GREAT RIVERS’ ENVIRONMENTAL JUSTICE PROGRAM VICTORY!

For two decades the Missouri Department of Natural Resources failed to issue an operating permit to Mallinckrodt, Inc., covering its air pollutants in North St. Louis. As a result of our work, the DNR agreed to issue the appropriate air pollution permit which will finally allow the residents of North St. Louis to comment on air pollution around them.

GREAT RIVERS’ WATER PROTECTION PROGRAM VICTORY!

Great Rivers represents Missouri Coalition for the Environment in settlement with Worlds of Fun Amusement Park in Kansas City that will benefit the Shoal Creek Watershed and the Missouri River.
Letter from the President:

Celebrating our Victories!

All people depend on having clean air, clean water and a habitable planet, in order to survive. The Clean Air Act, Clean Water Act, Endangered Species Act, and National Environmental Policy Act, as well as numerous other regulations at the federal, state, and local level, were enacted with the goal of protecting Americans’ health and livelihood. When the air in St. Louis was black in the day-time due to the burning of coal, and the Cuyahoga River burned, people realized that pollution has consequences that the community cannot afford to pay.

In this post-election world, the environment is under attack, and the protections in place are threatened. The people who deny climate change are not stopping it from happening; their belief in climate science is no more necessary for it to continue than the belief in gravity is necessary for them to remain on the ground. Their denial is only slowing down a much-needed global response. This doesn’t have to stop us from making progress.

As federal and state governments feverishly work to weaken protections for the environment, at Great Rivers we take heart in our accomplishments that serve to protect a few areas of our natural world, and the health of everyone who lives here. In this issue we discuss several victories that we had in the first months of 2017.

We owe our victories to our Friends, those of you who donate your time and treasure to Great Rivers to enable us to do our work. Without your support, we would not exist and be able to accomplish the things we do. These victories are yours; thank you for continuing to believe in us and allowing us to continue to fight for you.

Kathleen Henry

Great Rivers Environmental Law Center
Lawyers for the Environment
(a 501(c)(3) tax-exempt nonprofit corporation)

Mission Statement
We provide free and reduced-fee legal services to citizens’ groups, organizations and individuals who seek to protect and preserve the environment.

Founding President
Lewis C. Green
(1924 - 2003)

Board of Directors
Richard D. Lageson, Chairman
Joyce Armstrong
David R. Bohm
Beatrice Clemens
Kay Drey
Wayne Goode
Roger Hershey
Cynthia Holmes
Hugh Law
Ron Kucera
Matthew P. McCauley
Ken Mickiff
Cathy Primm
John A. Rava
Sandy Rothschild
Thomas Sager
Ben Senturia
Jill Silverstein
James J. Wilson

Staff
Kathleen Green Henry, President
Dianne Klein, Office Manager
Bob Menees, Staff Attorney
Bruce A. Morrison, General Counsel
Henry B. Robertson, Staff Attorney
Sarah Willey, Director of Development and Community Outreach

Advisory Law Committee
Charles R. Abele
Timothy V. Barnhart
David R. Bohm
Richard L. Constance
Maurice B. Graham
Elkin L. Kistner
Hugh R. Law
Francis Oates
Stephen Reynolds
John G. Roach
Sharon Turlington
Deborah Wafer
Patricia L. Wendling
Doug Williams

Office Address
319 North Fourth Street, Suite 800
St. Louis, MO 63102
(314) 231-4181
(314) 231-4184 (facsimile)
e-mail: khenry@greatriverslaw.org
Website: www.greatriverslaw.org
GREAT RIVERS’ ENVIRONMENTAL JUSTICE, PUBLIC HEALTH AND CLEAN AIR PROGRAMS

Victory in North St. Louis Work!

Bob Menees is Great Rivers' staff attorney working on water, wetlands and floodplain protection issues.

Great Rivers represents a North St. Louis resident in a settlement with Missouri Department of Natural Resources requiring the DNR to issue an Air Pollution Permit to Mallinckrodt, Inc., after Mallinckrodt operated for twenty years without one. In February 2017, Great Rivers filed a complaint in the Administrative Hearing Commission alleging that the DNR had failed for twenty years to issue a Clean Air Act, Title V, Part 70 Air Pollution Control Operating Permit to Mallinckrodt, Inc. This failure prevented local residents from participating in the regulatory process and commenting on impacts to the air they breathe.

According to documents received by MDNR, Mallinckrodt submitted an application in 1997 to the agency for the permit, yet twenty years later, MDNR had never issued the permit. Mallinckrodt is one of the largest emitters of air pollutants in the City of St. Louis, including large quantities of sulfur dioxide (SOx), nitrogen oxides (NOx), particulate matter of 10 microns or less, particulate matter of 2.5 microns or less, carbon monoxide, volatile organic compounds, hazardous air pollutants, and greenhouse gases. These pollutants can contribute to health problems such as asthma and cancer.

“We are pleased that after two decades, MDNR will finally allow the residents of North St. Louis to comment on air pollution that they breathe and that Mallinckrodt, one of the City’s largest emitters of air pollutants, will have the appropriate permit,” said Great Rivers Environmental Law Center’s Staff Attorney, Bob Menees.

GREAT RIVERS’ WATER PROTECTION PROGRAM

Victory in Missouri River Water Quality Work!

On behalf of the Missouri Coalition for the Environment (MCE), in November 2015, Great Rivers filed suit against Cedar Fair and a subsidiary for repeated and significant Clean Water Act violations at Worlds of Fun amusement and waterpark in Kansas City.

The facility’s permit specifies pollution discharge limits for a number of pollutants, including chlorine, oil and grease, copper, pH, and total suspended solids. Worlds of Fun regularly exceeded its allowable limits, discharging pollutants into two tributaries of the Missouri River, including Shoal Creek. Worlds of Fun has also failed to adequately monitor and report its discharges.

In March 2017, MCE, Cedar Fair and Worlds of Fun reached a court-approved settlement agreement that resolved the lawsuit. The agreement requires Worlds of Fun to implement a Facility Compliance Plan to ensure the amusement park will meet the requirements of the Clean Water Act. The plan must be developed by a professional engineer and will include “green infrastructure” and an educational kiosk explaining how stormwater pollution threatens water resources, and the benefits of restoring natural infrastructure to curb these negative impacts.

Worlds of Fun is also required to spend $100,000 on supplemental environmental projects in the Shoal Creek watershed. These funds will be shared between Stream Teams United and Bridging the Gap, Inc., both Missouri non-profit organizations that work on environmental projects and water quality monitoring in the Kansas City area and throughout Missouri. Stream Teams United will use its share of the funds to create a Shoal Creek Stream Team to monitor water quality and conduct river cleanups in the watershed. Bridging the Gap will use its share of the funds to implement on-the-ground restoration projects to improve water quality within the watershed.

The Missouri River flows over 500 miles through the State of Missouri. More than half of Missourians get their drinking water from the river and it is used for various other purposes, such as recreation, power generation, and the provision of ecosystem services. The Missouri River also provides habitat for various fish and wildlife, including the endangered pallid sturgeon. Every corporation should do its part to keep pollutants out of it.
THANK YOU, 2016 FRIENDS OF GREAT RIVERS!  We depend on our Friends to carry out our mission. We are so very grateful to ALL OF YOU and especially our SPONSORS and CORNERSTONE SOCIETY members.

INDIVIDUAL DONORS, JANUARY 1-DECEMBER 31, 2016
THANK YOU, 2016 FRIENDS OF GREAT RIVERS!

We depend on our Friends to carry out our mission. Our SPONSORS and CORNERSTONE SOCIETY members.

SPONSORS

Platinum
$15,000 and above
Anonymous
Kay Drey
Yusha & Helen Sager

Diamond
$5,000 - $7,500
Hilda Jones

Sapphire
$1,000-$2,499
Anonymous (2)
Jim & Anna Blair
David & Joan Bohm
Nancy Day **
Susan Flader
Joseph & Nancy Giljum
Wayne & Jane Goode
Mary Green & Wally Thoreson
Roger & Nancy Hershey
Clint Hofer
Ward & Carol Klein
Ron Kucera
Richard & Laura Lageson
Hugh & Katherine Law
Christy Love
Phoebe Love
John Madras
Steve & Jeanne Maritz
Pat & Brigid McCauley
Linden Mueller
Don C. Musick III
Erin Noble
Michael Panhorst
Cathy & Alex Primm*
John & Susan Rava

Emerald
$500-$999
Evan Appelman **
David & Nancy Bedan*
Michael Bobroff
Mark Bronson*
John & Judith Buchheit
Jutta Buder
Spencer & Phoebe Burke
Ronald Carter
Beatrice Clemens
Joyce Edinger
Jeannie Farmer
Leigh & Judy Fredrickson
Gary & Lillian Giessow
Margaret Gilleo & Chuck Guenther
Ruth Gilmore
Frances Green
Kathy Green
Esley Hamilton
David & Kathleen Henry
Alice Hezel
Cynthia Hobart
Alan Hopf
Bob & Nancy Klepper
Kenneth & Nancy Kranzberg
Warren & Susan Lammert
Mary L. Lehmann
Joe & Yvonne Logan
Patrick Osborne & Nancy Birge
Mark & Lynn Sableman
Bob & Doris Sherrick
Jim & Mary Michael Shrewsbury
Darren & Tina Sneed
Joe & Anne Tolan

IN MEMORY OF

Mary Appelman
Evan Appelman **

Helen Hoag Ball
Gloria Ball Tefft

Charles B. Belt Jr.
Louise Belt

Trudy Busch
Ronald Carter

Helen Brophy Geary
Alice Geary Sgroi

Lewis C. Green
Robert & Patricia Waterston

IN HONOR OF

Joyce Armstrong
Jill & Richard Claybour
Loy Ledbetter **
Moisy Shopper

Beatrice Clemens
Sandra Coburn

Kay Drey
Nancy Grove
Margaret Hermes
Hugh & Katherine Law

Wayne & Jane Goode
Marie A. Casey & Ken Entringer

Louise Green
Fred & Carol Gaskin
Patricia Tommons & Don Hall

Kathleen Henry
Dick & Lynne Davis

Tom & Angel Kruzen
Ann Ellen Grace Schachtman

Rick Lageson
Susan Carlson & Gary Greiman

Hugh Law
Charles & Sally Kopman

Mary Lehmann
Christy Love

Pat McCauley
Dave & Agnes Garino

Bob Menees
Spencer & Phoebe Burke

John Rava
Busch Family Foundation

Sarah Willey
Cynthia Bauer

FOUNDATIONS, CORPORATIONS AND DONOR ADVISED FUNDS

Adorjan Family Foundation
John H. & Penelope Biggs Charitable Trust
The Boeing Company
The Milford & Lee Bohm Charitable Foundation
Busch Family Foundation
Casey-Entringer Family Charitable Fund
EFS Energy Company*
Sara & Fred Epstein Family Foundation
Margaret P. Gilleo Charitable Fund
Roger Goldman & Stephanie Riven Charitable Fund
P. Wayne & Jane B. Goode Foundation
Great Rivers Habitat Alliance
Ward & Carol Klein Charitable Fund

L-A-D Foundation
Ledbetter Family Fund
Christine Gempp Love Foundation
Missouri Environmental Fund
Erin Noble Charitable Fund
Mike’s Charitable Fund
Patriot Foundation
Philpott Family Foundation
The Prufrock Foundation
Rava Family Fund
R.V. Sager & Beatrice M. Sager Charitable Foundation
STLRB Family Foundation
Joe & Anne Tolan Donor Advised Fund
Trio Foundation of St. Louis
The von Gontard Family Foundation

* SPECIAL THANKS TO OUR CORNERSTONE SOCIETY FRIENDS

Those people who have made a three-year commitment at any of our Sponsorship Levels

**deceased
Committee.
of the Missouri State Conference’s Environmental Justice
Collaboration with NAACP Missouri
we are back in court.
In early 2017, the City of Maplewood dismissed its
case against our client Alice Hezel, allowing her, for the
population centers near the coasts. One of these, the Grain
Belt Express, would run from Kansas across northern
Missouri and on to Indiana, dropping off 500 MW worth of

Henry Robertson is Great Rivers’ Climate and Energy Program Director.
He wrote the Renewable Energy Act that the
evoters overwhelmingly passed in 2008.
Clean Line is a Houston company with plans to build wind-only
transmission lines from the windy areas of the Great Plains to the

Electric Cars are the Way to Go
Kansas City Power and Light (KCP&L) is building a
network of 1,100 charging stations for electric vehicles (EVs). Ameren Missouri is asking the PSC for permission to do a pilot project building five charging stations along I-70 so that people can drive EVs longer distances. We represent the Natural Resources Defense Council and Sierra Club in supporting these projects.
The PSC has signaled that it does not approve of charging ratepayers for building this infrastructure. But the cost of EVs is coming down, their range is increasing, and they are cheaper to fuel than gasoline-powered cars. Furthermore, they emit none of the ground-level tailpipe pollution of gasoline cars. If only they could charge with renewable electricity instead of Missouri’s coal-heavy power, they would be a major environmental benefit.

Great Rivers represents the Sierra Club Missouri Chapter and the Natural Resources Defense Council in support of the line at the Missouri Public Service Commission (PSC). The PSC denied Clean Line’s first application last year, but now a number of municipal utilities want to replace coal power with this wind because it is the cheapest energy around. Many of our supporters also urged the PSC to replace approve the Clean Line. The days when renewable energy was too expensive are gone. Coal is not going to make a comeback.

Great Rivers’ Land Use Program
Exciting News About Sustainable Gardening in Maplewood!
In early 2017, the City of Maplewood dismissed its
case against our client Alice Hezel, allowing her, for the
time being, to maintain native vegetation in her yard in
Maplewood. The City’s ordinance remains on the books, unfortunately, so we don’t know how long it will be before we are back in court.

GREAT RIVERS’ WETLANDS AND FLOODPLAIN PROTECTION PROGRAMS
Victory in Work to Stop the Ill-Advised Army Corps of Engineers Proposal to Build a Levee on the Mississippi River at New Madrid
The Obama administration killed this project in its last weeks! We are hoping this victory stands! The New Madrid Floodway project would have wasted $165 million and closed the last remaining connection the Mississippi River has to its floodplains in the state of Missouri, increase the potential for flooding in a dozen communities and harming fish and wildlife through the central portion of the Mississippi River.
Our Young Professionals Board (YPB) is an active group of people ages 35 and younger who are passionate about Great Rivers and its mission, and who will bring their perspectives on environmental and public health issues to the staff and Board of Directors. Contact Sarah Willey at sarah@greatriverslaw.org if you would like to serve on the YPB, and check our Facebook page (www.facebook.com/greatriversenvironmentallawcenter) for information on the events they’re planning!

Lawsuit over Make-Up of Clean Water Commission

Water Quality Program, continued

Early in 2017 the Clean Water Commission (CWC) had the gall to deny a permit to an applicant seeking to build a concentrated animal feeding operation (CAFO). The legislature retaliated by passing HB 1713, which changes the composition of the CWC. Instead of four members representing the public and no more than two representing industry, there must now be “at least two” industry representatives and “no more than four” for the public, so industry could make up the majority or even the entire Commission. This change was tacked on to a bill for the “regulation of water systems.” On behalf of the Missouri Coalition for the Environment, Great Rivers filed suit in February 2017, arguing that this was unconstitutional legislative procedure since a bill is allowed to have only one purpose which is clearly designated in its title, and the original purpose cannot be changed. The case is in the trial court.

Sharing Great Rivers’ work in the Community

Earth Day 2017 was a Big Success! Great Rivers’ Board Member Yusha Sager entranced children with his story-telling of the Lorax and playing a Lorax game he invented at the Great Rivers’ Earth Day booth in Columbia, Missouri; while volunteers from the Young Professionals Board photographed people sharing their concerns for Missouri’s environment at the Earth Day booth in St. Louis, Missouri. Check out photos on the back cover of this newsletter!

We want to hear from you about what concerns you with Missouri’s environment and public health! If you would like to meet with the staff or a board member, or to have a staff attorney speak on an environmental issue, please contact Sarah Willey at sarah@greatriverslaw.org or by calling 314-231-4181.
Photos from the Earth Day festivals in St. Louis and Columbia this year.