

Mercury, a River and a Few People Who Cared

Unlikely Group of Penobscot River Activists Sparked International Action

By Catherine Schmitt

Maine and India are about as far apart as two places could be. But pollution knows no boundaries, and tons of mercury could have easily slipped from here to there in a quick flash of silver, had it not been for a group of dedicated Maine citizens. What began as a local effort against a polluting industry on the banks of the Penobscot River ended up rippling out across the oceans, becoming an international wave forcing the retirement of tons of mercury from the global market.

From 1967 to 2000, the HoltraChem facility in Orrington, Maine, used mercury to make chlorine and other chemicals for the paper industry. The plant legally and illegally discharged mercury in a series of spills to the air, water, soil and the Penobscot River.

"HoltraChem was the poster child of environmental polluters in Maine," says John Dieffenbacher-Krall of the Maine People's Alliance (MPA). "They had 11 serious spills in 12 months [in 1998 and 1999]. It seemed like every week you'd open the *Bangor Daily News* or turn on Maine Public Radio or turn on the TV news and it's another spill at HoltraChem. It just seemed a place that was totally out of control."

One of those spills, in February 1998, occurred just after Richard Stander and Nancy Galland moved to a muddy, rocky cove where the Penobscot River opens up into Penobscot Bay, across the river and downstream from HoltraChem. They heard on the radio that 10,000 gallons of mercury-contaminated wastewater had been released to the river by an industrial facility upstream. Self-described "old warriors" at grassroots organizing, Richard and Nancy picked up the phone and called a few friends, and notified the local media that there would be a picket outside the gates of HoltraChem to protest the spill. They had no idea how many people would show up, but come Monday morning more than 60 people arrived to show their support. "It just took off... like everybody wanted someone to do something," says Galland.

John Dieffenbacher-Krall and Richard and Patricia Judd, who live a quarter-mile from the plant in Orrington, were in the crowd outside the gates of HoltraChem. The Judds and MPA had been working for a decade to improve safety measures at the plant.

Jim Freeman was there, too. An activist with the Native Forest Network, Freeman had been staging direct action protests against Lincoln Pulp and Paper, HoltraChem's largest customer (the chemicals were delivered upriver by rail), and a source of dioxin discharges to the Penobscot River.

The rally outside HoltraChem would be the first of many, and the problems at the plant were getting the attention of the public and environmental regulators. By 2000, the Judds and MPA were suing HoltraChem to force cleanup of the Penobscot River.

Just as the citizen pressure to clean up the plant and adjacent river was growing, HoltraChem closed in September 2000. The shuttered plant housed a dark legacy—a 130-ton stockpile of mercury.

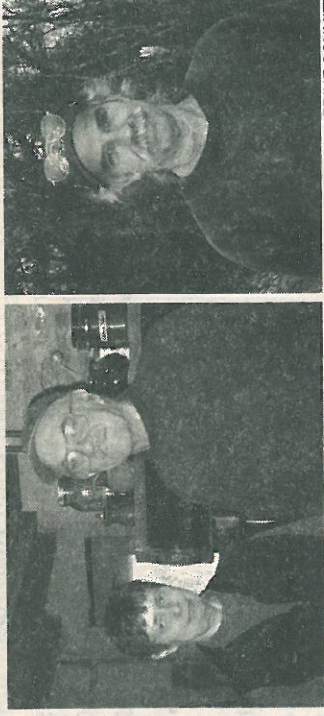
Suddenly, the group—now called the Penobscot Alliance for Mercury Elimination (PAME)—had to radically shift their strategy, says Mike Belliveau, who was working at the Natural Resources Council of Maine (NRCM), evaluating pollution from HoltraChem. "It was just so clear that a monumental threat HoltraChem's stockpiled mercury was," he says. On a brisk day in December 2000, PAME had another rally; this time a crowd of 100 people gathered outside the plant. "People showed

up to say that citizens didn't want to export this toxic to a developing country," says Jesse Graham, who was working for MPA to work on its zero-mercury campaign.

Still viewed as a commodity, 20 tons of only mercury were bought by DF Goldsmith, one of only two mercury brokers in the country. No one knew where the mercury was going. Activists tried to find out when the trucks were leaving the plant so they could intercept them, but word of the shipping



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John Dieffenbacher-Krall (top), of the Maine People's Alliance addressed a rally at the newly shuttered plant in December 2000. When it closed, 130 tons of mercury remained in the plant. Before becoming active in the opposition to HoltraChem's pollution, Jim Freeman (bottom right), of Verona Island, just downriver, had been active protesting industrial pollution of the Penobscot River. Nancy Galland and Richard Stander (bottom left), "old warriors" at grassroots organizing, had just moved to a new home downstream of HoltraChem when they heard about a major spill in February 1998. Within days they'd organized a rally outside the plant.

schedule came too late. By the time Dieffenbacher-Krall figured out that the mercury was going to a recycling facility in Albany, it had already been reprocessed and was headed for India, where it would be used in thermometer factories.

Once it learned the "toxic trade" was going overseas, PAME worked its network of contacts at Greenpeace International, the Mercury Policy Project, and the Basel Action Network and Toxics Link in India to track down the mercury shipment. "We were exchanging information at a rapid pace," says Dieffenbacher-Krall. "Everyone was digging. There were these wild e-mails." At one point, things were happening hour by hour. When activists in India sent pictures of piles of broken thermometers, and leaking containers of mercury with U.S. labels, Jim Freeman blew up the photos and showed them to the TV cameras. "Everybody saw this as a case of environmental racism," says Stander.

Greenpeace International got in touch with the All India Port and Dockworkers union, who agreed

not to unload the shipment should it reach the docks in India, and the Indian Ministry of Environment asked the customs and port authorities to seize the shipment, which they called "illegal consignment."

Next came a moment Mike Belliveau still remembers clearly. He was driving north on Interstate 95, on his way home from work. He was on his cell phone, talking to the shipping company. "This guy wouldn't tell me anything about the mercury getting to India, but he just kept talking," says Mike. "Finally he said, 'That shipment's been turned around... it's never going to make it to India.' I pulled over on the side of the highway and called everyone."

Hearing that India was refusing the HoltraChem mercury, the ship had turned around off the coast of Egypt. "We really had them on the run," says Dieffenbacher-Krall. For a brief time it seemed like it might become a replay of New York's infamous garbage barge, a wandering ship with an unwelcome cargo. But then PAME lost track of the shipment. No one knows for sure what happened to it. Mike Belliveau speculates that it first went to Spain, to one of the oldest mercury mines in the world, and was later shipped off somewhere else.

Despite losing track of the mercury, everyone views this as a success story. But why were they so successful?

"It was a very disparate group of environmentalists," says Stander. "We had Mike at one end—professional, scientist, lobbyist—on the other end were people like Jim Freeman, who was comfortable going into the streets. The role that Nancy and I played was to bring these disparate groups together in an alliance with a diversity of strategies for change. That's what excited all of us."

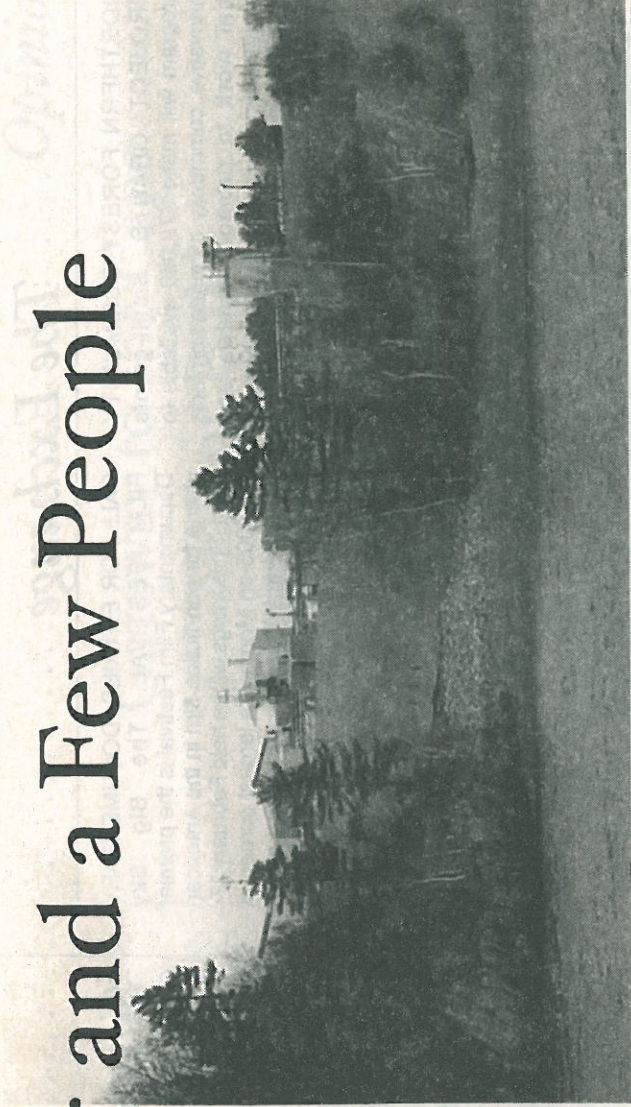
Freeman describes the different parties as the spokes of a wheel, each with a different approach to achieving the same goal. The connections that everyone had were also a stroke of luck, he says. Stander calls it a "symphony of community activism."

The community activism showed some real results. In 2002, NRCM and Maine's Department of Environmental Protection finally secured the remaining HoltraChem mercury at a storage facility in Wisconsin, where it awaits the day that humans learn how to put the metal back into the earth. As the mercury was being trucked out of Orrington, the U.S. Senate passed a HoltraChem-inspired bill, sponsored by Maine Senator Susan Collins, to ban mercury thermometers and retire surplus mercury.

The same year, MPA and the Natural Resources Defense Council and the citizens of Maine won their lawsuit against HoltraChem. The U.S. District Court, citing a threat to public health, ordered that former owner Mallinckrodt, Inc. study mercury contamination in the Penobscot River and bay.

Work continues to this day. MPA and the Judds are continuing to fight for stricter cleanup standards at the abandoned HoltraChem property. "We moved here thinking the river would be a wonderful resource for us, and our daughter. Now we don't dare stick a foot in it," says Richard Judd. "It is a tainted river," says Patricia.

Stander and Galland are trying to live a quiet life, but have been fighting recent proposals to build a liquefied natural gas transport facility on nearby Sears Island. "We're trying not to be activists, but it's very difficult," says Galland. They draw on their successful experience with HoltraChem. "It gave us a lot of heart," says Galland, as she looks out her kitchen window to the Penobscot River.



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The abandoned HoltraChem chlorine plant above the Penobscot River in Orrington, Maine. For years the plant discharged mercury to the air and water; environmental regulators are drafting cleanup plans for the plant and adjacent river.