



When legal action is required to stop pollution in our rivers and streams

In April, the Potomac and Shenandoah Riverkeepers filed suit against Ox Paperboard, LLC, in Halltown, West Virginia. The company had been violating its pollution permits for at least four years, releasing pollutants into Flowing Spring Run and the Shenandoah River. Shenandoah Riverkeeper Jeff Kelble answers questions about the case:

RW: Why sue now?

JK: Well, nearly two years have passed since we first contacted Ox Paperboard about their pollution and the issue still isn't resolved. Our research shows they violated their pollution permits for 30 months in a row. Thirty months! The average violation for one measure of pollution was nearly 3,000% more than permits allowed. It's time to draw a line in the sand.

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Threat of Quarry Unites Historic Community in Berkeley County, WV

Did you hear the rumble in West Virginia this fall? It happened after North Mountain Shale, LLC asked West Virginia to mine a quarry in a sleepy, historic town. Hundreds of local residents squeezed into a packed meeting hall until they were turned away, only to return as soon as a second meeting could be organized. The people in Gerrardstown (population 3565) came together to deliver a message: "don't gamble our drinking water away on a quarry." The message came in the form of 787 public comments, more than the State of West Virginia had ever received against any permit in state history.

The residents were concerned that a quarry would destroy the historic landscape of the town, as well as public water supplies. The following is from Upper Potomac River Manager Brent Walls, who is leading Potomac Riverkeeper's efforts to challenge North Mountain, LLC's quarry permit.

I have worked at the community level before, organizing people around issues that affect local water quality and our rivers and streams. Most of the time, the community consists of a small band of 10 or so households. The North Mountain quarry permit was different. Hundreds of people in Gerrardstown came together, thanks to four years of hard work by Wendy and Steve Hudock at CARE (see sidebar on pg. 3).

I was exhilarated. People were enthusiastic and concerned not only for themselves, but for each other and for the community as a whole. What was even better was

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On the River



Ed Merrifield
President
& Potomac
Riverkeeper



Jeff Kelble
Shenandoah
Riverkeeper



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Jeff Kelble is the Shenandoah Riverkeeper and was profiled in the Chesapeake Bay Journal. Read more about Jeff at potomacriverkeeper.org/updates

Stopping the Polluters *continued from page 1*

RW: The particular measure that was off the charts was BOD. Can you explain this?

JK: BOD stands for Biological Oxygen Demand and measures the amount of oxygen the pollution is sucking out of the stream. Decreased oxygen levels lead to fish kills and other environmental problems. We believe those violations are causing serious issues in the stream running through their property, which empties into the Shenandoah River.

RW: How do you respond to critics who suggest that we should not be jeopardizing jobs that a plant like Ox Paperboard provides, given the state of our economy?

You can stop polluters, too!

Several of our biggest cases began as reports from our members. If you spot pollution, report it over the phone by dialing 301-POTOMAC or online at potomacriverkeeper.org!

Same name, better tools

Check out the new potomacriverkeeper.org

Don't wait for the *River Watch* to come to your door, check out our new website. We're constantly adding videos, blogs, and stories to give you the latest information as it happens.

Thousands of people who swim, fish, and boat here in Flowing Spring Run and this segment of the Shenandoah are at risk, so are the jobs and health of people downstream.

JK: Ox's pollution jeopardizes the local water and tourist-based businesses, and the jobs of fishing guides and watermen downstream. Also, when Ox purchased the plant three years ago they should have known these problems existed and their business plan should have included quickly resolving the violations.

RW: What do you say to those who argue the Ox Paperboard is actually a green company because they recycle paperboard?

JK: No company is green until they meet the requirements of our country's environmental laws. Thousands of people who swim, fish, and boat here in Flowing Spring Run and this segment of the Shenandoah are at risk, so are the jobs and health of people downstream.

RW: What's next with this case?

JK: With help from our pro-bono legal counsel, we go to court.

RW: How can our readers help?

JK: Everyone who enjoys the river or gets drinking water from the river should be a member, or on our mailing list at the very least. I am grateful for their financial support; it allows me to be on the water investigating the pollution and in the community building relationships. This is what enables and inspires me to keep working my tail off to protect our river.

Read about Ed's recent coverage in the Washington Post, Jeff's work on endocrine disrupting chemicals, and watch our latest video of Brent exposing coal pollution.

Also, learn about our recent Pure Potomac partnerships with Clyde's Restaurant Group and Calvea!

Helping Residents *continued from page 1*

that our actions spilled over into other parts of the county and you had several communities supporting and following the efforts of local residents, who were fighting to protect the historic feel of their town as well as their local water supply.

Unfortunately, community action can only take you so far. Community action allows for voices to be heard, but just being heard doesn't necessarily mean there will be a change and the concerns of the community will be satisfied. What we did is take the ball that the community started rolling and give it a great big push, bringing greater visibility and power to the community's voice.

The combination of our power as an advocacy organization to get the job done and the level of public participation attracted our current lawyers to the case. Now, this community that has been struggling to have its voice heard has the backing of a no-nonsense organization and legal representation that most groups can only dream of having.

Wendy and Steve are the spark that created the movement. They are the ones who energized the community and created one voice out of many. Their perseverance has been inspiring, and I am confident that we will prevail in our efforts to protect their historic community and water quality.

If you want to help our efforts to challenge the permit, and aid the people of Gerrardstown who are fighting for their drinking water, you can sign our letter of solidarity at potomacriverkeeper.org/northmountain.

You can also follow us on Facebook (PotomacRiverkeeper) and Twitter (@PotomacRiver).

Brent will be joined by Ed Merrifield, the Potomac Riverkeeper, on June 6-9 for hearings in Martinsburg, WV with the state Surface Mining Board and Water Quality Board. In West Virginia, hearings are rarely scheduled outside of the state capital, so obtaining the change of location, which is closer to the communities affected by the permit, is an important step.

Wendy and Steve will be honored as Potomac Riverkeeper's Volunteers of the Year at our Potomac River Gala on June 12th at the House of Sweden in Washington, DC. Learn more on the next page!



Quarries, like the one pictured above during a recent monitoring flight by Brent Walls, strip the earth of natural buffers that keep pollution out of our water supply. They also destroy the scenic beauty of our neighborhoods.

Local Spotlight

Wendy & Steve Hudock, Volunteers of the Year

Calling folks to action was a way of uniting our community as we reached out to them for their support. The rally cry went out and the people responded in an unprecedented manner.

The decision to approve the permits at North Mountain was met with disbelief and disappointment. It was shocking that our critical and life-altering concerns were not given the due diligence they deserved.

We thank Brent and everyone at Potomac Riverkeeper. From the first trickle of water that begins at North Mountain, to the Potomac River and beyond, we are encouraged to know that the Riverkeepers are watching and protecting the waterways.

Brent and Potomac Riverkeeper are forever entwined in the history of Prospect Hill Farm, our historic home built in 1790. Each homeowner has left for the next owner, some piece of relevant history to share with future generations. Steve and I will leave our program from The Potomac Riverkeeper Gala with notes pertaining to their valiant efforts to protect and preserve the waterways and, in so doing, save one mountain in West Virginia.



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RiverWatch

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Join us at the 9th Annual Potomac River Gala

June 12th, 2011 | 4:00pm—7:00pm

House of Sweden | Washington, DC

Join us for a summer afternoon including music, food, a silent auction, and the presentation of our annual Protector of the Potomac Award. Our 2011 Protector of the Potomac is Dr. Vicki Blazer from the US Geological Survey (USGS), a leading scientist on fish kills, intersex fish, and the issue of endocrine disruptors in our water supply.

The Potomac River Gala is our premier fundraising event. For the last 8 years, friends and supporters have gathered to celebrate the Nation's River and raise money for its restoration. This year, our Gala will be at the House of Sweden, located on the banks of the Potomac River and in the heart of Washington, DC.

Tickets for this event are selling fast, so be sure to purchase your tickets early! Go to potomacriverkeeper.org/potomac-river-gala for more information!

YES! I want to become a member of Potomac Riverkeeper! Enclosed is my tax-deductible gift to help keep our Nation's River clean!

☐ \$35 ☐ \$50 ☐ \$100 ☐ \$250 ☐ \$500 ☐ Other \$_____

Name: _____

Address: _____

City, State Zip: _____

Phone: _____

Email: _____

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1100 15th Street NW, 11th Floor Washington, DC 20005
Or visit potomacriverkeeper.org and click on "Support Us"

☐ I would like to volunteer, send me information today!

☐ I would like to designate Shenandoah Riverkeeper!

☐ I can't contribute, but please put me on your mailing list!

Our recent community partners:

- Ten Thousand Villages, Alexandria
- Calleva
- City Sports, Georgetown
- Clyde's Restaurant Group
- Keeper Springs Natural Spring Water
- Community Bank of Tri-County