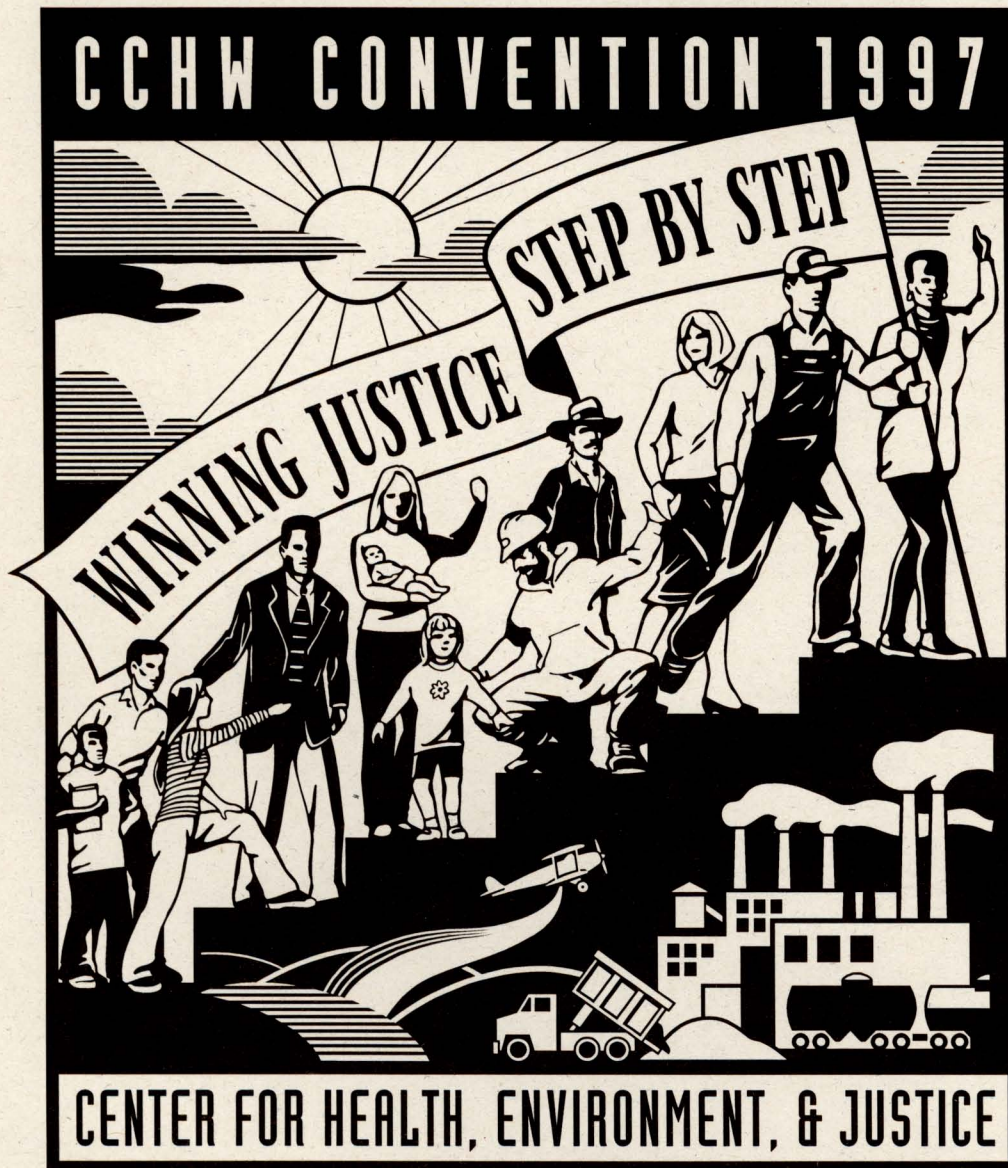


EVERYONE'S BACKYARD

Vol. 15, No. 1 ♦ \$3.00



- ♦ Phoenix's Silicon Nightmare
- ♦ EPA's Ombudsman Program
- ♦ The New Superfund
- ♦ Strawberry Fields

The Journal of the Grassroots Movement for Environmental Justice
CCHW Center for Health, Environment and Justice

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Everyone's Backyard

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Mickey Mouse Journalism Using Goofy Science



Many of you saw a recent series of stories, hosted by John Stossel, that appeared on ABC's *Good Morning America*, *20/20*, and a special titled "Junk Science," and have called our offices outraged. We join you in your anger, not only over the segment, but over the unequal standards the network holds for their stories. In these stories, dioxin, breast implants and chemical sensitivity were portrayed as junk science. According to Stossel, the real science did not reveal any of these problems to have any scientific basis of cause and effect from various chemical exposures.

Throughout the past 20 years of working on environmental issues with communities, I have been invited on shows like *20/20* and talked to researchers about public health concerns and toxics. When these stories are told in the media, community representatives are asked for irrefutable facts about miscarriages, cancers or other diseases that increased in the neighborhood. They ask questions such as, "Have you verified all of these alleged diseases with medical records?" Of course we haven't, and don't have the means to do so. Yet, the producers often say they need this evidence so they won't be attacked or sued by the guilty corporation.

So why is it that ABC doesn't have the same standards for corporate public relations programming as they do for programming on community or consumer issues? One obvious reason is that victims of dioxin, breast implants and chemical sensitivity don't have the resources available to pose a legal or financial threat. They are just ordinary people with little money and big medical expenses. Maybe the standards changed because ABC is owned by the Disney Corp. Maybe Disney CEO Michael Eisner isn't paying attention, or perhaps he is so used to creating fantasies and fairy tales that he thought the Stossel piece could provide ideas for a new theme park.

The truth - that many documented, peer-reviewed studies have concluded that significant adverse health effects occur in people exposed to dioxin - was missing in the *20/20* piece. These studies were not missed because Stossel was unaware of their existence. In fact, people from all over the country called ABC to talk with his producer and researcher to provide information and hard scientific data on dioxin, Love Canal and Times Beach. No one returned their calls. No one asked for copies of the information. It was clear that nobody at ABC wanted the truth.

What do we do about this problem of one-sided journalism? First, we must understand that not all journalists are balanced, objective reporters. For those who don't hold that standard, we need to let their bosses know that such unprofessional conduct is unacceptable to the public. Second, we must ask journalists who *do* hold themselves to higher standards to hold their fellow journalists accountable.

We must also remember that all forms of media flourish or fail through advertising dollars. Turning off the television or canceling your newspaper subscription won't help much, but calling their advertisers can create pressure. Today, it's easy and cost-effective for consumers to knock on the doors of advertisers. Most corporations have a toll-free 800 number that you can call, and call, and call, free of charge, to register complaints and refusals to buy their products.

Just as we hold accountable corporations who poison our food, air, water, we also must hold the media accountable. This is especially true today, in a world where polluters literally own the media. Two big polluters, General Electric and Westinghouse, own two of the largest media corporations, NBC and CBS, respectively.

Let's give the media back to our journalists with ethics and standards. We need to reclaim our freedom of speech from the corporate interests. Only consumers like us can force our news media to tell the truth. This work to reclaim balanced reporting based on truth is a necessary and critical part of our overall work in building a better future. ■

EVERYONE'S BACKYARD

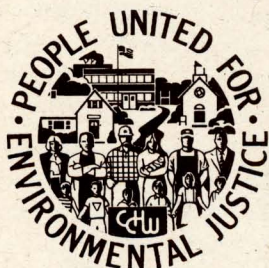
Vol. 15, No. 1 ♦ Spring 1997 ♦ \$3.00

Who We Are

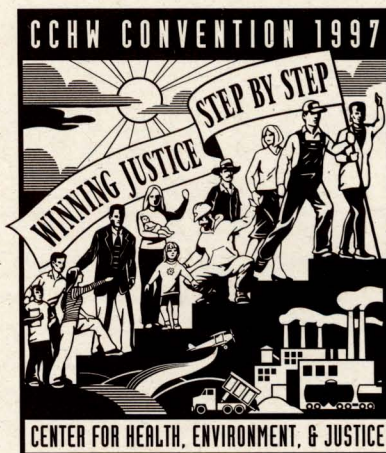
The Center for Health, Environment and Justice is a sixteen-year-old Environmental Justice Center working with a network of over 8,000 local grassroots groups. We were formed to help people win cleanup of contaminated sites and to prevent new sources of contamination. Over the years, our work has grown to include helping people deal with everything from chemical plants to radioactive waste to recycling.

CCHW trains and assists local people to fight for justice, become empowered to protect their communities from environmental threats and build strong, locally controlled organizations. CCHW connects these strong groups with each other to build a movement from the bottom up so that grassroots groups can collectively change the balance of power.

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.



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CCHW announces the 1997 Grassroots Convention. The Call to Convention and Registration Information is enclosed in this issue of EBY.

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From Phoenix • Liane Waselus

Silicon Nightmares

Sumitomo of Japan is nearing completion of its new Sitix silicon wafer manufacturing plant in northeast Phoenix, Arizona. Although it is one of the richest corporations in the world, Sumitomo will receive huge tax breaks and incentives to build the Sitix factory which will poison our environment and jeopardize our well-being.

The factory will use and emit hazardous chemicals, including ammonia and hydrofluoric acid. Silane gas, which is violently explosive when it contacts air, will also be used at the plant. To make matters worse, all of these hazardous chemicals will be transported to the factory on our busy city streets. We will all be living with the constant threat of the inevitable accident, either on the streets or at the factory.

When this facility was proposed originally, Sumitomo released a memo that objected to an urban location, contending that the poisonous emissions would make only a rural site appropriate. However, local officials simply shrugged and insisted on an urban location. Even though Phoenix has many industrial areas zoned for manufacturing activity, our foolish city officials chose to site this factory in the middle of our residential area in northeast Phoenix.

The vast majority of residents in northeast Phoenix are opposed to this plant, but since there was minimal publicity when the factory was in the

planning stages and few people knew about it, most citizens learned of the facility only after it had been approved. The project was on an extremely fast track, even during planning stages, since the company needed to build the factory quickly to meet their production schedule.

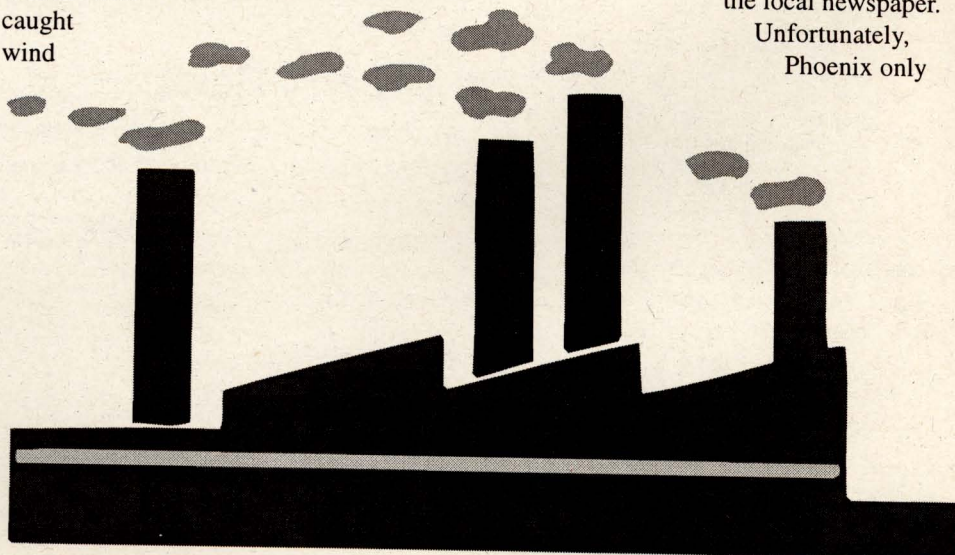
The general public became aware of the Sumitomo project very slowly, due in part to the fact that the local government and economic development officials involved kept the plan hidden to protect it from public scrutiny. They knew if the public became aware of the project, they would have to answer lots of difficult questions, which would slow down the process. So, our officials essentially left out the citizens, going so far as to make illegal zoning changes just one day before the City Council's final approval of Sumitomo-Sitix. Originally, the site of the facility was zoned for non-dusting, non-hazardous, non-polluting use. However, that language was illegally removed, and it is unclear if proper public notification was given before hearings were held.

In the fall of 1995, there was already a small group of citizens who caught wind

of the plan, but public awareness didn't mushroom until after the permit hearing in January 1996. At that meeting, there were many unanswered questions as to the safety of this facility. Even the EPA asked for an extension to review the air permit, but county officials denied the request and Sumitomo was granted its air permit (despite the fact that the facility will emit 3200 pounds of hydrofluoric acid annually, which can increase to 20,000 pounds without public notification). These facts disturbed many people, leading to the organizing of a citizen's group.

On February 8, 1996, the Coalition of Valley Citizens Opposed to Sumitomo held its first official meeting. In the past year, we have had weekly meetings and have evolved into a powerful grassroots organization consisting of hundreds of residents determined to prevent the industrialization of northeast Phoenix. There are no polluting factories in this area, and we are not interested in letting any get a foothold.

For the first few months following the air permit hearing, our concerns were featured prominently in the local newspaper. Unfortunately, Phoenix only



Liane Waselus is a homemaker in Phoenix who has not had any previous activist experience. The threat of a silicon wafer manufacturing facility forced her to action, and she is now an active member of the Coalition of Valley Citizens Opposed to Sumitomo. Following is the story of the Coalition's struggle.



Residents of northeast Phoenix protest outside Phoenix City Hall.

has one major newspaper, the *Arizona Republic*, and when the controversy started to heat up, our anti-Sumitomo sentiments began showing up only in the Wednesday/Friday northeast community section. Interestingly, news that made Sumitomo look good was printed promptly on the front page of the Sunday edition. This is not surprising, considering that the head of the newspaper was instrumental in luring Sumitomo to Phoenix.

So, despite this media blackout, we struggle along in building our roster of concerned residents through phone calls and a Coalition hotline with information about meetings, rallies, and other community events. In an effort to increase community awareness, we have made appearances on television programs and radio shows and held demonstrations at the factory site and City Planning Committee meetings. In one successful part of the campaign, our group gathered 2500 signatures and successfully recalled our City Council representative for failing to inform us of the factory and for not protecting our best interests. Our most recent tactic has been to hold weekly rallies in front of the facility (all 500,000 ugly square feet of it) and it is encouraging to see the outpouring of support we have received. However, the factory is nearing its opening date and many people are taking on a "what's the use?" attitude in fighting this enormous and wealthy

corporate giant.

Ours is an organic group, of sorts. We have had some committees from time to time, but we change and rearrange a lot, with people stepping up to the plate when they are needed, pitching in and doing what needs to be done. To raise money for our fight, we have set up a legal fund with a local bank, published an address in our flyers to send donations, and held a fund raiser. We've also done some door-knocking, and are continually encouraged by the number of people backing our efforts, albeit behind-the-scenes.

As far as our legal efforts, we determined last year that our best chance to fight the factory before it opens is with

a suit against the illegal zoning of the Sumitomo facility. If this tactic fails, we will likely go ahead with a hazard and nuisance suit (surely the factory meets both of those criteria). In our "show cause" hearing in September 1996, the judge refused Sumitomo's request for dismissal and refused to allow the defense of laches, meaning that he does not care how much of the factory has been built already. Sumitomo's lawyer even whined that the company had already invested millions in the project, but our lawyer quickly reminded the judge of a copper scandal in which Sumitomo lost \$2 billion and had no problem absorbing the loss.

On January 16, 1997, we had another hearing in which the judge heard Sumitomo's last ditch argument that regardless of whether the land was zoned illegally, the Arizona State Land Commissioner (a governor appointee who is pro-Sumitomo) should have ultimate authority since Sumitomo is leasing State Trust land for its facility. The judge has taken this late-blooming issue, as he called it, under advisement. If we can keep focusing the debate on zoning, we feel sure that we will win!

Any rational human being knowledgeable of these issues knows that putting a facility of this type so close to homes is insane. Sumitomo and our city and county officials show an appalling lack of concern for the safety of the residents living near the facility and workers inside the facility. Our opposition's vision of a Silicon Desert is truly a nightmare, and we will continue to fight until the facility is stopped.



Members of the Coalition of Valley Citizens Opposed to Sumitomo protest at the Sitix construction site.

By Lois Marie Gibbs

EPA Ombudsmen - Community Friends or Foes?

Webster's Dictionary defines ombudsman as, "a government official who investigates citizens' complaints against the government or its functionaries."

The Environmental Protection Agency (EPA) initiated an Ombudsman Program to better communicate with community based groups concerned about environmental threats and public health. This program provides one national ombudsman and nine regional ombudsmen, one located in each of EPA's regional offices. EPA's intent, as we understand this program, was to provide local group leaders with a way to call an investigator, or ombudsman, when they don't receive responses to their inquiries or believe their concerns are not being taken seriously.

Some of the grassroots leaders in our network have had direct experience with these ombudsmen. The national ombudsman, Bob Martin, has been involved in Lock Haven, Pennsylvania; Pensacola, Florida; Tifton, Georgia; Times Beach, Missouri; and East Liverpool, Ohio. The majority of the grassroots leaders from these areas felt that Mr. Martin listened to their concerns and was responsive to their requests. They appreciated his efforts, but were frustrated because Martin has little or no power to make or change decisions.

What about the other regional ombudsmen? CCHW hasn't heard much about them, and a memo we recently obtained gives us some clues as to why. This memo from EPA headquarters provides us with shocking insights of the people who have been assigned the responsibility of assisting communities through this program.

EPA whistleblower William Sanjour attended the regional ombudsman training session this past June. He followed this meeting with a memo to former EPA

Assistant Administrator for Solid Waste and Emergency Response Elliott Laws, Laws' Deputy Tim Fields and National Ombudsman Bob Martin, expressing his concerns. He waited over six months for a response to his memo, and receiving none, decided to circulate his memo in the environmental community. The memo is summarized as follows:

"Six of the ombudsman can be divided into two categories of three.

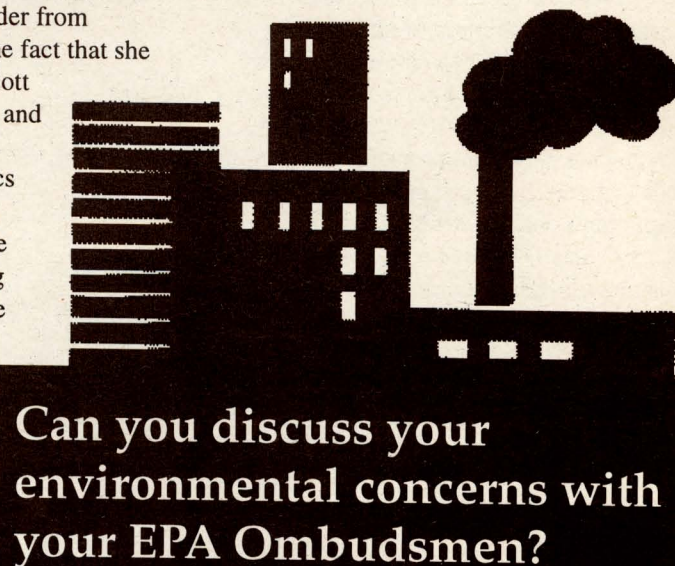
Ombudsman Ron Wilson (Region 4) refers to the National Environmental Justice Commission [NEJC, pronounced 'knee-jack'] as 'knee jerk.'

George Zachos (Region 2), Ron Wilson (Region 4) and Eddie Sierra (Region 6) all showed contempt and distaste for community activists. Wilson refers to the National Environmental Justice Commission [NEJC, pronounced knee-jack] as 'knee jerk.' He is contemptuous of Margaret Williams (community leader from Pensacola, Florida) and the fact that she can call Tim Fields or Elliott Laws any time she wants, and does so frequently. Eddie Sierra ridicules and mimics the speech and walk of activists in his region. He resents communities using political influence. George Zachos, while less outspoken than Sierra and Wilson, generally agrees with those two and deeply resents Lois Gibbs. He believes that in dealing with EPA, the regional ombuds-

man should be viewed as a team player. These three especially have the attitude that EPA is under attack by communities, the media, politicians, etc., and they tend to have an 'us-against-them,' 'circle-the-wagons' mentality."

"The second category consists of John Smaldone (Region 1), John Armstead (Region 3), and Doug Ballotti (Region 5). These gentlemen do not believe it is appropriate for a regional ombudsman to question existing EPA processes or the conduct of EPA personnel. They are ambitious and are obviously very reluctant about being drafted for what could be a career breaking job."

"Of the remaining ombudsmen," Sanjour observed, "Michelle Pizadeh (Region 10), was the only person there who seemed to understand and sympathize with the community viewpoint. She would often contradict her fellow ombudsmen. Craig Smith (Region 7) did not say much, but from the little he did say, I would guess he shares the concerns of those in the second group, but nevertheless willing to take on the job. Rob Henke (Region 8)



Can you discuss your environmental concerns with your EPA Ombudsmen?

said so little, I could form no impression, and Sally Seymour (region 9) was not there."

It is outrageous that some of the very people assigned to investigate community concerns and complaints have contempt for community based organizations. It is immature and repulsive that some of these ombudsmen have no respect for the very people whom they are charged with assisting, to the extent that they openly mock their language, culture and actions. Mr. Sanjour referred to Eddie Sierra's mocking behavior

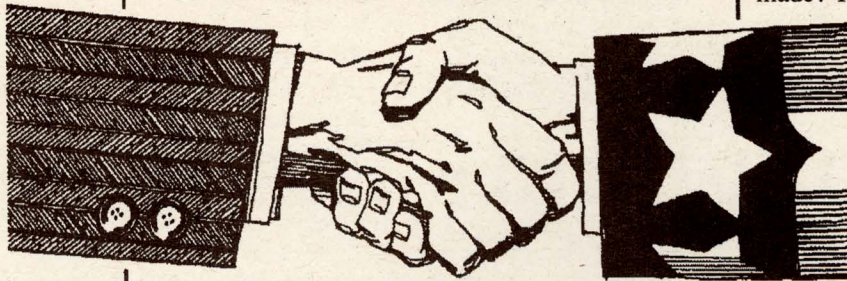
Communities faced with serious threats need people who respect their culture, views and needs, not someone who has contempt and distaste for the process.

as practicing to be a stand up comedian. While Mr. Sierra might have thought he was funny, I'm sure the citizens in his region would not be amused. In addition, this was a government funded training meeting. Taxpayer money is not meant to fund meetings where public employees show their ignorance and lack of sensitivity to the rich diversity of our society.

Their disrespect isn't limited to the community leaders. By referring to the NEJC as "knee jerk," these public employees showed grave disrespect for the President of the United States, who initiated the establishment of NEJC. This sort of egregious behavior is a direct slap in the face of his administration. Participants in this meeting, regardless of whether they were the ones to imitate community leaders or make a mockery of NEJC, should be held accountable for their actions. Only Mr. Sanjour had the courage to speak out, and he should be recognized and applauded for this act.

National Ombudsman Bob Martin was held up as a model for the way in which ombudsman should behave. Martin does not get involved in situations unless he is asked to by a community leader. This

EPA Ombudsmen



Working With Us?

practice was met with resistance from some participants at the meeting, with Ron Wilson (Region 4) saying that they [the ombudsmen] would inject themselves uninvited [into the community]. Why would an ombudsman get involved if there was no dispute or complaints? The purpose of this program is to investigate citizens complaints, not inject oneself into a situation as an outsider.

The memo also discussed the agreement by those at the meeting that the ombudsmen should not be a barrier to timely agency decision making. What if

the citizens complaints have to do with the way those decisions were made? The ombudsmen's job is to settle disputes, and if that means a decision gets delayed, so be it. Lastly, the memo discussed how the regional offices want the ombudsmen to report to their regional administrator, in many cases the very person they are suppose to field complaints about. This makes it difficult, if not impossible, for the ombudsmen to do their jobs.

This memo concludes by stating that many of the ombudsmen want to conduct

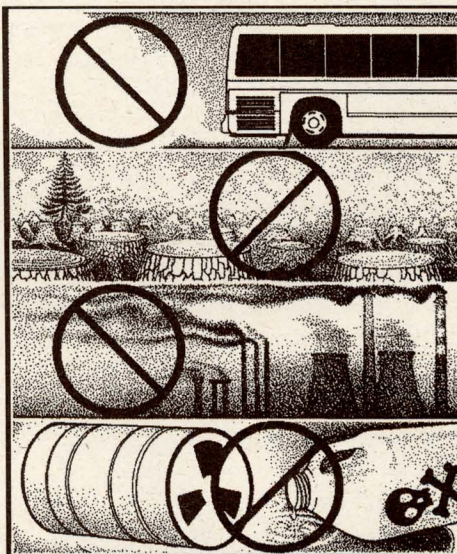
Investing resources in an advertising blitz, rather than finding the right people for the program and getting it off to a good start, is throwing good money away.

a public relations blitz advertising the regional ombudsman and all the wonderful things they are going to do for the public. Investing resources in an advertising blitz, rather than finding the right people for the program and getting it off to a good start, is throwing good money away. Communities faced with serious threats need people who respect their culture, views and needs, not someone who has contempt and distaste for the process. The program needs people who don't see the situations as us versus them. That mentality isn't new; discouraging it is exactly the reason why this program was initiated in the first place.

If you find the situation described in Mr. Sanjour's memo intolerable, call your regional EPA offices and demand that action be taken. Call EPA Administrator Carol Browner and Assistant Administrator Tim Fields and demand that EPA get rid of these insensitive, rude public servants. We deserve ombudsmen who are sensitive to society's diversity and not afraid of working with communities.

EPA Administrator Carol Browner - (202) 260-4700.

EPA Acting Asst. Administrator Tim Fields - (202) 260-4610.



You should feel at ease when sharing your environmental concerns with your EPA Ombudsmen

By Penny Newman

Superfund - The Sequel

On January 21, 1997, a new sequel to the Superfund story premiered in Washington, DC. Called S.8, it is brought to us from the studios of the Senate Republicans, with Executive Producers Bob Smith (R-NH), John Chafee (R-RI), and Trent Lott (R-MS). The severely weak story line, unbelievable with its perverted ideas, is based on a version written and directed by the country's leading corporate polluters. Like most sequels this one is a bad imitation of the original. In fact, this new version would be considered a comedic spoof, if not for the fact that the authors are indeed serious.

If you remember, the original Superfund attempted to address the important issues raised from tragedies like Love Canal, where communities found themselves victims of corporate pollution, leaving families with sick and dying children, unusable land, contaminated water and unhealthy air. Out of these tragedies came a Superfund program with some common-sense principles such as: the polluters pay for the mess they've created, not the taxpayers; emergency situations and the most highly contaminated sites should be dealt with first; permanent treatment is better than band-aid solutions; land should be returned to

productive use; and, those most affected have an absolute right to participate in decisions of how the site will be cleaned up.

Over the years, those of us in impacted communities have rightfully complained that the Superfund program wasn't working and needed fixing. But, we were referring to its poor implementation, which has resulted in a lack of action in cleaning up sites and protecting our communities. Congress, directed by their

We are faced with three tasks:

1) reinstate the tax for Superfund; 2) stop the absurd bill now in Congress; and 3) promote our agenda, reforming Superfund in a way that truly protects our communities.

polluter friends and campaign contributors, reinterpreted our complaints to mean that the program needs fixing because - hold on to your hats - *it's unfair to polluters!* They complain about how unfair it is to hold polluters liable for actions that occurred before the law was passed, and that risk estimates and permanent cleanups are overly protective and cost too much.

This latest sequel has changed the story line so dramatically to be almost unrecognizable. For the second year in a row, we are facing a Congress that proposes a remake of the program that transforms it from

one designed to protect public health to one that protects private profits.

The corporate polluters and insurance companies developed a script with some of the most radical ideas imaginable. Congress, with their pockets full of contributions, are giving some of the best performances ever seen. With straight faces, they actually argue the merits of these preposterous ideas. What was unveiled in January is a Superfund full of absurd proposals to make the program *more fair to polluters*.

It includes proposals that eliminates the preference for permanent cleanups, reducing the hopes of many communities to have land returned to productive use. It puts the polluters in charge of cleanups and limits EPA's ability to make polluters keep their agreements. It makes cost the primary factor in determining remediation with risk estimates that put highly exposed, sensitive people, and children in jeopardy. It reduces the legitimate role of affected communities, rendering them mere spectators by putting public participation in the hands of a few, select people through the creation of Community

Penny Newman, a longtime activist at the Stringfellow Acid Pits and former CCHW Organizer, is the Director of the Center for Community Action and Environmental Justice, an organization that assists communities in fighting polluting industries. Penny, along with Florence Robinson of Alsen, Louisiana, coordinates Communities at Risk, a network of communities near contaminated sites. For the past four years, they have lead the effort to establish a Superfund program that actually meets the needs of impacted communities.



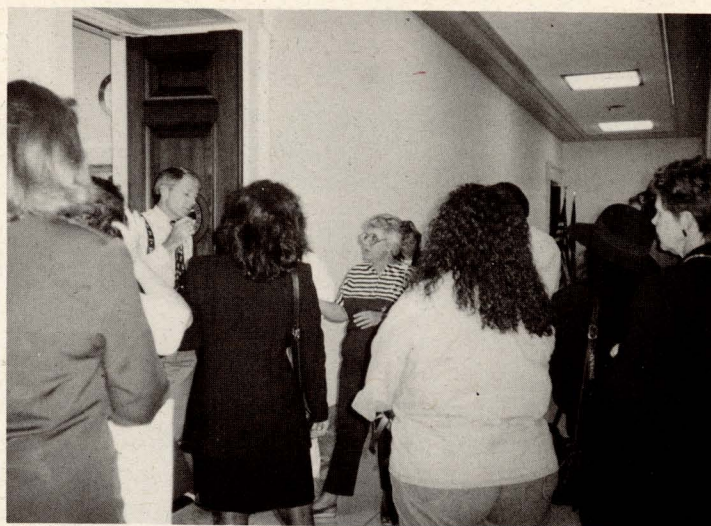
Residents living near Superfund sites across the U.S. gather on Capitol Hill to oppose efforts to gut Superfund legislation.

Response Organizations (CROs). CROs are supposed to act as conduits of information to and from the community, and represent the community during the remedial action. It limits the number of sites to be added to the Superfund's National Priorities List, no matter how much risk the contamination poses to the surrounding community. Thus, the responsibility for cleanup gets dumped on states, who rarely have the resources (or desire) to deal with them. Affected communities know that most of these contaminated sites would not exist if not for local and state officials allowing them to exist. The bill repeals polluter-pays liability by relieving responsibility at hundreds of co-disposal sites. Estimates are that up to 90% of the sites would be in this category.

When we left Superfund last year, the evil corporate barons, with the help of their Congressional puppets, pulled the tax that funds the program, forcing cleanups to rely on residual money left over in the

fund. While this will allow some work to continue for a while, it can't last. As the new Superfund is reviewed and critiqued on the Hill, our communities must play the leading role. Being an extra in the background won't work. We must rally our forces and raise our voices to protect our interests and communities.

We are faced with three tasks: 1) reinstate the tax for Superfund; 2) stop the absurd bill now in Congress; and 3) promote our agenda, reforming Superfund in a way that truly protects our communities. The reforms must include such things as medical assistance, real public participation, and



Activists gather outside the office of Rep. Michael Oxley (R-OH) to protest his sponsoring of pro-polluter Superfund legislation.

Here are some suggestions on how you can help right now:

- Review the Community's Platform for Superfund and let us know of any improvements or changes we should make. Copies of the Platform are available from the Center for Community Action & Environmental Justice (CAEJ, P.O. Box 33124, Riverside, CA 92519, (909) 360-8451).
- Send a copy of the Platform to your U.S. Senators and Representatives.
- Contact the White House and demand that this environmental President lead the battle for our reforms!
- Add your name to our contact list to keep apprised of events on Superfund. We have under discussion some ideas for a Day of Action or blitz on Congress (One suggestion is that we wear prison uniforms and demand that if Congress is going to be so forgiving as to let polluters off, who kill and maim families and children at hundreds of sites across our nation, let's open the doors of the jails and let those out that committed other crimes).
- At all events and actions at your site, mention the problems with the Superfund bill and how it will affect your community.
- Send CAEJ real life examples of problems and stories at your site for use in the press and even Congressional hearings.
- Let us know if you are willing to testify.
- Write to members of key committees
- Meet with your representatives in their district offices.
- Keep Superfund in the media and in your officials faces.

real, complete cleanups at the expense of the polluters (as our Moms always said, "If you make the mess, you clean it up").

A word of caution - let's keep Superfund in perspective. No bill, no matter how good it sounds, is the magic potion that solves all the problems at our sites. We clearly saw that with the 1986 reauthorization that improved the original legislation, with its Technical Assistance Grants (TAGs), permanent treatment preference, and ATSDR health assessments and assistance, the polluters still found loopholes. Given the political system we now have, with its overwhelming influence from the corporate thugs on our elected officials, it is difficult to win in Congress or the courts. The only time communities have won in getting their demands met has been through a unified, well-organized effort on the local level that focuses on continued political and personal pressure. If we ever forget that and start relying on someone else to solve our problems, whether it's an individual, an attorney, or a new law - we lose. It is through the flexing of our people power muscles that we have won, over and over.

Superfund simply provides some tools for us to use. TAGs, dictated permanent cleanup standards, and control and liability of polluters are terrific tools that make our battle easier. The current bill, S.8, takes away some very important tools and creates some major obstacles for us to overcome. Heaven knows, we don't need any more handicaps than we already face.

By Stephen Lester

Gulf War Syndrome

Nearly 700,000 American men and women served in the Persian Gulf War during Operation Desert Storm in 1991. Although the conflict lasted only a few weeks, many U.S. troops spent several months in the Persian Gulf area. About a year after returning to the U.S., many of these troops began to develop illnesses that included aching joints, skin rashes, sleep disorders, memory loss, fatigue, headaches and more serious neurological problems. Today, six years after these troops were sent to the Gulf, major questions remain about whether some of their health problems resulted from their military service.

One would think that the nightmare endured by U.S. soldiers as a result of exposure to Agent Orange during the Vietnam War would have taught the military wizards in the Pentagon something about taking care of their own. It now seems clear that little has been learned from this experience. Until about 6 months ago, the military had repeatedly denied any connection between illnesses suffered by Gulf War veterans and specific exposures during the Gulf War to chemical or biological warfare agents.

In response to complaints, the Army set up a testing program in June 1994 for Gulf War veterans. But Army physicians have repeatedly failed to find health problems related to Gulf War service. As of January 1997, the Department of Veterans Affairs (VA) had reviewed about 10,000 undiagnosed cases of Gulf War Syndrome, but had awarded disability payments in only 620 cases. This is largely because veterans have to prove that their symptoms began within two years of leaving the Gulf area, and few can meet this criterion. This problem was dramatically depicted in December of last year when Dr. Susan Mather, the VA chief public health and environmental hazards

Until about 6 months ago, the military had repeatedly denied any connection between illnesses suffered by Gulf War veterans and specific exposures during the Gulf War to chemical or biological warfare agents.

officer, told the House Government Reform and Oversight subcommittee that after examining tens of thousands of veterans, not one VA physician had found a veteran whose illness could be attributed to chemical weapons exposure.

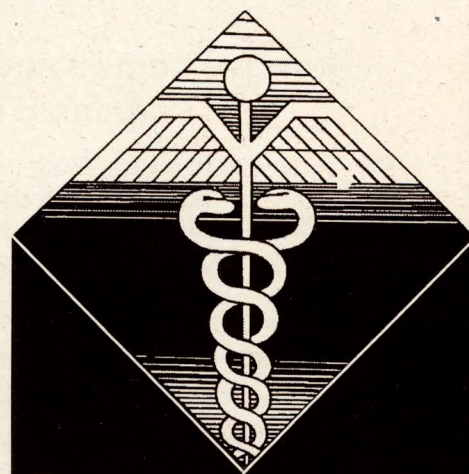
The Army's defiant refusal to acknowledge that illnesses suffered by Gulf War veterans might be due to their service in the Gulf began to crumble in 1993 when Czech Republic scientists reported that, on January 20-21, 1991, they had detected the nerve gas agent sarin on monitors maintained in northern Saudi Arabia. Later that year, researchers in India found that low levels of sarin caused chronic brain and nerve damage in experimental animals. Interestingly, the nerve damage didn't show up in the animals until several weeks after exposure began.

The Army and VA were quick to set up several expert scientific panels to investigate veterans' claims. The first of these committees to go public, the Department of Defense Science Board Task Force on Persian Gulf War Health Effects, concluded in 1994 that there was no evidence that chemical or biological weapons were used in the Persian Gulf War.

In 1995, the Army's position was bolstered when a blue ribbon panel of the National Academy of Sciences' Institute of Medicine, released an interim report that

also found no evidence that chemical or biological weapons were used in the Persian Gulf War and that rumors that they were used should be put to rest.

A major breakthrough, however, occurred in April 1995 when a privately funded research team from Duke University Medical Center discovered that simultaneous exposure to two or more of the insecticides and drugs used by Gulf War soldiers damaged the nervous system of chickens, even though none of the chemicals caused problems alone. The



Dr. Susan Mather, the VA chief public health and environmental hazards officer, testified that after examining tens of thousands of veterans, not one VA physician had found a veteran whose illness could be attributed to chemical weapons exposure.

range of symptoms observed in the chickens were similar to those veterans described.

The Duke researchers exposed the animals to DEET and permethrin, pesticides used to protect soldiers from malaria and other insect-borne diseases, and to an anti-nerve agent widely used in the Gulf War called pyridostigmine bromide (PB) to protect soldiers against potential exposure to nerve agents. The doses were equivalent to those the veterans had taken.

It wasn't until June 1996 that the Pentagon admitted for the first time that between 300-400 Army personnel may have come in contact with nerve gas agents in March 1991 after blowing up the Khamisiyah weapons storage complex in Iraq. Things quickly began to snowball. In August, the Army admitted that it knew as far back as November 1991 that chemical weapons had been stored at the Khamisiyah munitions depot and in September acknowledged that as many as 5,000 U.S. troops may have been exposed to nerve gas agents in the Gulf War.

In October, the estimate jumped to 15,000, and then to 20,867 as Defense Department officials acknowledged that there may have been additional chemical weapons destroyed and that U.S. troops may have been nearby when Iraq used mustard gas, another nerve gas agent, against Shiite Muslim nomads in southern Iraq after the war had ended.

Later in December, two soldiers described two separate incidents in which monitoring equipment detected nerve gas agents in Iraq during the Gulf War. These soldiers told the House Government Reform and Oversight Subcommittee that military leaders, including a Gulf War investigating team set up by the Pentagon, ignored their pleas to address these findings.

The Army attempted to direct attention away from these charges by releasing two studies on the health of Gulf War veterans in November 1996. The first study, conducted by the VA, compared deaths among Gulf War veterans occurring within the first 28 months after the war's end to deaths of veterans who served elsewhere. They found a 9% increase in deaths among Gulf War veterans which, according to the authors, was due to motor vehicle crashes and other accidents - not to disease.

The second study, conducted by the Naval Health Research Center in San Diego, compared hospitalizations of 547,076 Gulf War veterans during the first 25 months after the war's end to 618,335 veterans who did not go to the Gulf. They found similar hospitalization rates, with the exception that Gulf War veterans entered hospitals more often for alcohol and drug abuse. According to the authors, this may explain the excess in deaths from injuries among Gulf veterans.

Late in 1996, two expert scientific panels established to investigate claims of Gulf War veterans released their reports. The National Academy of Sciences' Institute of Medicine, in October 1996, and a special Presidential advisory commission, in January of 1997, came to the same general conclusion: there was no evidence linking health problems in veterans to service in the Gulf War, and that even if some soldiers were exposed to small amounts of nerve gas during the bombing of the munitions depot in Khamisiyah, this exposure was not likely to explain the diverse health complaints of many veterans. Both reports did acknowledge that veterans were suffering many health problems. The NAS report recommended the need for long term follow-up.

In December, the Institute for Defense Analysis concluded that there is a very real possibility that the Pentagon will never be able to determine with any accuracy the number of troops who were exposed to chemical agents in the one verifiable release

known to have occurred at the end of the Gulf War. The U.S. military had apparently been too preoccupied with its war mission in the Persian Gulf to prepare for dealing with its potential health aftermath. The military had failed to keep adequate records for its troops in the Gulf and as a result, had no basis for determining the illnesses that has afflicted some 60,000 to 80,000 individuals who served there.

Based on these many uncertainties, the U.S. military has concluded that there is no evidence of any relationship between serving in the Persian Gulf War and adverse health outcomes. But is there really no connection, or is the Army asking the wrong questions?

Similar to health studies conducted by the Centers for Disease Control (CDC) and the

Agency for Toxic Substances and Disease Registry (ATSDR), who rarely have acknowledged any health problems in communities due to chemical exposures, the Army has been quick to look at acute symptoms or illnesses and to argue that if no one developed immediate symptoms of exposure, then there is nothing to worry about. The fault in this argument is two-fold. First it presumes that, as scientists, we understand the mechanisms of chemical exposures and that we can predict, based on exposure, what type of symptoms or illnesses will result. Second, it presumes that we understand and can predict what health problems will result when people are exposed to low level mixtures of chemicals such as to DEET, PB and sarin.

In truth, we know little about these areas of toxicology. Scientists understand what happens when a test animal is exposed to a single chemical and you measure an immediate effect. This type of study has been the hallmark of toxicology research for

**University of Texas Southwestern
Center researchers identified six distinct
illness syndromes among Gulf War
veterans examined from a Naval reserve
unit.**

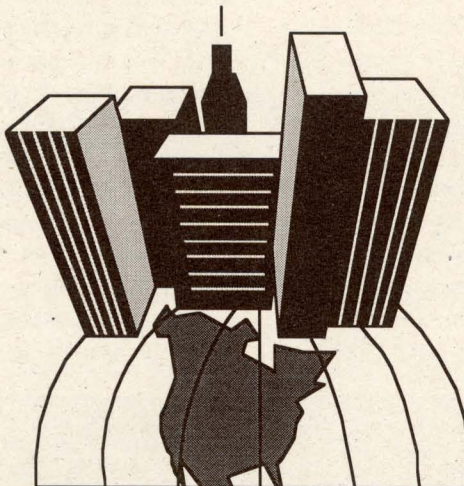
- 1 Characterized by thought, memory and sleep disturbances**
- 2 Severe thought problems as well as confusion and imbalance**
- 3 Sore joints and muscles and tingling or numbness in the hands and feet**
- 4 Clumsiness combined with fear of being trapped**
- 5 Fever and swollen lymph nodes**
- 6 Tingling around the mouth and face, combined with difficulty controlling bowel movements.**

Continued Page 14

CORPORATE CORNER

◆ After a bitter internal struggle between senior management and shareholders at **WMX Technologies**, CEO Phillip Rooney resigned after only eight months on the job. WMX's growth has stagnated in the past few years, leaving investors unhappy and impatient. This recent disruption follows a plan to redefine the company. WMX recently made plans to change its name back to **Waste Management Inc.**, cut 3,000 jobs, and divest \$1.5 billion in assets not directly related to the waste hauling and disposal industry.

◆ **GTS Duratek Inc.**, the only company in the country that uses vitrification on a commercial scale to dispose of nuclear waste, bought **Westinghouse Electric's Scientific Ecology Group**, the largest US commercial processor of radioactive waste. The Energy Department has identified vitrification, a process in which material is heated to a degree that it melts and fuses into a glasslike substance, as one of two methods for disposing surplus weapons-grade plutonium. Duratek President and CEO Robert Prince said the



\$28 million deal gives the company a presence near the Oak Ridge national nuclear laboratories, where the government will be issuing cleanup contracts later this year.

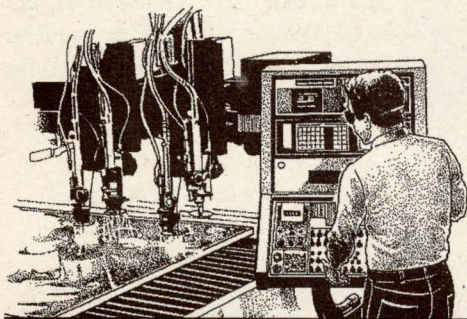
◆ **United Waste Systems** continues to expand in the waste industry with its January acquisition of 20 companies with total revenues of \$43 million. These new firms join 79 other firms that United acquired in 1996 that added \$152 million in revenues to the company. Wall Street applauded this aggressive move, as United's stock rose nearly 50% in 1996. This flurry of acquisitions gives United a presence in 20 states, and they have plans to continue the buying frenzy.

◆ Toronto-based waste giant **Laidlaw Inc.** merged its environmental-services businesses with **Rollins Environmental Services Inc.**, in an effort to separate its solid-waste operations and focus on transportation. Laidlaw and Rollins will form a new company called Laidlaw Environmental Services Inc. based in Columbia, South Carolina. Rollins will pay Laidlaw \$990 million in cash, shares and debt.

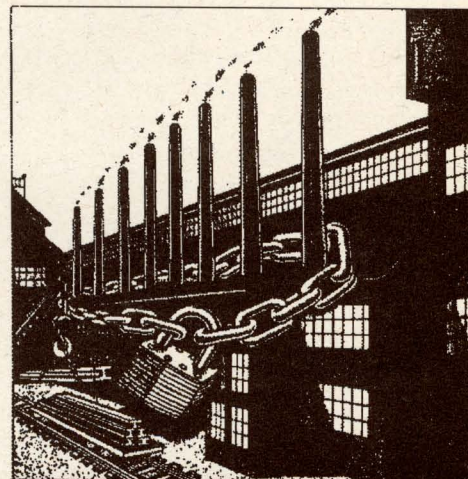
◆ **USA Waste Services** agreed to acquire the assets of **Mid-American Waste Systems** out of bankruptcy protection for \$131 million in cash and possibly stock. USA Waste agreed to assume \$49 million of Mid-American's \$371 million in liabilities. This recent acquisition solidifies USA Waste's

position as one of the top five major players in the waste industry. In other USA Waste news, its subsidiary, **Western Waste Industries**, was targeted in a federal investigation alleging that it bribed elected officials to win contracts. Former local and federal officials in the Los Angeles area confessed to receiving payoffs from Western Waste executives. The FBI is investigating the matter.

◆ US EPA Administrator Carol Browner on January 30 announced that paint maker **Sherwin-Williams Co.** agreed to pay millions of dollars to help clean up contaminated land in a low-income Chicago neighborhood. Sherwin-Williams will pay \$4.7 million in fines to settle EPA charges that its neighborhood plant contaminated the air and illegally discharged lead and mercury into the sewer system, though the company admits no liability. The company also will embark on a cleanup of the plant, which is expected to cost \$10 million. Additionally, Sherwin-Williams will pay \$1.1 million to help restore a nearby industrial site and 12-acre wetland.



GTS Duratek Inc. is the only company in the country that uses vitrification on a commercial scale to dispose of nuclear waste, a process in which material is heated to a degree that it melts and fuses into a glasslike substance.



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CORPORATE CORNER

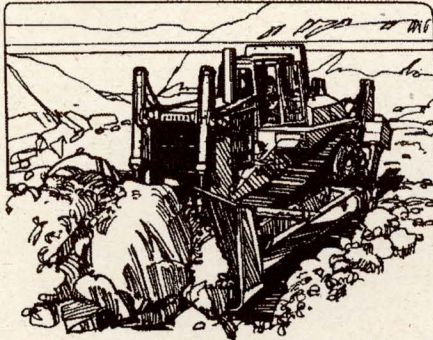
◆ **Republic Industries** and its CEO, Waste Management co-founder Wayne Huizenga, are continuing expansion into the automotive industry. Republic recently acquired **Alamo Rent-A-Car** and **National Car Rental Systems**, two of the five largest U.S. car rental companies. Also, Republic has acquired many of the nation's largest car dealerships. Huizenga predicts that the company's revenues will mushroom to over \$7 billion in 1997, more than tripling the size of the company in a single year. Based on these estimated revenues, Republic would crack into the top third of the Fortune 500 list of America's largest companies. This is familiar territory for Huizenga, who previously built **Waste Management Inc.** and **Blockbuster Video** into Fortune 500

companies. If Republic's success continues, Huizenga would be the first CEO in history to make the Fortune 500 list *three* times.

◆ **Powers Trucking Company** of Lock Haven, Pennsylvania, was fined \$120,000 for violating backhauling laws. Powers admitted to using 16 truck trailers to haul wheat to flour mills after using the same trucks to haul sewage sludge and shredded automobile upholstery. Backhauling laws came into existence in the late 1980s in response to a common practice in which trucking companies alternated loads of chemicals and hazardous waste with loads of juices, edible oils and other food products. The fines against Powers are among the steepest levied for this type of violation.

◆ **Monsanto** was forced to pull its advertising for its popular Roundup weed killer after the New York State's Attorney General accused them of false advertising. Monsanto had touted Roundup as being safer than table salt and practically non-toxic. The ads also claimed that Roundup can be used where kids and pets play. Hopefully, more states will follow New York's lead in resisting this type of inappropriate and misleading advertising. In other Monsanto news, their 55%-owned interest **Calgene Inc.** and its subsidiary **Gargiulo** was recently named in a \$2 million lawsuit for farm workers who were forced to work off the clock. The suit claims that workers were made to show up early for calisthenics and stay late packing boxes, even though they weren't being paid for their extra time.

◆ As part of the highly acclaimed and long-running McLibel Trial, **McDonald's Corp.** admitted to hiring detectives to spy on environmentalists suspected of distributing leaflets critical of the fast food chain. The detectives hired by the corporation were sent to infiltrate meetings, break into offices, and steal documents. One of the detectives purportedly became romantically involved with a member of London Greenpeace in order to gain the group's trust.



The Curse of Recycling?

A decade's worth of public and private investments in landfills and waste-to-energy incinerators coupled with improved recycling programs have left many local governments in fiscal binds. Montgomery County in Maryland, Fairfax County in Virginia, and Dade County in Florida don't have enough trash to cover the \$2 billion total debt they incurred to build new incinerators. Amid stiff public and private competition for the garbage supply, tipping fees are falling, spurring some localities to raise property taxes to compensate for lost revenue. Other local governments have seen their bond ratings lowered. Waste disposal has actually created an import-export trade in trash between some states. Joan Rohlf, environmental planner for the Metropolitan Washington Council of Governments quipped, "Garbage used to be local, and now it's not." The American people should not be punished with higher taxes and other penalties for doing the right thing by recycling.

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decades and it remains what toxicologists know best. Scientists have shied away from studies evaluating exposures to low levels of chemicals and to chemical mixtures because of high costs and the low likelihood of success (i.e., getting published).

Looking at acute responses, especially in self-selected groups whose symptoms are self-reported, is not the right approach in this case. Despite these limitations, the NAS committee did conclude that there is sound basis for epidemiologic studies, as well as basic science studies, relevant to an understanding of the health consequences of service in the Persian Gulf War. The Army now needs to solicit the expertise that is needed and move forward with studies that will answer questions about health effects.

Some answers became evident in January of this year when a group of independent researchers from the University of Texas Southwestern Center, in Dallas, reported that they had identified six distinct illness syndromes among Gulf War veterans examined from a Naval reserve unit. One syndrome was characterized by thought, memory and sleep disturbances; a second by severe thought problems as well as confusion and imbalance; a third by sore joints and muscles and tingling or numbness in the hands and feet; another by clumsiness combined with fear of being trapped; one by fever and swollen lymph nodes; and one by tingling around the mouth and face, combined with difficulty controlling bowel movements.

In separate studies, these researchers traced the first three

syndromes to the use of flea collars, insect repellent (DEET) and anti-nerve pills (PB) as well as to exposure to nerve agents (sarin). All six syndromes were described as variants of a rare disorder called organophosphate-induced delayed polyneuropathy, which is caused by exposure to certain chemicals that inhibit cholinesterase, an enzyme important to nervous system function. Now, for the first time, there was solid scientific evidence that Gulf War veterans exposed to the same combinations of chemicals were suffering similar illnesses. These recent findings certainly give hope to Gulf War veterans who for the first time have a few answers about their illnesses.

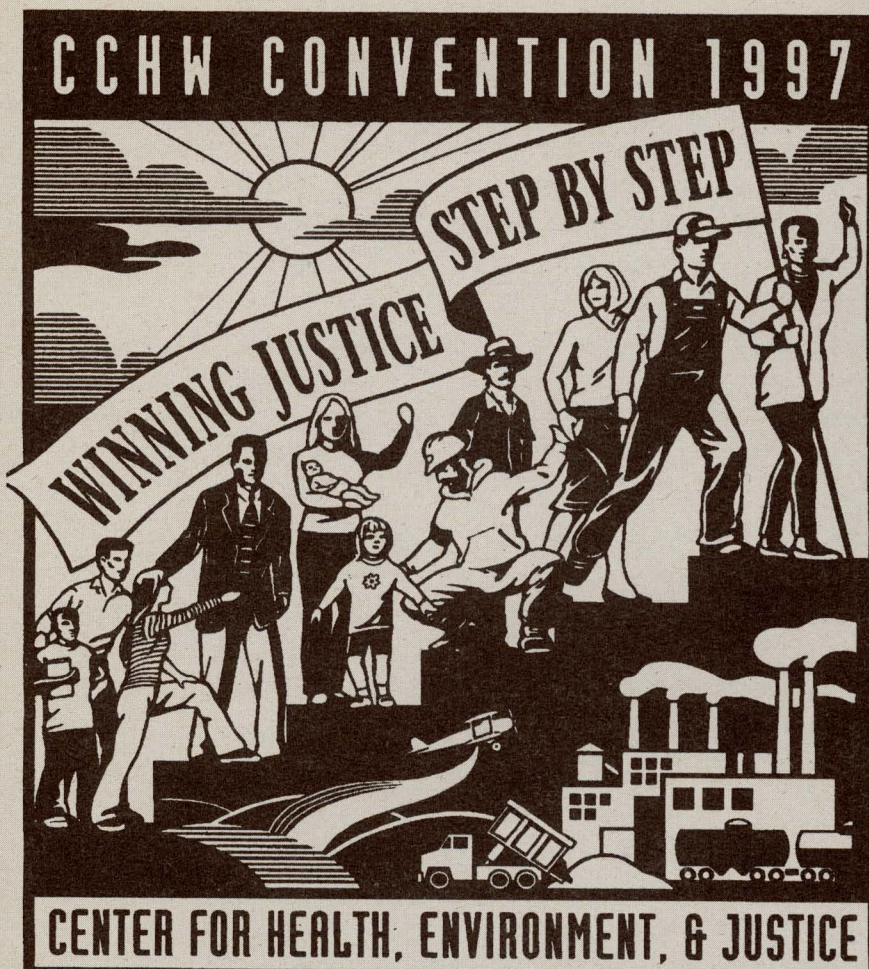
These studies confirm what already seemed obvious - that the illnesses in Gulf War veterans are quite real. But it still seems clear that we will

likely never be able to say with certainty who was exposed to what and in what concentrations. Consequently, it's virtually impossible to determine with certainty what illnesses can be attributed to exposures during the Persian Gulf War. It's up to the Army now to do the right thing and protect their own by acknowledging that some troops were exposed to some mixture of pesticides, nerve gas agents and anti-nerve gas drugs in the line of active duty, and as a result, have become ill.

These veterans need and deserve compensation, medical treatment and a little compassion from Uncle Sam, who sometimes forgets that soldiers who are willing to die for their country need to be cared for and treated with honesty, respect and dignity.

Gulf War Syndrome Resources

- 1 "Health Consequences of Service During the Persian Gulf War: Initial Findings and Recommendations for Immediate Action." The National Academy of Sciences Institute of Medicine, National Academy Press, 1995; and Final Report, Recommendations for Research and Information Systems. National Academy Press, 1996.
- 2 Abou-Donia, M.B., et. al. "Neurotoxicity Resulting from Coexposure to Pyridostigmine Bromide, Deet, and Permethrin: Implications of Gulf War Chemical Exposures." *Journal of Toxicology and Environmental Health*, vol. 46, n. 8. May 1996.
- 3 Kang, HK, and Bullman, TA. "Mortality Among U.S. Veterans of the Persian Gulf War." *New England Journal of Medicine*, Vol. 335 (20): 1498-1504, November 14, 1996.
- 4 Gray, C.G, Coate, BD, Anderson, CM, Kang, HK, Berg, SW, Wignall, FS, Knoke, JD, and Barret-Conner, E. "The Postwar Hospitalization Experience of U.S. Veterans of the Persian Gulf War." *New England Journal of Medicine*, Vol. 335 (20): 1505-1513, November 14, 1996.
- 5 Landrigan, PJ. "Illness in Gulf War Veterans, Causes and Consequences." *Journal of the American Medical Association*, Vol. 277 (3): 259-261, January 15, 1997.
- 6 Haley, RW, Kurt, TL, and Hom, J. "Is There a Gulf War Syndrome? Searching for Syndromes by Factor Analysis of Symptoms." *Journal of the American Medical Association*, Vol. 277 (3): 215-222, January 15, 1997.
- 7 Haley, RW, Hom, J, Roland, PS, Bryan, WW, Van Ness, PC, Bonte, FJ, Devous, MD, Mathews, D, Fleckenstein, JL, Wians, FH, Wolfe, GI, and Kurt, TL. "Evaluation of Neurologic Function in Gulf War Veterans, A Blinded Case-Control Study." *Journal of the American Medical Association*, Vol. 277 (3): 223-230, January 15, 1997.
- 8 Haley, RW and Kurt, TL. "Self-reported Exposure to Neurotoxic Chemical Combinations in the Gulf War, A Cross-sectional Epidemiological Study." *Journal of the American Medical Association*, Vol. 277 (3): 231-237, January 15, 1997.
- 9 The Iowa Persian Gulf Study Group. "Self-reported Illness and Health Status Among Gulf War Veterans, A Population-Based Study." *Journal of the American Medical Association*, Vol. 277 (3): 238-245, January 15, 1997.



**YOU'VE WAITED
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**CENTER FOR HEALTH,
ENVIRONMENT AND
JUSTICE...
AND IT IS HERE!**

**OCTOBER 3-5, 1997
ARLINGTON, VIRGINIA**

IT'S TIME TO CELEBRATE OUR VICTORIES AND PLAN FOR THE FUTURE.

Over 1,000 activists from across the country gathered together at the last Convention in 1993. Plan on joining us! At the Convention, you'll work hard and have a lot of fun. You'll come away from this event feeling uplifted by your peers and renewed in your determination to win environmental justice.

We gather together in this convention to celebrate the last few years worth of victories, learn new ideas and skills, share information with one another, induct activists into the Grassroots Honor Roll/Hall of Fame, and strengthen the movement. Because we are...

**WINNING JUSTICE
STEP BY STEP!**

The Convention provides an ideal opportunity for grassroots activists to meet and share ideas with people from all over the country. Some of them you may have talked with on the phone but never met in person; others you've read about in *Everyone's Backyard*; and still others you'll wish you had met long ago.

The experts you've turned to for advice will be there; the staffers of groups who have helped will be there; foundation officers who have funded grassroots efforts will be there...and you should be too!

READ ON TO LEARN THE DETAILS,

then fill out the registration form and send it in to CCHW: Center For Health, Environment and Justice (formerly the Citizens Clearinghouse for Hazardous Waste) by July 1, 1997.

**WE'LL DISCOUNT YOUR
REGISTRATION
FEE BY \$15 OUT OF
APPRECIATION FOR
YOUR PROMPT REPLY!**

HEAR INSPIRATIONAL SPEAKERS!



Come and be inspired by well-known and charismatic leaders like Ralph Nader, Lois Gibbs and other people who, like you, have struggled to protect our health, our environment and our democracy. They will share their personal experiences as well as the insights and techniques they have gleaned along the way. Speakers that have been invited but have not confirmed are Jesse Jackson, Carol Browner and Al Gore.

HONOR GRASSROOTS ACTIVISTS!

On Sunday, October 5 we'll host a special Grassroots Awards Luncheon to recognize those who have helped move us all closer to victory...step by step. Join us in honoring the committed organizations that set an example for the rest of us in the grassroots movement for environmental health and justice. All award recipients will be inducted into CCHW's Grassroots Honor Roll and Hall of Fame.



You can make sure that those who have made a difference in your community or on your issue are honored by making nominations on your registration form and sending it in today. This year, CCHW will honor organizations that are movement leaders for their effectiveness, dedication and integrity.

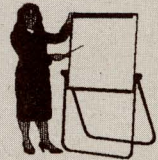


On the evening of Friday, October 3, five awards will be presented to individuals. Nominate someone you feel has provided extraordinary assistance to the grassroots groups seeking environmental health and justice. These helpers often function behind the scene in supportive roles that frequently go unrecognized in the first flush of victory. Individual award nominees need not be affiliated with any group or agency.

You can also nominate candidates for our Dishonor Roll which recognizes the tremendous harm being done to the cause of environmental justice by industry front groups, trade associations, individual corporations, policymakers, journalists and others.

LEARN NEW SKILLS!

On the following pages you will find a list of potential workshop topics and a brief description of each. We want to make sure that the final list reflects the interests and needs of those who will be attending. Please be sure to include the eight workshop topics you would most like to attend, if offered, at this year's National Grassroots Convention. As in the past, we will tally up the responses to determine the final workshop list.



CONTRIBUTE AN ITEM FOR OUR SILENT AUCTION!

Once again, we'll host a silent auction to raise needed funds to offset the costs of the National Grassroots Convention. The event is a lot of fun with art, celebrity and grassroots memorabilia and environmentally-sound products up for grabs.

Does your group have something special they'd like to donate for the auction? If you are artistic, this could be a quilt or some other type of handcrafted item. Or maybe you own a vacation home and could donate a week stay. If you're a business owner, you may have excess inventory you'd like to move out of your warehouse. It's a terrific way to advertise your wares, get a tax deduction, and support a good cause all at the same time!

THE DEADLINE FOR PLEDGES OF AUCTION DONATIONS IS JULY 11. ITEMS MUST BE SHIPPED TO CCHW BY SEPTEMBER 5.

INCLUDE YOUR GROUP IN THE MOVEMENT HISTORY BOOK!

CCHW is compiling a special commemorative book on the fifteen year history of the grassroots movement for environmental health and justice. Everyone attending the Convention will receive a free copy, and it will then be offered for sale through our publications catalog. Submit an essay of 1,000 words or less (about two single-spaced pages) that recounts important steps you or your group has taken toward environmental justice. Did you implement an innovative direct action protest? How about a particularly successful fund-raiser or media event? Share strategies that have worked and pass along your seasoned advice. The deadline for submissions is July 11.

If you don't have time to write 1,000 words, then how about a dozen or two? Your group can take out an ad in the History Book for discounted nonprofit rates listed below. Use the space to publicize your cause, congratulate or thank people or groups who have helped you along the way, or market your goods and services.

THE DEADLINE FOR AD COPY IS JULY 11.

Camera ready copy is preferred but not necessary. CCHW reserves the right to refuse ads deemed inappropriate.

	MEMBER	NON-MEMBER	BUSINESS
Full Page	\$270	\$300	\$500
Half Page	\$144	\$160	\$260
Quarter Page	\$77	\$85	\$140
Eighth Page	\$45	\$50	\$80

SET UP AN EXHIBIT!

Hosting a table in our exhibit hall facilitates networking and enables groups who offer products or services to advertise them in person. Convention participants collect information from exhibitors to take back home. Exhibit tables are 6' X 3' and are available Friday night through Sunday afternoon. Rates are \$500 for businesses, \$350 for nonprofit groups and \$300 for CCHW members. Tables go quickly, so reserve space now!

THE DEADLINE FOR RESERVATIONS IS JULY 11.

CHILDREN CAN WIN PRIZES!

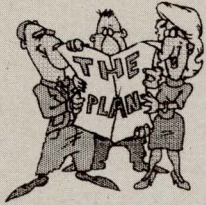


Get your children involved in the event you're attending. Ask them to draw or paint a poster portraying pollution and people, their ideas on pollution and the environment, or a similar theme. Make sure their name and town/state are written on it. Then send it to CCHW or bring it along when you come. We'll proudly display them throughout the convention areas. Entries will be judged by a distinguished panel of amateur art appreciators. Prizes of \$50.00 will be awarded to the best posters in three age categories: Kindergarten through Third grade; Fourth through Seventh; and Eighth grade and above.

PRIZE DRAWING FOR EARLYBIRDS!

The first 100 registrations will be entered into a drawing for three fantastic prizes:

1. A free one-year membership in CCHW including a subscription to *Everyone's Backyard*.
2. A collectible, commemorative mug from the 1993 National Grassroots Convention.
3. An autographed CCHW guidebook of your choice!



WORKSHOPS: CHOOSE YOUR FAVORITE EIGHT WHEN YOU FILL OUT YOUR REGISTRATION FORM

HEALTH EFFECTS

How do chemicals get into your body and how do they affect you? Find out what we know and don't know about chemical exposures; why high level exposures are different from low level exposures; what happens when you're exposed to combinations of chemicals; what diagnostic tests are available.

SLUDGE

A safe fertilizer or a cheap disposal alternative? Learn about the toxic chemicals in sludge and how EPA is trying to sell the "Sludging of America." Covers both land application and composting.

HAZARDOUS WASTE INCINERATION

Does incineration make hazardous waste less hazardous? Learn how the process works, what's good and what's bad about it, and what the alternatives are. Find out who's fighting it, who's promoting it and what scientists and regulators are doing about 99.9999% of the time.

SOLID WASTE INCINERATION

The rush to burn may be over but some communities still look to incineration as a way to "get rid" of their waste. Find out why it won't work. Emphasis is on the poor economics.

NUCLEAR WASTE

Half lives or our lives? Who is doing what to protect future generations from the nuclear waste generated today. Come meet other activists and learn the latest about efforts to dispose of radioactive waste.

YOUTH POWER

How have the elementary, preteen, teen, and college-aged members of our society been organized to fight polluters?

DIOXIN

Dioxin can be found in every man, woman, and child in the U.S. and according to EPA we are almost "full." Learn the latest on the toxicity of dioxin; how we are exposed; the largest sources; and what you can do about it.

ENDOCRINE DISRUPTERS

Many chemicals act like hormones and interfere with normal hormone functions in the body. Learn about these chemicals and the many subtle health effects that result from exposure to these substances.

LARGER THAN LOCAL ORGANIZATIONS

Ready to bring together all the grassroots groups in your state or region? Learn what to do and what not to do from the people who have built larger-than-local organizations around the country.

CHALLENGING CORPORATE CONTROL OF OUR SOCIETY

Think corporations have too much power and we have too little? What are we going to do about it? In this workshop we'll learn from some great thinkers who have some interesting ideas of where to start.

BUILDING A MOVEMENT CULTURE

Where's the music? Where's the poetry? Where's the dance? Where's the environmental activists humor magazine? How do we build a movement that connects us to our vision and makes it more fun?

ENVIRONMENTAL RACISM

Communities comprised primarily of people of color get targeted by polluting facilities and dumpsites more than any others. We will share strategies and tactics that will enable communities not to be victimized in this manner.

LEAD POISONING

Lead poisoning in children has been documented to have major impact on learning and development. Learn the latest scientific information and what resources are available to help address lead exposure.

CHEMICAL SENSITIVITY

A growing number of people have developed adverse allergic-like reactions to low level chemical exposures that government and science tell us are below "acceptable" levels. Find out why this is happening, who are the victims and what you can do if you're one of them.

RISK ASSESSMENT

The risk assessment process has developed into a corporate weapon that's used to justify bad decisions rather than estimate the true risks of exposures. Find out what's wrong with risk assessment and what alternatives exist.

ENVIRONMENTAL TESTING

Learn the ins and outs of testing for contamination. Find out what to look for; where to test; what different tests tell you; what questions to ask about sampling that can help you interpret test results.

MILITARY TOXICS

The military is one of the biggest polluters. Learn how extensive this problem is and what local communities are doing to fight back at both military production sites and other military sites.

DEEPWELL INJECTION

Injection wells remain the largest land disposal alternative. Learn what types of waste are dumped in these wells, what happens to the waste and what local communities are doing to deal with this disposal option.

ADVANCED TREATMENT METHODS

Find out about the latest technologies designed to permanently clean up contaminated sites. Also learn what technologies and methods EPA is using.

LANDFILLS

Although it is common knowledge that all landfills leak, landfills remain a cheap disposal option, especially for household garbage. Learn the latest information about this destined-to-fail disposal option.

BROWNFIELDS

Billed as a way to "save" contaminated sites in urban areas, brownfield projects raise more questions than answers. Learn about the incentives that EPA gives developers and how the people most directly affected, as well as the contamination, are ignored.

COMMUNITY RECYCLING EFFORTS

Recycling truly is the answer to our garbage problems. Find out what some communities are doing with their trash and how effective recycling efforts can be. Also learn how you can get started yourself.

COMMUNITY RELOCATION AND CONTAMINATED SITES

What does it take to win community relocation from the EPA? Relocated community leaders will talk about the strategies they used to get EPA to get them out; what works; what doesn't.

BUILDING DIVERSITY

It is very simple. One choice is to reach outside of what is familiar, and in doing so expand our organizations, our issues, ourselves. Or, we can allow our agenda to become irrelevant in a world that more and more demands coalition building. The power of diversity: make it work for you.

PULP AND PAPER MILLS

Live down stream or down wind from a paper mill? In this workshop you'll learn what groups are doing to get neighboring mills to clean up.

INTERNET

How to use the worldwide web for research, and to plug into the national environmental justice network

MEDIA PLAN

Do you have a media plan? You should. How to harness one of the most powerful tools to support your organizing efforts.

FUNDRAISING

It takes resources to get things done. Learn and share ideas about successful community fundraising ideas and foundation grants to sustain your very important work.

REPRODUCTIVE TOXINS

Learn about the unique effects that many toxic chemicals have on the reproductive system. Find out the latest cutting edge research results and how low level chemical exposures can lead to infertility, endometriosis and other adverse reproductive effects.

SUPERFUND

Designed to provide money to clean up abandoned waste sites, Superfund has been plagued with problems. Learn about the latest efforts to improve Superfund, who's behind it, who's against it and what efforts are going on at the community level to address this important legislation.

PESTICIDES

Pesticide use continues to expand while more people develop sensitivities and seek alternatives. Learn about government regulations and corporate control. Find out what communities and farm workers are doing to limit pesticide use in their homes, school and on farms and what alternatives exist.

JOBS AND THE ENVIRONMENT

Finding common ground with workers has never been more important. Learn about successful efforts between workers, community activists and environmentalists and why corporations are scared to death that these two groups will join forces.

IT'S THE ECONOMY, STUPID

Sure the economy matters. But how? Find out about efforts to democratize the economy and use tax incentives and other government programs to build a safer, healthier future.

SHAM RECYCLING - SOIL BURNING/CEMENT KILNS

Companies continue to make false recycling claims in efforts to dispose of hazardous waste. Learn about burning contaminated soil, burning haz. waste and tires in cement kilns, recycling incinerator ash and more.

POWERLINES

Powerlines are a major source of electromagnetic radiation that criss-cross communities. Learn the science of EMR and what people are doing about it in communities across the country.

BUYING OUR WAY TO A SAFER FUTURE

How can we use the marketplace to convince industry to stop poisoning us. This workshop will cover government and university procurement efforts, the Reach for Unbleached Campaign and other consumer efforts.

HEALTH CARE WITHOUT HARM

Learn what's going on in the new national campaign to convince hospitals and other health care institutions to become environmentally responsible.

COALITION BUILDING

Of course you know that we have to build strong, diverse coalitions to win real victories. But it's so hard! Learn from people who have found innovative ways to overcome the obstacles to working collaboratively.

SPIRITUALITY AND ORGANIZING

Organizers need passion. Organizers need vision. Does that mean organizers need a spiritual base? Join others in an open discussion of how we can give ourselves and each other the spirit we need to keep going.

REGISTRATION AND HOTEL INFORMATION

REGISTRATION

To attend the convention you must register with CCHW. Your registration fee includes all workshops, materials, coffee breaks, Friday night's Reception (cash bar), Saturday's Movement Luncheon, plus a copy of the Movement History Book released for Convention '97. To keep costs as low as possible, we have to charge an additional \$17 for Sunday's Grassroots Hall of Fame Awards Luncheon. You do not have to buy lunch to attend, but seating will be limited. Registration fees are as follows:

BEFORE JULY 1, 1997
MEMBERS \$75 NON-MEMBERS \$90

AFTER JULY 1, 1997
MEMBERS \$90 NON-MEMBERS \$105

LODGING AND TRANSPORTATION



All the convention events will take place at the Crystal Gateway Marriott, the site of our last Convention in 1993! The hotel is five minutes from downtown Washington D.C. and just minutes from Washington's National Airport. The hotel is right on top of the underground ultra-safe Metro subway stop called the "Crystal City Station." Both the "Blue" and "Yellow" subway lines stop at Crystal City. You can take this metro to the Hotel for less than \$2. There is also a free shuttle from National Airport to the hotel. Simply pick up the courtesy phone located in the baggage area of the airport and press the Crystal Gateway Marriott button. Ask them to pick you up, and they will!

SCHOLARSHIPS

If you want to come to the convention, but are concerned about the costs, please let us know what you think you will need. We are working to raise some money to cover travel, accommodations, or registrations for participants with very limited resources. Priority will be given to low or fixed income applicants. To request assistance, check the appropriate space on the registration form and send it in to CCHW as soon as possible so that you and CCHW can seek the needed funds.



HOTEL RESERVATIONS

You are responsible for making your lodging arrangements. To reserve your room at the Crystal Gateway Marriott call **1-800-228-9290** and tell them you want the \$95 single/double or the \$112 triple/quad room rate. Add state and room tax at 9.75% rate. **ROOMS MUST BE RESERVED BY FRIDAY, SEPTEMBER 12, 1997 TO GET THE DISCOUNTED CONVENTION RATE.**

ROOMMATES

IF YOU WANT A ROOMMATE to reduce the cost of lodging, and you would like to share a room, you can check the appropriate box on the registration form and CCHW can match you up. We will contact you with the name and telephone number of your match, and the two of you are responsible for determining who will make the room reservations. Rooms can be doubles, triples or quads. The hotel has agreed to furnish roll away beds.

REGISTRATION INFORMATION

REGISTER TODAY FOR ADVANCE REGISTRATION DISCOUNTS AND SCHOLARSHIPS

**THE CONVENTION WILL BE
HELD AT THE**

**CRYSTAL GATEWAY
MARRIOTT
1700 JEFFERSON DAVIS
HIGHWAY,
ARLINGTON VA 22202
1-800-228-9290**

CONFERENCE REGISTRATION CHECK LIST:

1. Complete all information on both sides of the following Convention Early Bird Registration Form.
2. Enclose registration fee. Please make checks payable to CCHW and mail to: **CCHW CONVENTION
P.O. BOX 7010, FALLS CHURCH, VA 22040.**
Or you may fax registrations to (703)237-8389 if paying by charge card.
3. Reserve your **EXHIBIT SPACE**. Organizations will be exhibiting their groups' materials throughout the convention. A great way to outreach and network!
4. Include your group in the historical CCHW Convention Book, **WINNING JUSTICE STEP BY STEP** and be part of the 15 year history of the Grassroots Movement.
5. **VOLUNTEER!** We need people to help out with the special events.

**CUT OUT THE
FOLLOWING
PAGE AND
MAIL BACK!**



CONVENTION REGISTRATION FORM

Photocopy for friends- one person per form. Please print & fill out entire form.

FULL NAME: _____

ORGANIZATION: _____

ADDRESS: _____

CITY/STATE/ZIP: _____

PHONE/FAX: _____ / _____

☐ I would like to be considered for a partial scholarship.

☐ I would like to volunteer my services.

SCHOLARSHIPS

If you are concerned about the costs please let us know what you think you will need. We are working to raise money to assist participants with limited resources. Priority will be given to low and fixed income applicants. To request assistance, check the appropriate space on the registration form and send it in today!

EARLY-BIRD REGISTRATION DEADLINE IS JULY 1, 1997

CCHW Member Registration Fees

☐ \$75 before July 1 ☐ \$90 after July 1

Non Member Registration Fees

☐ \$90 before July 1 ☐ \$105 after July 1

Sunday Grassroots Awards Luncheon

☐ \$17 fee Check for ☐ Vegetarian or ☐ Meat o.k.

YES!

☐ Reserve an Exhibit Table (3 days 6'x3' table)

☐ Add me to the Movement History Book!

☐ I want to donate an auction item! (Ship by Sept. 5)

I WANT A _____ PAGE AD

(Copy due by July 11, 1997)

FEES ENCLOSED:

Registration Fee _____
Sunday Awards Luncheon: _____
Exhibit Table _____
Ad in History Book _____
Total _____

Payment

☐ Check/Money order
☐ Visa ☐ MC Exp. Date _____

Card # _____

Signature _____

PLEASE CHECK IF

☐ You will need a room mate, indicate preference:

☐ Female (☐ smoker ☐ non smoker)

☐ Male (☐ smoker ☐ non-smoker)

Room Size ☐ double ☐ triple ☐ quad



IMPORTANT ADDITIONAL CONVENTION INFORMATION

HELP US PLAN THE CONVENTION! WE NEED YOUR INPUT ON WHAT WORKSHOPS TO OFFER AND WHO SHOULD BE NOMINATED TO THE GRASSROOTS HALL OF FAME/SHAME!

WORKSHOPS - LIST YOUR FAVORITE EIGHT

Please see workshop list from the previous page, write down the ones you would like to see happen at the convention.

1. _____

2. _____

3. _____

4. _____

5. _____

6. _____

7. _____

8. _____

ADDITIONAL CONVENTION INFORMATION

SIDE 2

Please return to CCHW Convention '97, P.O. Box 7010, Falls Church, VA. 22040-7010



NOMINATIONS

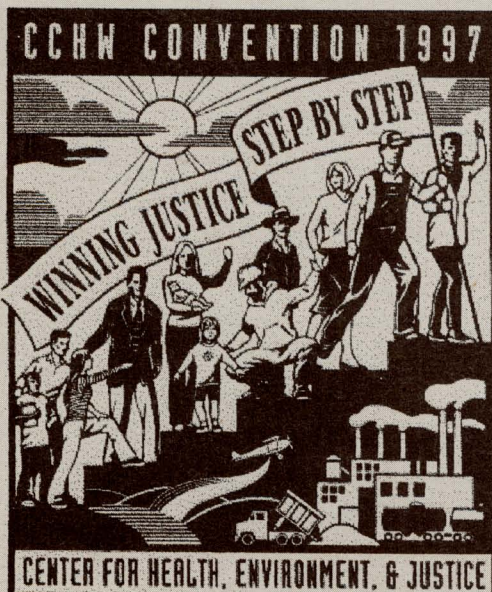
I would like to nominate _____ (organization)
to be honored in the Grassroots Hall of Fame Awards Luncheon. **ATTACH YOUR REASONS WHY THEY SHOULD BE
INDUCTED. PLEASE INCLUDE PHONE NUMBER AND ADDRESS OF NOMINEE.**

I would like to recognize with an award _____ (person)
for their extraordinary assistance and support, to be awarded at Friday 's Awards Reception. **ATTACH YOUR REASONS
WHY THEY SHOULD BE INDUCTED. PLEASE INCLUDE PHONE NUMBER AND ADDRESS OF NOMINEE.**

I would like to induct _____ into the Grassroots Hall of Shame
ATTACH YOUR REASONS TO THIS REGISTRATION FORM AND MAIL TO CCHW!

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Falls Church, VA 22040
703-237-2249

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**FOURTH NATIONAL
GRASSROOTS
CONVENTION
OCTOBER 3,4,5, 1997**

ACTION LINE



Alabama

◆ In January, residents from an Anniston neighborhood gathered at the local community center to talk with CCHW's staff about two very serious issues. Not far from the community center is a dump site containing PCB wastes from Monsanto. The local grassroots group, **Cobbtown/Sweet Valley Task Force**, was concerned about their health as a result of living in this contaminated area. Many of the residents ate fish from the local river, which contained PCBs, as well as being surrounded by the chemical poisons. Without much warning, Monsanto approached some of the residents and offered to purchase their homes at fair market value. Monsanto only gave residents three months to make up their minds, causing confusion and unnecessary crisis in the neighborhood. Some residents took Monsanto up on their offer, while others were unable or unwilling to sell at that time. Monsanto made no reference to what health impacts are likely as a result of exposures, but residents only need to look at their families to see the impacts. There is an entire section of the community which was not offered relocation. These families are surrounded by PCB contamination and abandoned homes. They want out and they want some type of health assessment done.

◆ The second serious problem is the chemical

weapons stored in the military base in Anniston. A public hearing on the permit to burn the wastes was planned and the residents and people who worked on the base planned to testify against the incinerator. Community groups, including **Families Concerned About Nerve Gas Incineration and Serving Alabama's Future Environment (SAFE)** are supporting other alternative neutralization processes. It will be months before a decision is made on the permit.

◆ CCHW was invited to speak with environmental justice leaders of the **Total Awareness Group, Alabama Environmental Council**, and other organizations at the Martin Luther King Civil Rights Institute in Birmingham. About 100 people came and learned about dioxin and about the need to follow in the footsteps of such leaders as Martin Luther

King and reclaim our rights and communities. Not far from the museum, a small African-American community has fallen victim to the Army Corps of Engineers. The Corps moved the local river to avoid flooding in the higher income areas, which now puts this low-income community under water ever time there is a heavy rain.

"How do we get someone to pay attention to our situation?," wondered the community. Local leaders were also concerned about medical waste disposal practices and want to find ways in which they can get involved in the Health Care Without Harm Campaign. The Birmingham meeting has led to the creation of a new coalition, the **Citizens for Environmental Justice of the Greater Birmingham Region**.

◆ CCHW meet with members of **Lake Watch**, a community group in Alexander

City trying to clean up and keep Lake Martin clean. The problems in this community range from sewage sludge to emissions from local industries. Residents explained how they believe they have a higher than normal rate of cancer and are not sure which of the many sources in the area might be responsible. "We just don't know why but it is scary when we talk to our neighbors and one after another talk about someone in their family who has cancer," a local leader explained. The group is investigating several problems, but wanted help in prioritizing their goals.

Arizona

◆ Read about the fight of the **Coalition of Valley Citizens Opposed to Sumitomo** in this issue's feature article, *Silicon Nightmares*.

Arkansas

◆ The **Arkansas Fairness Council** has initiated a new effort to protect citizen's property rights against corporate hog farms. The diverse coalition is lobbying the Legislature to pass a Hog Farm Act that includes health and safety provisions for residents and workers, including: air quality provisions, resident notification regarding permits, water testing near waste lagoons, buffer zones, heavy metal testing in soil, and a prohibition of land application of hog wastes.

Saraland Families Relocated!

On February 5, federal officials agreed to relocate 57 families living in the Saraland Apartments near Mobile, Alabama after high levels of toxins were found in the building. The **Saraland Tenants for Relocation** have been struggling for more than 10 years to get the EPA to permanently relocate them. The complex was built on a former trucking depot, and residents would often complain of fumes and black tar-like substances oozing into their apartments. Residents in the complex have been needlessly exposed to high levels of toxins for over ten years waiting for federal agencies to act. The future of the site has not been determined, but at least the residents are out and can live safer lives. Congratulations to the Saraland Tenants for their hard work and great victory!

ACTION LINE



California

◆ Evidence that eating San Francisco Bay fish exposes people to high levels of dioxin has persuaded the Regional Water Quality Control Board to investigate the scope of the dioxin problem. **Communities for a Better Environment** (CBE) and the **California Zero Dioxin Alliance** are helping the Board organize a science workshop and holding a community hearing on an action agenda for dioxin. The Community Hearing will be held May 6 from 7-10 pm in Berkeley to develop a strategy that prevents dioxin threats. The Science Workshop will be held on May 7 in Oakland, bringing together leading dioxin experts to respond to industry claims that ongoing dioxin pollution is not an important public health threat. For more information on the hearings, call Azibuike Lawson at CBE, (415) 243-8373.

◆ **Tri-Valley CAREs**, along with other community representatives who make up the Livermore Lab's National Ignition Facility (NIF) Environment, Safety and Health Working Group, received a tour of the damaged nuclear laser to assess the damage from a second mega-laser prototype implosion in 17 months. The lens blew out during an experiment, hurtling shards of glass down a vacuum tube and causing addition damage to equipment. A similar accident-at the identical spot-caused \$128,000 in broken equipment and

\$100,000 in repairs last year. In addition to its nuclear weapons design capabilities, its nuclear proliferation risks and its noxious radioactive waste stream, the NIF project is also plagued with numerous scientific uncertainties.

Connecticut

◆ The **Bethyl Citizens Coalition**, a newly organized group, is working around problems at their municipal landfill, a 100-year-old site that had accepted construction and demolition wastes. Residents have complained of odors and fires at the site, and want further testing to be done to monitor the site. The landfill stopped accepting wastes in December 1996 and the residents want to ensure that the site is closed and monitored properly.

Florida

◆ **Help Our Polluted Environment** (HOPE) and other concerned residents are protesting a plan by a pulp mill to build a 15-mile pipeline that would dump into the Gulf of Mexico. The Buckeye Cellulose facility, previously owned by Procter & Gamble, has for years dumped its effluent into the Fenholloway River, which has heavily polluted the waterway. The EPA has found that females of three different species of fish in the river are developing male sexual organs as a result of the contamination. The proposed pipeline

would simply divert the pollution to the Gulf and threaten fish populations there and the people that eat the fish. Building a pipe *fifteen miles long* is a ridiculous solution to the problem.

◆ The **Haile Community Association**, **Friends of Alachua County**, and other concerned residents are fighting a proposal by Florida Rock Industries to build a cement kiln in Gainesville. According to residents, Florida Rock plans to burn tires as 30% of the kiln's fuel. They are concerned that tire burning may lead to the use of hazard-

ous waste-derived fuel in the kiln, and that the area's aquifer and habitat will be contaminated from the emissions. Cement kilns have been identified by the EPA as a major source of dioxin contamination.

Kentucky

◆ The **Chemical Weapons Working Group** (CWWG) announced its endorsement for the Chemical Weapons Convention in a joint announcement with Senator Wendell Ford (D-KY). The U.S. has yet to ratify the

Too Little, Too Late

Almost 20 years after Love Canal, the State of New York is planning on conducting a health study of Love Canal residents. Researchers hope to discover if low level exposures to chemicals can cause cancer, reproductive disorders, or other problems. Alice Stark, from the New York Department of Health said, "if we can tell residents they are at higher statistical risk, they can inform their physicians, which hopefully will lead to early diagnosis." Former resident and CCHW Executive Director Lois Gibbs responded with several questions. "Where was the study when residents needed it, 19 years ago? Does this woman think the residents who were surrounded by chemicals and watched their neighbors get sick . . . don't already know they are at high risk?" asked Gibbs. "This is yet another study that will show nothing for the sole purpose of allowing the chemical industry to continue to poison our environment and foods." Gibbs has concerns because many health effects exhibited by residents while they lived at Love Canal eventually subsided after they moved out. The State plans to spend the first year trying to locate the 7,000 residents that once lived there. Good luck.

ACTION LINE

convention, but Sen. Ford has introduced a Resolution of Ratification that would destroy chemical weapons by 2007 and provide incentives to look for destruction technologies that are safer and more effective than incineration. CWWG reiterated that they want the weapons to be destroyed, but only if it is done correctly, with maximum protection not offered through incineration.

Maine

◆ **The Coalition for a Dioxin-Free Maine**, a diverse group of health, citizen, and environmental groups, is supporting a bill in the Maine legislature that would prohibit the use of chlorine in the state's paper mills by 2002. The coalition is working carefully with the Governor and other lawmakers to get a bill passed that would ensure dioxin elimination. Counter-legislation has also been proposed that would require the industry to switch from chlorine to chlorine dioxide. The use of chlorine dioxide would reduce dioxin, but not eliminate it. The industry argues with chlorine dioxide, virtual elimination is possible in which, dioxin is produced, but at undetectable levels. The Coalition wants lawmakers to do the right thing and implement the best achievable technology, chlorine free, and eliminate dioxin completely.

Maryland

◆ **The HazTrak Coalition, Alliance for Clean Air & Water**, and other residents near Millington have initiated a public awareness campaign to combat a proposed commercial hog factory whose environmental impacts could include lagoon spills, surface water contamination, fish kills, biological hazards, and land application of sludge. The Mayor and Council of Millington are supporting the fight and have released an open letter vehemently opposing the proposed hog farm.

Massachusetts

◆ See the Stop Dioxin Exposure Campaign page for a

report on the New England Dioxin Roundtable.

Minnesota

◆ In Cottage Grove, **Safe And Free Environment** (SAFE) is organizing around the Ashland refinery and tank farm. The community has reported an increase in cancer and other disease. Ashland has had a number of nasty spills that resulted in only minimal fines. The Minnesota Department of Health has published series of fact sheets about the facility to calm residents fears, but the community is tired of being exposed to poisons and wants to obtain relocation benefits. For two weeks in January, residents near the facility were exposed to fumes

from a 20,000 gallon crude oil spill. In February, about 100 people attended a rally with Lois Gibbs to talk about dioxin and SAFE's organizational development. The group has plans for two more meetings to prioritize their goals and discuss strategies.

Missouri

◆ In response to problems that have been reported in test results that allows the Times Beach Incinerator to burn dioxin, one woman was arrested and another chained herself to the front gate at the Times Beach dioxin site during a raucous meeting of citizen groups that monitor the cleanup project. **Times Beach**

Continued page 20



Toxic emissions flow out of the Ashland refinery in Cottage Grove, Minnesota.

CCHW'S STOP DIOXIN EXPOSURE CAMPAIGN

Roundtable meetings are a well-practiced tradition at CCHW. A National Roundtable meeting on dioxin in April 1995 led to the development of the Stop Dioxin Exposure Campaign and *Dying from Dioxin*. One major goal of the dioxin campaign is to organize cohesive regional dioxin coalitions through regional Dioxin Roundtable meetings. Thus far in 1997, CCHW has sponsored two such

Roundtable meetings, in New England and Florida, to bring diverse groups together in developing regional campaigns to eliminate dioxin.

New England Dioxin Roundtable

The New England Dioxin Roundtable held on January 24th through January

26th in Boston, Massachusetts, was extremely well attended. There were representatives from almost forty different groups. The New England group of roundtable participants was particularly strong in the ways in which they plan to support the various campaigns that make up their regional action plan.

The five initiatives that make up the New England Roundtable Action Plan are as follows:

Catchy Slogans

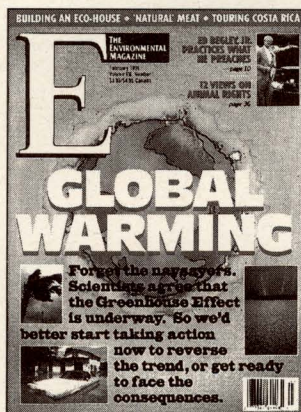
Don't Bleach the Beach

Diox-Sin!

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CCHW'S STOP DIOXIN EXPOSURE CAMPAIGN

on the Move

- **Healthy Schools Campaign:** A campaign to make a connection between indoor air quality and existing health problems in schools, to develop a list of material and products that are chlorine free for procurement, develop a criteria for model schools.

- **Healthy Hospitals:** A campaign to change procurement practices of hospitals, develop an adopt a hospital campaign, develop a list of alternative products for use in hospitals.

- **Dioxin Reassessment:** Develop a coordinated response to the dioxin reassessment.

- **Media Plan:** Develop a media plan that supports the work of all the regional work, and that supports the elimination of dioxin

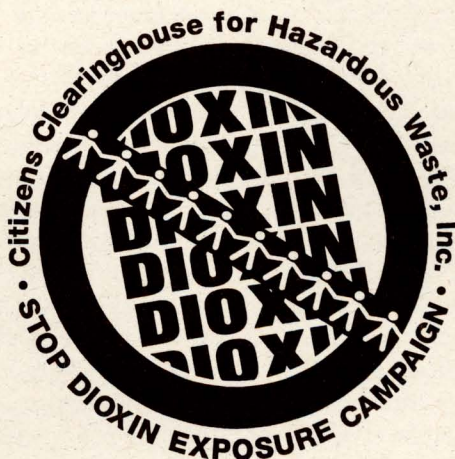
- **Pulp and Paper:** Support the legislative efforts of the Coalition for a Dioxin-Free Maine, develop a campaign to create market demand for chlorine free paper products. The most memorable slogan that came out of the New England Roundtable is "Diox-Sin!"

Florida Dioxin Roundtable

The Florida Roundtable held on February 7th through February 9th in

Oviedo, Florida was fertile ground for some interesting approaches, some similar to initiatives like New England.

- **Pesticides in schools:** Draft children's right to know legislation, contact local legislators, educate group members, do surveys around schools, write state parent/teacher organizations, contact local pediatricians, write article for Pro-Earth Times.



- **Community Public Education:** Develop an information structure that will enable a designated activist to compile and disseminate information. The plan is to

have a designee from each water management district produce a monthly summary that informs people in the Florida region of the most pressing environmental issues.

- **Pulp and Paper:** Send written comments to DEP on the wetlands permit for the pipeline, coordination of getting petitions signed, attend and help to facilitate workshops on pulp and paper throughout the state, develop a billboard campaign, and distribute flyers.

The most popular slogan from the Florida Roundtable was "Don't Bleach the Beach."

Susie Spencer of Jacksonville, Florida brought a poster depicting a crocodile whose genitals had been reduced from endocrine-disrupting chemicals in the water. The crocodile was shown stating that he was only a fraction of the crocodile his grandfather was, as he looked down in dismay.

Birth Defects Prevalent in Vietnam

The February 12, 1997 edition of the *Wall Street Journal* featured a front page article on birth defects in Vietnam and their links to dioxin. During the Vietnam War, 20 million gallons of herbicides were sprayed on five million acres of jungle to defoliate the area. This included the spraying of roughly 12 million gallons of dioxin-contaminated Agent Orange. Entire villages were doused in the defoliation campaign, code name Operation Ranch Hand. As a result of Ranch Hand, about 77,000 U.S. veterans have filed disability claims related to Agent Orange exposure, and Vietnamese scientists estimate that roughly 500,000 children have been born with dioxin-related birth defects in Vietnam since the 1960s. This feature further strengthens the link between dioxin exposure and fetal development, which has been illustrated in many peer-reviewed, published scientific studies.

Subscribe Today to the CCHW Dioxin Electronic Bulletin Board

☛ *Receive updates on scientific and policy questions about dioxin*

☛ *Link up with other dioxin activists*

☛ *Share your dioxin information*

To sign up, send the message

**"subscribe dioxin-I
[your name]"**

to the email address

listproc@essential.org

Be sure to put a space after "dioxin-I" in the subscribe message before your name.

ACTION LINE



Continued from page 17

Monitoring Group and the **Times Beach Action Group** (T-BAG) oppose the incinerator project. The groups have argued there are problems with the test results that allowed the incinerator to burn dioxin and have demanded the shutdown of the incinerator.

Montana

◆ Five environmental groups have filed suit in U.S. District Court in Missoula to force state and federal agencies to set a schedule for cleaning up impaired lakes and streams in the state. The **Montana Environmental Information Center** and the **Alliance for the Wild Rockies** contend that Montana's Department of Environmental Quality and the US EPA have violated the federal Clean Water Act by failing to clean up polluted waters or to set a timetable for doing so. The groups say the state identified more than 900 impaired lakes and streams in a 1996 survey, but has determined pollution levels and received EPA approval of a cleanup plan for only one. In addition, none of the 29 stream segments listed as high priority have been addressed.

Native Americans

◆ The **Penobscot Indian Nation** has asked the US EPA to reconsider a wastewater discharge permit it issued on January 23 to Lincoln Pulp & Paper. The tribe says the EPA failed to protect the nation's treaty rights to fish in the Penobscot River. The Penobscots contend that the new permit won't prevent the mill from discharging dioxin. Since 1987, the state has warned against overconsumption of fish caught from the river, because dioxin has been detected. The tribe's representative to the state legislature, Paul Bisulca, said the inability to eat much fish from the river is forcing the tribe to abandon traditional ways and is creating an economic burden. Bisulca said the tribe won't be satisfied until LLP recycles all of its wastewater and stops discharging pollutants into the river.

New York

◆ The **Citizens Environmental Coalition** (CEC) has been researching and advocating for years that the state and the Environmental Protection Agency address the pollution problems around the Kodak plant in Rochester. On February 3rd, Kodak was finally fined and reached a settlement with the EPA for an undisclosed amount. Kodak had already been fined in 1994 for \$5 million and required to pay an additional \$12 million for seven projects that would reduce hazardous waste. This latest fine charged Kodak for improperly storing hazardous waste, keeping inadequate records, failing to conduct proper inspections, and failing to train some workers in the handling of hazardous waste and incinerated PCBs, dioxins and other toxics barred from being burned at Kodak's incinerator. Go get 'em CEC!

◆ Over 500 people crammed onto the room to hear about a mining proposal, hear Lois Gibbs talk about need to

organize locally and take back our rights to clean air, water and food and to watch the premier of a new film, *Witnesses To The Future*. **Nassau Union of Concerned Citizens**, other organizational leaders and many new faces to the struggle for environmental justice were moved by the evenings events. The area around Albany, New York has several small independently owned hard rock mining operations. A proposal has been submitted by Lane Construction Company, a Connecticut based corporation to undertake large scale mining of 119 acres in the area. Residents have real concerned over the Snake River, which they believe will become contaminated as a result of the mining operations and that the entire area will become scarred and ruin this beautiful natural environment. Lastly, they believe that the mining operations will attract other undesirable industries into the area changing the small rural pristine environment into an industrial pit.

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North Carolina

◆ Gary Grant of **Concerned Citizens of Tillery** was one of more than 100 African-American farmers who protested in Washington, DC, at the

ACTION LINE



White House in December. These farmers were protesting alleged racism by the U.S. Department of Agriculture (USDA). Following the demonstration, some of the farmers attended an impromptu 2nd hour meeting with Secretary of Agriculture Dan Glickman. In Grant's case, his family farm was foreclosed because he was not made aware of government disaster relief assistance readily made available to white farmers.

◆ **The North Carolina Occupational Safety and Health Project (NCOSH)** recently celebrated 20 years of activism and advocacy for safe and healthy workplaces in North Carolina. Over 100 activists gathered to reminisce and celebrate the many successful campaigns on which NCOSH has worked. The occasion also provided an opportunity to reflect, tell stories, and gain perspective on how far the struggle for occupational safety and health has come.

Ohio

◆ **Neighbors Protecting the Environment (NPE)**, who led a successful fight last year in closing down the Columbus incinerator, are now battling the ATSDR over a proposed community health survey. Thus far, ATSDR is not cooperating with the community in doing the survey and they have been unwilling to release details of the study protocol. Members of NPE still face exposure risks

from contaminated soil in the area, and there have been several reports of livestock deaths in the area.

◆ **Leaders for Equality & Action in Dayton (LEAD)** is continuing its fight against Waste Management and its subsidiaries, ServiceMaster and Wheelabrator, as part of the **StopWMX Campaign**. LEAD has put together three mailings comprised of good information about Waste Management. They have also launched a website dedicated to the campaign. Check it out at <http://www.envirolink.org/orgs/stopwmx>.

Oregon

◆ Lois Gibbs spoke at the Second Annual Dioxin and Health Conference in Portland, sponsored by the **Physicians for Social Responsibility**. One event at the conference focused on the medical and solid waste incinerator in Salem, which is spewing dioxin into the air. Gibbs also met with member of the **Willamette Riverkeepers**, a group in Corvallis organizing around the Pope and Talbot paper mill. The group decided to approach the company and ask them to be the shining example of how mills can prevent environmental damage by switching to chlorine-free papermaking technologies.

Pennsylvania

◆ "As heartening as General Battery Corporation's stated

good intentions may be, people simply cannot breathe good intentions," said Kevin Stewart, Director of Environmental and Occupational Health for the **American Lung Association** of Lancaster and Berks counties. Mr. Stewart made this statement at a public hearing held on the company's bid to continue recycling operations at Exide Corp's facility. The **Local Environmental Awareness Development (LEAD)** group in Reading has been trying to stop the emissions from the Exide facility for years. This hearing was held as a step toward approving Exide's permit application. Members of LEAD recounted failures by the state regulatory agencies to protect the health and environment of people living around the plant. LEAD will continue its fight until Exide is shut down.

◆ **Arrest the Incinerator Remediation (AIR)** conducted a press conference concerning the revelations of a whistleblower who has filed a complaint against OHM Corp., the contractor at the Drake Superfund Site in Lock Haven. AIR member Bill Smedley and Clinton County Commissioner Dean Rusty Buttorf conducted a covert investigation for approximately three weeks after AIR received an anonymous tip about an OHM employee who was taped up with duct tape by another employee and placed in a dumpster, then terminated. Former OHM employee Patrick Lohman filed paper-

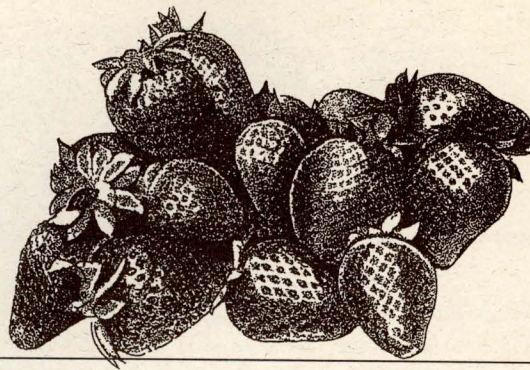
work by fax with the US Department of Labor in Wilkes Barre. Mr. Lohman believes he was terminated because he raised safety issues. Mr. Lohman also filed a police report with the Lock Haven Police Department concerning the assault on the Superfund Site. According to Mr. Lohman, the incident was witnessed by an OHM supervisor and exposed him to beta-naphthylamine, a known carcinogen, and other contaminants known to be at the Drake Superfund Site.

Utah

◆ Recently, in the controversial Federal Court trial to shut down the Tooele Chemical Weapons Incinerator, expert witnesses supported claims by the **Chemical Weapons Working Group, Sierra Club, and Vietnam Veterans of America** that the plant presents an imminent and substantial danger to human health and the environment. Greenpeace scientist Pat Costner concluded that "reports indicate presence of [nerve gas] agent in stack gases, and that the Army does not have a reliable system for detection . . . of nerve agent." In addition, Janes DeHaven, an emergency medical technician for the Army, reported that 25% of workers at the facility that he checked had slow heart rates, a symptom of exposure. DeHaven strongly believes that these employees have been exposed to nerve gas agents.

By Edward Rush

Strawberry Fields



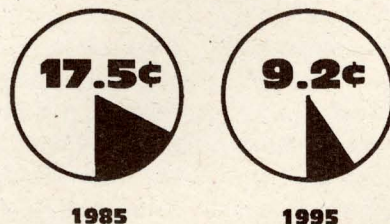
Say "strawberry" and the mind wanders to thoughts of strawberries dipped in chocolate, strawberry shortcake, strawberries and champagne, and strawberry cheesecake. While oranges are trumpeted for Vitamin C, and apples are renowned to keep the doctor away, strawberries are most widely thought of as an indulgence. When a fruit is thought of as a special treat, not much attention is paid to the exact path of production. And, so it is with strawberries. After all, when we are preparing to woo our sweetheart with chocolate covered strawberries, or surprise the kids with strawberry shortcake, we are not inclined to spend lots of time thinking about how the berries were grown. It is enough that we have them after all, and that they are fresh and plentiful.

However, there is another side to the modern strawberry story. The workers who cultivate the berries that eventually make it into some of our favorite desserts have little to celebrate. The workers spend hours in stoop labor and earn less today than they did ten years ago, (about \$8,500 for the seven month growing season, approximately \$6.10 per hour), while the



How are the strawberries you eat raised?

An unfair share



The share of the consumer dollar spent on strawberries that goes to the worker declined 49 percent between 1985 and 1995.

Source: State of California, U.S. Labor Department, Consumer Price Index

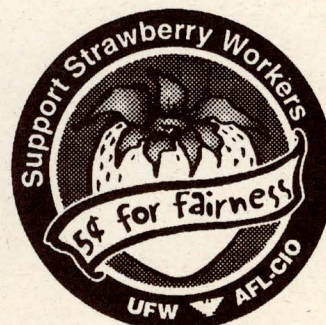


price for strawberries has almost doubled during this same period. In addition, they receive no health benefits, and no access to drinking water or clean toilets in the fields. To top it off, the strawberry industry is one of the biggest users of pesticides of all the fruit producers, second only to the apple industry. The agribusiness concerns that produce strawberries in the United States often use up to 375 pounds of pesticide gas per acre. A number of different chemicals are used, the most troubling of which are methyl bromide, an ozone depleting substance; captan, a carcinogen; benomyl, a reproductive toxin; and a combination of other chemicals that are endocrine disruptors (See "Endocrine Disruptors," *Everyone's Backyard*, Vol. 14, No. 3. Fall 1996).

There are clear issues of economic justice and occupational health for the farm workers. In addition, there are public health issues for people living near the strawberry fields, and consumer health concerns of the strawberry buying public. The United Farm Workers Union and the AFL-CIO have joined forces to assemble an impressive coalition to move forward a

campaign they call, *Five Cents for Fairness*. The campaign has been designed specifically to improve the working conditions and the rate of pay of the farm workers. The increased public attention that the campaign will generate will help to focus attention on the health and environmental issues related to the strawberry industry. If the chemicals that are used in the field harm the workers, it is not totally unrealistic for an aroused public to conclude that those same chemicals might harm their children if they ingest fruit that has come from those fields.

The goal of the strawberry campaign is to get 8,000 retail stores (grocery stores, supermarkets) to sign a pledge of support for the strawberry workers by the end of 1997. To this end, there are tours planned to generate publicity and increase public support beginning with events in Cleveland, Ohio; St. Louis, Missouri; Milwaukee, Wisconsin; Chicago, Illinois; and San Diego, Los Angeles, and Sacramento, California. There will be a series of events held in Watsonville, California (the center of strawberry production in the U.S.) culminating with a planned march of 20,000 through the town of Watsonville to show support for the workers. If you are interested in more information, want updates on the campaign, or want to know how you can become involved, you can call the AFL-CIO info line at 1-888-AFL-CIOO (1-888-235-2466).



Organizing Toolbox ♦ Charlotte Brody

If It Works For Al D'Amato, It Can Work For Anybody

Getting Public Officials To Do The Right Thing

From a distance it looked like a pretty typical January press conference in front of the Long Beach, Long Island incinerator. The leaders of the Coalition to Close the Long Beach Incinerator were there, along with a Democratic county legislator and a few other supportive local officials, to celebrate the closure of this major dioxin and mercury spewing burner. What was unusual was the presence of a man who had an environmental voting record of zero in 1996, Republican Senator Alphonse D'Amato.

How did a man who voted for cutbacks in funding for the US EPA, rolling back environmental protections for grazing on federal lands, and the storage of nuclear waste at Yucca Mountain, Nevada, become the heavyweight anti-incinerator champion of New York? What kind of conversion experience transformed Al D'Amato, whose own brother, Armand, has worked as an incinerator lobbyist?

The answer provides a lesson for all of us on how to get elected officials to do the right thing, even if they do it for a very different set of reasons than those that motivate the rest of us.

In August 1996, Senator D'Amato was in deep trouble with New York voters, especially women. His role as the chief Republican finger pointer at President and Hillary Clinton's involvement in Whitewater, especially given his own history of ethics problems, had dropped him to the bottom of the senatorial popularity ratings. His advisors were warning him that unless he could turn his approval ratings around, he couldn't expect to be reelected in 1998.

What to do? In Washington DC, Republican pollster Linda DiVall was handing out advice. Her firm was circulating a poll showing that "our party is out of



sync with mainstream American opinion on the environment." In New York, D'Amato protege, Governor George Pataki, was busily demonstrating how his own transformation on the environment (the creation of a \$1.75 billion environmental bond) had increased his approval ratings to above 50 percent for the first time since he took office.

Senator D'Amato may not be a longtime friend of the environment, but he

is his own best friend when it comes to re-electing Al D'Amato. So he started paying attention to the activists who were addressing the dramatically high incidence of breast cancer on Long Island and the activists who were focusing on the dramatically high emissions by the Long Island Incinerator.

Two million dollars worth of television ads appeared across New York State. There was Senator D'Amato snuggling his granddaughter while his daughter Lorraine D'Amato narrated:

"Good neighbors always help each other. My dad taught me that—Al D'Amato. That's why he's done so much for so many and why he's fighting now to shut down that incinerator plant in Long Beach, the one throwing poisonous toxins into our air and water. That plant may be responsible for the high rate of breast cancer here on Long Island."

Think about it: Al D'Amato spending two million dollars on television advertisements linking incinerator emissions and breast cancer two years before his Senate term is up. Think about the D'Amato story and what grassroots environmental groups usually do when they need a government official to make a decision to protect the environment and public health.

Here are the most common actions:

- Gather names on a petition.
- Get people to sign postcards or add their names to a sign-on letter.
- Insist on a public hearing or meeting and then mobilize people to attend.

All of these actions require a large investment of human and financial resources. Unfortunately, even if you've been successful at getting 10,000 names on petitions or 500 people to attend a public hearing, you still have no guarantee

Four Ways to make Elected Officials Do the Right Thing

1. Tell them the stories of other elected officials

Make sure they know the story of Al D'Amato and the Long Beach incinerator. It might also help if they know that in 1996, eighty-five percent of defeated Republican incumbents were Members of Congress who were strongly identified with the Contract on America efforts to destroy environmental protections (overall, only 6 percent of incumbents lost).

2. Use polling data

Political campaign consultants command huge fees to teach people running for office that they must use expensive polling data to shape their messages. We can use politicians' dependence on polls since they repeatedly have shown that the American electorate cares about the environment. Swing voters, the part of the electorate that most politicians worry most about, are usually strongly concerned about the environment. Ask your local librarian to help you do a little research on what recent polls have shown about voters in your area. Look at the most recent polling done by local newspapers and universities, especially those with schools of journalism. Sometimes you can ask these newspapers and universities to add a question or two to their next poll. When you find results that show how important your issues are to local voters, make sure that elected officials see those results.

3. Repeat their own campaign promises to them.

Keep a file of what they say about the environment. During election season, when candidates are all looking for photo opportunities and handshaking sessions, ask them to visit your group and see, first hand, the problem you are working on. Record everything they say. Ask them what they would do to solve your problem if they are elected or reelected. Then use the media, your newsletter and letters and visits to remind them of their promises. When CCHW and 100 other groups placed a full page ad in the Florida editions of USA Today urging President Clinton to get the EPA to relocate all 358 families in the Mt. Dioxin community in Pensacola, Florida, the ad began with the President's quote from his acceptance speech at the 1996 National Democratic Convention.

4. Use their list of contributors

We all know that money plays a gigantic role in politics. Hopefully that will change. But until it does, we have to look at whose money is going where and how we can use that to our advantage.

that you'll get what you need from government. Why? Because elected and regulatory officials know from previous experience that they can ignore these actions without losing their jobs.

Tactics like petitions, postcards, letters and public hearings are all based on the assumption that government officials respond to the will of the people and the common good. While that's the ideal, it certainly isn't the reality. We have to win real world victories. So, we need to be asking real world questions: What can we do so public officials understand that making the right decision for public health and the environment will also protect their jobs?

Get a copy of the officials' contributor list. Sometimes your local newspaper already has this list. If your targeted person is a local or state official you can get the list from the state board of elections. If it is a U.S. Senator or Member of

Congress, contact the Federal Election Commission (1-800-424-9530) or the Center for Responsive Politics' National Library on Money and Politics (202-857-0318). The Center for Responsive Politics Follow the Money Handbook (\$10.00, available from CRP at 202-857-0044) will guide you through the details of obtaining campaign finance information.

Once you've received the list you can use it in two ways.

You can use the list to identify individuals or groups that may be willing to carry your message to the official. Did the Trial Lawyers contribute heavily to this official's campaign? This group of lawyers are often willing to be political allies to grassroots groups. What about residential real estate developers? They are often big political contributors. Does the toxic problem you're trying to stop or correct have an impact on residential

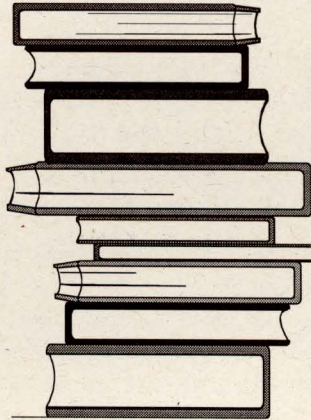
property values? If it does, you need to get that message to the real estate contributors who can then get the message to the elected official they support financially.

You also can use the list to embarrass the elected official into doing the right thing. To get reelected, politicians have to look like they haven't been totally bought. A press event at which your group expresses its concern about the independence of an official who received so many dollars from the group you're fighting can result in an official doing the right thing to prove that they're not a puppet of special interests.

If non-elected regulatory officials will be making the critical decisions in your campaign, it often helps to target the elected officials who sit over them, using the tactics described above. Other ideas that can work include:

Continued page 27

RESOURCES



- The Robert Wood Johnson Community Health Leadership Program (CHLP) honors the outstanding individuals each year for their work in creating or enhancing health care programs serving communities whose needs have been ignored and unmet. Each leader receives \$100,000, which includes a \$5,000 personal stipend and \$95,000 for program enhancement over a three-year period. The nomination process is open and nominations can be made by consumers, community health leaders, health professionals and government officials who have been *personally inspired* by the nominees. Nominations are due by September 16, 1997. For more information, contact: CHLP, 30 Winter Street, Suite 1005; Boston, MA 02108.

- The Community Environmental Law Initiative, a collaborative effort between the Southwest Network for Environmental and Economic Justice (SNEEJ) and the Environmental Law Institute, has produced an excellent legal tool for community groups. *Working with Lawyers: A Guide for Community Residents and Environmental Justice Activists*, is a tool for those considering hiring a lawyer to help them with an environmental problem. It gives excellent advice on the role of a lawyer, how to hire a lawyer, and how to effectively work with a lawyer to get what you want.

For more information, contact SNEEJ, P.O. Box 7399, Albuquerque, NM 87194, (505) 242-0416.

- The National Coalition Against the Misuse of Pesticides (NCAMP) released a new report titled *Poison Poles: Their Toxic Trail and the Safer Alternatives*, that describes the environmental and public health danger from preservatives used to treat wood utility poles. Many chemicals used as treating agents, such as pentachlorophenol and creosote, are heavily contaminated with dioxins and furans. The report cites hundreds of sites across the country contaminated with wood preservatives, including the Mt. Dioxin Superfund Site in Pensacola, Florida, from which the

EPA relocated 358 families in October 1996. For more information about the report, contact NCAMP, 701 E Street SE, Suite 200, Washington, DC 20003, (202) 543-5450.

The Community Environmental Law Initiative has produced an excellent legal tool for community groups. Working with Lawyers: A Guide for Community Residents and Environmental Justice Activists, is a tool for those considering hiring a lawyer to help them with an environmental problem.

- Join Ralph Nader, Lois Gibbs, and other environmental activists and scientists for Science and Social Action: Barry Commoner's Contribution to the Environmental Movement. The event, which will take place on the occasion of Dr. Commoner's 80th birthday, will focus on Commoner's 50 years of research on the origins and solutions to the environmental crisis and its economic impacts. The symposium will take place May 30, 1997, from 9:30 AM - 5:00 PM at the Great Hall at Cooper Union, 7 E. 7th Street, in New York City. The event is free and open to the public, however advance registration is requested by May 15. To reserve a space,

contact S. Peyser, CBNS, (718) 670-4180. Email: cbns@chelsea.ios.com.

- Media activist Branda Miller has produced *Witness to the Future*, an experimental documentary look at grassroots environmental organizing. Traveling through the states of Washington, California, and Louisiana, Miller met and interviewed dozens of citizen activists to learn what motivates them to do the work they do. She found a common drive in activists to achieve social and economic justice, and a feeling that elected officials are not adequately protecting us. *Witness to the Future* is available as a 50-minute videotape from the Video Project at 1-800-4-PLANET and as an interactive CD-ROM. Visit their web site at: <http://www.witnesstothefuture.com>.

- Two prize-winning environmental journalists and a nonprofit research organization show how industry groups and manufacturers have rendered federal regulatory agencies powerless in *Toxic Deception: How the Chemical Industry Manipulates Science, Bend the Law, and Endangers Your Health*. Authors Dan Fagin and Marianne Lavelle, in conjunction with the Center for Public Integrity, reveal industry tactics in derailing regulatory efforts. Among the book's major findings are: secret industry documents that show how chemical manufacturers twisted science to downplay the dangers of four toxic chemicals - atrazine, alachlor, formaldehyde, and perchloroethylene; EPA's dismal record of policing private laboratories that conduct safety tests; over 3,000 junkets and other trips by EPA officials paid for by corporations, trade associations, and other private sponsors; and the chemical industry's funding of free trips for Capitol Hill lawmakers, in addition to \$20 million in campaign contributions from 1979 to 1995. *Toxic Deception* illustrates how lawmakers and regulators often put special interests ahead of public interests. For more information, contact the Carol Publishing Group at 1-800-447-BOOK.

CCHW Legal Counsel ♦ Ron Simon

Legal Corner

Question

We are in the process of trying to find the right lawyer to represent our community in a contamination case. We are not so much concerned about the retainer agreement itself, but what we should look for in a lawyer. What kind of things should we look for in this partnership?

Answer

Your question is great. The key to evaluating a lawyer is knowing what kind of relationship you are looking for. As in any relationship you enter, you have a much better chance of being successful if you know what you want. You must know what you hope to gain from the lawsuit and what you want from the relationship. If you just throw yourself in the hands of the lawyer, the lawyer will define the relationship in terms of what the lawyer knows and wants. People are quick to blame lawyers for not meeting their expectations and many of these criticisms are well-founded, but you have only yourself to blame if you have not spent the time expressing your wants and needs to your lawyer before you hire him or her.

A major area about which you should get information is the lawyer's skill, experience and resources. Has the attorney handled cases that dealt with chemical exposure? Cases that involve scientific experts from a number of fields? Cases in which governmental agencies have done investigations? Do they deal with cases in which hundreds of thousands of dollars must be spent for experts? Is the attorney prepared to spend that amount of money in your case and how much time will the staff people be able to commit?

Who will be the principal attorney to deal with the clients?

A second area of inquiry must be what kind of experience the attorney has in dealing with groups of people. How does the lawyer plan to communicate with people? Will the lawyer plan regular mailings or meetings? What role does the lawyer see for the clients? Are they expected to shut up and do what the lawyer says? Are they expected to continue with their own political activities? If the clients are approached by the media, how does the lawyer expect them to respond? If the clients intend to be involved in political activities to further their objectives, do the lawyers encourage or discourage this?

A famous judge once counseled attorneys with the old Italian proverb, "the only thing worse than a lamb in the mouth of a wolf is a client in the hands of his own lawyer." Your relationship with the attorney is crucial and it must be based on trust.

The above issues about the relationship are crucial and must be explicitly discussed and agreed upon. For example, community contamination battles involve more activities outside of the lawsuit than what is done by the lawyers in the litigation. People and communities have generally been more satisfied with the results when they continued to wage a full-scale political battle while the legal fight is proceeding. Some lawyers understand that political action by the community is vital for both victory and



satisfaction, but there are many lawyers who want to maintain total control and stop any community political activity. Generally, those attorneys are less successful and the community is less satisfied with the results. Direct political action not only advances the goals of the lawsuit, but also leaves the community more content, even in cases in which the community loses. There is more mutual understanding in this type of situation, as opposed to situations in which the lawyer controls everything and the people are in the dark about what happens and why.

Often, people are troubled by their relationship with their lawyer because of problems with the way in which the legal system channels disputes in terms of how people pay for lawyers. The general rule in our legal system is that people pay for their own lawyers. This means that people who have money to pay lawyers have access to the legal system. It also means that people without money to pay for lawyers do not have access to the legal system.

Fortunately, the legal system has two kinds of exceptions to the way in which lawyers are typically paid. Some statutes, including environmental statutes, allow a winning party to ask the court to award fees to pay for their lawyer. In personal injury or property damage cases, our system permits lawyers to take cases on a contingency fee basis, which means that the client will pay the lawyer only if the litigation is successful and then the lawyer's fee typically comes out of the recovery. This is the typical 1/3 of the recovery in accident cases that most people are familiar with.

The issue of how lawyers get paid creates problems for people with environmental concerns. Most typically, the polluter has money to hire lawyers and the victims of the pollution do not. The government is supposed to look out for the interests of its citizens, but this rarely happens. Remember, the government has a close relationship to the polluters as a result of campaign contributions, social contact or just the fact that the government itself is a polluter, and identifies more readily with the interests of the polluters than that of the victims. Even when the government would otherwise be inclined to side with victims, it often lacks resources or runs into other political interests. As a result, citizens are most likely to get representation either via an attorney's fee statute or an action for damages which, if successful, results in a pot of money from which the attorney can collect a fee.

Each of these ways to create funds to pay a lawyer also creates problems. The problem grows out of the fact that the fee is tied specifically to the type of recovery in those limited kinds of actions. For instance, under the environmental statutes, what a citizen can complain about and the kind of relief that is available is quite restricted. Thus, the successful environmental lawsuit that can generate fees to pay a lawyer may not be targeted to the kind of relief that you want. An injury case is typically for personal injuries or property damage (personal injury can include emotional distress, medical monitoring, and punitive damages at times). However, in order to make a substantial recovery for damages, the plaintiff must demonstrate large damages. Often, this is not the thrust of what people are seeking (such as getting a facility to shut down or stop a particular practice). Some attorneys have been inventive in getting damages based on the cost of cleanup and others have argued that the damages should be based on the amount the company pocketed by not investing in pollution prevention.

For people with very severe damages, their problem may be proving scientifically that their injury was due to the pollution. Many others without such

The final authority on all questions is in the hands of the client, and if any lawyer you talk to does not understand this, you do not want to have any further discussions with them.

severe injuries have even greater difficulties showing that their problems were caused by the pollution because their injuries may not look all that different from the problems of other people in normal situations. The need to pay attorneys often forces people to concentrate on the kinds of relief that will provide the attorney's fees, and quite often these do not fit neatly with the injured person's true needs.

How a case ultimately is resolved is among the most difficult issues. It goes without saying that the final authority on all questions is in the hands of the client, and if any lawyer you talk to does not understand this, *you do not want to have any further discussions with them.* But implementing this simple rule is not easy. You are relying on the professional judgement of the lawyer to advise you about likely outcomes, and you have to understand that professional judgement is a fancy word for an educated guess. The problems are most acute when the case involved large numbers of clients. How is the lawyer to handle negotiations if there are a great many clients? It is obvious that each of the clients cannot be involved in every single step. On the other hand, *it is essential that the clients be involved in the negotiations.* Those of you who have read the book *A Civil Action* know that the lawyer who handle the Woburn case did not involve his clients in the action either by having them participate in the negotiations or in the courtroom. I have heard of nothing that would justify removing the clients from participation in their own case in this way. You must be sure that this does not happen to you. One way to do this is to work with the attorney to set up a committee which is authorized by the entire community group to participate in settlement discussions. That way the

lawyer cannot claim that the clients were left out because it was not practical to involve the whole group.

I want to close my answer by noting that this topic is far and away the most important that we discuss in this column. A famous judge once counseled attorneys with the old Italian proverb, "the only thing worse than a lamb in the mouth of a wolf is a client in the hands of his own lawyer." Your relationship with the attorney is crucial and it must be based on trust. But trust does not mean that the client says, knows and does nothing and simply trusts the lawyer to do the right thing. Trust means that you work out beforehand the terms of the relationship and discuss the difficult issues and agree on a framework about how they will be resolved.

Continued from page 25

Making the track record of these regulators a public issue. A little publicity about the worst previous decisions of the same regulators, or their predecessors, can provide these decision makers with a reason to improve their batting average.

Uncovering unauthorized meetings or other special favors granted to the other side can net the same results.

Asking the elected officials who oversee the budget of the regulatory agency to intervene on your behalf. This doesn't need to be a threatening phone call. But just knowing that the people who control the purse strings are watching can make a difference.

Finding out what's worked before. Most government bureaucrats are creatures of habit. If they've made any decent rulings in years past, it can really help to identify the factors that lead up to that ruling.

We win when we convince the people in charge to make the right decision. But we shouldn't expect them to make the right decisions for the reasons that seem right to us. Grassroots activists have to figure out how to convince decision makers that its strategically smart for them to do what's right for the environment and public health.

Thanks to NYPIRG's Judy Enck, CEC's Ann Rabe, and to Andrea Bernstein for her articles on D'Amato in the February 24, 1997 issue of The Nation.

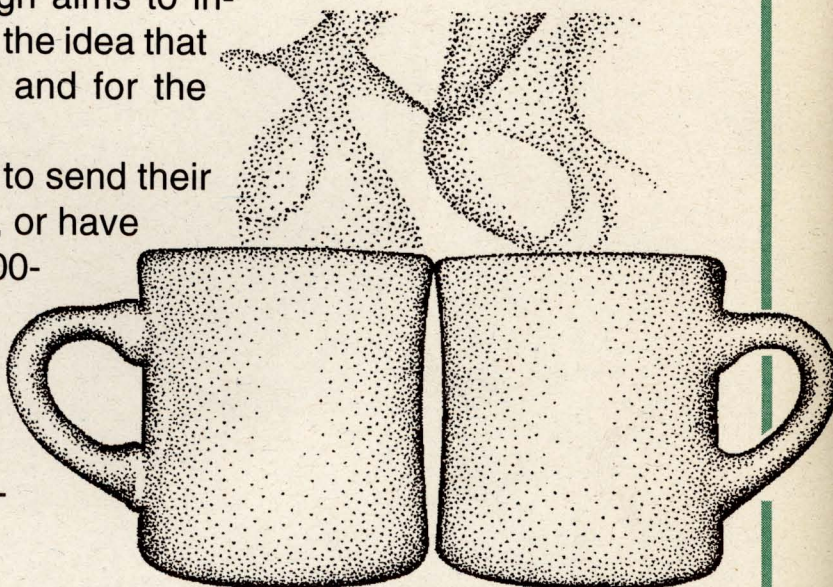
Dear President Clinton: Coffee? Tea? Me?

Pacifica Radio's Democracy Now!, a cutting edge news-talk show, is launching "Coffee? Tea? and Me?," a campaign to focus attention on how ordinary people are excluded from the political process in this country.

Democracy Now! Has been reporting on the dozens of coffee klatches the President has held at the White House to court big donors. The program is offering its listeners and the general public an opportunity to request their own invitation for coffee with President Clinton by sending mugs-with-a-message to the White House.

Democracy Now! host Amy Goodman says it's clear that voters are growing more cynical and alienated as more big money gets pumped into campaigns. "The Coffee? Tea? And Me?" campaign aims to inspire people to get involved and reclaim the idea that democracy means government of, by, and for the people.

Democracy Now is urging people to send their own mug and letter to the White House, or have Pacifica send one for them by calling 1-800-735-0230. Pacifica will send a "Democracy Now!" mug which says, "Dear President Clinton, Coffee? . . . Tea? . . . and Me?" along with a personalized letter asking the President for an invitation to the White House for coffee talk.



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