

Coal Blooded Action Toolkit



NAACP Environmental and Climate Justice Program

The Coal Blooded Toolkit is a community oriented initiative intended to educate units across the U.S. about multiple methods to address pollution from coal plants.

Coal Blooded Toolkit

Created by the NAACP Environmental and Climate Justice Program

For use by members of the NAACP
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Foreword

Welcome to the Coal Blooded Action Toolkit! Your community now has the necessary framework and tools to build a foundation for eliminating pollution from coal, one of the most important steps we can take, in our march to advance Environmental and Climate Justice. Whether you are a leader, partner or participant in a coal campaign, your role is critical to creating change.

This journey will give each unit the necessary tools to become even stronger leaders in the community and advance the NAACP mission as champions of justice through upholding civil and human rights. The time and effort is now up to you and your community.

By following the modules in the Coal Blooded Action Toolkit, your unit will experience writing letters to decision makers, using the media to advance your cause, organizing community meetings, negotiating with plant owners, etc., towards the ends of reduction of harmful pollution, improving health outcomes, increasing investment in energy efficiency and renewable energy, creating sustainable, healthy jobs/careers, and more. These activities were designed for communities to succeed and most importantly, use them as tools to do so.

Keep in mind the NAACP Environmental and Climate Justice Program Objectives to Reduce Harmful Emissions, Advance Energy Efficiency and Clean Energy, and Improve Community Livability and Resilience are being reflected in the work that your unit is doing through the Coal Blooded Campaign. These three pillars are crucial to transforming the community and the world. In implementing this campaign, you will also be advancing one of the key objectives of the NAACP Strategic Plan. (a.k.a. “The Game Changers”)

The role each member in your community will play in creating the pathway to environmental justice is an ambitious one, but that is why as leaders you have chosen this way. And those efforts are to be applauded! Committing to Environmental and Climate Justice is no easy task and your community paves the way for those to come after you.

What the community accomplishes will be something that you all want to be proud of and share not only with other communities, but the world! So start the challenge with this in mind as you check activities off the list and create the change you want to see in your community and in our world!

Let's Begin!

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INTRODUCTION TO THE COAL BLOODED ACTION TOOLKIT

Valley Plant, on the Menomonee River, WI

The NAACP, Civil and Human Rights, and Coal Pollution

The NAACP has a rich and storied history of taking action to address civil and human rights violations and advance equity for communities across the nation and world. In 2010, the NAACP began working to address environmental justice issues surrounding the detrimental effects of coal on communities, especially the many vulnerable communities who are disproportionately impacted by pollution from coal. In a recent NAACP study of 378 coal fired power plants, we identified 100 plants that are particularly detrimental to the health and wellbeing of communities of color and low income communities. The quality of life impacts, including negative health effects and economic degradation in these communities are threats. This, combined with the effect of this pollution on climate change makes coal fired power plants a double-threat to communities worldwide.

Environmental and Climate Justice Issues are multilayered. Thus, the approach to tackling these issues must also be multilayered. People of color and low income communities are disproportionately affected by exposure to pollution from coal fired power plants. The chemicals and heavy metal pollutants spewing from coal fired power plants affects communities in many ways. To gain a better picture of the economic and public health impacts here's a snapshot.

EXPOSURE:

- Seventy-one percent of African Americans live in counties in violation of air pollution standards.
- Approximately 68% of African Americans live within 30 miles of coal fired power plants.
- An African American family making \$50,000 per year is more likely to live near a toxic facility than a White American family making \$15,000 per year.

ECONOMICS:

- A recent study showed that property values of homes near toxic facilities like coal fired power plants have 15% lower than average values in the general markets for those cities.
- At the same time, while African Americans spent \$40 billion on energy in 2009, African Americans only comprised 1.1% of those employed in the energy sector and earn less than 1% of the revenue derived from the energy market.
- Though African American communities disproportionately host plants that economically degrade neighborhoods, they reap only trace amounts of the profits.

HEALTH:

- A report on power plant pollution found that emissions from all power plants in the U.S. (both coal and other fuel sources) are responsible for 30,000 premature deaths, 7,000 asthma-related emergency room visits, and 18,000 cases of chronic bronchitis each year.
- Asthma affects African Americans at a 36 percent higher rate of incidence than White Americans. African Americans are hospitalized for asthma at three times the rate of White Americans and die of asthma at twice the rate of White Americans.

CLIMATE CHANGE:

- Pollution like carbon dioxide or CO₂ is the most significant greenhouse gas released by human activities, mostly through the burning of fossil fuels (oil, natural gas, and coal), solid waste, trees and wood products - It is the main contributor to climate change
- Climate change is expected to affect the health of millions of people directly— from heat waves, floods, and storms—and indirectly—by increasing smog and ozone in cities, contributing to the spread of infectious diseases, and reducing the availability and quality of food and water.
- African-Americans are also disproportionately affected by the economic impacts of climate change. For example, loss of property and livelihoods are considerable in times of disaster and many African American families are underinsured and thus, differentially impacted. Among other factors, including underinsurance and wealth deficits, African American families can be very challenged in having the resilience to recover in the wake of disasters and displacement. African American farmers, many of whom are already struggling to maintain their livelihoods, can no longer rely on typical season lengths, as longer or shorter periods of heat cause damage to their crops. Crops have been lost, particularly throughout the Midwest and the South during flooding, which is set to increase due to the proliferation of climate change.
- With African American communities being disproportionately coastal dwelling, displacement of people due sea level rise has also resulted in cultural erosion and this will only increase as global warming continues to melt the ice caps.
- African Americans and Latinos already disproportionately live in food deserts where communities lack access to nutritious foods. The shift in agricultural yields resulting from climate change will only worsen these circumstances.

NAACP's Environmental and Climate Justice Program

The three main objectives of the NAACP's Environmental and Climate Justice Program are:

- 1) **Reduce harmful emissions, particularly greenhouse gases:** Combines action on shutting down coal plants at the local level with advocacy to strengthen development, monitoring, and enforcement of regulations at the federal, state, and local levels. Also includes a focus on corporate responsibility and accountability.
- 2) **Advance energy efficiency and clean energy:** Works at the state level on campaigns to pass renewable energy and energy efficiency standards while simultaneously working at the local level with small businesses, unions, and others on developing demonstration projects to ensure that communities of color are accessing revenue generation opportunities in the new energy economy, while providing safer, more sustainable mechanisms for managing energy needs for our communities and beyond.
- 3) **Improve community mitigation and resilience models:** Ensures that communities are equipped to engage in climate action planning that integrates policies and practices on advancing food justice, advocating for transportation equity, upholding civil and human rights in emergency management and other measures.

Envision communities that breathe easily, have access to clean water, reside on uncontaminated land, and have access to healthy food. How we get there is through community action.

Addressing pollution from coal plants and working on a just transition to energy efficient communities and use of clean energy while preserving health and livelihoods of community members are key components of our strategy.

Coal Blooded Campaign Purpose:

To engage communities of color and low income communities as leaders in advancing Environmental and Climate Justice through addressing the harms of coal pollution on our communities and on the environment. The immense strength within these communities will build channels of support that advance change.

Guidance Modules at a Glance

Each activity is meant to be practical and build a foundation for Environmental and Climate Justice. The toolkit will give your community the necessary structure and knowledge to take action and be successful in the long term. Get started by reading through the document and then get ready to dig in to the work as your community makes its quest for Environmental and Climate Justice.

You will begin uncovering the numerous ways in which to engage those around you. Whether through a book club, church services, youth groups, or local organizations, there are many great ways to connect. There will be no doubt be a level of uncertainty when first beginning, but the initial steps taken are crucial because the end result is the protection of the health and wellbeing of the community.

Organization of the Toolkit:

Mobilizing the people and resources in your community can be achieved through the series of activities in this toolkit. Since each user may bring varying levels of knowledge on the issue, each section has been structured so that it can be consulted independently of the others. Thus, users who have an interest in a particular type of activity can refer only to the chapters—or tools—which are of interest to them. Cross references have been provided throughout the toolkit to direct users to other tools they may find relevant.

With the proper tools and organization, an educated community can be the most effective agent of change.

Part One: Investigating Coal Pollution in Your Community

This section guides you through a key first step: gathering information. By gathering information, you will be able to determine the scope of the problem, as well as any other information needed to develop a plan, while taking key considerations into account.

- **Introduction to Investigating Coal Plants:** This is the basic information you need to begin the process of creating social change in your community.
- **Getting Surveillance Data for Your Community:** This section highlights information for ways to collect data on the social and economic impact of coal on a community, using sources such as the health department and census data.
- **Gaining Feedback From Your Neighbors:** The voices of the community are essential in cultivating a complete picture of the effects of a coal plant. Unfortunately, we've found that many community members often have no idea of the threat of coal pollution and the impact on their health and wellbeing. However, it is good to get a baseline understanding of community awareness. Turn to your neighbors, church groups and other outlets to ask questions about their relationship to the coal plant. Through this method, it can ensure an informed approach to tackling the issues.

Part Two: Awareness-Raising and Education

You have now gathered the information and determined that coal pollution exists within your community. You have now decided to move forward with your campaign, but what next? With the proper tools and organization, an educated community can be the most effective agent of change. This section features modules for activities to raise awareness and provide education in the community on the impact of coal pollution.

- **Introduction to Awareness Raising:** This section will provide you with the tools to create and refine your educational message, hold events to share that information, and interface with the media. Use these tools to help tell your community's story of coal pollution.
- **Framing Your Educational Message:** Framing your message is a key step that takes careful planning. Crafting and framing an effective educational message will enable you to not only get people's attention but eventually rally them behind the cause.
- **Coal Blooded PowerPoint Presentation:** This shows the slides of the Power Point presentation, the slides are available with presenter notes as well.
- **Coal Blooded Video:** The video puts community faces and stories to the issue of coal pollution and all campaigns can request a copy to supplement your educational activities in communities.
- **Coal Blooded Town Hall Meeting Model:** Bringing the community together to give perspectives on the coal plant pollution and share their testimonies on public health risk and economic impacts is an invaluable way learning opportunity.
- **Educating Decision Makers:** At times, we have to bring our concerns to our decision makers. Using methods like letters in which you can write to inform your decision makers of your concern (toxic level of emissions, air and water issues, and investment in renewable energy), why it is important to the community and give further information on the issue which may prompt the decision maker to consider other courses of action. As for meetings with decision makers, it can be great way to voice your concerns for coal related issues in person and discuss why as a constituent how important it is to you and the community to reduce the impact of coal and ways to do so.

Part Three: Determining the Ask and Mapping the Plan

- **Key Considerations:** The steps of engagement highlighted in this section include identifying partners and allies to work within the community, negotiating with coal plants owners, developing and advancing local ordinances, meeting with local/state decision makers, using litigation, and models for how to transition from coal to clean energy technologies.
- **Conducting a Power Analysis:** Before taking action, communities must consider the power structures that must be addressed and thus, determine how organizing efforts should be implemented. This requires that a community examine the social, economic, political systems that shape the landscape for change as it relates to pollution from coal plants. Thus, your unit and community will be able to understand the holders of the power that must be wielded to advance the remedy being sought by the community as well as determining the appropriate steps for action to be taken.

Part Four: Infrastructure

It is time to turn the data gathering and community discussions into action towards change. This section highlights approaches to consider in minimizing coal pollution or shutting down coal fired power plants, including descriptions of potential levels of involvement for NAACP leaders.

- **Determining Level of Unit Engagement:** Determining the role of the unit in advancing a Coal Blooded Campaign will be a critical step in managing expectations and making sure that strengths and assets are best optimized.
- **Establishing Partnerships:** The partners and allies you will gain throughout this process can be instrumental. However, it is also important that you find partners and allies that support your mission and share common goals as well.
- **Developing a Community Campus Partnership:** A partnership with a local or other university/college is an avenue to gain a deeper level of data gathering and analysis on economic, health, and other impacts, as well as exploration of opportunities for economic development and implementation of energy efficiency/clean energy models.
- **Building a Coalition:** Working partners and other organizations is one way to ensure that the message of Coal Blooded is far-reaching. This section will highlight the key points to establishing an effective coalition.

Part Four: Taking Action

By utilizing the information gained through the Awareness Raising and Education component of the Coal Blooded Toolkit, units will be ready to take action regarding the coal fired plant in their area. This section gives unite the tools and resources they need to make the most informed choices and to participate in direct action to make changes within their community.

- **Negotiating with Plant Owners:** Negotiating with plant owners is a very significant step toward either shutting down a plant or at least mitigating the impacts that coal plants have on a community. In this section you will learn steps to take before, during and after a negotiation. This will give you the basic steps to get you started. Also included is a sample letter to plant owners.
- **Using Litigation:** Using litigation can be helpful when the aim is to stall or prevent the construction of new coal plants, as well as reduce pollutants from existing coal burning facilities. Litigation is another way for the unit to advocate when other non-legal measures are no longer viable options to protect a community. This section highlights questions to consider before using litigation, steps to take to begin litigation as a unit, and collecting data for litigation.
- **Developing a Local Ordinance:** An ordinance is used for city regulations. It can be helpful when setting regulations for issues that your community needs to be addressed. Ordinances can range from banning coal trains from coming through your neighborhood or town, to shutting down a power plant. In this section you will find the basic steps to developing an ordinance and how to get it passed.
- **Engaging in Direct Action:** As an advocate for change, it means taking measures to press them and bring awareness to coal related issues. This section highlights how to start a campaign and engage participants on a community level. Through these initiatives it will call for participation among community members.
- **Models for Just Transition from Coal to Clean Energy:** Your community may be seeking ways to better transition from a coal based economy to a clean energy economy. There have been many

places across the U.S. and the globe that have made the transition. This section provides models of communities, cities and businesses that worked together to build a model that brought in energy efficiency and clean energy jobs. These models reflect partnerships that deliberately took measures to include all people so that the transitions would be sustainable for each community in the long term.

Part Five: Media Outreach

The media can be an excellent resource for educating and informing others of the impacts of coal pollution, from the disproportionate exposure of certain communities, to data and analysis regarding impact of exposure, to information on how this relates to climate change.

- **Using the Media--Overview:** The media can be a vehicle for announcing an event to the public, the launch of a campaign, or sharing a key development/piece of research.
- **Print Media:** This section focuses on the benefits of written media outlets through the use of Press Releases and Op-Eds. Newspapers, magazines, and online journals are one outlet that can be utilized to get the Coal Blooded Message across to the public.
- **Radio/TV:** Another component of outreach is live or taped interviews from newspaper, radio or television this section will help get you prepared for any interview.

Getting Started:

The various activities and organizing methods described throughout this document are meant to be used as tools. This toolkit is intended to provide guidance, showcase promising practices and recommend resources to aid you in guiding community action. These tools will help you build awareness within the community and engage people on different levels of action. Activities include writing letters to decision makers, conducting community meetings and teach-ins, discussions and/or negotiations with coal plant owners, investing in clean and renewable energy, and more. To execute these activities you will find suggestions on partnerships with local organizations, churches, businesses, schools, including colleges/universities, and local/state decision makers in your areas.





Part One: Investigating Coal Pollution in Your Community

State Line Plant, Hammond, IN (Dominion)

Introduction to Investigating Coal Pollution

Conducting an investigation on coal pollution in your community is the first step toward strengthening the community's voice and leadership on environmental justice. In this section, you will learn the basics of gathering data on health, economic and other impacts of coal in your community, gathering feedback from the community, and developing community campus partnerships. Use these tools to capture a picture of your community's story.

As you refine your focus regarding the issue of coal fired power plants, this is an opportunity to call on members in the community such as educators, the local EPA agency, doctors, nurses, nonprofits, student organizations, state environmental justice programs, public interest lawyers, etc. These individuals and organizations can be instrumental in collecting the information/data you need. That may sound easy and your community may, in fact, have already identified some of those. However, to ensure that you are building a strong case certain details are necessary. The questions to consider are who, what, when and how in the next steps to your research.

During the course of your investigation, you should stay focused on finding answers to key foundational questions. In this section you will find a questionnaire, feel free to copy the form to use while you are working with the community. It may seem extensive and overwhelming at first to gather this information, but it is essential to building a case and understanding the problem your community faces. You will have been able to identify the core problems and what the community needs in order to improve the situation. You can begin to formulate the patterns/trends that are significant to your case.



Gathering Surveillance Data for Your Community

In order to develop a feasible strategy, you will need to know your community's social and economic connections to coal fired power plants. This will mean finding information that will examine the role of coal plants in supporting infrastructure and livelihoods in the community. Having done extensive work to examine coal fired power plants and their impacts on African American communities, the NAACP has already begun to uncover a pattern of the top concerns communities have expressed regarding their dependence on coal plants. To learn more about these factors, you can turn to a number of sources. Consider the following as potential resources for information.

Potential Information Sources

Demographics

State/national census: In order to begin to examine racial/ethnic and income related disparities, it is important to investigate the demographics of the community especially in relation to their proximity to coal plants. Included in the research should be breakdowns of income and racial makeup according to zip code or city and compared to state and national level averages.



Health

Local/State Health Department: You can research the various health impacts related to exposure to coal plant emissions such as heavy metals like mercury and carbon pollution. Health related impacts include asthma rates among African Americans, Latinos and others as well as chronic illnesses, birth defects, infant mortality rates, rates of learning disability in children, and rare cancers. Compare the local statistics or rates for better analysis of whether the rates are below, similar to or above the state or national average.

Clean Air Task Force: CATF provides information and research on the impacts of coal fired plants on public and environmental health. CATF is a well-respected public health and environment advocacy group. CATF was launched in 1996 with the goal of enacting federal policy to reduce the pollutants from U.S. coal fired power plants that cause respiratory death and disease, smog, acid rain, and haze. Since its inception, CATF has organized coalitions of numerous local, state and national environmental and public health organizations to educate the public on the devastating health and environmental damage caused by coal plants. For more information visit their website: <http://www.catf.us/>.

Economics:

Property Values: Research values of property of the neighborhoods bordering the coal plant and compare those values to other properties in the city that are a further distance from the plant. This information will give insight to how coal plant facilities impact the value of land and property. Also consider comparing racial and economic makeup of those neighborhoods to see what communities are living in those properties. Use the city website or library for information on property values.

Jobs: In many cases, people in the community are employed by the coal plant. Research the number of jobs that the coal plant has created overall. In order to get a solid picture of those who are relying on employment from these plants, break down the jobs by entry to high level positions. Consider jobs that relate to the energy sector in the city. To find this information consider visiting the website of the coal plant and or the city's website specifically researching economic development information regarding the coal plant.

Tax Revenue: The amount of tax revenue that a city may receive from having a coal plant is important to know. Research the tax revenue the city receives from the coal plant through property taxes, subsidies such as tax breaks and exemptions, low interest loans, and loan forgiveness. Also consider researching health care expenses and environmental clean-up due to negative effects of coal use.ⁱ The contribution that the coal plant may or may not be making to the communities tax revenue is crucial to understanding the long term impact of tax revenue on the city's operation.

Electricity:

Another critical element in strategy design is ascertaining if the electricity for your community comes from the coal plant. Other key pieces of information are whether all of the electricity comes from the plant or just a portion and also, does electricity generated from the plant also serve other areas. If so, where are the other areas? Also, research the rates charged for electricity. Use the utility company's website or give the company a call to ask for rates for electricity.

By using resources such as a health department and census data, as well as information from the utility company you will begin to uncover the story of your community and its relationship to the coal fired power plant. Data can be a powerful tool for a community. Though it may not be a direct route to understanding the social and economic burdens put on the community it will begin to establish the foundational information needed to comprehend how to address the dangers coal emissions pose to the community.

Key Foundational Questions (Checklist)

The goal is to develop a chronology of events with specific dates and times, if possible. Keep in mind that exposure can occur through touching soil, breathing air, drinking water, or eating food (such as fish from a local river or vegetables from a garden) that has been contaminated.

| | |
|--|--|
| Demographics: Who is affected by the problem? | |
| Where do the people who are affected live and work? | |
| What are the race, ethnicity, income and age of people affected? | |
| Health: What are the impacts of the problem on people and the environment? | |
| Are people getting sick? Is quality of life affected? Are they suffering stress? | |
| Has the local/state Health Department or Clean Air Task Force been contacted? | |
| Is there physical evidence of the problem? | |
| When did the problem first occur? | |
| How long has the community been affected? | |
| How are people exposed to the hazard (if the problem involves pollution)? | |

| | |
|--|--|
| <p>Health: What is being polluted? Pollution can enter soil, air, groundwater or surface water bodies like lakes and streams.</p> | |
| <p>If chemical exposure is the issue, how do the chemicals get from the environment to the people?</p> | |
| <p>Economics: What are property values for communities surrounding the coal fired plant, compared to similar communities that aren't host to coal fired plants?</p> | |
| <p>Has the plant improved the employment situation in the community?</p> | |
| <p>What are the unemployment rates for the communities surrounding the plant compared to similar communities that aren't host to coal fired power plants?</p> | |
| <p>How many people work in the plant?</p> | |
| <p>What percentage of the people working in the plant is from the surrounding community?</p> | |
| <p>Who benefits from the tax revenue from the plant?</p> | |
| <p>Electricity: Does the electricity generated by the coal fired power plant power your community or is it transmitted to other cities?</p> | |

Who is Responsible?

After completing the brief questionnaire, it will be easier to determine the next steps which would include determining who or which agencies are able to assist with the closing of the coal plant.

1. Identify who is responsible for environmental protection in your community, town, and state.
2. Identify who is responsible for setting regulations
3. Determine which agencies and businesses are involved in causing the problems people are experiencing.



Gaining Feedback from Your Neighbors



Throughout your community, there will emerge different concerns, interests, and needs regarding the impact of hosting a coal fired power plant. As one develops a plan of action, it is important to be cognizant of the community perceptions and experiences. This information can be accessed through a series of questions directed at your friends, colleagues, family, church members, and neighbors. As leaders in Environmental and Climate Justice, it is important for you to have a well-informed understanding of how the community is impacted by the coal plant.

Neighborhood Feedback Questions

1. Where does your utility company get the electricity they supply to your home?
2. Do you or any of your family members, friends, or acquaintances work at the coal plant?
3. Does the utility company offer the option to receive your electricity from alternative energy sources such as solar, geothermal, or wind?
4. How close do you live the coal plant?
5. Do you have any concerns about the coal plant emissions coming from plant?
 - a. If yes, what are your concerns?
 - b. If no, what are you not concerned about?
6. Do you know of anyone living near the coal plant with health problems such as asthma, cancer, birth defects, or learning disabilities?
7. Do you have clean water? Does your water smell or taste contaminated?
8. Do you think there are any risks of having coal trains travel through neighborhoods or the city?

Use the opinions and information you gather from these individuals or groups to analyze the community's perceptions regarding relationship to the coal plant and reliance on the coal plant. These findings will build a foundation for what is important to the community as a whole as you begin to develop your strategy to address pollution from these plants. When you take the time to gather information in the community, you will strengthen the existing relationships and build bridges and alliances where none were before.

How to connect with the community:

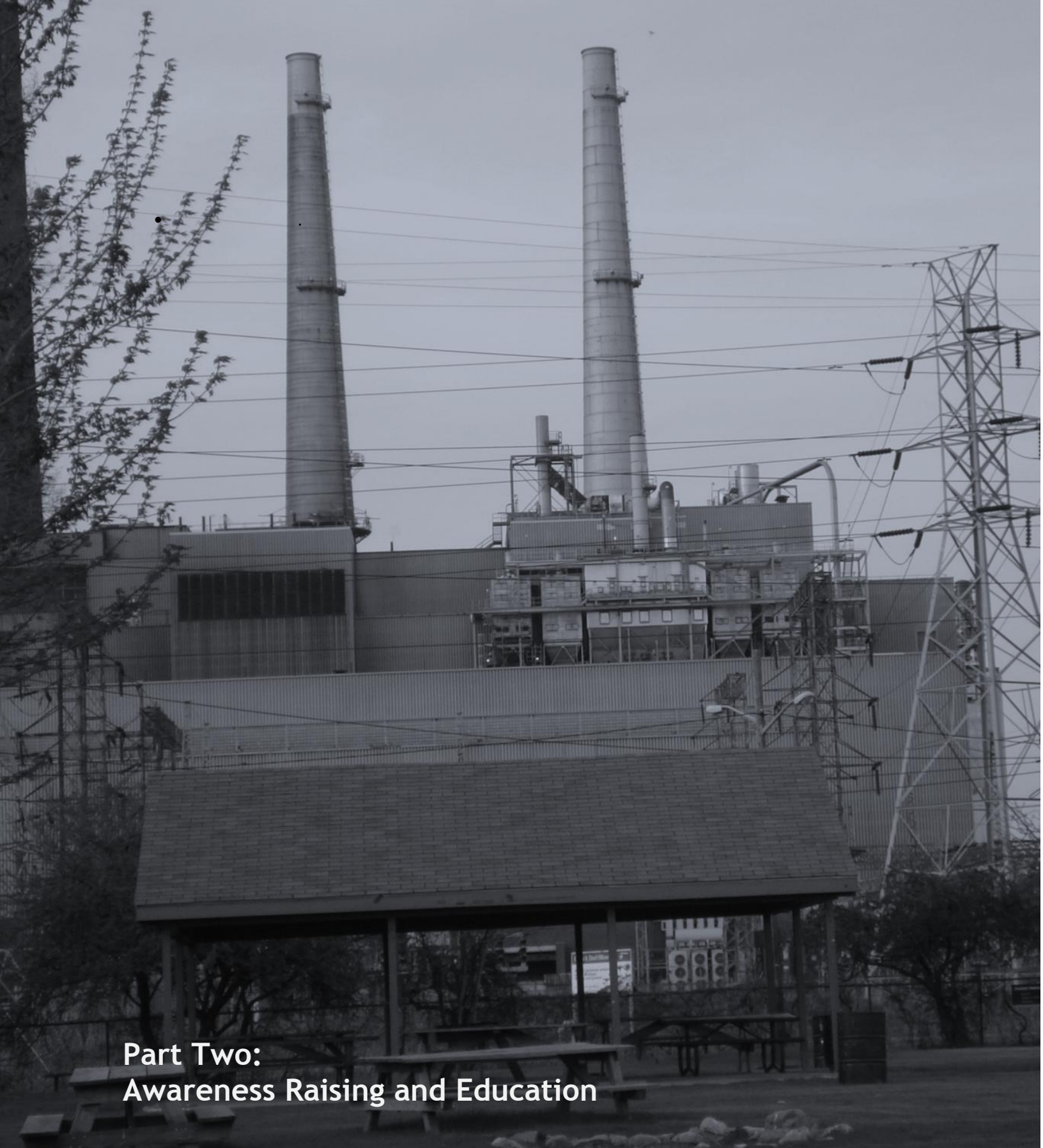
There are numerous ways to engage community perspectives. Here are some suggestions:

Host a dinner or potluck event: invite friends or colleagues over to discuss these issues over dinner.

Host a discussion group: Hosting an event can give a more intimate setting and allow for even better flow of conversation over these issues. Another option is to host a movie night, such as [Power Paths](#), [PBS, 2009](#) or just have an informal chat.

Phone calls: Call a list of friends, colleagues, or neighbors and ask them 2-3 questions regarding coal plant issues. The personal connection made with individuals can make a more concrete foundation for support and understanding in the community.

Attend a Group Meeting: Request to be put on the agenda at a meeting such as a church meeting, a community meeting, a sorority/fraternity meeting, a book club, etc.



Part Two: Awareness Raising and Education

River Rouge Plant, River Rouge, MI (DTE Energy)

Introduction to Awareness-Raising

By investigating coal pollution in your community, you are now aware of the impact, the stakeholders, the personal stories, and now have a more complete picture of coal pollution in your community. The next step is to share that knowledge with others, from community members who are directly affected by the pollution, to public officials, to the media. This section will provide you with the tools to create and refine your educational message, hold events to share that information, and interface with the media. Use these tools to help tell your community's story of coal pollution.

“Sixty-eight percent of African Americans live within 30 miles of a power plant — the distance within which the maximum effects of the smokestack plume occur.”

Framing Your Educational Messaging

Based on your investigative efforts, the next step will be to prepare to discuss the impacts of coal fired power plants on the community with the people who are impacted. Whether you are talking with a small church group, attending a town hall meeting, preparing for a radio, TV, or newspaper interview, hosting a public hearing on clean air regulations, or speaking with a public official, you can use these key points to express the risk that your community faces. Additionally, during this process, incorporate the findings from your earlier investigations. These key points should be noted when planning to address clean air issues and its impact on the African-American community.

Key Points to Remember when Framing your Message:

1. Clean air is essential to the African-American community for a number of reasons. Many polluting facilities are disproportionately located near African-American communities.
2. Low-income communities and communities of color bear the greatest burden of dirty coal energy:
 - a. A total of 5.9 million Americans live within three miles of a major coal-fired power plant.
 - b. Those 5.9 million people have an average per capita income of \$18,400 – 17% lower than the U.S. average.
 - c. Out of those 5.9 million people, 39.0% are people of color. ⁱⁱ
3. In every major city in the US, blacks are more likely than whites to be exposed to higher air toxics concentrations.ⁱⁱⁱ
4. Mercury from these power plants accumulates in local waterways and poses a direct risk to people when they eat contaminated fish.^{iv}
5. Hazardous air pollutants (HAPs) such as mercury, benzene, and dioxins have the greatest impact on people located within a mile of power plants. With smokestacks that reach up to 1,000 feet high, some of these toxic chemicals can travel far, causing regional and even global impacts many thousands of miles away.^v



6. In the 2008 study that found greater risk for premature death for Blacks/African-Americans, researchers also found greater risk for people living in areas with higher unemployment or higher use of public transportation.^{vi}
7. Sixty-eight percent of African Americans live within 30 miles of a power plant — the distance within which the maximum effects of the smokestack plume are expected to occur. By comparison, about 56% of the white population lives within 30 miles of a coal-fired power plant.^{vii}
8. All 50 states, the District of Columbia, 5 tribes and two U.S. territories have issued fish advisories, many of them due to the risks of mercury poisoning.^{viii}
9. At least 1 in 12, and as many as 1 in 6 American women of childbearing age have enough mercury in their bodies to put a baby at risk for mercury poisoning^{ix}. Mercury and other dangerous air pollutants are connected to extreme health problems: brain damage, learning disabilities, birth defects, heart disease, cancer and even pre-mature death.^x
10. *Sulfur dioxide*, or SO₂, is one of the main pollutants produced by burning coal. Immediately, SO₂ causes coughing, wheezing, and nasal inflammation. Longer-term, it can cause or increase the severity of asthma, which is widespread in communities of color. African-Americans are hospitalized for asthma at three times the rate of whites, and the death rate from asthma is 172% higher for African-Americans than for whites.^{xi}
11. Several of the toxins from power plant emissions are also tied to lung cancer. Despite lower smoking rates, African Americans are more likely to develop and die of lung cancer than White Americans.^{xii}
12. A 2010 report on power plant pollution by the Clean Air Task Force found that coal power plant pollution in the U.S. is responsible for 13,200 premature deaths and 9,700 hospitalizations each year, as well as over \$100 billion in monetary damages.^{xiii}
13. A Clean Air Task Force report on power plant pollution found that emissions from all power plants in the U.S. (both coal and other fuel sources) are responsible for 30,000 premature deaths, 7,000 asthma-related emergency room visits, and 18,000 cases of chronic bronchitis each year.
14. Asthma affects African Americans at a 36 percent higher rate of incidence than White Americans. African Americans die of asthma at twice the rate of White Americans.^{xiv}

These facts are especially important to know as you educate yourself and the community. It helps to give communities an understanding of how they are being affected by coal plant pollution. The disproportionate impact on low income communities and people of color, especially African Americans, is one that a community should not tolerate. Using this information can help paint the picture of what is happening in your community.

Introduction to Conducting Community Education

The most important part of the Coal Blooded Toolkit is engaging NAACP members, community members, elected officials and the Coal industry to work together to end the environmental injustice and the health disparities that are plaguing the African American community. The most powerful tool we have at our disposal is education – facts, figures, and scientific knowledge are at the core of the Environmental and Climate Justice Program. In order to make substantial changes within the current system we have to ensure that all NAACP members and members of the community are aware of the pollutants and toxins that are currently in the environment, we do this through Town Hall Meetings, Power Point Presentations, and Screenings of the “Coal Blooded: Putting Profits Before People” video. We then work with local officials to galvanize them to make critical and significant changes within their jurisdiction. The only way we will be able to accomplish this is through education and cooperation from the Coal factories and electric companies. We need to bring everyone to the table to make these changes.



Coal Blooded PowerPoint Presentation

The Coal Blooded PowerPoint Presentation is great tool for education purposes. The presentation highlights the social impact of coal plants on humans. For too long coal companies have exposed communities to toxic pollution from burning coal, particularly people of color and low income communities. The presentation will give your community insight on the factors that play into environmental and climate injustice.

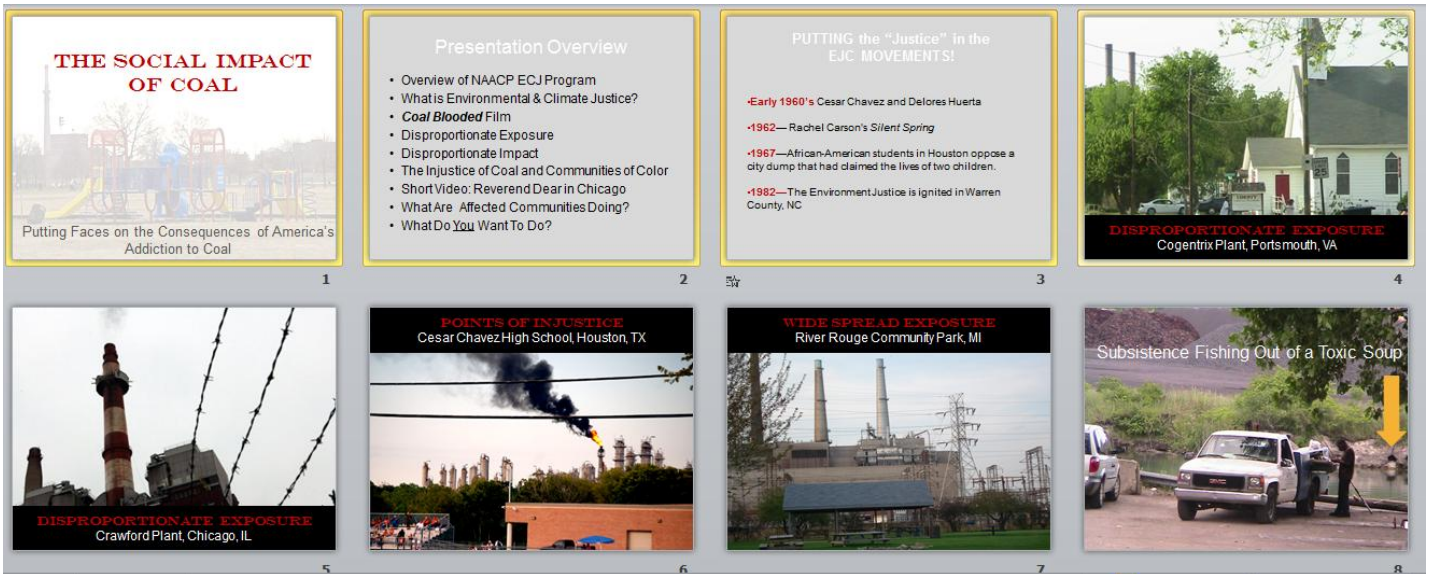
We will provide the template for you, as shown below. You should modify the specifics of the presentation to fit your community. Personalizing the presentation will strengthen the message that “injustice anywhere is a threat to justice everywhere”. Around the country, numerous communities suffer from environmental injustice that much of the public is unaware of today. Using this presentation will bring awareness to existing problems and the action communities can take to address these problems.

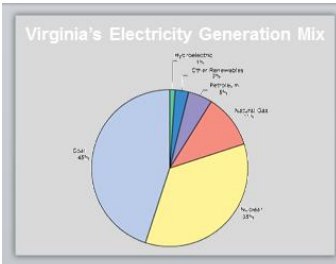
Remember, when making the presentation, will need to modify the data and other information for your local context. An electronic copy of the presentation will be given to you as well.



Coal Blooded Power Point Presentation Slides

There are thirty two (32) slides total in the presentation and the presentation comes with Presenter notes to assist you with the presentation





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Virginia Failing Coal Plants

| Plant | City | Grade |
|---------------------------|-------------|-------|
| James River Congeneration | Hopewell | F |
| Congentrix Portsmouth | Portsmouth | F |
| Spruance Genco | Richmond | F |
| GenOn Potomac River | Alexandria | F |
| Chesapeake Energy Center | Chesapeake | F |
| Glover Power Station | Glover | F |
| Bremo Bluff Power Station | Bremo Bluff | F |
| Cheserfield Power Station | Chesley | F |

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- ### Virginia Quick Energy Facts
- 10 percent of U.S. coal production east of the Mississippi River.
 - Yorktown is the only petroleum refinery and processes foreign crude oil delivered by barge via the Chesapeake Bay.
 - Two nuclear power plants, which provide about one-third of the electricity generated within the State.
 - Two coal bed methane fields are among the top 100 natural gas fields in the United States.
 - Established a voluntary renewable portfolio goal that encourages utilities to generate 12 percent of base-year 2007 sales from renewable sources by 2022.

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- ### Tactics
- Direct Negotiation
 - Town halls with testimony
 - Postcard/letter writing campaign
 - Shareholder resolution
 - Advocacy Day on Capital Hill
 - In-district educational visits to congressional representatives
 - Demonstration in front of power plant or corporate offices of owners
 - Legal/Litigation Action
 - Engaging with EPA and other regulatory agencies and instruments
 - Boycotts
 - Media blitz for public awareness and support raising as well as shaming of the perpetrator; op-eds, radio/TV interviews, new media (Facebook, Twitter, YouTube, etc.)

Additional Key Considerations

Revenue

Jobs

Electricity

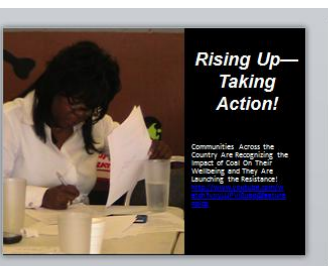
- ### Options
- Pollution Controls
 - Conversion to Cleaner Forms of Energy
 - Plant Closure



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- ### Working Together As Allies
- Join Campaigns and/or Launch Complimentary Campaigns—Ex Bank of American Campaign
 - Join Actions—Prayer Vigils, Protests, etc.
 - Support the Echo Chambers/Raise the Volume—Blogs, Op-Eds, Etc.
 - Engage with Policymakers—Congresspersons, Comments on EPA Rule Making, Testimony at Hearings

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Coal Blooded Video



(Scenes from the video)

“Coal Blooded: Putting Profits Before the People” is a video that highlights several communities across the U.S. that continue to be exposed to pollution from local coal fired power plants. Every day people, including members of the NAACP, in states like Ohio, Colorado, New Jersey, New Mexico, Illinois, Connecticut, Wisconsin, Indiana as well as a representative from our partner the Little Village Environmental Justice Organization discuss their struggles and concerns around these power plants and the need to reduce harmful pollution being cast upon their communities.

The video provides a snapshot into the lives and perspectives of people who live with a facility that spews toxic waste, and/or has coal trains running through their neighborhoods. Many people were not aware of the damage that is being done to the environment and to the public's health and wellbeing. Some indicated that they had never been diagnosed with asthma, but due to their environment have suffered from asthma attacks as adults. Others question the deaths of loved ones from conditions that are often attributed to environmental toxins. Communities highlighted in this video make known that they no longer feel safe because of the air they breathe. The negative impact on these communities has been overlooked by the power plant owners, as well as their decision makers. However, now people are beginning to educate their community and decision makers on the harmful pollutants that come from these plants to put a stop to exposure.

The Coal Blooded: Profit Before People video can be found here: <http://vimeo.com/24654578>

You will also receive a copy of the video as a part of the toolkit.

Coal Plant Town Hall Meeting Model

The purpose of the Town Hall meeting is to provide communities members with the opportunity to discuss local issues around clean air, such as pollution, fossil fuel (coal) burning power plants, the health and economic impacts of emissions in the air, and investing renewable, clean energy and energy efficiency. In order to ensure success, it is important to schedule, set up, and conduct the meetings in a way that makes participants feel comfortable in attending and expressing their opinion. Make sure that any agency or organizational representatives understand that their role is to listen and support open dialogue and discussion of clean air concerns. Most importantly, strive to stay focused on identifying and listening to the voice of the concerned citizens regarding their community's health and economic sustainability.

Logistics and Location

Finding a location

Finding a location for the town/city meeting is important and should be planned ahead of time. The location will set the stage for what your campaign will say to community members and to the interested parties. For example, if the interested parties are from a more moderate or conservative district, you may not want to have the meeting in a location that is perceived as a more "liberal" in nature, such as at the office of a local activist group or well-known, left-leaning church or institution.

- **Logistical Considerations:** Each potential location should be large enough to accommodate the crowd you are hoping to bring. There should be adequate parking nearby and, if applicable, should be accessible to public transportation.
- **List of Locations:** Make a list of the places that meet the necessary criteria. Then decide on your preferred times and dates for the meeting. Call each location to see if they are available on those dates/times.
- **Location visit and walk-throughs:** Once you have narrowed down your list to a few final locations, make sure to visit the locations and examine whether or not they fit your logistical needs before you make a definite choice.



Publicizing/Getting the Word Out

When planning a town hall meeting, publicizing the event will be just as important as the event itself. It is important to make the community aware of the meeting and create a lot of positive excitement for the meeting. Consider the following as methods to publicize the town hall meeting:

- Make announcements at churches, sorority/fraternity meetings, professional organizations, and local government websites.
- Send out a press release to the local newspaper.
- Send an email to constituents and encourage each to bring at least 2 friends with them.

- Run a meeting notice through the local radio /newspaper.
- Post flyers with the meeting information (with permission) around the city and or local businesses.
- Word of mouth: Talk to neighbors, request community leaders, faith-based and other organizations to make a short announcement at their meetings or gatherings.
- Use social media outlets like the unit's Facebook and twitter page to make posts regarding the upcoming meeting.
- Suggest that neighbors carpool and/or offer carpooling to those unable to drive.

These suggestions are meant to reach many audiences. The end result of having many in the community come and participate in the meeting will be beneficial. The more people who come to the meeting, the better informed citizens will be on the issues. Encourage community members to attend and suggest that this is their opportunity to voice their concerns.

Suggested Format for a Town Hall Meeting

Preparing Background Materials

Background information should be given out to participants as they enter (agenda, handouts on current regulations, local industrial parks and power plants, the myths and facts of air pollution, opportunities to invest or bring in renewable energy into the community, brochures, etc.)

Facility Set-up

1. Make sure the entrance to the meeting is clearly identified and that people know what to do when they enter.
2. You may want greeters to welcome people as they enter and direct them to seating and to identifying restrooms. Greeters may direct individuals with other needs to the correct entry or suitable seating such as individuals in wheelchairs or the hearing impaired.
3. Set up a table for people to sign in, pick up materials, including the agenda and background information.

Introduction

A representative from an organization or group that is neutral should act as a moderator. The introduction for the meeting should include stating the purpose of the meeting, recognizing elected representatives and the protocol for the meeting.



Moderator

The role of the moderator is to direct the town hall meeting. The moderator will maintain the flow of the meeting as planned. The moderator should begin the meeting by welcoming those in attendance and explaining the purpose.

The responsibilities of the moderator include:

1. Review the agenda and the process that will be used
2. Explain the background information. It will provide a more detailed and systematic identification of issues, which will help to further explain the issues highlighted during the discussion.
3. Introduce guest speakers

Below is a sample introduction for a moderator:



“My name is (name and title) from (name of organization). As moderator of this meeting, and behalf of (name of organization), we welcome you here today. This meeting is a combined effort by the (name groups, or persons). [Introduce the various members and acknowledge any special guests.] Many of the community members in (name of town, city, or county) are very concerned about the air we breathe and the health and economic impacts it has on our community. Those present are concerned (state the issue or concern: about the proposal of a permit for a new power plant, regulations for clean air, exposed communities, low income communities, etc.) and the impact it will have on the community. This information, the statements and recommendations discussed here today will serve as a basis for a local advocacy plan. If the issues identified here today are important to you, we strongly encourage you to become involved with a local advocacy group, such as any of the clean air organizations before you today as well as (any other groups present at the meeting).”

Question and Answer Period

- Identify the topic and the timeframe for discussion: A list of questions or concerns should be compiled before the meeting. Provide community members with access to those questions or concerns.
- Encourage participation and remind the group it is a discussion on the overarching issue of (clean air, renewable energy, coal fired power plants, air pollution, etc.)

- Open the discussion by identifying someone to speak, with a question, or open the floor up for participants to line up to ask questions or verbalize their statements to the panel.
- Redirect attention from participants who begin to dominate the discussion.
 - Direct a question to other members or the panel.
 - Gently but firmly remind participants the panel or representatives are present to listen and question, not to make presentations.
 - Encourage people wishing to discuss personal needs or issues to delay until after the discussion groups are concluded.
 - Moderator should keep from extended discussion addressing an individual's issue (this can be done during recess or by a representative from an organization present at the meeting).

Meeting Conclusion

The moderator should thank everyone for participating, and ensure that all concerns are heard, encourage those who have expressed interest, and remind participants of next steps/actions (Actions can include writing letters, making phone calls, etc. ^{xv})

Documentation

Listening to the many concerns voiced at the meeting is crucial and it will be critical that all which occurs during this important meeting is documented. Documenting the meeting will consist of several elements. Note taking, developing a report from the town hall meeting, recording/taping testimonies, seeking permission for photographs and video and using social media will be a part of the measures taken to appropriately document the town hall meeting.

Note Taking – Taking notes during a town hall meeting may be challenging. It may be beneficial to assign certain portions of the meeting to several people. Focus on certain questions or parts of the meeting such as, one person documents participants speaking for the coal plant and another taking note of participants against the coal plant.



Developing a Report – as a part of documenting the town hall meeting, a report should be written on the events that took place, listing partner organizations and major participants in attendance, meeting agenda, issues addressed, and actions that will be taken following the meeting. It is important to include participant quotes to provide a snapshot of what occurred. Most importantly, the report should be thorough and informative.

Recording/Videotaping Testimonies – Documenting testimonies at the meeting will be important. Recording them will enable you to go back and listen carefully to each participant at the meeting. In order to record testimonies, each individual will need to consent to be taped. The individuals who consent to being taped should sign a form stating their consent. There will be many people there who will want to discuss their opinions on the matters and this is a perfect way to do so. Consider having a focus question upon which each testimony will be centered.



Seeking Permission for Photographs and Video

– As you take pictures or videos to post on the NAACP website, Facebook page, or on Twitter, or otherwise, it is essential that you have a permission form that participants sign giving permission to use their image for these purposes. Consult with your legal redress team to get a template for getting permission. Also, your unit may have invited journalists, photographers, and reporters to the meeting. A point person will need to discuss with the media ways to obtain and use photographs and video that is taken at the meeting.



Social Media – Posting pictures to social media, or posting updates through Facebook and Twitter during the meeting is a great way to enable those who could not attend to stay connected. As a unit, a Facebook and or Twitter page can be used to connect with constituents and other branches. Posting pictures and/or updates should be done both on the unit's page as well as the NAACP's Facebook and Twitter pages.



Educating Decision Makers

Engaging decision makers can occur in numerous ways. Tactics can range from arranging visits to the office, to writing letters to your decision makers, and more. Below are examples of letters written to decision makers and recommendations on how to prepare for a meeting with a decision maker. These efforts can be done by a unit or with partners. Your unit may choose to use one of the tactics to engage your decision maker. Choosing one or more of these tactics will depend on the unit's time, resources, and partners. Educating decision makers can take a number of approaches and individuals to successfully gain notice from a decision maker. Before acting, investigate whether other organizations are doing similar work around coal plants. As a unit, it may be more feasible to take on one tactic that is complementary to tactics being used by others. This way, your unit is effective and can choose the most appropriate tactics to best support the work of allies and partners around coal plant issues.

More so, keep in mind that a decision maker, though representing a wide range of issues, may not always have first-hand knowledge of some issues. Environmental and Climate Justice may not be seen as a priority to some decision makers. Reaching out to them can be a gateway to raising awareness of the impact of coal and the potential alternatives. Visiting with or writing a decision maker especially around issues of Environmental and Climate Justice can make a huge difference. Decision makers want to hear from constituents and this is a great way to deliver your message. Writing a letter and then scheduling a meeting are great ways to engage on a personal level. Ultimately, using your voice to shed light on Environmental and Climate Justice issues sends a message to decisions makers that not only is a constituent in need of their attention, but that a whole community is in need of their help. Below is a sample letter to a decision maker regarding the challenge of pollution from coal fired power plants.

Meeting with Decision Makers

Meeting with decision makers is a critical step toward ensuring that policies and practices reflect the needs of the community. Through your decision makers you can to propel the communities concerns on coal issues forward. When meeting with a decision maker it is important to be have a central message and information to share. The conversation can give you the opportunity to discuss concerns about coal pollution related issues, such as clean air and water. A key and compelling component to your meeting is to be able to share a personal story because concrete illustrations of impact move people. As a constituent it is helpful to share why these issues matter to you and your community. Here are a few steps in preparation for meeting with key decision makers:

- Research coal pollution related issues that directly impact your community: Issues may be centered on air and water pollution, asthma related illnesses, other chronic illnesses, or green jobs.
- Recruit community members to participate in the meeting: A group of 3-5 community members will allow for the group to feel comfortable but small enough that everyone can ask at least one question.
- Find out the prior activities/positions of the decision maker: After you have selected the issue you want to discuss, find out about any engagement the decision maker has had on these issues so that you know what to ask/recommend, based on where they are currently. Look up your local government's website to learn about the role of your council members, the committees they serve on and how they relate to environmental protection.
- Contact the office of the decision maker: You will need to contact the office official to set-up an appointment 4-6 weeks prior to the meeting date. It may take a few tries to set an appointment.

You will need to have information regarding the number of people attending the meeting, the purpose of your meeting, and who you are representing.

- Develop a strategy: Before your meeting, it will be important to assign roles to each attending member (who will ask what questions; will one person introduce each member or each member introduce them; who will take notes; etc.).
- Make an agenda of the meeting: This will also be included in the packet you give to the decision maker and their staff.
- Create a packet of information to give to the decision maker: Have a copy for the staff and one for the decision maker. This will provide the basic but essential information to support the conversation with the decision maker. The information you likely research will be reflected in this packet of information.

Whether you are meeting with a council member or Member of Congress, these steps are important to preparing for your visit.

People to Contact

- The assistant and or staff member of the local/state decision maker can be helpful to answering your questions.
- Visit the decision makers' webpage for information for how to set up a meeting.
- The group's sponsor will be important in assisting with any necessary travel arrangements.
- Contact the NAACP Washington Bureau (Joseph Reed, jreed@naacpnet.org) to let them know you are meeting and enlist their advice and assistance with follow up.

Advocacy Toolkits

"Advocating Your Concerns to Congress"

Can be found in the Appendix I

"Educating Local Council Members"

http://www.voluntarymatters1and2.org/message/campaigning/more_depth/local_council.html

"How to Make Most of Your Congressional Advocacy Visit"

http://naacp.3cdn.net/76f1cb5d583b936d35_69m6bnp40.pdf

"How to Meet with Your Members of Congress"

http://www.aidsunited.org/uploads/Meeting_MOC_tipsheet.pdf

"Scheduling Your Meeting"

<http://www.ifpb.org/education/resources/congress.html>

Sample Letter to Decision Maker

To the Honorable _____
United States Senate
Washington D.C. (ZIP CODE)

Dear Senator (LAST NAME),

On behalf of the NAACP's (insert state) State Conference/Chapter, it is our duty to act on behalf of our constituents by promoting the protection of civil rights. In your role as an elected official, we have this responsibility in common. Protection of those civil rights includes the right to breathe clean air. Nationwide, approximately 56% of people live in areas in violation of air pollution standards and for certain communities it is worse with an example of 71% of African Americans living in counties in violation of air pollution standards. The racial disparities in air quality lead to disparities in health and quality of life. Arsenic, dioxins, lead, mercury, and other pollutants are spewing from under regulated facilities causing direct harm in communities and putting other people at risk across the country.

The NAACP and our partners recently released a report, Coal Blooded: Putting Profits Before People. The report analyzes 378 coal fired power plants across the country and ranks them based on their level of polluting emissions and their proximity to people. In [State], there are [#] coal fired power plants. According to our ranking, [#] of those plants [List names of failing coal plants] earned a grade of D or F because of their level of emissions and their close proximity to a large number of people. However, in a situation where communities are already exposed to these health harming conditions, there are those who seek to remove the safeguards we have to regulate the pollutants in the air.

An NAACP member (insert state specific quote) expressed concern at a recent NAACP town hall meeting stating:

"How can we expect to flourish and rebuild a healthy economy and our own people are not healthy? We as people have the right to life, a healthy life, a flourishing life. If we don't stand up for our environment, then we allow our right to life, and justice to be depleted and stripped away from us."

Senator, please consider current and proposed regulations that reduce the pollution caused by coal fired power plants, like the Cross State Air Pollution Rule (CSAPR). Measures must be taken to tackle pollution in our state, but also pollution traveling across from other states' facilities like sulfur dioxide and nitrogen oxide. Implementing CSAPR can result in major pollution reduction which would save [#] lives in [insert state]. Other proposed standards for the Mercury and Air Toxics Rule, and an upcoming utility carbon rule would be instrumental in protecting our health and economy. Contrary to oft stated opinions, strengthening these safeguards and implementing alternative measures to energy production that generates pollution and harms communities will generate new jobs through implementation of energy efficiency and clean energy initiatives. But failure to strengthen these safeguards and shift to non-polluting practices will cost us the health and wellbeing of our communities. According to data from the EPA, [insert state] could also see a possible yield of [\$ insert amount] in health benefits each year if these rules were implemented. Supporting such regulations would serve as an advantage for each and every [insert state: ex. Floridian].

Our state is depending on decision makers to consider the health of the people, and the environment upon which we all rely, and make responsible decisions. I strongly encourage you Senator/Representative/Council Member/Mayor (insert last name) to support clean air and regulations like the Cross-State Air Pollution Rule, the Mercury and Air Toxic Rules and other upcoming safeguards and help to protect us from harmful pollution.

Sincerely,

(Insert name/organization)



Part Three: Determine the Ask and Mapping the Plan

Cherokee Generating Station Commerce City, CO (Xcel Energy)

Introduction to Determining the Ask

The next step for a unit to take toward the road to achieving coal pollution-free communities is to determine what you want and begin to put the infrastructure in place to get there, including the relationships you need to build/formalize. The unit may find that the community depends on the coal plant(s) for jobs, revenue and electricity. Therefore a menu of options to mitigate the dependency must also be developed such as finding other options to restore what is no longer a part of the backing of the city. Options may include investing in pollution control technologies to shutting down a coal plant.



As an effort to diversify the economy transition

models to a greener economy are becoming increasingly important to communities, just transition models have been developed and implemented to address the absence of the coal industry. As a unit, this will be important when considering how to address such issues and to move forward. Preparing to tackle coal plant issues means significant and thorough planning as it will better equip a unit and its community to engage effectively in transforming the landscape for tackling coal plants and public health issues.

Key Considerations

In any strategy, the foundation must be strong and well established, with incorporation of thorough background information. If the community is working to address coal plant pollution, information on jobs, revenue and electricity are key elements of an analysis of the relationship between the plants and the community. Dependency on coal has been woven into how some towns operate. To tackle the dependency issues related to coal, it means uncovering the structures that reinforce dependency upon coal. Each of these areas highlights topics that should be researched as a part of planning the strategy to understand a community's dependency on coal.

Jobs

The idea of a plant being shut down can be scary for a community that relies on the coal plant for jobs. Even if a coal plant hires very few people in the community, it can still be a problem because each job can represent at least one family's livelihood. This is why strategy planning must incorporate to discussion of job impacts and furthermore have options to address those issues. The process of seeking environmental justice includes having an understanding of how the community is already impacted and how it will be impacted when a plant is shut down. It is important to collect information on the jobs that are connected with coal plants to comprehend the community's dependency on coal plants. Information collected should include:

- The number of jobs the coal plant provides within the community
- Levels of jobs in the coal plant, from entry-level to management and executive leadership and numbers and demographics of people (race, gender, able-ism, local/non-local, etc.) at each level
- Jobs connected to the coal plant and jobs associated with plant owners' investment in technologies that mitigate pollution

Research must also include options for a community to bring in 'green' jobs and careers. Those jobs should include the private and public sectors as well as energy efficiency and clean energy components. The green sector is growing and the opportunities for communities are growing.

Revenue

Revenue gained from coal plants can come from taxes such as property tax and public utility taxes. It may also include revenue from tax exemptions and breaks, and grants from the government. Revenue from coal plants can be very important to a city's operational budget. This component is important as it identifies what revenue is gained from having a coal plant. Revenue can also be gained through clean energy and energy efficiency programs on a community and state level. It is also important to know the revenue that can be generated through the investment in energy efficiency and clean energy.

Electricity

To better understand the dependency on the electricity from the coal fired power plant, it is important to understand the extent to which electricity generated by the plant is sold and transported to other locations versus being used locally. If the electricity generated is transported outside of the community/town, it is more politically feasible to consider transition because this is one less point of community reliance on the plant.

To determine a transition plan, in cases where the community/municipality is dependent on the plant for electricity, availability and/or potential for alternatives energy sources must be included in the research. Energy efficiency programs should also be included in the strategy so that the demand for electricity is less. Knowing these types of options available to a community and the path to implement energy efficiency and clean energy as alternatives to harmful coal burning will pave a smoother path to advancing a successful transition plan for the community.

Consideration of jobs, revenue, and electricity impacts must be compared to health effects and other

“Energy efficiency programs should also be included in the strategy so that the demand for electricity is less.”

economic impacts in order to come up with workable solutions that protect community health and wellbeing while keeping the lights on, maintains livelihoods for families, and maintains the revenue source communities need to function.

Campaign Model Options

What options should be considered when tackling coal issues? Depending on the community's relationship to the "resources" provided by the coal plant, the campaign model must include mechanisms for replacement of revenue, jobs, and electricity/energy source^{xvi} as necessary, depending on the level of community dependence. Below you will find descriptions of possible approaches that can be taken to either minimize coal pollution or shut down a coal plant.

Options for Minimizing/Eliminating Coal Pollution:

Shut down Plants—Best option because it will eliminate harmful pollution the moment the switch is flipped off and it will also cease the harmful practices associated with extraction, transport, and waste disposal.

Install Pollution Controls— installing pollution controls may be a bit more politically feasible and will lessen the harmful health and other effects of coal fired power plants. Coal plants can use control technology to reduce emissions of mercury to the atmosphere. Other controls installed for sulfur dioxide, oxides of nitrogen and small particles that have been installed remove some of the mercury before it is released from the stack.^{xvii} However, it is a less optimal option because it will not eliminate all pollution from the plant and thus some harm will certainly remain. Also, it is not just the coal burning that is problematic. It is the entire cradle to grave process. So we must eliminate coal as a source of energy altogether.

Plant Closure Options



Shut Down Coal Plant Only

In these cases, the analysis has revealed that the plant brings little value to the community OR that even though the plant brings certain contributions, the branch doesn't have the capacity to engage beyond the plant closure. Therefore, the focus for the campaign is solely on plant closure.

Shut Down Coal Plant PLUS Just Transition Option

This more involved model incorporates measures to address the resources that may be lost by the community through closing the coal fired power plant. In these cases, the community has determined that there is critical dependence on these resources and/or, that by addressing these lost resources the coalition will be larger and stronger because it will include those who are particularly tied to these resources and thus may be in opposition of campaign aims if these resources are not replaced in the closure plan.

Conducting a Power Analysis

Before taking any action, the better prepared a unit is to handle adversary, the more likely they will be to succeed in implementing their strategy. According to Strategic Concepts in Organizing and Policy Education (SCOPE), “a power analysis is used to help a community understand power and ways that unequal power relationships relate to their community problems”. Furthermore, when conducting an analysis, it should include the social, political, and economic components that structure the power dynamics in a unit’s community. It will also include researching those with influence (city council, plant owners, zoning commission, EPA, etc.) who can effect change within the community. The power analysis will help inform which strategy should be taken by the group.

Steps to Conducting a Power Analysis: The steps listed for conducting a power analysis are a basic outline to get you started in the process. Power on any level can shape different processes so that is why all the major players in the community should be appropriately researched. Each of the steps listed below, can highlight those players that contribute to the power structure. Ultimately, gaining a sense of how power impacts the community will be helpful in “identifying, and understanding key players, issues, constituencies, and opposing agendas that affect our community”^{xviii}. Once your community has taken the steps to conduct a power analysis, it will ensure a well-informed approach to developing and implementing a strategy for action.

Midwest Academy has a strategy chart that will enable your unit to determine how to address your issue. One you have chosen an issue, you will work as a group to fill out the chart below. It will serve as a guide to developing a strategy. Be specific. List all the possibilities. There are five areas you will be focusing on: Goals, Organizational Considerations, Constituents, Allies/ Opponents, Targets and Tactics. Here is a sample to the chart, the details are below.

| Midwest Academy Strategy Chart | | | | |
|--|--|--|---|---|
| After choosing your issue, fill in this chart as a guide to developing strategy. Be specific. List all the possibilities. | | | | |
| Goals | Organizational Considerations | Constituents, Allies, and Opponents | Targets | Tactics |
| <ol style="list-style-type: none"> List the long-term objectives of your campaign. State the intermediate goals for this issue campaign. What constitutes victory? <p><i>How will the campaign</i></p> <ul style="list-style-type: none"> Win concrete improvement in people’s lives? Give people a sense of their own power? Alter the relations of power? <ol style="list-style-type: none"> What short-term or partial victories can you win as steps toward your long-term goal? | <ol style="list-style-type: none"> List the resources that your organization brings to the campaign. Include money, number of staff, facilities, reputation, canvass, etc. <p>What is the budget, including in-kind contributions, for this campaign?</p> <ol style="list-style-type: none"> List the specific ways in which you want your organization to be strengthened by this campaign. Fill in numbers for each: <ul style="list-style-type: none"> Expand leadership group Increase experience of existing leadership Build membership base Expand into new constituencies Raise more money List internal problems that have to be considered if the campaign is to succeed. | <ol style="list-style-type: none"> Who cares about this issue enough to join in or help the organization? <ul style="list-style-type: none"> Whose problem is it? What do they gain if they win? What risks are they taking? What power do they have over the target? Into what groups are they organized? Who are your opponents? <ul style="list-style-type: none"> What will your victory cost them? What will they do/spend to oppose you? How strong are they? How are they organized? | <ol style="list-style-type: none"> Primary Targets <p>A target is always a person. It is never an institution or elected body.</p> <ul style="list-style-type: none"> Who has the power to give you what you want? What power do you have over them? Secondary Targets <ul style="list-style-type: none"> Who has power over the people with the power to give you what you want? What power do you have over them? | <p>For each target, list the tactics that each constituent group can best use to make its power felt.</p> <p>Tactics must be</p> <ul style="list-style-type: none"> In context. Flexible and creative. Directed at a specific target. Make sense to the membership. Be backed up by a specific form of power. <p>Tactics include</p> <ul style="list-style-type: none"> Media events Actions for information and demands Public hearings Strikes Voter registration and voter education Lawsuits Accountability sessions Elections Negotiations |

Goals

Goals are the desired results we want to achieve to accomplish the mission, expressed in general terms. They are generally long-term, open-ended, and sometimes never totally achieved. Goals can change, and should take into account all of the components that will be discovered through the completion of the Strategy Chart.

1. List the long-term objectives of your campaign.
2. State the intermediate goals for the issue campaign. What constitutes a victory? How long will the campaign:
 - a. Win concrete improvements in people's lives?
 - b. Give people a sense of their own power?
 - c. Alter the relations of power?
3. What short-term or partial victories can you win as steps toward your long-term goal?

Organizational Considerations

Considerations are the strengths, constraints, and limitations that the NAACP is working within. Take a moment to go through the By-Laws of the unit and what the parameters you are working within while you are filling out the Strategy Chart.

1. List the resources that your organization brings to the campaign. Include: money, number of staff, facilities, reputation, etc.
 - a. What is the budget, including in-kind contributions, for this campaign?
2. List the specific ways in which you want your organization to be strengthened by this campaign, Fill in the numbers for each:
 - a. Expand leadership groups.
 - b. Increase experience of existing leadership.
 - c. Build a membership base.
 - d. Expand into new constituencies.
 - e. Raise more money.
3. List internal problems that have to be considered if the campaign is to succeed.

Constituents, Allies/Opponents

Every issue, especially Environmental and Climate Justice have people whom are being affected, the constituents, people are working to end the injustice, the allies and then there are those who are going against the issue all together, the opponents. Each stakeholder brings different strengths and challenges and by placing them on the Strategy Chart it enables your unit to determine what actions to take.

1. Who cares about the issues enough to join in or help the organization?
 - a. Whose problem is it?
 - b. What do they gain if they win?
 - c. What risks are they taking?
 - d. What power do they have over the target?
 - e. Into what groups are they organized?
2. Who are your opponents?

- a. What will your victory cost them?
- b. What will they do/spend to oppose you?
- c. How strong are they?

Targets

Every issue will have specific people, organizations, companies that will be the focal part of the action. The goal of the Strategy Chart is to identify those people who are going to be the most essential to your case.

1. Primary targets
 - a. A primary target is always a person. It is never an institution or elected body?
 - b. Who has the power to give you what you want?
 - c. What power do you have over them?
2. Secondary targets
 - a. Who has the power over the people with the power to give you what you want?
 - b. What power do you have over them?

Tactics

A tactic is a conceptual action implemented as one or more specific tasks. For each target that you have identified (primary and secondary), list the tactics that each constituent group can best use to make its power felt.

Tactics must be:

- In context.
- Flexible and creative.
- Directed at a specific target.
- Make sense to the membership.
- Be backed up by a specific form of power.

Tactics include:

- Media events.
- Actions for information and demands.
- Public hearings.
- Strikes.
- Voter registration and voter education.
- Lawsuits.
- Accountability sessions.
- Elections.
- Negotiations.

To download more worksheets to help with developing the Strategic Plan, go to: www.scorcher.org/screed/pdf/issuechooser.pdf . All of the charts were created for *Organizing for Social Change*, Midwest Academy, 225 West Ohio, Suite 250, Chicago, Illinois 60610

Strategy Chart for _____.

| Goals | Organizational Considerations | Constituents, Allies, and Opponents | Targets | Tactics |
|-------|-------------------------------|-------------------------------------|---------|---------|
| | | | | |

from Organizing for Social Change Midwest Academy, 225 West Ohio, Suite 250, Chicago, Illinois 60610



Part Four: Infrastructure

Hudson Gen. Station, Jersey City, NJ (PSEG)

Introduction to Infrastructure

Infrastructure refers to the internal organization of the unit in an effort to create effective change regarding minimizing coal pollution or shutting down coal fired power plants. The unit needs to determine the steps needed to ensure that the strategies are operational which includes determining the level of unit engagement, establishing partnerships, developing a community campus partnership and building a coalition. Working partners and other organizations is the key to build power in exacting the aims of your Coal Blooded Campaign. This section will highlight the key points to establishing an effective coalition.

Determining Level of Unit Engagement

Given the oft-competing priorities and varying capacities amongst the units, determining the role of the unit in advancing a Coal Blooded Campaign will be a critical step in managing expectations and making sure that strengths and assets are best optimized. There will be different ways a unit can make a contribution to efforts to address coal plant pollution. To utilize your unit's efforts to the best of its ability, consider the capacity, available resources, competing issues the unit has already taken on, and existing efforts being made by other organizations to address the coal plant pollution.

Some Questions to Consider:

- What amount of time can be given to these efforts by the unit?
- Who else is working on this issue?
- What can the unit bring that may be missing from the organizing table?
- The unit may decide to lead an effort if one doesn't exist, act as a leading partner, if efforts are underway but need a major boost; or join as a minimally contributing partner if their capacity is low but the units can still offer something specific and complementary to the efforts. For example, as a leader in the community, NAACP adding its name to an event or initiative can be a major boost with minor effort.
- Most importantly, the level of involvement should be feasible and it should allow the unit to effectively engage in addressing pollution from coal burning.

Levels of Involvement

LEADER: Your unit facilitates the setting of the agenda and leads/coordinates all efforts, convenes the partners, organizes events, etc.

COALITION PARTNER: As a member of a coalition to shut down a coal plant, the unit commits to a significant role as part of a broader coalition with key roles including co-developing strategy, participating in planning meetings, co-sponsoring events, etc. If the will is there, but there are staffing/capacity issues that may hamper unit engagement, the unit may have a dedicated college student fellow who serves as a coordinator/organizer for the campaign activities and acts as a liaison between the coalition and the unit.

CONTRIBUTING PARTICIPANT: Your unit may choose to engage occasionally through signing on to letters, writing letters when requested, appearing/speaking at events or doing turnout, participate in occasional planning/evaluation meetings, etc. Also you may not want to join directly in the work but want to contribute through volunteering services: professional and non-professional. Another possibility for units to plug into the work is to attend meetings and hearings around coal issues and contribute accordingly.

Establishing Partnerships

Once you identify your level of commitment to engaging or addressing coal plant pollution, it is time to consider your allies and partners that are working toward similar goals. Of course, prior to this point, you've already begun to form relationships as you conducted your gathered information, raised awareness, and sought to determine what your level of engagement will be.

When these components are solidified and you have determined the extent to which you want to engage and what your aims will be, you should then identify others with common interests, values, and complementary knowledge, skills, or resources. Your partners and allies are important because these groups are also committed to effecting change. Develop these relationships in order to expand the web of dedicated individuals and organizations committed to clean air. Partners or a coalition will strengthen your campaign and further your efforts to achieve your goals.

Things to Consider When Identifying Partners:

1. What complementary attributes do you need to implement your project and who possesses those attributes (research skills, other technical knowledge, access to certain information or funding, relationships with key decision makers, etc.)?
2. If you have identified a potential partner, does the organization/individual have interests that run parallel to your unit?
3. Does the organization/individual have values that resonate with the NAACP ethos and mission? Does the organization/individual have a similar or complementary set of constituents? What can this partner contribute to achieve set goals for the coal blooded campaign? (Skills, knowledge, contacts, other resources?)

After finding a potential partner, you will need to discuss the specific purpose of the partnership, as well as the terms of engagement.

- Agree on the mission, goals, measurable outcomes and accountability for your partnership. It is important for both parties to clarify their needs and wants.
- Build trust within the relationship. The relationship between your unit and your partner must be built on mutual trust, respect and commitment. The importance of having a balanced relationship with your partner as well as sharing resources will strengthen the partnership and improve your unit in the long term.
- Maintain good communication. During the partnership, it will be important for both you and your partner to communicate progress and setbacks that occur during the course of the relationship.

This allows for both parties to maintain a healthy working relationship. Discuss the proper and improper methods of communication, whether it is through face to face interaction, mail, emails, phone calls or voicemail.

- Discuss the role that each of you will have in this partnership. Guidelines for proper procedures will help maintain effective communication.
- Give feedback to each other. Throughout the duration of the partnership, feedback will be necessary to guarantee the outcomes are met. Both you and the partner will need to work together to keep the progress at a steady rate. The feedback between you and your partner can mean a better outcome and respect for each perspective.
- Share the Credit: Both parties involved have contributed to the outcome, so sharing credit it will result in a healthy relationship. Be sure that both parties agree to mention both partners in any

newsletters or reports. Shared credit means appreciation and respect for the time and efforts of all contributors to the process. ^{xix}

In forming partnerships, it will be extremely important to establish 1) expectations for the partnership, 2) terms of engagement including rules for communication, branding, handling sensitive information, and 3) modes of collaboration.

Terms of Agreement

This should highlight the terms that each partner agrees to abide by as a part of their agreement to collaborate. As a part of those terms, it should be established for all partners of what actions will follow for the terms of agreement being breached.

You and your partner(s) will also need to form a plan for proper channels of communication and also identify point persons within each organization. This may require setting weekly check-in among partners to discuss progress. Communicating on a consistent base will help eliminate or reduce setbacks and ensure that all are staying on schedule. Also, include methods of communication that will be most effective such as

Expectations for the Partnership

The roles and responsibilities of each partner are important to form when establishing a framework for the partnership. Outlining these areas will clear any confusion or uncertainties about who will provide technical assistance, trainings, resources, and establish expected outcomes. Responsibilities should indicate and delegate those responsible for implementing and evaluating as well as participation in the project.

face to face exchanges, email, phones calls, leaving voice messages, memos, etc.

Branding: Branding is also important among partners. As a prominent organization, it will be important to establish the appropriate usage of your name and/or logo. This will include listing the organization as a contributor to an opinion editorial, letter to the editor, letter to a decision maker, press release, action alert, etc. This will likely be a part of the communication channels as well as the individual(s) responsible for oversight of communication.

Handling Sensitive Information: There will likely be moments that sensitive or confidential information will need to be processed and discussed among partners. More importantly, it will be important to set up guidelines and protocol when receiving information, such as how it will be handled, and the circumstances in which information will be shared among partners. Discussing important information with partners will be a way to better understand how it will impact the partners and the project as well as keep lines of communication fluid.

Modes of Collaboration

Structuring the dynamics of the partnership will allow for shared input and decision making for the project, while also allowing for effective communication. The mode in which partners collaborate will dictate the manner in which a partner will seek input or information for a project. Whether it is openly seeking input from other organizations, limited to certain sister organizations or it is a closed collaboration where only those involved in the partnership will share information.^{xx}

Memorandum of Agreement (MOA)

When partners wish to formalize their relationship, they may decide to lay out the terms of their collaboration in a Memorandum of Agreement.

The partnerships your unit will build are essential to the work being done. There will be opportunities to develop partnerships as a way to broaden support, and using the recommendations above to structure the partnership will ensure a better outcome. The partnerships forged while engaging coal plant issues can ensure longevity of the community's work. Hopefully, your unit and potential partner(s) are now beginning to develop an understanding for what is to come next in the fight against coal plant air and water pollution. These steps are guidelines to establishing a partnership but each unit and their partner will need to address their goals as needed. Whether a unit is engaging in a formal agreement like a Memorandum of Agreement, or an informal partnership, basic guidelines for a partnership should still be created.

As you have read, a partnership can prove to be advantageous. Your unit may find that partnerships can increase their capacity while gaining more support. Also remember, it is good practice to set up guidelines for any agreement between two parties. The steps to develop a partnership for you and your unit may already be in place but other components may need to be defined. As a unit, it will expand its ability to better serve the community when partnerships are started. The more individuals are invested in Environmental and Climate Justice work, the more likely changes will take place and remain. Whether the partnership is formal or informal, your unit's commitment to Environmental and Climate Justice is one that will pave the way for great change. So invest in creating solid partnerships and build the foundation for justice in your community.

A Memorandum of Agreement (MOA) is a written document that describes a partnership and can be legally binding. It includes:

Purpose of the partnership and the description of the scope of work

Detailed description of roles and responsibilities as well as the expected results of the efforts

Payment schedule: if funding of projects will be a part of the agreement, an established payment schedule should be listed

Duration of the agreement: how long the project between the partners is set to last, which can be modified to fit the needs of the partnership

Signatures of parties: signing the agreement approving the terms that establish the partnership

Developing a Community Campus Partnership

A Community Campus Partnership can be an avenue to build evidence of an environmental concern and/or have a model to document and evaluate the effectiveness of a model, through partnering with a local college or university and or Historically Black College or University (HBCU). It combines the strengths of the technical knowledge and expertise of the university/college with the relationships and deep roots of communities.

In order to start a community campus partnership below are a few steps you can take. Research local college/university and whether they offer 'service learning courses' and Community Campus Partnerships.

- Ask for information for how to apply for a partnership.
- Ask which services are made available through the partnership for both parties
- Research organizations that have worked with the local college/university through a Community Campus Partnership.
 - Talking with other organizations about their partnerships can give you an idea of what to expect.

There are many advantages to working with educational/research institutions to develop data to support a case against coal fired power plants and also to demonstrate the advantages and feasibility of shifting to greater energy efficiency and increased reliance on clean energy. In this event, your partnership will likely be focused on generating data around the social and/or health impacts of coal fire power plants or making the case for progressive models on energy efficiency/clean energy.

The Power of Data

Through a Community Campus Partnership, doors to the community-at-large can be opened. The information gained from this partnership can be used as a major tool to empower the community. Data can serve as the bridge to greater understanding of issues and identify those most vulnerable. A successful use of data collected through a Harvard School of Health study was beneficial in collecting data on the health impacts related to coal plant emissions from Crawford and Fisk Generating Stations in Chicago, Illinois. The data collected from this study was used to highlight the health risks that were linked to the toxic emissions coming from these two plants using evidence based data. The study showed that Fisk and Crawford coal fired power plants alone were responsible for an estimated 2800 asthma attacks, 550 emergency visits and 41 early deaths every year. Data such as this can have an impact on people's understanding of coal and how it impacts them on a more personal level. The more aware citizens and local/state decision makers are of the harmful effect of coal plants on the community, the more it becomes a priority to change the situation. In environmental justice struggles data can be a powerful tool in demonstrating the severe impact of coal plants on a community.

Considering Partners

Working with educational/research institutions in collection of data or developing an economic/infrastructure development project with the community will be very rewarding. It will be beneficial to link up with a class at a college or university that has the same goals and intentions in mind regarding focusing on economic equity, energy efficiency, clean energy, and environmental health.

Before considering a partnership, you will need to evaluate the resources your unit has that can be of use during your partnership, and the areas your unit could develop more. It is important to have discussions

with your partners in order to develop a mutual understanding of the relationship. When talking with your potential partner(s), discuss the intentions of the partnership whether it is to develop a report, deliver a presentation, provide research, create a database, etc.

Models for Community Campus Partnerships

The Deep South Center for Environmental Justice (DSCEJ), has partnered with several communities. Those partnerships include Mississippi River Chemical Corridor (New Orleans), Detroit Michigan Area Training, Savannah Target Community, as well as working with Green Door Initiative, Clark Atlanta University and Southern University in Baton Rouge. Through these partnerships the DSCEJ has helped communities tackle toxic waste issues, training for environmental jobs targeting low income communities, and outreach and recruitment initiatives for environmental justice. These programs have been useful to better equip communities to engage environmental issues in a sustainable manner.^{xxi}

Poder es Salud/Power for Health:

A partnership between, the Community Capacitation Center (CCC) of the Multnomah County Health Department (MCHD), the Sankofaa Institute of Cultural Learning, the Latino Network, the Urban League of Portland, and the School of Community Health at Portland State University (PSU). The aim of this project is to

1. Share with me some of the issues or challenges you feel are creating stress for people in your community.
2. What are the strengths and resources that the community is using to deal with these issues?
3. What are the issues that your community is working on for Poder es Salud/Power for Health? How did you identify and select these issues?
4. What is the strategy or the approach you are using to address the issues? How did you decide on this strategy or approach?
5. Has the capacity of Latino and African American communities to work together increased because of Poder es Salud/Power for Health? Specific examples?
6. Do you think that changes have occurred in your community as a result of Poder es Salud? If so, how would you describe those changes?
7. Do you feel that you have influenced or shaped the research or community activities of Poder es Salud/Power for Health? In what ways? Please describe.
8. How would you describe your different roles as a member of Poder es Salud/Power for Health? And how have these different roles affected your work in the community?
9. Has your work as a CHW with this project changed you professionally or personally? If so, please describe how.
10. What has been your greatest challenge as a CHW? What did you learn from this challenge?
11. Do you have any other thoughts or comments that you want to share?

increase the capacity of members of the African American and Latino communities in Multnomah County, Oregon, to identify health issues and address health promotion and disease prevention, through the intervention of Community Health Workers (CHWs) who use Popular Education. No study has examined the role of social capital in the success of participatory approaches to identifying and resolving health issues. This community had proof of the health disparities among people of color but their goal was to eliminate the disparity. Their study gave them the needed tools to better assess their community needs.^{xxii}

The Environmental Justice Resource Center at Clark Atlanta University has partnered with their community to provide training for several communities. The training includes job training programs, including, the Minority Worker Training Program (MWTP) the Brownfields Minority Worker Training Program (BMWTP) and the Youth Apprenticeship Job Training Program (YAP). These programs offer training specifically for skills to work in the construction and environmental remediation industry.^{xxiii}

A Community Campus Partnerships Model for Shifting From Coal

As we build our campaigns and recognize elements of dependency some communities might have on the jobs, revenue, or electricity from coal fired power plants, it is critical that we have alternative models that can be implemented as we steward the transition from coal. Universities and colleges have worked with communities on applied research initiatives to implement pilot projects on energy efficiency or clean energy, both of which are critical building blocks in the transition from coal. Below is an example of a partnership between a neighborhood, community organization, and university working together on an energy efficiency and clean energy project:

Boston University Interdisciplinary Research: Clean Energy and Environmental Sustainability Initiative has developed the Sustainable Neighborhood Pilot Project. The first phase of their project is studying utility and consumer data to understand how to impact consumer behavior to lower energy use and lower energy costs. The university teamed up with the residents of Madison Park to facilitate their study. Faculty and students will collect data about neighborhood demographics as well as electricity time and quality of use. The goals of the ABC'S of Building Efficiency for Urban Housing are to develop a baseline understanding of energy consumption and efficiency in low-income urban housing. With more than 40% of U.S. energy consumption and carbon emissions coming from buildings, increasing building energy efficiency is essential to urban dwelling quality of life and a sustainable energy future. In addition, utilities in public housing cost the U.S. \$1 billion/year. The university believed that improved information and incentives for both landlord and tenants could reduce these costs and increase energy efficiency in a large number of properties. The project's outcomes are intended to, in part; address these information and incentive gaps."^{xxiv}



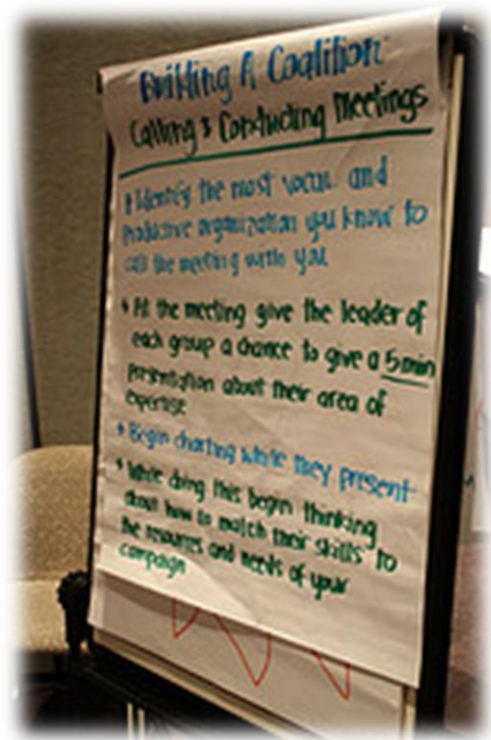
Loyola University in Chicago partnered with Little Village Environmental Justice Organization (LVEJO) to provide community members with Community Asset Toxic Tours, (CATT). These tours include visits to drum manufacturing, plastics recycling, chemical sites, brown fields and a Superfund in the Little Village Community in Chicago. Participants hear about the communities struggle to hold industry and government officials accountable for toxic pollution in their

neighborhoods. The tour highlights how youth groups are making a difference in the community through their communication travels skills and talents. These tours strengthen personal knowledge of how community members can protect their health. Through community asset toxic tours LVEJO hopes to educate and increase public awareness and action about our communities and outreach to a broader public about the impacts of environmental racism. <http://lvejo.org/toxic-tours>.

A Community Campus Partnership can have many types of purposes and uses for a community. It will be up to you and your partner to address the wants and needs of the community. These models demonstrate a sampling of ways that communities have engaged with colleges and universities to advance Environmental and Climate Justice.

Building a Coalition

Coalitions are formed when many individuals, and groups come together to support a cause through networking. Coalitions provide much of the same benefits as partnerships. This organizing tool will assist your unit to engage coal issues more strategically with the help of others. The benefit of organizations with similar interest and or current coalitions can mean sharing financial and technical support. However, coalitions can represent an even wider range of interests and the support from that comes from each group. Communities that build a coalition can reap many benefits when coming together. A coalition will allow for various local interests to collaborate. More so, it brings together organizations and individuals to build a strong foundation of power to create social change. Coalitions build credibility, by having more individuals and organizations involved and supporting a cause, it strengthens public support. Before building or joining a coalition, your unit should consider what it wants to accomplish as a part of a coalition. Use these steps below to decide if a coalition will best serve your unit's work in Environmental and Climate Justice.



Researching the Landscape

Before starting out, ask your group these questions: Are there existing coalitions for coal related issues? Is it beneficial to form and or join a coalition?

Finding Potential Partners

Reach out to prominent community organizations to first discuss potential partners to join the coalition, invite community leaders to be parts of the discussion for forming a coalition and make a list of potential organization to contact.

Determine Staffing, Budget, and Resources

1. Who will manage the coalition?
 - a. Will the manager be paid? If yes, who will contribute the necessary funds to pay the manager?
 - b. How much time will the manager need to dedicate to the coalition and its programs?
2. Will the coalition need separate office space?
 - a. Will a member provide the office space such as meeting rooms?
3. Will each of the coalition members contribute funds to the coalition budget?
4. What services will coalition members be expected to provide?

Invite People to Join

Write up a letter inviting your list of organizations to join the coalition and have an existing prominent member sign the letter in support of their joining.

Outline Expectation

Develop a list of roles and expectations for coalition members, include dates and times of meetings also include expectations of individuals that are members of the coalition. Decide on a policy to maintain membership in the coalition.

Understanding the Issues and One Another

Discuss how each member and organization role contributes to the coalition's priorities. At the first coalition meeting, have members bring brochures and information on their organization to share with other members.

Develop a Mission

The coalition will need to develop their shared vision and mission of how to solve the coal related issues like pollution and public health problems that the community faces.

Define Goals and Objectives

After the coalition has developed its vision and mission statement, it will need to decide how to achieve their mission. Develop goals and objectives to achieve the coalition's mission.^{xxv}

Whether your unit is forming or joining a coalition, it must consider whether a coalition will further its work in Environmental and Climate Justice. Joining a coalition can prove worthwhile as public support can influence how other entities will react to the work being done. Being a leader in Environmental and Climate Justice can be maximized through a coalition when utilized appropriately.





Part Five: Taking Action

Waukegan Gen. Station, Waukegan, IL (Edison International)

Introduction to Taking Action



Being an advocate for change and a leader in Environmental and Climate Justice can give one the opportunity to set the foundation for how the community, decision makers and plant owner responds to the issues. Taking action can range negotiating with plant owners, engaging in direct nonviolent action, using litigation or developing an ordinance. The task of educating our community is important but also educating our decision makers is a part of taking action to develop support.

There are different methods for a unit to express your concern and information for environmental justice issues.

When educating decision makers it gives the opportunity to form a more personal relationship as a constituent. Other actions that a unit may employ are negotiating with plant owners. If a community comes to the point that negotiations are the best actions, this can be an option. However, when working with decision makers and or plant owners are not making any gains, engaging in direct nonviolent action can be a method of taking action. When used effectively, direct nonviolent actions can make gains for your unit.

Though many of these methods are practical, there may be circumstances that arise in which litigation is used to further the cause of the unit and the community. Litigation if possible, should be used when the situation presents no other alternatives.

The use of a local ordinance can be beneficial in situations like stopping a coal plant from getting a permit or shutting down a plant.

Whether the action is working with your decision makers or using the legal channels, it is an important step on the path to making change. Each action that a unit takes will result in getting closer to achieving Environmental and Climate Justice.

Negotiating with Plant Owners

The model developed by the Environmental Law Institute uses the Alternative Dispute Resolution (ADR) as a method for negotiating with plant owners. Their purpose in using this particular approach is to achieve an agreement without using legal services or the court system. Regardless of the approach you use, it requires preparation and research on your unit's part. It is important that before going into any negotiation you have taken the necessary steps to identify the core problems.

Once you have researched and prepared the findings, the unit now knows what the community needs. The next step after conducting a community investigation as noted earlier in the toolkit is to form the intended outcome of your negotiation with the plant owner. The thorough research and guidance from various community leaders are very important to informing the determination of intended outcome of negotiation. The negotiation may not result directly in what the community demanded but be prepared with an understanding of what you've determined as non-negotiable and on what points you are flexible.

Here are steps your community will need to take in order to begin the negotiation process.

Strategy for Negotiation

Now the unit can begin to strategize for the negotiation. It should already be established and known what the community needs and demands from the facility. Below are areas that must be answered and prepared for a strategy to be successful. Consider the following:

- What are the community's main priorities?
- What is at stake for the community?
- What are the non-negotiable elements of the agreement?
- What are the terms of the agreement are you willing to give up?
- What is the worst case scenario for the negotiation?
- What is the most likely to be agreed upon by all the parties?
- What are the minimum terms you will agree upon?
- What are the tradeoffs?

Answers to these questions will establish the community stance and form the basis for the negotiation. To have the community behind these stances will provide the encouragement and confidence the unit needs from its community.

Initiating Contact

At this point, the unit and the community have completed research and gained strong community support. The community has prepared itself to discuss the issues and solutions. It is time to initiate contact with the other party to further the case. This can usually be done through a letter addressed to the manager of a facility, the head of a government office or to the person(s) believed to have power to address the problem.

Tips for the Letter:

- The letter should include a brief explanation of the issue that you want to discuss: The community has observed the facility emitting pollution that the community has much concern to believe is linked to health problems such as asthma, cancer, lead exposure, etc., in the X community.
- Explain why the community sees it beneficial to use an alternative resolution method. Highlight the process as a better resort than possible litigation and bad press. This would also be an opportunity for the facility to be viewed as a good neighbor to the affected community.
- Invite the other party to help design the measures used for the alternative dispute resolution. If the community shows its good will it can also open doors for better communication.
- Set a deadline for responding to the letter. It will be important that the community establish their seriousness of their request. If the facility does not respond, follow up and send the letter to someone in a higher position. If and when a facility fails to respond, let the facility know that the community will pursue media outlets and other approaches that will bring attention to this issue.

Sample Letter to a Coal Fired Power Plant Company

YOUR ADDRESS
THE DATE

To Whom It May Concern:

As the NAACP's (INSERT TOWN/CITY) Branch President I am concerned about the protection of the rights of those here in (INSERT TOWN/CITY)As such, I request a meeting with (INSERT NAME OF PLANT OWNER/COMPANY) to discuss the XXX Power Plant and its impact on the community that is host to the facility.

Our civil rights mission includes protecting the air we breathe. It troubles me that the air we breathe is full of pollutants like nitrogen dioxide, sulfur dioxide and particulate matter from emissions produced year after year from the XXXX Power Plant. Too many people I know suffer from cancer, respiratory diseases: asthma, bronchitis, etc., all conditions that have been scientifically linked to the toxins coming from the smoke stacks of the XXXXX plant.

Our research shows that the XXXX Plant emit an average of XXX tons of sulfur dioxide , XXX tons of nitrogen oxide and XXX tons of carbon dioxide annually. With XXX people living with 3 miles of the plant and XX percent of the people being communities of color and XX percentage being low income persons, this plant puts many people in jeopardy, particularly vulnerable populations.

We reach out to you in good faith that you share a commitment to the wellbeing of the communities that are host to your operations. Our hope is that we can work together to determine a resolution to the polluted air that now hinders the right to quality of life of families and children especially in (INSERT TOWN/CITY).

We would like to sit down with you and discuss options. Today we have cleaner forms of energy and we call on you to make investments that protect the health and wellbeing of our communities while you operate the much needed enterprise of energy production.

We would appreciate the courtesy of a response from you by XXXX as our aim is to meet with you by XXXX. Thank you in advance for your consideration and agreement to meet.

Sincerely,

YOUR NAME

Choosing Alternative Dispute Resolution Methods

Direct Negotiation

Direct negotiation, involves sitting with representatives from the company or government agency with the authority to resolve the problem and working to develop solutions without the assistance of an intermediary. Using direct negotiation can be a viable option if you think you can develop a productive working relationship with the other parties.

Mediation

In mediation, a neutral (called the “mediator”) assists the involved parties to arrive at an agreement that satisfies everyone involved. The mediator’s job is to help each party communicate its position clearly and to understand the positions of the other parties. While the mediator’s main role is to ensure a fair process, she or he also may suggest solutions.

Another component of Mediation is the option of an ombudsman, a government official who receives complaints from members of the public, then investigates the problem and brings people together to talk about solutions. The EPA has ombudsmen who can often help with environmental justice issues (http://www.epa.gov/adr/cprc_adrcontacts.html). Your state government may also have ombudsmen. These ombudsmen do not charge a fee.

Facilitation

In facilitation, a neutral (called the “facilitator”) focuses on making the process fair without becoming involved in the issues. For instance, the facilitator will help set ground rules for a conversation, make sure that information is flowing, and keep the conversation on track. Facilitation is appropriate when the dispute is not very emotionally heated, the parties’ positions are not widely divergent, and the parties have some degree of trust in each other.

Setting Ground Rules

As a part of the negotiation, rules will need to be set such as:

- Scheduling Meetings
- Selecting a Meeting Venue
- Exchanging information before the negotiation begins (Negotiating parties should share concerns, points of agreement and disagreement. It can make for a better use of time.)
- Parties need to disclose and offer explanations of data used for the negotiation (Those involved in the negotiation should have data that is in a reasonable format.)

Publicity

Negotiations are usually kept confidential in its process but this will be difficult as the community will likely request updates. Be careful as to what is disclosed in the private meetings and is reflected in the updates to the community. It could potentially setback the progress of the negotiation.

- Talking to the Press: To keep the press and public informed, this would be an area that both parties would work together to draft a press release to the public

- Getting Community Buy-In: Inform the community that no agreement will be made until both parties agree on the matter at hand
- Corporate or agency hierarchies: Be sure to know the individuals that must approve the agreement. The individual with the authority to do so is likely the company's president and not the facility manager who may have negotiated on behalf of the company.
- All parties should agree that what is shared during the negotiations remains private. This helps both parties have a safe arena to discuss their issues and concerns freely.
- Communicate between meetings: the parties involved in the negotiations should both be able to ask questions throughout the negotiation process. This keeps the dialogue fluid and uses time more efficient when questions and or concerns are addressed between meetings.

Key Questions to Ask During a Negotiation

- How many people working in the plant are from the local community?
- Is any of the electricity generated by the plant used in the local community?
- How do you plan to respond to the community's health and economic concerns regarding the pollution from the plant?
- Have you installed pollution control technology on the smoke stacks? If so, what kinds of pollution controls have you installed and how has it altered the pollution levels?
- What are your plans to support the nation's shift to energy efficiency?

Anticipated Things Owners Might Say:

When negotiating with plant owners, it may take a lot of discussion before any middle ground is established. As plant owners, it is likely in their interest to keep their plant open and efforts will be likely be made to do just that. As a leader in Environmental and Climate Justice, there will be things that should be anticipated such as what plant owners say during a negotiation.

The cost to install newer pollution control technologies is very expensive.

Both the coal plant and the community can benefit from installing pollution control technologies.

1. The cost to install the technology will likely be less than the health cost that is associated with the harmful pollution the plant emits.
2. Installing this technology can create jobs.
- 3) The Environmental Protection Agency has made it a priority to reduce the cost of installing pollution controls.
- 4) And as an incentive, reiterate the potential for expensive violations.

The pollution from the coal plant is not the cause of the community's poor health?

Coal plant owners will suggest that the pollution from their plants is not directly linked to the health of the community. This is where the health research of those living near the plant should be highlighted. 1) In many cases, those who live near the coal plants have been exposed to heavy metals like mercury and lead and toxic chemicals. 2) Communities that have been exposed likely suffer from higher rates of chronic illnesses like asthma and other respiratory illnesses, birth defects, learning disabilities, and rare cancers. The evidence of the community based research is essential when discussing these matters. Be prepared and have a full understanding of the data.

This community needs the jobs from our coal plant for their livelihood.

In response, this would be the time to note the number of jobs that the coal plant actually provides. In many cases, the coal plant hires a small amount of people from the community and therefore would not have the huge impact it suggests. Also, this would be an opportunity to highlight the potential for other industries to establish themselves in the community and diversify the economy.

Demands to Make on the Plant Owners

- There must be measures to significantly reduce or eliminate the air and water pollution from the coal plant such as shutting down the plant, and or installing pollution control technology. Develop a timeline for when this should take place.
- Right to inspect the facility: The inspection should include community members and be accompanied by an expert and a plant worker of the community's choice.
- Community Access to Information: This will ensure that the coal plant makes information available about its operations and decisions to members of the community on a consistent and regular basis
- Acknowledge the pollution emitted from their facility is responsible for the poor air quality in the community.

Each of these questions is part of the process for a negotiation. Most importantly, know that negotiations with plant owners will be a lot of work and effort. In the end, preparing ahead of time will save a lot of energy.

Using Litigation

Using litigation can be helpful when the aim is to stall or prevent the construction of new coal plants, as well as reduce pollutants from existing coal burning facilities. It is also a useful tool for getting the EPA to enforce their rules, as you can also file a complaint against the EPA if you find that they have failed to enforce their rules against coal burning facilities.

Questions to Ask Yourself Prior to Litigation

Litigation should begin when there is no other way to provide the desired solution to the pollution being caused. If you answer yes to one or more of the following questions, litigation should be pursued:

- The coal plant in question is not in compliance with federal and EPA statutes and refuses to comply after communicating the problem to them AND

Federal Statutes:

The National Environmental Policy Act, (NEPA)

The National Environmental Policy Act was signed into law by President Nixon on January 1, 1970. This legislation requires an environmental impact statement, (EIS) for any project that will impact the environment significantly. Several states have adopted some version of NEPA and have made an EIS a requirement when a new coal plant is proposed.

<http://ceq.hss.doe.gov/>

The Clean Air Act

The Clean Air Act is another relevant statute for use in litigation. The Act established the National Ambient Air Quality Standards (NAAQS) to regulate the amount of pollutants released from energy facilities. These pollutants include but are not limited to: lead, carbon dioxide, nitrogen oxides and sulfur dioxide. The Clean Air Act also provides for what is called a New Source Review, (NSR) where coal-fired plants are required to obtain a permit prior to construction taking place. New Source Reviews include Prevention of Significant Deterioration, (PSD). These permits are required for new and existing coal plants that are making modifications that will increase emissions significantly.

<http://www.epa.gov/air/caa/>

More information visit the Environmental Impact Statement database on the EPA site, <http://www.epa.gov/oecaerth/nea/eisdata.html>

- The harm in your neighborhood has been identified (by health problems or physical damage to the environment) and can be attributed to the coal plant.
- You would like to receive monetary compensation for loss in property value, enjoyment of property or for health issues caused by pollutants.

Successful litigation has been filed under the following federal statutes (see insert):

- The National Environmental Policy Act, (NEPA)
- The Clean Air Act

Toxic Tort Cases

Toxic tort is a term referring to a practice of law concerning the exposure to toxic substances. It is a smaller area of law under the umbrella of Personal Injury law. When added to environmental law aspect, a toxic tort is focused on exposure to pollutants in the air, water or other area in the environment.

In order to file a toxic tort case in court:

- The case has to include individuals or groups of people (cannot be individualized) who have all been exposed to the pollutants in question.
- The complaint to the court has to demonstrate that the substances in question were harmful.
- That the substance caused harm to the plaintiff (causation rule).

See more information in Resource Section.

Collection of Relevant Data – How to Determine if Litigation is Necessary

Before engaging in litigation, it is important to determine whether there is data to confirm that a coal-burning facility’s practices or proposed practices are in violation of federal statute or state nuisance laws. Violations can occur by a coal burning facility failing to update machinery, making changes in an existing coal-burning plant or a proposed permit that will increase air pollution in your community. It is very important to conduct an investigation to determine if a coal-burning facility is in violation of a federal statute. For more details on how to conduct investigations, please see the “Investigating Coal Pollution in Your Community” section.



Pre- Litigation Checklist

Prior to engaging in litigation it is important to contact the proposed facility, operating facility or the EPA and voice your concerns about the effects of the coal burning in your neighborhood. While not common, these parties may listen to your concerns and make the necessary changes so that litigation is not necessary. When this avenue is not available and harm by the proposed or existing coal-burning plant is identified, litigation is appropriate. Also, follow the following steps to determine if litigation is the

best option for this matter.

✓ **For Your Complaint – Organization is Key**

Compile and organize all of your complaints and what you would like to see done or changed. Specificity is very important here. The more detail and evidence of the pollution causing damage, the better your complaint will be.

✓ **Statute of Limitations – Bring Your Issue to NAACP Legal Counsel Early**

Be aware that for some cases, a statute of limitations may apply. A statute of limitations places a time limit of when the case can be brought into court. This means that even if you do not have everything on the checklist; make the NAACP General Counsel's Office aware of the issue very early on. Make sure to inquire about whether a statute of limitations applies to your situation. If it does, then there will be a deadline to file your complaint in court.

✓ **Partnerships – Request Approval from the NAACP General Counsel**

Many community groups have partnered with local or national environmental law groups to begin the litigation process. Aligning yourself with a group that has the same or very similar goals. This can make all the difference in the ease and success of the litigation. Prior to partnering with any other group or organization, you must contact NAACP General Counsel. Partnerships require the consent and approval of General Counsel as well as the NAACP President and CEO.

✓ **Information You Will Need – Source, Location, Causation and Remedy**

Primarily, the information you need to provide prior to litigation will include:

- The source of pollution from the coal plant.
- The location of areas the pollution is going.
- The people and wildlife being affected by the pollution.
- The problems the pollution has caused
- Data showing causation- that the pollution has had a negative effect on people/wildlife

- **Source of pollution:** This should include the address and property description of the coal plant. Include how long the coal plant has been in operation, if the coal plant receives federal funding, and how much energy the coal plant produces.
- **Areas Affected:** If any sludge or solid waste is being dumped into waterways or land areas, include the names, locations and property descriptions of those areas. The amount of solid waste being disposed should be measured and the amount should be included here. If the waterway or land is used for any type of recreation or other human use, (i.e. walking trails) include this information as well. If the air is being affected, describe the land area below the air that is being affected. Please refer to your local recorder of deeds office to obtain property descriptions. For more information, please see the "Resources" as well as the section titled "Getting Surveillance Data for Your Community".
- **People and Wildlife Affected:** Include the name of the neighborhood, county or city being affected. A detailed description of the population demographics, (race and age of the people who live in the area) must also be included. If there are any natural recreation areas or parks in the area affected, include descriptions of these areas as well. If you have observed a decline in the wildlife in your area, make sure to note this as well. Formal data may be obtained by developing a community

campus partnership with your local college or university. Please see the section titled “Gathering Surveillance Data for Your Community”

✓ **Effects of the Pollution**

List all of the health problems that you believe the pollution has caused, such as asthma, bronchitis, etc. Note that without scientific data, you will be unable to persuasively conclude to other parties that the pollution has caused health problems. This is why having a collection of data that shows causation (see paragraph below) will be very important. In addition to your list of health problems, include other factors related to the treatment of the health problems, such as increased medical attention, amount paid in medical bills, emotional distress, etc. If the pollutant has caused physical changes in your neighborhood, such as smog and soot, also include this information. Physical effects of pollution can include loss of enjoyment or loss of use of the land or water being affected, loss of aesthetic (beauty) value in the neighborhood, decrease in property value, decrease in business foot traffic, etc. If you have observed any of these changes in your community, please note this information and provide it to your local counsel. For more information on how to obtain data such as property value, foot traffic and employment for your area, please see the resources page and the section titled, “Gathering Surveillance Data for Your Community”..

✓ **Data Showing Causation**

This is the most important of all the information needed prior to litigation and usually the most difficult to obtain. Your data must show that:

- The amount of increased pollutants (including types of pollutants)
- The effects of the pollutants were most likely caused by the coal plant. An example would include data showing the change in the amount of pollutants before and after a coal plant was built in your area. Health data is also very important. Having data showing an increased incidence of respiratory disease before and after a coal plant was built, or after a coal plant increased production will be extremely helpful. If data on pollutants and disease is not available prior to the coal plant being built or changes in production, then data comparing a similar area will help. For example, gathering data that show that your neighborhood, city or county has more incidents of disease and more pollutants compared to a similar neighborhood city or county (in size and population) is very helpful. Many community groups have partnered with their local health department or college/university to help gather this data. Please refer to the section entitled “Developing a Community Campus Partnership”.

✓ **Remedies**

Knowing what your group would like to have done to remedy the problem is key. Your group should be on the same page about the remedies. Your group should have a list of remedies and how much you are willing to compromise. Remedies fall into three main groups:

- Pollution Controls
- Compliance
- Compensation

While compliance would fall into federal standards that are already outlined, clean up and compensation can be more variable. Information on options for clean-up can be found in Appendix IV, “Harm Reduction/Pollution Controls”.

Developing and Campaigning for Local Ordinances

An ordinance is a law, statute, or regulation enacted by the municipal government. There are a number of issues that ordinances can cover but the first steps to campaigning for an ordinance is to identify what current regulations and rules support and oppose the ordinance you are proposing.

When Is An Ordinance An Ideal Tactic to Employ?

Ordinances can ensure that your community is being protected by the local government. Through an ordinance, it can provide the accountability of your elected officials. It can also mean establishing the proper channels to ensure that regulations and laws in place or those being created will be upheld. In the case of developing an ordinance focused on coal plant related issues, it can be a great opportunity for the community to get involved. This also could be an opportunity to uncover the importance of having effective rules that support public health or economic growth. Using an ordinance is a tactic that uses the existing laws to establish better practices for the community. Additionally, there will be circumstances that dictate a need for an ordinance. Circumstances such as when the health of the community is being affected by the pollution, but the coal plants are not being held accountable for the damage being caused. The community and/or local government would then seek out measures such as creating an ordinance that mandates installation of newer pollution control technologies or denying a permit for a coal plant and or other means. Based on the need to protect community health, such can motivate a community to pursue an ordinance. There will be instances where a power plant is not being receptive to the community's needs and demands to reduce its emissions in which an ordinance may be the appropriate means to handle the situation. Most importantly, an ordinance once enacted means a step closer to Environmental and Climate Justice for the community.

Steps to Develop and Campaign for a Local Ordinance



Identify the Focus of the Ordinance: You have identified the problem in your community, pollution from coal fired power plants, however the action taken to address it can include, demanding the installation of updated pollution controls technology, offering assistance to the community to mitigate health problems related to pollution from the plant, shutting down a power plant, etc. As well as what is missing in the regulatory landscape that you want to address through this ordinance?

- What are the existing regulations? It is important to know what laws exist in your community to determine whether an ordinance should propose a new rule or a stronger rule.
- What needs to be done? You and your coalitions will need to establish what improvements need to be made, the enforcement of a mandate for coal plants to use more efficient technology, imposing a fee per ton on harmful emissions from plants, the need for energy efficiency or renewable energy standards, etc.

Form a Coalition: Once you are at the point where you have identified the focus of the ordinance, next steps may be to form a coalition. The individuals and groups that will encompass the coalition should represent the community as a whole. Those who are in the coalition will help form the foundation of support

for the local ordinance. For more information on Building a Coalition, go to Part Four: Infrastructure, page 53.

- A local ordinance is going to impact the community as a whole so having a well-represented coalition will help further the support for a local ordinance. The representation in your coalition may be other environmental organizations, parents, students, church leaders, business owners, health providers, lawyers, teachers and more.

Draft an Ordinance: The ordinance must be well put together and researched and should consist of:

- Fair language that represents the community at large and the intent of the policy.
 - The ordinance identifies clear implementation and enforcement, stands up to legal challenges and achieves the goal of protecting public health.
 - The language that will be used in the ordinance will be written in a different format that reflects legal terms and possibly previous regulations. The ordinance should reflect definitions and terms applicable to your town or state.
- And lastly, in your ordinance the coalition should identify the 'deal breakers' or provisions that are seen as not achieving the goal of your campaign.

Build Your Campaign: Before an ordinance is proposed setting a strong foundation of public support has to be in place. First, start with identifying your supporters. This entails collecting their contact information and putting together a database. This database can be shared and kept for further use later. When it comes to showing support to shut down a coal plant or supporting stronger emissions control regulations you can call on them to do so. For more information on building a campaign, go to Section Two: Awareness-Raising and Education, page 20.

- Also, develop a strategy that will assist you and your community to achieve said goal. Once you have sought out your supporters it is time to begin your campaign and educate the community on the issues that need to be addressed.

Executing Your Ordinance Campaign: Your supporters may be a part of your strategy to target certain groups. Outreach to the public is essential to broadening support. Educating members of the community and elected officials, on why the ordinance is needed such as, the impacts of a coal plant on public health will be a part of your outreach.

- Hold public meetings or give public presentations for the community to get information about the ordinance and its purpose.
- Find allies in professional organizations, civic clubs, health agencies and other community groups that would support or work on your campaign.
- Work to help the community identify with how the ordinance will be for the public good. As a part of your campaign consider opportunities to use media. Use your local paper to publish an opinion editorial or having the local news station cover an event associated with the campaign.
- Recruit a number of people who could be spokespersons to represent the campaign.
- Know what to expect from the opposition. Though the cause is worthy, there will be opposition. Remember that opposition may seek to weaken your ordinance.
- Always keep in mind what the ordinance is set out to accomplish. Even though a lot of time and effort will go into educating members of the community it is only part of the process. Most important to note is that the network of people that form the coalition of supporters will be working to make the ordinance a reality.

Example of a Local Ordinance: Chicago Clean Power Ordinance

Chicago, Illinois is the only major U.S. city with coal plants still operating within its borders. For years, environmental and community groups have blamed Fisk and Crawford for high asthma rates and other health problems in their predominantly Latino, low-income neighborhoods. 49th Ward Alderman Joe Moore is introducing an ordinance to the City Council that requires Fisk and Crawford to reduce their emissions of soot and global warming pollution. Following is a summary of the ordinance. The ordinance prohibits switching to another coal-derived fuel or high-carbon fuel as a means of complying with or avoiding the ordinance. However, natural gas (which is not a high-carbon fuel) can be used to comply. Both plants are capable of switching to natural gas. A four year phase-in process gives the owners of the plants adequate time to comply. The ordinance requires, on a monthly and annual basis, certified reports on emissions testing, emissions monitoring, and compliance with limits. A more completed version of the ordinance can be found in Appendix III.

Background (Findings in the Ordinance's "Whereas" Clauses):

- Fisk and Crawford are two dirty and outdated coal-fired power plants in the City of Chicago. They pump thousands of tons of soot (particulate matter or PM) and millions of tons of global warming gases (CO₂) into our air.
- Soot causes serious respiratory health impacts. The young, the elderly and those living closest to the plants are most at risk. Cutting PM pollution will reduce asthma attacks, chronic bronchitis, heart attacks, lung cancer and strokes caused by particulate matter pollution.
- Climate change, caused by CO₂, will cause negative health and environmental impacts in Chicago. Reducing global warming pollution will significantly cut Chicago's carbon footprint – keeping Chicago in the running for the 'Greenest City in America'.

Chicago's Authority to Adopt the Ordinance:

- Pursuant to its home rule authority, the City can adopt regulations for the protection of the public health, safety and welfare of its residents. Chicago already has regulated air pollutants and particulate matter through its Air Quality Ordinance.
- Existing state and federal laws addressing air pollution from these plants are inadequate to address this local pollution with local impacts

Limits on Pollution Set by the Ordinance:

- PM/PM₁₀ limit of .015 lb/MMBtu: This is a 90% reduction over the current PM/PM₁₀ limit and equivalent to the standard that is widely set for new coal fired power plants.
- PM_{2.5} limit of .010 lb/MMBtu: The plants have no PM_{2.5} limit now; this PM_{2.5} limit is critical because fine particle pollution poses a very serious threat to the health (especially respiratory health) of local residents.
- CO₂ limit of 120.36 lbs/MMBtu: This is equivalent to that of a natural gas plant.

How will the City of Chicago Enforce the Ordinance?

- The ordinance provides the City Commissioner of the Environment with enforcement authority.
- It also identifies what constitutes a violation and contains a schedule of penalties.^{xxvi}

Legislative Process for an Ordinance

In order to get the ordinance passed you will need to find out the process to have an ordinance proposed. You will need to familiarize yourself with the whole process including the format for a public hearing, the power of the Mayor and city council members and other channels of the legislative process related to introducing an ordinance. Early on in the campaign it will be helpful to poll your officials to determine the level of opposition and or support you may encounter. This will also help you know how much time and effort will need to go into lobbying your elected officials on the ordinance. During this time of the campaign you will be calling on your supporters to put pressure on the officials through letter writing and phones calls. Encourage activists to keep local officials aware of the community's support for the proposed ordinance.

Public Hearings: Once you have identified a legislator that will sponsor the proposed ordinance, a date for a public hearing will be set. Usually there are two public hearings and the first hearing is likely to be more educational and an informative session for the purpose of the ordinance. However, in preparation for the hearing, testimonies will need to be generated and prepared statements by supporters. The testimonies will cover the areas such as the economic, legal, environmental and public health aspects. Try to coordinate the testimonies to make sure there is little repetition and that no one person covers all topic areas.

Next Steps: Working to pass an ordinance is going to be tough work. As mentioned before, the opposition will be working to weaken your ordinance and can influence the elected officials just as easily. The process for passing an ordinance will likely include some language change. You and your coalition will then have to consider at one point if the ordinance reflects its ultimate purpose. If the coalition feels it has been compromised or the ordinance does not pass the first time. You will need to return to educating the community for what should be passed.

After the Ordinance Passes: At this point, you have successfully campaigned and the ordinance has passed. Once an ordinance is passed it usually takes 30-60 days for the law to take effect. However, preparing for implementation of the ordinance is important as well. The coalition will need to educate the public on what changes they can expect. There still will be those who are apprehensive about the passing of the ordinance so continual education on the purpose of the ordinance will be important. Educational material may be a part of the public outreach as well as presentations and other meetings.

Developing and Campaigning for a local ordinance will take a tremendous amount of coordination. It will mean a planning ahead and working smart. However, passing an ordinance is not impossible. The result will mean a healthier environment for you and your community.

Engaging in Direct Action

When working to create change in the community, a number of approaches can be taken. Most will likely include nonviolent direct action. Nonviolent direct action is direct action primarily defined by their confrontational, public, disruptive and possibly illegal nature. They can be done with large or small groups of people. They are most effective when carefully planned. Nonviolent direct action can be a very powerful tool when organizing. Before taking action, consider these questions:



- Will an action advance or set back your cause?
- Will you have broad support?
- Can you convince others that it is necessary?
- Are you ready to handle the difficulties of any backlash?

Once your unit has considered and discussed these questions, the next step is to select the type of nonviolent action that the unit and or partners want to use. This should be a focused effort and the timing of the action should be aligned with key events or days if possible. However, the more planned an action is, the better the execution of the unit's message to the public. This will be another opportunity to engage the public and gain support from community members. Actions that can be taken include:

- sit-ins
- peaceful strikes
- marches
- permitted protests

Nonviolent direct action is a planned effort and the preparations taken are just as important to the unit. Here are suggested guidelines when preparing to use nonviolent direct action.

Focus the Action: What specifics of the issue does the unit want to highlight? If opposing a permit of a coal plant, will the protest occur in front of the coal plant? Make sure that the building that the unit and its partners plan to visit is open and the people who the unit is directing its attention to are present. Map out exit routes for safety measures.

Timing of Action: Maximize your effectiveness by timing your action. This may not be ideal during a negotiation unless little to no action is being taken by the coal plant. Use this as an opportunity to organize around a long standing community issue rather than a new issue. The community will likely back the unit's efforts concerning a long standing issue that has yet to be properly addressed.

Compile Facts: Research your opposition and your issues. Having information to back your stance is just as important as taking action.

Know Your Rights: Even though you may be peacefully taking direct action, this can still cause for law enforcement to take action. Know your legal rights and possible penalties. Consult with a sympathetic lawyer and discuss the legal points those involved should be aware of when using nonviolent action.

Planning and Preparing for the Event: Talk about the goal and possible outcomes and length in which the event will go on. Discuss the possibility of arrest and whether to disperse if that circumstance arises. Pick a date, time and location to meet up and location of where the event will take place. Prepare a chant or get a bullhorn. Decide if the unit wants banners or flyers as well as food and beverages for the event. Contact other organizations and invite them to join and support the unit's event.

Media: Promote the event through press releases sent to local newspaper. Invite the media to cover the upcoming event.

Be prepared: Problems may arise, be prepared for police to come. The police may cite violations or arrest those attending the event. Also, prepare for hecklers, encourage those attending to avoid hecklers and also avoid getting angry which could lead to physical altercations between individuals. Stay unified. Pictures are likely to be taken at the event and footage taken that will be used on the news.

Follow –Up: Following the event, someone will need to be appointed to speak with the media immediately after the event. It will be important that the 'authorities' or coal plant is not the only one voicing their opinion and that the community's voice is also present. Also, someone will need to follow up on any legal aspects that may have occurred during the event. Others will need to work on the unit's demands being addressed.

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FOR MORE INFORMATION ON DIRECT ACTION, VISIT THE RUCKUS SOCIETY: www.ruckus.org



Models for Just Transition

A Just Transition Model is an alternative plan to ensure that the closing of harmful facilities, such as coal burning power plants, includes a comprehensive strategy that maintains the rights of workers, the livelihoods of families, the economic wellbeing of communities, and public health. As we advance the “Coal Blooded Campaign” and consider community impacts, a key aim of the NAACP Environmental and Climate Justice Program is to create and support smart growth solutions for a more resilient economy and tie social, environmental and economic factors in with sustainability.

Past successful model programs on advancing community economic development partnerships to transition from harmful practices to sustainable will guide our efforts. Below please find some examples of such models. Each initiative is different, but serves as an example for working toward environmental sustainability and stimulating the local economy. During this process the community is examining approaches that reduce pollution, incorporate energy efficiency, and invest in renewable energy and technology.

You will explore ways that your community can both participate in production and consumption in the green economy. We define the green economy as consisting of four industries that provide products or services related to renewable energy (e.g. solar, wind, geothermal); green buildings and increased energy efficiency technology; clean transportation and fuels, agriculture and natural resource conservation; and pollution prevention or environmental cleanup.^{xxviii} It is also important to consider models that invest in jobs that support living wages, that are localized, and that have a career ladder to move low income workers into higher skilled occupations.

Examples of public and private partnerships that have promoted just transitions:



Initiative One: E3: HELPING COMMUNITIES TRANSITION INTO A GREEN ECONOMY

Location(s): Columbus, Ohio and San Antonio, Texas

Partner agencies are also looking to implement the E3 Initiative in other states such as Georgia, Indiana, Louisiana, Michigan, Missouri, North Carolina, South Carolina, Washington and Ohio

Description: The E3 stands for Economy, Energy, and Environment which is a coordinated federal and technical initiative that helps local communities adapt to their manufacturing base and excel in the new business era which is mainly focused on sustainability. E3 joins forces with local communities to help create a more efficient green work force, promote labor and growth through innovative technology, improve on the economy by creating more jobs in companies that are better for a global market, and reduces environmental impacts while gaining a competitive advantage.

Employment Opportunities: The Columbus, Ohio initiative location has employed more than 1,000 local residents with six E3 manufacturers provided by the Dayton Industrial Assessment Center.

Stakeholders: The E3 Initiative is partnered with five federal agencies Environmental Protection Agency's Green Suppliers Network, the Department of Commerce, the Department of Energy's Save Energy Now Initiative, the Small Business Administration, and Department of Labor.^{xxix}

Website: <http://www.e3.gov/>

Recyclebank®

Initiative Two: RECYCLEBANK

Location(s): RecycleBank, which operates in 18 states and 100 cities and towns

Description: A loyalty rewards program that encourages people to lower the environmental impact of their lifestyles, for example, by recycling more and tossing less. RecycleBank encourages recycling while helping consumers and local governments save money. The company collects recyclable materials in bins equipped with computer chips that record the amount recycled and send the information to the RecycleBank's Web site, where it is converted into points for the bin owner's account. The customer can log into the account and convert points to coupons for stores such as Target and brands such as Kraft. As a result of these incentives, areas that use the program have seen recycling increase by 50 percent or more along with significant savings at the landfill, which often charge per ton. Wilmington, Delaware, for instance, cut its \$2.1 million annual waste removal tab by 40 percent. The staff does not include truck drivers, garbage collectors or recycling plant workers because the company tries to help existing recycling operations stay in business. Once a deal is signed, RecycleBank retrofits existing trucks with mechanical arms that read the chips in the new bins. Upfront costs are paid by RecycleBank in return for an agreement to share the long-term savings with the city

Employment Opportunities: RecycleBank's roughly 105 employees include operations managers, technology specialists, marketing professionals and salespeople.^{xxx}

Website: www.recyclebank.com



Initiative Three: JOHNSON CONTROLS, An energy efficient firm

Location(s): Milwaukee, Wisconsin

Description: Johnson Controls, a Fortune 500 auto parts manufacturer headquartered in Milwaukee, Wisconsin, which is one of the country's fastest-growing companies in the clean energy economy and is a recognized leader in energy-efficient building solutions. Johnson Controls recently launched a campaign to educate consumers about energy efficiency and sustainability. "Green' is a marketing word for what people feel is doing the right thing," said Clark-Holmes. "If you truly want to become green you have to become energy efficient."

Employment Opportunities: In fact, as Joy Clark-Holmes, the company's director of Local Government and Market Solutions explained, growth in its building efficiency business is outpacing its other divisions, accounting for more than one third of the company's 140,000 employees and \$38 billion in sales in 2008. "We are benefiting from the expansion of the public's general interest in energy efficiency and its willingness to invest," Clark-Holmes said.^{xxxi} Each example is a testament to the economic benefits of real investment in a green economy. These examples encompass a number of approaches to work toward a green economy. Your model will differ according to the needs of your community. It is most advantageous to transition to an economy that encourages entrepreneurial spirit and public partnerships, while maintaining public health. This will only strengthen communities, as demonstrated in the above models. One can see the partnerships that formed across different sectors and have had a positive impact on the community through job opportunities and economic advancement. Your community's goal is to find a model that suits your local unique reality and empowers the community, and leads to environmental sustainability. This will not be an easy task but it will be beneficial for the overall well-being of your town. Seek out the various pathways and those committed to making a just transition from a coal base economy to a green one.

Website: www.johnsoncontrols.com/content/us/en.html



Part Six: Media Outreach

Bridgeport Harbor Station, Bridgeport, CT (PSE&G)

Introduction to Media Outreach

Media can be an important and effective tool to further advance your unit's work on Environmental and Climate Justice. As a unit, it will be essential to build support for the work that is being done. More importantly, capturing the interest of the public and gaining support for the unit's Environmental and Climate Justice work will be beneficial. Gaining public support and interest can assist the unit in the sustaining its work as well as building a network. There are numerous ways to make use of media, including: 1) Press releases: which are great way to announce events and action being taken by an organization; 2) Local and state opinion editorials: is an opportunity to convey a message to the community while using facts and information to support your opinion; 3) Interviews: another great way to use the media. Radio, TV, and newspaper interviews are one way to speak directly to an audience about environmental justice issues and or solutions.



No matter the form of media being used to connect with an audience, it is important to clearly articulate the message. Any message, especially around Environmental and Climate Justice issues, should compel others to want to engage in the work that the unit is doing. Below are examples of press releases, opinion editorials and guidance on preparing for interviews.

Print Media

Newspapers both printed and online remain the way most Americans still receive their news. Utilizing the print media is a viable way to receive support for community events such as Town Hall or Video Screenings, as well as Direct Action Advocacy Initiatives that are taking place. It is important to inform the media of the work you are doing around the Coal Blooded Toolkit.

Press Release

A press release can also be called a news release, media release, press statement or video release and it is a pseudo-news story, written in third person that seeks to demonstrate to an editor or reporter the newsworthiness of a particular person, event, or situation. The press release serves as a written or recorded communication directed at members of the news media for the purpose of announcing something ostensibly newsworthy. Typically, they are mailed, faxed, or e-mailed to assignment editors at newspapers, magazines, radio stations, television stations, or television networks.

Sample Press Release Template

“FOR IMMEDIATE RELEASE

DATE

Contact: Organization #1 Name, Phone #, E-mail

Headline: Coal Blooded: Putting Profits Before People

Sub-head: (more info, no more than one line) something about your chapter

All paragraphs should be no more than 60 words in 1-2 sentences. Ex. Today the [Name of city] NAACP Chapter and the community have taken action to hold accountable X coal plant from polluting our communities.

Paragraph #1: All the basic info including who, what, where, when, why, and how.

Example: The NAACP Environmental Climate Justice Program’s recent Coal Blooded report conducted a study on the X coal plant. In this study it shows X number of people including communities of color and low income neighborhoods bordering [coal plant name] coal plant, suffer from health problems such as chronic illnesses like asthma, rare cancers and higher rates of learning disabilities. These communities and the community at large have long been exposed to unhealthy levels of emissions including heavy metals like mercury which have put them at risk. The health risk and exposures we face are unacceptable and the community needs its voice to be heard.

Paragraph #2: Context. Gives some more context, information about the campaign/meeting/event

Example: “The NAACP will be holding a town hall meeting to discuss the report’s findings and gain better insight of what the community sees fit in addressing the environmental justice issues we face. This event is part of the [Name of NAACP Chapter] NAACP Chapter’s effort to open discussion up in the community on the effects of coal pollution on their neighborhood. The Chapter and others in the community [insert other groups/partners assisting with the event] see this as a means to better inform the community.

Paragraph #3: Quote! This should be a quote by the organization leader explaining why this issue/meeting/event/campaign is important to the community, why they care, etc. You want this quote to help make the story personal and relevant to your audience and explain the purpose of the event. Your first quote should be no later than the 3rd paragraph.

Example: The health of the community is being jeopardized when we do not hold coal plants accountable for their pollution. The people in [city/state] deserve to have protection from harmful pollutants and breathe clean air. Too many people have suffered at the cost of their health.

Paragraph #4: Background. This is your chance to give additional background info about your group, the campaign and/or the environmental justice/coal issues in general. As we advocate for justice, it makes this initiative for Environmental and Climate Justice just as important.

Example: We know that the dependency on coal is an issue that must be tackled now. Many and even most of us are vulnerable to the toxic emissions coming from the coal plant. The Coal Blooded report sheds light on coal plants that are located near communities of color and low income communities such as X coal plant here in [insert city/state].

Paragraph #5: Quote #2. This should further back up/explain the overall message of the campaign or event and be from a constituent.

Paragraph #6: Any other relevant info about the event/organization/campaign.

Example: It is our hope at the town hall meeting to open doors for discussion among the community. Through a town hall meeting it will provide a constructive but safe place for all to voice their concerns. NAACP Chapter efforts are an extension of the campaign led by the NAACP's Environmental and Climate Justice Program aimed at moving not only the community but our nation toward Environmental and Climate Justice.

For more information: your website goes here

End with: ###

The ### marks the end of the release and goes centered at the bottom of the page. Your release should be about the same length as the story you would want to run, but doesn't have to be longer than 1 page.

NOTES: The press release should be ready to give to reporters at an event or to send to reporters who didn't show up. When sending it to press who missed an event be sure to include high resolution photos they can use. Make sure your release reads like a news story because sometimes, especially at small papers, editors will simply reprint press releases verbatim.^{xxxii}

Sample Partner Press Releases #1

The first sample press release comes from the Indigenous Environmental Network which is a network of Indigenous Peoples empowering Indigenous Nations and communities towards sustainable livelihoods, demanding environmental justice and maintaining the Sacred Fire of our traditions. The following is a sample press release from their organization as a partner to the NAACP.

Sample Partner Press Release #2

The second press release comes from the Little Village Environmental Justice Organization is a nonprofit organization who work with families, coworkers, and neighbors to improve their environment and lives in Little Village and throughout Chicago through democracy in action.

**FOR IMMEDIATE RELEASE**PO Box 366
Fort Chipewyan, AB T0B 1B0Phone: (780) 697-3730
Fax: (780) 697-3500

Athabasca Chipewyan First Nation present grievances to Shell Chairman, board and shareholders

May 22, 2012/The Hague, Netherlands

Today, Eriel Deranger, spokesperson and member of the Athabasca Chipewyan First Nation (ACFN) addressed Shell executives and shareholders at Shell's Annual General Meeting (AGM) in the Hague, Netherlands highlighting the community's grievances with Shell's current and proposed tar sands projects in their traditional territory in northern Alberta.

Shell's Chairman was provided with a copy of the report "Risking Ruin: Shell's dangerous developments in the Tar Sands, Arctic and Nigeria" launched last week by ACFN in partnership with the Indigenous Environmental Network (IEN). The report profiles Indigenous communities impacted by Shell's operations in Canada's Alberta Tar Sands, Alaska's Arctic Ocean, Ontario's Aamjiwnaang First Nation and Africa's Niger Delta arguing that the impacts of Shell's destructive activities outweigh the benefits and exposes the company to both reputational damage and political risk, including litigation.

ACFN traveled with an Indigenous delegation from Canada and Alaska, coordinated by the UK Tar Sands Network and IEN, to attend Shell's AGM. Indigenous representative presented to Shell's Chairman and Board about the human and ecological rights violations the company's operations have brought to their respective communities.

"Shell has failed to address our concerns in Canada's tar sands by not meeting environmental standards, past agreements and refusing to address their impacts to our constitutionally protected treaty rights," stated Deranger. "Shell's current projects are contributing to the destruction of our traditional territory including vital watersheds and eco-systems. Now they propose to expand projects further degrading our lands and impairing our ability to practice our constitutionally protected rights to hunt, fish, trap, and gather in the region."

Shell executives refused to address the concerns brought forward by Deranger, stating that ACFN is nothing more than anomaly among First Nation communities in Alberta's tar sands. Shell has been operating in Alberta's tar sands since 2003 and now accounts for approximately 20% of overall operations in the region. ACFN has numerous grievances with the oil giant with disputes arising around permits, leases, applications, and unmet agreements. ACFN made headlines last year suing the oil giant for failure to meet past agreements regarding existing tar sands projects within ACFN traditional territory.

Shell's plans to expand current projects include a new open pit tar sands mine in previously untouched regions of Athabasca Delta, more than doubling their production producing over 600,000 bpd. Chief Allan Adam of the Athabasca Chipewyan First Nation stated, "I sincerely hope that Shell executives and shareholders listen to our spokesperson. Our community is drawing the line because we've had enough."

We have full intention of opposing all of Shell's future tar sands projects in the region until our past grievances are met and there is full protection of our watersheds, eco-systems and our treaty rights in the region."^{xxxiii}

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Press Release

Mayor Emanuel Announces Agreement with Midwest Generation to Retire Two Coal-Fired Power Plants in Chicago

Negotiation Results in More Rapid Timeline for Closing of Plants and Achieves Goals of Proposed Clean Power Ordinance

Midwest Generation today announced that it will retire its two Chicago power plants, as the result of an agreement forged with Mayor Rahm Emanuel and the City of Chicago in consultation with community groups and aldermen. The Fisk Station at 1111 W. Cermak Road will be closed no later than the end of 2012, and the Crawford Station at 3601 S. Pulaski Road will be closed by the end of 2014.

The timing of the decision and the schedule for retirements was the result of a process Mayor Emanuel initiated on his first day in office. The company and City of Chicago have entered into an agreement finding that this timetable achieves the objectives of the proposed Chicago Clean Power Ordinance, which was first introduced in 2010 and reintroduced in 2011.

“Midwest Generation has made an important and appropriate decision today, which will be good for the company, the city, and the residents of Chicago,” said Mayor Emanuel. “I committed during the campaign to work with all parties to address community concerns about the plants, and today’s announcement puts us on a more sustainable path for these neighborhoods. I acknowledge Aldermen Moore, Solis, Munoz and Cardenas for their work on this issue, and the community groups who helped to ensure all voices were heard in the process.” Ald. Solis, who is the Chairman of the City Council’s Hispanic Caucus, has the Fisk site in his ward; Ald. Cardenas is the chair of the City Council’s health committee; Ald. Munoz’ ward is home to the Crawford facility; and Ald. Moore was integral to the initial conversations about the alternatives for shutting down the plants.

The company and the Mayor said their focus will now shift to the future of the two sites, which may present redevelopment opportunities with funding from government, foundation or private sources.

“The city will convene appropriate parties to consider potential future uses, ownership and funding to transition the sites to such uses,” said Emanuel. “We will bring together representatives of the city, the community, the company, labor, and local, state and federal agencies who may be able to assume leadership roles in creating a vision and turning it into a reality.” Citing environmental regulations that take effect through 2015, Pedro Pizarro, president of Midwest Generation’s parent company, Edison Mission Group, explained Midwest Generation’s decision. “Unfortunately, conditions in the wholesale power market simply do not give us a path for continuing to invest in further retrofits at these two facilities. This is an extremely difficult decision because of the men and women who work in these plants and take great pride in their contribution to a reliable and affordable supply of electricity. We will work in good faith with leadership of the International Brotherhood of Electrical Workers to manage a transition for the dedicated professionals they represent.”

The process undertaken by Midwest Generation and the City of Chicago also included community, public health and environmental groups, which have agreed they will not pursue certain pending litigation against Midwest Generation. Once operations at the sites cease, Midwest Generation will maintain them in a safe and prudent manner as redevelopment opportunities and funding are explored. The retirements are subject to approval by PJM Interconnection, which manages the electric grid for 13 states, including northeastern Illinois. PJM must determine that the retirements do not pose a risk to the reliability of the grid.^{xxxiv}

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Opinion Editorial (Op- Ed)

Using op-eds can be a great way to voice an opinion in a constructive way. Op-eds allow for a more personal way to connect with the community. The local newspaper is read by many and though this will definitely be putting oneself out there for criticism, it will also be a means of gaining support. People respond to op-eds in many ways. They can spark coffee shop conversations or discussion among small groups. An individual may even respond back with an op-ed agreeing or disagreeing on the issues highlighted in the op-ed. Provoking dialogue, is what makes an op-ed an effective tool when reaching out to the community.

Sample Local Op – Ed

COAL BLOODED: Putting Profits Before People

As the NAACP's (INSERT TOWN/CITY) Branch President I am concerned about the protection of the rights of those here in (INSERT CITY/STATE). Our mission is to protect the civil rights, including the air we breathe. Air pollution is a civil rights issue and it must be addressed. Today we have cleaner forms of energy but no true investments have been made to recognize that reality. It troubles me that the air we breathe is full of pollutants like nitrogen dioxide, sulfur dioxide and particulate matter from emissions produced year after year from cars, fossil fuel burning power plants, industrial parks and more. Though we all have contributed to the pollution in [insert city/state], that does not mean we should let it go unaddressed.

There are too many people I know that suffer from [insert: a possible health condition cancer, respiratory diseases: asthma, bronchitis, etc.] I ask myself, how is it an adult or child can develop serious respiratory problems who has not smoked, or been subjected to environments that would contribute to their health condition. Then I began to research possible environmental causes such as air pollution. Children are the most vulnerable to toxic chemical exposure and protecting the air they breathe will ensure that they can have a healthier childhood. Unfortunately, our air has been compromised already.

Currently, federal regulations like the Air Toxics Rule and The Air Transport Rule that were put into place to reduce emissions in our air is now being attacked by those elected to represent us. Congress is considering Transparency in Regulatory Analysis of Impacts on the Nation which would derail these two regulations. This regulation would limit the EPA's ability to enforce clean air standards that protect us from significant amounts of harmful air pollution.

The recent report Coal Blooded, on 378 coal fire power plants highlighted plants that are located near communities with low income residents and people of color. In that report it noted there are (# of failing plants) failing plants near or in my community, emitting levels of chemicals and heavy metals to which no family, community, or state should be exposed. We are all vulnerable. Sadly there are communities that are disproportionately exposed to harmful pollution. Communities in our state such as (insert town) that are low income will continue to be subjected to toxic air. There are communities in our nation that already suffer from high rates of chronic illnesses such as asthma, rare cancers, and even contaminated resources like our groundwater. It is places like (insert town) that need better and more comprehensive regulations to reduce the impact of pollution within our air and protect the health of our most vulnerable.

Each resident in [insert state] will benefit from cleaner air. I encourage our [local official (s)] to support clean air and oppose regulations/permit like [insert regulation or proposed coal fired power plant] that puts our community at risk.

Sample State Op – Ed

COAL BLOODED: Putting Profits Before People

Can (insert state) lead the way toward a cleaner future? As the NAACP's (insert state) Conference President it is our mission to protect the civil rights of those in (insert state) such as the right to a healthy environment including the air one breathes. Air pollution is a civil rights issue and must be tackled. The air we breathe in [insert state] is full of pollutants such as nitrogen dioxide, sulfur dioxide and particulate matter from emissions produced year after year from cars, fossil fuel burning power plants, industrial parks and more. Though we all have contributed to the pollution in our nation, that does not mean we should let it go unaddressed.

Currently, we have federal regulations like the Air Toxics Rule and The Air Transport Rule that were put into place to reduce emissions in our air however that is now being attacked by those elected to represent us. Congress is considering Transparency in Regulatory Analysis of Impacts on the Nation which would derail these two regulations. This regulation would limit the EPA's ability to enforce clean air standards that protect us from significant amounts of harmful air pollution.

In the NAACP's recent report Coal Blooded, on 378 coal fired power plants our (insert state) has (# of failing plants) failing plants, emitting levels of chemicals and heavy metals that no one in (insert state) should be exposed to. We are all vulnerable. Sadly there are communities that are disproportionately exposed to harmful air pollution. Communities in our state like (insert town) that will continue to be subjected to breathing in toxic chemicals and substances. There are communities in our nation that already suffer from high rates of chronic illnesses such as asthma, rare cancers, and learning disabilities that are linked to air pollutants like heavy metals mercury and lead. We can do better and it starts with better and more comprehensive regulations to reduce the pollution within our air and protect the health of our most vulnerable.

Our local and state leaders can take action and lead the way to a healthier state through the energy we invest in our communities. I encourage each and every [insert state; ex: Kentuckian] to envision better practices that protect the air. We all benefit from having cleaner air. I encourage Representative [insert name] to support clean air and oppose the permit for [insert coal fired power plant] OR regulations like [insert name of regulation] that put communities at risk.

Sincerely,

[insert name]

Radio/TV/Newspaper Interviews

These tips would be appropriate for not only the Coal Blooded Report but also could work for interviews regarding Clean Air, Energy Efficiency, Clean Energy, or Climate Change. The first thing you want to do is contact your local radio station, TV or newspaper as they may be the initial place you think to start but there are also other pathways one can go about this task. There are many opportunities to engage environmental based radio stations, TV programs and journals across the U.S. and those are important to consider. Tips for approaching this activity are below.

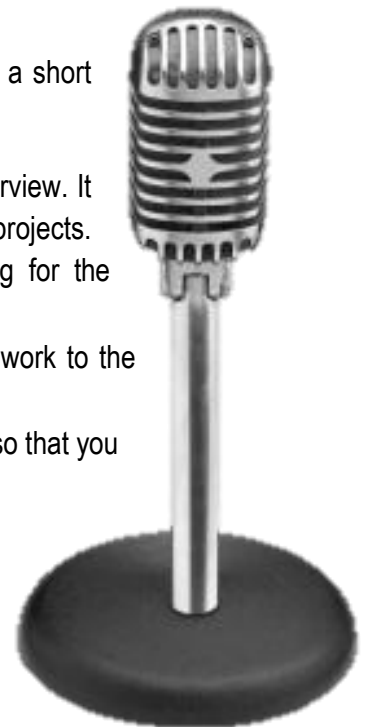
Getting Started

- Contact local radio programs, TV stations and or newspapers: Perhaps you are planning a clean air/climate change community event or just won a major award this would be a great opportunity to request for an interview.
- Focus on programs that have news and talk formats.
- Email/Mail/Call several radio stations/TV producers, editors and writers at the newspaper in the surrounding areas. You may get an immediate answer or no answer at all but keep contacting stations.
- Write up a letter template with a short biography or description of your unit and partnering organizations, work, awards, etc., and why you want to be a guest on the show.
- Contact the radio programs, TV stations and local newspapers weeks before the actual event.
- Ask what type of audiences the radio program, TV program or newspaper primarily target.

Preparing for the Interview:

Once you or someone from your unit has been booked for an interview, here is a short checklist to help prepare for the interview.

- Generate a list of talking points. You will take this list with you to the interview. It should be a very brief description of the youth council/chapter work or projects. Use adjectives to be able to describe the work you have been doing for the community.
- Make a point to highlight the significance of the youth council/chapters' work to the community.
- Find out if the interview will be live and the number of commercial breaks so that you will have enough information to discuss.
- Ask about the audience that typically tunes in at the time of the interview.
- Don't talk too fast and avoid 'umms' and 'like'. Stay calm and enunciate your words.
- Keep your answers brief and be aware of the time you have on air.
- Thank the host at the beginning and end of the interview, while on air.



After the Interview and Follow-Up

- Ask for a recording of the interview and a link to the online recording.
- Ask the producer of the show for referrals to sister stations that would be willing to interview you.
- Send a thank you note/card 2 days after the interview to the producers.

Resources to help with the interview:

Local radio station program(s)

NAACP ECJ Communication Coordinator ecjp@naacpnet.org

410-580-5794

Learn More:

Sierra Student Coalition: Media Toolkit:

www.wearepowershift.org/sites/wearepowershift.org/files/100Actions-MediaToolkit-SSC.pdf

NPR's living on earth: The website list several states that have environmental radio station programs www.loe.org/where/where.html

WBAI-FM Environmental Radio Show:

www.envirolink.org/resource.html?itemid=20020814113850393694&catid=3

APPENDIX



APPENDIX I: Advocating Your Concerns to Congress

There are many ways in which you, as a member of the electorate, can contact your federally elected representatives to let them know of your concerns, priorities, needs and desires. Regardless of which method you choose to contact them, always remember to be polite, make a cogent and assertive (yet respectful) argument, and always ask for a reply or response. It also helps to always transmit something in writing, so that they have a record of your interests and ask for a written response in return so you have an indisputable record of their positions and promises.

PERSONAL VISIT

For most members of the House and Senate, the best way to communicate with them is a personal visit. A face-to-face meeting may be the most effective way to communicate your concerns to legislators. You can visit alone, but because it's more enjoyable and effective to visit with others, the description below assumes that you're visiting with one or more other people.

How Frequently Should You Visit?

Once or twice a year is probably as much as a Member of Congress will see you. State legislators are more accessible. If you represent an active group of voters, all legislators are more likely to see you than if you go alone. It is more effective to help other people to visit than to try to go frequently yourself.

How Many People Should Go On a Visit?

You can go alone, although two to five people will fit comfortably in most D.C. and local offices. Fewer people allow more discussion; large groups tend to allow the legislator to dominate and give speeches.

How To Visit

Five steps to remember when planning your visit are: make the appointment, prepare, visit, de-brief, follow-up.

STEP 1: MAKE THE APPOINTMENT

- Call the legislator's office and make an appointment:
 - Get the local office number from the telephone book (look under the legislator's name).
 - Get a Member of Congress' D.C. number by calling the Capitol Switchboard in D.C. (202/224-3121).
- Ask to speak to the appointment secretary.
- Ask for a meeting.
- State the issue you want to discuss, how many people will be coming, whether you represent a group, preferred dates for visiting, and how long you want to speak with the Member.
 - Most Members of Congress will also ask that a letter be faxed or mailed to their office with the same information, so you may want to have that letter prepared in advance.
- Most visits run between 10 and 30 minutes, but don't hesitate to ask for more, especially if you're visiting the legislator during a work day in their office. Write down the appointment secretary's name for future use.

HINT:

The earlier you call the more likely you are to get a date you want. It often takes weeks to get an appointment with a Member of Congress.

- You may be told that the legislator cannot meet with you, or cannot see you for months. Just repeat your request. Say, ***"That seems like a very long time. Could you please arrange an earlier date?"*** They may say they'll call you back. Call back in a week if you haven't heard from them. If after several calls you still didn't have an appointment, find several community leaders, such as clergy, business or labor leaders, or professionals, to join you. Invite other groups (another congregation's social concerns committee or a community organization) to join you. Have them call or write using letterhead to request a meeting.
 - If this doesn't work, ask to speak to the Administrative Assistant (the Legislator's right-hand staff person). Be polite, no matter how abrupt or rude the staff seems. In fact, their rudeness increases your leverage: they've done you wrong, and owe it to you to give you some time. As a last resort, write a letter to the editor of your local newspaper to draw attention to the legislator's inaccessibility for average voters. (Be cautious; this could antagonize the legislator. Just state the facts and express your dismay that the legislator will not make time to see constituents who advocate for the public good.)

HINT:

VISITORS TO D.C.:

*ASK TO MEET STAFF
WHO WORK ON ISSUES
YOU FOLLOW.*

Use time waiting for the Member to get to know issue staff. If the Member is unable to meet with you, carry on the meeting with the staff person. They are worth your time! They help the Member decide how to vote.

You can visit legislators either in Washington, D.C. or in a local office. The legislator may be more available back home, and more people can participate. However, there's nothing like a visit to the capital to de-mystify the legislature and help people overcome their fear of advocacy. Furthermore, staff who work on the issues are at the legislature, and building a relationship with them may be a key to success.

- If a trip to Washington is not in your future, you can try to meet with your Congressperson at home: many members go home for most weekends, and there are traditional "district work periods" around most holidays (i.e., Memorial Day, Labor Day and the Fourth of July) in the early spring and for the month of August. Many members can also be found in their home districts after Congress adjourns for the year, usually in October or November. Many members also hold "town meetings" in their districts throughout the year; you can call their district offices to ask if one is planned for your area, and if so when it will be.

STEP 2: PREPARE

- ESTABLISH A PROFILE OF THE MEMBER YOU ARE GOING TO MEET.
 - Review the legislator's voting record; look up the committees and subcommittees the legislator serves on. If you have access to the Internet, look up his or her web site (www.house.gov or www.senate.gov) and review the past press releases. The press releases will give you a sense of what he or she has been doing to date; the committee and subcommittee assignments should give you insight into the issues the legislator tends to be more involved in. Can you relate your concerns to the committee assignments?
- DECIDE WHAT YOUR MESSAGE WILL BE.
 - Choose no more than two issues. Make a list of "key points" and include ways that constituents are affected.
- DECIDE WHO WILL SAY WHAT.
 - Who will start the meeting to say why you've come?
 - Who will state each key point?

- Who will ask which questions?
- Who will ask the legislator to take specific action?
- Who will thank the legislator at the end of the visit?
- People don't have to talk in order to go on the visit, but it's better to share the communicating -- it shows the Member that everyone thinks for themselves. Be prepared to explain (in one sentence) any bills you refer to; the Member may not be familiar with the bill or when it is scheduled for a vote.
- DO A DRY RUN.
 - Each person briefly stating their part of the message. You'll discover where there is confusion and overlap of points.
 - Visits may be cut short. Be prepared to state your message and make your request in a few minutes.
- PREPARE RESPONSES.
 - How do you expect the legislator to respond?
 - Prepare answers.
- TAKE A FACT SHEET, NEWSPAPER ARTICLE OR ANY SUPPORTING INFORMATION THAT SUPPORTS YOUR VIEW.
 - Give it to the legislator at the end of the meeting.
- DECIDE WHAT SPECIFIC ACTION YOU WANT.

STEP 3: VISIT

- TAKE THE INITIATIVE.
 - Say why you're there. Everyone introduce themselves. Mention your profession, background, and any experience on the issue. Mention organizations that you belong to.
- THANK THE LEGISLATOR FOR SOMETHING
 - A vote, a speech, an electoral promise or their willingness to hear constituents' views.
- MENTION A PAST VOTE ON YOUR ISSUE.
 - This shows that you follow how they vote and know that votes count, not promises! If no vote has been taken, try to determine if the legislator has ever taken a position on your issue (such as co-sponsoring legislation, etc.)
- STATE YOUR MESSAGE BRIEFLY AND SUCCINCTLY.
 - State your view, your reasons for having that view ("key points"), and other constituents who share your view (including organizations).
 - [Lobbyists use a single page of "talking points" to help them state key points briefly.]
- ASK FOR A SPECIFIC ACTION.
 - Be sure to ask how they plan to vote. If they say that the bill is being rewritten or amended, ask for the legislator's position on the bill as originally written. **KEEP ASKING UNTIL YOU GET SOME ANSWER.** If they don't have a position, ask how they plan to decide.
 - If time, ASK FOR INFORMATION. (See "Sample Questions").

Sample Questions

When you visit a legislator, try to learn about their attitudes and who is lobbying them.

1. Are you hearing from people who disagree with our position? Who? What are their arguments? How much pressure are they putting on you?
2. What do you consider when deciding how to vote on this issue. What sources of information do you rely on?
3. We have found the following sources of information useful. Do you see them as credible? If not, why?
4. What would lead you to change your mind on this issue?
5. Would you take leadership on this issue if you had more support from constituents?

STEP 4: DE-BRIEF

Learn from the visit and decide what to do next. If you visited as a group, go to a place where you can sit together and talk. (Do it now while everything is fresh).

- QUICK IMPRESSIONS
 - Each person takes a turn filling in the sentence, "I feel about the meeting because _____." If some people dominate, say, "You're saying important things, but let's hear from everyone quickly."
- WHAT WENT WELL?
 - Make a list together. No negative comments!
- LEGISLATOR RESPONSE
 - How did the Legislator or staff person respond to the group? Non-committal, bored, interested, hostile, encouraging, defensive, uncomfortable . . .? How can you tell? (Body language? Words? Tone of voice? Short meeting?)
- WHAT DID YOU LEARN?
 - What did you learn about the legislator? Any insights into their "world view," motivation to be in politics, feelings about your issues, feelings about you as constituents, reliance on staff for information, or methods for handling meetings with constituents? [If you met with staff, did she/he give you insights about the legislator? Did staff tell you about the legislator's views or voting behavior?]
- NEXT STEPS
 - What should the next step be? (Letters? Media? Another visit?)
 - Who will send a follow-up letter to the legislator or staff to thank them for the meeting and restate key points?

STEP 5: FOLLOW-UP

1. Write a letter to the legislator or staff person, thanking them for the meeting, briefly restating key points and reminding them of commitments they made.
2. If you promised to do something, do it. It's important to your credibility.
3. Report on the visit to your organization, congregation, or other interested group. Ask people to write a letter (mentioning that you briefed them). Bring paper, envelopes, stamps, and pens.
4. Call local media groups to report what happened in your visit.

NOTE:

If a meeting with a legislator is not in your future, there are other ways to contact your elected representatives:

Write a Letter

Make a Phone Call

Send an Email

Send a Fax

WRITE A LETTER.

Because office visits are sometimes difficult to schedule, especially in a timely manner, letter writing is usually the next best option. There are several ways of communicating through the mail with your elected representative; a hand written letter, a form letter, a post card or a petition. Hand written (or personalized typed / computer written) letters are usually the best, since they convey to your elected representative that this issue is important enough to you that you took the time to write a personal letter. Short of that, a form letter is also effective.

Postcards and petitions can also be useful in making a point, especially if you have large numbers of people sending in the same postcards or signing the petition.

For all your written correspondence it is usually a good idea to put a reference line (i.e., RE: SUPPORT FOR HATE CRIMES PREVENTION LEGISLATION) near the top of your letter (above the salutation), so the subject of your letter is never in doubt. Also, you should always ask for a response near the end of your letter indicating the member's position on the issue, and what he/she intends to do.

ON ALL WRITTEN CORRESPONDENCE, YOU SHOULD ALSO ALWAYS BE SURE TO INCLUDE A SIGNATURE AND PRINT YOUR NAME LEGIBLY, AS WELL AS YOUR ADDRESS SO THAT YOU CAN RECEIVE A RESPONSE.

When writing to your **Representative**, you should address the letter to:

The Honorable _____
U.S. House of Representatives
Washington, DC 20515

NOTE: When writing to members of the House of Representatives in Washington, all you need is their name and the zip code "20515." Room numbers and street addresses are not that useful, as the mail sorters do not use them since Members tend to move offices frequently.

When writing to your **Senators**, you should address the letter to:

The Honorable _____
United States Senate
Washington, DC 20510

NOTE: when writing to members of the US Senate in Washington, all you need is their name and the zip code “20510.” Room numbers and street addresses are not that useful, as the mail sorters do not use them since Members tend to move offices frequently.

MAKE A PHONE CALL.

To contact your Representatives / Senators in their district offices, you can begin by looking up their phone number in the phone book, usually in the blue section under “US Government Offices.” You can also look on the internet at www.house.gov or www.senate.gov.

To contact your Representatives / Senators in their Washington, DC office, you can dial the Capitol Switchboard at (202) 224-3121 and ask to be patched through to your Senators / Representative.

In every case, when you call your Representative or Senators, you should always be polite, speak clearly, and leave your name and address and ask for a response.

SEND AN EMAIL.

While not all Representatives / Senators have e-mail addresses, and some still do not consider e-mails an important form of constituent correspondence, many are becoming more and more responsive to e-mails and their constituents who use them.

To find out if your Representative has an e-mail address go to www.house.gov and click on either “Member offices” at the top of the page or “Contact your Representative” at the bottom. This will also help you identify your representative if you are in doubt.

To send an e-mail to your Senators, go to www.senate.gov and click on Senators. This will allow you to go to your Senators web site either alphabetically or by state, so it is easy to identify both your Senators.

You can also use the websites listed above to look up your Representative’s and Senators’ district office addresses and phone numbers, their biographies, and see their press releases and statements to get a better understanding of what they are working on in Congress.

SEND A FAX.

To send a fax, see the “write a letter” section above. After you have written a letter, you can contact your Representative, Senators or the President via phone (see the “make a phone call” section above) or over the internet (see the “send an email” section above) for their fax numbers. While not all members and senators list their fax numbers publicly, almost all will give them out to constituents if you call and ask for them.

APPENDIX II: Articles

| Name of the Organization | Name of Article | Website |
|--|--|---|
| Center for Health, Environment & Justice | <i>Power Plants Impacting Native Americans by Anna Rabe</i> | http://chej.org/backyard-talk/ |
| Ecocentric | <i>War on Coal: Why Polluting Plants Are Shutting Down Nationwide</i> | http://ecocentric.blogs.time.com/2012/03/01/war-on-coal-activists-help-shut-down-polluting-plans-in-chicago-and-around-the-u-s/ |
| Daily Kos | <i>The Public Health Cost of Coal by DWG</i> | http://www.dailykos.com/story/2011/03/02/948757/-The-public-health-costs-of-coal |
| Green Peace | Coal | http://www.greenpeace.org/usa/en/campaigns/global-warming-and-energy/coal/ |
| Huffington Post | <i>Appalachia Turns on Itself</i> | http://www.nytimes.com/2012/07/09/opinion/appalachia-turns-on-itself.html |
| Huffington Post | <i>Power Plant Air Pollution Kills 13,000 People Per Year, Coal-Fired Are Most Hazardous: ALA Report</i> | http://www.huffingtonpost.com/2011/03/14/power-plant-air-pollution-coal-kills_n_833385.html |
| LA Times | <i>Study ranks air pollution from coal and oil-fired power plants</i> | http://latimesblogs.latimes.com/greenspace/2011/07/the-most-toxic-air-pollution-from-coal-and-oil-fired-power-plants-can-be-found-in-ohio-pennsylvania-and-florida-according.html |
| National Resources Defense Council | A Historic Step in the Right Direction for Clean Air; Why is EPA Moving to Limit Industrial Carbon Pollution | http://www.nrdc.org/air/ |
| National Resources Defense Council | Asthma and Air Pollution | http://www.nrdc.org/health/effects/fasthma.asp |
| Physicians for Social Responsibility | Coal Pollution Damages Human Health at Every Stage | http://www.psr.org/news-events/press-releases/coal- |

| | | |
|-------------------------------|--|---|
| | of Coal Life Cycle | pollution-damages-human-health.html |
| Sierra Club's Beyond Coal | Carbon Pollution | http://www.beyondcoal.org/dirtytruth/carbon |
| Sierra Club's Beyond Coal | Coal, Smog, and Asthma | http://www.beyondcoal.org/dirtytruth/mercury |
| Sierra Club's Beyond Coal | Coal Ash | http://www.beyondcoal.org/dirtytruth/coal-ash |
| Sierra Club's Beyond Coal | Killing King Coal | http://www.sierraclub.org/sierra/200903/kingcoal.aspx |
| Sierra Club's Beyond Coal | Mercury Pollution | www.beyondcoal.org/dirtytruth/mercury |
| Union of Concerned Scientists | Coal vs. Wind | http://www.ucsusa.org/clean_energy/coalvswind/c01.html |
| Union of Concerned Scientists | Environmental Impacts of Coal Power: Air Pollution | http://www.ucsusa.org/clean_energy/coalvswind/c02c.html |

APPENDIX III: Chicago Clean Air Ordinance

The Chicago Clean Air Ordinance was introduced by 49th Ward Alderman Joe Moore and 25th Alderman Danny Solis and required Fisk and Crawford to reduce their emissions of soot and global warming pollution. A summary was included in the Manual but full text of the Ordinance is listed below to help guide in creation of a NAACP Local Ordinance.

WHEREAS, the City of Chicago (the “City”) is a home rule unit of government pursuant to the 1970 Illinois Constitution, Article VII, Section 6(a); and

WHEREAS, pursuant to its home rule power, the City may exercise any power and perform any function relating to its government and affairs, including, but not limited to, the power to regulate for the protection of the public health, safety and welfare of its residents; and

WHEREAS, home rule legislation is valid absent explicit and specific action by the General Assembly to limit the home rule unit’s concurrent legislative authority in that area as laid out by the 1970 Illinois Constitution, Article VII, Section 6(i); and

WHEREAS, great deference is given to the authority of home rule units of government to set their own environmental policy as long as it meets minimum state standards; and

WHEREAS, the City adopted laws regulating the discharge of smoke, fumes, soot, dust, odors, particulate matter, noxious gases and other pollutants into the air from sources located within the City before environmental legislation was enacted by the State of Illinois and United States of America to address the regional, national or international aspects of air pollution; and

WHEREAS, state and federal air pollution regulations do not adequately address local impacts on human health of air pollution from the local sources; and

WHEREAS, the City has a continuing interest in regulating and authority to regulate air pollution emanating from sources located within the City that threaten the health of persons residing within the City; and

WHEREAS, two coal-fired power plants operate within the boundaries of the City (the “Fisk and Crawford Plants”); and

WHEREAS, combustion of coal emits particulate matter and carbon dioxide (CO₂); and

WHEREAS, power plant emissions are one of the primary causes of particulate matter (PM) and fine particulate matter pollution (PM_{2.5}) in the air; and

WHEREAS, emissions from the Fisk and Crawford Plants are a source of particulate matter and carbon dioxide (CO₂) in the City’s atmosphere; and

WHEREAS, the total air emissions of particulate matter and carbon dioxide (CO₂) from the Fisk and Crawford Plants substantially exceed the emissions from other stationary fossil fuel combustion sources in the City; and

WHEREAS, air pollution, particularly particulate matter, from the Fisk and Crawford Plants degrades the air quality of the City, impairs visibility, and adversely affects the public health of the residents of the City, contributing to lung cancer, premature deaths, acute and chronic bronchitis, emergency room visits, asthma and other respiratory illnesses, and respiratory and cardio-vascular hospital admissions; and

WHEREAS, such health effects cause lost days of work and school; and

WHEREAS, particulate matter from coal-fired power plants located within densely populated urban areas, such as Chicago, causes more damage per unit of emissions due to the higher rate of human exposure to emissions from such plants; and

WHEREAS, studies such as “Particulate-Related Health Impacts of Emissions in 2001 from 41 Major US Power Plants,” Abt Associates, 2002, and “Extended Follow-Up and Spatial Analysis of the American Cancer Society Study Linking Particulate Air Pollution and Mortality,” Health Effects Institute, 2009, have shown that each 10- $\mu\text{g}/\text{m}^3$ increase in long term average PM2.5 ambient concentrations is associated with a 4% increase in the risk of death and an 8% increase in the risk of contracting lung cancer; and

WHEREAS, studies such as “Invited Commentary: Particulate Matter-Mortality Exposure-Response Relations and Threshold,” C. Arden Pope, American Journal of Epidemiology, 2000, and “Fine-Particulate Air Pollution and Life Expectancy in the United States,” C. Arden Pope et al., New England Journal of Medicine, 2009, have shown that exposure to PM, especially PM2.5, contributes to cardiopulmonary disease mortality even at relatively low concentrations; and

WHEREAS, studies such as “Invited Commentary: Particulate Matter-Mortality Exposure-Response Relations and Threshold,” C. Arden Pope, American Journal of Epidemiology, 2000, have shown that there is no safe threshold level for PM or PM2.5 and there are mortalities and health effects at every level of exposure to PM and PM2.5 which increase in direct relation to exposure levels; and

WHEREAS, studies such as “Fine-Particulate Air Pollution and Life Expectancy in the United States,” C. Arden Pope et al., New England Journal of Medicine, 2009, have shown that reducing the amount of PM and PM2.5 in the air increases life expectancy; and

WHEREAS, the residents of the City who are most vulnerable to the harmful health effects of air pollution emanating from the Fisk and Crawford Plants are among the most economically disadvantaged residents of the City and those least able to pay for medical care; and

WHEREAS, the harmful effects of air pollution from the Fisk and Crawford Plants are pronounced in those residents of the City most vulnerable to air pollution, including children, senior citizens, and people suffering from lung disease, heart disease and diabetes; and

WHEREAS, state and federal regulations which control emissions from fossil fuel-fired power plant units, as well as other stationary sources, are designed to achieve regional, inter-state and international air quality objectives, taking into account cost and other factors; and

WHEREAS, state and federal regulations contain provisions (“grandfathering” provisions) which exempt from certain requirements major sources of air pollution that were constructed prior to the effective date of the regulations; and

WHEREAS, the Fisk and Crawford Plants have avoided the application of certain state and federal requirements due to the grandfathering provisions; and

WHEREAS, due the age of the Fisk and Crawford Plants and the application of the grandfathering provision, the pollution from these facilities is much higher than and disproportionate to newer, more modern coal-fired power plants; and

WHEREAS, the human-induced elevation in the atmosphere of greenhouse gases, of which carbon dioxide is the most significant component, is causing harmful changes to the climate now and will cause significantly more harm in the future if such GHGs are not reduced immediately; and

WHEREAS, the United States Environmental Protection Agency in its Proposed Endangerment Findings on Greenhouse Gases, 74 Fed. Reg. 18886 (Apr. 24, 2009), has found that the negative effects from this human-induced elevation in the atmosphere of greenhouse gases include:

- a warming world climate, with the U.S. expected to warm more than the global average
- more frequent, more intense heat waves
- droughts
- more intense precipitation, including flooding
- more intense hurricanes and other storms
- damage to water resources
- harm to ecosystems and wildlife; and

WHEREAS, studies such as “Confronting Climate Change in the U.S. Midwest: Illinois,” Union of Concerned Scientists (2009), have found that if current pollution trends continue, greenhouse gas emissions will cause in Chicago:

- hotter summers filled with regular heat waves consisting of deadly temperatures
- worse air and water quality
- heavier rains causing more frequent flash flooding
- lower lake levels

WHEREAS, the “Fourth Assessment Report of the United Nations Intergovernmental Panel on Climate Change,” Ch. 14, North America (2007), has found that hot temperatures and extreme weather will cause increased adverse health impacts from:

- heat related mortality
- worse air quality
- storm related fatalities and injuries
- infectious diseases; and

WHEREAS, the City of Chicago must take measures to avoid this irreparable harm to the City’s environment and the health of its residents; and

WHEREAS, electricity generation emits a greater share of carbon dioxide than any other sector of the United States economy, and generating electricity from coal emits the most carbon dioxide of any method of electricity generation; and

WHEREAS, state and federal air pollution regulations do not adequately address local impacts on human health of particulate matter and carbon dioxide (CO₂) emissions from the Fisk and Crawford Plants; and

WHEREAS, reducing the emissions of particulate matter and carbon dioxide (CO₂) from the Fisk and Crawford Plants will improve the health and quality of life of the residents of the City generally and those living in proximity to the Fisk and Crawford Plants in particular; and

WHEREAS, demonstrated technology is available to significantly reduce emissions of particulate matter and carbon dioxide (CO₂) from coal or other high carbon content fuel combustion at power plants, including but not limited to the use of natural gas as the primary fuel;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. Title 11 of the Municipal Code of the City of Chicago is hereby amended by adding a new Chapter 11-3 underscored as follows:

Sec. 11-3. Emissions Limits

- a) A coal-fired power plant located within the limits of the City of Chicago shall not emit pollutants into the atmosphere in excess of any of the following levels:
- b) Within one year of the effective date of this ordinance, emissions of particulate matter (“PM”) shall not exceed
 - 1) an emission rate of total PM/ PM₁₀ of 0.015 pounds per million BTU of actual heat input in any one hour period as measured by an Approved Method; and
 - 2) an emission rate of PM_{2.5}, including filterable and condensable, of 0.010 pounds per million BTU of actual heat input in any one hour period as measured by an Approved Method.
 - 3) An owner of two or more electric utility steam-generating units at the same coal-fired power plant shall have one additional year (providing for up to two years after the effective date) to meet the PM emissions limits contained in subsection 11-3(a)(i)(1)-(2).
 - i. Within three years of the effective date of this ordinance, emissions of carbon dioxide (“CO₂”) shall not exceed
 - 4) an emission rate of 120.36 pounds per million BTU of actual heat input calculated over a thirty (30) day period.
 - 5) An owner of two or more electric utility steam-generating units at the same coal-fired power plant shall have one additional year (providing for up to four years after the effective date) to meet the CO₂ emissions limits contained in subsection 11-3(a)(ii)(1).
- c) All coal-fired power plants located within the limits of the City of Chicago are prohibited from complying with the emissions limits contained in this section by converting from coal as their primary fuel to another high carbon content fossil fuel.

Sec. 11-3.010. Definitions

- a) “Approved Method” as used in §§ 11-3(c)(i)(1), 11-3(c)(i)(2), 11-3(c)(ii), 11-3(c)(iii) and 11-3.030 of this Code, means the following:
 - 1) U.S. EPA Method 202 for condensable PM; and
 - 2) The following methodologies for filterable PM_{2.5}, PM/ PM₁₀ and CO₂:

- b) That methodology specified in an applicable final air emission permit issued by the IEPA for the coal-fired power plant unit for measuring emissions of filterable PM2.5, PM/PM10, or CO2 or
- c) in the event the Illinois Environmental Protection Agency (“IEPA”) has not specified a methodology for one or more of filterable PM2.5, PM10, or CO2, that methodology specified in an applicable final air emission permit issued by the USEPA for the coal-fired power plant unit for measuring those emissions of PM2.5, PM/PM10, or CO2; or
- d) in the event neither the IEPA nor the United States Environmental Protection Agency (“U.S” EPA”) has specified a methodology for one or more of filterable PM2.5, PM/PM10, or CO2 that methodology shall be that specified in
 - 1) the “Compliance Assurance Monitoring” standards promulgated by USEPA, 40 C.F.R. § 64 or (2) the “New Stationary Source” performance standards for Electric Utility Steam Generating Units, Subpart Da, also promulgated by USEPA, 40 C.F.R. § 60.47Da.
- e) “BTU” means British thermal unit, the amount of heat necessary to raise the temperature of one pound of water from 39°F to 40°F.
- f) “CO2” means carbon dioxide.
- g) “Coal-fired power plant” means a facility with one or more “electric utility steam-generating units” which burns coal, coal refuse, or a synthetic gas derived from coal, or any other high carbon content fuel, either exclusively, in any combination together, or in any combination with other fuels in any amount. Provided, neither the producer nor distributor of the electric power output need qualify as a “Public Utility” as that term is defined in Article 12 of the Chicago Zoning Ordinance
- h) “Department” means the City of Chicago Department of Environment.
- i) “Electric utility steam-generating unit” shall have the same meaning as defined at 40 C.F.R. § 60.41Da, and is capable of combusting more than 73 megawatts (250 million BTU per hour) heat input of fossil fuel (either alone or in combination with any other fuel), provided, neither the producer nor distributor of the electric power output need qualify as a “Public Utility” as that term is defined in Article 12 of the Chicago Zoning Ordinance.
- j) “Emission factor” means the average emission rate of a pollutant (i.e., tons of carbon dioxide) per a unit of activity (i.e., million BTU of fuel consumed). Emission factors include but are not limited to those set forth in Appendix H of the Energy Information Administration’s Instructions for Form EIA-1605 (Nov. 18, 2009) and those set forth in the International Panel on Climate Change’s Emission Factor Database.
- k) “Facility” means any commercial, industrial, or residential establishment which contains one or more regulated areas or units of regulated equipment. A facility may consist of more than one building or structure where all lots are contiguous and the parts of the facility are functionally related.
- l) “High carbon content fuel” shall include (a) any fuel whose emission factor is greater than or equal to 135 pounds of CO2 per million BTU (mmBTU) and/or (b) any gaseous, liquid, or solid fuel derived from a fuel whose emission factor is greater than or equal to 135 pounds of CO2 per million BTU.
- m) “Owner or operator” shall have the same meaning as defined at 40 C.F.R. § 60.2.
- n) “Person” means an individual, trust, firm, joint stock company, corporation (including a government corporation), limited liability company, partnership, association, State, municipality, commission, political subdivision of a State, or any interstate body and shall include each department, agency and instrumentality of the United States

- o) "PM" means Particulate Matter, any finely divided solid or liquid material, or condensable substance, other than uncombined water, emitted to the ambient air.
- p) "PM2.5" means any Particulate Matter with an aerodynamic diameter less than or equal to a nominal two and one half micrometers.
- q) "PM10" means any Particulate Matter with an aerodynamic diameter less than or equal to nominal ten micrometers.
- r) "Responsible official" shall have the same meaning as defined at 40 C.F.R. § 70.2.

Sec. 11-3.020. Compliance Plan. Not later than July 1, 2011, each person who owns or operates a coal-fired power plant within the City of Chicago shall submit an initial Compliance Plan to the City of Chicago by filing a copy thereof with the Department. Annually no later than July 1 of each year thereafter until July 1, 2015, each such person shall submit to the Department an updated Compliance Plan. "Compliance Plan," as used in this §11-3.020, means a written plan identifying milestone tasks necessary for the coal-fired power plant to achieve compliance with the emission limitations set forth in § 11-3 of this Code on or before December 31, 2015. Each initial or updated plan shall, at a minimum, include dates for completion of preliminary and final designs, awarding contracts and completion of construction, installation of pollution control equipment necessary to achieve compliance, and plans to assure retention or retraining of any employee whose job may be affected by such compliance.

Sec. 11-3.030. Reporting.

- a) Each person who owns or operates a coal-fired power plant located within the City of Chicago shall submit the reports listed below to the Department. Each of the following reports must be signed by a responsible official of the coal-fired power plant and contain a certification by such official, under penalty of law, as to each report's truth, accuracy and completeness.
 - 1) By February 1 of each year, a written report identifying the name, address and telephone number of each person who owns or operates the coal-fired power plant and, if such person is a corporation, its state of incorporation and registered agent.
 - 2) By February 1 of each year, a written report which calculates, using an Approved Method, the emissions of PM2.5, PM/PM10, and CO2 from each electric utility steam generating unit at each coal-fired power plant, measured in pounds per million BTU heat input, for the months of January through December of the preceding year, recalculated monthly;
 - 3) By the 15th of each month, or, should the 15th fall on a holiday or weekend day, the next business day thereafter, a written report which calculates, using an Approved Method, the emissions of PM2.5, PM/PM10, and CO2 from each electric utility steam generating unit at each coal-fired power plant, measured in pounds per million BTU heat input, for the preceding month.
 - 4) Within ten (10) business days of its submission to USEPA or IEPA, any report or data pertaining to emissions of PM2.5, PM/PM10, and CO2 from the coal-fired power plant, including the results of any stack test, submitted in the same form (i.e., electronic) as submitted to USEPA or IEPA.
- b) All reports calculating emissions of PM2.5 and PM/PM10, to be submitted under this §11-3.030 shall document downtime or calibration failure of any continuous emission monitoring equipment required to be installed, operated, calibrated and maintained by Subpart L (Continuous Monitoring) of IEPA Air Pollution Regulations, 35 Ill. Adm. Code Part 201. Reports of emissions required to be submitted under this § 11-3.030 shall report emissions as measured by an Approved Method. Emission reporting requirements under

this § 11-3.030 of this Code may be satisfied, in whole or in part, by providing the Department with an emission report submitted to the IEPA or USEPA provided that the submitted report is supplemented as necessary to fully comply with the emission reporting requirements of §§ 11-3.030(b) and 11-3.030(c) of this Code.

- c) Any coal-fired power plant that has met the emissions limits of § 11-3 or avoided the applicability of § 11-3 by substituting fuels must submit a written report to the Department within thirty (30) days of the substitution verifying that the substitute fuel is not a high carbon content fuel. Such report must be signed by a responsible official of the coal-fired power plant and contain a certification by such official, under penalty of law, as to the report's truth, accuracy and completeness

Sec. 11-3.040. Enforcement

- a) Pre-Enforcement Notice. Not less than thirty days prior to commencing an action against a person alleged to have violated this Ordinance, the City shall serve upon that person, either in person or by certified mail, return receipt requested, a written notice informing that person of
 - 1) the nature and location of the alleged public nuisance, including the emissions in excess of limits established by § 11-3 of this Code, the period over which the calculation of emissions was performed, and of the City's intention to commence an action; or
 - 2) the failure to submit a Compliance Plan required by § 11-3.020 of this Code, the date the Compliance Plan was due (or the specific deficiencies with the Compliance Plan submitted) and of the City's intention to commence an action; or
 - 3) the failure to submit a report required by § 11-3.030 of this Code, the date the report was due (or the specific deficiencies with the report submitted) and of the City's intention to commence an action.
- b) Enforcement. Upon expiration of the notice period in subsection (a) hereof, the Commissioner may bring suit against any person served with such notice under § 11-3.040(a) in any court of competent jurisdiction to restrain conduct that violates §§ 11-3, 11-3.020 or 11-3.030 of this Code, to compel abatement of a public nuisance, to compel submission of a Compliance Plan, to compel submission of a report as required by § 11-3.030 or to take such other action as may be necessary, including the recovery of any applicable penalties and costs.
- c) City Costs of Enforcement. If the court finds a person liable under §§ 11-3, 11-3.020 or 11-3.030 of this Code, then the court may award the City costs of litigation (including reasonable attorney and expert witness fees and costs). This allowance shall be a part of the costs of the litigation assessed against the defendant, and may be recovered as such.

Sec. 11-3.050. Civil penalties. Violation of any of the provisions of § 11-3 of this Code is hereby declared to be a public nuisance. Each instance in which a coal-fired power plant emits particulate matter (PM, PM2.5, PM10) or carbon dioxide (CO2) into the atmosphere of the City in excess of the limits in § 11-3 shall be deemed a violation of this section. Each one hour period in which the PM/PM10/PM2.5 limits of § 11-3 of this Code are exceeded shall be deemed a separate and distinct violation. Each one day period in which the CO2 limits of § 11-3 of this Code are exceeded shall be deemed a separate and distinct violation. Any person found to have violated any of the provisions of § 11-3 of this Code shall be fined not less than \$5,000.00 and not more than \$10,000.00 per violation.

Sec. 11-3.060. Conflicting Ordinances. All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed insofar as they are in conflict.

Sec. 11-3.070. Severability. If any provision of this Ordinance or its application to any person or under any circumstances is adjudged invalid, such adjudication shall not affect the validity of the Ordinance as a whole or of any portion not adjudged invalid.

Sec. 11-3.080. Effective Date. This Ordinance shall be in full force and effect from and after its adoption, approval and publication in pamphlet form as provided by law.

APPENDIX IV: Films and Videos

Beyond Coal: <http://www.westernresourceadvocates.org/09/energy/coal/beyondcoal.php>

Dirty Business: <http://dirtybusinessfilm.com/>

Burning the Future: Coal in America: http://www.burningthefuture.org/show.asp?content_id=14089

Kilowatt Ours (series): <http://www.kilowattours.org/about.php>

Coal Country (documentary): <http://www.sierraclub.org/scp/coalcountry.aspx>

Power Paths: <http://www.pbs.org/independentlens/power-paths/film.html>

An Ill Wind: The Secret Threat of Coal Ash:

http://www.youtube.com/watch?feature=endscreen&NR=1&v=Tr8FQ_hu5uY

Capitol Kids: http://www.youtube.com/watch?feature=player_embedded&v=GbrNZjRqfmQ

Coal Blooded: <http://vimeo.com/24654578>

Generating Change: Quitting Coal in the Nation's Capital:

<http://www.youtube.com/watch?v=nO9EeNQCCvg&feature=plcp>

How to Quit Coal in 30 Seconds: <http://www.greenpeace.org/usa/en/multimedia/videos/How-to-Quit-Coal-in-30-Seconds/>

Kilowatt Ours:

http://www.youtube.com/watch?v=pMh336EZpul&feature=results_video&playnext=1&list=PL9FB3525942C850FC

Quit Coal: <http://www.youtube.com/user/QuitCoal>

Support EPA Clean Air Standards:

http://www.youtube.com/watch?feature=player_embedded&v=j4_deZxzi7E

The Cost of Delay: <http://www.youtube.com/watch?v=mBb3ZSi-clS>

The Health Impacts of Coal: <http://www.youtube.com/watch?v=XKpAxfKh8-w>

APPENDIX V: Harm Reduction/Pollution Controls

Please note that pollution controls are not an effective solution for eliminating pollution in communities. They only reduce pollution by a percentage. Though, in some cases, the percentage is significant, one wouldn't even want 10% of arsenic, lead, mercury, etc. to be emitted into the air we breathe, the water from which we fish, or the gardens that provide our dinner. Also, scrubbers, while somewhat protecting the air, concentrate more pollutants in the coal ash, which is the waste produced at the end of the coal burning process. Unfortunately this toxic coal ash is under-regulated and it has been documented to cause harm to surrounding communities through contaminating air and water. Harm Reduction/Pollution Control

For coal plants, harm reduction in will either involve the installation of pollution control equipment in order to comply with emission guidelines, or the removal/containment of coal sludge produced by the coal plant

Pollution Control Equipment

Become familiar with pollution control technologies. You may be able to request specific technologies for the coal plant to adopt in the court complaint. Make sure to inquire with legal counsel about the kinds of pollution control technologies that can be requested or recommended. A short list of common technologies is listed below.

Types of Pollution Control Technologies

- Washing – A common and long held practice for many coal plants internationally; the method reduces the emissions of ash and sulfur dioxide.
- Electrostatic Precipitators and Fabric Filters – Prevents up to 99% of fly ash, (residue from coal burning) from being emitted from coal burning gases. The filter electrically charges the fly ash and captures it on a collection plate.
- Desulfurization – Also known as “scrubbers”, this is a widely used process that removes up to 97% of sulfur dioxide from the atmosphere. This process applies only if the coal being burned has a high level of sulfur. To find out if the coal plant near you burns high levels of sulfur, see the “Resources” section.
- Low Nitrogen Oxide Burners- These burners reduce nitrogen oxide emissions by up to 40% through manipulation of the way coal is burned. A common method, 75% of coal power plants use these burners.
- Re-burning – This method, coupled with low nitrogen dioxide burners lower nitrogen oxide emissions by up to 70%.

Removal/Containment of Coal Sludge

Remediation of coal sludge will include either removal or containment or a mix of the two options. You and your community group may either be presented with a method or will want to advocate for a particular remediation method. Opt for a method that removes the most pollutants and is done in the most environmentally sound manner possible. For example, having bacterial microbes that can eat away at a pollutant is more environmentally sound than burning away the pollutant in the same area. If removal or even partial removal is not available, containment may be another solution. Note that containment carries the risk of failing to contain the coal sludge.

Once the sludge leaks out, it can cause more damage to the surrounding community. In this case, opting or advocating for removal is more environmentally sound than containment. An advantage to removal is that the coal slurry can be reused in construction to make wall boards and road bases. The reuse potential for coal slurry in construction can be used as an economic benefit to an adverse party.

APPENDIX VI: Pollution Regulations and Information

| Name of the Agency | Website |
|--|---|
| Clean Air Act | http://www.epa.gov/lawsregs/laws/caa.html |
| Cross State Air Pollution Rule | http://www.epa.gov/airtransport/ |
| Mercury and Air Toxics Standards (MATS) | http://www.epa.gov/mats/basic.html |
| Carbon Pollution Standard for New Power Plants | http://www.epa.gov/airquality/cps/basic.html |
| Coal Combustion Products | http://www.epa.gov/wastes/conservation/imr/ccps/ |

APPENDIX VII: Organizations Working on Environmental Issues

Advocates for Environmental Human Rights: www.ehumanrights.org

American Lung Association: www.lung.org

Black Leadership Forum: www.blackleadershipforum.org

Center for Health, Environment & Justice: www.chej.org

Clean Air Task Force: www.catf.us

Earthjustice: www.earthjustice.org

Energy Action Coalition (youth centered): www.energyactioncoalition.org

Environmental Defense Fund: www.edf.org

Environmental Justice Resource Center: www.ejrc.cau.edu

Environmental Protection Agency: www.epa.gov

Friends of the Earth: www.foe.org

Green for All: www.greenforall.org

Green Peace: www.greenpeace.org

Indigenous Environmental Network: www.inearth.org

Just Transition Alliance: www.jtalliance.org

Little Village Environmental Justice Organization: www.lvejo.org

Natural Resources Defense Council: www.nrdc.org

Physicians for Social Responsibility: www.psr.org

Power Shift: www.wearepowershift.org

Public Employees for Environmental Responsibility: www.peer.org

Ruckus Society: www.ruckus.org

Sierra Club: www.sierraclub.org

US Climate Network: www.usclimatenetwork.org

APPENDIX VIII: Research Reports

| Name of the Organization | Name of Article | Website |
|--|--|---|
| American Lung Association | Emissions of Hazardous Air Pollutants from Coal-fired Power Plants | www.lung.org/assets/documents/healthy-air/coal-fired-plant-hazards.pdf |
| American Lung Association | Toxic Air: The Case for Cleaning up Coal-fired Power Plants | http://www.lung.org/assets/documents/healthy-air/toxic-air-report.pdf |
| Annals of the New York Academy of Sciences: Issue: Ecological Economics Reviews | Full Cost Accounting for the Life Cycle of Coal | http://solar.gwu.edu/index_files/Resources_files/epstein_full%20cost%20of%20coal.pdf |
| Clean Air Task Force | Air of Injustice: African Americans & Power Plant Pollution | http://www.catf.us/resources/publications/files/Air_of_Injustice.pdf |
| Clean Air Task Force | The Toll from Coal: An Updated Assessment of Death and Disease from America's Dirtiest Energy Source | http://www.catf.us/resources/publications/view/138 |
| Environmental Health & Engineering | Emissions of Hazardous Air Pollutants from Coal-Fired Power Plants | http://www.youtube.com/watch?v=pMh336EZpul&feature=results_video&playnext=1&list=PL9FB3525942C850FC |
| Green For All | Taking Action for the New Mercury & Air Toxics Standards | https://s3.amazonaws.com/greenforall.org/MATS_toolkit.pdf |
| Kentuckians for the Commonwealth | Public Health Effects of Coal-Based Electricity | http://www.kftc.org/publications/canary/Health%20Impacts%20of%20Coal.pdf |
| Labor Network of Sustainability | Jobs Beyond Coal: A Manual for Communities, Workers, and Environmentalists | http://report.labor4sustainability.org/ |
| Natural Resources Defense Council and Physicians for Social Responsibility | Toxic Power: How Power Plants Contaminate Our Air and States | http://docs.nrdc.org/air/files/air_11072001a.pdf |
| Physicians for Social Responsibility and EarthJustice | Coal Ash | http://www.psr.org/assets/pdfs/coal-ash.pdf |
| Physicians for Social Responsibility and EarthJustice | Coal's Assault on Human Health | http://www.psr.org/resources/coal-assault-on-human-health.html |

APPENDIX IX: Research Sources for Federal Statutes

To start, visit the Environmental Impact Statement database on the EPA site, www.epa.gov/oecaerth/nepa/eisdata.html

This site contains a weekly updated database of environmental impact statements, including ones that have already been filed, as well as ones that have an open comment period. Organize your community group to check for EISs in your neighborhood and when applicable, organize the points that your community would want to make during the comment period. Note that the comment period can include written comment to the EPA as well as oral comments during public hearings.

Partnering with Community Groups Helps in Collecting Data and Strengthening Your Case

Your community group should be organized, have a significant number of dedicated members and have experience in litigation and/or data collection. The litigation process can take several months or perhaps years. However, by partnering with other agencies and groups, your community can obtain or help obtain the data you will need to begin the litigation process. You can contact these groups, tell them your story and after obtaining NAACP approval, request that they become involved in data collection and/or future litigation for environmental justice.

Beginning the Litigation Process

Once data is confirmed, the violation is established and will become the basis for your complaint with the court to begin the litigation process. This process includes filing a complaint in your local court as a citizen suit. Some litigation may begin by engaging in the administrative process if the rule is governed by the EPA and requires an administrative process. Because the EPA is a government agency, the organization has its own litigation process. This process is what is called an administrative process and is different from the process for civil litigation.

Establishing Standing in Court

Establishing 'standing', stating your case is a controversial legal issue, and ensuring that you have accurately stated your jurisdiction are required in order for the court to allow the case to be heard. This is very important as litigation can end very quickly for failure to state a claim or filing the case in the wrong court. This section provides a checklist of the requirements necessary to satisfy standing in most common environmental law litigation. Standing requires that the plaintiff (the person bringing the suit in court), has the burden of proof in demonstrating the injury. This means that you are required to satisfy the requirements necessary to bring your case before the court. These requirements (also known as elements in the legal world) include injury in fact, causation and redressability.

Representational Standing

When there is more than one plaintiff bringing the case before the court, representational standing becomes very important as establishing this type of standing ensures that all of the plaintiffs are a part of the law suit. To establish representational standing, if you are an organization, include at least one member of the organization who meets the requirements for individual standing for the case. State this information

in your complaint. Also, note that as an organization your mission includes or is related to protecting the interest of the individuals that maybe negatively impacted by the defendant's action.

Other Requirements Necessary for a Litigation Complaint

- Injury in Fact
 - Injury in fact is essentially the harm or negative consequences of the defendant's actions that would affect you. This would be the complaint discussed earlier in this section. For many types of cases, the injury in fact must be 'concrete, particularized, current or imminent.' Concrete and particularized for the court means that the geographic area where the harm will be done must be stated, as well as the relationship that the plaintiff has to the threatened area.
 - For example, stating that a number of the plaintiffs reside or conduct recreational activity in the area that is downwind from a proposed coal burning plant, including applicable addresses, is stating that the harm is concrete (will affect the plaintiff in a tangible way) and particularized (specific area that would be affected). Current and imminent means that the harm must have occurred recently, and cannot have occurred a long period of time ago, i.e. several years before. The harm must either be happening or will happen in a short span of time.
 - Redressability is the likelihood that the court can rule for an effective remedy, or solution to the legal problem presented if the plaintiff wins. Types of remedy include injunctive (asking the court to keep the defendant from doing an action, i.e. stopping a coal plant from being built) damages (monetary funds for the harm caused), for example, if a court agreed that a coal plant caused a series of medical problems, the plaintiff could file for the amount of in medical bills paid in relation to the medical problems caused.

- The Requirements for the Average Citizen Suit under Environmental Law Statutes.
 - The Plaintiff has to state the injury in fact and propose a remedy that would address the issue adequately or remedy the injury in fact, (i.e. past/current violations, a continuing violation or a violation that is more than likely to occur in the near future).

- Requirements for Filing an Administrative Complaint with the NEPA.
 - All administrative remedies available to you to address the environmental problem brought forth must have been attempted and failed. This means that all administrative remedies available to address the problem have been exhausted. The agency must have taken their final action on the issue. This can be the close of a comment period but is also commonly a decision the EPA made on the issue. The plaintiff has to state that a legal wrong was suffered as a result of the agency's final action, and/or state that they were 'adversely affected or aggrieved" (negatively harmed) according to the definition in the NEPA statute.

- Requirements for Filing a Civil Court Complaint under the NEPA
 - Identifying a final action by the agency on the issue is important. This issue has to be shown to have affected the plaintiff and the plaintiff must have exhausted their remedies with the EPA, if any were applicable. Note that many cases require that the violation is current, continuing or likely happen to occur. Note that you have to wait a minimum of sixty

days after notice of the violation was given by the EPA to the people and organizations involved in the administrative complaint in order to file a suit.

Books and Online Guides for Litigation

The following books can help you in understanding the litigation process in environmental law:

Examples and Explanations:

- Environmental Law, 5th Edition, Steve Ferrey
- The Law of Environmental Justice, ed. Michael B. Gerrard and Sheila R. Foster
- Toxic Torts: Science, Law and the Possibility of Justice, Carl F. Cranor (For toxic torts and environmental law)

For Online Legal Research:

- Bar Association: www.americanbar.org
- Harvard's Working Group on Environmental Justice: www.ecojustice.net/documents/ejlinks.html
a list of environmental justice sites as well as information on the demographics in environmental justice
- Interest on Lawyer's Trust Account: www.iolta.org
- The Congressional Quarterly Washington Alert : www.cqpress.com/product/cq-weekly.html
a database for federal and state statutes and related legislative documents.
- The Congressional Report on Managing Coal Combustion Waste (CCW)
 - Issues with Disposal and Use: <http://www.fas.org/sgp/crs/misc/R40544.pdf>: This 29 page document provides a thorough overview of the risks and benefits of coal waste, especially pgs. 7-11. For support in litigation, contact your local law school, your state's Bar Association and the Interest on Lawyer's Trust Account, (IOLTA).
- Westlaw and Lexis Nexus – At your local public law school, you may have access to public computers. Research with the terms ENV-TP: (Westlaw) and ENVIRN: (Lexis Nexus).

APPENDIX X: Websites and Online Resources

| Name of the Organization | Description | Website |
|--|---|--|
| Census Bureau | Looking for information on racial disparities? The Census Bureau serves as the leading source of quality data about the nation's people and economy. | www.census.gov www.factfinder.census.gov |
| ClimateWire | Environment & Energy Publishing (E&E) is the leading source for comprehensive, daily coverage of environmental and energy policy and markets. | www.eenews.net/cw/2012/7/16 |
| Earthjustice | Earthjustice is the leading nonprofit environmental law firm in the country and has represented—without charge—more than a thousand public interest clients. | http://earthjustice.org/ Coal: www.energyjustice.net/coal The Story of Coal: http://earthjustice.org/our_work/climate_and_energy |
| Envirofacts | Provides access to several EPA databases that provide information about environmental activities that may affect air, water, and land in the United States. | www.epa.gov/enviro/index.html |
| Environmental Protection Agency (EPA) | Site can be used to report on lead, find Toxic Facilities and Contaminated Sites, general information | www.epa.gov/ www.epa.gov/envir |
| Environmental Research Foundation | Nonprofit organization works to prevent harm to the environment and human health and provides resources to environmental justice (EJ) community groups to better protect their local communities. | www.rachel.org/ |
| Greenpeace | Greenpeace is the largest independent direct-action environmental organization in the world. | www.greenpeace.org/usa/en/ Faces of Chicago's Coal Fight: www.greenpeace.org/usa/en/news-and-blogs/campaign-blog/faces-of-chicagos-coal-fight/blog/36253/ |
| Friends of the Earth (FOE): Climate and Energy | Friends of the Earth strives for a more healthy and just world. They work on climate and energy issues. | www.foe.org/projects/climate-and-energy |

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| Greenwire | Environment & Energy Publishing (E&E) is the leading source for comprehensive, daily coverage of environmental and energy policy and markets. | www.eenews.net/gw/ |
| Journal of Renewable and Sustainable Energy | An online journal that is an interdisciplinary, peer-reviewed journal covering all areas of renewable and sustainable energy-related fields that apply to the physical science and engineering communities. | http://jrse.aip.org/ |
| Map Cruzin | An online program that provides free and open source GIS software applications and programs. | www.mapcruzin.com/ |
| Scorecard | A pollution information site Scorecard sponsored by GoodGuide, the world's largest and most reliable source of information on the health, environmental, and social impacts of consumer products. | http://scorecard.goodguide.com/ |
| Natural Resources Defense Council | NRDC is the nation's most effective environmental action group, combining the grassroots power of 1.3 million members and online activists with the courtroom clout and expertise of more than 350 lawyers, scientists and other professionals. | Air: www.nrdc.org/air/default.asp |
| Public Employees for Environmental Responsibility | Public Employees for Environmental Responsibility (PEER) is a national alliance of local state and federal resource professionals. | Coal Combustion Waste: www.peer.org/campaigns/publichealth/coalash/index.php |
| Reporting on Lead | | www.epa.gov/lead/nlic.html |
| The People of Color Environmental Groups Directory | The directory consists of over 300 grassroots groups, environmental justice resource groups and legal resources in the United States. | www.ejrc.cau.edu/poc2000.htm |
| Right to Know Network | Can assist to find Toxic Facilities and Contaminated Sites and provides free access to numerous databases and resources on the environment. | www.rtknet.org |
| Toxic Chemicals and Health Impacts | Free databases on toxicology, hazardous chemicals, environmental health, and toxic releases | www.toxnet.nlm.nih.gov |

IMAGE CREDITS

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| Page 3: | Coal Fired Power Plant from Flickr Creative Commons, Public Domain Photos "Coal-Fired-Power-Plant_Smoke-Stack-Emissions__15414" |
| Page 5: | Valley Plant, on the Menomonee River, WI from NAACP Coal Blooded Website www.naacp.org/pages/coal-blooded1 |
| Page 12: | Coal: Flickr Creative Commons, Computer Hotline "Coal" |
| Page 13: | State Line Plant, Hammond, IN (Dominion) from NAACP Coal Blooded Website www.naacp.org/pages/coal-blooded1 |
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| Page 20: | Gaining Feedback from Neighbors, NAACP Flickr |
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| Pages 29-32: | Coal Plant Town Hall Meeting, NAACP Flickr |
| Page 33: | Camera, Microsoft Stock Photo Image, NAACP Flickr Facebook and Twitter Logos, www.facebook.com and www.twitter.com |
| Page 37: | Cherokee Generating Station Commerce City, CO (Xcel Energy) from NAACP Coal Blooded Website www.naacp.org/pages/coal-blooded1 |
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| Page 41: | Screenshot, Midwest Academy, www.scorcher.org/screed/pdf/issuechooser.pdf |
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| Page 55: | Waukegan Gen. Station, Waukegan, IL (Edison International) from NAACP Flickr |
| Page 56: | Introduction to Taking Action, NAACP Flickr |
| Page 62: | Law book, Microsoft Stock Photo |
| Page 65: | Stairs, Microsoft Stock Photo |
| Pages 69-70: | Engaging in Direct Action, NAACP Flickr |
| Page 71-72: | Logos from organizations |
| Page 73: | Bridgeport Harbor Generating Station Bridgeport, Connecticut: from Flickr Creative Commons, Roger Smith, Courtesy Clean Water Action |
| Page 74: | Using the media, NAACP Flickr |
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