ORGANIZING WITH RESIDENTS TO CLEAN UP AND PREVENT POLLUTION SINCE 1987
Dear Friends,

As Toxics Action Center’s new executive director, it is a pleasure to bring you this annual report on our work. 2009 was an incredibly successful year for us—we organized with more than 75 communities across New England and won many local victories to clean up or prevent toxic pollution.

Community activists are savoring many of these local victories after years and years of tireless work. In this report, you’ll read about the cleanup in Tiverton, R.I., where shovels have finally hit the ground seven years after residents originally discovered soil so contaminated that it had turned blue and smelled like petroleum. You’ll also read about activists in Somerset, Mass. who successfully closed down an 86-year-old coal-fired power plant in their neighborhood that had never once been required to meet modern-day air pollution standards.

Local activists have won other victories this year because of their swift response to an emerging pollution problem. In November, when the U.S. Department of Agriculture announced plans to dump pesticides at levels three times the legal limit into Worcester County, Mass. in order to control the spread of an invasive beetle, concerned residents and our organizers worked together to demonstrate widespread opposition. Later that month, the USDA withdrew its plans.

There are too many stories to mention here; in this report you'll read about successes in every New England state. These victories show that when neighbors come together, come up with a strategic plan, and organize, we can and do win. Toxics Action Center community organizers continue to be a critical resource for families facing irresponsible polluters and stubborn bureaucracies.

I want to thank you so much for your support of Toxics Action Center’s work. With your help, we’ve been able to remain steady in this economy, provide a consistent level of support to communities facing pollution problems throughout New England, and see the results of our work.

All the best,

Meredith Small
Executive Director
Over the past decade, groups across New England have worked to move away from dirty and dangerous sources of energy and to reduce global warming pollution and other toxic emissions from fossil fuel burning power plants. In Connecticut, Toxics Action Center worked with Clean Water Action and community groups across the state on our “Sooty Six” campaign to remove loopholes that exempted the oldest and dirtiest power plants from cleaning up their act. More than a decade of grassroots organizing by a coalition of almost 150 citizen-based organizations resulted in an executive order by then Governor John Rowland and the first law in the nation to sharply reduce health-harming soot pollution from the six oldest power plants in the state. Similar efforts followed in Massachusetts and other states. In Connecticut alone, the pollution reductions are staggering: there has been a reduction of 86 percent of soot pollution from Sooty Six power plants since the cleanup began. Still, we have a long way to go, and Toxics Action Center continues working in communities across New England to clean up dirty energy sources. This year we won resounding victories for clean air and cleaner energy.

“Toxics Action Center has been excellent in working with our committee, getting us focused on our goals, and keeping us focused at meetings.”

- Randy Eifert
Waukewan Watershed Advisory Committee

**New Haven, Conn.: Reducing Pollution from a Sooty Six Plant**

This fall, when Harbor Station proposed to expand its facility and potentially reverse the tremendous progress made since the Sooty Six campaign, we helped form Elm City Clean Air, a coalition of neighborhood groups and state environmental groups that pressured the plant owner to reduce overall pollution at his facility to offset the expansion. Because of this powerful community action, the company committed to taking measures that will reduce overall pollution by burning less dirty oil and will give New Haven $500,000 to reduce pollution from other sources in the East Shore neighborhood. Toxics Action Center continues to work with Elm City Clean Air—made up of the East Shore Management Team, New Haven Environmental Justice Network, Forbes Area Commercial and Residential Association, elected officials and concerned residents—to promote cleaner air in the neighborhood.

**Somerset, Mass.: 86-Year-Old Coal Plant Shut Down**

Somerset Station had committed to clean up or close down by 2010 in order to meet modern day clean air regulations. Instead, the company tried to shirk its responsibility, and applied for permits that would relieve the owner, NRG Energy, of its obligation. To make matters worse, the Department of Environmental Protection issued permits for an experimental coal gasification technology that would allow NRG to continue burning coal for decades to come. Toxics Action Center, Conservation Law Foundation, Clean Water Action and local residents sprang into action. Together we launched the Coalition for Clean Air and called on NRG CEO David Crane to uphold his promise to clean up or close down. The citizen pressure proved effective. After more than two years of intense pressure from local community groups and statewide environmental groups, NRG Energy, Inc. finally agreed to shut down the old and dirty coal plant. Somerset Station closed for good on January 3, 2010.
For more than a decade, Toxics Action Center has been working with communities to prevent pollution resulting from dangerous trash disposal practices. Burning and burying trash has devastating consequences for the environment and public health. The Environmental Protection Agency states that all landfills will eventually leak, polluting air and posing a contamination risk to drinking water. Incinerators are even worse: They release cancer-causing chemicals into the air and even more greenhouse gas emissions than coal-burning power plants. Health studies have demonstrated that residents living closer to incinerators have higher rates of cancer. It’s clear that communities are threatened by current methods of waste disposal and need our help. Fortunately, this year we achieved several significant victories across New England to prevent pollution from landfills and incinerators and to promote zero-waste solutions.

Governor Pledges to Uphold Ban on New Trash Incinerators in Massachusetts, Moves Toward Zero Waste

As the state of Massachusetts drafts its Solid Waste Master Plan, the blueprint for managing waste for the next decade, we are thrilled to report that state leaders have indicated a willingness to adopt zero waste policies. On Dec. 11, Governor Deval Patrick announced plans to maintain a ban on building new incinerators as part of the decade-long state waste plan. He also threw his support behind zero waste policies that include expanding the bottle bill and extending producer responsibility. This announcement was the result of months of education, collaboration and grassroots organizing by Toxics Action Center, Massachusetts Public Interest Research Group (MASSPIRG), Clean Water Action, Residents for Alternative Trash Solutions and many community groups across the state.

“Toxics Action Center provided a needed and much welcomed service for citizens faced with life-changing and devastating repercussions from past, present, and future pollution.”

– Susan Allen, Steering Committee, Residents of the Last Green Valley

Community leader Susan Allen, joined by Attorney General Richard Blumenthal and State Senator Edith Prague, calls for the state trash agency to halt plans to build an incinerator ash landfill in Franklin, CT.
Franklin, Conn. Protects Clean Water, Prevents New Incinerator Ash Landfill

In Franklin, we worked with Residents of the Last Green Valley to successfully halt a massive incinerator ash landfill proposed above the town’s source of drinking water. The Connecticut Resources Recovery Authority (CRRA), the state’s trash agency, had proposed building the new ash landfill almost two years ago on top of the aquifer and on the banks of the Shetucket River, a restored trout and salmon fishery that flows into Long Island Sound. Incinerator ash is particularly toxic and can contain cancer-causing heavy metals, including lead, mercury, and arsenic. Our community organizers worked with Susan Allen and her neighbors to craft a strategic plan to convince the state to reject the dump proposal. We trained them on developing a compelling message, effective media outreach, and building their group. Over the last year, government officials in Franklin and surrounding towns voted unanimously against the proposal, 80 percent of Franklin residents turned out to vote against the dump in a non-binding referendum, and the governor and a majority of state legislators took a stand against the landfill. When CRRA refused to heed this overwhelming display of opposition, we sent eight of our organizers to spend three intense days of grassroots campaigning with community members in Franklin. On August 26, we held a press conference with Attorney General Richard Blumenthal. The very next day, the CRRA board voted unanimously to withdraw the proposal.

Old Town, Maine: Activists Halt Casella Landfill Expansion

After years of organizing, citizen activists in and around Old Town, Maine successfully convinced Casella Waste Systems to withdraw its permit to expand the Juniper Ridge landfill. The proposed expansion would have added nearly 22 million cubic yards of space to the landfill—tripling its existing size—and would have accepted toxic construction and demolition waste. Casella’s decision to withdraw came after the Maine Department of Environmental Protection issued a draft denial of the permit application, citing no immediate need and too many unanswered questions. We are currently working with Old Town activists to launch a new project, called the Trash Tracking Network, to increase accountability and transparency in the way waste is handled in Maine and to increase recycling and reuse programs.

“Toxics Action Center has helped us take our considerable skills and community contacts and shape them in a way that has helped us to become a stronger, better organized group. In a very short length of time, they have given us the confidence we need to see ourselves as a powerful community organization.”

Cleaning Up and Preventing Pollution

1 Bangor, Maine: River cleanup moves ahead. Residents at the Griffin Park housing complex thought that the stream that ran behind their homes was a beautiful view of nature—until it proved to be toxic. Many neighbors began suffering health problems ranging from dizziness to nausea to difficulty breathing. We helped the group Friends of Griffin Park recruit concerned residents and find the funding necessary to get their water tested. The tests showed that huge amounts of chemicals used to de-ice planes at the nearby Bangor Airport and Air Force Base was washing directly into the water. Now, after a decade of dragging their heels, offering only half-measures, the Department of Environmental Protection (DEP) is taking real action. In 2009, the stream was classified as “impaired,” and now the DEP is moving forward with a stronger cleanup plan.

3 Bow, N.H.: Activists look to move past coal. Coal is still one of the dirtiest ways to produce energy, threatening both our health and our environment. In addition to its dangerous toxic air pollution, the Public Service of New Hampshire’s (PSNH) coal-fired power plant in Bow is also the state of New Hampshire’s largest emitter of carbon dioxide pollution. Citizens in and around Bow have joined together to call on PSNH to phase out the coal plant and prioritize the health and safety of the region instead.

7 Winchester, N.H.: Locals oppose industrial sludge facilities in residential centers. This fall, residents in Winchester were alarmed to find out that an industrial sludge composting facility would be sited less than a mile from their historic town center, on sloping ground, uphill from a river. Sludge is the byproduct of waste water treatment plants and contains bacteria, virus-laden organic matter and many toxic metals known to be dangerous to human health. Concerned citizens responded by making their voices heard at the state level by drafting a bill that will provide greater local control over loosely regulated industrial composting and sludge spreading. In response, the company voluntarily withdrew its proposal to compost sludge in Winchester.

12 Cabot, Vt.: Concerned residents campaign for Cabot to dispose of waste water safely. Cabot Creamery’s dairy factory looks the same as any other industrial facility in New England. The plant currently uses chemicals to clean machinery at the plant, but instead of disposing of the waste water properly, it is spreading the toxic laden water on nearby farm grounds. Concerned residents are working to hold Cabot to its environmentally friendly image and stop this dangerous practice.

15 Cavendish, Vt.: Coalition calls for the closing of a dangerously old nuclear plant. In 2008, a reauthorization of the Vermont Yankee nuclear power plant seemed inevitable, despite the fact that the plant emitted radiation over limit set by the Department of Health, presented a safe waste-storage dilemma, and both cooling towers collapsed in 2007. But activists in communities across the state have worked to shine a spotlight on the danger of keeping the plant open and voiced their opposition to state representatives. Across Vermont, residents have fought back against the power plant’s slick ads and lobbying. In Cavendish, residents collected more than 70 hand-written letters and 150 photo-petitions to put pressure on their representative, helping turn the tide against dirty nuclear power in Vermont.

17 Williston, Vt.: Neighbors call on shooting range to clean up lead. Residents and local farms in Williston were alarmed to find lead in their drinking water wells—left over from nearly 40 years of lead shot accumulating in the ground from a nearby shooting range. Lead Free Williston, a neighborhood group, has continued testing and found lead contamination in their local stream as well. The group is pushing for the shooting range to abandon lead shot for safer alternatives and for the state to recognize the problem and call for action.

20 Boston, Mass.: Recycling improvement proposals move forward in Boston. This year Boston made a step in the right direction by requiring trash haulers to also offer and advertise recycling for commercial businesses as well. This year our Recycling Action organizer met with City Council President Michael Ross’s staff to outline a path for Boston to bring mandatory commercial recycling. The councilor’s chief of staff promised hearings on the measure this term. Our Recycling Action project will keep pushing for comprehensive recycling programs for Boston and all of Massachusetts.

34 Holbrook, Randolph & Braintree, Mass.: Citizens work to stop a new transfer station. A coalition of residents from three towns has formed the Braintree, Holbrook, Randolph Civic Group to oppose plans to build a new regional trash transfer station in Holbrook. Trash transfer stations can threaten nearby communities with diesel truck traffic, odors, vermin, and toxic leakage into ground water. Kathy Connolly, a former Holbrook Selectwoman, has been a driving force in mobilizing members of all three towns. “The pollution from diesel trucks has been linked to respiratory disease and premature death,” said Connolly. “This proposal is little more than a money-making venture by the company and has no real benefit for our community.”
Throughout New England

Springfield, Mass.: An Environmental Justice community works to protect its air quality.
Springfield is already one of the most overburdened cities in New England, yet Palmer Paving has proposed to build a construction and demolition waste incinerator in the heart of East Springfield. Within five miles are more than 50 schools and daycare centers, putting children's health in immediate risk. Residents have banded together to form Stop Toxic Incineration in Springfield, focused on halting the project.

Alton, R.I.: Families look to secure clean drinking water.
Clean water may soon make a comeback in Alton, after decades of Charbert Dye Company polluting the air and water. The company dumped wastewater into open-air, unlined lagoons next to the facility. As a result, toxins in the wastewater seeped into the groundwater, contaminating private drinking wells, into the air, and into the Wood-Pawcatuck River. Residents formed Alton Community Action (ACA) and worked with Toxics Action Center to force Charbert to clean up its mess. Recently, Charbert agreed to a long-term plan to clean up the area but offered no solution for drinking water contamination. Fortunately, last fall the non-profit Atlantic States Rural Water Action Center teamed up with ACA and Toxics Action Center to investigate building a new public drinking water supply for the neighborhood, and residents are hopeful that there will be clean water in the near future.

Plainfield, Conn.: Friends of Quinebaug River oppose toxic incinerator.
Plainfield and the Quinebaug River may soon be home to a toxic construction and demolition waste incinerator. Construction waste is one of the most toxic parts of our waste stream. Burning wood contaminated with lead paint, arsenic and asbestos releases dozens of known toxins and carcinogens into the air. This incinerator, proposed by inter national conglomerate Suez, would release these toxins daily and needlessly waste millions of gallons of water from the already stressed Quinebaug River for cooling. The project has all necessary permits to move forward, but the community group Friends of the Quinebaug River is persistently fighting the incinerator on several fronts, and Suez has yet to begin construction.
Many of us grew up thinking pesticides were the best thing to protect us from mosquitoes or to give us a beautiful green lawn. But now, research has clearly established a link between pesticides and many serious health effects like cancer, learning disabilities, and immune and reproductive disorders. The same toxins that kill weeds and bugs also harm people, poison our drinking water, and kill wildlife.

Toxics Action Center has a long history of working on reducing pesticide use. In the last decade, we have worked with communities to stop the spraying of pesticides on sidewalks in Portland, to persuade ChemLawn to offer an organic lawn care line, and to convince the Massachusetts Department of Highways to abandon plans to spray pesticides on highways. This year we continued to help towns prevent or minimize pesticide use.

**Protecting the Waukewan Watershed in New Hampshire**

In Meredith and other towns surrounding the Waukewan Watershed, lawn care has become a concern that goes beyond green grass. The overuse of fertilizers is causing phosphorus to runoff into lakes, which creates favorable conditions for algal blooms and invasive species, and toxic pesticides found in the fertilizers also threaten drinking water safety. The watershed provides drinking water for thousands and is a major source of tourism and recreation revenue for the town. Toxics Action Center is working with the Watershed Advisory Committee to develop a plan to educate homeowners on the problems that result from chemical lawn care and will work with the group to develop a long-term, comprehensive policy to keep the Waukewan Watershed safe.

**Quick Action to Stop Pesticide Dumping in Worcester County**

In September, Worcester was planning a response to an invasion of the Asian long horned beetle in trees in the county. The U.S. Department of Agriculture’s (USDA) plan was to change a state law to allow triple the legal amount of a toxic pesticide to be dumped on the soil around tens of thousands of trees. Imidacloprid has been linked to serious human health problems, water contamination and the honeybee colony collapse. Toxics Action Center moved quickly to research the chemical, and learned that the pesticide could be injected directly, requiring a small fraction of the planned dosage and keeping it inside the tree. We educated the public and pushed city officials to stop the plan. Just a few months later, the Worcester City Council voted unanimously against the soil-drenching plan, and other elected officials started coming out against it. The USDA had no choice but to abandon their pesticide dumping plan and opt for a safer policy.

Toxics Action Center is known for its work in local communities across New England, advocating beside activists in front of city councils and planning commissions. In the last year, many of our efforts to clean up local pollution sites bubbled up into statewide change.

**New Toxic Site Uncovered in Stamford, Conn.**

This year, North Stamford residents were horrified when testing the wells of nearly 30 homes in their neighborhood revealed high levels of illegal, toxic pesticides. The discovery came on the heels of the closure of Scofieldtown Park, an old covered landfill that had been converted into a park in the 1970s. Neighbors mobilized and the city moved quickly, testing wells, buying affected homeowners filtration systems, and ultimately rerouting city water lines to several affected homes. Unfortunately, just months later the city announced that their testing of the site was inconclusive and did not connect the well contamination to the old dump. As a result, the city has stopped all further testing and is refusing to help connect residents to the city water supply. Neighbors are beginning to organize to demand that the city give safe, clean water to those that still need it, find the true source of the contamination, and remediate the old dump site.
Polluters Pay in Rhode Island

Tiverton is home to what may be the largest hazardous waste site in Rhode Island. From the 1930s-50s, New England Gas Company, part of Southern Union, dumped waste from a coal gasification power plant all along what is now the Bay Street neighborhood in Tiverton. In 2002, a surprised resident found blue soil in her yard. The testing that followed found a number of toxic chemicals including arsenic, lead and cyanide under more than 100 homes.

Toxics Action Center has been working ever since with Gail Corvello and the community group Environmental Neighborhood Awareness Committee of Tiverton (ENACT) to push for a full cleanup of the soil under their homes. Over the years, we trained the group to be effective advocates for their community, and worked side by side for a full cleanup. Unfortunately, it was less expensive for Southern Union to pay the state’s $1000 per day fine and leave the site polluted, than pay for the full cleanup needed to make the neighborhood safe to live in. For Southern Union, it was simple math. For us and the residents of Tiverton, it was people’s lives and health. After many years and many different strategies, it became clear that in order to get a full cleanup in Tiverton, we were going to need to make this a statewide issue.

ENACT, Toxics Action Center, and other groups throughout the state turned our attention to a bill that would increase the daily fine to $25,000, equivalent to fines in Connecticut and Massachusetts. We had to change the equation and make it more expensive for a polluter to continue breaking the law. While Southern Union spent thousands of dollars monthly on their lobbyist, Toxics Action Center staff went door-to-door and collected more than a thousand petition signatures in key districts. The effort culminated in a press conference in front of Southern Union’s lobbyist’s office with a wheelbarrow of blue soil representing Tiverton.

Victory came when the Speaker of the House scheduled a tour of the Tiverton neighborhood. After witnessing firsthand the situation, the Speaker started moving the bill through the Legislature, culminating in the governor’s signing. Shovels finally hit the ground in Tiverton in August, and as of December, the cleanup is half-way complete.

While it took Tiverton residents a long, difficult lawsuit to force Southern Union to clean up its mess, other communities in Rhode Island will now have stronger leverage to hold polluters accountable.

New Environmental Standards Required of Vermont Junkyards

For decades, residents in Milton, Vt. have lived near ABC Metals, a junkyard that overflows with rusted vehicles, leaks toxic fluids into the ground and water, and poses a critical fire threat. Despite the health and environmental risk to the neighborhood, the Department of Transportation, which was in charge of regulating junkyards in Vermont, lacked the environmental experts and enforcement staff needed to protect Milton residents.

Toxics Action Center worked with Milton CLEAN to win support from the Agency of Natural Resources and the attorney general, which have together filed suit against the junkyard owner. However, Milton is not the only town confronting a toxic junkyard, and it soon became evident that filing piecemeal lawsuits was not a quick or cost-effective way to clean up the risk.

Members of Milton CLEAN, along with residents from Stafford, Sharon, and Williamstown, all of whom live near junkyards, came together to advocate a change in state policy. Our staff and a team of residents representing each of the towns worked with legislators to draft a bill that moved jurisdiction over junkyards to the Agency of Natural Resources and set up a Salvage Yards Program. It also created setbacks from waterways and enabled towns to make better decisions about junkyard locations.

Toxics Action Center staff trained community members to deliver testimony and collected hundreds of postcards from supportive voters. The bill swept through the Legislature, passing with a strong majority. As of July 2009, Vermont’s junkyards are under strong, new environmental oversight.
Often campaigns for change take many years and a lot of work. Toxics Action Center is committed to providing organizing assistance to communities for however long their campaigns may last. This year, residents and staff have begun to work in several towns on new campaigns to protect health and the environment. Most of our emerging work is related to toxic pollution, and some of it has expanded beyond traditional toxics to include piloting a handful of campaigns on renewable energy and water protection issues. We have come to understand toxics as much more than what is found in barrels. Toxics are; poor quality indoor air in our children’s schools, hazardous phthalates in our Tupperware, and the unnecessary disposal of water bottles. Additionally, much of our work this year is not just responding to pollution problems, but also working proactively to solve them.

Protecting the Most Vulnerable in Camden, Maine

Across New England, residents of large rental complexes are exposed to toxic pesticides on communal lawns and spaces. Citizens for a Green Camden, a hard-working group of residents in coastal Maine, are working to keep Camden lawns safe for everyone. The group is working to protect children and senior citizens in Camden from chemicals where they live and play by committing owners and managers of apartment buildings and senior residences to using organic lawn care. Last year, Citizens for a Green Camden earned an award from the Environmental Protection Agency (EPA) after successfully passing a policy banning the spraying of harmful lawn chemicals on town lands such as parks, athletic fields and sidewalks. As part of their campaign, Citizens for a Green Camden have committed an impressive list of businesses in towns to using organic lawn care, and are now well on their way to committing daycares, private schools, and apartment managers to do the same.

Protecting Aquifers and Public Drinking Water Resources in Massachusetts and Maine

Communities have a right to protect and preserve their water resources, especially given the variety of toxic threats many face. This becomes harder and harder when water bottling companies like Nestle and its subsidiary Poland Springs privatize and assume control of municipal water systems and extract water at a rate faster than an aquifer can naturally replenish. Moreover, the abundance of water bottles being thrown away adds to our already significant waste problems. This year, Toxics Action Center has teamed up with Corporate Accountability International to provide organizing assistance to residents facing privatization and extraction proposals in Wells and Kennebunk, Maine. In both communities, residents turned out to vote down Nestle’s proposals and maintain control of their aquifers. Additionally, our staff helped launched a statewide effort in Massachusetts to prevent new bottling operations from opening while the state conducts a two-year study to assess the health of the Commonwealth’s river basins and water sources.

Promoting Energy Solutions in Vermont

Toxics Action Center has worked with a number of communities to stop dirty and dangerous energy sources, whether it’s shutting down old coal-fired power plants or stopping a proposal to burn trash for energy. We have long recognized the need for investments in energy efficiency and renewable energy development, namely wind and solar, to reduce the amount of energy we use and then generate the energy we do need from clean sources. With that vision in mind, Toxics Action Center has responded to calls for help from two communities in Vermont where wind projects have been proposed. Organizers are currently working alongside residents in Ira and Lowell, Vermont to win town votes in support of the construction of wind power in their towns.
Thank you!

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“Toxics Action Center helps provide communities and neighborhood groups with the tools to become effective participants in the legal and political system. Win, lose or draw, these groups are given a voice in the decisions that affect their health and their environment. Our government and political system, not to mention the environment and public health, are better off for the work of Toxics Action Center.”

– David K. Mears, Director of the Vermont Law School Environmental and Natural Resources Law Clinic

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