

# Delaware Sierra News

A Sierra Club Newsletter about Environmental Matters Important to Delaware

January/February

## Delaware Sierra for Statewide Waste Management Planning

by Rich Anthony

With the DE Solid Waste Authority's [DSWA] pending review by the DE General Assembly's Sunset Committee looming during the 2004 legislative session, a recent application to expand the existing limits of the Cherry Island Land Fill and the of subsequent release of a report, replete with recommendations, relating to the proposed expansion attention is once again being focused on New Castle Co.'s landfill problems in particular, DE's land fill practices in general and potential alternatives for addressing future landfill demands.

As a result of concerns raised by Sierra Club

members the Chapter's Conservation Committee is in the process of establishing a Solid Waste sub-committee and the Chapter's Executive Committee has formally adopted a Recycling Expansion and Landfill Reduction resolution elaborating specific findings and recommendations. The following is an informal restatement of the Resolution elaborating the Chapter's position which was adopted by unanimous vote of the Executive Committee, DE Chapter, Sierra Club 11/03:

For the full Resolutions see page 6

## Erosion of Public's Participation in Public Hearings?

by Mike Casale

It is an ongoing effort for the Sierra Club, and indeed many other civic minded organizations in Delaware, to encourage public participation in the governing process, and the determination of what is "good" for the public in general. It is not convenient many times to attend public hearings, especially in these times when we are all so busy trying to "do more with less". Even the simple act of voting in State and Federal elections has become a feat accomplished by fewer and fewer idealistic individuals.

The gradual erosion of civil liberties and rights is the death knell of democracy. Fortunately, I don't think we are in danger, just yet. However, any time one right disappears we should see a red flag and ask why.

Such questions are now being asked concerning the revised interpretation of the Public Hearing process of the Department of Natural Resources and Environmental Control (DNREC). DNREC recently published a document entitled PUBLIC PARTICIPATION IN DNREC PERMITTING HEARINGS. In this document, they indicate "The purpose of DNREC Permitting Hearings is to gather information in a public setting to help the Secretary determine whether a given application demonstrates compliance ... with relevant Department requirements." This is an admirable mission statement for the process, although it seems that the public (you and me) has a new obstacle to our participation.

The document goes on to define

continued page 6

## Close Public scrutiny needed for Statewide Waste Plans or should the fox help reorganize the hen house?

opinion by Marlene Rayner

Although the DSWA was given the mission and authority by the state to do waste disposal right since 1990, it has not done the job well by almost any measurement. The goofs include the massive incinerator failure in the 1990s (followed by banning of incineration in the state); resistance to any statewide curbside recycling efforts; bad management of odors and gases from the landfill (meaning the great power from trash possibilities were never attained); and finally the unimaginative squandering of space in the landfill by not attacking the problem before the present 5 year time limit (at Cherry Island at the present rate of fill). By now with all these failures, the heads of any company would have been long gone.

Instead, on January 5, 2004, at a joint meeting "we" (those who speak for us - DNREC, RPAC) gave DSWA equal rights with DNREC and

DSWA continued on page 4

Table of Contents	page
Sierra Waste Resolution	1
DSWA Needs Scrutiny	1
Public Hearing Rights	1
From the Editor	2
Membership Forms	2
Sierra Boards Members	2
From the Chair	3
Conservation UpDate	3
Appalachian Action Plan	4
Control Your Destiny	7
Things to think About...	7
Sierra Outings/Socials	8
Sierra Club Meetings	8

## The Music Never Stopped

Thursday February 26th  
9:30pm - 1am  
at Kelly's Logan House in  
Wilmington's Trolley Square area.

An evening of non-stop  
collaborative musical improvisation!!

Delaware Chapter  
100 West 10th St., Suite 1107  
Wilmington, DE 19801

NON-PROFIT  
U.S. POSTAGE  
PAID  
WILMINGTON, DE  
PERMIT NO. 740

## Delaware Chapter and Southern Delaware Group Leaders

### Chapter Office:

100 West 10th Street, Suite 1107  
Wilmington, DE 19801  
Debbie Heaton 302-425-4911  
Hours: Mon-Friday 9 a.m. - 5 p.m.

### Chapter Executive Committee

Rich Anthony 645-1732  
Jean Bauer 698-1601  
Dick Bewick 736-1670  
David Keifer 678-2712  
Rick McCorkle 730-1417  
Matt Urban 475-9880 x17  
Eric Vanim-Botting 610-213-9279  
Ron Zink 735-8996  
Steve Callanen (SDG rep) 539-0635

### Chapter Appointed Officers

**Conservation:** Dick Bewick 736-1670  
**Litigation:** Carl Solberg 492-1225  
**Landuse:** David Keifer 678-2712  
**Anti-Pollution:** Al Denio 455-0389  
**Outings:** Phil Shuman 698-1998  
**Memb.:** Eric Vanim-Botting 610-213-9279  
**Editor:** Marlene Rayner 571-8097

### Southern Delaware Group (SDG)

Carrie Bennett 732-3358  
Steve Callanen 539-0635  
Sallie Callanen 539-0635  
Terri Usuki 436-4042  
Bill Zak 644-2293

### SDG Appointed Officers

Conservation: Terri Usuki 436-4042  
Secretary: Carrie Bennett 732-3358  
Visit us on the web:

Web Editor: Mike Casale

[www.delaware.sierraclub.org](http://www.delaware.sierraclub.org)



Preserve the Future

Not everyone can make a large gift to protect the environment during their lifetime, but you can preserve the environment for generations to come by remembering the Sierra Club in your will.

There are many gift options available. We can even help you plan a gift for your local Chapter. For more information and confidential assistance contact: John Calaway, Director, Gift Giving, Sierra Club, 85 Second St, 2nd Floor, San Francisco CA 94105 (415) 977-5639 or e-mail: [planned.giving@sierraclub.org](mailto:planned.giving@sierraclub.org)

The Delaware Sierra News is published five times a year by the Delaware Chapter of the Sierra Club. This publication is written and produced entirely by volunteers. If you would like to help with its publication, please contact the editor (302-571-8097). The deadline for materials for the next issue (January, 2004) is December 27, 2003. Publication January 15, 2004.

**We reserve the right to edit materials submitted for publication.** Send Materials and Letters to the Editor to: [marlenerayner@yahoo.com](mailto:marlenerayner@yahoo.com) or the Sierra Club Office.

**"Some display advertising may be accepted. Please contact Editor for details.**

Ideas expressed in the Delaware Sierra News are those of the columnists and do not necessarily reflect the position of the Sierra Club. While effort is made to check for accuracy, time constraints and limited all-volunteer staff do not allow for complete data corroboration.

Editors: Marlene Rayner, Jeanie Bauer, Mike Casale

This newsletter was printed on recycled, post-consumer paper with soy-based ink by the Dover Post Company, Dover, DE



## From the Editor

Marlene Rayne

This first 2004 issue deals with the interrelated important topics of openness and secrecy in our conduct of public affairs. Interesting that both reports should involve the state agency designated to protect our natural resources, DNREC. Of course, no one likes to be questioned on their motives where secrecy or lack of openness comes into play in public affairs. However, if one thinks "secret" or "no discussion", then a little red flag should go up in your head suggesting impropriety. In our society where information, meeting minutes etc can be posted almost immediately on a website, there is no reason why any meeting should any longer be "secret" -especially when it has to do with public matters and ultimately public trust and public monies -ours!

This year is an election year, we must all exercise that important right and obligation -voting! Because we are still a democracy, we don't fine or jail people for not voting. However, we do have an ethical obligation in our busy lives to pay attention to the issues, make intelligent decisions, or give up all rights eventually to those who would love that you do not care ("special interests" without your best interests in mind). We have seen erosion in our democratic choices, governmental operations, and our basic rights due to this lack of interest on our part. Each of our individual choices are additive and together many small people can assert their collective power.

The polls all suggest most americans care about their natural resources and quality of life for themselves and the generations to come. Somehow, we have we have abdicated responsibility collectively to let someone else do that, so in the last election *much* less than 50% of the possible voting public elected many people, including a president. It's our choice and our right to vote and demand openness and accountability.

# REGISTER AND VOTE IN 2004!!



Join Sierra Club today  
or give a gift membership  
and  
receive a FREE  
Sierra Club Weekender Bag

### MEMBERSHIP APPLICATION

New Member Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_

State \_\_\_\_\_

Zip \_\_\_\_\_

Phone \_\_\_\_\_

Membership Categories	INDIVIDUAL	JOINT
Introductory . . . . .	<input type="checkbox"/> \$25	
Regular . . . . .	<input type="checkbox"/> \$35	<input type="checkbox"/> \$43
Supporting . . . . .	<input type="checkbox"/> \$50	<input type="checkbox"/> \$58
Contributing . . . . .	<input type="checkbox"/> \$100	<input type="checkbox"/> \$108
Life . . . . .	<input type="checkbox"/> \$1000 (per person)	<input type="checkbox"/> \$1250
Senior . . . . .	<input type="checkbox"/> \$15	<input type="checkbox"/> \$23
Student . . . . .	<input type="checkbox"/> \$15	<input type="checkbox"/> \$23

All dues include subscription to *Sierra* (\$7.50) and chapter publications (\$1). Dues are not tax deductible. Mail to: **Sierra Club**, P.O. Box 52968, Boulder, CO 80321-2968 rip No. F94QW58001

## Letter from the Chair

*Matt Urban, Chapter Chairperson*

As you ponder your New Years resolutions for 2004, let me suggest that you add one to your list -being involved with the Sierra Club! In looking back, it's clear that we as a nation have an opportunity to do much better in 2004 than we did over the past year. To give you a sense of what I mean, here are just a few of the top environmental stories and trends of 2003, excerpted from a recent Sierra Club bulletin:

In October, massive wildfires blazed across Southern California. Interestingly, the Bush administration had spent much of 2002 and 2003 promoting a fire plan that would have done nothing to protect the affected communities from fire. That plan emphasized commercial logging in remote areas rather than thinning projects around communities and homes, as forest service scientists recommend. In November, the President signed into law a bill based largely on his flawed plan.

This summer's big blackout was another wake up call. Many, including the Sierra Club, had previously called on Congress to pass an Energy Bill that would invest in a 21st century energy grid and improved efficiency. Instead, Congress, with strong support from the Bush administration, offered up a bill that gives billions of dollars in subsidies for oil, gas, coal, and nuclear industries; weakens clean water and air laws; and exempts MBTE refineries from liability from toxic pollution. Fortunately, courageous Senators stopped this disastrous bill, which is expected to resurface early in 2004.

A tally found that 58 out of 100 actions taken by the Bush administration to weaken environmental rules were announced on Fridays, the day before holidays, or even during holiday weekends. These included eliminating Clean Water Act protections on 20 million acres of wetlands (Friday, Jan. 10); removing millions of acres of public land from consideration for wilderness protection (Friday, April 11); and allowing America's dirtiest power plants to avoid installing modern pollution technology (Friday, August 22). In May, Governor Christie Todd Whitman resigned as head of the EPA. Her replacement, Utah Governor Michael Leavitt, had a reputation for deal-making that benefited corporate interests over public health or the environment. One of his first moves was to propose rule changes that would allow three times more mercury pollution from power plants than the current law allowed. The news was not all bad however, and some very positive things did take place. Toyota reported that its gas-electric hybrid Prius sedan turned a profit in its first year. Toyota even credited its record earnings in 2003 to the popularity of the car, which Motor Trend named its 2004 Car of the Year. Meanwhile, Detroit automakers, with cover from the Bush administration and Congress, continue to perpetuate the myth that this is a car that can't be built.

Last month, a federal courtroom halted Bush administration's plans for snowmobiling in Yellowstone National Park. In November, a federal court in Kentucky ruled that food giant Tyson is responsible for pollution at factory farms, undercutting Bush administration efforts to allow unlimited pollution from massive animal facilities. And, both the DC Circuit and Appeals Courts rebuffed administration attempts to hide records of secret meetings between the Bush/Cheney Energy Task Force and energy executives.

So as you can probably see, this is the year to take action - on many levels, and we can use your help more than ever as we help lead our State and our Nation to a more environmentally sound future! -- -Matt

## Conservation UpDate

*By Debbie Heaton, Conservation Director*

Concerned about the changes being proposed at the Cherry Island Landfill or the liquefied natural gas transfer station being proposed for the coast of the Delaware River opposite Claymont? Do you wonder about the air and water pollution and safety challenges these and other projects might create? If so, join the conservation committee at our upcoming meeting (February 18th -7:00 p.m.) or contact one of the many chapter members listed in the chapter phone list to learn how you can help.

A group of people is beginning to form a New Castle County committee to look at issues specific to the communities there. They had an initial meeting in November and hope to set-up a schedule for the coming year. Land use problems, lack of recycling, expansion of Route 95 at Churchman's Marsh and the expanding county council are just a few of the issues this group hopes to look into. If you would like to get involved please contact Valerie Johns at [vbblueheron@comcast.net](mailto:vbblueheron@comcast.net) or 302-239-1410.

Members of the conservation committee are preparing for a January 10th workshop to prioritize conservation activities. The results of this session will allow for a more focused use of funds and time as the year passes and new issues come to light. The newsletter will have gone to press right as the session is taking place, but if you would like to learn about what the priorities are and what happened at the meeting contact Conservation Chairman Dick Bewick.

The Assawoman Canal and North Shore Groin permit appeal hearings are scheduled for the coming weeks. The Chapter has been working with the Mid-Atlantic Environmental Law Center to prepare testimony in an effort to stop these projects. Legal work on Motiva and the changes they are seeking on the consent decree continues. The Chapter found out on December 16th that the judge in Texas is going to allow for Sierra Club to intervene in the case. The Club has asked the Judge to hold a hearing on the matter. Mid-Atlantic Environmental Law Center is representing Sierra Club on this case as well. Stayed tuned for updates as they become available.

In early December Delaware lost one of its senior statesmen and environmental advocates: Senator Bill Roth. Many of us were more aware of his recent achievements involving the Roth IRA and his IRS work. Sierra Club worked with him over the years to keep the Arctic National Wildlife Refuge free from oil drilling, but we forgot that this area was originally protected by his earlier efforts in the 1980's with the late Senator Tsongas. They put together the "conservation act of the century" protecting 350 million acres of national forests, refuges, wildlife preserves and parks in Alaska. Senator Roth was able to see the big picture and stayed true to his principles - working for years to keep the Arctic protected. We will miss him.

The Senate did break for the holidays allowing us a short reprieve and catch up time on the energy bill. It looks like we will see it again January/February time frame. The chapter has been sending out alerts about impending votes. If you would like to join this list and get the latest news please send an email to [debbie.heaton@sierraclub.org](mailto:debbie.heaton@sierraclub.org) and ask to be placed on the DEAL list.

RPAC to assess the programs that might apply to Delaware for mandatory statewide recycling (another consultant's report). I was publicly told this agreement was arrived at secretly among just 4 un-named (and suggested high up) participants from those organizations; work on the agreement was begun in June 2003 -before the DSM consultant recycling report was publicly released. Considering the history of DSWA, the move may be nothing more than survival or better yet, another delaying tactic, which is business as usual for DSWA. DSWA says it has now "seen the light" for recycling due to turnout at the public meetings.

Meanwhile, hedging all their bets, this past 2 months has seen the DSWA, shamefully courting state legislators, especially those on the sunset committee, responsible for their future (since DSWA will come up for sunseting this year). Besides the now held up proposals for expansion and repair brought up with limited time to actually do anything right, DSWA has publicly raised the incinerator issue once again by offering trips to legislators to see the incinerator operation in Reading PA. If their present Cherry Hill Landfill expansion proposal fails their oblique suggestion here is a return to incineration.

Meanwhile DNREC and RPAC have taken the positive recycling report by DSM to the public. At least 5 public meeting have been held in various communities or the unincorporated areas of New Castle County. Jim Short and his staff have done a remarkably good job bringing the word to the communities. Having seen two of the reports from these meetings I'd say the curbside recycling concept has had a positive reception by the public with many wondering why we don't already have it!

However, the real problems are not the people who would recycle willingly at the curb, but the very issues that have kept Delaware in the dark ages of waste management for so long - politics and money.

Even with the very real possibility of instituting curbside recycling, Jim Short in a telephone interview says that adding residential recycling (only 50% of the real waste that goes into the landfill) along with removing yard waste and grass clippings would only add 1 year for every 6 years of landfill fill (thus we get 6 years at best left in that landfill). Restated reducing residential waste by 30% means only a 15% reduction in what goes into the landfill. Of course, at least publicly I have heard no mention getting a handle on and minimization of the other waste streams added to the landfill: commercial/business, industrial, packaging, and municipal solid waste. Without expansion or incineration, we'll need another landfill. We need an education campaign and not the full page ad (News Journal 1/5/04), where DSWA touts how great they are.

However, politics is intervening in all these matters. For curbside recycling we have two issues: a needed expanded recycling facility and some organization of waste hauling in our

unincorporated areas in New Castle County (these areas pay significantly more in NCC) which would keep costs down (transportation). The recycling facility is easy; the cost of existing drop-off programs is \$2.4M per year and the facility is \$300,000 per year. However, the waste hauler territory organization for cost savings is a real problem for New Castle County, but not for Kent County and Sussex where franchise districts already exist. Waste Management (WMI) and BFI gained control of 80-90% of the waste business in NCC in the last 20 years and BFI has most business in Kent County (Sussex I am unsure of at this moment). A few very small family owned trash collectors who collect from maybe only 1000 households remain; these are the businesses I most feel for in any franchise districting process. There is also the new kid on the block, Independent Disposal Services, who are growing and control 10,000-20,000 households in NCC.

Remember we already pay a personal high price for the pitiful recycling we do have -we pay \$1 per month for every household not including the extra \$1.60 estimated for each car that brings material to them, the other grants given for recycling locally (Delaware City etc), and the gasoline use and pollution from all those many long waste hauler trips. If we organize collections, DSM says recycling won't cost. If we don't organize, the cost has been estimated to be maybe \$2 extra per household.

However, the over-riding issue is real lack of incentive in the present mission of the public-private DSWA to promote recycling and waste reduction; their money comes strictly from tipping fees (that which gets landfilled is weighed) plus anything they get back from selling recycled materials. Every pound not landfilled is a loss to them in revenue. No matter how you look at it, the original set-up of the DSWA was self-defeating. This is where the legislature is needed.

Thus, this year's sunseting /review process for DSWA is extremely important, and wisely, decisions for Cherry Island have been stayed until those discussions take place. We must redesign DSWA to do the waste management job we want -not what DSWA wants. Our entire waste stream must be thoroughly examined and minimized from all sources. Cherry Island must be fixed and the people who live around the present landfill must not be made to suffer for DSWA's failures. Although "new improved incineration" has been brought up again, incinerators are voracious consumers of waste. The process must be constant to be efficient (believe me we do not have enough); the technology remains dirty; and the company under question is in bankruptcy

Ultimately we probably need a new landfill, statewide recycling from all waste sources, and that discussion is beginning now. Either way our state and county legislators will not do anything right without public oversight. It is even more important now - knowing all these 'secret talks' could still be going on!

## Appalachian Region Conservation Committee 2004 Action Plan

By Bob Morris, Chair, ARCC

At the end of August a phone conference was held with Chapter Leaders and ARCC Delegates and it was determined that it would be helpful to reinvigorate the Appalachian Regional Conservation Committee. The ARCC will bring together strengths of the member Chapters and in turn help the Chapters have greater impact on regional issues.

In a caucus at the Council of Club Leaders and a later conference call, we have determined that we would focus on energy issues for 2004. This is in keeping with SC national goals of hitting hard on issues where the Bush Administration is weak and vulnerable, and offering visionary solutions. Our premise is that if the public is informed regarding these issues, they will take action to insure that we will get improved governmental stewardship of the environment. 2004 is a critical year for us to have the public informed and involved in the environment.

The ARCC plan is to build an American Independence Energy Policy Alternative (AIEPA) that will contrast with the Bush Corporate Energy Policy. We will put together an Energy Policy Roadshow Kit that will consist of modules that Chapters will use to put on events. Various modules that have been proposed include: damage caused by dirty fossil fuels and alternatives to them; conservation measures that can be taken by government agencies, businesses and every citizen to reduce power demand; reduction of vehicle emissions; tax incentives and penalties to promote reduced and clean energy use; increased funding of rail projects; responsible management of the national electrical grid; nuclear power; use of best practices in building to increase energy efficiency.

The AIEPA will show how we can reduce our reliance on use of dirty foreign fossil fuels, and accelerate the development of clean energy sources, practices and industries. This will make America more energy independent and position our industries for the inevitable decline of fossil fuels in the future.

Here is an example of the kinds of contrasts the Kit could include. The Bush Corporate Energy Policy has created a tax loophole that gives deductions of up to \$100,000 for the purchase of Hummers and other SUV's over 6,000 lbs. These are the worst gas hogs and polluters. The AIEPA can advocate increased public funding support for rail, as the least polluting, most energy efficient, and most cost-effective transportation option per passenger mile. This is just one possible idea. Our members will have many more and better ones.

The keys to making this plan happen is to for you, our concerned members, to volunteer to work on the different modules. There are lots of resources on energy issues out there, including other volunteers, Sierra Club staff, other non-profit organizations and government agencies. You don't have to be an expert on the issue (although some of you are), you just have to be interested in it and willing to help pull together the information that is out there and plug it into the AIEPA. Both Sierra Club staff members and other volunteers (like me!) will be eager to help you find resources and put what you find into the final Energy Policy Roadshow Kit.

If you are interested in contributing your time, information, expertise or funding to help us get the public to demand an American Independence Energy Policy Alternative to the Bush Corporate Energy Policy, please contact me. Bob Morris, Chair, ARCC, at the number or address below. With your support, we can do better!

Bob Morris  
Chair, Appalachian Regional Conservation Committee  
Mssbobm@earthlink.net  
Phone or fax: 202-548-8255

## Control Your Destiny

By Lorri Fencer

As Sierra Club members, chances are good that we all share a common bond: the desire to protect our dwindling natural resources and to minimize the effects of pollution in our environment. Along with sharing this bond, chances are good that most of us feel distressed and dismayed that the legislative and administrative maneuverings brought about by today's political climate are slowly eroding the laws protecting our environment. Beyond these feelings may be a sense of futility to fight this as the realities of work and family in today's fast paced society force us to carefully allocate our time among many competing interests. As a working mother who often feels rather time-challenged, I can certainly attest to that.

However, as new member of the Sierra Club and the Anti-Pollution Committee of the Delaware Chapter, I can also attest to the fact that you do not need to allocate enormous amounts of time to get involved and make a difference.

Locally many opportunities exist for involvement in community action to improve our environment. Since joining the anti-pollution committee, I have become a member of the Motiva Citizen's Advisory Panel. This means attending a two hour meeting once a month with officials from Motiva to foster public accountability and communication.

Some of my other activities include:

- Spending an hour on Newark Community day at the Sierra Club booth obtaining signatures to present to our congressmen urging support for the Clean Air Act
- Attending the Clean Air Forum held at the University of Delaware this past November
- Signing up for the Delaware Natural Resources and Environmental Control Public Notices List of industry permit applications and pollution violations
- Attending various public hearings and community forums related to industry air pollution controls and acid plant

Change may come slowly, but it can happen. Public opinion is important as we saw early this year when environmental and civic groups, state legislators and many citizens voiced strong opposition at plans to allow the disposal of sulfur dioxide in the Delaware River. Our voices were heard and this did not happen.

As Americans we are free to express our opinions. Please celebrate this right by staying informed of environmental issues on a local and national level and let our senators and representative know how you feel. Take things one step further and become a member of the anti-pollution committee. Only an hour or two a month can make a significant difference to the world around us.

The **Sierra Club Anti-pollution Committee** will meet on Tuesday, January 27th at 6pm at the Blue & Gold Club (UD), 44 Kent Way in Newark. Food and beverages are available and you can park in the Club lot. All members are invited to join us in our efforts to reduce toxic emissions in Delaware. We need a group to focus on mercury, and another to work on PCB emissions. Lori Fencer represents the Sierra Club on the Citizens Advisory Panel (Motiva's Delaware City Refinery) while I serve on their Environmental Advisory Panel. Perhaps members in Wilmington could fwrj with the group working on the sewage treatment plant and the Cherry Island landfill. You do not need to be a scientist to work on these issues. You do need a desire to improve life in Delaware! Please call me at 455-0389 or e-mail to [alvaldenio@aol.com](mailto:alvaldenio@aol.com) if you plan to attend. I hope to see you there. ....Al Denio

**THE RESOLUTION'S FINDINGS:**

1. That waste disposal is a regional problem.
2. That an equitable long term resolution of Delaware's solid waste issues will require comprehensive long range planning beyond just the City of Wilmington and the boundaries of New Castle County.
3. That immediate efforts should be made to achieve the mandatory reduction of waste materials through the introduction of alternative waste disposal and treatment programs.
4. That the Sierra Club supports a solid waste policy for Delaware based upon waste reduction and diversion, recycling, and respect for our communities, our health and our environment.

**THE RESOLUTION'S RECOMMENDATIONS:**

Based upon the resolutions above findings the DE Chapter advocates the following course of action and urges The Delaware General Assembly to enact legislation during the 2004 term which, at a minimum, would statutorily mandate the following:

- a. divert at least 50% of Delaware's solid wastes from landfilling on or before June 1, 2006; and
- b. divert at least 70% of Delaware's solid wastes from landfilling on or before June 1, 2012; and
- c. ban Yard waste from landfilling in Delaware on or before June 1, 2006;
- d. ban Paper from landfilling in Delaware on or before June 1, 2006; and
- e. implement a mandatory curbside collection program for recyclables which would, at a minimum include glass, metal and plastic containers, paper, and yard wastes on or before June 1, 2005, for all solid waste collection customers thereby reducing the near-term need to expand Delaware's landfills, allow for the development of comprehensive long-range solid waste disposal plans, the exploration and implement of environmentally sustainable alternate technologies and the closing of the Cherry Island Landfill.

the role of "the public". It says "the public's primary right is to submit a request ... which can lead to a public hearing. However, there is no mention of the public's right to cross-examine witnesses or otherwise conduct a litigation-style proceeding". It further clarifies "The role of the public is to provide input into the record to assist the Secretary in making a permit decision. The public may be afforded the opportunity to ask relevant questions of a permit applicant through the Hearing Officer.

So, it seems we can make requests, but we may not be able to ask questions. DNREC indicates that it is concerned that the hearing records may become bloated with irrelevant material. While this may be a valid concern, it seems unreasonable to throw out the wheat with the chaff. Has it occurred to DNREC (and our state government) that there might actually be something useful in the comments of an ordinary citizen?

DNREC further clarifies that "pre-hearing activities" should be used to raise and/or clarify issues prior to the actual public hearing. It is not clear if the "pre-hearing" will generate any sort of written record. If the purpose of these revised rules is to streamline the public hearing, and to eliminate irrelevant questions, then it seems that adhering to normal meeting practices (like Robert's Rules of Order) to control the meeting and keep it on course is the proper way to conduct the hearings. We shouldn't need to add another meeting. And then what if the "pre-meeting" gets bogged down - perhaps we'll need a "pre-pre-meeting"?

Organizations other than the Sierra Club have already come out against these new guidelines including Common Cause, Green Delaware, the League of Women Voters, and the Mid-Atlantic Environmental Law Center. We applaud them for their efforts.

It is absolutely necessary for the public to be an equal partner with government agencies in regulating and protecting our resources - natural, financial, or otherwise. The public hearing is a major part in that process and its effectiveness should not be diluted in the interest of bureaucratic expedience.

**CLEAN WATER: A Bad Blend**

The Bush Administration's new recipe for water includes a heaping helping of sewage, a dash of parasites and a dollop of viruses. In early November, the EPA released draft guidelines that would exempt public treatment facilities from removing pathogens from sewage during heavy rainstorms and snowmelts. The Administration's plan would allow the plants to bypass killing viruses anytime there is a high water flow. The Centers for Disease Control estimates an already alarming rate of 560,000 cases of moderate to severe waterborne diseases in the U.S. per year.

Read the Associated Press article here:  
<[http://www.enn.com/news/2003-11-04/s\\_10061.asp](http://www.enn.com/news/2003-11-04/s_10061.asp)>

**Sierra New Castle County 2004 Political Election Endorsement Project**

As we chime in the new year, coffee, tea and personal new year's resolutions are not all that is brewing in New Castle County (NCC). NCC Sierra Club members will be especially busy this year with the upcoming county elections in November 2004.

Since this is a golden opportunity to endorse potential candidates we believe carry our priorities, the NCC Sierra Club is initiating a 2004 Political Election Endorsement Project (PEEP). Our primary goal is to endorse and elect pro-environmental candidates to NCC.

PEEP is just getting organized and a committee is being formed. Some of the action items we will be involved in are: 1). Identifying the Issues, 2). Developing the questionnaire, 3). Interfacing with candidates, 4). Analyzing responses, 5). Publishing Endorsements. If you would like to learn more and join the group contact Val Johns at [vblueheron@comcast.net](mailto:vblueheron@comcast.net).

### FACTORY FARMS: It's a Mad, Mad, Mad, Mad World

Steak knives are gathering dust across America after the recent discovery of the first U.S. case of mad cow disease. Consumer advocates are urging the government to adopt stricter safeguards and increase inspection procedures on factory farms. According to the Organic Consumers Association, France tests more cattle in a single week than the U.S. has tested in a decade despite it having only a fraction of the U.S. cattle population. Some consumers are opting for organic meat, which has a stricter certification process and more ongoing inspections of organic farms. This may make it less likely to be contaminated by mad cow disease (Oregonian, Jan. 6, 2004).

Check out the Eat Well Guide website to find out where to purchase organic meat in your neighborhood:  
<<http://www.eatwellguide.org/search.cfm>>

#### WHERE DO DELAWARE'S POULTRY AND CATTLE FARMS STAND ON THIS ANIMAL FEED ISSUE??

<<http://www.grinningplanet.com/2003/judge-is-nuts/environmental-issue-24.htm>>

The USDA and FDA contend that a 1997 regulation prohibiting feeding of most mammalian proteins to ruminants should be enough to ensure that cows in the US don't contract BSE.

However, there are still several back doors through which the disease could hit US cows:

- Blood and fat from rendered cow wastes are still allowed in cattle feed. (The USDA thinks these substances cannot transmit the infectious agent, but there is no guarantee.)
- The 1997 regulation allows the cow parts that are banned from cow feed to still be used in feed for pigs or chickens. Slaughterhouse waste from those animals can then legally be fed back to cows.
- Pet food can contain slaughterhouse waste. Expired pet food occasionally ends up in cattle feed.

It's not much of a stretch to think that there is risk in allowing these potential sources of BSE to continue to be used in cattle feed. One critic of US policy is John Stauber, who has been studying BSE for more than a decade. Stauber thinks it's possible that BSE is already spreading in the US "under the radar" of the USDA's tests.

It is recommended that the US implement a complete ban on slaughterhouse waste in animal feed, just as Europe did after the horrible outbreak there in the 1990s."

## PARLIAMENTARY ALTERNATIVES TO MARATHON SENATE DEBATE ALL-NIGHTERS

### 1. HOLD-YOUR-BREATH SESSIONS



### 2. FLOOR STAREDOWN CONTESTS



### 3. CAPTURE THE GAVEL GAMES



### 4. DODGERBALL



## Seattle Begins Mandatory Recycling

By Bob Young >Seattle Times staff reporter

<[http://seattletimes.nwsources.com/html/localnews/2001816055\\_recycling16m0.html](http://seattletimes.nwsources.com/html/localnews/2001816055_recycling16m0.html)>

**Curbside Recycling will become mandatory in Seattle under new rules the City Council passed unanimously yesterday. The new rules require Seattle residents to recycle paper, cardboard, glass and plastic bottles, and aluminum and tin cans, starting Jan. 1, 2005.** If these recyclable materials are found in garbage cans and trash bins, the containers will be tagged as part of a yearlong education campaign. Beginning in 2006, residential customers will be warned if the materials are found in trash receptacles. If banned materials are found three times, the city will refuse to collect the garbage until such items are removed. Commercial customers can be fined up to \$50 for each container that includes banned materials. But single-family households will not face a monetary penalty under the new rules. **The rules stem from Seattle's slumping recycling rate, which dropped from 44 percent in 1995 to 38 percent in 2001. The city's goal is a 60 percent recycling rate by 2010.** The city was supposed to hit a 52 percent rate last year.

"Our main purpose is to get people to recycle more paper. That's our main emphasis, not the punitive points of this," said Marianne Bichsel, spokeswoman for Mayor Greg Nickels, who sent the recycling initiative to the council earlier this year. Seattleites throw out about 72,000 tons of recyclable paper each year. Nickels' original proposal also called for commercial customers, such as restaurants, to recycle food waste, but the new rules don't require that. City officials still are refining the details of such a plan.

## January

### 8 - Thursday

Social. 6:30 p.m., The Lobby House, E. Loockerman Street, Dover  
For information, call Ron Zink at 735-8996.

### 10 - Saturday

Help Set Conservation Priorities - a Workshop. 9 a.m. to 4 p.m.,  
Community Service Building, Wilmington. Help establish Delaware  
Sierra Club conservation priorities for the coming year.

also

Dinner at the Iron Hill Brewery, 6 p.m., River Front  
and "Pieces of April," 8 p.m., N Theater. For information about the  
movie, and to order tickets in advance, which is recommended, visit  
the N's website at [www.nemourstheatre.org](http://www.nemourstheatre.org).

For planning purposes, please let Terri know by 5 p.m. Friday, the  
9th, if you will be joining us for dinner or the show ([tipping@gunnip.com](mailto:tipping@gunnip.com)  
or 225-5120).

### 20 - Tuesday

Executive Committee meeting. 7 - 9 p.m., Dave Kiefer's home,  
Dover.\* Executive Committee meetings are open to all members,  
who are encouraged to attend and take an active part in their chap-  
ter.

### 21 - Wednesday

Judicial Nominations Letter-Writing. 7 p.m., Brew HaHa, Trolley  
Square, Wilmington. This opportunity is open to all. Come out and  
find out about the latest Bush nominees and federal court packing  
expected in 2004.

### 23 - Friday

Lecture and slide show. Dr. Gary D. Wray, historian, will present  
'History of World War II Lookout Towers in Cape Henlopen State  
Park,' including effects of severe beach erosion. 6:30 p.m., St.  
Peter's Episcopal Church, Lewes. Program co-sponsored with the  
Fort Miles Historical Association.

1:00 p.m., the Callanen's home, Ocean View. Contact Steve for  
directions and information at 302-539-0635.

### 27 - Tuesday

6:00p.m., Anti-pollution Committee, at the Blue & Gold Club (UD),  
44 Kent Way in Newark. Call Al Denio at 455-0389

## February

### 1 - Sunday

Meet-the-Sierra Club Brunch. 11 a.m. to 1 p.m., Brew Haha, 45  
East Main St, Newark (in the Main Street Galleria). Meet chapter  
members and learn about Sierra Club plans for the coming year  
while you nosh on a bagel and sip some brew. Do you have ideas  
on what you feel is important? If so, bring them with you. Or, are  
you just curious about what the Sierra Club is about? Please take  
this opportunity to answer your questions and learn about upcom-  
ing outdoor activities, education programs, and socials as well as  
the hot conservation issues.

### 5 - Thursday

Social. 6:30 p.m., The Lobby House, E. Loockerman Street,  
Dover.

For information, call Ron Zink at 735-8996.

### 18 - Wednesday

Conservation Committee meeting. 7 - 9 p.m., Ron Zink's home,  
Dover.\*

All members are encouraged to attend Conservation Committee  
meetings.

*In the Works -*

## A NEW CASTLE COUNTY OUTINGS COMMITTEE

We are looking to form an active Outings Committee for New  
Castle County. Are you interested in leading some activities or in  
offering suggestions? The goal is to schedule a get together and  
organize a variety of activities. Sound fun? Then please contact  
Terri Tipping at [tipping@gunnip.com](mailto:tipping@gunnip.com) or phone 302-225-5120.

\*For committee meeting agendas and directions to meetings, call  
the chapter office at 302-425-4911.

## MEETING SCHEDULE FOR EARLY 2004\*

January 20	Executive Committee	Dave Keifer's home
February 18	Conservation Committee	Ron Zink's home
March 23	Executive Committee	Dave Keifer's home
April 14	Conservation Committee	Ron Zink's home
May 18	Executive Committee	Dave Keifer's home
June 16	Conservation Committee	Ron Zink's home

### BE PART OF THE ACTION!!!

Keep in touch with what is happening locally and nationally as well as get involved by participating in sharing  
the environmental viewpoint!

1. Sign up for Delaware Chapter's e-mail alert list - The Delaware Environmental Alert List! Send an email to  
[Debbie.heaton@sierraclub.org](mailto:Debbie.heaton@sierraclub.org) to be included. This list will key you into state and national issues of interest to  
Delawearans.

2. Visit the Sierra Club's Web site at [www.sierraclub.org/takeaction](http://www.sierraclub.org/takeaction), where you can sign up for the Take Action  
Network to send free messages to your elected officials.

3. For the inside story about Club conservation campaigns and how you can help, ask for a free subscription to  
the bimonthly print newsletter the Planet. Send an e-mail to [activist.desk@sierraclub.org](mailto:activist.desk@sierraclub.org) or write the office of  
Volunteer and Activist Services, 85 Second Street, San Francisco, CA 94105-3441.



Explore, enjoy and protect the planet