Report on impact of 2014 Help Kids Breathe Easier campaign

Supporters of the “Breathe” campaign helped Ohio Citizen Action Education Fund to raise $8,135, which leveraged a matching grant of equal size, meaning $16,270 was raised toward our campaign goals. Below is a report of what we accomplished together.

Closing the Gavin coal plant

Our work to close the Gavin coal plant took an unexpected, but ultimately positive turn last summer. In October, 2014 the Sierra Club and Public Justice filed suit against Gavin’s operator, American Electric Power (AEP) for federal Clean Air Act violations at the plant. Ohio Citizen Action staff spent many days knocking on doors in Cheshire, OH, having lengthy discussions with remaining residents most directly affected by pollution from Gavin. We were able to use our expertise in grassroots organizing to identify residents and workers willing to act as plaintiffs and provide the standing needed to move forward with pressuring Gavin to meet basic clean air standards.

Also, unbeknownst to us, a West Virginia law firm had been planning a class action suit against AEP, and related companies, alleging unsafe conditions at Gavin’s coal ash landfill. The suit specifically references unprotected exposure to “coal-combustion-bypoduct waste, a radioactive amalgam of hazardous constituents that pose known risks for human health” and alleges employees were told the coal waste was "safe enough to eat" and denied access to protective equipment during their time at the landfill. The 77 plaintiffs include 50 coal-ash landfill workers and their family members. Six plaintiffs unfortunately died before seeing the case filed.

With the two different lawsuits related to Gavin in motion, we determined that continuing a concurrent full-fledged organizing campaign might conflict with the legal strategy adopted by our allies. As a result, we looked for another hook to deploy our organizing strategy. Luckily, Ohio’s largest utilities were already providing us with the perfect alternative: fighting four onerous consumer bailouts they proposed to the Public Utilities Commission of Ohio (PUCO) to prop up 7 of their least efficient coal plants and the nuclear plant Davis Besse.

This was just the hook we needed and an excellent application of our organizing strategy. For one thing, the Kyger Creek coal plant is located exactly one mile from Gavin. Helping to close Kyger Creek not only would give the Gavin lawsuit some room, it would also alleviate some of the severe pollution problems affecting the people and workers still left in Cheshire. Second, we know from past
organizing that the combination of economic and environmental arguments makes the strongest case for closure. With adoption of the bailout fight, we began fighting Big Coal in Ohio on two fronts.

In August, 2014 Ohio Citizen Action Education Fund and sister organization, Ohio Citizen Action, kicked off the Stop the Bailouts campaign, joining Sierra Club to lead this critical grassroots effort in Ohio. Since that time, we’ve collected and submitted 9,652 personally written public comments to the PUCO against the bailout, organized attendance at four Duke public hearings throughout the fall, helped to turn out over 100 people to the FirstEnergy public hearing in Cleveland, and strategized how best to keep everyone focused on stopping the bailouts so we can truly invest in clean efficient energy options in the future. So far, we have the momentum. After many months of campaigning, public hearings, and tens of thousands of citizen comments submitted, the PUCO has now ruled against two of the four proposals. On February 25, 2015 the PUCO denied AEP’s request for long-term Power Purchase Agreements (PPA) for their share of two aging coal-fired plants, the Kyger Creek Station and the Clifty Creek Station, and on April 2, 2015 they denied Duke’s request for their shares of these same plants.

Regulating coal ash

In December 2014, U.S. EPA issued its final rule to regulate coal ash. We had advocated since 2010 for much stronger regulations, such as regulating coal ash as toxic waste. The final rule did not go as far as we wished, but did include some improvements, including:

- Mandatory installation of liners or closure of all unlined impoundments proven to have contaminated groundwater or at the greatest risk to do so;
- Groundwater monitoring around surface impoundments and landfills;
- Liner requirements for new surface impoundments and landfills to protect groundwater;
- Groundwater cleanup from coal ash contamination;
- The closure of surface impoundments that fail to meet engineering and structural standards or are located too close to a drinking water source;
- Restrictions on the location of new surface impoundments and landfills so that they cannot be built in sensitive areas such as wetlands and earthquake zones; and
- Proper closure of all inactive surface impoundments and landfills.
Throughout the summer and fall of 2014, we encouraged our supporters to send at least 3,433 personal comments to U.S. EPA Director Gina McCarthy, advocating for the strongest possible regulation of coal ash.

Last year, we made a difference and the dollars raised through the Breathe campaign were the foundation of that progress. We would like to thank the 28 fundraisers who reached out to 177 of their friends and family for making the Breathe campaign such a success.