

"E"-NOTES
 THE NEWSLETTER OF THE
OHIO VALLEY
ENVIRONMENTAL
COALITION
 PO BOX 970 PROCTORVILLE OH 45669
 DEC. 1994 -- JAN. 1995

WV OFFICIALS FIGHT EPA, SCIENCE TO PUSH PULP MILL

The WV Environmental Quality Board, which rules on appeals of permits issued by the WV DEP, suspended the water pollution discharge permit for the proposed Apple Grove pulp mill. The permit was suspended after OVEC, the Affiliated Construction Trades Foundation, and several private citizens filed legal appeals. On Nov. 30, US EPA sent a

letter to WV DEP indicating that EPA (Region III) will conduct a background dioxin assessment of the Ohio River if WV is unwilling to do so. In addition, EPA stated that WV needs to incorporate a better dioxin monitoring program and also conduct a public hearing once a new draft permit (based on EPA's study) is issued.
(continued on page 5)

KENTUCKY OFFICIAL DOES HIS JOB, GETS PUSHED OUT

Two years ago, Brian Holtzclaw, a US EPA environmental engineer, was "loaned" to Kentucky to coordinate the Tri-State Geographic Initiative. The effort was stimulated by pressure from OVEC members. (see following article: What is the TGI?).

From the beginning, concerned citizens were promised a voice in the planning and implementation of the project. Holtzclaw and other officials have been to the Tri-State on numerous occasions to meet with concerned citizens, as well as with industry representatives. Holtzclaw recently released three reports which confirm Kenova residents concerns:

- The Kenova area bears the highest health risks due to air pollution in the Tri-State region.
- That Ashland Oil, immediately upwind of Kenova, has the highest rate of chemical accidents in the state of Kentucky.
- That it is appropriate for the EPA to do an Environmental Assessment of the Kenova area before permitting more sources of pollution such as the proposed Huntsman Chemical plants.

(continued on page 6)



WHEN FINISHED WITH THIS, DON'T THROW IT AWAY--PASS IT ON TO A FRIEND!



ENVIRONMENTAL JUSTICE IN APPALACHIA

The phrase "environmental justice" has become a popular one. Several studies have documented that poor and/or minority communities are more likely to be the site of a polluting factory or a toxic waste dump than are other communities. According to EPA administrator Carol Browner: "For too long, low-income communities and minority communities have borne a disproportionate burden of modern industrial life. All Americans deserve to be protected from pollution--not just those who can afford to live in the cleanest, safest communities."

Examples of the problem come quickly to mind for the Tri-State portion of Appalachia.

First, radioactive waste is something nobody wants in their backyard. States are forming multi-state compacts to deal with the problem. Legislation enabling the state of Ohio to begin development of a facility for "disposing" of low-level radioactive waste was introduced in the Ohio Senate in November. Ohio has signed onto an agreement with five surrounding states to pick one Ohio site for all these states to use. It is likely that southern Ohio will be selected because of the radioactive waste problems already here, but also because its the poorest communities who have the least resources to oppose the waste. The radioactive waste will not go near any affluent communities--they have

the monetary and political clout to protect themselves. Polluting industries like to talk about risk-benefit analysis to justify what they do. But the people who get the risks are different from the people who get the benefits.

The further examples are the proposals to add new polluting industries to the area. More chemical plants for the Kenova area and a giant pulp mill upstream on the Ohio River. The people who are busy promoting these plants don't live where they would be located. They live conveniently far enough away to minimize the risks they might have to suffer. The businessmen in Point Pleasant pushing the mill aren't trying to get it built in Pt. Pleasant, they want it downstream where it won't taint their water. Those pushing the Huntsman chemical plants aren't suggesting that it be built where they live. They'd like to see it further away in Kenova, a community that already has more than its share of pollution.

As usual, the officials that are pushing more pollution criticize those who don't want to accept more "risks". But those in power aren't willing to take on those risks themselves. Environmental hypocrisy is what prevents environmental justice.

Politicians are beginning to talk about environmental justice. It's our job to see that talk is accompanied by action!

NEW OVEC OFFICE! A CAUSE TO CELEBRATE!

It's "Office-shall"! West Virginia Staff of OVEC have something to celebrate! Is it another environmental victory? Well, in a way. OVEC staff husbands see it as a restoration project. Soon hot meals and candlelight dinners will replace stacks of pollution reports on dining room tables (dream on, husbands). OVEC IS RENTING OFFICE SPACE!

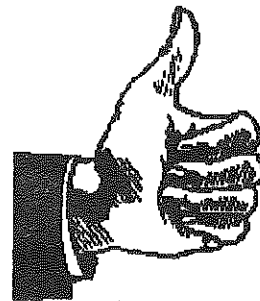
OVEC's new office will be located on the corner of 11th Street and 6th Avenue in downtown Huntington, WV, on the second floor of the building owned by Hospice of Huntington. Besides our own office, we can schedule time in a large meeting room (with kitchen facilities) or make use of the nicely furnished conference room. When we're out of the office, Hospice's secretary/receptionist will take messages for us. Staff can still be reached on their individual phones, as before.

We will need office furniture (tax deductible cash donations are welcome too!)

Here is a Christmas wish-list:

- computer desk
- desk chair
- folding chairs (2-4)
- shelves
- file cabinets
- storage cabinet
- table (6 ft. long)
- comfortable chair (1)

Once we've moved in, we'll hold an Open House to celebrate the liberation of OVEC staff's dining rooms!



MAGAZINE SQUELCHES ASHLAND OIL STORY

Chemical and Engineering News, published by the American Chemical Society, has killed a major story about Ashland Oil, after receiving pressure from the company. Wil Lepkowski, a twenty year veteran reporter, worked on the story for over a year. According to Lepkowski, the story was "straight down the middle" and presents the company's viewpoint as well as that of their neighbors. But any pollution publicity is apparently unacceptable to Ashland. According to Lepkowski, the decision to kill the story was unprecedented and has caused an uproar in the American Chemical Society.

The editor of the magazine said he was "not happy" with the decision, and that it was an "aberration". Those in the Tri-State however,

are well aware that the ability of Ashland to avoid bad publicity is not an aberration.

It is possible the story may be published elsewhere by a magazine that Ashland can't so easily influence. If it is, OVEC will make copies available.



PULP PERMIT (continued from page1)

The latest letter from EPA was prompted by DEP's effort to avoid looking at how much dioxin is already in the river. OVEC and others voiced strong opposition to a permit that was issued based on the false assumption that there is currently zero dioxin in the Ohio River. A 1993 US Fish and Wildlife Service study at Apple Grove found high levels of dioxin in catfish.

Instead of actually looking at the Ohio, DEP keeps referring to data from the Kanawha River, the North Branch of the Potomac River downstream of a Westvaco mill, and a stream by a pulp mill in Alabama. Lewis Baker, OVEC Board member, said: "Most of the information DEP collected is on rivers in Alabama or on the Potomac. That doesn't seem very germane to the Ohio. If they had data on a river in China, they'd probably send that to EPA. They need to collect a lot more data on the Ohio." Although data on the Ohio River near Apple

Grove is limited, it does indicate the amount of dioxin could be already over the allowable level. Huntington's drinking water is at stake here.

DEP Director Dave Callaghan sounds more like cheerleader for the proposed mill than the head of an agency assigned the task of protecting the environment. He sent a "drop dead" letter to EPA in response to EPA's request that WV start to do real science, and has tried to use technicalities to get out of actually enforcing the law.

Caperton appointees such as Callaghan have tried at every step to keep citizens and science out of the pulp mill permitting process. Their behavior shows that it's time to take the authority out of their hands. The West Virginia Environmental Council (the coalition of environmental groups in WV) has formally requested that EPA Region 3 revoke WV's authority to administer the law in the case of the pulp mill.

WHAT YOU CAN DO: Write to EPA--Tell them:

- That DEP's unwillingness to cooperate with US EPA underscores the need for EPA oversight of the state's water pollution permit program,
- That DEP's permit decisions are motivated by politics, not a willingness to protect our state's resources, and
- That you have lost faith in DEP's ability to issue a scientifically-sound permit based on DEP's reluctance to conduct adequate background testing for dioxin in the Ohio River.

Write to: Mr. Peter Kostmayer,
Regional Administrator
U. S. EPA, Region III
841 Chestnut Street
Philadelphia, PA 19107

DON'T FORGET: PULP MILL ISSUE MEETING
Dec. 20th at Mason County Library in Pt. Pleasant
6:30 -- 8:30 PM

For more info or ride sharing call Janet (304-525-6984) or Laura (304-453-4507)

KENTUCKY OFFICIAL PUSHED OUT (continued from page 1)

In this third report, the issue of environmental justice was stressed. Nationwide, it is poorer and minority communities that suffer the risks from the chemical industry while those who reap the most benefits live safely far away from the plants. The poverty rate in Kenova is three times the national average. Air pollution is already a serious problem and health studies have documented the effects on the health of Kenova residents. That's why there is the Tri-State Geographic Initiative! Holtzclaw asked: "Is it fair that Kenova take any more environmental health risks? It is an ethical question. . ."

In addition to thoroughly documenting the existing pollution issues, Holtzclaw has also paved the way for expanded air monitoring in the region.

Apparently, Holtzclaw's success at documenting the problems here was not welcome, and his effort not appreciated. Kentucky has ordered Holtzclaw to report back

to EPA for reassignment. The TGI will be put in someone else's hands. The concerned citizens who were promised a voice in the planning and implementation of the project were not consulted.

Kentucky's actions have enraged not only OVEC members but also environmental justice activists throughout Kentucky and the southeast, where environmental justice is the most lacking.

On Dec. 15, OVEC held a joint news conference in Frankfort, KY with the Southern Organizing Committee (based in Atlanta) and the Coalition for Health Concerns from western KY to publicize the situation and to ask that Brian Holtzclaw's contract be renewed.

To express your support for Mr. Holtzclaw, write to:

Phillip Shepherd
Environmental Cabinet
Capital Plaza Tower
Frankfort KY 40601

WHAT IS THE TRI-STATE GEOGRAPHIC INITIATIVE?

Our region has three different states. Unfortunately each state's environmental agencies are part of a different region of the federal EPA. It's a bureaucratic nightmare because pollution doesn't recognize state boundaries. The Tri-State Geographic Initiative (TGI) is an effort to coordinate the efforts of various environmental agencies to: "Define, prevent and remediate environmental threats and problems in the region's air, water and soil".

OVEC has two people on the TGI's citizen review committee, along with four other community representatives. Janet Fout and Rick Bady have been trying to keep the effort focused and moving, but getting three states and three EPA Regions to work together isn't easy.

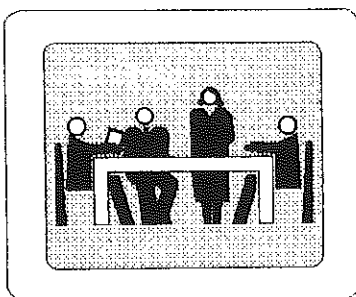
So far much of the effort has been directed at carefully selecting the best places to put new monitors for "air toxics". While there are a number of monitors in the area for the six "criterion" air pollutants, hundreds of other very toxic chemicals are released into our air every

day (in smaller quantities) and are not monitored at all.

The TGI has carefully studied the entire Tri-State region and concluded that the Kenova area has the most potential health risk from air toxics. While this comes as no surprise to anyone living in Kenova, at least a government agency has finally produced scientific evidence that Kenova bears the highest pollution burden. The expanded air monitoring for air toxics that haven't often been measured before will begin soon. Especially important is the fact that it will be possible to take air samples not just on random days but also during those several hour "events" when many Kenovans are driven indoors by bad odors and respiratory distress.

The purpose of the monitors is to identify problems and stimulate pollution prevention. What we've been asking for a long time is finally happening. It will be a slow process but it is happening!

For more information, call Janet 304-525-6984 or Rick 614-886-5796.



C/W LEPC INFORMATIONAL SEMINAR HELD IN KENOVA

For months, Kenova OVEC members have requested that every other Cabell/Wayne Local Emergency Planning Committee (C/WLEPC) meeting be held in Kenova. The LEPC finally agreed to an "informational" meeting--this allowed people to obtain facts about the LEPC and the current emergency plans for the area, but prevented citizens from expressing their concerns over specific industries.

Approximately 30 people attended this October 10th seminar that was held in Kenova City Hall. The issue of early warning sirens was addressed. OVEC member Carol Ramey expressed the need for sirens that would warn residents of chemical releases that fall within acceptable EPA standards, yet cause many people to seek medical attention (see story of EPA Standards).

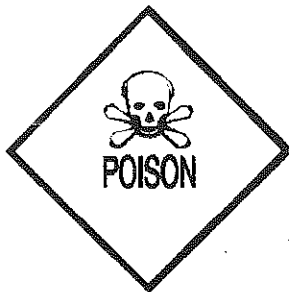
Gordon Merry of the C/W LEPC explained that the LEPC is attempting to get sirens at Dock's Creek, Barger Hill, and other local areas. Mr. Merry hopes that along with the sirens, there will be verbal announcements indicating what action people should take, in the event of

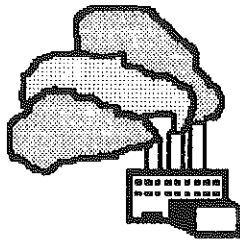
an emergency. He is also working with the National Weather Service to get chemical and natural disaster notices on the weather radio system. The radios would have to be purchased by those who want them, and would have to be left on at all times.

Thank you to Gordon Merry for his work on this vital issue, and to all who attended this meeting. It is important that we all work together to bring about the emergency system this area needs!

Two positive developments since that meeting: The 911 system has been implemented in the Kenova area! Also, the LEPC will be applying for a state funded grant of over \$3,000.00 that will be used for the planning of early warning sirens in the Ceredo-Kenova area and in Cabell County.

OVEC's Laura Forman will be working on the LEPC early warning systems committee. Anyone wishing to participate on this committee or other areas of emergency planning, please contact Laura at 304-453-4507.





KENOVA AREA NEEDS EMERGENCY PLAN

In a perfect world, communities would have no need for early warning sirens, in-home emergency alerts or evacuation plans. In Kenova, where chemical industries cover the landscape and clean air is a welcome, infrequent visitor, these precautions are essential. A US EPA study found "more than 34,500 US accidents between 1988-1992, in which 680 million pounds of toxic chemicals were released." In this study, Kentucky was ranked #6 in the nation for these accidents. As of September 1994, Boyd County ranked #4 in Kentucky. These statistics are intimidating to folks in Kenova, Boyd County's close neighbor.

Unfortunately, many hazardous chemicals from local industries are blown Kenova's way via the prevailing winds. But the greatest threat may come from hydrogen fluoride (HF). HF is used in the alkylation process of high octane fuels and is stored at Ashland Oil's Catlettsburg refinery. According to the US EPA's hearing held July 12, 1993, hydrogen fluoride can cause severe impacts more than 6 miles downwind. Over 75,000 people are within 6 miles of the Ashland refinery, and are at risk in the event of an HF release! Although many problems can occur due to HF exposure, the most extreme include "severe damage to the respiratory system and death". Due to these grave dangers and Ashland Oil's own lack of proper HF mitigation systems, many concerned citizens have requested that our C/W LEPC implement a specific emergency plan to deal with an HF release. We were told that the "LEPC does not

deal with specific chemicals"- an interesting philosophy, and one that illustrates the control that Ashland Oil has over the LEPC.

The saga of the Kenova area's woefully inadequate emergency system is as follows:

- Huntington has 8 warning alarms. Kenova has none.
- The Kanawha Valley has a ringdown system and early warning sirens. Kenova has neither.
- Kenova is surrounded by train tracks and has no viable evacuation plan.

The fact is that the Kenova area is in need of an effective emergency plan and some of the particulars that can help provide us with a comprehensive plan are:

- In-home alerts or a ringdown system.
- Outside early warning sirens.
- Viable evacuation plans that are practiced annually.

Kenova OVEC members are working on a project to get an evacuation plan in place. The project board, formed on the advice of The Circle, will be: Ann Kiser, Carol Ramey, Thelma Perdue, Lawyer Ratliff, Evalena Bryson, and Pat Davis.

You do not have to live in Kenova to take part in this project and we welcome all help and ideas. Let's make this happen! For more information, call Thelma Perdue 304-453-3398 or Pat Davis 304-453-2046.

DO EPA STANDARDS PROTECT HUMAN HEALTH IN THE TRI-STATE?

THE CLEAN AIR ACT

The federal Clean Air Act says that EPA should set health standards for the air we breathe. But national standards have only been set for the 6 most common air pollutants. Are even these standards low enough to protect peoples' health? For some, the answer is no according to the American Lung Association. They are suing the EPA to force them to improve several standards. Their lawsuit could have significant impact on the Tri-State if it results in improved protection against sulfur dioxide (SO₂).

As a result of the lawsuit, scientists have reviewed evidence of health effects of SO₂ and have concluded that the current standard is not adequate. A five minute burst of high levels of SO₂ can trigger asthma attacks even in mild asthmatics. But the standards for SO₂ have only been set for longer time periods--for example the average reading over three hours. So a five minute burst of SO₂ can cause health problems, but if the level of SO₂ goes back down quickly enough, the average level of SO₂ for the three hour interval can be below the three hour standard, and there's nothing the regulators can do.

This is exactly the situation in Kenova. For years, even the existing standards had been violated due to emission from Ashland Oil. After prodding by citizens and regulators, eventually Ashland did install enough pollution control equipment so that the three hour standard was no longer being violated. But as many Kenova residents can testify, short bursts can and still do cause severe breathing problems. Nationwide 4% of the population have been diagnosed with asthma, but in Kenova 8.7%

reported having been diagnosed with asthma, and over 30 % reported experiencing breathing problems.

CAN NEW REGULATIONS HELP US?

The scientists at EPA and the American Lung Association realize that a short term standard is needed to make these brief bursts illegal too. The EPA heads appointed by presidents Reagan and Bush had no interest in putting people's health ahead of corporate profits and did nothing. Within the next year we will find out if President Clinton's appointees are any different.

The problem of short bursts that aren't covered by the existing regulations is not a big one nationwide. They are a problem mainly near facilities that have a lot of malfunctions such as Ashland Oil. In fact, Ashland Oil is one of the handful of facilities in the country that the EPA studied as an example of the problem. Since most places don't have this problem, establishing a new standard for the entire country is not likely. Instead, the EPA may develop what they call a "targeted strategy" to give regulators authority when it's needed, but not bother regulators and industries everywhere with more paperwork when it's not needed.

So the key question is whether the "targeted strategy" will really be strong enough to give KY regulators a weapon that Ashland's lawyers can't wiggle out of. EPA will be taking testimony in January. They need to hear from citizens like those in Kenova who are being affected by bursts of SO₂. For more information, call Rick Bady, 614-886-5796.





INTERNATIONAL FOREST CONFERENCE

by Janet Fout

In November, I attended an international meeting of the Native Forest Network (NFN) in Missoula, MT. The focus of the conference, attended by over 300 activists, was the effects of multinational corporations on native forests worldwide and the cultural impacts on indigenous people who depend upon the forests for their livelihood. The mission of the conference was to broaden the base of support for protecting and restoring native forests worldwide through science, understanding cultural connections, and non-violent actions. My participation in the conference included being a panelist discussing the effects of pulp and paper mills on native forests, and conducting two workshops--one on the specifics of the Apple Grove Pulp and Paper Company issue and another on Parsons and Whittemore, the parent company.

By the end of a very long and intense conference, several issues and solutions became clear:

- (1) Large-scale assaults on forests by multinational corporations are increasing throughout the world.
- (2) The political power exerted by multinational corporations like Parsons & Whittemore, Georgia-Pacific, Weyerhaeuser, and Trus-Joist/McMillan is a real threat not only to native forests but also a global threat to democracy.
- (3) Continued replacement of native forests by pine-plantations is a major threat to bio-diversity

of the forests themselves and the wildlife that depends upon them.

- (4) Loss of other biological values due to stream degradation, erosion, etc. caused by clear-cutting. Examples included loss of valuable salmon hatcheries due to increased sedimentation caused by clear-cutting and species loss due to fragmentation of forest lands from increased roads and clear-cutting.
- (5) Loss of ancestral values of many indigenous people. (Many indigenous people depend on the native forests for food, shelter, medicine, etc.)

Some solutions to conserving and preserving the remaining native forests included:

- (1) Promoting reduction of paper use and consumption in the US.
- (2) Recycling and reusing efforts should be greatly increased.
- (3) Promoting the use of alternative, easily renewable fibers to make paper.
- (4) Reducing human population worldwide and in the US
- (5) Promoting "ecotourism" as a means of economic development.
- (6) Greater cooperation among forest activists.
- (7) Taking direct, non-violent, action if needed to protect public forest lands
- (8) Exposing the political corruption that causes the destruction of native forests.



POLLUTION PREVENTION

by Dianne Bady

In November, I attended the National Pollution Prevention Roundtable in Minneapolis along with about 350 state regulators and 20 other environmental activists. I learned about other state's pollution prevention efforts and met some great environmentalists from around the country.

I saw striking similarities between OVEC's Kenova work and that of other citizen groups from African American communities in the southeast suffering from pollution problems. I heard about pollution problems at Ashland Oil's smaller refinery in Minnesota.

The Director of Ohio EPA's Pollution Prevention office gave an excellent talk that emphasized that controlling toxic pollutants after they've been produced is not enough. Industries

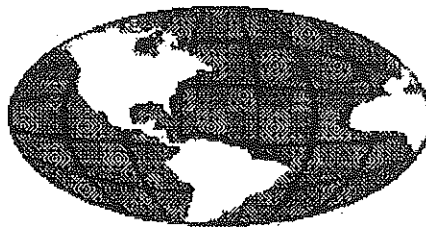
must use new technologies to prevent pollution from being created in the first place.

Afterward, I eagerly told him of the exciting opportunity to prevent the production of dioxin wastes at the planned Apple Grove, WV pulp mill on the Ohio River. As I explained the issue, he visibly drew back from me, mumbling that I'd need to talk to the overall director of Ohio EPA, not to him! He wasn't the only government official there who liked to talk about pollution prevention in theory--but feared to actually pursue a case that might involve controversy.

It's up to us at the grassroots to keep escalating the pressure on government and industry to put their good words on pollution prevention into actual real life practice.

**THANKS TO ALL OF YOU WHO HAVE CONTRIBUTED TO
OVEC RECENTLY!
YOUR SUPPORT IS GREATLY APPRECIATED.**

In November, OVEC's Dianne Bady led two workshops in Ripley, WV on community organizing and environmental advocacy at the fall conference of the WV United Methodist Church's Youth Organization.



OVEC ANNUAL MEETING: AWARDS, APPRECIATION, AND AFTERTHOUGHTS

OVEC held its Annual Meeting on November 19. Thanks to Scott Brown from Greenpeace for being the keynote speaker at the meeting. Scott is working on Greenpeace's campaign to phase out industrial uses of chlorine, where possible, such as in pulp mills. He pointed out that many pulp mills are now using bleaching methods that produce no dioxins.

OVEC presented awards this year to the following members and two out-standing non-members working for a cleaner environment:

Pat Davis--Outstanding Grassroots Activist
Beady Phillips--Long-term Commitment Award
Lewis Baker--Good Science Award
Carol Ramey--Courage Award
Monty Fowler--Courage Award
Eric Fout--Tree Hugger of the Year
Ken Ward, Jr.--Shining Light Award
Brian Holtzclaw--Outstanding Regulator

During the business portion of the meeting, Lewis Baker was elected to OVEC's Board of Directors. Welcome back, Lewie! To lighten up the mood, Rick Bady, Eric Fout, Mike Forman and Lewis Baker sang their debut of "We Are the Husbands of OVEC". We were all rolling with laughter before it was over! The well-attended meeting celebrating OVEC's past year's successes was followed by a covered-dish dinner. Thanks everyone who came!

Cut and mail to: OVEC, PO Box 970 Proctorville OH 45669

New member or renewal (Dues: \$5 - \$25, pay what you can)

Donation enclosed

**DONATIONS ARE
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For more info call: Laura (304-453-4507) Janet (304-525-6984) or Dianne (614-886-5796)
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OYEC NEWSLETTER

DEC. 1994 - JAN. 1995

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PULP MILL ISSUE MEETING

Dec. 20th at Mason County Library in Pt. Pleasant

6:30 -- 8:30 PM

For more info or ride sharing call Janet (304-525-6984) or Laura (304-453-4507)

“If you are neutral in situations of injustice, you have chosen the side of the oppressor. If an elephant has his foot on the tail of a mouse and you say you are neutral, the mouse will not appreciate your neutrality.”

---Bishop Desmond Tutu

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