense.



*by Rev. Charles Utley,
Associate Director*



On December 21, 2017, after hearing testimony by activists from around the state for four days in Atlanta on the concerns of continuing the construction of Plant Vogtle, the Public Service Commission, by a vote of 3 to 2, handed Vogtle and Georgia Power a blank check from the ratepayers of Georgia. Following the 17th Vogtle Construction Monitoring Report, the PSC approved \$542 million expenditures for the project during the first six months of 2018.

The PSC voted to approve, even after the PSC staff said there were problems with the Plant Vogtle expansion project caused by Westinghouse, the manufacturer of the AP1000 reactors being installed at Vogtle. They say the reactors' design wasn't far enough along when the project began in 2009. Westinghouse filed for Chapter 11 bankruptcy in March 2017.

Our effort goes back before the ratepayers were ever involved in the construction. I personally called our state representative and asked him not to support the Georgia legislation, S.B. 31, that activated the involvement of the ratepayers of Georgia Power. However, I was told he had to support the effort. Nuclear reactor development was not popular during this period at financial institutions and on Wall Street. Private backers were not interested in investing in new nuclear reactors because of their massive financial and technical uncertainties.

The AP 1000, the type of reactor that

Westinghouse is building, has never been built before, nor has it been successfully completed anywhere in the world. The original design took five years and 19 alterations to meet "basic safety requirement" set by the U.S. Nuclear Regulatory Commission. Why would something that has never been approved get the support of our legislators to implement and pass the cost on to the ratepayers? It has become slavery in a different format because now no one is exempt from its control.

Two years ago State Representative Karla Drenner introduced H.B 931 legislation that would have made Georgia Power Company stop collecting the financing costs for its under-construction nuclear project until the two new units at Plant Vogtle were producing power. Yet in spite of the overwhelming information in support, the legislation failed. Now Georgia Power gets the nod to continue to move forward from the PSC.

The economic impact to the city is what drives the local government of Waynesboro, GA to support Georgia Power because it provides 70% of the city's tax revenue. However, the true ordinary citizen whose bottom line is the same monthly fixed income does not change. Those who are receiving public assistance, such as Food Stamps, in some cases are receiving only \$16.00 a month.

Burke County is the largest county east of the Mississippi, and yet it is still the state's leader in poverty. Estimates show that residents will continue to pay beyond construction for approximately 60 to 80 years, giving Georgia Power a gift that our next generation will still be in slavery to pay.

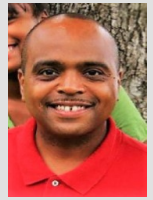
Not only did the PSC increase continue the gift to Georgia Power, it gave them the authority to allow their rate increase to start a year earlier: from 2019 to 2018. We will continue to keep the residents in Shell Bluff and others across the state aware of this financial life-sucking gift that the PSC has given to Georgia Power.

We will continue to work with those across the state to foster efforts to STOP the construction and halt the financial slavery to Georgia Power from being passed on to generations to come.

If this type of financial support was given to stop poverty and to educate our children, rather than poison power, then it would have been an asset not a liability and it would create dreams and not disparity. Clean energy would have a true economic impact that would last a lifetime and for generations to come.

For these reasons BREDL and the Concern Citizens of Shell Bluff will continue to fight to stop the development of Georgia Power's Plant Vogtle. ▲

BREDL Chapters Making Huge Impacts to STOP the ACP!



By Pastor Cary Rodgers, Jr.

Duke Energy and Dominion plan to bulldoze, cut, and eliminate thousands of acres of beautiful trees, forests, and natural habitat to make way for a very large and highly pressurized transmission line known as the Atlantic Coast Pipe (ACP) for the purpose of transporting "fracked" methane gas from the Marcellus Shale in West Virginia through Virginia to North Carolina. Why? Money, profits, and greed. They hope to make BILLIONS of dollars from the profits raked by the ACP.

That hope is NOW frustrated and delayed by eight active BREDL chapters of unified and organized voices of concerned citizens and landowners from Virginia to North Carolina to stop the ACP. Cumberland County Caring Voices, Wilson County No Pipeline, No Pipeline Johnston County, Nash Stop The Pipeline, Concern Stewards of Halifax County, Concern for the New Generation in Buckingham, Protect Our Water in Nelson and No ACP in Richmond are unified and persistent in protecting thousands of lives from the health and safety dangers of the proposed ACP. They are unified in protecting their property rights.

The ACP was supposed to be already in the ground according to their projections about two years ago. Their hope was to use their "Goliath" status, army of lawyers, and billions of dollars to intimidate and scare landowners in believing that the ACP could not be stopped. Instead of being intimidated the BREDL chapters from NC to VA continue to be organized by implementing strategies and actions that will stop the ACP. They have exposed and made formal complaints to government agencies about the ACP's deceitful and bully tactics to try to force people to give up their land, plans, rights, and personal safety. Together they have submitted hundreds of public comments to government agencies responsible for the fate of the ACP.

Their unified voices and organization is making a huge impact. For example, chapter leaders from Wilson County No Pipeline (WCNP) recently presented information to their county commissioners about the ACP's "consultation planning zone" that has

not been disclosed to property owners and local governments. According to industry standards, the "consultation planning zone" extends 660 feet from the center of the pipeline. As a result, this area is marked "restricted" for future development for the lifetime of the pipeline. In other words, anyone whose property is within the restricted zone could be denied future development or building projects because it may impact the "integrity" of the ACP. This will affect thousands of acres of landowners who will NOT receive one penny of compensation from the ACP. To add insult to injury, their property values will be greatly devalued. After the Wilson County commissioners heard WCNP's presentation, they voted and signed an official resolution concerning these facts and voiced their concerned about the lower grade pipeline in rural areas.

These are the type of voices that have been building the "power" to stop the ACP from NC to VA. For more information visit www.nopipeline.net, sponsored by BREDL. ▲



PROTECT OUR COMMUNITY

NoPipeline.net

Let's save historic landscapes from being "graffiti'd" by the Mountain Valley Pipeline

By Ann Rogers, Project Coordinator

On January 4, 2018, the Blue Ridge Environmental Defense League and chapters Preserve Roanoke and Preserve Franklin filed a Petition to Review a Final Order of the Federal Energy Regulatory Commission (FERC) to challenge to the legality of FERC's approval of the Mountain Valley Pipeline. The petition was filed in the United States Court of Appeals for the District of Columbia Circuit in Washington, DC.

Prior to this action, BREDL had filed a request for rehearing of FERC's Order Issuing Certificates and Granting Abandonment Authority for the Mountain Valley Pipeline. Instead of responding to BREDL's request for rehearing within the required 30 days, on December 13, 2017, FERC issued what is known as a "tolling order," which would allow construction on pipelines to proceed while legal and administrative challenges are still unresolved.

BREDL's petition asks the D.C. Circuit Court to vacate FERC's certification pending the Commission's compliance with applicable laws, including the National Environmental Policy Act and Section 106 of the National Historic Preservation Act.

The legal actions are being handled by our historic preservation attorney, Andrea Ferster, with whom BREDL chapter, Virginians for Appropriate Roads, worked in a successful 10-year effort to stop Interstate Highway I-73. In 2017, I-73 was dropped from Virginia's Six-Year Improvement Program and, unless some unforeseen source of funding is identified, is anticipated to remain off the state's list of planned highway construction projects.

In November, 2015, Preserve Roanoke members began working with me, BREDL's National Historic Preservation Act Project Coordinator, to conduct research and mapping needed to identify rural historic districts impacted by the pipeline. In May, 2016, as a result of our surveys, mapping, research of historic records, and interviews with affected landowners, the Virginia Department of Historic Resources (VDHR) approved the Coles-Terry Rural Historic District as eligible for listing on the National Register of Historic Places and thus actionable under Section 106 of the National Historic Preservation Act. Through this effort, a 2,600-acre expanse of land on the east-facing slope of Poor Mountain containing the headwaters forming the South Fork of

the Roanoke River gained protections under Section 106.

Then, in October 2017, VDHR approved our second new rural historic district, the Bent Mountain Apple Orchard Rural Historic District, encompassing 835 acres inside the Mill Creek watershed at the foot of Poor Mountain and containing historic orchard landscapes and thousands of apple trees that are remnants of the historically significant Bent Mountain apple orchard industry.

Elsewhere, Preserve Franklin is actively engaged in collaboration with Preservation Virginia in the process of seeking FERC's recognition of a massive archaeological site along the Blackwater River in Franklin County that would be crossed and compromised by the Mountain Valley Pipeline. Preservation Virginia has filed a request with FERC seeking further study of the site, which Mountain Valley Pipeline company archaeologists have mapped as a collection of "diminutive sites" that can be avoided through route adjustments, enabling the company to proceed with its plans to construct. Preservation Virginia is calling on FERC to conduct subsurface testing to determine if substantial intact archaeological evidence extends outside the boundaries of the sites that were defined by the pipeline company. The validity of Mountain Valley Pipeline's treatment of this and another enormous archaeological site discovered in the pipeline's path in Roanoke County are being contested as part of BREDL's legal challenge.

If allowed, the Mountain Valley Pipeline would be built through – not under or around – hundreds of pristine Appalachian and Piedmont streams, springs, wetlands, and rivers. The Mountain Valley Pipeline would cross at least 120 tributaries that form the headwaters of the Roanoke River. The radical changes in hydrology brought about by the Mountain Valley Pipeline risk impairment of the quantity and quality of drinking water not only in upstream rural areas, but also in downstream, heavily populated communities. The City of Roanoke estimates that the sedimentation flowing downstream from the Mountain Valley Pipeline's massive assault on our mountain streams will deposit an additional 1,039 tons of sediment per year into the Roanoke River, costing the city \$36 million annually for removal from the city's drinking water supply.



The Mountain Valley Pipeline would cross the crests of mountains forming the Blue Ridge chain, defacing the ancient beauty of this cherished landscape forever, and replacing scenic native tree cover with treeless "stripes" drawn graffiti-like on the sides of the mountains and through our valleys and farmland. There would be pumping stations, known as "compressor stations" built every 60 miles or so along the pipeline, which are required to keep the gas moving under pressure. These pumping stations emit a deafening noise 24 hours a day, 365 days a year, and are a significant source of toxic air pollution.

The construction of the Mountain Valley Pipeline and others would lock the U.S. into a long-term commitment to natural gas consumption, delaying our country's transition to renewables. And pipelines have a legacy of explosions, as documented in an article in Wikipedia titled "List of pipeline accidents in the United States in the 21st century."

BREDL chapters are also participating in another lawsuit challenging the December, 2017 decision by Virginia's State Water Control Board to issue a Section 404 Clean Water Permit for the Mountain Valley Pipeline. That litigation is being handled by Floyd County (VA) attorney, Tammy Flinsky, and will challenge the state's inadequate consideration of the impacts of building the pipeline through more than 120 tributaries forming the headwaters of the Roanoke River.

We must not allow the Mountain Valley Pipeline to wreak havoc on southwestern Virginia's priceless, pristine, irreplaceable waters and the region's beloved historic landscapes. If you would like to donate to BREDL's legal challenges to the Mountain Valley Pipeline described in this article, please send a donation to Rebecca Dameron, Treasurer, Preserve Roanoke, 10721 Bent Mountain Rd., Bent Mountain, VA 24059. Because Preserve Roanoke is a chapter of BREDL, your donation may be tax-deductible. ▲

The view of Poor Mountain is one of the scenic icons of the Roanoke County, VA portion of the Blue Ridge Parkway. The mountain was included in General George Washington's gift to General Andrew Lewis of 20,000 acres of land in the 18th century. A significant portion of the mountain visible from the Parkway is included in the 2,600-acre Coles-Terry Rural Historic District containing the headwaters of the South Fork of the Roanoke River.



This photo shows the breathtaking beauty of the upland wetlands pervasive throughout the community of Bent Mountain, VA in Roanoke County. This wetland stream is near the historic Bent Mountain School, built in the 19th century and now used as a public library and community center.



Coal Ash Recycling: An Ill-starred Technology for a Dirty Industry

By Therese Vick, Community Organizer

(continued from page 1)

There is much potential for harm to public health, including other metals and particulates in the air emissions and the formation of dioxins and furans during the incineration process. Mercury is a toxic hazard in the ash. What isn't emitted as elemental mercury vapor can settle on the fine particulates, which cannot all be captured by the baghouse filter. Another hazard is the impact of co-contaminants such as poly-chlorinated biphenyls (PCBs) on what is emitted. Most troubling, there are no requirements for continuous emission monitoring.

Currently, many questions remain such as:

- Will coal ash from other sites be brought to these facilities?
- What about emissions of radionuclides?
- Will there be waste-water discharges?
- Will there be off-site waste disposal?

Duke Energy has met with the NC Divisions of Waste Management and Water Resources regarding the need for permits. As of this writing, permits have not been applied for.

The STAR process is not a clean technology, and is certainly not a panacea for the coal ash problem. There are two words which tell North Carolinians all we need to know about it: Duke Energy.

If coal ash "recycling" is proposed for your community, contact the Blue Ridge Environmental Defense League.

BREDL Staff Testify at National Hearing on Rollback of EPA Clean Power Plan

By Mara Robbins and Michael James-Deramo

November 28, 2017: We began the morning speaking to US Environmental Protection Agency officials in that West Virginia State Capitol building behind us, and later landed on the other side of the Kanawha River listening to people testify in the People's Hearing for Healthy Communities. Our message: We need to strengthen the Clean Power Plan mightily if we want a

habitable planet. If we don't, then we are just having a polite conversation about our extinction.

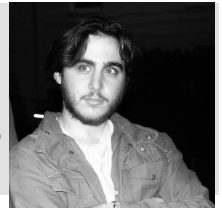
We spoke, carrying the urgency of missions from grassroots groups in frontline communities from all across the Southeast. Written on balloons that stayed buoyant despite the weight of the messages they held were the

many communities with people who could not travel to Charleston, West Virginia on a weekday morning. But while we were telling our stories, they were living theirs. "In my opinion, you have underestimated how much we love our children," testified Holly Cloonan, a child psychologist.



Radford Arsenal, Moving Towards Accountability

By Michael James-Deramo



The Citizens for Arsenal Accountability (CAA) aided in the writing and passing of the Blacksburg Town Council resolution urging the Radford Army Ammunition Plant (RAAP) to address environmental hazards. This resolution, passed on November 14, 2017, is the first governmental action taking a stand on the matter of the Arsenal.

The resolution states that RAAP has failed to self-report violations of smokestack regulations established by the Environmental Protection Agency, as well as continued to dispose of toxic wastes through open burning. The military was given a reprieve with the caveat that it phase out this

CAA attended community meetings as well as communicated with Town Council members debunking RAAP's greenwashing of its practices.

The Arsenal is being fined \$279,700 for violations to the Clean Water Act, the Clean Air Act, Emergency Planning and Community Right to Know Act, and the Resources Conservation and Recovery Act. This is on the back of their previous highest fine for \$263,335 for similar violations during the 2017 calendar year. Nine of the last ten quarters the Arsenal has been in highest violation status of the Clean Air Act. (See table below.) RAAP has also been in violation of the Clean

Nine of the last ten quarters the Arsenal has been in highest violation status of the Clean Air Act. (See table below.) RAAP has also been in violation of the Clean Water Act for the past four quarters.

Were the Arsenal truly becoming more green, their fines would be going down, not up.

After public pressure from the most recent community meeting, RAAP agreed to consider outside third party testing on site. CAA and community members plan to present a proposal of their own at this meeting. Moving forward, CAA will organize citizen air testing in collaboration with

Three Year Compliance Status by Quarter

Statute	Program/Pollutant/Violation Type	QTR 1	QTR 2	QTR 3	QTR 4	QTR 5	QTR 6	QTR 7	QTR 8	QTR 9	QTR 10	QTR 11	QTR 12
CAA (Source ID: VA0000005112100006)		01/01-03/31/15	04/01-06/30/15	07/01-09/30/15	10/01-12/31/15	01/01-03/31/16	04/01-06/30/16	07/01-09/30/16	10/01-12/31/16	01/01-03/31/17	04/01-06/30/17	07/01-09/30/17	10/01-12/31/17
Facility-Level Status		Violation		HPV	HPV	HPV	HPV	HPV	HPV	HPV	HPV	HPV	
HPV History				Unaddr-State	Unaddr-State	Unaddr-State	Unaddr-State	Unaddr-State	Unaddr-State	Unaddr-State	Unaddr-State	Unaddr-State	

practice, which RAAP has yet to do. In response, the Town Council recommended a variety of accountability measures including a 95% reduction in open burning within one year and greater transparency in sharing non-classified environmental and health data through a public data center.

RAAP responded to the resolution with a statement attempting to refute the resolution. Members of

Water Act for the past four quarters.

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experts from local universities. CAA will continue its educational efforts on Radford and Virginia Tech campuses and will continue to build collaboration between students and community members who wish to hold the Radford Arsenal accountable. Citizens for Arsenal Accountability, a BREDL chapter since April 2017, was founded to bring change to the RAAP. ▲

Clean Energy Resolution Approved in Floyd

Community Choice Agreement Advances New Agenda

By Mara Robbins, Community Organizer



On October 24, 2017, Floyd County passed a "Resolution Supporting Clean Energy Through Local and Regional Efforts" proposed by Preserve Floyd, BREDL's local chapter. Local efforts across the country, primarily on a town or city level, have embarked on clean energy campaigns. This is, to our knowledge, the first such resolution passed in Virginia on a county-wide level.

Lauren Yoder, Chairman of the Floyd County Board of Supervisors, said: "A lot of what makes Floyd County such a special place is our clean air, clean water, and the way people have not

destroyed the land like some other places have. What this resolution is saying is that we want to continue that legacy. I think it's important, as leaders, that we take a stand and say that this is how we feel and what we support. We must let those who come after us know that we took this seriously."

Individual communities may have different goals in regards to clean energy. In Floyd, a primary goal for 2018 is to solarize the schools, eliminating the toxic coal-fired boilers utilized to provide heat. Choosing a focus on independent energy

production and utilization could allow for energy production outside of the electric grid. Utilities such as AEP, Dominion and Duke focus on profit. Community Choice Agreements focus on local control. We intend to make sure that communities benefit from this shift and that private corporations no longer reap excessive profit at the expense of the people. Clean energy is a choice. Communities making that choice deserve to decide how that will best serve their communities. ▲

Local Resolutions to Reverse Climate Change Approved in Madison County, NC

On October 16, 2017, the Marshall Town Board adopted a resolution supporting action to reverse climate change. The resolution states that the town "stands ready to join with our federal partners to provide the leadership and resources at the local level to reduce greenhouse gas emissions, protect our most climate vulnerable residents from the impacts of climate change, and transition to a low-carbon economy." Marshall is the county seat

of rural Madison County in western North Carolina.

Jesse Zeller-Davis, a Madison County Early College student, proposed the resolution at the town board's regular meeting. In his presentation, he said, "By standing in solidarity with the Paris climate accords, our community shows leadership in climate issues." He told the board that, nationwide, 381 communities had already adopted this resolution. Zeller-Davis called for a vote of approval, adding, "I believe that a multitude of local actions is more effective than one overarching move." By a vote of 4 to 1, the Board approved the resolution.

On December 4th, Zeller-Davis convinced the nearby town of Mars Hill to adopt a similar resolution. He plans to take it to Hot Springs next. ▲



Jesse Zeller-Davis, Madison County Early College student

What's really behind all the pipelines?

Consumer need, or exportation for corporate greed?

By Sharon Ponton



A quick search of the Federal Energy Regulatory Commission's (FERC) website indicates approximately 25 pipeline projects are currently in one stage or another of its approval and construction process. There is much ballyhoo from the energy industry claiming these pipelines are needed to meet increased consumer demand, for home heating and new industry. However, over the last 10 years we have built pipelines carrying 121 billion cubic feet per day (Bcf/d), while peak usage for natural gas in the United States was 93 Bcf/d in January 2017.

In 2014, Virginia's Governor Terry McAuliffe, standing alongside Dominion's CEO Tom Farrell, made a lot of promises about the need for pipelines. However, repeated attempts have been made asking if the need is real, or if "need" is simply being manufactured by the developers of the pipelines. Do companies want to come to Virginia? To North Carolina? To South Carolina? If so, why haven't they taken advantage of the thousands of miles of pipeline currently available? There are, after all, pipelines which currently cross the Southeast—the Williams/Transco lines—with varying points where

regional gas utilities have access to the gas, and the spur lines created by those entities.

The Southern Environmental Law Center and Appalachian Advocates commissioned a study completed by Synapse in September 2016 which addressed the issue of need for both the ACP and MVP. What the study found was this: ¹

"For Virginia and the Carolinas, the anticipated natural gas supply capacity on existing and upgraded

infrastructure is sufficient to meet maximum natural gas demand from 2017 through 2030: Additional interstate natural gas pipelines, like the Atlantic Coast and Mountain Valley projects, are not needed to keep the lights on, homes and businesses heated, and existing and new industrial facilities in production.

This assessment of sufficient supply capacity includes only reported storage capacity, ignoring the existence of additional unreported storage capacity demonstrated by recent years' peak hour demand."

If you recall, during the 2008 elections one of the issues debated was US

energy independence, resulting in the slogan, "Drill, baby, Drill." What has occurred since that time is a phenomenal push, using a technology known as hydraulic fracturing, to drill in the Marcellus and Utica Shale. This push created a glut of fracked gas, much more than we are currently using in the United States. Therefore, our storage facilities have remained full and have spurred energy companies to find new markets for their product. For many years, there were only two natural gas export facilities in the United States, one in Alaska and one in Louisiana. In 2014, Dominion filed with FERC to retrofit its Cove Point import facility into an export facility. This facility is now complete and ready to export fracked gas overseas. There are four other facilities being built at this time, one of which—Elba Island near Savannah, Georgia—is slated to begin initial operations in 2018.▲

¹ "Are the Atlantic Coast and Mountain Valley Pipelines Necessary?" Synapse Energy Economics, September 2016. Commissioned by Southern Environmental Law Center and Appalachian Mountain Advocates

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