

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 Mid-Year Report

J.P. Carrara & Sons Quarry Blasting on Hold VCE's efforts on behalf of neighbors continue to achieve success despite seemingly insurmountable odds

Since 2000, Vermont citizens in Sheffield, Danby, Williamstown, Cavendish, Moretown, Chester, Rochester, Bethel and Clarendon have faced or are now dealing with proposals to reopen old quarries, open new quarries, or expand existing quarries. Crushed rock quarries can be especially damaging to the neighborhoods in which they operate. There is no better example of what a quarry can do to properties and water supplies than the J.P. Carrara & Sons aggregate quarry on Route 103 in Clarendon, which has been a nuisance to its neighbors since it began operating in 1988.

VCE has been working with quarry neighbors since Dec. 2004 to challenge the quarry owner's desire to deepen the quarry and increase blasting loads. We scored an important legal victory last month when the Vermont Supreme Court confirmed that an automatic stay is in place preventing the Carraras from blasting at their Clarendon quarry while their permit is under appeal.

This case is important for the precedents it will set as the first major appeal by citizens from an Act 250 Environmental Court decision under the new "permit reform" system. Attorneys Stephanie Kaplan and Phoebe Mills recently filed a brief on behalf of quarry neighbors detailing the damage the quarry has done to the neighborhood and the errors made by the Environmental Court judge in his decision approving the quarry expansion. The case involves water pollution, wetlands impacts, deer habitat and damage to homes and water supplies from blasting and quarry dewatering. Neighbors of the quarry who live in a mobile home park also owned by Carrara have been seeking justice for years as the operations at the quarry have ruined both their water system and their quality of life.

VCE is supporting this case and we need to raise at least \$15,000 to cover the cost of the rest of the Supreme Court appeal. Please help if you can!

What else VCE is working on

- Omya in Danby – All is quiet. Omya's land gift for the town garage is on hold.
- Rail spurs, yards, tracks – what does Vermont's rail future look like?
- ANR restructuring – what about a Center for Environmental Health?
- VELCO NRP project – will VELCO agree not to use herbicides in wetlands?
- Fighting Groundwater Commodification – VCE joins others in opposing new bottling project in Montpelier.
- In the last few months we have responded to calls from citizens in Shaftsbury, Benson, Florence, South Strafford, Chester, Rochester, Williamstown, Danby, Wallingford, Rutland, South Burlington, and Montpelier.

VCE Joins Champlain Water District Customers Concerned about Chloramine, New EPA Rules for Tap Water



Photo by Lee Krohn

If you are among the 30% of Vermonters who get your water from a municipal water supply, you will want to pay attention to upcoming changes in regulations relating to the chemicals used for disinfecting your water.

Customers of the Champlain Water District (CWD) in Chittenden County are learning from experience about chloramine, which is being touted by the EPA as a better alternative to chlorine because it reduces the disinfection byproducts of chlorine that are suspected carcinogens.

Since mid-2006 VCE has been working with People Concerned about Chloramine (PCAC) in an effort to get the CWD to stop using chloramine as a secondary disinfectant. Since its introduction into the water in April 2006, PCAC has collected over 175 reports of CWD customers experiencing serious health impacts from exposure to the water – skin rashes and infections, breathing problems, digestive issues, etc.

When the CWD and regulators ignored the complaints about long-term health effects, we turned to legislators for support. After spending much of the session informing legislators about the

issue, PCAC and VCE persuaded the Senate Health and Welfare Committee to hold a series of oversight hearings.

During these hearings, legislators made it clear to both the CWD and the Department of Health (VDH) that they were very unsatisfied with the situation and the lack of response. The hearings helped bring more attention to the issue and we appreciate the focus that Committee Chair Sen. Racine and members Sens. White and Lyons brought to the issues.

While progress was made, we were disappointed that in the end the Committee did not take specific action to stop the suffering of CWD customers impacted by the use of chloramine. The House did not take any action either, but we appreciate the active support given by Reps. Kupersmith, Head, Pugh, Evans, and McCullough throughout the session.

We have been very surprised by the obstinacy of the CWD and VDH and their failure to respond to the public's health concerns. VCE is working with PCAC and regulators to raise awareness and find alternatives for public water system disinfection.

VCE Executive Director Annette Smith assists Vermonters with research and investigations so they can solve problems in their communities and stop pollution before it happens.

"She's leading a grassroots campaign for transparency and accountability. When going over case files, she's as well versed in ANR's legal activity as a bona fide lawyer."

– Seven Days Vermont article
"How Green is My Valley?"
May 23, 2007

VCE, Strafford Citizens Stop Omya's Rush to Dump

As has been reported in the *Randolph Herald*, in late April Omya applied for a state permit to use 200 tons of chemically contaminated wastes from their Florence, Vermont processing plant as part of a pilot remediation project at the Elizabeth Mine Superfund site in South Strafford. VCE and community members reacted with surprise, concern, and indignation. VCE got to work, offering information to citizens, raising concerns with regulators, and seeking answers from Omya and government officials.

At a May 10 informational meeting at Barrett Hall in South Strafford, VCE Executive Director Annette Smith gave a presentation detailing Omya's environmental record and concerns about the project. While she noted that recently Omya has become more cooperative and is an active partner in the legislatively mandated study of their waste and its effect on the environment, significant issues remain. At the end of the presentation, many residents raised concerns. As the May 17 edition of the *Herald* reports, some residents felt that given the company's environmental record and unknowns about the material itself, there was no reason to even consider bringing the material to the mine site. Town officials also expressed disappointment in how the permit application process was handled.

In fact, at the end of the meeting officials from Omya and the Agency of Natural Resources confirmed that they are postponing the plan for a year. Further, ANR staff have said that the waste would only be used in the future if the community approves. Both ANR and Omya staff agreed that mistakes had been made and committed to a more extensive community process in the future. The *Herald* story concludes by stating that at the end of the hearing it was clear that, "there would be quite a bit of scrutiny on the issue before any decision would be made."

Vermont Citizens Participating in Protecting our Environment

VCE at work in the State House – Working with many of you, VCE continues to focus on these ongoing public policy and regulatory issues:

Groundwater – Mapping Funding Secured, Reporting on Hold

VCE worked closely with a number of partners, including VNRC, Water 1st!, Trout Unlimited, and other advocates to support the creation of new state programs to map the use of our state's groundwater resources. By the end of the session, we scored some important successes. We secured a \$335,000 one-time general fund appropriation to ANR to support the start of a mapping project that will cost several million dollars and take several years to complete. We plan to work with our partners and ANR to secure long-term funding for the project from state and federal sources.

Our efforts to put in place a reporting requirement for any entity that uses more than 35,000 gallons of groundwater on any one day of the year were partially successful. Extensive negotiations resulted in compromise language that passed the House that creates a reporting requirement for most users and a study for agricultural users. Senate leaders decided to combine this issue with other issues connected to agriculture and water quality, and will conduct hearings on the compromise proposal in January.

Thanks to Rep. Jim McCullough of the House Fish, Wildlife, and Water Resources Committee, for his persistence and advocacy on behalf of the state's groundwater resources.

Mercury in Amalgam and Vaccines – Progress On Informed Consent

VCE worked with a number of partners including grassroots health advocates and VPIRG on three bills designed to reduce human exposure to mercury. Our focus is on dental amalgam and thimerosal, a preservative in vaccines. This multi-year effort involves taking on doctors, dentists and public health officials, too many of whom seem unwilling to consider safer alternatives that are available to them.

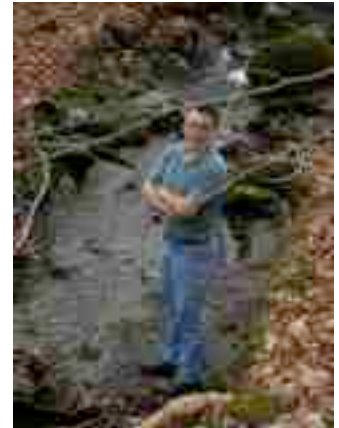
Our efforts focused this year on the House, where compromise language directing dentists to get “informed consent” from patients before they can use amalgam was passed by a key committee. We expect the issues to be taken up in January in the Senate when the legislature reconvenes. Thanks to Sen. Diane Snelling for introducing the strong, comprehensive Senate bill that addresses mercury exposure.

School Bus Idling – Cleaner Air for Children

VCE provided support to grassroots advocates and the American Lung Association, who have been pushing for the passage of legislation to deal with idling on school property. In an effort that saw many twists and turns, the legislature eventually passed a bill to prohibit school bus idling on school property (with weather exceptions), and to create a model policy regarding idling restrictions on other vehicles that school districts could adopt. This is a significant environmental health victory – thanks to Sen. Claire Ayer and Rep. Carol Hosford for their persistence and hard work on this issue.

Some of the other issues VCE worked on this past legislative session include:

- Oversight of the Department of Health's handling of environmental health issues
- Revisions to the state's public records laws
- Retaining new, stronger regulation of outdoor wood boilers
- Development of new guidelines for basin planning, surface water typing, and implementation of federal anti-degradation policies
- Developing case studies and legislative proposals to support an effort to strengthen enforcement activities in ANR



As VCE's Outreach and Development Director, Matt Levin works with Vermonters to guide them through the legislative and regulatory processes so they can be more effective.

“Matt has mastered the right balance between helping us develop as leaders and pushing us beyond our comfort zones, and being a good listener.”

– Ellen Powell,
South Burlington, PCAC

FUNDRAISING THANK YOUS

Thank you to the following foundations for their generous support during our 2006-07 fiscal year:

- Johnson Family Fund
- Maverick Lloyd Foundation
- Patagonia, Inc.
- The Kelsey Trust
- The Sustainable Future Fund

And thank you to the hundreds of individuals who support VCE!

Vermonters for a
Clean
Environment

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We're on the Web!
See us at:
www.vce.org

OMYA SCIENCE UPDATE
Arsenic Found, Investigations
Continue

While the legislatively-mandated investigation of the environmental and public health impacts of Omya's Florence operations continue, field testing of groundwater done by Vermont Law School's Environmental Law Clinic as part of the neighbors' federal lawsuit found arsenic levels in excess of federal and state standards.

These lab results are the first independent scientific results available and indicate Omya's waste dumping at the Florence facility is contaminating groundwater. We will know more as the court case and the independent scientific study continues.

Look for more info at www.vce.org.

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

Name _____

Address _____

Town _____

State _____ Zip Code _____

Phone _____

E-mail _____

\$15 _____ \$25 _____ \$50 _____

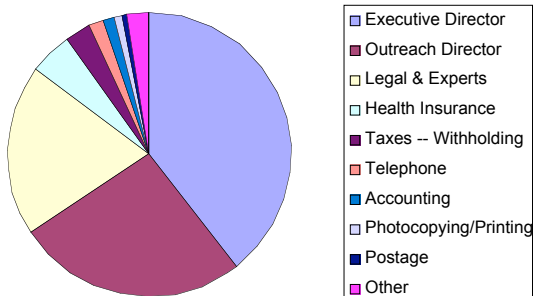
\$100 _____ \$250 _____ \$500 _____

Other: \$ _____

Mail to: VCE, 789 Baker Brook Road,
Danby, VT 05739. *VCE is a 501(c)3.*

Your contribution is tax deductible.

How Vermonters for a Clean Environment spent your donations 8/06-6/07



Executive Director	\$33,333.31
Outreach Director	22,000.00
Legal & Experts	16,629.02
Health Insurance	4,232.30
Taxes -- Withholding	2,460.00
Telephone	1,317.19
Accounting	1,288.00
Photocopying/Printing	677.92
Postage	461.40
Other	2,059.30

Total Expenses \$84,458.44

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