

Legislature Forced to Step Back in Power Grab

Clean Air Carolina in August filed a legal challenge against the legislature's efforts to place four state constitutional amendments on the ballot this fall that would threaten voting rights, radically restructure the government, and significantly erode the separation of state powers. Southern Environmental Law Center is representing Clean Air Carolina and the NC NAACP in this case.

This power grab would limit the impact that North Carolinians have on state policy, especially on urgent civil rights and environmental issues. The lawsuit challenges four amendments related to judicial vacancies, state boards and commissions, voter ID requirements and an income tax cap and would fundamentally shift power away from the governor's office to the legislature.

Since the lawsuit was filed various state courts have weighed in on the case. A Wake County Superior Court found that the language used in the judicial vacancies and state boards and commissions proposal was misleading to voters and the legislature came up with new language.

Although Clean Air Carolina still believes the newly written amendment proposals are misleading and harmful, they are much improved. The legislature was forced to give up on its attempt to seize power over 350 Board and Commissions – including Boards that oversee important environmental issues. The litigation also stopped a potential loophole that would have allowed the General Assembly to pass legislation free from Gubernatorial veto.

Clean Air Carolina will continue to fight the amendments in court. For more updates, visit cleanaircarolina.org.



The Miles O'Brien Production team documents the work of Rev. Mac Legerton and Donna Chavis, both of whom are leading Robeson County opposition to pipelines and infrastructure.

Join Us for State of the Climate

Clean Air Carolina invites you to join us on September 27 for a special evening with Miles O'Brien, science correspondent for the PBS NewsHour and award-winning journalist.

State of the Climate: Carolina Stories with Miles O'Brien will feature a series of short films on the impact of climate change in North Carolina. The films focus on Clean Air Carolina and its partners as we collectively work for just and sustainable solutions to the crisis. O'Brien narrates the films and will moderate a discussion at the event, which will be held from 6 to 8 p.m. at Motorco Music Hall in Durham.

Storytellers include Donna Chavis and Rev. Mac Legerton, Robeson County leaders organizing opposition to the \$6.5 billion Atlantic Coast Pipeline. Dr. Bob Parr, advisory board member for Medical Advocates for Healthy Air and CAC AirKeeper, along with Stan Riggs, coastal and marine geologist from

East Carolina University, give insightful but bleak forecasts on sea level rise in Wilmington.

Another story highlights the work of DeAndrea Salvador, founder and executive director of Renewable Energy Transition Initiative, a nonprofit working to decrease energy costs for low income families, and Charlotte City Council member, Dimple Ajmera, on recent action by the city to create a sustainable energy action plan.

Steve O'Neil, executive director of EarthShine Nature Programs in Transylvania County, addresses climate change in mountain communities, and UNC-Chapel Hill associate professor, Jason West, explains his research on air pollution and climate change.

Visit our website at CleanAirCarolina.org/Miles-OBrien to register for the event and learn about sponsorship opportunities.

State Takes Action to Protect Communities from Super Pollutant

Thanks to public outcry from environmental and community groups across the state, the NC Division of Air Quality (DAQ) is taking action to protect the health of communities exposed to methyl bromide, a highly toxic chemical and hazardous air pollutant used in log fumigation operations.

The victory came in late July after Clean Air Carolina and its partner organizations, along with hundreds of local residents, voiced opposition to Malec Brothers Transport's plans for a new fumigation plant in Columbus County. If approved, the facility would have been the largest of its kind in the state.

Methyl bromide is considered to be a "super pollutant" because of its combined health and environmental impacts. While the chemical is regulated under the Clean Air Act, there are no protections for methyl bromide when it is used in high concentrations to fumigate logs.

DAQ is recommending that the North Carolina Environmental Management Commission develop a rule requiring log fumigation operations to take appropriate measures to safeguard public health. Specifically, they are proposing that these facilities meet a new acceptable ambient level for methyl bromide and the state to designate methyl bromide as a state toxic air pollutant. A public comment period is expected to be announced soon.

To stay up-to-date on this and other advocacy issues, visit our website CleanAirCarolina.org/Advocacy.

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Teaching Young Minds About the Power of Solar Energy

Clean Air Carolina and local solar energy provider Renewable Energy Design Group (RED) have partnered to spread the good news about solar power. In July, we hosted presentations and socials at Birdsong Brewing Co. in Charlotte, where RED installed panels, to discuss the environmental and financial benefits of going solar.

This summer we also had the opportunity to rock the topic of renewable energy for dozens of six to 12-year-old girls participating in a program called Project Scientist. The program aims to transform the face of STEM education by nurturing today's future women scientists, leaders who will be engaged in solving tomorrow's greatest challenges.

On the day we met this bright group, they were learning about electricity, how it's generated and where it comes from. Following a tour of Duke Energy's McGuire Nuclear plant, the girls had the opportunity to visit O2 emc, an independent power producer based in Cornelius that develops, owns, and operates solar farms across the Southeast.

We shared information about air quality and the importance of using clean, renewable sources of energy to power our homes and businesses.

A small group had a first-hand look at roof-top solar panels, thanks to a guided tour by RED co-founder, Jeff Redwine.

"It is important to demonstrate how renewable energy systems work and allow today's youth to have a connection with solar technology," he said. "I hope it teaches them to understand that sustainable energy is an important part of our energy portfolio today and they can play a role in our energy matrix for the future. Empowering our youth with knowledge and experience allows them to learn, grow, and make a difference for the greater good."

Learn more about Clean Air Carolina's partnership with RED and how we're not only educating students, but helping North Carolinians go solar with a 10 percent discount on their installation.

Visit CleanAirCarolina.org/SolarCAC.



AirKeeper Featured in Climate Change Stories



Clean Air Carolina AirKeeper Steve O'Neil is part of North Carolina's proud contingent of naturalists, conservationists, and citizens committed to protecting the state's natural splendor. His story is one of four featured in the short film series, *State of the Climate: Carolina Stories with Miles O'Brien*, hosted by Clean Air Carolina in Durham on September 27, 2018.

Originally from Hendersonville, Steve spent his childhood in the woods chasing snakes, lizards, and salamanders all over the mountains. In college, he studied wildlife and fisheries management as well as zooarchaeology. Today, he's passionate about delivering wildlife conservation and renewable energy messages to local, regional and even worldwide communities through Earthshine Nature Programs, an organization

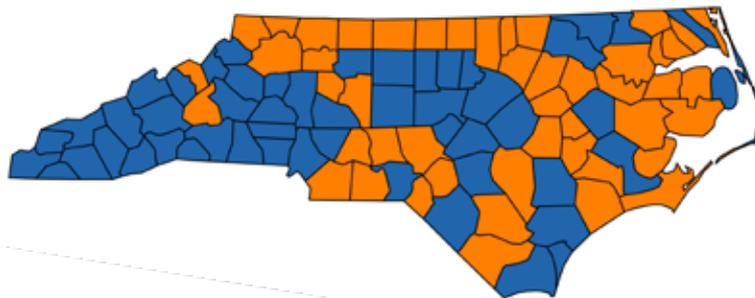
he founded in 2010. Steve has conducted hundreds of nature presentations to thousands of children and adults over the years.

Learning about clean energy and sustainable practices happens outside the classroom as well with an electric vehicle charging station, a solar array, an organic garden, and the creation of the Blue Ridge EV Club, now up to 300 members.

As an AirKeeper, Steve has been actively recruiting other AirKeepers in western North Carolina. He has installed multiple particle monitors, including one at the Cherokee Welcome Center and most recently a unit at the Pisgah Astronomical Research Center.

Clean Air Carolina is working hard to establish a statewide network of community air monitors which measure PM2.5 or fine particle pollution. We are grateful to our donors, partners, and volunteers who are helping us reach our goal of installing one in every county. See the map below that shows our progress in blue.

Learn more about our efforts and how you can get involved at CleanAirCarolina.org/AirKeepers.



Damage Visible in Charlotte Ozone Gardens

This summer, staff and volunteers monitored Charlotte area gardens for signs of leaf damage from ground-level ozone pollution.

Clean Air Carolina maintains nine ozone gardens in Charlotte; six at schools and three in public parks. Although the area had few code orange days this summer, we found clear evidence of damage in our gardens at Little Sugar Creek Greenway and Shamrock Gardens Elementary School, located about a mile southeast of the center city.

Ozone pollution damage appears as small, purplish dots occurring only on the top surface of the leaf, not the underside. The damage does not cross the veins of the leaf, a highly distinctive characteristic. It may look like the leaf has a sunburn. Ozone pollution can also harm people, creating the same sunburn effect in the lungs.

Though improvements in air quality have occurred over the past few years, Mecklenburg County still

received an F grade for ground-level ozone, according to the American Lung Association's 2018 State of the Air Report. Ozone gardens are a great educational tool, promoting STEM learning, and a hands-on way to learn about air quality.

Download our Ozone Garden Toolkit at CleanAirCarolina.org/programs/Clear-the-Air-for-Kids.



Recent AQ Research

- ◇ American Lung Association. 2018. State of the Air 2018. The ALA found ozone pollution worsened significantly in 2014-2016 compared to the previous report, while improvements continued in year-round particle pollution and fewer episodes of high particle days. This year's report provides additional evidence that the United States must continue to fight climate change and enforce the Clean Air Act to protect the nation from unhealthy air.
- ◇ Mikati, Ihab, et al. 2018. Disparities in Distribution of Particulate Matter Emission Sources by Race and Poverty Status. American Journal of Public Health. Mikati et al., found that more blacks live near sources of air pollution than whites, which is more pronounced than are the disparities based on poverty level. The researchers reviewed emissions data from the US EPA's National Emissions Inventory and demographic data from the Census Bureau's American Community Survey to assess location of emissions, race and poverty.
- ◇ Cromar, Kevin R., et al. 2018. Estimated excess morbidity and mortality associated with air pollution above American Thoracic Society recommended standards, 2013–2015. Annals of the American Thoracic Society. Cromar et al., noted that thousands of lives could be saved if counties met the American Thoracic Society's recommended ozone and fine particulate matter (PM_{2.5}, particles with a diameter of 2.5 microns or smaller) standards. The report noted that reducing the short-term fine particulate matter standard from the current EPA standard of 35 µg/m³ to the ATS recommended standard of 25 µg/m³ would make the greatest health impact.

MAHA Opposes EPA Rule

Thank you to the 50+ MAHA members who signed our opposition letter in response to the Environmental Protection Agency's (EPA) request for comments on the proposed "Strengthening Transparency in Regulatory Science" rule (83 FR 18768).

If implemented the proposed rule would 1) exclude critical epidemiological and clinical studies derived from human databases; 2) impede the development and utilization of new science; 3) exclude historical studies as the data banks may not be currently available or constrained by prior disclosure agreements; and 4) be duplicative as there is already an external review committee, the Clean Air Science Advisory Committee, that provides a diverse, independent science peer review of all the considered science.

While transparency is a commendable goal in the development of any policy, it must be applied in a manner that respects individual privacy rights while in pursuit of credible and honest decisions. MAHA is a strong supporter of EPA's mission to protect human health and the environment utilizing the best available and defensible science as the foundation of sound policy. As such, MAHA sees a direct legal and moral conflict in the proposed transparency rule in its current iteration if the agency is to pursue its mandated mission.

NC Medical Journal Features Clean Construction Partnership

MAHA and Duke University Environmental Health Scholars Program are co-sponsoring the September/October edition of the NC Medical Journal that will focus on environmental health. Articles look at the health impacts of air pollution on the heart and other unexpected effects, climate change and health, lead in drinking water, environmental justice related to concentrated animal feeding operation in eastern North Carolina, and others.

The issue also features MAHA's clean construction partnership written by Tom Zweng, formerly with Novant Health, and Rachel McIntosh-Kastrinsky, MAHA manager. The Tarheel Footprint, which recognizes an outstanding physician, is about MAHA Advisory Board member Robert Parr's work with hyperlocal air monitoring. Another column recognizes Fred and Alice Stanback for their generous support of environmental health initiatives.

The original research articles in the issue are on the work of MAHA members Julia Kravchenko, and Dr. Kim Lyerly and MAHA Advisory Board member Gregory Kearney. Julia and Kim's research is on the health impacts of hog farms. Greg's research is on climate and health issues in eastern North Carolina.

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 Environmental Justice in North Carolina