

REAL PEOPLE—REAL STORIES

Seeking Environmental Justice

Aquadale, NC (Stanly County)

OVERVIEW

In the 1980s, Carolina Solite Corporation (Solite) began incinerating hazardous waste in Aquadale, NC. In the years that followed, the company exceeded federal and state regulations for air, water, and soil standards numerous times. Local residents believe that emissions from the plant are associated with health problems they have experienced; however, these suspicions have not been confirmed. Concerned citizens formed a grassroots organization to pressure state and federal authorities to enforce regulations governing Solite's waste incineration. In 2000, Solite agreed to use alternative fuel sources.

THE COMMUNITY

Aquadale is a rural community with an estimated population of 2,291 located 40 miles east of Charlotte. According to the 2000 census, the majority of the population identified themselves as white (88%), 5% as Black, 5% as Asian/Pacific Islander, and the rest as other. The median income in 2000 was approximately \$41,000. Aquadale area residents are primarily employed in education, health, and social services (17%); manufacturing (16%); and professional services (16%).

Carolina Solite began producing cement blocks for construction in 1953 about a mile from Aquadale's town center. In 2000, the plant provided 40 full-time jobs and added an estimated \$26.9 million to the local tax base.

"This experience has taught me that you have to pay attention . . . to *everything* in your community . . . to what's coming in and what companies are doing. You can't expect them to naturally do what's right or good. You can't sit back and expect others to protect your community. *You* have to do it."

- Community Member

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THE HAZARD



Stanly County. Source: Wikimedia.org

In 1983, Solite began burning hazardous waste to heat the large ovens used to bake cement blocks. This was a cost-saving measure. Solite was paid to accept waste by other companies across the east coast. Solite burned up to 62 million pounds of hazardous waste each year from 1983 to 1991.

The emissions, as measured by Solite in 1995, contained 33 toxic pollutants and carcinogens. These substances have been associated with a variety of ailments, including nausea, damage to blood vessels, lung damage, and anemia, as well as other health problems.

When Solite began burning hazardous waste, state laws did not require the state or the company to disclose its practices to neighboring communities. Even after the community learned about the hazardous waste incineration in 1988, Solite was exempt from state and federal hazardous waste incineration laws until the early 1990s because burning hazardous waste to produce a product (cement blocks) was classified as recycling.

WHAT HAPPENED?

Residents and other concerned individuals formed Stanly Citizens Opposed to Toxic Chemical Hazards (SCOTCH) in July 1989 to oppose burning hazardous waste in the community. Within two years, SCOTCH grew to more than one hundred members. However, not all residents and community members opposed the plant. Tensions arose between community members seeking to close down Solite and others concerned about potential job losses.

In 1991, SCOTCH and the Clean Water Fund of North Carolina filed an \$18 million federal lawsuit against Solite for violations of the Clean Water and Clean Air Acts. They argued for the end of hazardous waste burning by Solite. Former employees stated in court that the company had a “secret alarm.” When the loudspeaker asked for “Quentin Smith” to come to the office, employees knew that they should reduce the amount of waste burning. Two years later, the groups reached a settlement, and Solite agreed to control their pollution and to provide reports to make it easier for the state and community groups to keep track of their progress.

“The air was so bad it made me sick. And the air was just terrible; it burned your eyes, it burned your throat. And it was just thick with some kind of dust or debris of some sort that was just like sand hitting you in the face.”

- Community Member

WHAT HAPPENED? (continued)

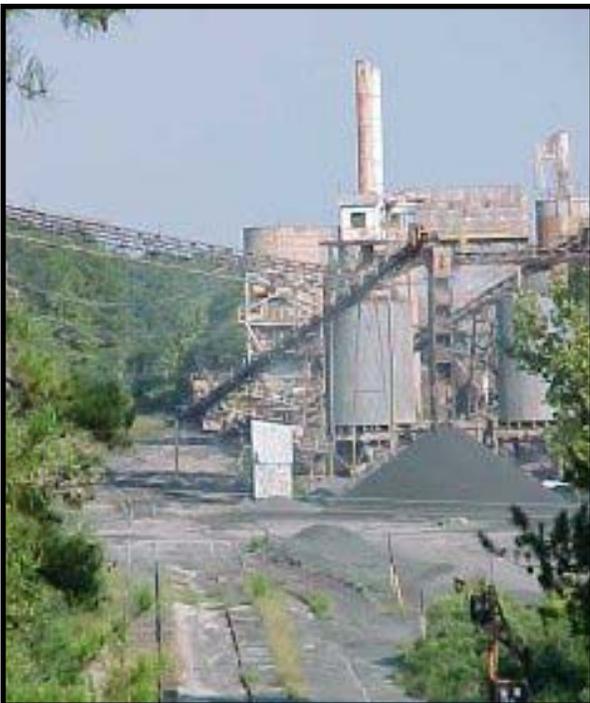
In March 1997, the legal tables turned. After SCOTCH filed a petition to restrict Solite from resuming burning hazardous waste, Solite sued the community group, saying that the petition was a violation of the 1993 settlement. This type of legal action has been called a Strategic Lawsuit Against Public Participation (SLAPP), because companies may use such lawsuits to silence community groups. The groups settled in December 1998, and SCOTCH was not allowed to take action for nine months.

State government agencies also attempted to make Solite clean up its emissions. Between 1990 and 2000, Solite paid an estimated \$230,000 in fines to a variety of state agencies for air permit violations, installing equipment without permits or testing, poor record-keeping, and illegal water discharges, among other violations.

During the 1990s, Solite agreed at least three times to suspend hazardous waste incineration.

"Some people worked at that place for years. They didn't want us causing trouble. But I was trying to tell them that if we are getting sick, then you are getting sick too. We're all in this thing together."

- Community Member



Carolina Solite in Aquadale, NC

Photo by Louis Zeller, Blue Ridge Environmental Defense League

In this same time period, state agencies confirmed the existence of four unlined waste piles at Solite, one of which contained a toxic concentration of cadmium.

State agencies and universities conducted various studies to find out if people living near Solite or other hazardous waste incinerators have more health problems than other people not living close to incinerators. Some of these studies found high levels of heavy metals, and one found a slightly elevated lifetime risk of cancer. Other studies did not find a difference in short term health effects or rates of cancer between people living near hazardous waste incinerators and people living farther away.

During 1994-1996, Solite requested new permits that would allow the company to triple the amount of hazardous waste stored at the site and double the amount that they could burn each year.

WHAT HAPPENED? (continued)

In 2000, about 20 homeowners, activists, lawyers, and a representative from the Attorney General's office met with state officials to discuss their continuing concerns about Solite and present a petition with 1,500 signatures asking that the plant be shut down. Residents talked about the effect of the pollution on their land values and health, and state officials presented a draft report suggesting that Solite's permit be revoked for a second time. As a result of this meeting, Solite made a deal with the state in which they agreed to stop burning hazardous waste and to use other fuel, such as used motor oil or coal.

In 2004, Solite sold its Aquadale facility to Carolina Stalite. Carolina Stalite also produces concrete blocks, but does not burn hazardous waste as fuel. Solite Corporation no longer operates any plants in North Carolina, but they have plants in Virginia, Kentucky, and New York. In 2005, community activists in Virginia successfully shut down one of Solite's plants in that state.

As a result of incomplete and inaccurate records, the state has no way of verifying Solite's emissions records from 2002-2004. The NC Department of Air Quality fined the company \$268,616 in 2005 for intentionally submitting false data as well as other violations. Solite Corporation filed an appeal of the fine; as of December 2006 this appeal process was still underway.

"I don't think the laws in place are adequate, and even the laws that are in place [are] not enforced. That was one of the fights we had to face. Solite had a stack of violations and non compliances. I mean, they even had their permits revoked! But the state would turn around and give it right back to them. . . . Solite was so powerful, and they had so much money. They could get their people to go and talk to the lawmakers and the people in positions that were able to take care of things like that for them."

- Community Member

This is part of a series of stories about how communities in North Carolina have faced environmental justice concerns. Sources include articles from *The News & Observer* (Raleigh, NC) and interviews with community members. A longer version with references is available on our website. Published in December, 2006.



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