

FOLK Takes Action

Since September 2015, FOLK has taken the lead in working with citizens of L'Anse to resolve noxious air pollution created by Traxys-owned L'Anse Warden Electric Company (LWEC), and the ineffectual efforts of the Michigan Department of Environmental Quality (DEQ) in enforcing its environmental rules.

What have we done so far?

- With the assistance of an outside consultant, we submitted written, detailed comments to Michigan DEQ addressing weaknesses in LWEC's Renewable Operating Permit.
- We requested an EPA investigation into the company's failure to pass a September 24-25, 2015, stack test, resulting in a violation of the Clean Air Act.
- We reported massive releases of fugitive dust to the EPA and the failure of DEQ to collect and test samples.
- We reviewed thousands of pages of documents in the Marquette DEQ office through a Freedom of Information Act request.
- We have met numerous times with the DEQ Air Quality Specialist and talked to other DEQ officials in Marquette, Saginaw and Lansing.

- We have met with community residents, attended two Baraga County Board of Commissioners meetings, and met with KBIC Tribal President, Chris Swartz.
- We have been in contact with EPA officials since October 2015, which resulted in EPA hosting a public meeting in L'Anse on May 9, 2016 (see related article on page 3).
- We have run ads in local newspapers and printed flyers and posters, paid for with FOLK funds.

As a concerned environmental community, you should know about our ongoing efforts to hold Traxys and LWEC accountable for their ongoing pollution, and to expose their attempts to cover it up. But our involvement comes at a price as we work with attorneys and engineering professionals to gather the proper paperwork and assemble information. Your continued financial support is crucial in helping us pay for these services.

We greatly appreciate your donations and membership renewals to FOLK this year, and we ask that you please consider assisting us with additional funding. We also need engaged citizens to join us in speaking out on these issues. We believe that persistence and determination in this matter will reap long-term benefits for all. ❖



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FOLK'S Adopt-A-Highway "Stuff"

Rosemary Grier



FOLK has been a charter member of Michigan's Adopt-A-Highway program since its inception 26 years ago. Since 1990, our members have faithfully donned safety vests and gloves, trash bags in hand, and picked up litter three times a year along our two-mile stretch on US 41 in Baraga County. During those 26 years, we have gathered more than 500 bags of *Stuff!* In the entire state of Michigan, volunteers have gathered more than 2 million bags of *Stuff*, or about 70,000 bags annually.

Do you ever wonder what *Stuff* is lurking inside those stacked white trash bags sitting along the roads waiting for county trucks to haul them away? Do you wonder where those white trash bags are hauled?

(continued on page 2)

FOLK Takes the DEQ and L'Anse Warden Plant to Task for Ongoing Air Pollution Violations

FOLK asserts that the Traxys-owned L'Anse Warden Electric Company (LWEC), located on the shore of Lake Superior in the Village of L'Anse, Michigan, is **not** a biomass facility as classified by the Michigan Department of Environmental Quality (DEQ). It is clearly a Commercial and Industrial Solid Waste Incinerator. The facility burns a non-homogeneous mix of wood chips, wood processing waste, chemically-treated railroad ties, tire chips and natural gas.

A public meeting scheduled for October 29, 2015, was postponed indefinitely when LWEC reported a stack test failure to DEQ. The stack test revealed a hydrogen chloride level of 5.19 pounds per hour, more than double the 2.17 pounds-per-hour limit.

Citizen complaints regarding massive fugitive dust releases were finally addressed when the EPA ordered DEQ to collect its own samples, **five months** after videos and samples of the dust releases were sent to DEQ. The test results proved elevated levels of pentachlorophenol, metals and polycyclic aromatic hydrocarbons. A separate snow sample taken at the BHK Child Development Center was chemically analyzed and found to contain tire particulates.

The fuel yard contains thousands of chemically-treated railroad ties lying on bare ground, along with utility poles, which are not listed as a fuel in the operating permit. Tons of tire chips are left uncovered in a pile near the boiler.

After a compliance meeting in Lansing on February 3, 2016, between DEQ and LWEC, citizens were told that there would be a compliance agreement within a week. At a May 9 public meeting in L'Anse, DEQ *(continued on page 2)*



Photo of visible emissions from the LWEC smoke stack in November 2015, just two months after a failed stack test.



FOLK
Friends of the Land of Keweenaw
PO Box 473
Houghton MI 49931

If you have renewed your 2016 membership, thank you! Further donations support our environmental work. Get involved. We need YOU!

(Please print) Name _____
Address _____
City _____ State _____ Zip _____
(Optional) Email _____ Phone (____) _____ Date _____

Individual (Annual Membership / Jan-Dec): \$10 \$ _____
 Senior Citizen, Unemployed, Student (Annual): \$5 \$ _____
 Organization (Annual): \$35 \$ _____
 I would like to contribute to FOLK's legal fund. \$ _____
 I cannot afford the annual membership fee but would still like to be listed as a member.
 I am not a member but I would like to receive the newsletter.
 I want to get involved with FOLK! Please contact me by: (circle one) email or phone.
 Other _____

Total enclosed: \$ _____

Adopt-A -Highway (continued from front)

The most common items are fast food Styrofoam containers and paper products, empty beer and pop cans, glass bottles, chew containers, cigarette boxes, and electronic paraphernalia. Most of the garbage FOLK picks up along the roadside goes into the landfill, with some of the bottles and cans destined for either the bottle deposit machine or the recycling center.

The real issue of garbage – Stuff – relates to the entirety of the materials economy:

- From the extraction of natural resources like logging and mining;
- To the chemistry labs and factories where the Stuff is designed and produced;
- To the international warehouses and stores where Stuff is shipped and trucked to the big-lot discount stores;
- To the cleverly designed TV ads enticing consumers to buy even more.

This Stuff is manufactured or mass-produced using natural resources, and we consume only part of it, throwing away the rest, into trash bins or along the roadside. Then we use more resources and incur more costs to transport this Stuff to landfills, or we burn the refuse and spew toxins into the water and air we breathe.

Pitching trash out the vehicle window is a tiny piece of the story, intricately entwined with extraction, production, distribution, consumption, and disposal of our Stuff. The perils of over-consumption directly relate to the health of our communities and our planet. By understanding the story of Stuff we can learn how to do better.

To learn more, read Annie Leonard's book, *The Story of Stuff*, and watch the 20-minute movie at storyofstuff.org. You may be appallingly surprised.

Learn more about our local recycling program at coppercountryrecyclereuse.com & facebook.com/coppercountryrecyclereuse

Please consider helping us pick up more Stuff during FOLK's next highway clean-up, July 14–26. Leave a message for Rosemary Grier at 906.334.2660 and check for updates at facebook.com/folkorg.

Thank You to all our fantastic volunteers who have joined our highway clean-ups over the years. We look forward to working with you in 2016! ❖

FOLK Takes DEQ and LWEC to Task (continued from front)

indicated there is still no deadline for such an agreement. LWEC has been operating with at least two major unresolved violations and without an operating permit since December 30, 2015. LWEC continues to pollute its neighbors. Just three days after the May 9 EPA meeting in L'Anse, an early morning temperature inversion caused a plume of noxious stack emissions to blanket the Village of L'Anse, the Falls River and L'Anse Bay.

Many citizens would like to see the facility converted back to natural gas, which is a much cleaner-burning fuel. However, Traxys CEO Steve Walsh says that is not an option, as he is locked into a contract with Detroit Edison. FOLK will continue to advocate for conversion to natural gas following the precedent of the biomass facility at Northern Michigan University. ❖

The Skinny on Climate Change

It's here! It's happening! The climate is changing. What can we do?

In Houghton, concerned citizens calling themselves the *Keweenaw Climate Change Group* decided it's time to find out. Our solution is to host a series of talks and group discussions, do fun stuff – science gets so serious! – and, most important, generate ideas and action plans on what we can all do to keep the Keweenaw healthy.

We plan to start hosting talks in September, and we're in the planning stages now. **Come to our next meeting on July 6 at 6:30 at Hancock's Studio Pizza** on Quincy Street to meet group members. Linda, Horst and Dave have joined the discussion. Last time we had some really good pizza. **Come on in!**

In the meantime, what can YOU do? Use less energy at home. Drive less, walk more. Talk to other people about what you're doing. It's that simple! ❖



Image from www.earthtimes.org/encyclopaedia/environmental-issues/climate-change/



Image from Google Maps

Torch Lake Public Advisory Committee Moving Along

FOLK member Horst Schmidt is on the Torch Lake Public Advisory Committee

(PAC) which meets monthly. This is the official local body recognized by the state Office of Great Lakes (OGL) for formulating plans to clean up the lake. It is comprised primarily of municipal and county officials who represent districts adjacent to Torch Lake and Portage Lake, plus local citizens. With assistance from Sharon Baker, OGL coordinator of our *Area of Concern* (another way to say "it's polluted"), we have applied for funding and are awaiting a decision to hire an engineering consultant to develop plans for the clean-up. Sampling work is being done by the local DEQ manager to find sources of pollution, which are largely concentrated in the old Calumet and Hecla and Quincy Mining mills from Mason to Lake Linden.

Cleaning up Torch lake is a long, complicated and expensive process. We'll keep you informed as the PAC moves along. ❖

EPA-DEQ Information Meeting in L'Anse, Michigan, Regarding L'Anse Warden Electric Company Violations

EPA and DEQ bomb at May 9th meeting

By Catherine Andrews, FOLK Board Member

Although we appreciate the EPA's willingness to respond to our plea for action with its investigation of the Warden Plant, the staff's demeanor at the public meeting was generally unprofessional and they were often unresponsive to comments and questions of local residents.

The stack test failure in September 2015 was downplayed by the regulators even though it revealed more than twice the permit level for hydrogen chloride. Excessive levels of polycyclic aromatic hydrocarbons (PAHs) found in fugitive dust samples were shrugged off. We were told that PAHs can come from wood stoves, outdoor grills and cigarettes. EPA did not explain how PAHs from these sources of combustion might be associated with unburned wood fibers from ground-up, chemically-treated railroad ties – creating "fugitive dust" that drifts from the Warden property into the community and the surrounding environment.

Four fugitive dust samples and one blank sample were collected in the L'Anse area on February 1, 2016. Two South 4th Street collection sites are located about 300 feet from the Warden facility. All 20 of the PAHs tested at the EPA Regional Laboratory in Chicago were above standard limits in the samples from these two sites. Specific locations of the other two collection sites have not been disclosed.

According to the Encyclopedia of Health and Occupational Health and Safety, the PAH benzo(a)pyrene is a very potent

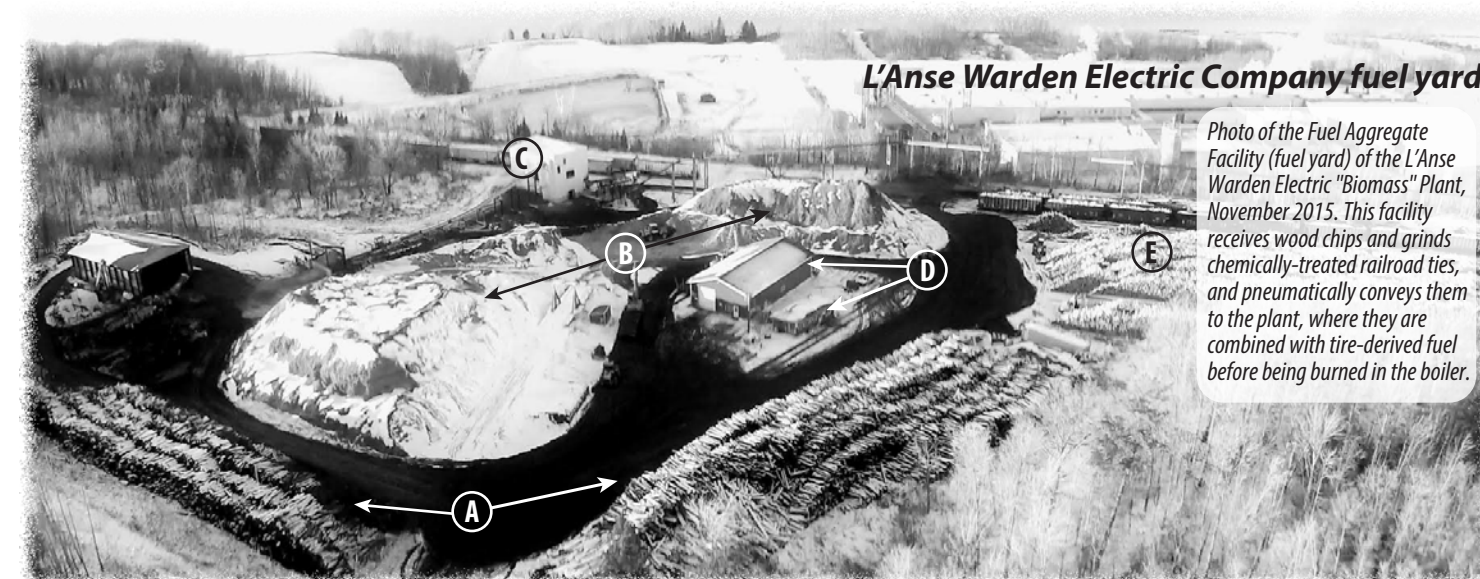
carcinogen. It was found to be 1,245% and 2,140% above the reporting limit at both South 4th Street collection sites.

Pentachlorophenol (PCP) is a known carcinogen that is banned in Canada and also in the U.S., with few exceptions. The South 4th Street samples revealed 454% and 990% above the reporting limit for PCP. Creosote is also a known carcinogen but DEQ's Steve Casey states that it poses "no public health threat to the community."

FOLK believes the L'Anse Warden Electric Company was erroneously certified as a "biomass facility" when it was converted from a stand-by natural gas facility in 2008. LWEC has been operating without a permit since December 30, 2015, with two outstanding violations; one from December 1, 2015, for a failed stack test, the other from February 8, 2016, for excessive dust, smoke and odor. The attorneys for Traxys, the owner of the facility, have been negotiating the violations and a new operating permit with DEQ attorneys since the beginning of February 2016.

The agencies assigned with the responsibility of protecting public health and the environment are instead protecting the interests of corporate capitalism. Their new mantra seems to be: *The Solution to Pollution is Corporate Absolution.*

Stay informed! For updates, check our Facebook page: facebook.com/folkorg ❖



L'Anse Warden Electric Company fuel yard

Photo of the Fuel Aggregate Facility (fuel yard) of the L'Anse Warden Electric "Biomass" Plant, November 2015. This facility receives wood chips and grinds chemically-treated railroad ties, and pneumatically conveys them to the plant, where they are combined with tire-derived fuel before being burned in the boiler.

- A. Lower left and right: Stacked rows of PCP- and creosote-treated RR ties before they are ground into chips. Not shown in the picture are more treated RR ties and some utility poles, which are stored to the far right beyond the standing trees.
- B. These two large mounds in the fuel yard contain chipped trees. They are chipped before being delivered to the fuel yard.
- C. Two-story white building houses the pneumatic conveyor, which forces chips to the receiving hopper – a major source of fugitive dust. The hopper, fuel storage building and boiler are at a separate location across the Falls River (not pictured).
- D. Maintenance building (the larger rectangular building) and the weigh station.
- E. Pulpwood stored in the vicinity of the fuel yard before it is shipped by rail.