

We believe that Vermont's economic health depends on its environmental health. VCE is fighting for the economic well-being of all Vermonters by promoting the sensible use of our resources – our land, our air, our water and our people.

VCE provides facts and information so Vermonters can make informed decisions.

Vermonters for a Clean Environment is a statewide non-profit 501(c)3 corporation.

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2007 End of Year Report

PRISTINE MOUNTAIN SPRINGS? NOT QUITE ...



VCE Discovers “Vermont’s Open Faucet”

VCE is working with allies in Canada, Vermont, and New Hampshire on an investigation of a large and largely unregulated groundwater extraction that has been taking place in Stockbridge, Vermont for almost two decades.

Pristine Mountain Springs (PMS) was cited as a water source for a proposed new water bottling operation to be located in Claremont, NH. Ice River Springs (IRS), a privately-owned Canadian water bottling company, announced plans in October to build a 273,000 square foot bottling plant. IRS proposes to bottle 300,000 gallons per day, 60 to 75% of which would come from Stockbridge.

VCE’s research indicates that the owner of PMS has been selling millions of gallons of water to Vermont Pure, ClearSource and other bottled water vendors from a source originally developed to serve a 1960’s housing development. The source is surrounded by septic tanks and leach fields. PMS has violated its ANR permit by failing to ever report monthly withdrawals. The permit places no limit on the quantity that can be removed from the aquifer, as long as the housing development’s needs are met first. After substantial prodding from VCE, ANR is investigating.

Conservation groups, activists and citizens in the Stockbridge area are raising concerns about the impacts of these withdrawals on surrounding aquifers and watershed. The source for PMS, reported to run at levels as high as 900 gallons per minute, is next to the Tweed River, a trout stream that is a major tributary of the White River.

VCE, VNRC, and Water 1st! are planning to hold public meetings to look at the question “Whose Water Is It?” To get involved, please contact Annette at vce@vce.org or 446-2094.

VCE Wins Removal of Unwelcome, Illegal Signs

Turns out there was something not quite right about those very large, very blue Omya signs that showed up in Florence road rights-of-way this summer. Several months ago citizens contacted VCE about the signs, and we alerted the state oversight panel in charge of road signage about the situation. The Transportation Information Council determined the signs were illegal and the sign permits issued by the town violate the state’s billboard law. We’re happy to report that recently, after some bureaucratic wheel-turning, most of the signs have come down. Omya and the town are now working with VTrans on a better solution to the problem of Omya truckers having trouble finding their way to the Florence plant. Florence residents are relieved not to live in “Omyaland.”

We are not happy to report, however, that our efforts to work with Omya to address the citizens’ complaints about the signs went nowhere. Omya keeps claiming it is changing, becoming more open and transparent. Yet Omya chose not to use established processes or lines of communication with its neighbors prior to putting up very large signs in Florence. We are still waiting to see evidence that Omya is changing.

When regulations (and regulators) fail...

A message from the Executive Director

Since VCE was formed eight years ago, I have seen no improvement in the enforcement of our state's laws and compliance with regulations. In addition, we encounter situations where there are no rules and regulations to protect public health and the environment. So we keep finding creative ways to achieve our goals.

With Omya, we are sitting down and talking. VCE's President and I recently spent three hours talking one-on-one with Omya officials. I also took Omya North America's new President on a tour of Danby and Tinmouth in November.

With J.P.Carrara & Sons, after all attempts to develop communication with the corporation in Clarendon failed, we approached the other branch of the family in Middlebury to open a dialogue, and we are talking.

In recent weeks, I sat down and talked to the heads of the Champlain Water District (about chloramine) and the Vermont State Dental Society (about mercury).

Our focus is on solving problems rather than fighting. Of course we still enjoy a good fight when necessary. And we still expect to win, one way or another, no matter how long it takes.

--Annette Smith

Omya Florence Update: Toxic Chemical Found **Consultants say air and water safe, but testing continues**

New information emerging from the "Section 5" scientific review of the Omya Florence site indicates that a toxic substance, aminoethyl-ethanolamine, or AEEA, has contaminated area ground and surface water.

AEEA is a component of Tall Oil Hydroxyethyl Imidazoline, or TOHI, the flotation reagent used by Omya to process marble. AEEA has been shown to cause birth defects in laboratory experiments, and is especially dangerous to pregnant women and small children. High levels of AEEA have been found in settling ponds and quarries on the Florence site, as well as in one spring off-site. Omya is seeking a source of TOHI that does not include AEEA.

Two chemicals that are part of Omya's operations have now been identified in water off-site. Perchlorate, presumably from blasting at the Hogback Quarry, has been found in private water supplies and in the town of Florence public water supply. AEEA, used in Omya's manufacturing process, has been found in a spring on private property off-site.

The independent scientists also cite arsenic as a contaminant of concern at

the Omya site that, along with high levels of iron and manganese, result from Omya's practice of dumping chemically-contaminated waste into old quarries.

It is important to note that the independent scientists find no threat to human health or the environment from Omya's waste management practices based on the limited data they have had time to develop during their six-month investigation. VCE's role now becomes exceedingly important as we work to reconcile the concerns of Florence residents knowing that Omya's chemicals have gotten off-site with the consultants' finding that the neighborhood's air and water are safe.

Omya continues to dump without a permit. We continue to ask, "when will the regulators act?"



Citizens congregate at Act 250 site visit on Omya's proposed dewatering facility

VCE, Grassroots Leaders Fight Against Chloramine

VCE is leading the fight around the country to end the use of chloramine as a drinking water disinfectant. Chloramine, a combination of chlorine and ammonia, was introduced into municipal water systems without human health testing. Now hundreds of people have complained of serious health impacts, and worries about long-term health and infrastructure impacts have increased.

VCE coordinated citizen testimony at a September hearing held in Burlington by the Centers for Disease Control (CDC) and EPA. While the initial plan was for the meeting to be dominated by discussions with the CDC, VCE identified 10 citizens to come and tell their real-life stories, turning the focus away from science and towards the fact that chloramine is making dozens of people in the Champlain Water District sick.

The hearing was attended by members of the Vermont House and Senate, some of whom were hearing the impact stories and symptoms for the first time.

Over 240 reports have come in from Champlain Water District customers suffering from symptoms such as skin rashes, respiratory problems, and stomach aches. VCE is working with grassroots leaders of People Concerned About Chloramine (PCAC) to pressure the Champlain Water District to end the suffering.

VCE is providing support to grassroots leaders in California, New York, Colorado, Oklahoma and Pennsylvania who are fighting the use of chloramine in their communities. We are also working with several national organizations to build support for changes to EPA's regulation of chloramine.

Updates on Ongoing VCE Work

Working with many of you, VCE continues to focus on these ongoing public policy and regulatory issues:

Save Rice Woods – Protections Still Possible

Shelburne citizens have waged an expensive and frustrating effort to save the local treasure known as Rice Woods, which is a gorgeous natural area containing moss-covered rock outcroppings, beautiful wildflowers, unusual trees, and bobcat habitat. In a strange twist that could be good news, the real estate developers have sued their partners, the property owners, in Chittenden County court. At the same time, the developers appealed the permit granted by Environmental Court that allowed for only partial development of the property. That case is now before the Vermont Supreme Court. Thanks to a plucky group of Shelburne citizens who have their priorities straight, we anticipate that eventually this important natural area will be conserved.

Clarendon/Whispering Pines Mobile Home Park – The Fight Continues

The problems continue in Clarendon, as residents of the mobile home park have had to put up with more shenanigans over the summer and fall. The Carraras have taken three of their mobile home park tenants to court over rent withholding; likely spending more money on attorney fees than can be recouped. Meanwhile, tenants are still reporting water outages and sediment in the water. Quarry blasting was delayed by neighbors' appeals to various courts, but resumed this fall after the efforts to stop it failed. The appeal challenging the Act 250 permit granted to the Carrara quarry by the Environmental Court awaits final ruling by the Vermont Supreme Court. The quarry is now shut down for the winter.

Mercury – Dental Amalgam and Thimerosal

VCE has been working to reduce and eventually end the use of these two mercury-based products in Vermont. Legislation passed the House Fish, Wildlife & Water Resources Committee last session that would require signed informed consent before dentists place mercury amalgam in patients' mouths. We expect that legislation to be taken up by health committees in the upcoming session.

Meanwhile efforts also continue to end the use of vaccinations containing thimerosal. While the Health Department has said they support an eventual phase-out, they have been far from pro-active. Department staff were recently criticized for their handling of the issue at a meeting of the state's Advisory Council on Mercury Pollution, and legislation has been introduced to ban vaccines with thimerosal.

ANR Reorganization – More "Centers", Less Sense

VCE has joined the chorus of advocates, environmental organizations, legislators, and ANR staff expressing significant concerns regarding the ongoing efforts by ANR Secretary George Crombie to impose reorganization on the Agency of Natural Resources. While many improvements can and should be considered for ANR, Secretary Crombie is using an ill-defined, confusing "center" concept that would increase the need for middle managers but provide little assurance that coordination, efficiency, and environmental protections will improve. The effort has been conducted far from the public view, with little opportunity for meaningful public input.

Thanks to pressure from VCE and many other groups, the legislature is now promising a thorough review of the entire reorganization proposal before any changes are authorized. Committee hearings on the plans are planned. Check VCE's website blog for the latest information.

CASE STUDY: Seeking Solutions in East Middlebury

During the summer and fall VCE has worked actively with residents of East Middlebury concerned about the impacts of a proposed expansion of the Carrara gravel pit that has operated in the neighborhood for years without any regulation.

Residents contacted VCE about the proposal and had many areas of concerns, including truck traffic, air and water pollution, and impacts to the surrounding environment, including the playground.

VCE helped residents learn about the permitting process, organize their concerns, and present them during hearings held by the Middlebury's Development Review Board. At the same time, VCE engaged in an outreach effort to the Carraras, building on relationships in the community.

As a result of our efforts, substantive negotiations are ongoing between the parties to find solutions to the challenges facing the community. With VCE's facilitation, the parties have agreed to sit down and talk. The Carraras and East Middlebury residents are currently trying to agree on experts to hire who would provide an independent review of the proposed expansion.

We hope that this process serves as a model for other Vermont communities.

Vermonters for a Clean Environment

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We're on the Web!

See us at:

www.vce.org

Other VCE Efforts '08 Legislature and Beyond

We anticipate a busy winter on the legislative front, with VCE and our allies working on a number of issues in the State House. These include support for initiatives to map and protect our state's **groundwater**. The question of the **tax levied on Omya's waste**, tabled three years ago, will be up for consideration again.

And the **proposed reorganization of the Agency of Natural Resources** will be undergoing review by several legislative committees.

Other issues include legislative action on **chloramine**, a bill supporting enhanced **enforcement** of environmental regulations, and possible changes to **Act 250**.

And we're working on:

- **Rail spurs, yards, and tracks** in Middlebury, Rutland, and around the state
- **Illegal Outdoor Wood Boilers**
- Tracking developments with **VELCO's NRP project**

**Yes, I want to be a member of VCE
and make a difference, too!**

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Thank you to the following foundations
for their generous support during the last
few months:

- Lear Family Foundation
- Lintilhac Foundation
- The Prentice Foundation

And thank you to the hundreds of
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