

BIOMASS VS. ENVIRONMENTAL JUSTICE ISSUES

As the extended deadline for public comments on Seneca's proposed biomass cogeneration plant grows closer, so does the possibility of the U.S. Environmental Protection Agency (EPA) organizing a stakeholders' meeting to discuss environmental justice issues related to the plant's proposed toxics release.

Despite being within Eugene's Urban Growth Boundary, the plant is outside of city limits and therefore will not be required to report to the Eugene Toxics Right-to-Know program, says Lisa Arkin of Oregon Toxics Alliance. The proposed plant is near several Eugene neighborhoods that, according to mapping done by the OTA have high minority, disabled and low-income populations.

Arkin says the issue of environmental justice arises with populations that have fewer resources and less political access. The neighborhoods are already home to industrial and Superfund sites like the Union Pacific Railyard and JH Baxter, she says. The proposed plant will release 500 tons of pollution a year to neighborhoods within five miles that have an 11 to 31 percent minority population. Eugene's average minority population is 5 percent, she says. Downwind neighborhoods such as Trainsong are also among the lowest income levels in Eugene, according to OTA's maps.

Arkin says a 1994 Presidential Executive Order calls on all federal agencies, including the EPA, to make environmental justice part of their mission. An EPA document, "Air Toxic Emissions in the City," says, "The cumulative impact of multiple emission sources on minority populations and low income populations in urban areas is of special concern." She says because the Lane Regional Air Protection Agency (LRAPA) is the agency that enforces the EPA's policies, LRAPA must address environmental justice.

Arkin says OTA, Centro Latin Americo and county and city officials, including Commissioner Rob Handy, have requested the EPA instigate a stakeholders' meeting to deal with the environmental justice issue, a process the EPA calls Alternative Dispute Resolution (ADR). Arkin says, "Whether or not the EPA has the resources to assist the neighborhoods in west Eugene, it is our hope that the stakeholders will come to the table because it is necessary to discuss Seneca's impact on these communities of concern."

OTA is calling for Seneca and the city and county to place ambient air monitors in west Eugene and for Seneca to place the strictest and most effective pollution controls on the plant.

The EPA is in the convening stage and is doing an assessment "to determine if it is ripe for mediation by a neutral party."

"Thinking outside the box — isn't that what we want to do in Eugene?" says Arkin.

Comments on the proposed Seneca biomass plant are due to LRAPA by 5 pm Friday, Aug. 28. See www.lrapa.org for more information. — *Camilla Mortensen*

PANEL PANS SENECA PLAN

The Lane County Health Advisory Committee (HAC) spent several months interviewing, researching and discussing biomass plants and has concluded that, "Biomass plants would add to our already overburdened air pollution problem in Eugene." The panel's recommendation to not support Seneca's application for a biomass power plant was sent to Lane County commissioners last week.

"Biomass cogeneration at Seneca will produce much more pollution than its current mill processes," reads the report. "Their application proposes adding over 500 tons of airborne pollutants to the airshed including 26 tons of specifically hazardous compounds such as benzene, dioxin, furans, mercury, styrene and lead."

The report goes on to say that cleaner air is associated with better health and longevity; not all "renewable" sources are automatically of public benefit; and "the best use of America's forests is to maintain them for recreational use while they continue their most beneficial aspect of removing CO2 from the air."

Looking at health affects, HAC says people with asthma and chronic pulmonary diseases are "particularly vulnerable to micro-pollutants. Micro-particles less than 2.5 microns are known to be particularly hazardous to health because they lodge deep in the lungs. Lane County already holds a 'D' rating from the American Lung Association for air quality."

The report says Lane County has the highest asthma rate in Oregon (11 percent). "The mechanism for this increase is not clearly understood but it is felt to relate to modern industrial pollutants."

HAC notes that Seneca's proposed technology involves "state of the art smokestack precipitators for removing particulate matter, [but] the resulting soot itself becomes a toxic product for landfills." — *Ted Taylor*

Lane Area Herbicide Spray Schedule

• Oregon Forest Management Services (896-3757) will foliar (apply to foliage) and/or "hack and squirt" spray 131 acres for Giustina Land & Timber Company (345-2301) with Garlon 4, Arsenal, Escort, Chopper, and Foresters herbicides near **Fox Hollow and Camas Swale Roads** starting Aug. 21 (#50469), and also will foliar spray 357 acres near **Gillespie Corners and Lorane** areas starting Aug. 26 (#50470). Giustina is targeting hardwoods, blackberries and Scotch broom.

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news Briefs

Charlie Tebbutt and Ed King



WELC BASH CELEBRATES BURN BAN

The 2009 Oregon Legislature finally put an end to most field burning in Oregon by passing SB 528, thanks in large part to the work of the Western Environmental Law Center (WELC). About 250 people showed up at King Estate Winery Wednesday, Aug. 12, to help WELC celebrate the victory and honor all those involved. The event raised more than \$3,000 in donations to help support the nonprofit public interest law firm's work around the Western U.S.

"We established certain ground rules at our first meeting of this campaign," WELC attorney Dan Galpern told the crowd. "We agreed that we would be guided by the science, that we would tell the truth, that we would not exaggerate or embellish the evidence; that we would be fair to the opposition; that we would take the high road without fail. Tonight, we can reflect that we honored those principles at every juncture, and that it worked."

Galpern and Charlie Tebbutt of WELC crafted the legal arguments, with help from UO law students Drew Johnson, Paul Tassin, Drew Stillman, and several others. Tebbutt's "indefatigable spirit and rare optimism emboldened us to carry our argument to every corner, from the EQC, to the Legislature, to the county, to the city, to the media, and, again and again and again, to the governor," said Galpern.

Elected officials also got involved, including Sen. Floyd Prozanski, former Sen. Vicki Walker, Rep. Paul Holvey, Rep. Chris Edwards, Rep. Nancy Nathanson, Mayor Kitty Piercy, and Lane County Commissioner Pete Sorenson.

The media played an important role in both educating the public and swaying a reluctant governor, said Tebbutt, citing a series of editorials by *The Oregonian*, and two cover stories by *Eugene Weekly*.

Maya Leonard-Cahn of WELC coordinated the campaign. Galpern and Tebbutt also credited the work of physicians Robert Carolan, Frank Turner, Carla Hervet, RN, The Lane County Medical Society, and Stephanie and Damian Jorgenson. Lisa Arkin and David Monk of Oregon Toxics Alliance were honored, along with Holly Higgins and many others who joined the campaign.

"It took a Herculean effort to get this bill passed," said Tebbutt. "This is an incredibly important public health victory for both rural and urban Oregonians."

The family and friends of the deadly 1988 freeway pileup caused by field burning were remembered. A letter was read from Matt du Aime, writing from France:

A couple days ago was the 21st anniversary of the huge accident on I-5 in which my sister Kate, her husband, Bill, and their daughters Mia and Dayiel died, along with three others

and all the wounded and scarred.

Although these Aug. 3rd anniversaries are always hard this one had more sweet than bitter. I must admit that along with the election of Barack Obama the success of the recent legislation has given me renewed hope in mankind.

It is such a joy for me to see the huge financial and political interests of the grass seed Industry in Oregon finally put in their place. The habit of grass seed burning has been a blight on the ecological and social conscience of [Oregon] long enough.

WELC is continuing to raise money to cover its expenses in this years-long legal battle. See www.westernlaw.org for more information about the campaign and how to contribute. Find more photos from the celebration at www.eugeneweekly.com

— *Ted Taylor*

MOCK TRIALS COMING UP

The Pitchfork Rebellion is planning a rally at 2 pm Saturday, Aug. 29, outside the old Federal Building at 211 E. 7th Ave. in Eugene. They plan to have a free concert and put on mock trials for what they describe on their website (www.pitchforkrebellion.com) as the "forest-raping, climate-changing, corporate eco-terrorists, and the government agencies that are under their thumb." The same federal agents that oversaw the May 2008 rally that ended with the Tasing of UO student Ian Van Ornum will monitor the rally.

The Pitchfork Rebellion, a movement that began in February 2005, say they are a band of small, organic farmers fighting big agriculture and timber businesses and their practices of clear-cutting trees and using pesticides. They call themselves the Pitchfork Rebellion because at their first rally many of the attendees brought pitchforks and other farm paraphernalia such as goats and chickens to show they were concerned farmers and not big city environmentalists. The Department of Homeland Security has in the past monitored the group's activities.

The Oregon Department of Forestry, the Pesticide Division of the Oregon Department of Agriculture and Monsanto, a corporation that sells herbicides and pesticides like Round-Up and Yieldgard, will all be put on trial as defendants. Day Owen of the Pitchfork Rebellion says that other members of the movement will testify against these groups: "There will also be people dressed up as a bear and a salmon providing testimony. There will be real children who have been hit with pesticides from helicopters, and they will be testifying."

The Rebellion has five goals in mind with this rally, says Owen: An end to a financial conflict of interest on the Board of Forestry, a clear and efficient replacement plan for the Western Oregon Plan Revisions, a quarter-mile aerial pesticide spray buffer zone around homes