

# EVERYONE'S BACKYARD

Vol. 17, No. 4 ♦ Winter 1999–2000



**COMMUNITIES DEMAND PROTECTION FROM DIOXIN**

**WOMEN AND ORGANIZING  
ELECTRICITY AND THE ENVIRONMENT**

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

# THE ABC'S OF SAFE SCHOOLS



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**I**t's been more than 20 years since the contamination at Love Canal hit the media, introducing the concept of contaminated schools and communities to the American public. You would think that government agencies learned at least a few simple lessons in those 20 years, after seeing the huge costs of cleanup and hearing the heart-breaking stories of families from Love Canal, Times Beach, Missouri, Louisiana's Cancer Alley, and so many other sites. But it appears that little has been learned.

One of the common sense lessons that should have been learned was to never build a school on contaminated land and to remove students from schools that are already located on such sites. Over the past two decades we've learned that children are more vulnerable to chemical exposures than adults. Yet despite our new knowledge about children's special vulnerability and parents' pleas for help at schools where children are being exposed to high levels of toxic chemicals, new schools are still being built on contaminated land. A school in Los Angeles, California is being built on soils contaminated with benzene and other chemicals from an underground pipeline. And in Rhode Island, a campus for middle and high school students is being built on top of an old dumpsite. The objection of parents and teachers in these communities is all that stands in the way of government's callous decision to spend taxpayers' money putting children and school employees at risk.

There are also existing schools that have been found to be sitting on or next to toxic sites. In Marion, Ohio it was an increase in cancer in high school graduates that prompted families to investigate the school grounds. Playing fields were roped off as tests came back showing the area was contaminated. In Jacksonville, Florida the Mary McLeod Bethune Elementary School is located on an old ash dump containing lead, dioxins and PCBs. In Pittsfield, Massachusetts parents who have fought for years to get their school's PCB-contaminated grounds cleaned up, now face a plan to remove PCBs from other sites in Pittsfield and bury the waste across the street from the school.

The list of schools found on contaminated lands is growing instead of shrinking — even though putting schools on these toxic sites is a stupid and dangerous idea. There is no way of knowing what chemical exposures have done to our children's ability to learn, or the future health consequences for both students and teachers.

So what does all of this mean? It is clear from past experience that many government officials cannot be trusted with the health and welfare of our children. Local and state-wide groups must figure out which elected representatives are against poisoning children and which believe building schools on dump sites is sound public policy. First try to convince those who want to build the schools on these sites that this is a bad idea. If that fails, replace them in the next election while supporting those officials who agree with you. Many people say they don't like to get involved in electoral politics, but playing doctor and nurse to your sick child is a far worse fate.

CHEJ is developing a Children's Environmental Health project and we welcome your input about groups in you community which might want to get involved. Groups need to join forces with those with similar concerns, such as those working to get pesticides out of schools and playgrounds or communities burdened with dumpsites. Working together is the best way we will be able to protect our children. Clearly, government won't protect our children on their own. ♦

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## WHO WE ARE

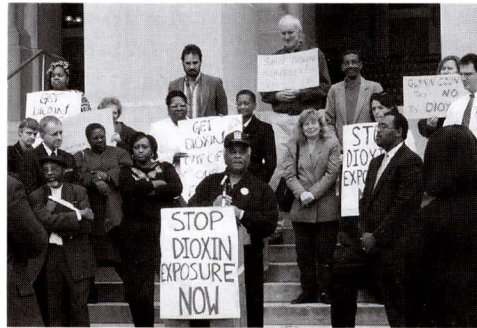
**T**he Center for Health, Environment and Justice is an eighteen-year-old Environmental Justice Center working with a network of over 8,000 local grassroots groups. We were formed to help people win cleanup of contaminated sites and to prevent new sources of contamination. Over the years, our work has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

CHEJ trains and assists local people to fight for justice, become empowered to protect their communities from environmental threats and build strong, locally controlled organizations. CHEJ 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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*Georgia activists take their "stop dioxin exposure" message to the steps of the Georgia statehouse. See page 6 for the story. Photo by Patty Lovera.*

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## THE STOP DIOXIN EXPOSURE CAMPAIGN

# AMERICA'S CHOICE: CHILDREN'S HEALTH OR CORPORATE PROFIT

**T**hroughout 1999, we've been writing about how we are tired of waiting for the EPA to release the dioxin reassessment, and that we've decided to compile our own dioxin report. So on November 4<sup>th</sup>, CHEJ released *America's Choice: Children's Health or Corporate Profit*. The report provides a summary of new scientific research on the toxic effects of dioxin exposure, updating the information published by the U.S. Environmental Protection Agency (EPA) in 1994. The report's scientific findings make it clear that there is an extensive body of high quality scientific information describing the wide variety of toxic effects of dioxin in people. *America's Choice* also contains policy recommendations for eliminating dioxin, intended to provide communities and their representatives in government a framework for policy changes to safeguard public health. *America's Choice* is

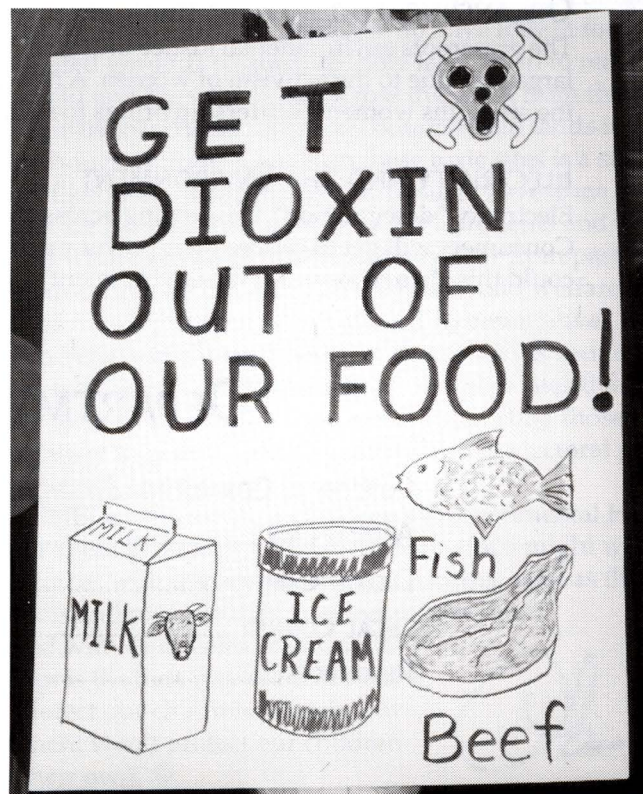
available on our website at [www.essential.org/cchw](http://www.essential.org/cchw) or by contacting CHEJ.

The overall conclusion of *America's Choice* is that **the American People are at serious risk from their**

**daily intake of dioxin in food.** While exposure of the general population occurs through ingestion of many common foods, children exposed *in utero* during critical periods of development appear to be the most sensitive and vulnerable to the toxic effects of dioxin.

The report's main conclusions include:

- ◆ All American children are born with dioxin in their bodies. The greatest impact appears to be on the growth and development of children. Disrupted sexual development, birth defects and damage to the immune system may result.
- ◆ Dioxin exposure has been associated with IQ deficits, increased prevalence of withdrawn/depressed behavior, adverse effects on how a child pays attention, and an increase in hyperactive behavior in children. These effects have been reported in 42-month old Dutch children primarily



exposed before birth to dioxins and PCBs.

- ◆ Dioxin exposure has been associated with alterations in immune function including increased susceptibility to infections. These effects have been reported in 42-month old Dutch children primarily exposed before birth to dioxins and PCBs. Altered immune function, which was reported at birth, three months, and 18 months of age, persisted to 42 months of age in these children. Reported immune effects included an increase in middle ear infections and chicken pox, and a decrease in allergic reactions.
- ◆ There is evidence of both developmental and reproductive effects in children exposed to dioxin. These developmental effects include defects in permanent teeth, adverse effects on thyroid hormones, altered sex ratio (more females than males), and increased respiratory disease.
- ◆ The average daily intake of dioxin in food poses a substantial cancer risk to the general American population. The lifetime risk

## NEW JERSEY: CAMPAIGNING TO ELIMINATE THE "TOXIC 10"

**O**n November 4<sup>th</sup>, the Ironbound Committee Against Toxic Waste and the New Jersey Environmental Federation held a press conference at Newark's Diamond Alkali Superfund site to release *America's Choice* and call attention to dioxin problems in New Jersey. The Diamond Alkali site is a former pesticide manufacturing facility which is believed to be one the worst sites of dioxin contamination in the world. The press event was to announce the kick-off of a state-wide campaign to eliminate the "Toxic 10" — the ten major sources of dioxin in New Jersey, including garbage incinerators in Essex, Warren and Union Counties, a coal-fired power plant in Hudson County, and Newark's Diamond Alkali Superfund site.

of getting cancer from exposure to dioxin is 1 in 10,000 for the general American population and 1 in 1,000 for highly exposed people. These risks are 100 and 1,000 times higher, respectively, than the 1 in 1,000,000 "acceptable" cancer risk.

- ◆ Updates of ongoing studies of cancer in dioxin-exposed workers in the U.S. and Europe, and in victims of accidental exposure in Seveso, Italy, all indicate increasing cancer rates in the highest ex-

posure groups. These studies provide strong support for the 1997 decision by the World Health Organization to define dioxin (TCDD) as a "known human carcinogen."

- ◆ Nearly all Americans are exposed to dioxin through ingestion of common food, mostly meat and dairy products. Dairy cows and beef cattle absorb dioxin by eating dioxin contaminated feed crops. The crops become contami-

*continued on page 6*

## FLORIDA: ACTIVISTS HOLD "DIOXIN SUMMIT"

**T**hroughout December 4<sup>th</sup>, 40 dioxin activists from communities all over Florida held a "dioxin summit" to build a statewide strategy for dealing with dioxin in their communities. In the morning, they held a press conference at the Mary McLeod Bethune Elementary School in Jacksonville, which was built on top of an incinerator ash dump containing dangerous levels of dioxin, PCBs, and lead. Citizens Organized for

Environmental Justice, a group fighting for the school to be shut down and for relocation of the surrounding community (also built on top of the dump), joined with activists from other dioxin-impacted communities to call on elected officials and government agencies to take action to stop dioxin exposure. Following the press conference, the group held a strategy session where they established the Southeast Coalition on Environmental Justice. They plan to take their policy demands to the state legislature when the session opens in the spring.



*Florida activists held a press conference at a contaminated school in Jacksonville to call on elected officials to stop dioxin exposure. Photo by Monica Rohde.*

## AMERICA'S CHOICE

*continued from page 5*

nated by airborne dioxins that settle onto soil and plants. Dioxins enter the air from thousands of sources including incinerators that burn medical, municipal, and hazardous waste, chemical processing facilities that use chlorine to make products such as pesticides and PVC plastic, and metal refining and smelting operations.

- ◆ The average daily intake of the American people is already well above a federal guideline. It is more than 200 times higher than EPA's cancer guideline risk.
- ◆ Some groups are at higher risk of exposure to dioxin. These include children, nursing infants, certain exposed workers, people who eat fish as a main staple of their diet,

such as some indigenous peoples and fishermen, and people who live near dioxin release sites.

These groups are likely exposed to at least 10 times as much dioxin as the general population.

Dioxin is an ubiquitous poison that is in our food and causes many toxic effects in people and animals. The neurodevelopmental and reproductive effects observed in children may be the most disturbing new evidence. These small shifts in cognitive ability or hormone levels may be just the tip of the iceberg of the impact of dioxin on the general public. With this in mind, Americans are faced with a choice. We can protect public health by eliminating dioxin creation or we can continue to allow dioxin creation just to avoid burdening industry with the short term transition costs of elimination. Prudent public health policy would make every ef-

fort to eliminate environmental releases of dioxins and related compounds.

## POLICY RECOMMENDATIONS

The policy recommendations in *America's Choice* were developed by a diverse group of more than 50 people, including those who are working to clean up their poisoned communities, those who work on policy development, and scientific researchers. The recommendations are specific to each of the twelve sources discussed and include steps such as ending incineration, eliminating chlorine from a process, or closing a regulatory loophole. But all of these recommendations have some core principles in common, which must be at the heart of any dioxin policy. These principles include:

- ◆ Prevention Not Control
- ◆ Precautionary Principle

## GEORGIA: ACTIVISTS TAKE DIOXIN TO THE STATEHOUSE

**O**n November 20th, Citizens for Environmental Justice hosted dioxin activists from all over Georgia, North and South Carolina, and Florida as they gathered in Savannah to present testimony to a "listening panel" of elected officials and influential community leaders. The panel included members of the state legislature, members of Savannah City Council, local health officials, and representatives from area churches, several universities, EPA, and ATSDR. After community activists presented their personal stories and testimony about the need to stop dioxin exposure, the listening

panel was put on notice that now that they had been informed about the dangers of dioxin, they are expected to take action to stop dioxin exposure. In addition, state representative Lester Jackson announced his commitment to take the issue of dioxin to the state legislature's Black Caucus next session. After the hearing, which was well-covered by the local media, the activists held a strategy session to discuss how to work together on a regional dioxin effort.

Two days later, many of the same activists traveled to Atlanta, where the Southern Organizing Committee for Economic and Social Justice hosted a day of events focused on dioxin. The day started with a rally on the steps of the Georgia statehouse which included state Representative Tyrone Brooks and Eric Lausten, an aide to Congresswoman Cynthia McKinney, as speakers. Eight Georgia communities then presented their stories of being impacted by dioxin to a listening panel. The panel included members of the Atlanta press, several state representatives, and aides to other state and federal elected officials.



*Dioxin activists testify about dioxin's impact on their community at the Atlanta public hearing. Photo by Patty Lovera.*

- ◆ Environmental Justice
- ◆ Just Transition for Workers
- ◆ No Transfer of Dioxin from One Media to Another
- ◆ The Right to Know the Extent of Dioxin Contamination

The policy recommendations in *America's Choice* provide clear, workable solutions for eliminating dioxin sources. There are safe alternative processes which can dispose of wastes, make paper white, and produce plastics without destroying the economy. Some of the policy recommendations can be found on page 13.

## IT'S TIME FOR GOVERNMENT TO PROTECT OUR HEALTH

CHEJ produced *America's Choice* with three goals in mind:

- ◆ providing up-to-date scientific information and research on the effects of dioxin on human health;
- ◆ providing the American people with suggested policies which they can ask their elected officials to enact to prevent this life-threatening chemical from further harming our families; and
- ◆ engaging the American people in a national debate, community by community, on the nature of government in our society — how people became powerless as the

## NEW YORK: CITIZENS TESTIFY ABOUT DIOXIN'S DEADLY EFFECTS

**T**he Citizen's Environmental Coalition sponsored a "Citizen's Hearing on Dioxin" on December 2<sup>nd</sup>, where 70 concerned community members gathered to speak out about dioxin and tell their stories. A panel of community leaders, including representatives from the New York Attorney General's office, the local healthcare union, and the local university served as a listening panel for the community's testimony. Community members testified about the impact Eastman Kodak, New York's largest polluter, has had on their lives, including a 96 percent increased risk of pancreatic cancer for women living near Kodak's hazardous waste incinerator and a cluster of central nervous system cancers in children in Monroe County. Testimonies from the event will be presented to the New York Attorney General's office and the EPA.

corporations became powerful — and why our government protects the right to pollute more than it protects the American people's health.

Community groups across the country have already begun holding regional and state-wide public events to build momentum for the process of adopting protective policies. (The events held so far are described in the sidebars throughout this article.) Federal, state, and local officials have been put on notice that it is time to protect the health of our communities.

These hearings are an important organizing tool. We don't want to

only invite or reach out to the converted. This is our chance to reach out to new people and new groups in our communities. We want to expand our base and mobilize folks across the country who will work to create a dioxin-free future. In addition, we want to pack the room and send a clear message to the EPA and industry that we are tired of waiting for and reacting to bad policies.

We have a unique opportunity to propose strong protective policies around dioxin. This is our opportunity to take control of the debate and create a dioxin-free future for our communities and families. We can be proactive. And we can do this if we all work together. ◆

If you would like to be involved in these public meetings, or plan one for your community, please contact the

Stop Dioxin Exposure Campaign  
at (703) 237-2249  
or [cchw@essential.org](mailto:cchw@essential.org)

You can get a copy of  
*America's Choice: Children's Health or Corporate Profit*  
from our website  
at [essential.org/cchw](http://essential.org/cchw),  
or by calling us at (703) 237-2249



SCIENCE FEATURE BY STEPHEN LESTER

# DIOXIN UPDATE: CHILDREN ARE THE MOST VULNERABLE

**P**erhaps the most important, and most disturbing, new evidence about dioxin's toxicity is the neurodevelopmental and reproductive effects observed in children. Much of this evidence comes from a large multi-study evaluation of children from the general population of the Netherlands (1,2). In these studies, children

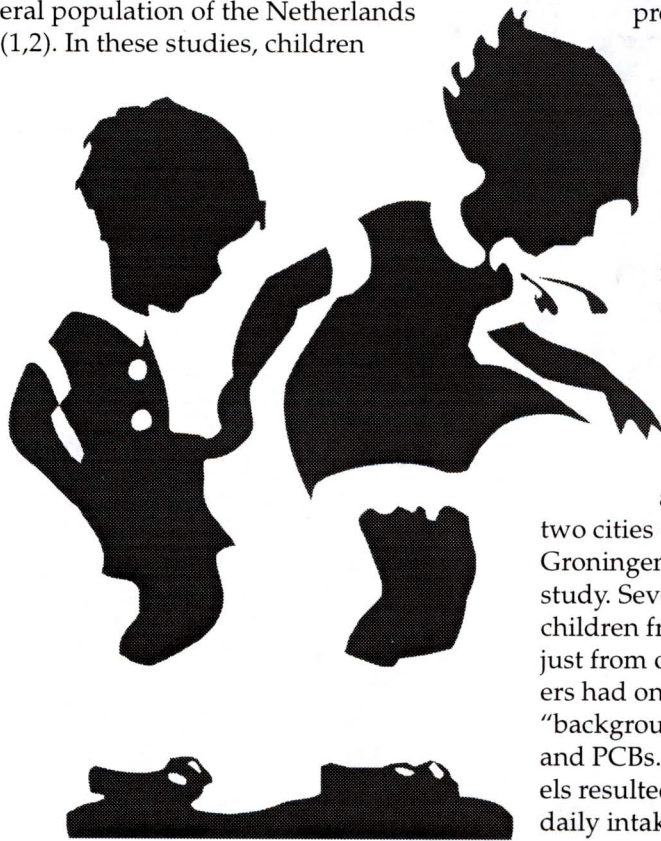
exposed to higher levels of dioxins and PCBs suffered more neurological, developmental, reproductive, and immune effects than children exposed to lower levels. Some of the effects include a four point IQ deficit (3), an increased prevalence of hyperactive behavior (4), and an increased prevalence of withdrawn and depressed behavior (5).

This study, called the "Dutch PCB/Dioxin Study," began in 1989 in response to the discovery of very high levels of dioxins and PCBs in Dutch breast milk (1). The aim of the study was to evaluate adverse effects of exposure to PCBs and dioxins on the growth and development of children (1). Mothers and their infants from

two cities (Rotterdam and Groningen) were included in the study. Several studies included children from both cities, others just from one. Participating mothers had only been exposed to "background" levels of dioxins and PCBs. These background levels resulted from the mother's daily intake of dioxin in food. The

study group consisted of 418 healthy mother-infant pairs, split equally between the two communities. Half the children were breast-fed and half were formula fed. The children were examined just after birth and at different intervals, most recently at 42 months of age. The health of these children continues to be followed today.

Dioxin and PCB exposure was measured in three ways: prenatal, postnatal, and current exposures. Prenatal exposure is a measure of what a child is exposed to before birth, while in the mother's womb. Effects associated with prenatal exposure occurred in the children who were formula-fed. Prenatal exposure to PCBs was measured in maternal blood collected during the last month of pregnancy and in umbilical cord blood immediately after birth (6). Maternal and cord blood was analyzed for four different forms of PCBs. Prenatal exposure to dioxin was measured by analyzing milk samples collected during the second week of breast-feeding. These breast-milk samples were analyzed for 17 dioxins and furans, and 24 different PCBs (6). PCBs and dioxins measured in breast milk shortly after birth are considered an "index of maternal PCB and dioxin body burden" (1). Body burden is the





accumulated level of dioxin in the mothers's body. These same breast milk samples were also used to estimate postnatal exposure, or exposure that results from breast-feeding. This exposure was estimated by multiplying the levels of dioxins and PCBs measured in breast milk by the number of weeks of breast-feeding. Current PCB exposure was measured in blood collected from the children at 42 months. Current exposure measures the level of PCBs in the children's bodies.

The researchers in each of the studies used a statistical method called "multiple regression analysis," which evaluates the relationship between dioxin and PCBs levels and adverse health effects. They used this approach because of the unusual exposure situation. In studies of health effects, there is usually an "exposed" group which is compared to an "unexposed" group. In this situation, the mothers were all exposed to the same general "background" level which may vary, but only slightly. And, there are no controls who have had no exposure, because everyone is exposed to some dioxin in their food. So the researchers looked to see if a correlation, or relationship, existed between the levels of dioxins and PCBs and a number of developmental, reproduc-

tive, and immunological effects. In these studies, this means that as the "background" levels of dioxins and PCBs increased, the measured effect was greater.

In looking for these correlations, the Dutch researchers found that most of the effects were in children who were exposed before birth to dioxins and PCBs. A few correlations were found in the children who were breast-fed. The prenatal effects included reduced birth weight and reduced growth from birth through three months of age (7); delays in psychomotor development at three months (8); neurodevelopmental delays at two weeks (9) and at 18 months (10); alterations in thyroid hormones at birth and at three months (11); and alterations in immune status from birth to 42 months (12, 13).

In the most recent evaluation of the children with prenatal effects (at 42 months), the adverse neurological effects found at birth and at 18 months could not be detected (14). However, now that the children were older, a decrease in cognitive function, as measured by a four point deficit in IQ, was measured between the children with the highest "background" levels of maternal PCBs and the lowest "background" levels (3).

Other neurodevelopmental and behavioral effects found at 42 months in the children exposed prenatally included a decrease in high play activity, an increase in non-play activity, an increase in the errors of omission in the beginning of a task (4), and an increased prevalence of being withdrawn and depressed (5).

A few effects were found in the breast-fed children including delays in psychomotor development at seven months (8); alterations in thyroid hormones at three months (11); alterations in immune status as indicated by an increased prevalence of recurrent middle ear infections and decreased prevalence of allergic reactions to food, pollen, dust and pets at 42 months (12); and an increase in mean reaction times, a decrease in sustained attention, and an increase in hyperactive behavior at 42 months (4).

Adverse effects on neurological development were also reported in a study of children in the general Japanese population (15, 16). In this study, exposure to "background" levels of dioxin and dioxin-like compounds in breast milk was associated with adverse immune effects (15) and altered thyroid function, including low levels

*continued on page 10*

## REFERENCES

1. Lanting, C.I. (1998) *Effects of Perinatal PCB and Dioxin Exposure and Early Feeding Mode on Child Development*. Thesis, Erasmus University, Rotterdam.
2. Patandin, S. (1999a) *Effects of Environmental Exposure to Polychlorinated Biphenyls and Dioxins on Growth and Development in Young Children, A prospective follow-up study of breast-fed and formula-fed infants from birth until 42 months of age*. Thesis, Erasmus University, Rotterdam.
3. Patandin, S., Lanting, C.I., Mulder, P.G.H., Boersma, E.R., Sauer, P.J.J., and Weisglas-Kuperus, N. (1999b) "Effects of environmental exposure to polychlorinated biphenyls and dioxins on cognitive abilities in Dutch children at 42 months of age." *Journal of Pediatrics* 134: 33-41.
4. Weisglas-Kuperus, N., Patandin, S., Berbers, G.A.M., Sas, T.C.J., Mulder, P.G.H., Sauer, P.J.J., and Hooijkaas, H. (1999) "Immunological effects of background exposure to polychlorinated biphenyls and dioxins in Dutch toddlers." In: *Effects of Environmental Exposure to Polychlorinated Biphenyls and Dioxins on Growth and Development in Young Children*, Patandin, S. Thesis, Erasmus University, Rotterdam, pp. 157-168, submitted for publication.
5. Weisglas-Kuperus, N., Sas, T.C.J., Koopman-Esseboom, C., Zwan, C.W., van der Ridder, M.A.J., Beishuizen, A., Hooijkaas, H., and Sauer, P.J.J. (1995) "Immunological effects of background prenatal and postnatal exposure to dioxins and polychlorinated biphenyls in Dutch infants." *Pediatric Research* 38: 404-410.
6. Koopman-Esseboom, C., Huisman, M., Weisglas-Kuperus, N., Van der Paauw, C.G., Tuinstra, L.G., Boersma, R., and Sauer, P.J. (1994) "PCB and Dioxin levels in plasma and human milk of 418 Dutch women and their infants. Predictive value of PCB congener levels in maternal plasma for fetal and infants's exposure to PCBs and Dioxins." *Chemosphere* 28: 1721-1732.
7. Patandin, S., Koopman-Esseboom, C., de Ridder, M.A.J., Weisglas-Kuperus, N., and Sauer, P.J.J. (1998) "Effects of environmental exposure to polychlorinated biphenyls and dioxins on birth size and growth in Dutch children." *Pediatric Research* 44: 538-545.

*References continue on page 10*

## DIOXIN UPDATE

*continued from page 9*

of thyroid hormones essential for normal brain development (16). Clinical studies have shown that children born with hypothyroidism (decreased levels of thyroid hormones) are at risk of mental retardation (17, 18, 19, 20). Though there is considerable uncertainty about the impact of slight decreases in thyroid hormone levels during fetal and infant development, subtle neurological effects may occur. In pre-term and low birth weight babies, low thyroid hormone in the first weeks of life is associated with higher than normal risk of neurological disorders, including the need for special education by age nine (21).

## EFFECTS ON DEVELOPING TEETH

**A**dditional evidence of dioxin's effects on development comes from a study of Finnish children who, like the Dutch and Japanese children, did not have high levels of exposure to dioxin. In this study, Finnish children exposed to "background" levels of dioxin, as measured in breast milk, showed effects on

tooth development (22, 23, 24). Exposure to dioxin was estimated by multiplying the level of dioxin in breast milk by the length of breast feeding. Breast-fed children in the study suffered from hypo-mineralization defects of permanent teeth that included soft, discolored molars. The authors found that as the concentration of dioxin in breast milk went up, the more frequent and more severe the tooth defects. This finding is consistent with the timing of tooth mineralization which occurs during the first two years of life.

Teeth defects were also observed in the victims of rice oil poisonings in Yusho, Japan and Yu-Cheng, Taiwan. In both cities, rice oil used for cooking was contaminated with PCBs and furans, and was widely distributed and consumed before the contamination was discovered. Exposed babies in both incidents had yellowish-brown tooth discolorations, teeth at birth, altered eruption of permanent teeth, and abnormally shaped tooth roots (25, 26). The mothers of almost all of the affected babies had chloracne (a skin disorder associated with high level dioxin exposure), suggesting that the dose they were exposed to was quite high. In addition, several children born near the dioxin-con-

taminated hazardous waste site at Love Canal, New York had teeth abnormalities such as double sets of teeth and teeth at birth (27).

In the Yusho and Yu-Cheng incidents, exposed children also had developmental delays, speech problems, behavioral difficulties, and impaired intellectual development (25, 28, 29). The Yusho children had low birth weights and retarded growth (29). The Yu-Cheng children also developed hearing loss and middle ear disease (30) and significantly reduced penis size (31).

In summary, there is growing body of evidence that dioxin exposure in the general population causes developmental and reproductive effects in children. The effects on the development of the nervous system are more associated with exposure in the womb, while dental effects are more strongly associated with dioxin exposure from breast milk, a finding consistent with the timing of tooth mineralization in people. These effects, including the small shifts in cognitive ability and alterations in thyroid levels, may be just the tip of the iceberg of our understanding of the impact of dioxin on the general population.

## REFERENCES (CONTINUED)

8. Koopman-Esseboom, C., Weisglas-Kuperus, N., de Ridder, M.A., Van der Paauw, C.G., Tuinstra, L. G., and Sauer, P.J. (1996) "Effects of polychlorinated biphenyl/dioxin exposure and feeding type on infants' mental and psychomotor development." *Pediatrics* 97 (5): 700-706.
9. Huisman, M., Koopman-Esseboom, C., Lanting, C. I., Van der Paauw, C.G., Tuinstra, L.G.M., Fidler, V., Weisglas-Kuperus, N., Sauer, P.J.J., Boersma, E.R., and Touwen, B.C.L. (1995) "Perinatal exposure to polychlorinated biphenyls and dioxins and its effects in neonatal neurological development." *Early Human Development* 41: 111-127.
10. Huisman, M., Koopman-Esseboom, C., Lanting, C.I., Van der Paauw, C.G., Tuinstra, L.G., Fidler, V., Weisglas-Kuperus, N., Sauer, P.J., Boersma, E.R., and Touwen, B.C. (1995a) "Neurological condition in 18-month-old children perinatally exposed to polychlorinated biphenyls and dioxins." *Early Human Development* 43: 165-176.
11. Koopman-Esseboom, C., Morse, D.C., Weisglas-Kuperus, N., Lutkeschipholt, I.J., van der Paauw, C.G., Tuinstra, L.G., Brouwer, A., and Sauer, P.J. (1994a) "Effects of dioxins and polychlorinated biphenyls on thyroid hormone status of pregnant women and their infants." *Pediatric Research* 36: 468-473.
12. Lanting, C.I., Patandin, S., Fidler, V., Weisglas-Kuperus, N., Sauer, P.J.J., Boersma, E.R., and Touwen, B.C.L. (1998a) "Neurological condition in 42-month-old children in relation to pre-and postnatal exposure to polychlorinated biphenyls and dioxins." *Early Human Development* 50 (3): 283-292.
13. Patandin, S., Veenstra, J., Mulder, P.G.H., Sewnaik, A., Sauer, P.J.J., and Weisglas-Kuperus, N. (1999c) "Attention and activity in 42-month-old Dutch children with environmental exposure to polychlorinated biphenyls and dioxins." In: *Effects of Environmental Exposure to Polychlorinated Biphenyls and Dioxins on Growth and Development in Young Children*, Patandin, S. Thesis, Erasmus University, Rotterdam, pp. 123-142, submitted for publication.
14. Patandin, S., Koot, H.M., Sauer, P.J.J., and Weisglas-Kuperus, N. (1999d) "Problem behavior in Dutch children in relation to background polychlorinated biphenyl and dioxin exposure." In: *Effects of Environmental Exposure to Polychlorinated Biphenyls and Dioxins on Growth and Development in Young Children*, Patandin, S. Thesis, Erasmus University, Rotterdam, pp. 143-156, submitted for publication.

In the Dutch, Japanese, and Finnish studies, the children or their mothers were not exposed to "high" levels of dioxin, such as those which might occur in the workplace or due to an accidental release. In each study, the children and their mothers were exposed to "background" levels of dioxin, meaning that their exposure resulted primarily from the daily intake of dioxin in common foods. This is important because it indicates that the daily intake of dioxin in food by the general population may be having a significant impact on our children's health.

All of the researchers in these studies refer to the dioxin exposures involved as "background" levels.

This can be misleading because to many people, "background" implies an existing level of contamination about which nothing can be done. This is clearly not the case with dioxin. The "background" level of dioxin in our environment is not natural, it is the result of years of dioxin production by industry. We know the sources of dioxin that contaminate our food and we know how we can stop dioxin production. Americans have a choice. We can protect public health by eliminating dioxin creation, or we can continue to allow dioxin to be created just to avoid burdening industry with the short term costs of elimination. ♦

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## REFERENCES (CONTINUED)

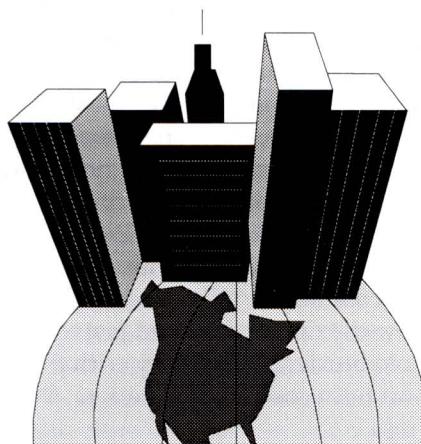
15. Nagayama, J., Tsuji, H., Iida, T., Hirakawa, H., Matsueda, T., Okamura, K., Hasegawa, M., Sato, K., Ma, H.Y., Yanagawa, T., Igarashi, H., Fukushima, J., and Watanabe, T. (1998a) "Postnatal exposure to chlorinated dioxins and related chemicals on lymphocyte subsets in Japanese breast-fed infants." *Chemosphere* 37: 1781-7.
16. Nagayama, J., Okamura, K., Iida, T., Hirakawa, H., Matsueda, T., Tsuji, H., Hasegawa, M., Sato, K., Ma, H.Y., Yanagawa, T., Igarashi, H., Fukushima, J., and Watanabe, T. (1998) "Postnatal exposure to chlorinated dioxins and related chemicals on thyroid hormone status in Japanese breast-fed infants." *Chemosphere* 37: 1789-93.
17. Refetoff, S., Weiss, R.E., and Usala, S.J. (1993) "The syndromes of resistance to thyroid hormone." *Endocrinology Reviews* 14: 348-399.
18. Rovet, J.F., Ehrlich, R.M., and Donner, E. (1993) "Long-term neurodevelopmental correlates of treatment adequacy in screened hypothyroid children." *Pediatric Research* 33: 91.
19. Brucker-Davis, F., Skarulis, M., Grace, M., Hauser, P., Wiggs, E., and Weintraub, B.D. (1995) "Genetic and clinical features of 42 kindreds with resistance to thyroid hormone: The NIH prospective study." *Annals of Internal Medicine* 123: 572-583.
20. Hauser, P., McMillin, J.M., and Bhatara, V.S. (1998) "Resistance to thyroid hormone: Implications for neurodevelopmental research on the effects of thyroid hormone disruptors." *Toxicology and Industrial Health* 14 (1/2): 85-101, January-April.
21. Den Ouden, A.L., Kok, J.H., Verkerk, P.H., Brand, R., and Verloove-Vanhorick, S.P. (1996) "The relation between neonatal thyroxine levels and neurodevelopmental outcome at ages 5 and 9 years in a national cohort of very preterm and/or very low birth weight infants." *Pediatric Research* 39 (1): 142-145.
22. Alaluusua, S., Lukinmaa, P-L., Torppa, J., Tuomisto, J., and Vartiainen, T. (1999) "Developing teeth as a biomarker of dioxin exposure." *The Lancet* 353: 206-207, Research Letters, January 16.
23. Alaluusua, S., Lukinmaa, P-L., Vartiainen, T., Partanen, M., Torppa, J., and Tuomisto, J. (1996) "Polychlorinated dibenzo-p-dioxins and dibenzofurans via mother's milk may cause developmental defects in the child's teeth." *Journal of Environmental Toxicology and Pharmacology* 1: 193-197.
24. Alaluusua, S., Lukinmaa, P-L., Koskimies, M., Pirinen, S., Holttä, P., Kallio, M., Holttinen, T., and Salmenperä, J. (1996a) "Developmental dentin defects associated with long term feeding." *European Journal of Oral Science* 104: 493-497.
25. Rogan, W.J., Gladen, B.C., Hung, K-L., Koong, S-L., Shih, L-Y., Taylor, J.S., Wu, Y-C., Yang, D., Ragan, B., and Hsu, C-C. (1992) "Congenital poisoning by polychlorinated biphenyls and their contaminants in Taiwan." *Science* 241: 334-336, July, 15.
26. Kuratsune, M. (1989) "Yusho, with reference to Yu-Cheng." In: *Halogenated Biphenyls, Terphenyls, Naphthalenes, Dibenzodioxins and Related Products*. Kimbrough, R.D. and Jensen, A.A. (eds.) 2nd ed. New York: Elsevier Science Publishers, pp.381-400.
27. DOH (1981) *Love Canal, A Special Report to the Governor and Legislature*. New York State Department of Health, September.
28. Hsu, C-C., Yu, M-L.M., Chen, Y-C.J., Guo, Y-L.L., and Rogan, W.J. (1994) "The Yu-cheng Rice Oil Poisoning Incident." In: *Dioxins and Health*, Schecter, A. (Ed.). New York: Plenum Press, pp. 661-684.
29. Masuda, Y. (1994) "The Yusho Rice Oil Poisoning Incident." In: *Dioxins and Health*, Schecter, A., (ed.) New York: Plenum Press, pp. 633-684.
30. Chao, W-Y., Hsu, C-C., and Guo, Y.L. (1997) "Middle-ear disease in children exposed prenatally to polychlorinated biphenyls and polychlorinated dibenzofurans." *Archives of Environmental Health* 52: 257-262.
31. Guo, Y.L., Lai, T.J., Ju, S.H., Chen, Y.C., and Hsu, C.C. (1993) "Sexual developments and biological findings in Yu-cheng children." *Organohalogen Compounds* 14: 235-237.

# CORPORATE CORNER

◆ Victims of the world's worst industrial accident, the 1984 **Union Carbide** plant explosion in Bhopal, India, have filed a class action lawsuit in federal court against Union Carbide and the company's former chief executive Warren Anderson. The suit claims that Union Carbide "demonstrated a reckless and depraved indifference to human life in the design, operation and maintenance of the Union Carbide of India Lt. (UCIL) facility..." and that the company violated international law and the fundamental human rights of accident victims. The accident killed more than 6,000 people and left tens of thousands injured. A lawsuit by the Indian government resulted in a 1989 settlement of \$470 million. But since 1991, Union Carbide has failed to appear for a criminal trial in India, disregarding summons served by the U.S. Department of Justice and INTERPOL. This summer, Union Carbide announced it would merge with Dow Chemical, creating the second largest chemical company in the world.

◆ Mercury emissions and reporting violations at the Lake County, Florida incinerator led this fall to a \$230,000 fine for incinerator operator **Ogden Martin**. The fine, issued by the Florida Department of Environmental Protection, is said to be one of the largest ever issued by the state for violating air standards. The Lake County government and Ogden Martin are fighting about the financing of the incinerator's debt, and the company's claims that it was allowed to burn mercury thermometers. But what is striking about this case is that according to the local newspaper, *The Lake Sentinel*, the \$230,000 fine (one of the largest ever issued in the state) is equivalent to Ogden Martin's net profit for just one day last year.

◆ This fall, **Koch Petroleum** agreed to pay a \$6 million fine and \$2 million



for remediation of contamination from the release of 200,000 to 600,000 gallons of aviation fuel from the company's Rosemount, Minnesota refinery. In its case against the company, federal officials claimed that the company knew for five years that there were holes in the floor of the refinery which allowed the fuel to leak out and eventually reach the Mississippi River. The company was also accused of discharging more than one million gallons of wastewater containing high levels of ammonia onto open ground through fire hydrants.

◆ **General Electric** continues to be at the center of controversy at two of the many sites it has polluted. In October, GE agreed to pay \$250 million to clean up PCB contamination on a stretch of the Housatonic River near its plant in Pittsfield, Massachusetts. The company agreed to remove PCB contaminated sediment from a half-mile stretch of the river, the riverbank, and property in the floodplain. In New York, GE is the target of a lawsuit by New York Attorney General Elliot Spitzer. The suit claims that the company's PCB contamination has interfered with the navigability of a waterway, because the Champlain Canal, which runs beside the Hudson River, is contaminated with PCBs and therefore cannot be dredged to keep it open for ships. Spitzer has stated that he hopes the case will establish a clear link between GE and its responsibility to pay for the harm caused by its PCB contamination, and open the doors for other affected parties to file similar suits against the company.

◆ **Waste Management** continued to make the news this fall, mostly due to negative financial developments. The

## ENVIRONMENTAL PROSECUTIONS DECLINE DURING CLINTON ADMINISTRATION

**A** report by the Public Employees for Environmental Responsibility (PEER) concludes that the Justice Department under the Clinton Administration has pursued fewer prosecutions for environmental violations and declined to prosecute more cases recommended by other agencies than during a similar period of time during the Bush administration. PEER also points to the Justice Department's current efforts to prevent the application of whistleblower protections to its prosecutors as an indication of the Department's lack of commitment to environmental enforcement. These measures would protect prosecutors from retaliation for pursuing prosecutions or speaking out about lack of enforcement, something which one assistant U.S. Attorney is currently alleging in a lawsuit against the Justice Department.

company appointed its sixth CEO in the last three and a half years, Maurice Myers. It also announced it would sell the \$40 million jet which was purchased last year when the merger with USA Waste supposedly ended the company's financial problems. And when releasing its third quarter results, the company took a nearly \$1 billion charge to cover expenses associated with continuing accounting problems. A backlog of debt and inflated value of landfills were cited as part of the accounting

problems which have plagued the company for years and led to another lawsuit by shareholders, this one by nine public pension funds.

◆ **Ford Motor Company** announced in early December that it was pulling out of the Global Climate Coalition, a group of more than 40 corporations which argues that there isn't strong scientific evidence of global warming. The coalition has spent millions of dollars on advertising and lobbying efforts to discredit the idea of global

warming, which has been supported in statements by thousands of scientists. Ford was under pressure from many student and environmental activists to pull out of the coalition and start addressing the contribution its products make to greenhouse gas emissions. As Kevin Sweeney of Ozone Action explains, "Ford is tacitly admitting that it is folly to continue clouding the debate and that discussions instead should focus on policies and products that can stop or slow the warming trend." ◆

## SAMPLE DIOXIN POLICY RECOMMENDATIONS

The recommendations listed here are examples of some of the policy recommendations found in *America's Choice: Children's Health or Corporate Profit*. The report is discussed in the article on page 4 and can be found on our website at [www.essential.org/cchw](http://www.essential.org/cchw).

The progress made so far in stopping dioxin exposure has not been the result of government policy. It has come from activism in communities across the country, where incinerators have been shut down, paper mills have agreed to clean up their processes, and local governments have passed resolutions and agreed to buy chlorine free products. These recommendations are not meant to discourage this kind of grassroots activism. They are meant to gather the lessons from these efforts and combine them into a blueprint for government and industry action to stop dioxin exposure. Continued local activism is what will convince all levels of government to follow this blueprint and dioxin-producing industries to change their ways. These recommendations can serve as a map for government as it catches up with the people it is supposed to lead.

### Municipal Solid Waste Incinerators

- ◆ Eliminate Municipal Solid Waste Incineration
- ◆ Close Loopholes on Non-Incinerator Combustion
- ◆ Categorize Incinerator Ash as Hazardous Waste
- ◆ Implement Responsible, Long-Term, Non-Incineration Solutions for Municipal Waste Disposal

### Medical Waste Incinerators

- ◆ Eliminate Medical Waste Incineration
- ◆ In the Interim, Strengthen Performance Standards for Incinerators
- ◆ Phase-Out the Use of PVC In Medical Products
- ◆ Develop Alternative Technologies for Medical Waste Treatment
- ◆ Require Waste Reduction/Segregation Policies for Health Care Facilities

### Hazardous Waste Incinerators

- ◆ Eliminate Hazardous Waste Incineration
- ◆ In the Interim, Strengthen Policies To Protect Impacted Communities

- ◆ Reduce the Creation of Hazardous Waste
- ◆ Identify Alternatives to Hazardous Waste Incineration.

### Cement and Aggregate Kilns

- ◆ Eliminate the Use of Hazardous Waste or Other Wastes as Fuel
- ◆ Prohibit Land Application or Secondary Use of Cement Kiln Dust
- ◆ During the Phase-Out of Hazardous Waste Fuels, Strengthen Policies to Protect Workers and Communities

### Pulp and Paper

- ◆ Adopt Totally Chlorine-Free (TCF) Processes and Technologies
- ◆ In the Interim, Develop Strong Protective Policies and Eliminate Loopholes
- ◆ Ensure Worker Health & Safety
- ◆ Require Product Testing

### Polyvinyl Chloride Plastic

- ◆ Phase-Out PVC
- ◆ Ensure a Just Transition For Workers and Address Environmental Justice Concerns

### Pesticides

- ◆ Eliminate Dioxin-Contaminated Pesticides
- ◆ Develop More Protective Pesticide Policies.

### Petroleum Manufacturing

- ◆ Eliminate Chlorine from the Process
- ◆ Ensure a Just Transition and Worker Health & Safety
- ◆ Ensure a Transparent, Equitable and Verifiable Process

### Clean Up of Contaminated Sites

- ◆ Require Selection of Community-Accepted Cleanup Technologies
- ◆ Develop Non-Incineration Destruction Technologies which are Effective, Feasible, and Portable

Background information and a more complete set of recommendations for each source are included in *America's Choice*, which can be found at [www.essential.org/cchw](http://www.essential.org/cchw) or by calling (703) 237-2249.

## ORGANIZING TOOLBOX BY LARRY YATES

# ACTIVIST MOTHERING: FIGHTING FOR THE NEXT GENERATION

**W**hen a call comes in to CHEJ from a community facing an environmental threat, more often than not the call comes from a mother seeking to protect her children and the children in her community. This doesn't surprise us, since CHEJ was founded by a mother who fought for her children and her neighbors' children against an environmental threat. We have always known that as environmental activists, we are fighting for future generations, which in most societies has been the job of mothers.

But in the last few years, we have started to learn how seriously our fights will affect future generations. Many of the toxic chemicals we are fighting, including dioxin and PCBs, directly compromise and assault reproductive and developmental processes. These chemicals make it

more difficult for a next generation even to be born, let alone to grow up with good mental and physical health and the potential to produce healthy future generations. As these dangerous substances spread throughout the global environment, they threaten the

hopes and ambitions of mothers and of all parents and grandparents in every culture. The precautionary principle, whose basics are familiar to every child who has been told to "look before you leap," needs to be applied to all chemicals that put future generations at risk.

Those mothers leading grassroots anti-toxics fights have exactly the skills and the values that our communities — and our planet — need. In an exciting new report, *Women Creating Social Capital and Social Change*, by Marilyn Gittell, Isolda Ortega-Bustamante, and Tracy Steffy, much of what we have learned about women as grassroots environmental leaders is shown to be just as true in grassroots community development organizations. The report focuses on "activist mothering," which includes "social activism, meeting the needs of children, and caring for the community" and is not limited to those who are biological mothers.



Activist mothering is clearly a resource that our communities are badly in need of, and an approach that all of us can learn from — including those of us who happen to be men.

*Women Creating Social Capital and Social Change* in many ways reinforces the themes of CHEJ's publication, *Empowering Ourselves: Women and Toxics Organizing*, which came out of CHEJ's Women in Toxics Organizing Conference, held in 1987. Together, they give us a picture of the kind of activism that is badly needed in a world where far too many decisions are based on the bottom line, with no concern for children and other vulnerable creatures. And they remind us of the strengths that women's leadership brings to the grassroots environmental justice movement:

◆ **At a time when public relations and mass media campaigns manipulate what we see and feel, activist mothering is rooted in personal experience and commitment.** As Angela Days, an activist from Fairhaven, Massachusetts, puts it, "I have been asked what made me get involved in the environmental movement. Fear did. Fear that my son Joey (diagnosed with leukemia) would relapse and fear that my 8-year old son Chris would get sick if they incinerate... The fear that more children would get sick made me get involved in trying to stop this from happening to our community."

◆ **At a time when corporations' power to punish those getting in their way is increasing, activist mothering accepts the high personal cost of fighting for justice.** At the 1987 conference, Lois Gibbs told the other women leaders and organizers present that "most of us have arrived at this point at an incredibly awful personal price," and added "a price so high it would make most men go off screaming into the night!"

◆ **At a time when power is increasingly concentrated in a few hands, activist mothering builds power in other people.** The study of community development leaders found that

"women who have become leaders through community involvement tend to...[view] uninvolved community residents as potential leaders, just as they themselves were once uninvolved." As one of the community development leaders told the study's authors, "I am proudest of putting people in places where they can speak for themselves."

◆ **At a time when we are being told to let government and corporate approved experts think for us, activist mothering puts life experience above professional credentials.**

Luella Kenney told the 1987 conference that doctors "are not gods ... don't take what they say. You have to go out and search for what you know is true." Cora Tucker pointed out that women have "seen the effects on our children ... [and] know more about our communities than anybody else. None of your politicians know more than you do..." Ms. Tucker then went on to embrace the label of "hysterical housewife," while recognizing that it is "a tactic men use to keep us in our place." However, Ms. Tucker said, "when it comes to matters of life and death, especially mine, I get hysterical."

"Hysterical" is a word that's been used since ancient Greece to discredit women's emotions. But the reality of multi-billion dollar corporate enterprises risking the intimate mutilation of children on a mass scale is enough

to make anyone emotional. It's harder to understand those who are unemotional as they make decisions to foul their own environment for profit, or those officials who unemotionally permit those decisions to stand.

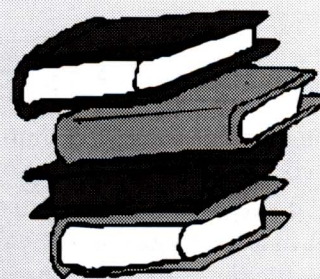
The producers of toxic chemicals are certainly aware of the power of activist mothering. Public relations consultant Jack Mongoven (founder of the PR firm, Mongoven, Biscoe, and Duchin) has written that environmental activists "use...the issue of fertility as a vehicle to play on the emotions of the public and its concern for future generations," and use "children and their need for protection to compel stricter regulation of toxic substances." Of course, the claim that grassroots activists are "using" children and reproductive health is outrageous and offensive. But corporate strategists like Mongoven correctly see public action to protect children and reproductive health as a danger to the profits of their corporate clients. Waste industry magnates are also very aware that mothers across the nation have been shutting down their incinerators and keeping public pressure focused on their landfills. For good reason, the elites of the chemical, waste, and other polluting industries are not half as afraid of scientific studies, lawsuits or government regulators as they are of the power of grassroots activist mothering. ◆

## RESOURCES:

◆ *Women Creating Social Capital and Social Change* by Marilyn Gittell, Isolda Ortega-Bustamante, and Tracy Steffy was published in 1999 by Howard Samuels State Management and Policy Center, City University of New York, (212) 817-2055, <http://web.gc.cuny.edu/howardsamuels> and the McAuley Institute, (301) 588-8110, <http://www.mcauley.org>

◆ *Empowering Ourselves: Women and Toxics Organizing*, edited by Robbin Lee Zeff, Marsha Love, and Karen Stults is available for \$10.00 from CHEJ.

◆ *Women Activists: Challenging The Abuse of Power* by Anne Witte Garland (The Feminist Press)



# WITH SPECIAL THANKS

**T**he Center for Health, Environment and Justice remains an advocate, educator, organizer and leader in the movement for health and environmental justice through the generous support of our members, Partners, Guardians and key foundations and institutions. CHEJ would like to acknowledge the following individuals and institutions who made critically important donations to support our work between September 15 and December 8, 1999. Our members number in the hundreds, and are therefore too many to name. However, each gift, no matter what the size, is very much appreciated.

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The Love Canal story is far from over. In this updated edition, Lois Gibbs continues the saga beyond the 1981 relocation to include the "containment" of the contamination, the habitability studies that led to the resettlement of abandoned houses, the success of New York State's lawsuit against the company responsible, and her founding of the Citizens Clearinghouse for Hazardous Waste, now the Center for Health, Environment and Justice. Lois has inspired thousands with the retelling of her story and has helped to build a national network of environmental justice advocates. Her story is a testament to the power of one person to change the course of environmental policy across the country. Available in bookstores everywhere.



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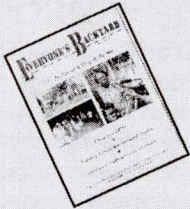
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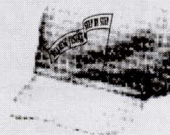
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# ACTION LINE

## CALIFORNIA

◆ In October, the **Toxic Links Coalition** sponsored its 6<sup>th</sup> Annual Cancer Industry Tour of San Francisco as a counter to the corporate sponsored "Breast Cancer Awareness Month." After a rally in front of Chevron's corporate offices, a march led by cancer survivors and people living in contaminated communities went to the offices of polluters and the public relations firms which profit from pollution that causes cancer. The marchers' message was that we can turn back the cancer epidemic by stopping the emissions of cancer-causing toxic and radioactive pollution of the environment.

◆ For the third time in just over a year, Tosco Corporation has filed a lawsuit against **Communities for a Better Environment (CBE)**. Their suit asks a federal court to block CBE and **San Francisco Baykeeper** from filing a Clean Water Act citizen enforcement suit over Tosco's continued violation of dioxin limits at their refinery near Martinez. Tosco has already filed two SLAPP suits against CBE in an attempt to silence the group. But as CBE's Denny Larson puts it, "Tosco should not be wasting the court system's time with another frivolous lawsuit; instead they should just buckle down and clean up their pollution."

◆ Two years of effort by San Diego's **Environmental Health Coalition** and residents of Logan Heights paid off when the state Air Resources Board started an air toxics monitoring program in the community. The

monitoring program was one of the People's Clean Air Action Agenda's six challenges for local and state officials. The monitoring program was opposed by local officials when it

natives to the incineration of these weapons. This is a significant victory for those working on alternatives to incineration of all types of hazardous waste.

◆ **Survivors on Sunset**, a group made up of neighbors of the Hartford landfill, are working to stop the expansion of the landfill. The landfill operators want to expand the landfill's



Bay Area activists on the 1999 "Cancer Industry" Tour. Photo by Greenaction/Florence Heung.

was first proposed, but residents were persistent and made it happen.

## COLORADO

◆ The **Rocky Mountain Chapter of the Sierra Club** and the **Chemical Weapons Working Group** won a huge victory this fall when the Colorado Chemical Demilitarization Citizens' Advisory Commission, by a vote of four to three, agreed to recommend to the Army and Congress that the chemical weapons stored at the Army's Pueblo Chemical Depot be destroyed using non-incineration technology. Activists have spent the last decade advocating safer alter-

## CONNECTICUT

◆ The **Connecticut Coalition for Environmental Justice** is organizing in Hartford to stop a proposed facility to "treat" medical waste so it can be burned in the Hartford trash incinerator. Threats of a SLAPP suit haven't been enough to stop the group's efforts to make this proposal a very public issue, and to get changes in the city zoning laws which would ban all off-site medical waste facilities. Hartford is already home to a sewage sludge incinerator and composting facility (which recently caught fire), two landfills, and the state's largest trash incinerator.

height by 30 feet, but neighbors are fed up with the noise, odors, and dust, and don't want an expansion to extend the landfill's life any further.

◆ Activism by residents of East Lyme led to the adoption of new planning regulations which will require disclosure of any history of pesticide use and a report about potential health impacts for property being considered for redevelopment. The residents were concerned that even as more former orchards are being developed for housing, potential health effects from pesticide-contaminated soil were being ignored. They see the new regulations as a positive step towards better land planning.

# ACTION LINE

## FLORIDA

◆ **Pinellas-Pasco Technical Assistance Grant (PI-PA-TAG)** has spent years fighting for an adequate cleanup of the Stauffer Chemical Superfund Site in Tarpon Springs, which is contaminated with radioactivity and more than 30 chemicals. They weren't happy with EPA's announcement this summer that "cleanup" at the site would consist of piling contaminated soil up and capping it. Then PI-PA-TAG learned that this technique has been used with radioactive soil at only one other Superfund site (in Colorado), in contrast to EPA's claims that it is a tried and true remedy. And after an investigation of the Colorado site by EPA's National Ombudsman, the cap was declared inadequate and EPA said it would remove the contaminated soil. PI-PA-TAG recently got some help in its efforts to prevent capping at Stauffer Chemical, when the EPA's National Ombudsman agreed to do an investigation of the site.

◆ The future of solid waste disposal in Marion County has become a heated political fight. The Marion County Commission assured the public that it had commissioned an indepen-



Florida activists honored John Austin, founder of Citizens Reaction Against Pollution (CRAP) and longtime environmental watchdog, with the first annual "Crappier John" Award. Photo by Monica Rohde.

dent study of disposal options, when in fact, the commission seems to be leaning towards building a landfill on poorly suited land, based on an old study. The issue got more complicated when the Marion County Audubon Society announced its support of incineration as a "preferable" option. Concerned residents are now working to steer the process away from both the new landfill

and incineration and focus the discussion on waste reduction and recycling.

## ILLINOIS

◆ **Citizens for the Protection of Butler Township (CPBT)**, with help from **Student Physicians for Social Responsibility** and the **Sustainable Hospital Project**, have dealt a serious blow to a medical

waste incinerator proposal in Rankin. A filing error by the incinerator developer was met with a vote by the county board to reject the incinerator's permit application. This sends a strong signal that the project is not welcome in this rural community. Just months ago, many in the community supported the project, but after education and organizing efforts by CPBT, public pressure led to the county board's vote to reject the permit.

## ENVIRONMENTAL HEALTH MONTHLY

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## INDIANA

◆ Last year, **Illiana Residents Against Toxic-Carcinogenic Emissions (IRATE)**, a group of parents of children with cancer, won a commitment from the Agency for Toxic Substances and Disease Registry to do a report on child cancers in their

# ACTION LINE



community. Now the group is working hard to make sure that the study is complete and inclusive. The group has also focused its attention on beefing up the state's cancer registry and holding Keil Chemical Corporation "accountable for its EDC and Vinyl Chloride emissions and the effects on the surrounding population."

## KANSAS

◆ **Greenwood County Landfill Watch** was successful in early December, when county residents voted two-to-one to recall County Commissioner Stanley Kurtz. The key issue behind the vote was Kurtz' violation of a state open meeting law when he met with BFI officials who want to build a regional landfill in the county. The group has now gotten two of their three county commissioners recalled over the landfill proposal, and is working to write a solid waste plan for the county which does not include a regional landfill.

## LOUISIANA

◆ **Concerned Citizens of Agriculture Street Landfill** in New Orleans want to thank all those who have helped their "Pennies for Poisoned People" campaign so far. This fall, the group decided they are no longer willing to sit back and wait for the city to find the money to relocate them from

their contaminated homes, which were built on top of an old city dump. The "Pennies for Poisoned People" campaign asks everyone in the country to send pennies for the group to give to the Mayor of New Orleans. Residents are collecting the pennies because if the Mayor does not contribute funds toward the relocation costs, then neither will the EPA or the Department of Housing and Urban Development. The group hopes that when people from all over the country begin to send in pennies, the Mayor will be embarrassed into finding funds for relocation. If you would like to help, please send your pennies to Peggy Grandpre, 59 Gordon Plaza Drive, New Orleans, LA 70126.

## MARYLAND

◆ The **Fairfield/Wagner's Point Neighborhood Coalition's** fight for relocation wrapped up this summer, as residents of the neighborhood started to move out of the South Baltimore community. On a peninsula, Fairfield and Wagner's Point are surrounded by more than 50 chemical and petroleum facilities and have only one road leading to the communities, leaving residents trapped in case of an accident. The Coalition started to fight for relocation when the area was designated as an Empowerment Zone, which will bring even more industry to the area.

## No More Bhopals!

**T**he Environmental Health Fund, Earth Rights International and health, environment and human rights organizations in fifteen countries released a report on the fifteenth anniversary of the Bhopal disaster, charging the chemical industry with numerous human rights atrocities. On December 3, 1984, poisonous gases escaped from a Union Carbide pesticide factory into Bhopal, India, killing more than 6,000 and wounding more than 500,000, according to local estimates.

"Beyond the Chemical Century: Restoring Human Rights and Preserving the Fabric of Life," explains how the largest chemical corporations have not only degraded the world's ecosystems, but also violated basic human rights as recognized by the Universal Declaration on Human Rights: the right to life, health, and a livable environment.

The chemical industry, through cost-cutting, concealment and delay, has damaged millions of lives in the 20th Century. The companies profiled include Union Carbide (Bhopal disaster), Dow Chemical (dioxin, endocrine disruptors), DuPont (CFCs), Monsanto (PCBs, genetic engineering), and IG Farben (slave labor and chemical experimentation during World War Two.)

Full text of the report can be accessed at <http://home.earthlink.net/~gnproject/chemcentury.htm> or the report can be ordered from the Environmental Health Fund at (617) 524-6018.

## MICHIGAN

◆ **Romulus Environmentalists Care About People** (RECAP), the **Ecology Center**, **Sierra Club**, **Michigan Environmental Council**, and dozens of local elected officials joined more than 600 people to

pack a public hearing in Romulus and urge state officials to reject a proposed hazardous waste disposal facility. They presented the state with a long list of reasons to reject the facility, including the cata-

*continued on page 22*

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# CHEJ'S STOP DIOXIN EXPOSURE CAMPAIGN

## DIOXIN INCLUDED IN TOXIC RELEASE INVENTORY

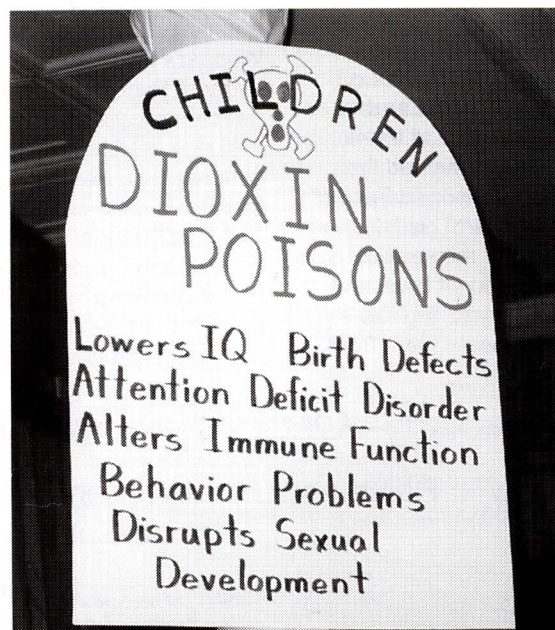
**I**n November, President Clinton announced that as part of the Toxic Release Inventory (TRI), companies will now have to report their releases of dioxin if they exceed a tenth of a gram. The reporting levels were also lowered for seventeen other "persistent bioaccumulative toxics." Existing TRI requirements set reporting levels in the tens of thousands of pounds, a level which is not relevant to dioxin and other persistent chemicals that accumulate in the environment and our bodies and are dangerous at extremely low levels. This change does acknowledge that dioxin is a problem at levels much lower than current reporting requirements. But as Greg Karras, of Communities for a Better Environment (the group which petitioned EPA to include dioxin in the TRI) points out, "the new TRI rule may not achieve its goal to provide more information on industrial dioxin pollution for better health protection because of exemptions and enforcement problems."

## BAY AREA ACTIVISTS GET EPA SUPPORT FOR ZERO DIOXIN DISCHARGE

**I**n November, the head of EPA Region Nine's Division of Water released a letter objecting to a permit from the state of California which would allow the Tosco Corporation's oil refinery in Martinez to continue to discharge dioxin into the San Francisco Bay. The letter said that the only permit acceptable to the EPA office was one that included a mandate for zero dioxin discharge to the Bay, because existing dioxin contamination in the Bay does not allow for any safe level of continued discharge. This action could result in the nation's first water permit mandating zero dioxin. The agency's action came after years of community organizing efforts to draw attention to the issue of dioxin in the Bay Area, including getting resolutions supporting dioxin elimination passed by local city governments.

## EUROPEAN STUDY CALLS FOR ACTION ON DIOXIN IN FOOD

**A** new study of dioxin in Europe included a recommendation for setting limits on the amount of dioxin allowed in food. The study, sponsored by the European Union and Britain's Department of the Environment, found that even though dioxin levels in the environment are falling, the daily intake of dioxin in food by some parts of the population are still above recommended levels. The report stated that "data assembled in the course of this study suggests that the exposure of newborn infants up to two months of age could be between 27 and 144 times greater than the World Health Organization recommended daily intake" and that people eating fatty fish, dairy, and meat products were most at risk of having higher dioxin levels. The report went on to recommend the establishment of limits for dioxin in food. Another recommendation called for public notification about dioxin levels in particular foods, and if necessary, consumption guidelines for these foods. The report, "Compilation of European Union Dioxin Exposure and Health Data" is available at [www.europa.eu.int/comm/environment/dioxin/](http://www.europa.eu.int/comm/environment/dioxin/).





# CHEJ'S STOP DIOXIN EXPOSURE CAMPAIGN

*on the Move*

## WHERE IS EPA'S DIOXIN REASSESSMENT?

**W**hile the grassroots network has been organizing, the EPA has been procrastinating. Another year has come and gone and once again EPA has neglected to meet any of their self-imposed deadlines for the release of the final version of the Dioxin Reassessment. The latest word is that they will release a draft of the Risk Characterization and Toxic Equivalency Factor chapters in early January, followed by a public comment period and an external peer review. They hope to send those two chapters along with the Dose Response Chapter to the Science Advisory Board in May for final review. Sounds a lot like all the promises we've heard during the four years which have passed since the final version was supposed to be released, doesn't it? Sample letters to EPA Administrator Carol Browner and

Vice President Al Gore, calling for the release of the reassessment can be found on CHEJ's website at [www.essential.org/cchw](http://www.essential.org/cchw) under the Stop Dioxin Exposure Campaign.



### *I Want to Participate in the Dioxin Public Hearings*

(Read about the dioxin campaign and the public hearings on pages 4-6.)

- I will help coordinate a Public Hearing in my Region/State.
- I will attend the Hearing in my Region/State.
- I will help turn out people to the Hearing and help identify others who might be interested.
- I will help with publicity for the Hearing.
- I will announce the Hearing in our organization's publication. (CHEJ will provide you with graphics and text.)

# Yes!

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# ACTION LINE

## ACTION LINE

*continued from page 19*

strophic accidents and leaks which have occurred at these kinds of facilities elsewhere. This point was driven home by the testimony of Phyllis Glazer, an activist with Mothers Organized to Stop Environmental Sins in Winona, Texas, who fought for years to shut down a deep well injection facility.

## MISSISSIPPI

◆ In a referendum, residents of Hancock County, Mississippi, voted four-to-one against a proposal for a privately-owned landfill. The vote came after a hard-fought organizing campaign, including an attempt by the landfill proponents to block the referendum. Earlier this year, connections between Senate Majority Leader Trent Lott and the landfill developer stirred up controversy about the proposal. The fight against the landfill began in one corner of the county among landowners who owned land around the site, but long months of hard work put the issue on the whole county's agenda.

## MONTANA

◆ **Women's Voices for the Earth (WVE)** and the **Montana Environmental Information Center (MEIC)** won a precedent setting lawsuit this fall. The Montana Supreme Court ruled in favor of WVE and MEIC, effectively putting limits on the government's power to allow pollution of the environment when it said that the state must have a compelling reason to permit activities that would

## HURRICANE FLOYD'S LEGACY

**H**urricane Floyd, the storm which devastated so much of the East Coast and especially North Carolina, also left behind harsh environmental impacts. Industrial and agricultural chemicals, gasoline, hog carcasses, and massive amounts of hog manure from factory farm waste lagoons were spread by floodwaters throughout eastern North Carolina. Officials estimated that 100,000 pigs were rotting in floodwaters after Floyd, and more than 100 million gallons of hog manure were released from waste lagoons — one farm alone reported releasing 2.1 million gallons. Floyd will not be the last powerful storm to dramatically overcome inadequate pollution "control" systems. The lesson of Hurricane Floyd should be to reinforce the need to reduce and eliminate the toxics in our communities.



*A drum floating in New Jersey's Rahway River is a reminder of Hurricane Floyd's impact on the environment. Photo by Vincent Lehotsky and Elizabeth WaterWatch.*

degrade environmental quality. The groups filed their suit in 1995, alleging that the state Department of Environmental Quality illegally amended a mineral exploration license to allow the discharge of groundwater containing high levels of arsenic and zinc into aquifers without proper review.

## NEW JERSEY

◆ This October, the Ironbound Community Corporation celebrated its 30<sup>th</sup> anniversary. Throughout its 30 years, the group, including the **Ironbound Committee Against Toxic Waste**, has worked to create community-based solutions for

the people of the Ironbound section of Newark.

## NEW YORK

◆ **Citizens for the Hudson Valley** defeated Americlean's proposal for a plant in Hudson which would recycle perc (tetrachloroethylene) from dry cleaning operations. One helpful tactic was publicizing Americlean's record of violations at their facility in Calgary, Alberta. After their victory, they passed on the information they had gathered to help the Greater Eastside Community Association in Flint, Michigan, who are also fighting a proposed Americlean facility.

◆ Residents of the Hickory Woods community in South Buffalo are organizing to demand a city buyout of their homes. More than 150 homes were built, some by the city redevelopment authority, between two state cleanup sites. The contamination of the area, caused by an old coke plant, a steel mill, and years of dumping, was not disclosed to homebuyers. So far, 18 of the houses have been found to be sitting on highly contaminated land, and more than 40 families have expressed interest in a buyout.

◆ After widespread spraying of malathion to control mosqui-

# ACTION LINE



toes in New York City brought increased attention to the issue of pesticides, lawmakers in Long Island's Suffolk County approved a ban on pesticide spraying on county property. The measure passed unanimously, and was hailed by local activists as a strong step to protect fragile water supplies and public health.

**tal Defense League** is targeting Solite by training its neighbors to do their own air testing, by forming a "Bucket Brigade" of homemade air monitors.

◆ A small community in Guilford County got organized and stopped the Wiley Davis Landfill, after suffering through years of odors and contaminated well water. The dump

CP&L's proposal to expand the high level radioactive waste stockpile at Wake County's Harris Nuclear Plant. At the heart of the "We Won't Buy It!" campaign is a petition drive calling on people to commit to choose another electricity provider when electricity deregulation allows consumer choice sometime next year. CP&L's plan would make the Harris plant the nation's largest high-level nuclear waste site and would dramatically increase the chance of a nuclear accident.

## OKLAHOMA

◆ Neighbors of the Tinker Air Force Base in Oklahoma City have been dealing with the noise pollution, groundwater and air contamination, and health problems related to the base for years. Now they are getting some attention from their elected officials. A study by the Agency for Toxic Substances and Disease Registry found that air pollution was linked to lower birth weights in the community next to the base. The findings prompted

some elected officials to call for a buyout of the residents and a promise of a Senate hearing on the issue.

## OREGON

◆ The **Columbia Deepening Opposition Group** (CDOG) is building grassroots opposition to plans for more extensive dredging of the Columbia River in Astoria. This deeper dredging would be for the benefit of a few large ships seeking to load larger cargoes at Portland Harbor, at the expense of the river and downstream residents. CDOG identifies its members as "fishers, loggers, doctors, students, business owners, retirees, teachers and more" who believe that "you can't buy off a way of life, not from the stubborn folk of the Lower River."

## PUERTO RICO

◆ Residents of the island of Vieques, with widespread support throughout the rest of Puerto Rico, won at least a partial victory in early December when a Navy ship com-

## ENVIRONMENTAL HEALTH MOVEMENT LOSES LEADER

**D**r. David P. Rall, former director of the National Institute of Environmental Health Sciences and founder of the National Toxicology Program, died in September. Dr. Rall was committed to understanding how the environment affects human health. He helped establish the NIEHS as one of the world's leading research institutions on the health effects caused by low level chronic exposures to chemicals in the environment. His leadership will be sorely missed.

## NORTH CAROLINA

◆ As Carolina Solite's continued violations led to more fines from the state this fall, **Stanly Citizens Opposed to Toxic Chemical Hazards** (SCOTCH) and the **North Carolina Waste Awareness and Reduction Network** (NCWARN) continued to demand that the hazardous waste burner's permit be revoked for a third and final time. State agencies recognize that Solite and their parent company Giant Cement have a long record of poor compliance, yet they allow the plant to continue to serve as a cheap disposal option for the state's hazardous waste generators. The **Blue Ridge Environmen-**

has grown from an old mine pit into a ten-story mountain of garbage, receiving 30 citations for illegal dumping of hazardous waste and improper drainage, but never receiving any fines. This fall, a permit for an expansion of the dump was denied due to community pressure. The community vows to keep up the pressure to make sure that the landfill's operator isn't allowed to build a new landfill in another part of the county.

◆ The **North Carolina Waste Awareness and Reduction Network** (NCWARN) has joined with groups from Apex and Chatham County in a new campaign called "We Won't Buy It!" The campaign targets

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# ACTION LINE

## PROGRESS FOR RADIATION EXPOSURE VICTIMS

**T**he **Navajo RECA Reform Coalition** and the **Western States RECA Reform Working Group** were encouraged in November when the U.S. Senate passed a bill that would bring key reforms to the Radiation Exposure Compensation Act. The new measure would make above-ground miners, millers and workers involved in transporting uranium eligible for compensation and lowers the burden of documentation required for eligibility. The bill also extends coverage to victims of radioactive fallout from above ground nuclear weapons testing in the West, specifically for Navajo lands which were previously excluded. Both the Coalition and the Working Group were founded by former miners, millers, and downwinders from the Navajo Nation, Pueblo communities, and the Colorado Plateau.

pleted its training without using the bombing range on their island. For years, the Navy has used two-thirds of the island, off the eastern coast of Puerto Rico, as a live ammunition bombing range. The news that the latest ship wouldn't be coming to Vieques was followed by an offer from the military to reduce the amount of bombing, but not necessarily end it, and a promise of funds for economic development if the people of Vieques allowed some bombing to continue in the future. But the offer didn't include any mention of environmental cleanup and wouldn't end the bombing, so residents and their supporters have called it unacceptable. As one of the protestors camped out on the bombing range put it, "the triumph will be complete when they turn over all the lands, clean up the contamination and compensate the people of Vieques for all their years of suffering."

## TENNESSEE

◆ **Bring Urban Recycling to Nashville Today (BURNT)** continues its fight to shut down Nashville's Thermal Transfer Plant. The group recently held

a protest at the garbage incinerator to call on the city to sell the incinerator site and use the proceeds to pay off the incinerator's \$80 million of debt. The incinerator has been receiving less trash than it needs to operate, and has been spending money to burn natural gas along with the garbage. The incinerator also needs millions of dollars in new air pollution equipment. BURNT wants the incinerator shut down instead of draining more money from the city and further damaging its neighbors' health.

## VERMONT

◆ **Vermont Citizens for Environment (VCE)**'s fight against two proposed natural gas power plants and a pipeline moved forward with a vote by Danby's town board to oppose the pipeline. The board's action followed an overwhelming show of public opposition to the pipeline in a non-binding

referendum in September. While the project appears stalled at this point, VCE will remain vigilant to make sure the plants don't get built.

◆ The **Citizens Awareness Network (CAN)** is targeting efforts by AmerGen, a multinational company which wants to buy several aging nuclear power plants throughout New England. Without the sale, the plants would probably be closed, but AmerGen is pushing to have electricity ratepayers and the state of Vermont subsidize the sale of the Vermont Yankee power plant. CAN is drawing attention to the state utility board's role in pushing through the sale as quickly as possible and AmerGen's efforts to get major tax breaks.

## WASHINGTON

◆ **Seattle Citizens for Quality Living, Seattle Health Care Without Harm, Washing-**



# ACTION LINE



ton Toxics Coalition, Washington Physicians for Social Responsibility, and Community Coalition for Environmental Justice celebrated the announcement that Seattle's Northwest Hospital will permanently shut down its medical waste incinerator, after nearly a decade of community concern and activism. The hospital stated that community opposition to the incinerator was the deciding factor in shutting it down.

◆ In October, the city of Seattle and King County announced a plan to reduce pesticide use on city and county owned land. The plan calls for a phase-out of a group of pesticides, including those that contain known cancer-causing ingredients, are highly toxic to fish and birds, or seep quickly into water. When the chinook salmon was listed as an endangered species the city conducted a publicity campaign asking residents to reduce their use of pesticides. But the city continued to spray dangerous pesticides, leading to public pressure on the city and county to reduce pesticide use.

◆ In December, the Washington Department of Ecology withdrew a "determination of non-significance" for a proposal to burn tires at a hogged fuel boiler (incinerator) at a lumber mill in the Columbia Gorge near Bingen. Ecology withdrew the

determination because, as the more than 100 submitted comments pointed out, the boiler did not qualify for the type of permit the company requested. While this does not stop the proposal entirely, because SDS Lumber could potentially pursue other regulatory options, **Friends of the Columbia Gorge** and the **Washington Toxics Coalition** plan to keep working to make sure the company is not allowed to burn tires.

## WEST VIRGINIA

◆ "Stop mountaintop removal!" was the message activists carried as they walked 492 miles across West Virginia this summer. The group's size fluctuated throughout the trip, with one activist, Larry Gibson, walking the entire route and 200 walking on the final day. The journey across the state raised awareness about the devastating impact mountaintop removal/valley fill coal mining has on the environment. At events along the route, artist Carol Jackson set up her "mountaintop removal cemetery," consisting of more than a thousand mock tombstones representing West Virginia's streams, mountains, or communities that has been leveled or impacted by mountaintop removal. The **Ohio Valley Environmental Coalition**, the **West Virginia Highlands Conservancy**, and a dozen other groups coordinated the walk. ◆

## MILITARY BASE COMMUNITIES DRAFT ENVIRONMENTAL BILL OF RIGHTS

**A**t the International Grassroots Summit on Military Base Cleanup, held in Washington, D.C. from October 25–29, 70 people from 14 nations adopted an "Environmental Bill of Rights for Persons and Nations Hosting Foreign and Colonial Military Bases." The document affirms the right of every person to live in peace, security, health, and receive protection of their environment. The document calls for disclosure of information by military authorities, the right of citizens to inspect military bases, cleanup of military sites, pollution prevention, and community involvement in decision-making. For more information, contact:

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BY PATTY LOVERA

# ELECTRICITY DEREGULATION AND THE ENVIRONMENT

**E**ven though it's an integral part of our daily lives, we really don't pay very much attention to electricity.

Lately the media has highlighted the debate over the potential for Y2K mayhem. Occasionally, but not nearly enough, the media covers the tremendous impact electricity generation has on the environment. But one major story about electricity has received little atten-

tion — the deregulation of the electric industry. Maybe that's because the official term for deregulation, "electric utility restructuring," isn't exactly exciting or informative. It sounds like something only bureaucrats and economists would care about. Whatever the reason, 23 states have started the process of deregulating electric utilities in the last few years, without a lot of public awareness that it was happening. And while economists and corporations rejoice that a monopoly is ending, the environment could be seriously affected.

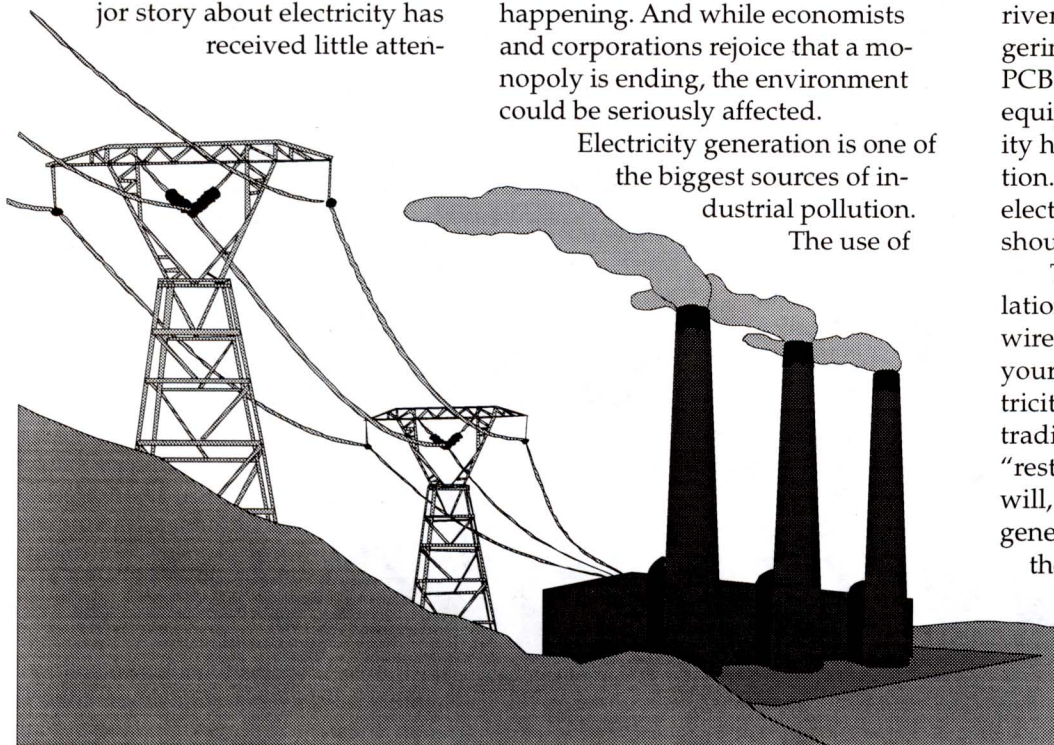
Electricity generation is one of the biggest sources of industrial pollution.

The use of

fossil fuels like coal and oil has major environmental impacts including lands ruined by coal mining and oil drilling, leaking landfills full of coal ash, particulate air pollution, oil spills, global warming, and acid rain. Nuclear power has given us Three Mile Island, debt-laden power plants, and a radioactive waste problem which has no real solution. Hydroelectric dams have altered the flow of rivers, destroying habitat and endangering species. And decades of using PCBs in transformers and other equipment used to distribute electricity have led to global PCB contamination. So, if this is what a "regulated" electricity industry gave us, what should we expect from deregulation?

The basic concept behind deregulation is that while the same set of wires will still bring electricity into your house, you can buy your electricity from generators other than the traditional local electric utility. In a "restructured" market consumers will, in theory, be able to choose who generates their electricity. In reality

there is a shared set of wires for distributing the electricity from all generators, and consumers won't be able to choose whose electricity from that mix comes into their home. But



they can choose which generator they pay for contributing to the mix. The theory goes on to predict that as more generators enter the market, competition will drive down the cost of electricity. But how will the environment fare in all of this change?

## COAL, NUKES, AND NATURAL GAS

**C**oal-fired power plants are coming under increasing attack as the world starts to focus on global warming, and the federal government and some states start to address coal plants' mercury emissions and contribution to acid rain. In theory, deregulation can provide an incentive for generators using cleaner alternatives to dirty old coal plants to enter the market. But with competition, utilities which already own coal plants have a reason to run them at full capacity, while spending as little as possible on maintenance and environmental controls — they must produce electricity as cheaply as possible in order to compete.

Similarly, many nuclear power opponents believe that the only way nuclear power will be able to compete economically is to drastically cut costs. This could lead to changes that would compromise safety, such as continuing to run old, worn-out plants (to avoid the huge costs of shutting them down), cutting corners on maintenance and waste storage, and slashing workforces.

The utilities which own nuclear power plants have always passed the high cost of building the plants on to ratepayers. Now, even under deregulation, the companies want to continue to pass on those costs, even to customers who choose a different power supplier. They call it "recovering stranded costs." Those who have worked for years to shut down nuclear power plants call it yet another bailout of the nuclear power industry. In California, where utilities are allowed to charge consumers for stranded costs, the charges more than make up for any savings consumers

get from a decrease in prices due to competition.

Natural gas is expected by some to be one of the big winners from deregulation. So far it is the most common type of new power plant being built. The Northeast, and especially New England, are predicted to be major areas for natural gas power plant expansion. And although natural gas is significantly cleaner than its other fossil fuel counterparts, it is not renewable and or without environmental impacts. It requires pipelines to transport it and communities near gas-fired power plants have to deal with water use, noise and smokestacks. In anticipation of deregulation, natural gas plants are being proposed in numbers the market may not support. Of course they are being sited in the most politically vulnerable areas, like sparsely populated rural communities or economically depressed towns.

## "GREEN" POWER?

**E**nvironmentally friendly, or "green" energy is becoming one of the key aspects of deregulation's impact on the environment. The concept of green energy is simple: now that consumers have a choice, they could choose electricity generated by methods other than traditional coal or nuclear, like solar or wind power. There has been a lot of talk by deregulation's cheerleaders about the potential for deregulation to spark the growth of a thriving market for renewable, clean energy. Even the Environmental Defense Fund has gotten into the act, with its subsidiary, the Environmental Resources Trust starting a green power marketing project. But the definition of what exactly is "green" is where the trouble starts.

When Congress opened the door for deregulation in 1992, it left most of the details to be worked out by the states. And the definition of green energy is one of those details. In New Jersey, restructuring rules require providers to get at least 2.5 percent of their power from renewable sources.

But a series of last minute deals resulted in a definition of "renewable" that included the electricity generated by trash incinerators! Essentially the requirement for renewable energy ended up serving as a subsidy for New Jersey's economically struggling incinerators. And in Pennsylvania, the definition of "renewable" includes the incineration of construction waste, wood waste, sewage sludge, animal waste from factory farms, and landfill gas. To activists who have spent years fighting incineration in all of its various disguises, this is an unacceptable boost to the incineration industry disguised as a commitment to clean air.

An additional worry about green power is the potential for greenwashing — taking advantage of consumers' desire to help the environment with false claims about a product's environmental benefits. In states like California and Pennsylvania, where most consumers can already choose their electricity suppliers, they have the option of paying more to buy power from companies offering "green energy." On the surface, these companies are offering environmentally concerned consumers the chance to support cleaner power. But the marketing tactics of some of the companies have led to charges of greenwashing. One example is GreenMountain.com, formerly known as Green Mountain Energy Resources. The company's ads present the choice of their electricity as a choice of wind or solar power over nuclear or coal. But in fact, the company is really just repackaging the same electricity which is already on the market (and is often generated by nuclear and coal plants.) GreenMountain.com claims that by supporting it now, you will help the company build more renewable energy generating capacity for the future. But, the company not only refuses to commit to increase the amount of power it gets from renewable sources each year, it has spoken out against efforts in some states to include such requirements in state

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## ELECTRICITY DEREGULATION

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legislation. In Pennsylvania, the Pennsylvania Environmental Network has called on consumers to boycott GreenMountain.com. PEN has two demands for the company: a commitment to a five percent increase in their generation of renewable power each year, and an agreement not to build new hydroelectric dams or biomass incineration projects.

### SO WHAT CAN BE DONE?

**W**hile some states have already completed the process of "restructuring," there are still opportunities for citizens to demand that restructuring be done right. Federal legislation to address deregulation is expected in the next year, and many states are still in the process of crafting their rules. The groups listed at the end of this article are active in the deregulation issue. These and other advocates for truly green power have some suggestions for what citizens should demand from deregulation:

◆ **No "recovery" of stranded costs from consumers.** Utilities have made a profit for years, while ratepayers paid their debts. Competition should mean that expensive old nuclear power plants don't get bailed out.

◆ **Required minimum amount of renewable power for every generator,** which would increase periodically. This would create a market for renewable power and not leave it at the mercy of consumers' ability to spend more money.

◆ **Disclosure about the source of the electricity companies are selling.** Labeling of repackaged power being marketed as green could go a long way towards ending the greenwashing of concerned consumers. Unless power companies commit to and can document that they are using money from the sale of electricity to build renewable energy

projects, the concept of green power is more greenwash than substance.

◆ **Allow "community choice" programs.** These programs consist of a town, or group of towns, offering consumers the option to buy their power as a group. This allows them to get high volume discounts and pool their influence to demand clean energy. This is already being done in Santa Monica, California and Cape Cod, Massachusetts.

◆ **A commitment to conservation.** The most environmentally friendly electricity choice we can make is to

use less electricity. When utilities had a monopoly on the market, they had some incentive to encourage consumers to conserve — if demand exceeded their capacity, they had to build an expensive new plant. But as new generators want to sell even more electricity, conservation education and incentives for consumers could be left by the wayside.

The effect of electricity deregulation on the environment is not yet clear. But one thing is certain — if the environment is going to come out

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## INCINERATION IS NOT GREEN ENERGY

**O**n December 7th, two activists with the Pennsylvania Environmental Network were kicked out of a Mid-Atlantic "Green-e" meeting for simply showing up. Green-e is a private certification program for electricity, run by an undemocratic "Green Power Board." The Green Power Board, whose members include the Environmental Defense Fund, the Natural Resources Defense Council, and representatives of the electricity industry, have the power to choose which power sources will qualify as "renewable" energy that can be certified as "Green-e." So far, they have not ruled out incineration of various types of "biomass," including landfill gas, animal wastes, industrial wood waste, construction and demolition waste, and sewage sludge. They are making decisions about which energy sources will benefit from the "green-e" certification without the input of the communities which will be impacted by incineration.

The Mid-Atlantic Green-e meeting was well attended by incinerator industry and government representatives and all of the presentations to the committee were about promoting "biomass" incineration technologies as renewable energy. The PEN activists who came to make the point that incineration is not green or renewable, were not allowed to speak.

A new national campaign is being formed to: 1) STOP the promotion of combustion technologies as renewable energy sources, 2) make the Green-e group open and accountable to the communities impacted by the incinerators they aim to promote as green "biomass" power, and 3) thoroughly document the hazards associated with these various combustion technologies.

### **To get involved with the campaign, contact:**

Incineration is NOT Green Energy Campaign

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BY RON SIMON, CHEJ LEGAL COUNSEL

# LEGAL CORNER



## QUESTION:

**I** am involved in my community's fight against an incinerator. I heard that if I am one of the leaders the incinerator company can file some kind of lawsuit claiming I have hurt their business and financially ruin me. Is this true? What ever happened to free speech?

## ANSWER:

**Y**ou are talking about a long-standing corporate threat known as "SLAPP" suits. This acronym stands for "Strategic Lawsuits Against Public Participation." The tactic was given this name by professors at the University of Denver law school over a decade ago.

The issue of SLAPP suits boils down to a question — how can you be sued for exercising your right of free speech and the right to participate in government decision-making? When corporations first threatened to sue people who challenged their polluting acts, citizen activists and those who gave them legal advice believed that there was little chance the suits would be successful. In addition to the constitutional arguments against these lawsuits, we also believed that the activists who were sued could use the lawsuit as a political weapon to show what ruthless people the polluters were.

Although there have been relatively few SLAPP suits, their history has shown us a number of truths about the legal system. Several interesting examples illustrate these truths. The first is a lawsuit by a former employee of Monsanto against Peter Montague, the author and pub-

lisher of *Rachel's Environment and Health Weekly*. Montague is a spokesperson on the dangers of dioxin and other contaminants and his scholarly background makes him a very serious threat to polluters. His assertion that the Monsanto scientist used phony data in a study was based on a number of public sources, yet the scientist pursued a lawsuit against him for years. The case eventually was dismissed because the scientist died. Despite this victory, Montague spent years in which his usual productivity was limited by the need to respond to the lawsuit with both time and money.

Recently, I became aware of an ongoing case which is another example of corporate abuse of the legal system. A woman was injured by Terminix and started a website so that others could learn about her experience and communicate with each other. Because she lives in California, Terminix and Servicemaster (which owns Terminix) sued her in California. But California has a statute against SLAPP suits, so the case was thrown out of court. The company then went to its home turf - Memphis, Tennessee - to sue her in federal court, claiming instead of slander or one of the usual SLAPP tactics, that her use of the Terminix name on her

website infringed on the company trademark. The claim is unusual because the woman is clearly not selling a product, and the case presents the disturbing possibility of using SLAPP suits to silence communication on the Internet.

Another noteworthy example is the long story of British activists who protested against the wasteful and environmentally destructive tactics of McDonald's. These activists fought their case for years in the English courts. This lawsuit was possible in part because the English have stricter libel laws (equaling less freedom of speech) than the U.S. But the activists did not seek to have the case thrown out, and instead used the trial as a political forum. They described their experience in a book and movie and the lawsuit gave publicity to their fight against McDonald's that it may not have otherwise received. The outcome (described in the book *McLibel: Burger Culture on Trial* by John Vidal) is less important than the importance of the tactic of using the lawsuit as a way to bring the issue to the forefront of public consciousness.

In some cases the legal defense of a lawsuit may be paid for by the liability coverage in homeowner's in-

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## LEGAL CORNER

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insurance or an umbrella policy. If you have such insurance you should look carefully to see if you can claim that either the cost of defense or the ultimate liability is covered by the policy. If the insurer refuses to cover either the defense costs or the ultimate liability, you should not simply accept the denial but appeal it and fight to make your insurer stand up for you.

Despite the financial advantages of having your defense paid for by your insurer, there are also disadvantages. First, your liability carrier probably does not agree with your political goals and will not carry out your defense in a way that would make it easier for you to continue to participate in the political process. It would not be surprising if the insurer

says they will only defend you if you shut up. If you hear this ultimatum, you should not accept it.

The cost of defending yourself against a SLAPP suit can be enormous, financially and in terms of personal energy and time which could be better spent fighting your community battle. This lesson is undoubtedly the most important thing to understand about SLAPP suits. The company doing the suing is not really interested in winning. Nor do they believe that you have tortiously interfered with their business. What they know is that they can write something on paper that the judge will not immediately throw out. And as long as the suit drags on in court, you are spending your time defending yourself against their charges. With the SLAPP suit, they hope to distract you from your political battle and make you

more careful, if not totally intimidated. This alone is the purpose of their lawsuit.

The strategic decision you need to make is how not to let yourself be put on the defensive. This may mean, as in the case of the British McDonald's protestors, that you use the case as the focal point of your political campaign. Another option is to think of ways to counter sue. But the decision to file the lawsuit is usually a corporate strategy and the company will fight hard to prevent you from finding out who made the decision and who is paying for the lawsuit. To make the case a political tool, find ways to put the company on trial for trying to shut you up. But your strategy must center on the fact that the corporation will win only if you stop pursuing your political or organizing goals. ♦

## ELECTRICITY DEREGULATION

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ahead in this process, being "green" consumers isn't going to be enough. We will need to be green citizens as well, and work to make sure that when our states design deregulation, the health of the corporate bottom line doesn't come at the expense of our environment. ♦

### Resources:

- ♦ *The Workbook*, Fall 1999, Special Report on Deregulation, Southwest Research and Information Center, (505) 262-1864, [www.SRIC.org](http://www.SRIC.org)
- ♦ Nuclear Information and Resource Service, (202) 328-0002, [www.nirs.org](http://www.nirs.org)

### Groups Working on Deregulation:

- ♦ Public Citizen Critical Mass Energy Project, (800) 289-3787, [www.citizen.org/cmep](http://www.citizen.org/cmep)
- ♦ American Local Power Project: A National Network of Communities Facing Electric Industry Deregulation, (510) 451-1727, [www.local.org](http://www.local.org)

## ENVIRONMENTAL RESEARCH FOUNDATION'S BILINGUAL PROJECT

**A**s of May 1999, the Environmental Research Foundation, publishers of *Rachel's Environment and Health Weekly*, has been translating, acquiring and providing information in Spanish.

The objective of this project is to provide members of the Spanish speaking community with easy access to quality environmental health information in their own language. ERF hopes to achieve their goal by concentrating resources on the development of a series of electronic information networks and tools to be used by the Spanish speaking public, and on building an in-house Spanish language data bank to facilitate technical assistance by their staff.

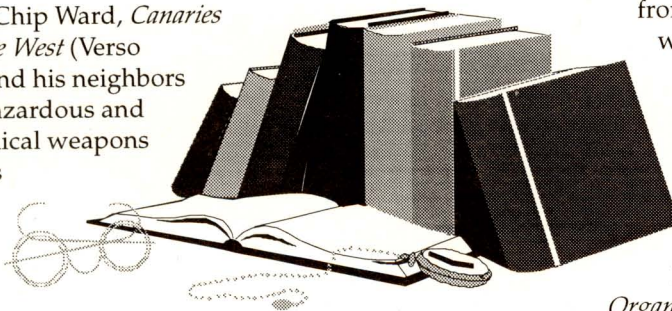
Presently, the electronic aspect of the project is being achieved with an e-mail Spanish language version of *Rachel's* weekly called *Salud y Medio Ambiente*, the ongoing development of a Spanish language web site, and the establishment of a listserve called "Recursos" to link those interested in Spanish language resources in the field of occupational and environmental health.

To attain further information on any of these resources, or for any other questions regarding ERF's Spanish language project, please contact:

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E-mail: [adrian@rachel.org](mailto:adrian@rachel.org) ♦ URL: [www.rachel.org](http://www.rachel.org)

# RESOURCES

◆ A new book by Utah activist Chip Ward, *Canaries on the Rim: Living Downwind in the West* (Verso Press), is the story of how Ward and his neighbors uncovered the military testing, hazardous and nuclear waste disposal, and chemical weapons destruction taking place in Utah's Great Basin Desert, and the grassroots resistance to prevent the desert from becoming a sacrifice zone. Full of "cowboys in gas masks" and other vivid characters, *Canaries on the Rim* has been described as what would result if *A Civil Action* were set in Edward Abbey's West.



◆ *Life's Delicate Balance: Guide to the Causes and Prevention of Breast Cancer* (Taylor and Francis) is a new book by Dr. Janette Sherman, a physician-toxicologist with years of experience evaluating illnesses involving chemical and radiation exposure. *Life's Delicate Balance* analyzes the link between chemicals, radiation, endocrine disrupters, and cancer; discusses risk factors for breast cancer; and considers the history, ethics, and morality of the current cancer epidemic. The book can be ordered, for \$25.95, from Taylor and Francis, 47 Runway Rd., Levittown, PA 19057, (800) 821-8312, [bkorders@taylorandfrancis.com](mailto:bkorders@taylorandfrancis.com).

◆ Winona LaDuke, renowned environmental and Native activist, has written an account of Native resistance to environmental and cultural degradation. *All Our Relations: Native Struggles for Land and Life* (South End Press and Honor the Earth) shares the testimonies of local Native activists as it describes the parallel histories of the colonization and destruction of land and Native peoples through centuries of outright genocide and unacknowledged racism. *All Our Relations* is available in independent bookstores and can be ordered at (800) 533-8478.

◆ "ZERO WASTE: Impossible Dream or Realistic Goal?," a new video co-produced by Dr. Paul Connett and the GrassRoots Recycling Network, outlines a new vision for the recycling movement — zero waste. The one-hour video contains interviews with recycling experts and contains practical information for activists, government officials, or others looking for an alternative to landfills or incinerators. The video is available for \$25 (\$10 for students and grassroots activists)

from the GrassRoots Recycling Network, P.O. Box 49283, Athens, GA 30604-9283, (706) 613-7121, [zerowaste@grrn.org](mailto:zerowaste@grrn.org).

◆ A year-long investigation by Public Citizen into the World Trade Organization's track record during its five years of existence, has resulted in a book, *Whose Trade Organization?: Corporate Globalization and the Erosion of Democracy*, by Lori Wallach and Michelle Sforza. Among other findings, the book documents how every single health, safety or environmental law reviewed by the WTO's secretive dispute resolution tribunals has been declared an illegal trade barrier that must be eliminated under threat of sanctions. The book is available from Public Citizen, (800) 289-3787, [www.citizen.org](http://www.citizen.org).

◆ *The Consumer's Guide to Effective Environmental Choices: Practical Advice from the Union of Concerned Scientists* (Three Rivers Press), by Michael Brower, and Warren Leon, is a guide for making better choices when it comes to the environmental impact of our daily lives. The book goes beyond the standard "paper or plastic" debate to identify priority actions in key areas such as transportation, food, and household operations, and also identifies activities to avoid, such as using lawn and garden pesticides, because of their high environmental cost.

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