

# EVERYONE'S BACKYARD

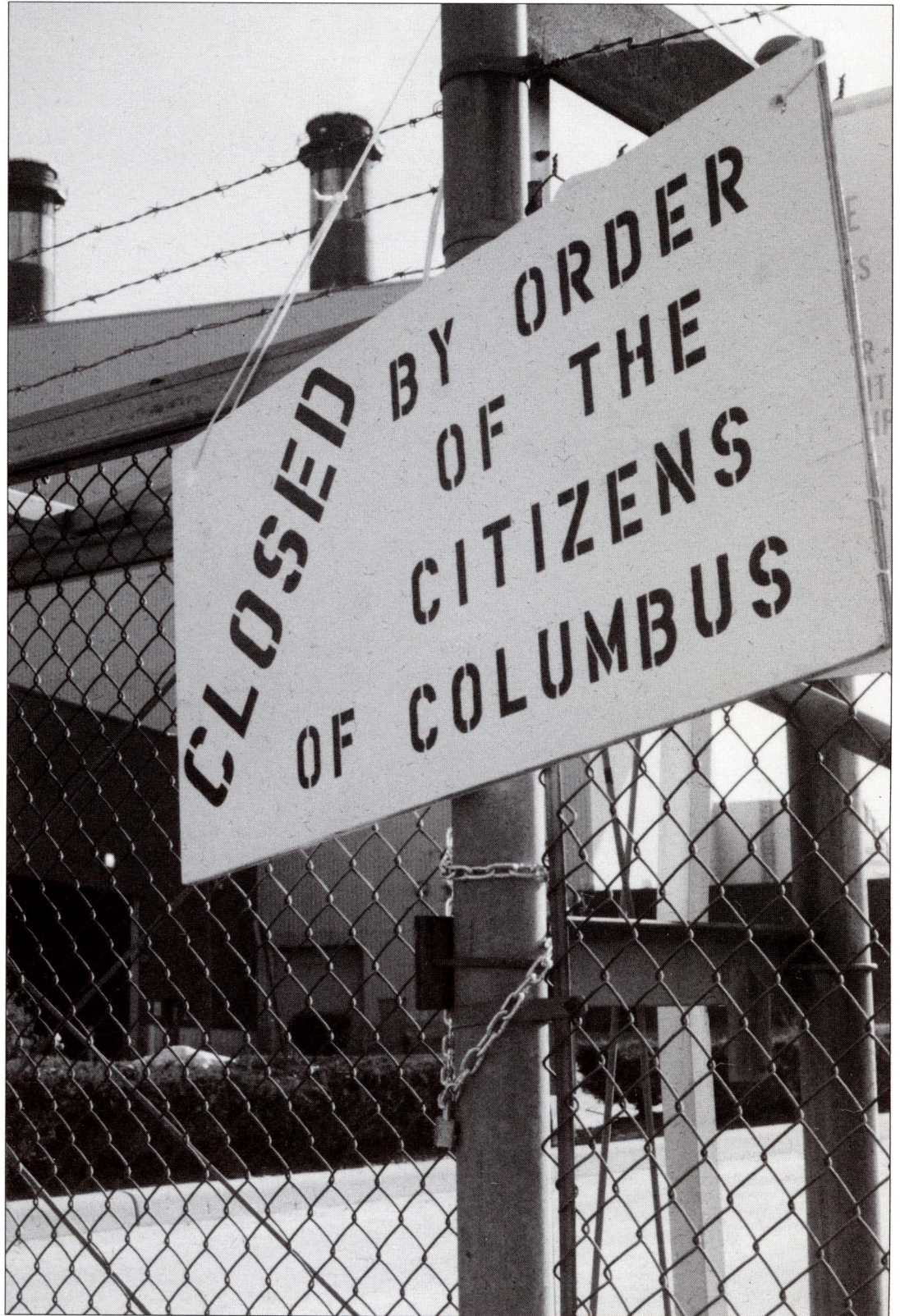
Vol. 14, No. 1 ❖ \$3.00

A New Activist's  
Evolution

Environmental  
Racism in the  
South

Dioxin and the  
Texas PTA

Our Nation's  
Alarming  
Increase of  
Health Problems



The Journal of the Grassroots Movement for Environmental Justice  
Citizens Clearinghouse for Hazardous Waste



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## Everyone's Backyard

### EDITOR

Michael Drescher

### LAYOUT DESIGN AND PRODUCTION

Maureen McDonald

Page Artistry

Rochester, NY

### All CCHW staff members contribute to EBY

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## The Settlement at Love Canal

# THE END OF A CHAPTER, NOT THE STORY



**A**ttorney General Janet Reno and Administrator Carol Browner of the Environmental Protection Agency recently announced the settlement of the federal government's lawsuit against Occidental Chemical Company for the cleanup at Love Canal, accepting \$129 million. In their statement, Reno and Browner both commented that this was the "final chapter" of the Love Canal story. For those of us who lived there and who were poisoned by Love Canal's leaking chemicals, the story is not over. We live with the effects each and every day. We worry about our children developing cancer. We worry about our children's ability to have healthy babies.

This settlement only ends one chapter of an ongoing tragic situation. New families are being moved into the northern end of the neighborhood. History has now begun to repeat itself. There are still more than 20,000 tons of toxic chemicals in the center of the community which will eventually leak, once more poisoning innocent people and innocent children. State and federal authorities are now allowing the sale of property to private families, just as Hooker Chemical, now Occidental Chemical, once deeded the land to the City of Niagara Falls for one dollar. A weak warning about chemical pollution is placed in these new land transfer papers, just as there was a weak warning given by Hooker in the early 1950's to the City of Niagara Falls about their wastes buried beneath the surface.

There is no doubt in my mind that the Love Canal story will come full circle in the years ahead. Browner and Reno may wish that the settlement was the last chapter. So does Occidental. After the settlement, Occidental Chemical's Lead Technician at Love Canal wrote to tell me that "the 20,000 tons of remaining chemicals have not leaked and will not leak into the surrounding community". But this technician's confidence cannot hide the terrible truth that people all over the country have discovered for themselves: In time, all dumps leak.

Love Canal is not the only environmental story starting over again. In Congress, efforts are underway to go back in time and take away our environmental regulations and cut the enforcement of environmental protection laws. Some Congressional representatives are arguing that we need to let the corporations voluntarily do the right thing without the heavy burdens of regulation. If Love Canal is any example of allowing the corporations to do what they feel is right, then residents would likely still be living there and the millions of dollars that the company paid for their injustice would not have materialized.

Congress would like to change the "polluter pays" element in the Superfund program and create a large "nobody is responsible" pool of funds generated from a tax program. This pool of funds would be used to clean up all contaminated sites without the polluter having any corporate liability. Consequently, there would be no incentive for polluters to stop dumping their wastes and poisoning the environment and destroying public health. They would need only to pay a tax . . . a cost of doing business in the 90's. What a plan!

Since polluters would not be held responsible, they would dispose or discharge their wastes into the environment just as they did 20 years ago. This is not progress, but regression - repeating the mistakes made years ago. Such an act provides corporations with rights which private citizens don't have and incidentally, don't want. If you or I were to poison someone's drinking water or take a human life, we would go to jail. If we destroyed someone else's property, we would be forced to pay for the damage. We need to act to ensure that We the People receive protection from corporate polluters now and in the future. Our very existence depends upon the level of protection we receive. □

A handwritten signature in cursive script, reading "Lois Marie Gibbs".



# EVERYONE'S BACKYARD

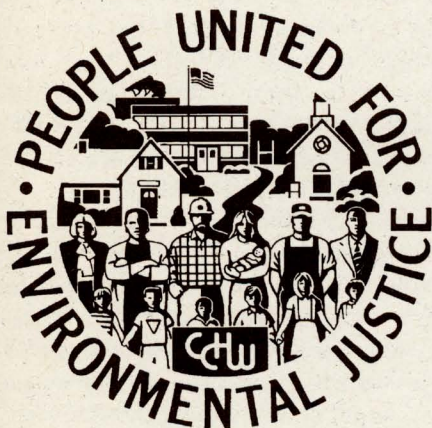
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## WHO WE ARE

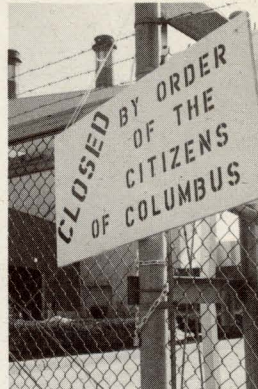
**C**itizens Clearinghouse For Hazardous Waste is a fourteen-year-old Environmental Justice Center working with a network of over 7,000 local grassroots groups. We were formed to help people win cleanup of contaminated sites and to prevent new sources of contamination. Over the years, our work has grown to include helping people deal with everything from chemical plants to radioactive waste to recycling.

Our mission is to assist people in building strong, community-based organizations that can fight against corporate polluters and unresponsive government agencies. We provide organizing, training and technical assistance over the phone, by visiting sites, and through our 60+ manuals and handbooks.

This journal is compiled with the help of hundreds of local activists who keep us informed about what is happening in their area. We can use your help too. Send us articles and news clips about your group or other grassroots success stories in your area.



Citizens Clearinghouse for  
Hazardous Waste, Inc.  
119 Rowell Court  
P.O. Box 6806  
Falls Church, VA 22040  
(703) 237-CCHW (2249)



The Columbus incinerator with the sign and lock placed by members of Parkridge Area Residents Take Action.  
Photo by Theresa Mills.

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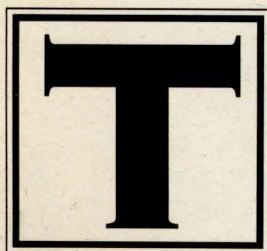
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# A LANTERN IN THE WINDOW

Notes from a New and Hopeful Activist

BY CHRISTINA COCEK



TEN MONTHS AGO, IF SOMEONE had told me that I — *hardly* a scientific sort — would one day know the difference between a benzene and a chlorobenzene or, when prompted, launch into an impassioned discourse on the ideal residence time in an afterburner, I would have suggested politely that this

person was not playing with a full deck.

But ten months ago, I had no idea that I would soon be thrust into an unexpected and intense crash course on the joys of living next to a carbon reactivation unit. This type of facility collects carbon products that are used in waste filtering systems by water treatment plants, waste incinerators, and waste cleanup firm. After collection, the carbon is burned to drive out any wastes. This “recycled” product can then be resold for further use in filtering.

I began this journey of toxicological learning shortly after I moved from Los Angeles. Having endured years of riots, earthquakes, and daily encounters with smog, I decided in the spring of 1995 that I was ready to explore this mysterious thing called “quality of life” and clean air. Since I had recently fallen in love with a lawyer from East Texas and knew I could continue my job in Los Angeles via modem and fax, I decided to pack up, head for those sweet piney woods near Marshall, Texas and grab my piece of paradise. Little did I know that this piece of paradise included the Dutch-owned corporation, Norit Americas. Nor did I know that this company had recently applied to the Texas Natural Resource Conservation Commission (TNRCC) for a permit to transport and burn 26 million pounds of hazardous waste each year within a mile of our home.

This is the story of how I and others in our community spoke out against Norit’s dangerous proposal and how I discovered the knowledgeable and supportive environmental network that was ready to help us.

## FROM PASSIVE-IST TO ACTIVIST

I was certainly aware of Norit’s activated carbon manufacturing plant once I moved to Marshall. It would have been impossible to miss it. From anywhere on our land one can see their huge clouds of smoke, hear the drone of their machines, and smell that “bad egg” smell often wafting from their facility. In addition, their black, sooty emissions settle on the trees, porches, cars, livestock and people in our neighborhood. But I never did anything about the situation except mutter angrily under my breath, until one day last June when I learned of their hazardous waste permit request.

I heard at that time how the number of jobs they proudly proclaimed this facility would bring to our area totaled 14 and that the facility would be located within a mile of homes, day care centers, churches, Carver Elementary School, and Wiley College.

Richard Anderson (my aforementioned East Texas lawyer) told me he planned to voice his opposition before the Harrison County Commissioners’ court the following day since they were scheduled to vote on whether to give Norit a tax abatement for this facility. I commended his concern and echoed his protest but insisted that nothing like that could ever happen. No one, I assured him, could possibly think of granting a tax abatement for such a health-endangering facility, especially one located so close to people. I soon discovered that I had a lot to learn about corporations like Norit.

The next day by a 3-1-1 vote, the Harrison County Commissioners’ Court granted Norit a tax abatement on its proposed haz-

---

*Christina Cocek lives in Marshall, Texas and works in Los Angeles, California as a screenwriter and playwright. She also writes historical, fictional, and educational materials for children. She is especially proud of her membership and participation in the East Texas Communities network and of the environmental network that spans the globe.*



ardous waste facility - provided Norit got its permit from the TNRCC. The most disconcerting part about this was that *none* of the commissioners had even read Norit's hazardous waste permit application. They said they trusted that the TNRCC would not approve a permit unless they knew the facility was safe. Though I didn't know much about this TNRCC regulatory group, it struck me that these commissioners might be throwing a little too much blind confidence in their direction. It also occurred to me that if we cared about our health and the local economy, we "lay persons" had better educate ourselves real fast about hazardous waste. But when we asked our first question of the head engineer from Norit, who spoke glowingly about the virtues of their proposed "recycling" unit (they termed it "recycling" because it burned hazardous waste out of their spent carbon to make it springtime fresh and new again), he simply turned to us with condescension and said, "I'd like to answer that but, unfortunately, I think this is all a little too technical for y'all to understand." As I looked at him looking so earnestly smug, three words came to my mind: "You wanna bet?"

From that point on, my "Hazardous Wastes and You" education began in full force. I quickly learned how to balance my life with doing mounds of scientific, economic, and medical research aimed at finding the unspun truth about what this carbon "recycling" unit would really mean to our community.

My first source and first exposure to the environmental network was Richard and his colleague Henry Bradbury, an environmental consultant/ native Marshallite who shared documents on Norit's lignite-filled emissions, which clocked in at 90% PM10 (particulate matter less than 10 microns in size). My second source, Austin lawyer Amy Johnson (who we connected with via the helpful East Texas Communities Network), confirmed Norit's past violations which included a 113,900 gallon discharge of wastewater that had illegal amounts of selenium, a fishkill caused by a 900-pound hydrochloric acid spill into a local creek, the mishandling and mislabeling of some of their wastes, and a recent kiln explosion.

**"GIVE LIGHT AND  
THE PEOPLE WILL  
FIND THEIR OWN  
WAY."  
SCRIPPS-HOWARD  
MASTHEAD**

With Norit's unneighborly behavior in mind, I proceeded to our regional TNRCC office in Tyler, sixty miles west of Marshall. There I asked two solid waste managers how closely their agency kept watch over plants such as Norit. And, if the hair on the back of one's neck can actually stand on end, mine



Rusting signs near the entrance of the Norit facility. Photo by Christina Cocek.

did when they revealed that due to lack of manpower, they were able to perform only one annual "surprise" inspection of each hazardous waste facility in our area. More-

over, they said they gave each facility a two-week notice before they "surprised" them with this inspection. One manager privately disclosed to me that there were some hazardous waste facilities in operation in our region that their agency had never even seen!

Then, they showed me Norit's two-volume permit application, which was big enough to moonlight as an ottoman. Nevertheless, I took a deep breath, revved up their Xerox machine, and began to read, copy, and learn.

After that, the details of my story as a newly-evolving environmental activist mirror hundreds of others who have educated themselves to help their community. I went through the usual period of wondering why it took me so long to open my eyes and get involved. I also spent days with my jaw ajar uttering variations on a theme of "How do they get away with that?" as I learned more about what corporations are permitted to do.

And, of course, I phoned. And phoned and phoned and phoned. I verified, clarified, elaborated, corroborated, analyzed, scrutinized, and questioned. I called the EPA, TNRCC, CCHW, NIEHS, CBNS, PIRG, RTK, and, after seeing my phone bill, I also called my long distance carrier to plead for lower rates since I was obviously buying in bulk.

The more I learned and the more technical my knowledge became about dry scrubbers, bag houses, and incinerators, the more convinced I was that our message was still simple - Norit was proposing a dangerous, potentially dioxin-producing facility that presented high risks in transport, burning, and disposal, and it had no business being close to us or our children.

As this message got out, more people in our community agreed. They organized in churches, signed petitions, knocked on doors, and passed out flyers. They met in homes, visited classrooms, wrote letters, and formed a group. Seeing that the facts were not widely known, we planned a press conference to

inform the community of how harmful this facility could be to our health and economy.

Then, one December afternoon, exactly one week before our press conference, we



received great news. The TNRCC informed us that instead of going forward with its carbon reactivation plans in Marshall, Norit Americas had decided to withdraw its hazardous waste permit application. Although I cannot verify that our speaking out was the reason for Norit pulling its permit request, I do know that confronting this hazardous waste situation helped our community become aware of how vigilant we have to be to keep our air and water clean. They learned how to ask hard questions and how to press for hard answers, and they found out what it means to stand up for something that they know is right.

I also learned something else. When I dropped by the Norit offices after the withdrawal announcement to give the head engineer a quick sportsmanlike "thank you," but instead got into a long discussion about Norit's wastewater discharges and upset conditions, I noticed something curious. When I first spoke with this engineer, he appeared composed and self-assured. But now he seemed very nervous. As I pointed out discrepancy after discrepancy in what

he was saying, it suddenly dawned on me that he was nervous because I knew too much. He knew that I had done my homework, and that he could no longer use that "too technical for you to understand" routine to tiptoe around the truth.

At that moment I was filled with a grand sense of hope that we can win this fight to

save our environment. I realized that it wasn't just me standing there challenging this corporate engineer, but me supported by a whole environmental network - a battalion of compassionate and intelligent human beings who

individuals who helped many courageous slaves find their way to freedom before the Civil War. I couldn't help thinking of what the Underground Railroad "conductors" used to do. They used to place a lantern in the window to shine through the dark so that these fugitives from injustice would know that they had reached a place of refuge — a place to learn, build strength, and join others who had a common dream. It struck me that this was exactly what those in the environmental network were doing. They were placing "a lantern in the window" to let those in need know that there is a way out through mutual support and shared knowledge about effective ways to overcome environmental enslavement by polluters.

Two weeks later, Norit announced its plans to locate its carbon reactivation unit near the small town of Pryor, Oklahoma. After verifying the facts, I contacted (through names I received from the CCHW) people in Oklahoma's environmental network. It was my community's chance to place a lantern in the window and share the knowledge we had. The Oklahomans I con-

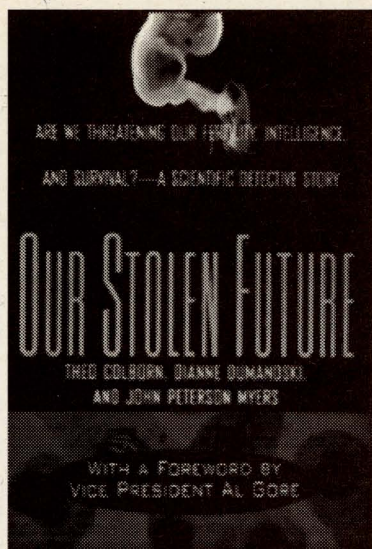
tacted are now working to make sure that Norit's facility won't have a negative impact on their community. By our linking together, the network is strengthened, the educational process is expanded, the lantern light is passed (both ways), and we're all a little closer to reaching that precious thing we strive for called environmental justice. □



The Norit Americas activated carbon manufacturing plant in Marshall, Texas.

have pooled their skills, resources, and hard-won wisdom to educate people. Through this support, they empower and bring together communities like Marshall so that someday we'll be as strong and influential as the lobbyists, agencies, and corporations. I also realized that this environmental network is like the Underground Railroad, that web of brave





**F**or the past thirty years, fears about toxic chemicals have focused on cancer. However, in a piece of scientific detective work, the authors of *Our Stolen Future* describe how these chemicals can interfere with human hormones and cause serious health effects other than cancer. The authors describe how chemicals like dioxin, in quantities as small as parts per trillion, can affect human development and cause birth defects, infertility, and hormone disruption. They also tell about the sources of these dangerous toxins and how to limit your exposure to them. This book may be the most important warning in 30 years about commonly used chemicals that are undermining the health of millions of Americans.

**Get your copy today, and start to stop your exposure.**

## Published by South End Press

**It's in our food. It's in our bodies.  
And it's making us sick.**

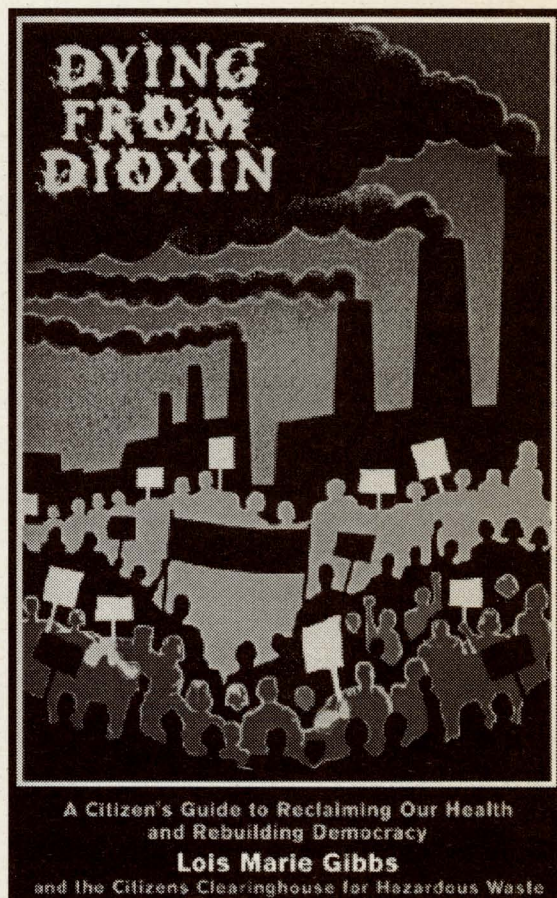
According to studies released by the EPA, widespread exposure to dioxin is destroying the health of the American people.

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To join the Stop Dioxin Exposure Campaign call CCHW at (703) 237-2249,  
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# SUPERFUND SUCCESS OR ENVIRONMENTAL RACISM?

BY MARVIN A. CRAFTER

## A BRIEF HISTORY OF WOOLFOLK

IN 1912, THE WOOLFOLK Chemical Works, Inc. began operations near the downtown area of Fort Valley, GA, a small community about 30 miles southwest of Macon. The eighteen-acre site was surrounded by residential areas of this poor African-American community. Over the years of its operation, the facility

produced a variety of arsenic-containing compounds and eventually expanded into manufacture of organic chemicals including organochlorines and a variety of pesticides. Reported chemicals found in the toxic stew at the site included DDT, dioxin, 2,4,5-T, 2,4-D, dieldrin, and many organophosphate lawn and garden products. In 1977, the Canadian corporation Reichhold, Ltd. acquired the site under the name Canadyne Georgia Corporation (CGC). Reichhold continued operations at the site and residents of this black community continued to be subjected to drinking water contaminated with toxic industrial wastes.

From 1982 to 1986, concern over the facility reached the Georgia Environmental Protection Department (EPD). Contaminated soil and groundwater was found and Reichhold was cited for handling and disposal violations by the Occupational Safety and Health Administration (OSHA). During 1986, Reichhold conducted a remedial investigation of the site and developed a remedial action plan while the Georgia EPD pushed to have the facility declared a Superfund site. No consultation of the local residents ever occurred in formulating and enacting these plans.

From 1986 to 1990, the EPA and Reichhold worked together to conduct water and soil testing and some limited remediation activities including soil removal. High levels of arsenic, lead, mercury, and some thirty other elements were found in the soil and water around the site. In 1990, the facility was placed on the EPA

Superfund's National Priorities List (NPL). However, the residents of the community were kept in the dark.

Finally in 1993, the EPA notified the community about the testing results and the possible contamination of the neighborhoods near the Woolfolk site. Soon after, local residents met and formed the Woolfolk Citizens Response Group (WCRG). The WCRG applied for and was awarded a Technical Assistance Grant (TAG) to hire an advisor to decipher the EPA's findings at the site. Meanwhile, the EPA and Reichhold continued to negotiate the terms of cleanup and removal without any public input.

Because of the blatant exclusion of the WCRG from negotiations, local residents still have many questions about the facility and how it affects them. The actions of the EPA and Reichhold present a clear case of environmental racism. No clear standards for cleanup have ever been presented to the community, and the entire scope of contamination remains largely unknown. In addition, the EPA allowed Reichhold move forward with a redevelopment plan before any decisions on cleanup were made. Their





proposal called for covering the site with an asphalt cap, a move that would save Reichhold millions of dollars. The residents were never consulted or included in the process of redevelopment or cleanup, despite the fact that WCRG had many ideas of how to redevelop the site to the community's liking.

The WCRG feels that their basic civil and human rights have been grossly violated, not only by Reichhold but also the EPA, the very agency sent to protect the local residents and their environment. The black community in Fort Valley continues to be subjected to unjust exposures to deadly chemicals while the EPA and Reichhold make sweetheart deals that save money and ignore the input of the local residents. To add insult to injury, this approach was hailed as a great Superfund success story in a December 17, 1995, *Washington Post* editorial titled "Toxic Test Case." The piece, written by Reichhold consultant Levea Brachman, described the Woolfolk site as "a negotiated outcome that managed to coalesce the competing interests involved and reach an agreement to reuse the site." In other words, Brachman gives the impression that the redevelopment plan was a cooperative effort in which the community had an active voice. However, the WCRG and local residents have a very different outlook opinion of this "cooperative" effort at redevelopment.

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*The history of the Woolfolk Superfund site was compiled by EBY Editor Michael Drescher using excerpts from Background: Woolfolk Superfund Site, Fort Valley, Georgia, a report put together by the Woolfolk Citizens Response Group. Following are the remarks of Mr. Marvin A. Crafter, a member of the Fort Valley, Georgia City Council and President of Peachbelt Marketing. He founded the Woolfolk Citizens Response Group and has been active in the Woolfolk Superfund fight throughout its history.*

**THE  
ENVIRONMENTAL  
ENSLAVEMENT  
OF A BLACK  
SOUTHERN  
CITY**

The message conveyed by Ms. Levea Brachman in the *Washington Post* that local residents were a part of site redevelopment planning opens another page in the book of injustices we suffer in our city. The EPA and Reichhold Chemicals, the Potentially Responsible Party (PRP), came to our Southern, rural town expect-

ing to deal with a slave labor force of peach pickers. Instead, they were met by a group of independent black statesmen who exposed the environmental injustices to which they have been subjected. Instead of cooperation with local residents and the WCRG, the Reichhold and their consultants tried to make us unconditionally accept their plan for "recycling" the site through redevelopment. They failed to develop acceptance among the residents and instead virtually forced the local government to accept their plans. From the beginning, the local residents were never a part of the decision-making process associated with site redevelopment. All we have wanted to know is this: **What has this done to this town and its people?**

I admit that there still exists local concern for our property, health, and how the contamination has affected our general com-

munity. We never had access to the nature of the total problem here. Redevelopment may or may not be a wise resolution to the problem, but developing a plan without defining the problem could result in the wrong option. We feel that we have a right to know and that this right repeatedly has been denied. It is wrong to expend public funds to correct a problem that a private, for profit company caused. If saving corporate dollars is accomplished by taxing the citizens, we are in trouble.

The truth in this matter is hard. No American citizen should have to suffer what has happened and continues to happen in Fort



Valley. The EPA, Reichhold, and their consultants are co-conspirators in an effort to exploit our racial and economic tensions as a tool to strip Fort Valley of its pride and dignity. They have left us powerless as a governing authority and criminally denied the local residents access to information critical in our understanding of the scope and potential harmful effects of the chemicals at the site - all in the name of protecting the corporate bottom line.

The truth is our communities have been threatened, frightened, and confused by the corporate bullies and their hired legal guns. Our local government remains as a shell supported only by the fabric that makes our democracy great. Our poor, black community embraced the EPA with the belief that it would resolve our problem swiftly and sufficiently. In response, we were deceived, misled, and overlooked, not only by an insensitive PRP, but also by the governmental agency sent to protect our health and environment. We were even told that EPA Region IV was "partial to the PRP because [they] were paying the bills."

We have here a real "Toxic Test Case"; however, "recycling" the Woolfolk Superfund site is not the test. All of the injustices took place during the administration of a President who issued an Executive Order on Environmental Justice and made EPA funding part of his justification for opposition to budget cuts. If the President's administration is sincere and truly intends to clean up our contaminated communities, he should launch an investigation into the questionable conduct of federal agencies associated with the Superfund process in Fort Valley. I am confident that our site will expose sufficient evidence to support all claims that I have made. I make this appeal because the poor and disadvantaged communities like ours throughout the nation need to see the words of the President put into action. If the President is a man of his word, then it is action that we will see. Our town has nothing else to lose. □



# ORGANIZING TOOLBOX: BLITZING THE PTA

The Chemical Industry and the TNRCC Lay Siege to Texas Moms

BY MICHAEL KING



AS REPORTED IN THE LAST ISSUE of *Everyone's Backyard*, the Midway High School PTA in Waco, Texas passed a resolution on dioxin proposed by grassroots activist and Texas PTA Environmental Chair Kim Phillips. In November, 1995 the resolution came before the state PTA. This story, an excerpt from the *Texas Observer*, and the following interview of Kim Phillips fill in the details of the story.

The resolution passed by the Texas PTA did not have the same clear and powerful language as the original resolution. But a greater victory lies in the reality that 484 parents in Waco, Texas, 1400 mothers and fathers at the state convention, and everyone who found out about the resolution from the media learned about where dioxin comes from, how it is harming our health and what we can do about it.

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*Following is an excerpt of "Blitzing the PTA: The Chemical Industry and the TNRCC Lay Siege to Texas Moms," in the January 26, 1996 issue of the Texas Observer reprinted with permission. Michael King is a contributing writer for the Texas Observer.*

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The PTA battle to defend the Texas environment began in North and Central Texas. Last spring, eleven local PTA in Cedar Hill, DeSoto, and Duncanville adopted a resolution opposing the burning of hazardous waste in cement kilns in the nearby Midlothian area. Closer to Waco, the Midway High School PTA, by a vote of 481 to 3, passed a strong resolution against dioxin pollution, specifically calling for the support of alternatives to chlorine-based products and processes. Once the local initiatives had been reviewed and confirmed by the state board, they were distributed to 2700

Texas PTA chapters in August and October, in convention packets containing the supporting "rationale" as well. Things were quiet until just before the convention, early in November.

Then all hell broke loose.

Kim Phillips is the president of the Midway High School PTA as well as the TPTA environmental chair, and she has achieved a statewide reputation as an environmental activist since her 1990 campaign against the expansion of a Waco-area landfill near her son's elementary school. That controversy led her to the investigation of other environmental problems. "It started as a concern for our own children," she says, "and became a vocation." In recent years Phillips and her fellow PTA members have become concerned about the widespread danger of dioxin pollution, to which infants and small children are particularly susceptible. After a Dallas EPA hearing confirmed that dioxin is passed in breast milk from mothers to nursing infants, they decided to act.

The result was the Midway PTA resolution, which in a single page describes briefly but accurately the persistence and potential effects of dioxin, some of its more important sources in chlorine-based products and processes, notes the connection between dioxin and the processing or combustion of chlorine, and firmly resolves that the PTA supports the development of "alternative products and processes, especially those that are chlorine-free." Far from being particularly controversial in Phillips' home community, the resolution passed almost unanimously. "We had such a reputation for being involved and knowing what we were doing," said Phillips, "that our community just expects us to know what we're talking about, and is very supportive of these environmental concerns." Phillips says she received a single phone call from a man who vehemently opposed the resolution, and she invited him to come to the school and join the debate. He did not appear.

Thus after that vote and the late summer distribution of the resolution, it came as a surprise to Phillips that just ten days before the convention her phone began ringing off the hook, as did the



phones of the TPTA offices in Austin. She soon found out that the fax machines were also running, across Texas and all the way to Washington, D.C. Apparently, some PTA members with connections to the chemical industry and its trade groups had suddenly focused on the resolutions and were mounting a concerted effort against them. To anyone who would listen, they described the anti-dioxin resolution as an unscientific attempt to "ban chlorine."

The industry public relations people were smart enough to realize that if they attacked directly, making their vested interests obvious, PTA members might react negatively. So they were careful to advance their campaign through apparently ordinary PTA members who just happened to be concerned about the two resolutions, which they described as "one-sided . . . inaccurate and misleading."

Those phrases are from a cover letter sent before the convention to PTA members and convention delegates, on ordinary stationery and from a group of six PTA members who describe themselves as "concerned parents." It accompanied a sizable packet of what it called "additional information from leading citizen and business organizations, academic scientists and public officials," including some of those already listed above.

What the letter didn't say, of course, was that it had been written by the Texas Chemical Council with the help of the Chlorine Chemistry Council, and that three of the six "concerned parents" who signed it - Jeff Gray of Austin, Ken Haseley of Richardson, and Barbara Pederson of Kingwood - are members of the Chemical Council, as acknowledged by the Council's Mark Shilling. Pederson is also a "Waste Team Leader" for DuPont. Harold Green, TXI's director of communications and the company's chief defender of hazardous waste burning, was another signer - though only in the guise of a PTA member from Dallas' Lipscomb Elementary. Harry Snyder signed as the "Environmental Chair" of "Austin Forest Wood North Elementary." (Actually, he told me later, "they screwed that

all up: it's Forest North Elementary in Round Rock.") Snyder happens to be an independent "government affairs consultant" for mining companies, and the former head of the U.S. Office of Surface Mining in the Bush Administration. (He is also the husband of Peggy Venable, former Reagan White House education liaison, and now director of something called "Texas Citizens for a Sound Economy," which, according to Venable, promotes "free-market public policy.")

As if these disguises weren't enough, the Chemical Council letter quickly stooped to deception about the nature of the PTA resolutions themselves. The anti-dioxin resolution was described as calling for eliminating dioxin "through a ban on chlorine and chlorine-derived products," which the resolution

phrase), and yet its supporting "scientific" materials also cannot be bothered to quote correctly the resolution it opposes, again citing the resolution as explicitly asking to "phase out and eliminate the use of chlorines in industrial processes," something it does not say. That direct misquotation is from Professor Charles D. Holland of Texas A&M and "The Texas Institute for Advancement of Chemical Technology Inc." Holland at least acknowledges the danger of dioxin; Peggy Venable's CSE, in a paper she described as rushed to completion for the convention weighs in with the following bold-face announcement: "In fact, according to many recognized experts in the field, there exists no credible scientific evidence to implicate dioxin as a significant health hazard." Even

the Chemical Council itself couldn't swallow that whopper (contradicted by its own experts); the substitute resolution the Council finally supported acknowledges that it's at least a good idea to reduce human exposure to dioxin.

When asked about these inconsistencies, and particularly about the misleading nature of the Council cover letter, the industry representatives were evasive at best. They denied the contradictions and insisted they were acting only as concerned PTA members. Mark Shilling reiterated that the original dioxin resolution called for a "ban" on chlorine, then read to me its actual language: "Resolved" that Texas PTA supports the use of alternative processes, technologies, and products that avoid exposure to dioxin, especially those that are chlorine-free." After first insisting that this language "pushes the agenda" of Greenpeace and CCHW, Shilling finally admitted that, on the contrary, it "does not say specifically

that the PTA wants to ban chlorine." Then he changed his tack, arguing that "it's fair to characterize it as an *objective*, to ban chlorine."

The distinction is not just semantic. The CCC and its allies are quick to characterize any attempt to point out the connection between dioxin, organochlorines and chlorine



Kim Phillips speaks at a Texas PTA training event last fall. Photo by John Gayusky.

does *not* advocate, asking instead for the support of alternative technologies.

In short, the Chemical Council's letter can be conservatively described, using its own terms, as "one-sided, inaccurate and misleading," not to mention dishonest and hypocritical. It purports to be based upon "sound science" (a favorite CCC catch



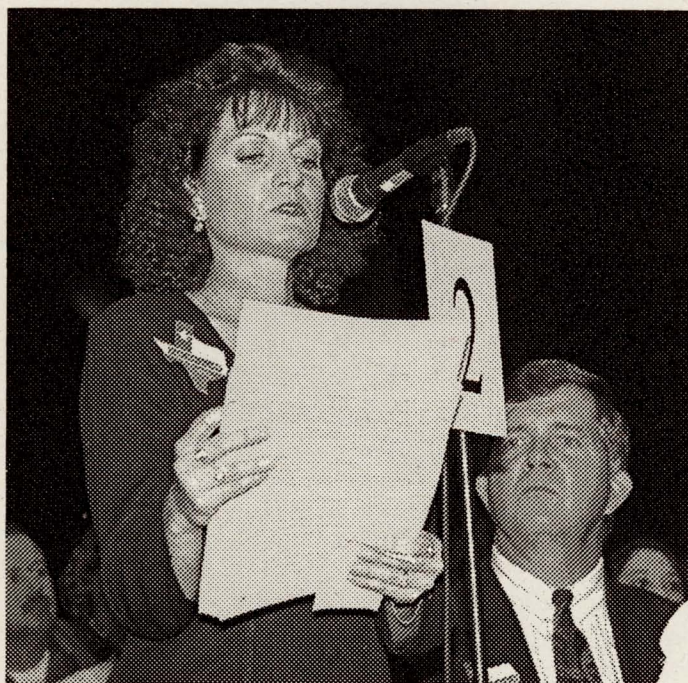
production as part of a sinister campaign to "ban chlorine" immediately, so that they can conjure up the catastrophic effects and costs of an abrupt elimination of chlorine - as if it were to happen overnight, without transition or alternatives. In fact, despite Shilling's feeble attempt at green-baiting, the environmental groups - including Greenpeace and CCHW among many others - that have addressed the matter have called for a staged phase-out of chlorine as an industrial feed-stock, beginning with its most pervasive uses (e.g., polyvinyl chloride), for which there already exist safe alternatives. Greenpeace's "chlorine-free" proposal even explicitly exempts pharmaceutical uses of organochlorines until such time as safe alternatives can be developed.

The chemical assault on the PTA did not end, of course, with blind letters and chlorinated hysteria. Industry representatives, according to Shilling, requested the TNRCC to intervene on their behalf, and Chairman Barry McBee obligingly provided a letter to TPTA board members which, without mentioning the industry requests and in the guise of "additional clarification," doggedly adopted the industry positions, particularly its creative interpretation of the dioxin resolution as calling for the "banning of chlorine," which it then characterized as "irresponsible and unscientific." Without mentioning TXI, McBee also defended the burning of hazardous waste in cement kilns, citing its own recent and scientifically controversial findings that the practice does not pose a health risk.

Meanwhile, environmental chair Kim Phillips was hearing directly from industry representatives, including the CCC in Washington, demanding to know if she wanted to "remove chlorine from the periodic table." An unidentified caller from Alabama, describing herself as a "school teacher," interrogated her about organizing strategy, and Texas legislative aides were contacted by industry reps and asked, Phillips said, "to do something about the PTA." A delegation of industry representatives met briefly with Republican State Senator David Sibley, asking him to set up a meeting between Phillips

and industry lobbyists. Sibley says he recalled Phillips from her work with a group called the Citizens to Save Lake Waco - "they seemed to me like reasonable, decent folks; I didn't consider them communists or anything" - so he put the group in touch with CSLW's lawyer, who contacted Phillips on their behalf.

The eventual result was three days of extraordinary meetings, prior to the convention, between Kim Phillips, on the one hand, and five professional chemical industry representatives, on the other.



Kim Phillips reads the dioxin resolution at the 1995 Texas PTA Convention. Photo by John Gayusky.

As Phillips describes it, the meetings were initially very tense, but became more cordial as she and the others eventually found at least some common ground, primarily a general concern for children and an agreement that exposure to dioxin should be minimized. Industry balked at any mention of chlorine or even the suggestion of alternatives to chlorine ("It makes chlorine look bad," they complained). The draft resolution soon became subject to major revisions, and Phillips' subsequent misgivings seem amply justified by the final product.

Shilling admits frankly that his group wrote the revised resolution, "with the help of the Chlorine Chemistry Council," and brought it back to Phillips as the substitute

version they could support. It calls for further research and "voluntary reductions" by industry of dioxin. It does not mention chlorine at all. "They considered that [the mention of chlorine]," said Phillips, "a major sin." Asked why, when chlorine is absolutely necessary to the creation of dioxin, the substitute resolution is silent on chlorine, Shilling responded bluntly, "We took it out."

To Phillips' credit, she did manage to defend stronger language in the "rationale" to the adopted resolution - still no mention of chlorine, but more specific mention of the dangers of dioxin, and identifying at least some of its man-made sources, including medical and municipal waste combustion and cement kilns. On the convention floor, Phillips described the resolution as a "giant step in the right direction," and Pederson, as promised by the Chemical Council, also spoke in favor of it. The battle was not quite conceded; another woman Phillips says was hired by Texas Eastman to speak against the resolution, took the microphone to defend what she called "DOX-ins," afterwards checking with industry representatives if she had done all right. "We sort of joked," said Phillips, "that maybe she was opposing 'little wiener dogs!'" Finally put to a vote before the 1400 delegates, the substitute resolution passed by seventy-two votes.

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## CCHW'S CHARLOTTE BRODY ASKS KIM PHILLIPS:

*What did you learn from this battle with the chlorine chemical industry?*

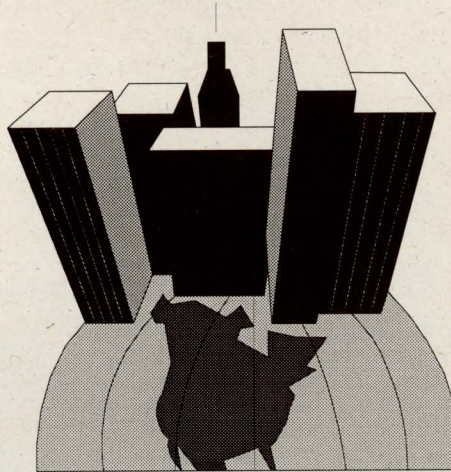
The greatest significance of this "battle" is that two totally opposing sides sat down together and came up with some common ground that expressed concern for children's health. It was a positive learning experience for both sides. The fact that we sat down together and actually came up with a compromise rocked the rafters on both sides. You know, all the self-help books say that sometimes everybody needs a shock - we got ours! Both sides were afraid the other side would

*continues on page 16*



# CORPORATE CORNER

▲ A coalition of national environmental, media, educational, and children's advocacy groups came together to protest an "environmental education" program sponsored by **Chevron**. The coalition, led by Earth Day Resources, is enraged that a huge corporate polluter like Chevron would make attempts to "greenwash" by sponsoring anything related to the environment. Almost as a testament to the protest, a Chevron pipeline in California's San Joaquin Valley burst and spilled 210,000 gallons of crude oil spilled over four acres of farmland. Chevron officials "expressed regret" for the January spill.



▲ A tank car imploded at the **Gaylord Chemical Corp.** plant in Bogalusa, Louisiana causing the evacuation of over 8000 people. After the accident, a huge toxic pink cloud rose above the community, causing hundreds of residents breathing problems, shortness of breath, and burning eyes and throats. The gas released, nitrogen tetroxide, is fatal if inhaled.

▲ **USA Waste Services** continued its rise to the top of the waste industry in acquiring **Western Waste Industries** of Torrance, California. USA Waste was featured in the last issue of *Everyone's Backyard* as a major player in the industry after their June acquisition of **Chambers Development**. This new purchase establishes USA Waste as the third largest waste management company in the U.S. and elevates the consolidation efforts currently sweeping the waste industry. In a related move, USA Waste is also considering purchase of **ReSource NE**, the largest waste handler in New York.

▲ A leak at an **FMC Corporation** chemical plant in Nitro, West Virginia, closed an interstate and put local residents on alert. The spill caused a foggy cloud that hovered over the site and then dispersed. Although no official injuries occurred, residents were encouraged to stay indoors to avoid breathing problems and other ailments. Nitro first gained acclaim after a 1949 explosion at a **Monsanto-**

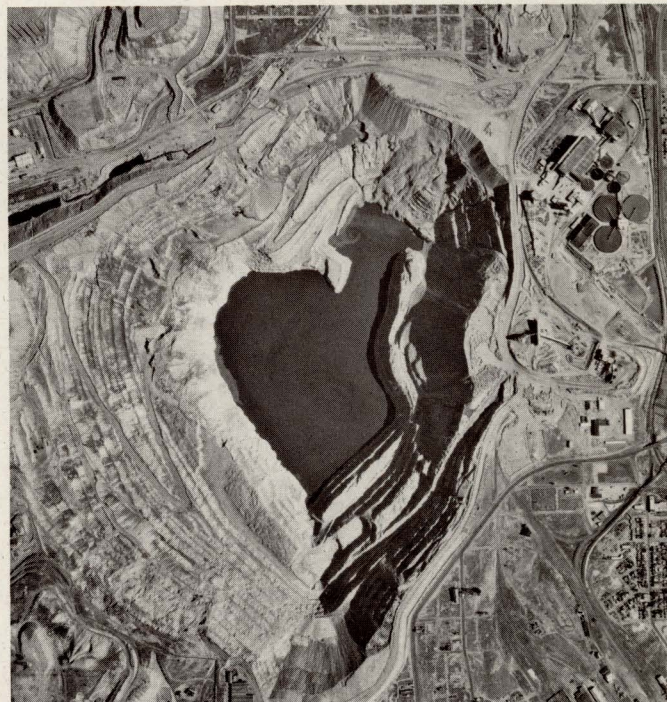
owned facility that exposed workers to dioxin.

▲ In Butte, Montana, 342 migrating snow geese were found dead in the Berkeley Pit Superfund site. The pit, owned by the **Atlantic Richfield Company (ARCO)**, is a former copper mine that contains over twenty billion gallons of toxic wastewater. In addition, five million gallons of wastewater discharge into the pit each day, further filling the pit. ARCO officials

implicated the grain fungus infection aspergillosis as the cause of death of the federally-protected birds. However, an official state report supported the conclusion that "metal toxicosis and sulfuric acid exposure caused the death of the 342 geese," which turned the geese a brownish-orange color. ARCO faces a maximum fine of \$5000 for the "illegal taking" of each dead goose.

▲ The Illinois Pollution Control Board approved a **CMS Generation** proposal to build an incinerator in McCook. The facility would burn 499,000 tons of wood annually, and add to the heavy air pollution already present in the area. The outcome of the proposal may be affected by the governor's action on the legislative repeal of the retail rate law (see related story).

▲ **General Chemical Corp.** has made a \$180 million settlement for damages caused to over 24,000 people in a 1993 chemical spill at their Richmond, California facility. During the spill, a sulfuric acid cloud covered a fifteen-mile area. Over 62,000 plaintiffs and attorneys will receive a part of the funds for medical bills and inconvenience.



Aerial photograph of the Berkeley Pit in Butte, Montana. Photo courtesy of Duncan Adams.



# CORPORATE CORNER

▲ Despite heavy opposition from residents, the Florida Department of Environmental Protection granted **Florida Power & Light** a permit to burn Orimulsion. The burning of Orimulsion, which has been referred to as the "world's filthiest fuel," is expected to increase the plant's annual nitrogen oxide emissions by nearly 10,000 tons. Nitrogen oxide causes respiratory problems and ozone depletion. Residents also have expressed concern over the possibility of a spill during transport of the fuel to the facility.

▲ Accusations of price-fixing brought to light by a whistle blower at **Archer-Daniels-Midland** (ADM) have resulted in over 70 lawsuits brought by shareholders and customers. A federal investigation continues to probe ADM to determine whether or not the company artificially raised prices through noncompetitive behavior. ADM has a long history of

negligence toward consumers and the environment. The *Multinational Monitor* recently named ADM one of 1995's worst corporations.

▲ A chemical spill at a Hammond, Indiana hazardous waste recycling facility caused the evacuation of over 500 people. The sulfur trioxide spill at the **Rhone-Poulenc** facility resulted in the hospitalization of 27 people and a two-hour closing of the Indiana Toll Road.

▲ With the help of three companies and some cunning strategy, **Champion International** acquired 85,000 acres of forest land in East Tennessee. In order to avoid Superfund liability, a number of quick sales were closed between Champion and three other interests, including a shadow company that was established specifically to carry out the deal. As a result of this sweetheart deal, Champion receives all the

forest land and protects itself from any liability for the abandoned strip-mines and acidic ponds on the land. Champion plans to clear-cut the area and ship the lumber to its Canton, North Carolina paper mill.

▲ In a proposal that local residents view as "environmental injustice," **General Motors, Reynolds Metals, and Alcoa** have applied to reopen their Superfund remediation agreements along the St. Lawrence River. The corporations are lobbying the EPA to change the cleanup level of polychlorinated biphenyls (PCBs). Under the original remediation, the EPA required General Motors to clean up contaminated soils to a threshold of 10 parts per million (ppm) PCBs. General Motors wants that level raised to 500 ppm. Similarly, Reynolds Metals applied for a threshold increase from 25 ppm to 100 ppm PCBs. The proposals are currently under review by the EPA.

*continues on page 16*

## WHO DECIDES — THE CITIZENS OR WALL STREET?

**W**ho decides the future of the state of Illinois - the citizens or Wall Street bond holders? In January, after years of grassroots effort, the Illinois legislature repealed the Retail Rate Law. This law granted subsidies to companies that built incinerators. In response, incinerator corporations flocked to Illinois to take advantage of the financial incentives, leading to heavy air pollution and Illinois' reputation as being "the Garbage State." The repeal now awaits the signature or veto of Governor Jim Edgar.

To pressure the Governor into vetoing or weakening the bill, Wall Street declared war on Illinois. In February, investment managers boycotted an offering of \$52 million in triple-A rated state bonds. According to business press accounts, leaders of the boycott included giant money management firms such as Fidelity Institutional Funds, Vanguard Group, and Dreyfus, which have all invested millions of dollars in Illinois incinerator junk bonds. These Wall Street firms knew when they bought the unrated incinerator bonds that they were a risky investment and the possibility of high return was ac-

companied by the possibility of a repeal of the law that made the incinerators such a sweet deal. They gambled that the retail rate law would remain on the books and taxpayer funded subsidies would continue paying high yields into their portfolios. When the law was repealed, Wall Street decided to punish the people of Illinois for caring more about health of their families than the worth of these investment firms mutual funds.

The Wall Street boycott of state bonds is a powerful weapon. If no one will buy Illinois debt, the state's credit rating will suffer, making it more expensive for Illinois to borrow. If it costs more to borrow money, it costs taxpayers more for roads, education and other public endeavors. The financial market has threatened to continue their boycott the governor unless he exempts three facilities under construction from the repeal.

Citizens groups are calling for an investigation of this conspiracy "to restrain trade" under federal anti-trust laws. Hopefully, Governor Edgar will stand up to these Wall Street dictators and will sign the repeal into law. □



# LEGAL CORNER

BY RON SIMON,  
CCHW LEGAL COUNSEL

## QUESTION:

We have been fighting against a large factory that has been polluting our neighborhood. We have been carrying out our efforts under

the banner of Folks Against Pollution (FAP). We have used the media, public hearings, and demonstrations. Our successes are limited and many in our group have been pushing for a lawsuit, particularly some of our members with serious diseases that they believe are due to the pollution.

Our search for legal representation has been very difficult. Everyone tells us that these cases are both very expensive and very difficult. The lawyers in the community who are sympathetic have small firms and are not financially able to take on this kind of fight. We finally decided on the largest personal injury firm in the state. They have both the experience and expertise in these kinds of difficult cases. They also have the money to invest in the case and are willing to take it on.

The lawyers have given us a contract to sign. It makes all of us, as individuals and as a group, agree that we will refrain from political action and public statements. The lawyers say this is necessary because of difficulties in the case, particularly the statute of limitations. They say that they cannot spend millions on the case and have it totally undercut by someone making a rash statement. The lawyers say that without the contract they fear that someone will stand up at a meeting in a moment of anger and say "We've known for 20 years that the plant has been killing us" and that the defendants will then say that we filed the case too late.

How do we respond to the lawyers' request to muzzle us?

## ANSWER:

In your case, I fear that people may be contemplating a lawsuit because they are exhausted from the years of the political fight. The

downside of the lawsuit is that an active political group may become passive and wait for the lawyers and courts to solve their problems. Ironically and tragically, the lawyers requirement of silence may mirror exactly what will happen even if the lawyers do not make this demand.



The demand of the lawyers is a terrible idea. A lawsuit should *never* mark the end of active political demonstration by the group. The group should refuse the lawyer's attempt at restraint because it is in fundamental contradiction with the political nature of the fights between polluters and the people they injure.

Work against polluters has to be an active partnership between lawyers and clients. Lawyers who want to muzzle their clients do not realize how much they are losing. Most of the facts that are crucial to winning a lawsuit are in the hands of the people in the community. The experts from both sides are likely to disagree. The defendants' experts will always say there was not enough of anything to hurt people and that the toxic materials really aren't that dangerous. The plaintiffs' experts will say that the releases were much more hazardous than defendants' experts say they are. The balance is often tipped by what the people in the community know, for only they know what they experienced. This first hand evidence is much more persuasive than the theories of experts who studied the records, people and site years later. The community not only has the real eyewitness accounts but also they may have other kinds of corroboration like pictures or ruined possessions. Rather than



## Corporate Corner

*continued from page 14*

▲ A regional water board in Azusa, California, granted a two-year extension to allow **Browning-Ferris Industries** to continue operations of their landfill. The move came as a shock since the landfill was closed after years of polluting drinking water sources. Parts of the landfill have even been declared Superfund sites, but it continues operate and leak toxins into the groundwater.

▲ Executives of **Commonwealth Edison** were reprimanded by the federal Nuclear Regulatory Commission (NRC) for "horrifying" operations practices of their nuclear facilities and "disappointing" efforts to correct the problems. The NRC has been watching the company since 1987 because of its history of troubled nuclear reactors, especially at the Chicago-based Dresden site.

▲ **Stone Container Corp.** paid \$690,000 in penalties to implement facility improvements as a result of an April 13, 1994 accident. The 1994 incident injured five workers and killed three others at their Panama City, Florida pulp mill when a pulp digester ruptured and blew 300 feet up into the air through the mill roof. Stone Container will make improvements at facilities in nine states to monitor pressure vessels better and conduct better inspections. □

## Organizing Toolbox

*continued from page 12*

win. We each gave each other more power than we each had. And, I wanted to win. I wanted the whole lollipop. I didn't just want a lick. I wanted the whole, complete original resolution to pass unanimously. The compromise was a hard pill to swallow. It felt like a kick in the teeth. My suggestions to anybody else involved in talks like this are to:

1. Be over-prepared. Sit down with your friends and hash out what the best and worst possibilities could be. Overanalyze every word, verb, sentence, and issue. Role play. Put yourself in the other side's shoes.
2. Set a bottom line and a goal - how far will you go on a compromise? Draw a line and don't cross it. The substitute dioxin resolution calls for a reduction in exposure to dioxin - my bottom line. It's all I got but it is definitely a foot in the door.
3. Give yourself ample time for the negotiations to happen. Being pushed for time was a major disadvantage for me. Be assertive. Go back and forth more than once in your negotiations. Ask what their bottom line is.
4. Have access to your group of supporters; at least their night time phone numbers so that you can reach them in a heartbeat. Don't try and do it all by yourself.
5. Rest, recoup, and be angry. I didn't sleep for three days and was stressed out because the deadline was fast approaching. I was so angry that I had to deal with people who were not in the PTA in the first place and did not have the best interest of children as their number one priority. On the positive side, our

membership will probably increase!

6. Consider the circumstances: the players involved, how much power you have given them and yourself, how much time you have, the mood/record of the group you are trying to influence, their values, beliefs, and surprises you may anticipate.

I had to weigh my options, look at a few statistics about how people in Texas vote, and consider what my chances were to get *anything* on dioxin passed. I had to make a judgement call. With the set of circumstances I had at the time, I felt that the compromise was my best bet.

I think industry reps were surprised that I accepted the compromise. They surprised me too because they admitted more about dioxin-related health in the rationale than I ever expected. I was not in the least surprised that they took out the "C" word (chlorine). I really felt that they gave more than they wanted. I was also surprised that they seemed so vulnerable and fearful while at the same time being lions waiting to devour me at first opportunity.

The bottom line is that Texas PTA, a real mom and pop grassroots group, sat down with industry and got a resolution that calls for a reduction in exposure to dioxin. This is a giant step for children that has opened doors for continuing dialogue that hasn't previously existed. Even though I am my own worst critic and tell myself I could have done better, the dioxin resolution is still a victory in my book. □

## Legal Corner

*continued from previous page*

muzzle clients, the lawyers should work closely with them so that the clients can understand the legal significance of their statements.

In order to combat the natural tendency of litigation to take the community out of the forefront of a fight (where it should be), the causes need to be considered. First, any "expert" dominated formal process tends to be controlled by those experts. Second, the lawyers, like all people, are motivated and oriented in the area of their expertise. Lawyers need to make money, or at least not lose too much money. Because of the difficulties

and expense of community toxic tort cases, lawyers tend to get so involved that they naturally take ownership of the case. Trying to fit the community's needs into the narrow categories that the law requires reinforces this tendency. (Note, however, that this explanation does not even address those instances in which the lawyer is selfish, greedy, underfunded or lazy.)

Where are solutions to be found? First, realize that even though litigation can achieve some goals (e.g., financial compensation) better than other avenues, it must be a small part of an overall strategy and sec-

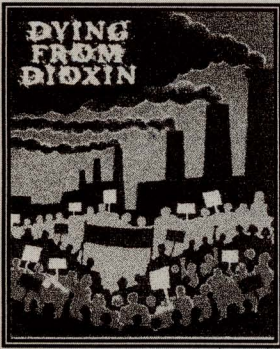
ondary to an overall plan. Second, recognize that in many cases, the decision to pursue litigation is a course chosen when people are exhausted from their struggles and want to turn them over to someone else.

It is *your* job to have the overall strategy and work to clarify for the lawyer how the lawsuit fits in with your strategy. Do not sign the muzzle order. Find a lawyer who will be part of your plan and help you understand the law. And most importantly, find a lawyer whose understanding of the law will help you execute your overall strategy successfully. □



# Publication List

**NEW! UPDATED! PUBLICATIONS AND FACT PACKS!**



## *Dying From Dioxin*

*A Citizens Guide to Reclaiming  
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How citizens can organize against the threat.

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### **54. The Polluters Secret Plan and How You Can Mess It Up!**

Unveils industry and government tricks and plans to overcome community opposition. Provides advice on how to fight back and win! pp. 36, **Community Groups** \$6.95, **all others:** \$199.95

### **6. Research Guide for Leaders**

How to research opponents, investigate polluters and combine research with effective tactics. 2nd edition pp. 18, \$3.50

### **65. How To Win In Public Hearings**

By Itzchak E. Kornfeld, Wilma Subra and Will Collette. Gives practical advice on how to either beat the polluters at their own game, or, if that fails, how to take over hearings. \$6.95 for citizen activists \$199.95 for all others.

### **50. Making it Happen: How to Put on a Leadership Development Conference**

What to do and what not to do when planning and carrying out training events for grassroots leaders. pp., \$5.00

### **2. Fight to Win: A Leaders Manual**

How to start a group, keep members coming back and staying involved, research opponents, raise money, carry out effective action and win! pp. 59, \$7.50

**35. Media Means** Gives you solid tips on writing effective news releases and public service announcements, and on maintaining good relations with the media. pp. 42, \$7.50

### **58. Empowering Ourselves: Women and Toxics Organizing**

Deals with stress, balancing being a mother and organizer, maintaining your marriage, and much more. This is a collection of material by women with diverse backgrounds who gathered at a CCHW Roundtable. pp. 60, \$9.95

### **72. GO GO Getting Organized and Getting Out**

Our new guide to community relocation. What should you consider when you negotiate for relocation? How do you deal with neighbors who don't want to move? What role do area businesses and churches play? **GO GO** is a comprehensive guide that discusses all the ways to win relocation and to obtain fair compensation. pp.32, \$10.00

### **9. Best of Organizing Toolbox**

Reprints of our column offering organizing tips. Includes door-knocking, meetings, negotiations, burn-out, opponents, experts, politicians, group diversity and much more. pp. 64, \$10.00



*"No Midwest Environmental Services, (NoMESS) made special use of CCHW publications, How To Win in Public Hearings, Media Means, and How to Block a Proposed Facility. The group sincerely thanks CCHW for its organizational assistance, time and support." Lara Beard, KY*

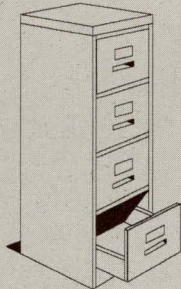


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### 46B. Browning-Ferris Compliance History

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### 45B. WMX Technologies Compliance History

WMX had to file this 10 year history of their violations with Pennsylvania. Use their own words to help explain why you don't want them around. pp. 74, \$10.00



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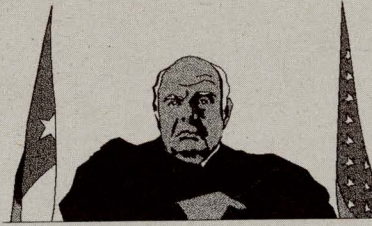


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## LEGAL ISSUES



**18. Best of Legal Corner** Reprints of Ron Simon's column in Everyone's Backyard. Questions and answers about hiring and firing a lawyer, libel, slander, class action suits, settlements and more. pp.22, \$4.50

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**63. Medical Waste: Public Health vs. Private Profit** Everything you need to know about medical waste, how it's disposed, pitfalls of the industry, how to fight back and win against a medical facility in your community. pp. 33, Community Groups \$8.50- \$99.99 all others.

**53. Massburn Status Report** A printout from CCHW's computer database with information about incinerators. Includes a list of problems found at incinerators by company. pp. 30+, Community Groups \$7.50- \$99.99 everyone else.

**12.Users Guide to Experts** Answers common questions, provides proven techniques to get your money's worth when hiring an expert and decide who to hire for each task. pp. 31, \$5.75

**43. How to Deal with Trouble** The truth about legal and physical threats, "spies" and many other nightmares grassroots leaders fear or have experienced. pp. 43, \$7.95

**16.Should Your Group Incorporate?** Points out some problems, advantages and gives practical advice on incorporating. Includes sample documents. pp. 19, \$6.25

## NEW!

### Best of Legal Corner II

Reprints of Ron Simon's column in Everyone's Backyard. Questions and answers about SLAPPs, medical monitoring, fitting a lawyer into your plan, out of court settlements, and more. pp. 29, \$5.95

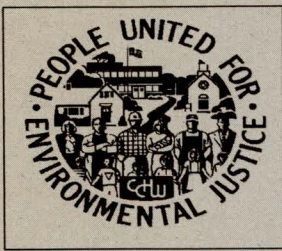
**57. Using Your Right-To-Know: Dealing With Operating Facilities** How to find out about the toxic chemicals stored or discharged in your community and how to take action with the new information. pp.71, \$9.95

**56. Technical Assistance Grants: A User's Guide** If your site has been designated a Superfund, you may be eligible for a \$50,000 TAG. EPA's guidebook are confusing. CCHW's tells you how a TAG may help your group and how to fill out the forms. pp. 30, \$7.95

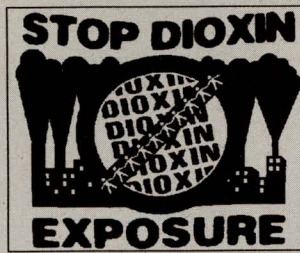
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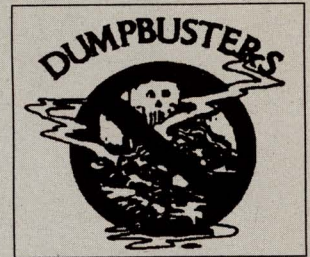
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# ACTION LINE



## ARKANSAS

▲ The **White River Environmental Protection Association** has been in contact with *60 Minutes* about a possible expose on the political corruption and conflicts of interest in their local and state offices, which are supposed to be there to protect the public citizens rights. This potential expose, focuses on the White River EPA's seven year fight against a proposed Sunray landfill on top of Hobbs Mountain near Durham, Arkansas.

*Correspondent: Mardell Smith, El Dorado.*

## CALIFORNIA

▲ **San Francisco Bay Advocates For Environmental Rights!**(SAFER) successfully pressured the East Bay Municipal Utility District (EMBUD) into meeting its Campaign to Stop the Pollution Now! demands. Among other achievements, EMBUD has agreed to meet regularly with SAFER! and other local groups to assess progress in the reduction and prevention of toxic industrial pollution before it flows into the Bay through the treatment plant. EMBUD will also conduct

expanded monitoring to determine which industries and chemicals to consider for pollution prevention.

▲ In Laguna Hills, citizens have formed a new group to fight for environmental justice. **Mothers Initiating Responsibility and Care for our Living Earth** Foundation (MIRACLE). MIRACLE Foundation provides awareness through monthly meetings, seminars and events encouraging parents to take responsibility for the environment in which they are raising their children and future children. They offer a variety of solutions through experts in various environmental fields, product choices, foods and information.

*Correspondents: Mary Burns, Mira Loma; Laura Johnson, Santa Maria.*

## CANADA

▲ **Greenpeace** and its Quebec counterpart began a campaign for a nationwide Canadian boycott of all Irving Oil products until Irving pays to hoist up the Irving Whale, an oil barge sunk in 1970 that still contains 3,100 tons of crude oil and about 8 tons of PCBs in the holds.

▲ Citizens in Sydney, Nova Scotia, are protesting a plan

by the provincial government to burn the contents of the Sydney tar ponds. The ponds contain 700,000 tons of PCB waste. After burning, the waste would be encapsulated underwater. The citizens are exploring new and alternative technologies to solve the tar pond problem.

## CONNECTICUT

▲ **Don't Waste Connecticut, Don't Dump on Us**, and other grassroots activists are joining together to rally against the recently re-permitted New Haven Eastshore Wastewater Treatment Facility Sewage Sludge Incinerator that was closed down in 1989 because of violations of the Clean Air Act. The incinerator received this permit as an existing facility and was not required to perform an environmental impact study. The groups will be planning numerous actions every weekend.

*Correspondents: Len Krimerman, New Haven; Cordula DiAugustino, Enfield.*

## DISTRICT OF COLUMBIA

▲ **Greenpeace** activists interrupted a Shell Oil dinner reception at the

Phillips Collection art gallery in Washington, D.C. to protest Shell's drilling and production activities in Nigeria. A 7 x 14 foot rendition of Edward Munch's "The Scream" was unfurled on the outside of the building to condemn Shell's collusion with the Nigerian regime in last November's execution of nine Nigerian activists and to protest the environmental damage that many local communities have suffered from Shell's operations in Nigeria.

## FLORIDA

▲ About 30 members of **Florida Families for Clean Air** met with representatives from both the U.S. Environmental Protection Agency and the Florida Department of Environmental Protection to learn how they will regulate the closing of Florida Solite. Members of the group were stunned to learn that an independent contractor hired by Solite - not by the government - will likely perform soil and groundwater sampling and testing for contamination. The group will continue its efforts as environmental watchdogs until the Solite plant has been deemed clean.

**Order Your CCHW Dioxin T-shirt Today!**  
See the publications insert for more information.



# ACTION LINE



▲ Residents and members of **Citizens Against Toxic Exposure** may be on their way to relocation from Pensacola to a safer environment. Recent EPA testing at homes near the Escambia Superfund Site, or "Mt. Dioxin," found levels of dioxin 1700 times higher than EPA "safe levels" along with high concentrations of arsenic and dieldrin. Residents are tired of having their children subjected to poisons and are pushing the EPA to be relocated. The EPA has scheduled a relocation workshop in May to discuss this option.

▲ Members of **Citrus County Civic Association** in Homosassa Springs are organizing to stop Materials Exchange Corporation from receiving a Class 3 permit that would continue to allow them to fill vacant sand pits with trash. Currently, 800 tons of trash are being disposed in the sand pits each day.

▲ Waste Management has agreed to an \$18.25 million settlement with citizens living near the Hipps Road landfill in Jacksonville. Local residents have been fighting the dump for years and have experienced scores of illnesses and health problems. The 671 residents involved in the suit are thankful that their battle is finally over.

▲ The **Legal Environmental Assistance Foundation** (LEAF) held its annual

board and membership meeting in Tallahassee. The meeting coincided with a visit from CCHW Executive Director Lois Gibbs. Gibbs spoke at the LEAF meeting and several other events in the area.

*Correspondent: John Austin, Jacksonville.*

## GEORGIA

▲ In Tifton, **People Working for People** held a health effects workshop run by CCHW Science Director Stephen Lester bringing together local community residents as well as people from other Superfund sites in southern Georgia. The main issues addressed at the workshop were how to evaluate soil testing results and what do the numbers mean in terms of health effects.

▲ Read about the efforts of the **Woolfolk Citizens Response Group** in this issue's feature by group founder Marvin A. Crafter.

*Correspondent: Carol Williams/Eco-Action, Atlanta.*

## IDAHO

▲ The **Snake River Alliance**, a citizens' watchdog group in Idaho opposed to nuclear shipments, has filed a lawsuit challenging the DOE's environmental study of shipments of spent fuel rods from Navy warships and DOE projects, which were to be temporarily stored at the Idaho National Engineer-

ing Laboratory. The cost of building and maintaining a permanent storage site at Yucca Mountain, Nevada has led environmentalists to fear that the shipments coming into Idaho will stay forever.

▲ The citizens of Emmitt are considering a plan to build a bioconversion plant in their community as a way to manage their garbage. Issues raised include competition with recycling efforts and emissions from the processing.

*Correspondent: Barbara Miller, Kellogg.*

## ILLINOIS

▲ The **Westside Alliance for a Safe Toxic-free Environment** (WASTE) held an award presentation to recognize a local student's science project. Michael Cooper, an eighth-grader at Casals School in Chicago's polluted West side, did a lead study of his local neighborhood. He took 63 soil samples and found lead levels almost twice as high as EPA standards permit. His project also showed that the path of the emissions plume that the nearby Northwest Incinerator follows is consistent with the highest concentrations of lead. His project helped show local citizens the extent of contamination caused by the incinerator.

▲ **Citizens for a Better Environment, Illinois**

**Public Interest Research Group**, and **Calumet Citizens for Environmental Protection** filed a lawsuit against the chemical and dye manufacturer, PMC Corp. Faced with charges of dumping benzene, cyanide, toluene, lead, and other toxic chemicals into sewers, PMC settled by agreeing to pay \$1.6 million, a record fine for polluting Chicago sewers.

▲ **Concerned Citizens of Clark County** conducted a petition drive and attended public meetings to protest a plan by Environmental Disposal Systems to build a commercial deep well for injection disposal of chemical wastes and "wastes of unknown origin." Thanks to their efforts, the plan was abandoned and the deep well proposal defeated.

▲ Thanks to the efforts of **SCORE** and numerous other environmental organizations and activists, the Illinois Environmental Protection Agency denied solid waste and air permit applications for West Suburban Recycling and Energy Center. The agency received over 290 written comments, most of these raising technical objections or health concerns about the project.

▲ **Living In a Fatal Environment** (LIFE) is getting some statewide and national exposure in their fight against environmental illness, due to a feature article in the *Peoria*



# ACTION LINE



*Journal-Star.* The article, written by Elaine Hopkins, features citizens of Canton and Banner suffering from environmental illnesses and multiple chemical sensitivities.

*Correspondent: Loretta Hardy, Chicago; Richard Worthen, Alton.*

## INDIANA

▲ An asphalt plant is being proposed to be built in Goshen by Brooks Construction. Members of **Citizens Protesting Rezoning** are organizing to rally against the proposal.

*Correspondent: Mike Moore, Madison.*

## IOWA

▲ The Carroll County chapter of **Iowa Citizens for Community Improvement** stopped a hog factory from moving in and received an agreement from the head of Iowa's Department of Natural Resources under which the department would develop better educational materials and services concerning environmentally friendly hog farming.

## KANSAS

▲ Citizens in Ottawa are organizing to block a proposal by Ashgrove. The Kansas City based corporation wants to convert a cement kiln into a hazardous waste incinerator.

*Correspondent: Aileen Veitch, Pittsburg.*

## KENTUCKY

▲ Madison County citizens concerned about the storage of unused weapons at the Blue Grass Army Depot are working with the **Kentucky Environmental Foundation**, a group that opposes the construction of a proposed incinerator at the site, to develop new evacuation planning with broader community participation. A recent test of current emergency evacuation procedures resulted in community-wide confusion and panic because the test was not adequately publicized.

*Correspondent: Sherry Clifton, Prestonsburg.*

## LOUISIANA

▲ Over 300 activists came together in Baton Rouge March 15-17 for the **Third Citizens Conference on Dioxin and Other Synthetic Hormone Disruptors**. Highlights of the conference included a panel on environmental justice and a set of nine campaign strategy sessions on topics such as phasing out organochlorines, halting incineration, and the link of dioxin to food and human health. The attendees of the conference used these sessions to work together to build a cohesive and central platform on how to stop dioxin exposure.

*Correspondents: Michell Bond, Baton Rouge; Mary Lee Orr/LEAN, Baton Rouge.*

## MAINE

▲ **South Portland Concerned Citizens** organized the community and fine-tuned their strategy to kill plans for a new oil tank farm. The group managed to get 3,000 of the city's voters to sign petitions calling for a ban on new oil tanks, and told the City Council that it would take that ban to the voters in March unless the Council passes one first.

*The following event was part of a visit by CCHW*

*Executive Director Lois Gibbs during the Stop Dioxin Exposure Campaign.*

▲ The **Natural Resources Council of Maine** sponsored a summit to set goals and find common ground among different groups to stop dioxin exposure. Represented groups included paper workers, lobster fishers, church groups, Native American tribal representatives, health professionals, and environmental activists.

*Correspondent: John Dieffenbacher-Krall, Bangor.*

## WORST CORPORATIONS MAKE LIST

The *Multinational Monitor* recently released its list of 1995's Ten Worst Corporations. The corporations mentioned on this dubious list include:

**Shell**  
**BHP**  
**Archer-Daniels-Midland**  
**Chiquita**  
**Enron**  
**Dow Chemical**  
**Johnson & Johnson**  
**3M**  
**Dupont**  
**Warner-Lambert**

The corporations were indicted because of human rights violations, environmental destruction, illegal campaign contributions, human health hazards, and endangering consumers.



# ACTION LINE

## MARYLAND

▲ **Residents for a Healthy Unionbridge** are organizing to fight a tire burning plant in their community.

Correspondents: Carolyn Cohen, Baltimore; Wanda & Joseph Stefan, Baltimore; Richard Regan, Kensington

## MASSACHUSETTS

▲ **Stop Any Further Expansion (SAFE)** is fighting the expansion of a garbage landfill by BFI. SAFE is concerned that dioxin and other chemicals are being released into the community from flares that are burned on site to release gases built up in the landfill.

Correspondents: Brian Pearson, Fall River; Matt Wilson/MCCHW, Boston.

## MISSISSIPPI

▲ **Members of Justice For All** are developing organizing strategies in their struggle against Reichhold Chemical. Reichhold was responsible for a major toxic explosion in 1977. Since then, the citizens of Columbia have experienced record numbers of cancer, birth defects, mental disabilities and environmental illnesses.

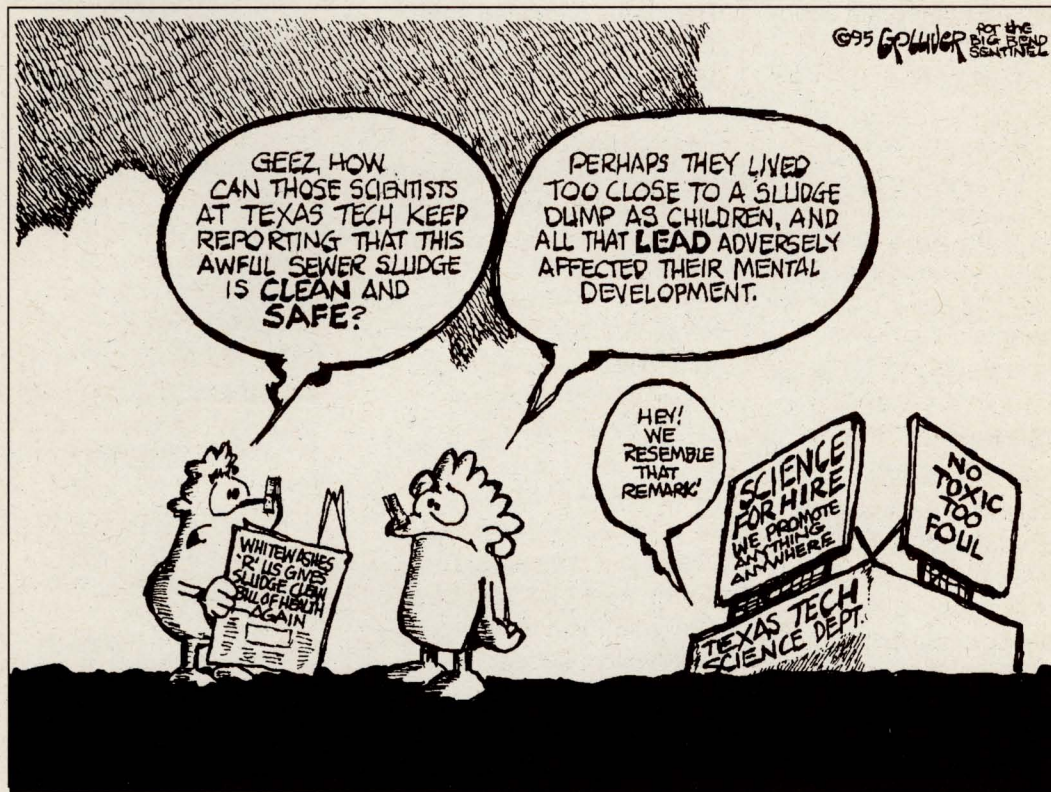
▲ Thanks to the lobbying of the **Sierra Club**, a law was recently passed in Mississippi that raises the tipping fee for waste disposal. Hopefully the law will encourage recycling and reduce the volume of wastes that end up in landfills. The law is being chal-

lenged by Laidlaw, who has a strong hold in Mississippi and stands to lose the most revenue from the increased tipping fee.

Correspondent: Carol Ann Wolfe, Winona.

eral authorities have long assured the public that only dioxin was to be burned at the Times Beach incinerator. However, further investigation of the Bliss Superfund Sites

Missoula Valley. The coalition conducted a petition drive that collected over 14,000 signatures and the support of 200 local businesses that calls for Stone to reduce its emissions.



## MISSOURI

▲ **Members of the Times Beach Action Group (TBAG)** and the **Student Environmental Coalition (SEAC)** picketed the entrance to Monsanto World Headquarters in Chesterfield to condemn the company's failure to allow public scrutiny of various sources of contamination and entire classes of chemicals. State and Fed-

shows that Bliss did receive waste from Monsanto Chemical Company and that this waste contained PCBs.

Correspondents: Loretta Bresnan, Ballwin.

## MONTANA

▲ A coalition of groups known as **Montana Cheer** continues to fight Stone Container because of the air pollution problems that Stone has caused in the

Coalition member group **Women's Voices of the Earth** is working with employees and union members at the facility and the coalition is planning a public relations campaign this spring. In addition, Montana Cheer, **Enforce Network**, and one other litigant have brought a suit against Stone for violations of environmental laws.

Correspondent: Ted Lange, Billings.



# ACTION LINE



## NATIVE AMERICANS

▲ Police officers from the **Shoshone-Bannock Tribe** in Fort Hall, Idaho stopped a train that was carrying nuclear waste to the Idaho National Engineering Laboratory by parking a patrol car across railroad tracks at the border of the reservation. The tribe was not invited to discuss the agreement between Idaho officials, the Navy, and the Department of Energy that allows more than 1,000 shipments of high-level nuclear waste into the state over the next 40 years, all of it crossing the reservation.

▲ California's **Tuolumne Band of MeWuk Indians** issued a formal proclamation opposing a plan to conduct ground and aerial spraying application of herbicides in the Stanislaus National Forest. 11,000 acres of forest affected by a 1987 fire are scheduled for clearing to promote re-growth. The group maintains that herbicides would adversely affect the health of their people and their hunting and fishing ventures. They are calling for clearing of the land by manual and mechanical methods.

*Correspondent: Lance Hughes/NACE.*

## NEW HAMPSHIRE

▲ Residents of Nottingham were shocked when a 26-year old healthy

adult male living down the street from a sludge composting site suddenly died for no apparent reason. Local officials offered no explanation but local residents are convinced the sludge site was a factor. Residents had been complaining for months about odors. The **New Hampshire Organic Farmers Association** is now looking into the safety of using sludge on farm land.

*Correspondent: Katie LaJoie/WOW, Claremont.*

## NEW JERSEY

▲ The **Concerned Citizens of Union County** staged a protest at their county courthouse to protest the use of ash from their local garbage incinerator to pave roads. Group members are concerned about the possibility of the ash leaching into the ground and the water supply, posing harmful effects for local citizens. The group also is mounting a campaign to fill a seat on the Union County Utilities Board so that they can have a voice in regulating the incinerator.

▲ Members of the **Middlesex County Environmental Coalition** protested a plan to remove PCB-contaminated soil and transport it to their county landfill. Officials had previously stated that the soil would not be accepted at the landfill. Group members feel that officials have

lied to the public and given misleading information.

*Correspondents: Madelyn Hoffman/GREO, Bloomfield; Cynthia Ortiz, Hackensack; Gary Wonderlin, Pennsauken.*

## NEW MEXICO

▲ The **Concerned Citizens for Nuclear Safety** had a very successful 1995. Some of their accomplishments included securing a public hearing on the relicensing of disposal of radioactive-contaminated clothing, forcing the DOE to perform a required environmental impact statement for Los Alamos National Laboratory's Dual-Axis Radiographic Hydrotest facility before construction of the facility can proceed, and a continued push for compliance with Clean Air Act standards governing radioactive air emissions.

## NEW YORK

**Citizens United for Responsible Environmentalism (CURE)**, students, educators and citizens of the Bronx are organizing to stop the "noxious odors" allegedly being emitted by the sewer sludge pelletization plant New York Organic Fertilizer Company. According to CURE, this company is located just 5 blocks from the Joseph Rodman Drake School in the Hunts Point section of the Bronx. The odor has been described as that of dead bodies or dead fish, and it is like being trapped inside an enclosed

cat litter box. The smell permeates the air for a long time and engulfs hair, skin and clothing." Statistics show that more than 1/4 of the 1100 students have asthma and are frequently hospitalized. 47% of one first grade class has asthma and 33% are hospitalized. The number of cases continues to escalate.

▲ *The City*, a progressive newspaper in Rochester, recognized **Protect A Clean Environment** with a 1995 Best of Rochester Critics' Choice Award. The award was given for "outstanding contributions to the quality of life in Rochester." PACE gained fame as the area's environmental watchdogs after ensuring the protection of groundwater, farmland, and workers' rights after the Akzo Nobel salt mine disaster.

## OHIO

▲ The **Coalition for Safe Energy** filed a petition for review in the U.S. Court of Appeals in Washington, D.C. The group seeks to bar the loading of fuel into storage units already in place at the Davis-Besse facility in Oak Harbor by challenging the way the federal Nuclear Regulatory Commission, plant owner Toledo Edison Power Co., and Vectra allowed changes to be made to the design of storage casks



# ACTION LINE



after the NRC had approved a generic cask.

▲ **Citizens Lobby for Environmental Action Now (CLEAN)** has helped to bring about a withdrawal of a proposal for a permit to build a hazardous waste incinerator at the Skinner Landfill Superfund Site in West Chester. Also in West Chester, CLEAN helped bring about the permanent closure of a BFI infectious medical waste incinerator. BFI acknowledged 11/2 years of violations against environmental regulations which has triggered an FBI Environmental Crimes Unit investigation. Congratulations CLEAN!!!

▲ The following events were part of a visit by CCHW Executive Director Lois Gibbs during the Stop Dioxin Exposure Campaign.

▲ Parkridge Area Residents Take Action (PARTA) held a direct action in which they placed a chain and padlock on the gate of their recently closed incinerator. They hung a sign that read "Closed by the Order of the Citizens of Columbus" (see cover photo). They also presented a petition at the mayor's office requesting that the incinerator remain closed forever.

▲ The **Concerned Citizens of the Coolville Area** held a press conference and fundraiser. Over \$1200

was raised to strategize and combat a proposed medical waste incinerator. The facility would pollute the air with dioxin and other toxic emissions.

*Correspondent: Robert Castro, Cleveland.*

## OREGON

▲ **Columbia River United** sponsored a visit by CCHW Executive Director Lois Gibbs. The group continues to organize to stop dioxin exposure at the Pope & Talbot paper and pulp mill, which uses chlorine and chlorine dioxide in its bleaching process. Currently, 465 people have signed a petition that calls for a Good Neighbor Agreement that would phase out the use of the chlorinated bleaching agents.

## PENNSYLVANIA

▲ In Laureldale, the **Local Environmental Awareness Development (LEAD)** group proposed and succeeded in passing a local ordinance governing hazardous waste, solid waste, and medical waste. The 66-page ordinance passed by the borough council calls for stricter rules for waste transport and handling.

▲ Citizens in Pine Grove Mills have successfully fought back a proposal to transfer 200 acres of forest land to developers. Developing the land would de-

stroy the valley's aquifer, endangering the drinking water supply for the area.

▲ In Lock Haven, the group **Arrest the Incinerator Remediation (AIR)** succeeded in passing an injunction to stop a test burn at the Drake Chemical Superfund site. The remediation plan called for the incineration of tons of contaminated soil. A hearing will now be held to de-

also dumped at the site. In 1977, fourteen acres of the land from the site was donated to the township for a park. Toxic substances including lindane, arsenic and lead were discovered under the park in a 1991 study conducted by the EPA. Citizens believe that these toxic substances are contributing to the high environmental illness cases in Natrona Heights.

## IN MEMORIAM

**T**he environmental justice movement lost an ally when Rhoda H. Goldman died in February. Goldman was a descendant of Levi Strauss and served on the Board of Directors of both the apparel company and the corporation's philanthropic foundations. She worked actively with cultural educations and health care organizations to improve the well-being of others. In addition, she was instrumental in creating the Goldman Environmental Prize, a \$60,000 award given to environmental heroes each year. The prize, funded by the Goldman Environmental Foundation, is awarded annually to an individual from each of the six continental regions of the earth. In 1990, CCHW Executive Director Lois Gibbs was the first Goldman Prize recipient from North America.

cide future remediation plans.

▲ Citizens are organizing to form an environmental group in Natrona Heights, home of Atochem (formerly known as Pennsalt and Pennwalt). Atochem produced and dumped chemicals on the site now known as Alsco Park, located above the treatment plant. The pesticide DDT was

▲ In Chester, students from **Swarthmore College**, the National Wildlife Federation's **Campus Ecology**, local colleges and universities, other activists and CCHW's own grassroots organizer Daenon Gault participated in a College Weekend Leadership Retreat on Environmental Justice. The primary focus was to ad-



# ACTION LINE



dress the issues of environmental justice and environmental racism in Chester.

▲ Members of the **Citizens Environmental Organization of Bedford County** are organizing around a plan to use thermal desorption to clean up contaminated soil. Thermal desorption does little more than heat the chemicals to drive them out of the soil and into the air. Local residents don't like the idea of transferring the chemicals from the soil into the air they breathe.

*Correspondents: Penny Bailey, Spring Grove; John Hummel, Kennerdell; Paula Winne, Ambridge.*

## SOUTH CAROLINA

▲ **Citizens Against Pollution (CAP)** have succeeded in getting the state to agree to conduct a health survey of residents living around the Laidlaw landfill. CAP is now fighting to get the state to allow the community to review the study design before they begin.

▲ **Environmentalists Inc** are working with local residents in Columbia to fight a plan to burn hazardous waste in a local cement kiln.

## TENNESSEE

▲ Members of **Defense Depot - Memphis Tennessee Concerned Citizens Committee (MTCCC)** have organized a large group of more than 300 members

ready to go against the EPA and the U.S. Army. According to MTCCC, the U.S. Army stored German made bombs, mustard gas and hazardous chemicals on the property from 1940-1972. The group is pressuring the EPA to do a health assessment. A soil sample has been taken and large percentage of dioxin was found in the soil. There have been record numbers of cancer cases, birth defects and learning disabilities recorded.

▲ **Concerned Citizens of Roberson County** in Greenbrier is organizing to oppose a plan to build a solid waste landfill in their community.

*Correspondent: Kenny Kelly, Millington.*

## TEXAS

▲ Read about the victory of the **Texas Parent-Teacher Association** in this issue's "Organizing Toolbox" and an incinerator victory in Marshall, Texas, in this issue's feature, "A Lantern in the Window."

*Correspondents: Gary Oliver, Marfa; Albert Reynolds, Houston.*

## VERMONT

▲ The **Citizens Campaign for a Cleaner Community** spearheaded a petition drive to investigate the validity of a controversial contract between the 14 Vermont member towns in the New Hampshire-Vermont Solid Waste Project

and Wheelabrator Environmental Systems Inc. Some signers are concerned about the pollution and health risks associated with the Claremont incinerator while others are concerned about the structure of the project, the fact that the town representatives to the project were appointed rather than elected, and the lack of accountability - voters never had a chance to approve or turn down the bond issue that paid for the construction of the incinerator, yet they remain liable for the cost.

*Correspondents: Theresa Freeman & Tammy Guenther/VOC, Barre.*

## VIRGINIA

▲ In CCHW's backyard, the organizing and activism of two Arlington groups resulted in an Arlington County Board unanimous decision to cease operations of a sewage sludge incinerator operated by the Arlington County Water Pollution Control Plant. Thanks to organizing efforts of the **Arlington Ridge Civic Association** and the **Aurora Heights Civic Association**, over 200 people attended the county board meeting and nearly 60 people testified against continuing operations at the facility. In addition, the group presented a petition with over 1000 signatures. The Board plans to close the incinerator in 1998, but the groups continue to fight for an earlier

closure. ARCA President Rebecca Gray said that the board made the "correct and environmentally sound decision" to close the incinerator.

▲ The **James River Association** is concerned about plans by the city to clean up contaminated sites described as "Brownfields" (see science feature last issue). JVA is worried about how much cleanup will be done at the sites prior to development and about role of the local community in both the cleanup and the development of the site.

*Correspondents: Ellis Goddard, Charlottesville; Barbara McEwen, Goode.*

## WASHINGTON

▲ *As part of the Stop Dioxin Exposure Nationwide Campaign, CCHW Executive Director Lois Gibbs visited the following communities exposed to dioxin:*

▲ The **Concerned Citizens of Onalaska** in Chehalis are organizing to stop contamination from the Cross Arms Superfund site. The site was a former wood treatment facility and local residents were exposed to dioxin after heavy rains flooded their homes with wastes from the site. Residents of the community are experiencing a variety of health problems, including

*continues on page 30*



# THE RISING RATES OF HEALTH PROBLEMS — IS THERE A TOXIC CONNECTION?

Science Feature

BY STEPHEN LESTER



Why does it seem like almost everyone you know has someone in their family with cancer? Why are more and more children born with birth defects or developing cancer at a young age? Why are more and more young women having difficulty getting pregnant? Why do more and more children have asthma or other allergies and sensitivities to chemicals?

When you talk with your doctor about these problems, you're not likely to get any answers. If you called the American Cancer Society or the National Cancer Institute, they would quote you statistics that say that currently 1 in 3 people in the U.S. will develop cancer and that 1 in 4 will die from it. The state and federal health agencies will use these same statistics to tell you that the cancer rates you see in your community are "normal" and that you should not be concerned.

## CANCER

What has gone wrong with our way of thinking when it is considered "normal" that 1 in 3 people get cancer? IT IS NOT NORMAL. Cancer is not a natural disease and even if it were, it wouldn't be "normal" for cancer to claim the lives of 25% of the population.

There are reasons why so many people are getting cancer and it's not because people are living longer or because of better diagnostic methods. Cigarette smoking (lung cancer), exposure to sunlight (skin cancer), fat consumption, and workplace exposures are among these causes. Another significant factor is exposure to chemicals in our environment, in our food, and in our communities. An estimated 50,000 to 60,000 chemicals are in common use and more

than 600 new chemicals are introduced each year (1). According to the EPA, nearly three billion pounds of these chemicals were released into the environment and our communities in 1993 (2). These chemicals get into the air we breathe, the water we drink, and the food we eat. Yet according to a study by the National Academy of Sciences (NAS), there is adequate information on toxicity to evaluate public health hazards for *only* 2% of these chemicals (1).

Increasingly widespread use of chemicals led many people to believe that there would be a corresponding increase in cancer. But for many years, the cancer statistics proved them wrong. Now, the long predicted increase has arrived. Age adjusted cancer rates (meaning that the increased number of elderly people has been taken into account) are increasing substantially. In the 1960s, the overall cancer incidence rate was 1 in 6 for the general U.S. population; now in the 1990s, it is 1 in 3.

A recent study by the National Cancer Institute (NCI) found that all cancers increased 19% in men and 12% in women from over a twelve year period ending in 1991. Cancer rates in children also increased, 13% in boys and 10% in girls. This increase is not explained by better diagnosis (3).

In men, prostate cancer increased 66% during this period and only part of this increase can be explained by better diagnosis. However, testicular cancer increased 34% and there has been no change in diagnostic methods. These two cancers in particular could be related to exposure to chemicals like dioxin. Other cancer rates that increased included non-Hodgkin's lymphoma (60%), melanoma (67%), and liver cancer (33%) (3).

In women, cancer rates also have increased, including breast cancer (30%), lung cancer (65%), melanoma (42%), non-Hodgkin's



lymphoma (35%), kidney cancer (39%), and liver cancer (25%). The increase in breast cancer is particularly significant because of the large number of women affected. During 1994, about 183,000 new cases of breast cancer were diagnosed and over 46,000 women died of breast cancer (4). Fifty years ago, a woman had a 1 in 20 chance of getting breast cancer; today the odds have increased to 1 in 8.

Environmental exposures are the best explanation of such increases and exposure to dioxin and dioxin-like substances may be the greatest contributor to these exposures. For instance, American farmers, who are generally a healthy group, have higher than normal rates of several cancers - leukemia, non-Hodgkin's lymphoma, brain and prostate cancer (5). Besides dioxin and PCBs, most endocrine-disrupting chemicals are chlorinated pesticides and exposure to these substances contribute to these increasing cancers.

In children, cancer is the second leading cause of death. In the NCI study, brain cancer increased 24% in boys and 19% in girls, leukemia rose 10% in boys and 21% in girls, and bone cancer increased 40% in boys and 33% in girls. Other increases were found in eye and soft-tissue cancers (3).

Looking at these increasing rates of cancer, most of which has occurred in the past twenty years, one can't help but wonder how much exposure to toxic chemicals like dioxin contributes to these increases.

### BIRTH DEFECTS

Cancer is not the only disease on the rise. According to a study conducted by the Birth Defects Monitoring Program (BDMP), more than 30 types of birth defects have increased steadily during the seven year period from 1979-80 to 1986-87. Heart defects increased the most, followed by genitourinary, musculoskeletal and defects of the eye (11). Other studies have found a doubling of the incidence of undescended testes (cryptorchidism) in male infants since 1960 and a two-fold increase in hypospadias, in which the urinary canal opens on the underside of the penis (8).

According to a study conducted by the General Accounting Office, a quarter of a million U.S. babies are born with birth defects each year and these birth defects are the single largest attributable cause of infant mortality in the U.S. GAO also reported that a growing number of children have basic

learning disabilities (12). A 1993 study by the New York Department of Health found that pregnant women who live within one mile of known toxic waste sites had a 12% greater chance of bearing a child with a birth defect (13).

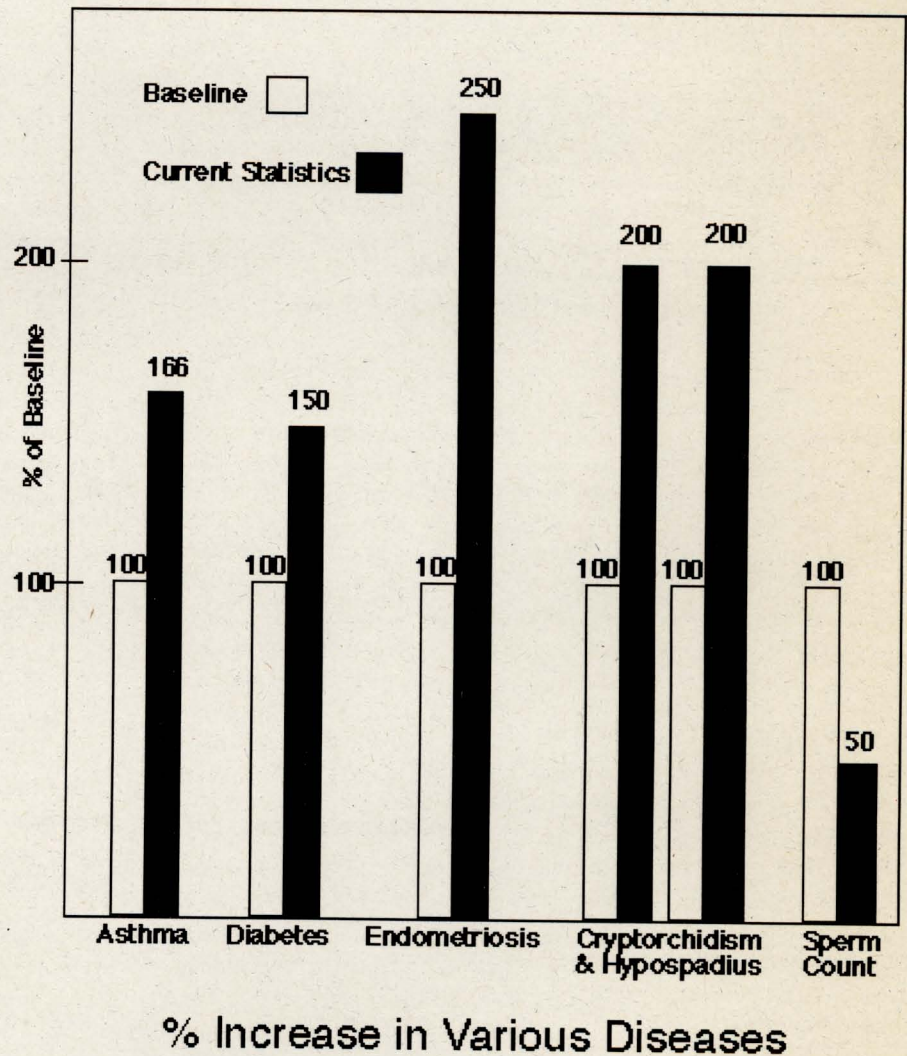
### REPRODUCTIVE DISORDERS IN WOMEN — ENDOMETRIOSIS

From 1965 to 1994, there has been an 250% increase in hysterectomies for women with endometriosis between the ages of 15-44, and an increase of 186% in women between the ages of 25 and 34 (14). Endometriosis is a disease in which cells from the lining of the uterus grow in inappropriate places outside of the uterus. This growth may occur on the ovaries, on the outside of the uterus, or in other places. Its cause is unknown. Endometriosis causes pain during menstruation

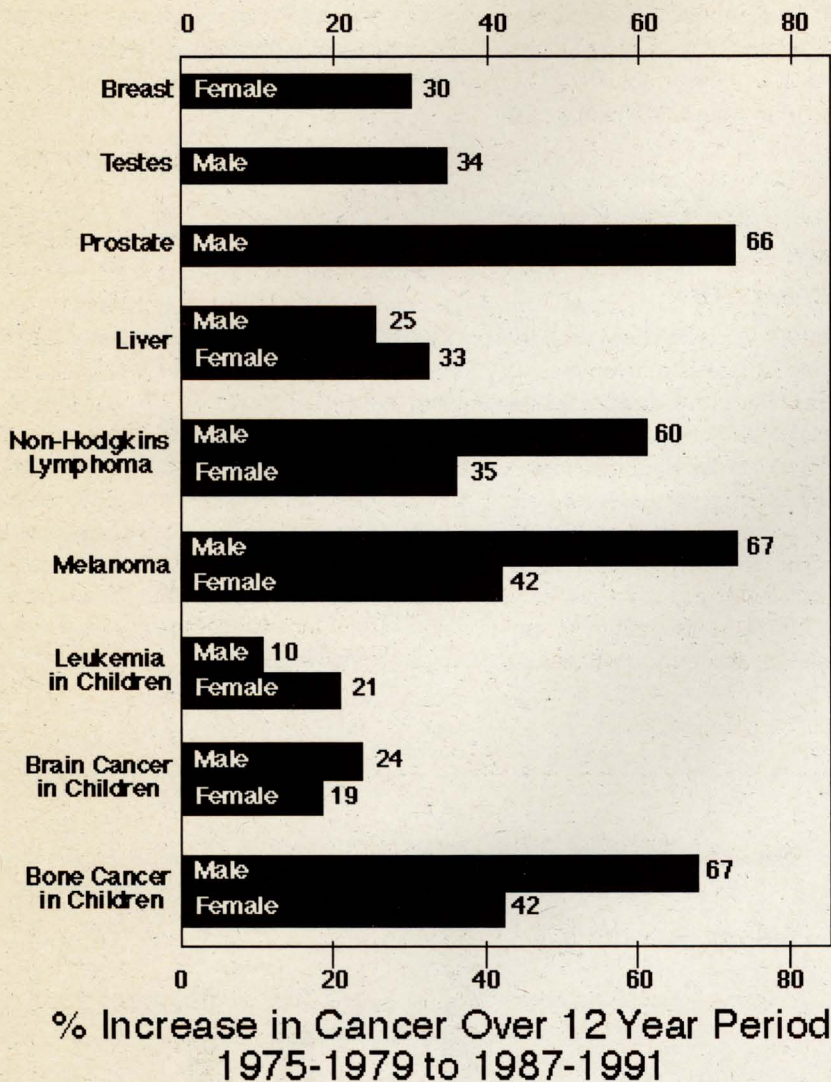
and during intercourse. These symptoms grow worse as the endometriosis spreads. More than 5 million women in the U.S. currently are affected by endometriosis.

### REPRODUCTIVE DISORDERS IN MEN

The male reproductive system seems to be especially affected. Male reproductive tract disorders have more than doubled in the past 30 to 50 years (8). Several studies have shown that men today have about half the sperm count of their fathers (15,16,17). In addition, the average volume of semen has decreased by 20% since 1940 (16). A study of Vietnam veterans exposed to Agent Orange indicates that this decrease may be attributed to exposure to dioxin and dioxin-like chemicals (18). To date, over 40,000 Vietnam veterans have made claims for health damages related to Agent Orange exposure.







### ASTHMA

The incidence of asthma has also dramatically increased in recent years. According to the National Institute of Health, the prevalence rate of asthma in the U.S. has increased 66% since 1980 (19). A separate study conducted by the National Health and Nutrition Examination Survey (NHANES) found that the prevalence of asthma has increased 58% since 1971 (20). Childhood asthma is a significant portion of this increase. More children suffer from asthma than any other chronic disease. An estimated 5.8% of children under the age of 18 (3.7 million children) have asthma (21). According to the Allergy and Asthma Network, an estimated 40 to 50 million Americans, about one in every 5 suffer from allergies including allergic asthma.

### DIABETES

The number of people with diabetes has increased almost 50% since 1983 according to a recent study conducted by the National Institute of Diabetes and Digestive and Kidney Diseases (22). Since 1958, the rate has tripled. Some of the increase is due to the population getting older and over-weight, but a portion is "inexplicable." Diabetes can cause blindness, kidney failure, heart disease, stroke and nerve damage.

### CHEMICAL SENSITIVITIES

A person is considered chemically sensitive when he or she reacts with a set of reoccurring symptoms to the exposure of toxic chemicals at levels that are not "expected" to cause a reaction. A committee of the National Academy of Sciences reported in 1987 that

an estimated 15% of the population have "heightened sensitivity to chemicals" and suffer such wide-ranging symptoms as headaches, breathing problems, irregular heartbeats and disorientation as a result of exposure to chemicals (23). This committee also reported that exposure to toxic chemicals plays a role in the increased incidence of autoimmune diseases such as rheumatoid arthritis and Crohn's diseases seen in the past 50 years, and that asthma, systemic lupus, and neurological disorders can be caused by exposure to toxic chemicals (23). EPA's office of Toxic Substances (OTS) estimates that 13% to 17% of the general population and 20% of all workers will experience allergic-like reactions (24). In addition, the Consumer Product Safety Commission (CPSC) has received more than 6,000 inquiries about toxic carpeting (25). These statistics make one thing extremely clear - more people than ever are developing and suffering from some form of chemical sensitivity.

Together, these statistics are staggering. They define a society with serious health problems, many of which are rising quickly. According to the "authorities," the causes for the increases in these illnesses are "unknown." For how many of these illnesses is "unknown" a code word for corporate sources of pollution?

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*continues on page 30*

## THE DIRTY DOZEN

**T**he Cancer Prevention Coalition recently released its first annual "Dirty Dozen" list of hazardous household products. The products on the list contain toxins that pose a risk to consumers. Those that made the list and the companies that produce them include:

Beef Frankfurters — Oscar Meyer Foods	Alberto VO5 Conditioner — Alberto-Culver USA, Inc.
Whole Milk — e.g., Borden or Lucerne	Ajax Cleanser — Colgate-Palmolive, Inc.
Talcum Powder — Johnson & Johnson	Zud Heavy Duty Cleanser — Reckitt & Colman
Cover Girl Replenishing Natural Finish Make-Up — Max Factor, Inc.	Lysol Disinfectant Spray — Reckitt & Colman
Crest Tartar Control Toothpaste - Procter & Gamble	Zodiac Cat & Dog Flea Collar — Sandoz Agro
Clairol Nice 'n Easy — Clairol, Inc.	Ortho Weed-B-Gon Weed Killer - Monsanto

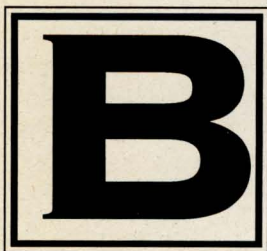
For more information, contact the Cancer Prevention Coalition, 520 N. Michigan Ave., #410, Chicago, IL 60611, (312) 467-0600.



# WASHINGTON POLITICS

## Alligator Tears, a Breach of Etiquette, and the Horizontal Facade

BY FRANCES DUNHAM



BY THE TIME I WAS INVITED TO testify before the House Commerce Subcommittee on Commerce, Trade and Hazardous Materials on October 26, 1995, Chairman Michael Oxley had introduced legislation for reauthorizing the federal cleanup program called Superfund. The Oxley bill would transform Superfund by sharply reducing the human health protection standards for the nation's most toxic sites and by charging much of the cleanup costs to the government instead of the polluters. Oxley was saddened, however, by his inability to reach his "Superfund reform" goal: complete repeal of retroactive liability so that taxpayers would fund whatever minimal cleanups would still be required after his other "reforms" were passed. As one might expect, big oil and big chemical are behind this, but much of the muscle is the insurance industry's. The same people who accept premiums, but reject claims for illness, accident, or property damage wrote coverage on the big polluters, profiting from fear of liability and issuing de facto licenses to contaminate. When huge bills for cleanup came due, the oil and chemical industries expected insurers either to pay up or to get them off the hook. The resulting three-way squeeze has pitted the oil/chemical industry against insurance against taxpayer.

Entering the Rayburn Building, I noticed paid place-holders for lobbyists who need to attend the hearings but are off at a power breakfast or something. At least as a witness I had a reserved seat. Once inside the hearing room, all diversity evaporated; everyone could have been cast from upscale law offices and most probably were. For most, it was just another day on the job. It is one of the ugliest manifestations of current political life that unusual plumage, skin color, or language marks you for low valuation. But that wasn't the reason I wore a dark suit; I just happen to be a white woman from the suburbs, and this is my tribal costume. I had other ways of making myself unwelcome.

Entering the Rayburn Building, I noticed paid place-holders for lobbyists who need to attend the hearings but are off at a power breakfast or something. At least as a witness I had a reserved seat. Once inside the hearing room, all diversity evaporated; everyone could have been cast from upscale law offices and most probably were. For most, it was just another day on the job. It is one of the ugliest manifestations of current political life that unusual plumage, skin color, or language marks you for low valuation. But that wasn't the reason I wore a dark suit; I just happen to be a white woman from the suburbs, and this is my tribal costume. I had other ways of making myself unwelcome.

The Committee members had their say about the bill first, roughing in the outlines of the strict partisan debate. Republicans supported the bill and attacked EPA while Democrats attacked the bill and supported EPA.

Like a tennis tournament with matches assigned first to this court and then to another, the political spectrum shifts are disorienting and disturbing to outsiders. Passionate support can be replaced by absolute indifference or even hostility. An issue can be whipsawed by strange forces like a house of cards in a wind tunnel. Last year a broad range of Superfund "stakeholders" (big business, cleanup contractors, big enviros, and contaminated communities) supported a compromise bill. The coalition didn't include everyone; General Electric, first in Superfund with 74 sites, quibbled about "overly conservative" cleanup standards, and there was an attack on retroactive liability headed by Ben Chavis, then of the NAACP. Even the enviros and communities who were just barely willing to support the bill worked hard to improve provisions for health and environmental protection. But the bill died in the last ugly moments of the 103rd Congress as the leading edge of the Republican groundswell was becoming visible. It was time to renegotiate, and the target of money and power was the bill's remaining fragment of retroactive liability.

Chairman Oxley lamented his failure to achieve outright liability repeal. For the present, the best that could be managed was a refund to corporations for 50% of costs for sites contaminated before 1987. Clearly he and other powerful Republicans haven't given up on repeal, and two Congressmen from the newly formed Gov-

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*Frances Dunham lives near Pensacola, Florida, and is a member of Citizens Against Toxic Exposure (CATE). She was invited to testify before Congress as the "token" representative of community residents living next to a Superfund site. CATE has battled the Escambia Superfund site and "Mt. Dioxin" for years as their community continues to be exposed to dioxin.*



ernment Reform and Oversight Committee wept alligator tears for mom and pop businesses bankrupted by cleanup costs and legal fees. It was downright un-American, they said, to punish businesses by making them pay for their own cleanups - only retroactive liability repeal could put a stop to this terrible inequity. They didn't give any justification for charging taxpayers for this enormous subsidy. In the language of business, this is called externalizing costs.

My invitation came from the minority (Democratic) side, and no doubt the intent was that I should criticize the bill while defending EPA - and the Superfund program. The first was easy enough - Oxley's bill would leave many U.S. communities to live with dangerous levels of contamination in order to save money for the polluters. Environmentalists call it "the fence and bottled water" solution - put up a fence and don't drink the contaminated water.

Never mind that the toxins will migrate under the fence and affect nearby residents anyway. Cleanup standards would be set by using risk assessments virtually guaranteed to underestimate risk, and the law would override states' own standards. It would encourage redevelopment of still toxic sites, especially in industrial zones. The whole Superfund program would be capped and sunsetted over the next few years, a sort of national substance-abuse denial. A cartoon shows EPA lifting a rug under which industry sweeps toxic con-

tamination. It's a prescription for gradual disaster, the kind most easily hidden from the public (that's in addition to its 50% cost refund, which erodes the financial deterrent to pollution). "Community participation" in this bill means anything that's agreeable to the local government and to business interests, including the polluters. No community which

out, there are serious problems, all of which would be exacerbated by the measures under consideration. We should be learning from our mistakes, not compounding them. By now I was non grata whatsoever to anybody. I caught an aide to one of the Democratic Congressmen making a derisive face, as if I'd used the wrong fork or split an infinitive:

haven't we all agreed not to talk about this, not to think about it, not to acknowledge it in any way? Well sure, perhaps some will suffer, but how crude to mention it in polite company. Don't ask, don't tell. And they didn't ask. The hostile questions never came.

Like Disneyland's artificial world, the "American quality of life" floats above a horizontal facade covering the lackluster workings upon which the illusion depends. Up here it's all prosperity and privilege; down there it's the grinding of hideous machinery. We're skating on hot water, socially and environmentally, and many of us

know it. Above it's Whitney Houston and dinner music; below, the soundtrack is Tom Waits and gangsta rap. We may preach equality, but we're letting the institutions of our democratic government enforce a feudal system in which wealth is the only virtue. Some of the largest and most profitable corporations in the world are being painted as tragic victims while people who breathe air and drink water have come to be viewed as a special interest group. □



An aerial photo of "Mt. Dioxin" at the Escambia Superfund site, Pensacola, Florida. Photo provided by Frances Dunham.

had real influence in local politics would find itself next to a Superfund site in the first place.

But I also had harsh words for EPA and its handling of the program. I related the tales of arrogance and ineptitude which resulted in more than a year of constant exposure of hundreds of Pensacola residents to massive doses of some of the most harmful toxins known. Failures of enforcement and callous disregard for life and property; irrational procedures; illness and death. Out there in the real world where these federal policies play

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## Action Line Washington

*continued from page 23*

women experiencing constant bleeding and men whose body and facial hair has disappeared.

▲ In Tacoma, the **Citizens for a Healthy Bay** work to stop contamination of the Tacoma waterfront. The group is concerned with dioxin exposure and the effects of environmental deregulation.

▲ The Seattle **Citizens for Quality Living** are fighting a permit renewal request to operate a medical waste incinerator. The facility is located in the middle of a densely populated neighborhood near a lake where people fish and eat the fish. The hospital wants to start importing wastes from other facilities.

▲ The **Washington Citizens for Resource Conservation** and the **Whatcom County Activists** held a strategy session to discuss toxic problems in Bellingham. The community is subjected to exposure from an incinerator, a Superfund site, and a Georgia Pacific pulp and paper mill.

▲ The **Washington Toxics Coalition** is working with residents in Kitsap to organize and educate the community about seven contaminated military sites in the area. Many of the residents have experienced health effects related to dioxin exposure and other toxins.

## WEST VIRGINIA

▲ A group of farmers in West Virginia successfully ridded their lands of more than 30 tons of stored pesticides. A program run by the Eastern Panhandle Soil Conservation District, which involved state funding and 18 months of community planning, enabled the safe collection and disposal of such pesticides as DDT, chlordane, and other mercury-based pesticides.

## WISCONSIN

▲ The **Family Farm Defenders** are leading a coalition of environmental groups who are boycotting Monsanto and their production of the milk additive recombinant bovine growth hormone (rBGH). The chemical increases milk production but its effects on humans are unknown. It has also been linked to an udder infection in cows that makes their milk unusable. □

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## Science Feature Rising Rates of Health Problems

*continued from page 27*

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# RESOURCES

▲ The corporate system was originally created to serve the public interest; instead it now exercises immense power and dominance over much of society and has often used its power to subvert the public interest. In *Tyranny of the Bottom Line: Why Corporations Make Good People Do Bad Things* (Berrett-Koehler Publishers, 300 pages, \$27.95), Ralph Estes shows how the corporate system has gone astray and offers proposals for creating more effective and humane companies.

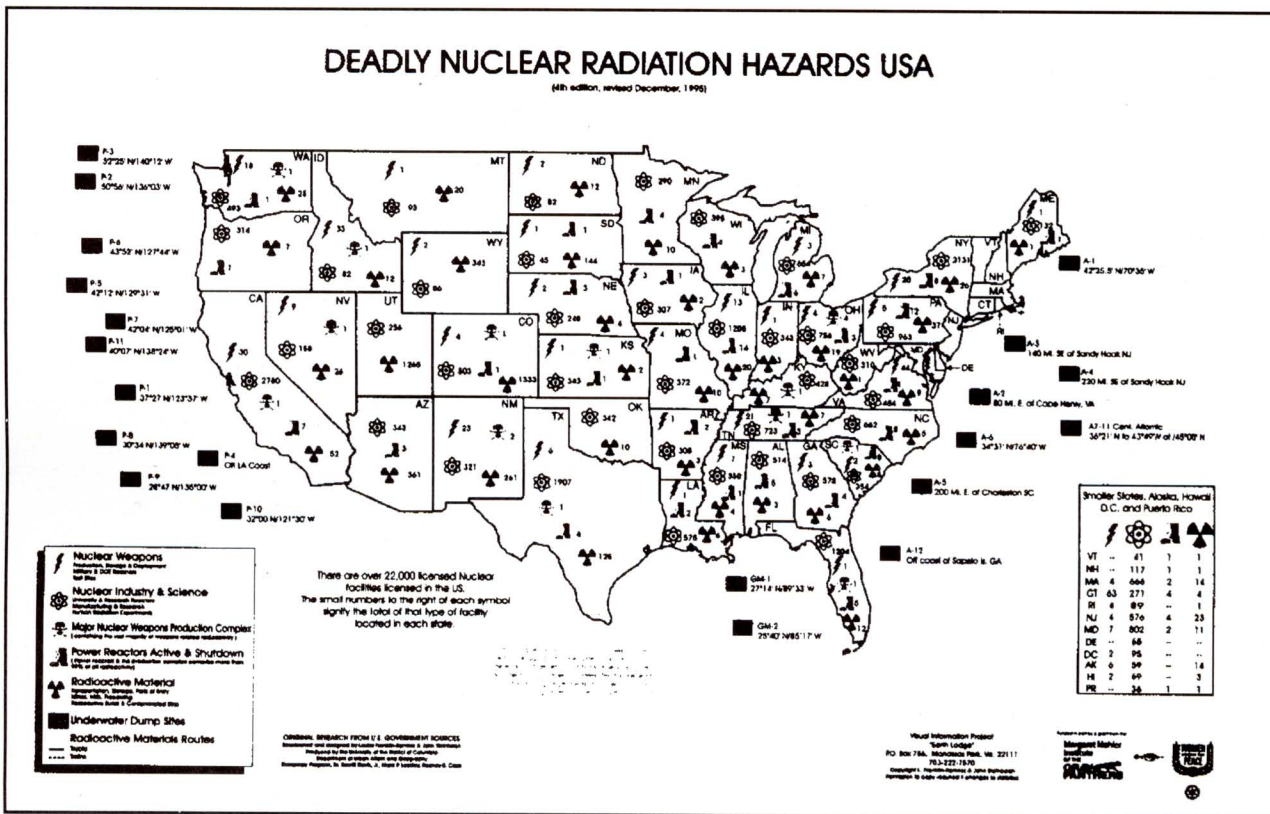
▲ American PIE, a nonprofit group concerned with providing the public information on the environment, is sponsoring a 'grassroots' effort to restore the American Lawn. As part of the campaign, American PIE is selling lawn stakes that read "Safe to Play On!," designating a lawn safe from contamination by herbicides, pesticides, fungicides, and chemical fertilizer. The signs sell for \$1.00 each or \$9.00 per dozen. To order signs or get more information about American PIE and their campaign, call 1-800-320-APIE.

▲ ResourceWomen announces the *1995-1996 Religious Funding Guide*. This guide helps nonprofit, community-based organizations find support from religious funders. The guide lists 37 funding sources, strategies, and tips on denominational structure. Also available from ResourceWomen is *Organizational Development Tools*, a guide to building and strengthening fledg-

ling organizations. For more information, contact ResourceWomen at (202) 832-8071.

▲ For several years, illegal dump sites operating in Chicago's black neighborhoods have triggered outrage from local residents and inspired participation in the environmental justice movement. In the February 19, 1996 issue of *In These Times*, "Moving Mountains," by Salim Muwakkil, tells the story of a Chicago sting operation, highlighting the persistence of environmental racism in Chicago. In Operation Silver Shovel, a government informant bribed city officials to look the other way while he dumped thousands of tons of hazardous waste illegally. The uncovering of this practice has given new energy to the environmental justice movement in Chicago.

▲ Louise Franklin-Ramirez and John Steinbach have released the *Deadly Nuclear Radiation Hazards USA* map and database. Years of research have resulted in this comprehensive and most complete list of contaminated nuclear sites ever compiled. The database includes all nuclear reactors, all contaminated sites, and licensees for storage, transportation, possession, and disposal of radioactive materials, all known dump sites, all weapons testing sites, all uranium facilities, and all weapons facilities. The map and database are available from Visual Information Project, P.O. Box 756, Manassas Park, VA 22111, for \$20. □





# THE 1996 STOP DIOXIN EXPOSURE NATIONWIDE CAMPAIGN

ARE LOIS GIBBS AND CCHW COMING TO A COMMUNITY NEAR YOU?

**March 15-17: Louisiana**

Baton Rouge - 3rd Citizens Conference on Dioxin  
and Other Endocrine Disruptors

**March 26: Pennsylvania**

Temple

**March 30-April 1: Massachusetts**

Boston  
Canton  
Haverhill  
Worcester

**April 9-10: Minnesota**

Minneapolis

**April 18-21: Ohio**

Cleveland  
Deer Creek - Continuing Education for Organizers  
Workshops

**April 22-23: New York**

Albany  
Binghamton

**May 3-8: Montana**

Missoula

**May 15-19: California**

San Francisco  
Ventura  
Los Angeles  
San Jose  
Rosamond  
Mendocino

**May 24-26: Illinois**

Carbondale - Southern Illinois Regional  
Dioxin Roundtable

**June 1-4: Canada**

Ontario

**June 6-10: Michigan**

Ann Arbor

**June 29: Alabama**

Anniston

CCHW  
P.O.Box 6806  
Falls Church, VA 22040  
(703)237-2249

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