

"E" - NOTES

NEWSLETTER OF THE OHIO VALLEY ENVIRONMENTAL COALITION
PO Box 970 Proctorville OH 45669
February 1993

24 HOUR SURVEILLANCE AT ASHLAND OIL--A CITIZENS' SUCCESS!

For years, OVEC members and friends have videotaped emissions problems at Ashland Oil, often in the middle of the night or on weekends when state inspectors are unavailable. While many of those tapes show obvious violations, Kentucky does not accept citizen videos as sole evidence for issuing violations. Over the past few months, refinery malfunctions and accidents have continued to foul the air, and OVEC has organized citizen efforts to demand responsible enforcement.

In response, the KY Division for Air Quality will now set up a 24 hour a day video monitoring system to watch the refinery. The system will be designed and controlled by the KY DAQ, but paid for by Ashland Oil. Video images will be fed into the Ashland office of the KY DAQ. Barbara Christian, Frances Cisco, Diana Bowen, Louise Prince and others deserve a big THANK YOU for their persistence in repeatedly videotaping emissions problems, and sharing their tapes with the state regulators. Thanks also to the many members who called KY officials to ask for strong enforcement. OUR EFFORTS MADE A REAL DIFFERENCE!

The surveillance system is part of a \$9 million settlement between Ashland Oil and KY, which resolves numerous state and federal air quality violations. Most of the violations were found by Dan Kash, supervisor of the Ashland branch of the KY DAQ.

As part of the settlement, AO will implement safety measures and increased monitoring at their hydrogen fluoride alkylation unit, a move that OVEC members have also been suggesting.

While this most recent legal action against Ashland Oil is the boldest one Kentucky has ever taken, no one should believe that refinery neighbors problems are solved. The company has a history of failing to live up to it's legal agreements. At a recent meeting with KY's Director of the Division for Air Quality, OVEC members were told that the new enforcement action will not solve all the odor problems, for example. They are, however, a big step in the right direction.

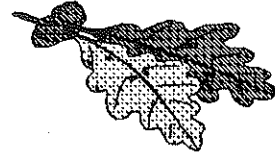
Some OVEC members are forming a committee to learn all about the surveillance plan, and to push for the most reliable surveillance possible, as well as to make sure that AO lives up to the other pollution prevention improvements it has promised.

Beginning in March, the KY DAQ will begin taking citizen comments on AO's proposed operating permit. In spite of Ashland's public relations claims that the refinery is better than "state of the art", the facility has never met the state's environmental requirements for an operating permit. We need to work together to use this opportunity to push for needed improvements.

Note: the KY DAQ's Ashland Office's toll free number is now 1-800-928-8569. The old number will not work.



FROM OVEC'S
DIRECTOR



I've been an environmental activist for over 10 years, both here and in northern Wisconsin. I've learned to take it for granted that the concerns most of us have for the environment and for future generations are not shared by many politicians. Under the Reagan and Bush administrations, grassroots environmental activism focused on mobilizing citizen pressure to minimize damage. I've painfully watched as our efforts have stimulated low and middle level agency officials to push for responsible environmental enforcement, only to have their efforts stifled by those at the top--the political appointees more concerned about pleasing the politicians.

Equally painfully, I've watched as people became involved in specific issues, full of enthusiasm and a hopeful belief in government by and for the people, only to have their hopes dashed by the harsh reality of a government controlled by special interests with little concern for the environment. In spite of these difficulties, OVEC has managed to stimulate some important improvements such as a decrease in regional air quality violations, and fending off efforts to make the Tri-State a center for the importation and disposal of toxic wastes. In spite of opposition to us from high places, organized citizen efforts have made a real difference.

We now have a new federal administration which has pledged to be environmentally responsible. Can we step back and assume that new agency officials will solve the problems with no help from us? No way! Every environmental improvement sought by Al Gore and Carol Browner (the new head of the US EPA) will be fought tooth and nail by well organized and financed opponents. Organized pressure for environmental improvements will be essential to counterbalance the power of those who profit by abusing the land, water and air that we all share.

At the state level, things in West Virginia and Ohio show few signs of positive change. These state agencies are underfunded and understaffed, and often seem to lack the ability or desire to deal with the tough issues now being faced, unless they are forced to by massive citizen pressure. In Kentucky, things look brighter. Phillip Shepherd, appointed by Governor Jones to head the state environmental agencies, previously worked with Kentucky's environmental movement and is well aware of how poorly the state has performed in the past. Some have been disappointed that action on certain problems has not been swifter, but for the first time OVEC members have seen that our concerns are really being listened to. For example, after OVEC organized numerous phone calls to KY Air Quality Director, John Hornback, on the Ashland Oil issue, he came here to meet with a small group of OVEC members. Clearly, our efforts played an important role in stimulating the recent enforcement actions at Ashland Oil.

Organized citizen efforts are more important than ever. We need to express our concerns over continuing problems, suggest specific solutions and organize citizens' voices to be heard. I hope that you will be a part of these efforts. Get involved in an issue that interests you or help OVEC grow and raise the local funding we need. To learn more, please attend our workshop on February 20 (see outer cover).

Dianne Bady



YOUR WRITTEN CONTRIBUTIONS FOR OUR
NEXT NEWSLETTER ARE WELCOME AND ENCOURAGED!!

AMERICAN LUNG ASSOCIATION SUES EPA

For some time now, we've argued that federal air quality standards don't adequately protect human health. We have members who suffer health symptoms after refinery malfunctions which cause elevated levels of sulfur dioxide (SO2) or carbon monoxide (CO), even when those levels don't exceed federal standards.

Complaints about inadequate regulations don't come just from groups like OVEC. The American Lung Association (ALA) has filed suit with the US EPA to try to force stronger standards. The ALA says that scientific evidence clearly shows that health damage can occur at SO2 levels that are now legal, and that EPA is bound by law to re-evaluate current standards. The ALA mentioned Boyd County, KY as one of 52 US counties where asthma sufferers are at risk from legal levels of SO2. Boyd County is also listed as being in non-compliance with federal SO2 standards, according to air monitors located in Kenova, WV, downwind of Ashland Oil.

The ALA says that brief SO2 bursts may not violate any standards but can still trigger asthma attacks. According to Ron White of the ALA, "Even asthmatics deserve to have their health protected."

OVEC has offered to help with the ALA lawsuit. (This type of lawsuit, to force government to do its job, is the only kind of lawsuit OVEC can participate in, since we are tax-exempt.)

Dianne Bady was contacted by an EPA official working on the agency's response to the ALA suit. EPA expects to have a stricter SO2 standard proposed in about a year, and will then be seeking comments from OVEC's Kenova members on health effects of currently legal SO2 emission peaks.

OVEC ON EPA PANEL

OVEC members have widely publicized the fact that state environmental agencies are not adequately protecting human health in our region. In response to citizen concerns, the US EPA has announced the beginning of a major study of our region's air, water, soil and waste. This is a groundbreaking study which has national significance. It is the first US EPA multimedia (air, water, soil and waste) and multi-state study. As such, it will set a precedent for future studies of this type.

It is important that powerful industry interests not be allowed to unfairly influence the study's methods and findings, as has happened with previous EPA studies around the country. With a new federal administration and a new EPA director, the chances of a fair and adequate study are better than ever, but organized citizen input is essential to counterbalance expected efforts to weaken the project.

OVEC's Rick Bady and Janet Fletcher have been named to the study's citizen advisory panel (which also includes industry representation). More help will be needed to develop organized citizen pressure to ensure a fair study, strong enforcement of current environmental laws and regulations, and responsible cleanups of known problems and any other problems identified in the study.

THANKS to the
NATURAL SELECTION
HEALTH FOOD STORE
for their
"5% of proceeds to OVEC
day"!!!!



LET'S PROTECT LESAGE NATURAL WELLS

Plans for a wood preservative chemicals facility in Cabell County, WV are moving full speed ahead. This plant, where toxic chemicals used to preserve wood would be mixed and packaged, is proposed to be located next to the Lesage Natural Wells water bottling facility, which is owned by Green Acres Center for the developmentally disabled.

A single spill or accident involving chemicals such as toluene, methylene chloride or any of the many others used in this type of plant could permanently damage the water supply.

In West Virginia, it is not unusual for permits to be granted to industry with little regard for possible environmental damage. Numerous instances of groundwater contamination now plague the state as a result of poorly regulated, irresponsible facilities. Our experience has taught us that without strong, organized citizen pressure on government agencies, we cannot be confident that the Green Acres water resource will be protected.

We've asked for a public hearing on the proposed facility. Important questions include: What measures will be taken to ensure that toxic substances are not spilled on the ground and make their way into the groundwater and the Ohio River? Will sufficient monitoring and oversight take place? Will the plant operators be required to pay for routine testing of groundwater nearby? Will it be clear that the operators will be held financially responsible for any damage?

We really need more citizen involvement on this issue. For more info call Janet at 525-6984.



RADIOACTIVE WASTES COMING?

The state of Ohio has agreed to accept a low level radioactive waste landfill for wastes from Indiana, Iowa, Wisconsin, and Minnesota as well as those from Ohio. While an exact site has not yet been chosen, some in Columbus feel that the Portsmouth-Piketon area is a good possibility.

The governor's "Blue Ribbon Commission" on siting a low level radioactive waste landfill is scheduled to hold a public meeting in Portsmouth on March 2 (exact time and place to be announced). OVEC staff have held small meetings in Portsmouth and we will hold a public informational meeting at 7PM on Feb. 22 in the Massie Auditorium at Shawnee State University in Portsmouth.

Bridget Mariea, of the Ohio Environmental Council, who is quite knowledgeable on the issue, will speak at OVEC's meeting.

For info call Dianne at 886-5796.

TREE HUGGERS HAVE A BALL!!!

The Calamity Cafe in Huntington was the site of the wonderfully successful TREE HUGGERS BALL. The OVEC benefit featured renowned entertainers as:

FRIED CHICKEN
JAY ALLEN
HOODWINK
and
FUZZBUCKET

A pleasant time was had by all and almost \$700 was raised!!! Thanks to: our planning committee, Margaret van Zandt, Sarah Jane Beckwith, Eric Fout, and Terry Messinger, Kate McComas (who designed the T-shirts), the bands who donated their time and talent; and the CALAMITY CAFE.

HUNTINGTON SOLID WASTE ISSUES

CURBSIDE RECYCLING

Mayor Nelson still wants the city to build a multi-million dollar Materials Recovery Facility (a "dirty MRF"), where the recyclables would be picked out of bags of mixed household trash. OVEC, the League of Women Voters, and some city council members have opposed this plan, pointing out that this approach does nothing to increase public awareness of the need to reduce the amount of garbage we produce, and that recyclables that have been mixed with other trash are dirty and therefore harder to market. We favor curbside recycling instead.

Mayor Nelson has agreed to a pilot curbside recycling program. The city will receive a WV grant of \$57,000 to implement a trial curbside recycling program in five Huntington neighborhoods of varying income levels. Huntington's future solid waste policy will depend on the success or failure of this trial program. We hope to organize volunteer efforts to educate the five "trial" neighborhoods on the importance of recycling. If this interests you, call Janet at 525-6984, or Kim at 522-9562.



CITIZEN EFFORTS BRING EPA ACTION

Serious water problems affect residents who live on Hillview drive, adjacent to Huntington's unlined Dietz Hollow landfill. The landfill has been ordered to close soon by the DNR and is apparently polluting the well water of some on Hillview Drive. The city has not been willing to provide city water for these residents. Efforts led by Alice Horn stimulated plans by the US EPA to do well water testing on Hillview in early February. Some residents who do have city water have had to put up with inadequate pressure and interruptions due to frequent breaks or leaks (21 known breaks in 1992). Residents have filed formal complaints with the WV Public Service Commission. With OVEC's help, people from Hillview drive are getting organized to fight for a clean and adequate water supply.



STRIPPING THE WAYNE

Southern Ohio's Wayne National Forest has the only strip mine on national forest land in the East. The US Congress recently passed a moratorium on new strip mines in national forests for a year until new definitions of "Valid Existing Rights" (VER) can be formulated. The new definition of VER may have concessions to mineral owners who have active mines adjacent to "their" mineral lands in the national forests. Meanwhile, Belville Mining and Addington Bros. have applied for a 5 year extension to their Wayne strip mine which is adjacent to thousands of acres of land in the Wayne that Belville bought the mineral rights to in the 1980's. Without constant vigilance on our part, these folks will continue trying to strip all they can.

Public comments are being accepted on Belville/Addington's request for an extension of their current strip permit, which could lead to increased strip mining in the Wayne. The legal issues are complex, but OVEC's Bill Ragette and Dan Kash have kept on top of these issues.

For more info, call Bill at 304-824-3571 or Dan at 606-928-4539.

PAPER AND POISON

The Alabama River Pulp Company is still interested in building a huge mill in Apple Grove, WV. One controversy over the proposal focuses on dioxin, a highly toxic by-product of the chlorine bleaching process. Chlorine bleaching is not necessary. The paper you're now holding was made from recycled paper with no further bleaching. And white paper can be made using less toxic methods.

In 1992, the company asked the WV legislature to adopt a much weaker standard for dioxin than was recommended by the US EPA, for the benefit of the plant. The legislature delayed making a decision, and since then the US EPA has found that not only does dioxin cause cancer in humans, but it also causes damage to the immune and reproductive systems even at levels 100 times lower than those associated with cancer. The EPA study concluded that there may be no safe level for dioxin.

The upcoming WV state legislature will be considering another bill to raise the allowable amount of dioxin water discharges to 77 times what EPA has recommended. WV's Agriculture Commissioner, Gus Douglass, has strongly urged Gov. Caperton to support this measure. The WV Division of Water is also considering changes in the way they calculate how much discharges get diluted once dumped into a flowing river. Going to the "harmonic mean" method would be a complicated way of simply allowing more toxics of all kinds to be discharged by industries.

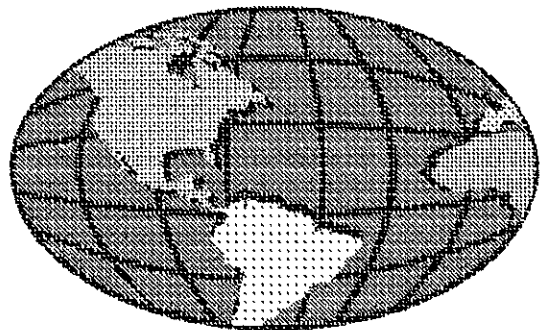
As with many toxic producing processes, alternatives to chlorine bleaching exist, and are already being used elsewhere. Will West Virginia politicians allow outdated, unnecessary and toxic processes to be used here? OVEC will continue to work with the WV Environmental Council, the Affiliated Construction Trades Foundation and other groups to organize citizen input into what happens to our waters. For more info call Kim at 522-9562.

BRIEFLY....

--- Over the past few months, OVEC staff have frequently been asked to speak to classes or help students with environmental projects. We found that students in Marshall University's Business Ethics classes were very interested in discussing environmental concerns. Our most enthusiastic classroom reception, however, was in Huntington's Cammack Elementary, where third graders insisted on getting Janet Fletcher's autograph after she discussed water quality issues with them.

--- Last month, OVEC participated in a "Grassroots Environmental Challenge" directed to President Clinton. Organized by the National Toxics Campaign, over 125 groups nationwide signed on to a statement asking Clinton to make pollution reduction a priority, and to expand local democratic control over dangerous disposal facilities, among other things.

--- The Greater Huntington Park and Recreation District and OVEC are working together to plan a children's nature camp for this summer. The theme of the camp will be "Wildlife Barometers". Youngsters will learn how threatened and endangered species are used to indicate the general health of an ecosystem. Hands on environmental experiences will demonstrate the interdependence of life in the natural world.



TOBACCO AND TOXICS

The Environmental Research Foundation of Annapolis, Maryland publishes a regular newsletter on issues of toxics in the environment. Their most recent newsletter deals with the effects of tobacco smoke and especially with the way the tobacco industry has dealt with the issue of tobacco's harmful effects. According to the report, these are the things we have learned about the industry's approach:

--Ordinary citizens knew long before the scientific and medical community that smoking was harmful.

--Subtle damage--like hostile behavior in children, or depression, or hyperactivity, can be caused by "any one of thousands" of toxic chemicals.

--The courts have not provided justice for the addicted victims of tobacco, or for their innocent families. Even when a federal judge feels compelled to accuse the tobacco industry and their lawyers of "concealment and disinformation", the courts cannot provide justice.

--The tobacco industry has a trained army of lawyers, researchers, and physicians who make a fat living helping others evade liability.

--The industry routinely engages in conspicuous philanthropy and acts of charity.

--The industry apparently has no difficulty sleeping at night. Mere questions of right and wrong do not trouble them.

--For all its vaunted size and power, The United States of America is unable to protect its citizens from an organized assault on health and pocketbook by predatory corporations.

These findings are about the tobacco industry. Its interesting to reread them and see if you think of any other companies that fit this description.

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Your friendly OVEC staff people are anxious to talk to you!
Get informed! Get involved! Call us for more information:

Kim Baker (Huntington) 522-9562
Janet Fletcher (Huntington) 525-6984
Dianne Bady (Proctorville) 886-5796

DONATIONS TO OVEC ARE TAX DEDUCTIBLE (AND NEEDED!!!)

[] Membership \$5 -- \$25 (Pay what you can)

[] Contribution: _____

Mail to:

OVEC

PO Box 970

Proctorville OH 45669

Name _____

Address _____

Phone _____

Issues of particular interest _____

OVEC Workshops/Membership Meeting

Saturday, February 20, 1993
10 am to 2 pm
Cabell County Library.
455 9th St., Huntington, WV

Parking near the library is limited so you may want to park in the parking garage (entrance on 8th street near 3rd Ave).

Short workshops tentatively scheduled are (choose one):
The Wayne National Forest Huntington solid waste
Mason County pulp mill US EPA Tri-State Env. study

Longer workshops (choose one):
Ashland Oil issues West Virginia legislative session.

If you have ideas for other workshops, please call Janet (525-6984),
Kim (522-9562), or Dianne (886-5796) with your suggestions

Workshops will give a better understanding of the issues as well as
concrete ideas for what you can do to become more actively involved! The
membership meeting after lunch will mix business with socializing.
Lunch will be provided.

(A workshop will be held at 7 pm, Feb. 22, Massie Auditorium, Shawnee State Univ., Portsmouth, OH, on a proposed low-level radiation dump in Ohio.)

Ohio Valley Environmental Coalition
P.O. Box 970
Proctorville, OH
45669