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Atlantic States Legal Foundation; Records

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M.E. Grenander Department of Special Collections & Archives

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Summary Information

Repository:	M.E. Grenander Department of Special Collections & Archives
Title:	Atlantic States Legal Foundation Records
ID:	apap311
Date [inclusive]:	1966-2009
Physical Description:	179.74 cubic ft.
Physical Location:	The materials are located onsite in the department.
Language of the Material:	English .
Abstract:	The Atlantic States Legal Foundation Records document the environmental not-for-profit organization's pollution reduction and environmental remediation projects and cases throughout the United States and territories.

Preferred Citation

Preferred citation for this material is as follows:

Identification of specific item, series, box, folder, Atlantic States Legal Foundation 1966-2009 (APAP-311). M. E. Grenander Department of Special Collections and Archives, University Libraries, University at Albany, State University of New York (hereafter referred to as the Atlantic States Legal Foundation Records).

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Biographical Sketch

Atlantic States Legal Foundation, Inc. (ASLF) is a not-for-profit organization founded in 1982, with headquarters in Syracuse, New York. Since its earliest years, Samuel Sage has worked with ASLF, actively promoting numerous environmental projects and serving as president. ASLF's mission is to provide affordable technical, legal and organizational services to a variety of individuals, community groups, non-governmental organizations (NGOs), local governments and others to protect and remediate threats to the natural and human environment.

In the 1980s and 1990s ASLF used the legal frame work of the Federal Water Pollution Control Act, known as the Clean Water Act (CWA) and the Emergency Planning and Right-to-Know Act (EPCRA) to ensure industrial pollution was in compliance with permits issued by the Environmental Protection Agency (EPA). The CWA is a federal law passed in 1976, which set water pollution standards to levels safe for human recreation. The EPCRA, passed in 1986, enabled private citizens and NGOs to request federal and state agencies documents such as, Material Safety Data Sheets, Toxic Release Inventories, SARA Title III Reports, Discharge Permits and Discharge Monitoring Reports (DMR) for individual companies. Often, the copying fees for these reports were waived for ASLF because it is a not-for-profit organization. ASLF used these reports to identify pollution discharge violations throughout the United States and U.S. Territories. After violations were identified, a sixty day notice of the intent to sue would be sent to the permit violating company. Often agreement settlements were negotiated before reaching court. The cases that did reach the courts were citizen suits and ASLF, as an organization, often needed an individual, affiliated with ASLF, in the affected area who could demonstrate harm. These individuals could provide standing for the case and were often members of ASLF or of a community group working with ASLF.

On November 28, 1990 ASLF was the first ever to settle an EPCRA citizen suit. ASLF became the leading NGO utilizing the citizen suit provision of the Clean Water Act to enforce disclosure and compliance with pollution permits. ASLF worked with local individuals and community groups, such as the Sierra Club and Hudson River Sloop Clearwater, to discover and bring legal claim against polluters. In addition to working with local groups, ASLF often worked through local attorneys in distant states, to manage the handling of a case.

In 1998 the effectiveness of citizen suits was curtailed due to a U.S. Supreme Court decision. However, ASLF's efforts forced many industries and companies to be accountable to their local communities.

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Scope and Contents

The collection contains materials relating to the projects and cases pursued by ASLF, ASLF's collection of published environmental reports and newsletters, and subject files. ASLF activities encompassed almost every U.S. state and a few U.S. territories. The projects and cases are arranged by geographic regions, state, and finally alphabetically by the company or organization. The publications are arranged alphabetically, with separation between serial publications, New York publications, New York Department of Environmental Conservation (DEC) publications, and other publications.

The collection contains materials from the 1960s to 2000s. However the bulk of the projects were pursued in the 1980s and 1990s, items which pre- or post-date this range are often research material, DMRs or compliance reports required by consent decrees.

The collection consists of correspondence, compliance reports, discharge monitoring reports (DMR), court documents, architectural drawings, laboratory analyses, notes, news clippings, National Discharge Elimination Permit System (NPDES) permits, photographs, quarterly non-compliance reports (QNCR),

remediation programs, standing, subject files, workshops and environmental newsletters, studies and research reports.

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Arrangement of the Collection

The collection is organized into the following series:

- 1 **Series 1 - Projects, 1967-2009, Undated**
- 2 Subseries 1: Midwest, 1967-2009, Undated
- 3 Subseries 2: Northeast, 1970-2009, Undated
- 4 Subseries 3: Southeast, 1977-1997, Undated
- 5 Subseries 4: Southwest, 1970-1998, Undated
- 6 Subseries 5: West, 1980-1999, Undated
- 7 Subseries 6: U.S. Territories, 1973-2004, Undated
- 8 **Series 2 - Publications, 1966-2009, Undated**
- 9 Subseries 1: Serials, 1971-2009
- 10 Subseries 2: New York Publications, 1966-2007, Undated
- 11 Subseries 3: New York State Department of Environmental Conservation Publications, 1966-2002, Undated
- 12 Subseries 4: General Publications, ca. 1966-2009, Undated
- 13 **Series 3 - Subject Files, 1968-2004, Undated**
- 14 **Series 4 - Affiliate Associations, 1972-1996**

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Administrative Information

Publication Statement

M.E. Grenander Department of Special Collections & Archives

Revision Description

Encoded in EAD by Kathleen Broeder 2013

Processing Information

Processed in 2013 by Kathleen Broeder with Jamie Brinkman, Jodi Boyle, Katherine Demetri, Thao Nguyen, Tiffany Williams.

Access

Access to this record group is unrestricted with the exception of select folders in Series 1, Subseries 1 which are noted. In addition, all work product is restricted until 2029.

Copyright

The researcher assumes full responsibility for conforming with the laws of copyright. Whenever possible, the M.E. Grenander Department of Special Collections and Archives will provide information about copyright owners and other restrictions, but the legal determination ultimately rests with the researcher. Requests for permission to publish material from this collection should be discussed with the Head of Special Collections and Archives.

Acquisition Information

The Atlantic States Legal Foundation donated its records in 2009-2010 to the M.E. Grenander Department of Special Collections and Archives.

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Controlled Access Headings

- Social Activists and Public Advocates
- Conservation and the Environment
- Environmental law--United States—Cases
- Pollution--United States
- Pollution--Law and Legislation--United States
- Water Pollution--Law and Legislation--United States
- Citizen suits (Civil procedure) -- United States
- Administrative reports
- Architectural drawings (visual works)
- Civil court records
- Files by subject
- Correspondence
- Maps
- Newsletters
- Newspaper clippings
- Notes

- Pamphlets
- Papers
- Permits
- Photographs
- Serials (publications)
- United States. Environmental Protection Agency
- New York (State). Department of Environmental Conservation
- Atlantic States Legal Foundation, Inc.
- United States. Emergency Planning and Community Right-to-Know Act of 1986
- United States. Federal Water Pollution Control Act

Collection Inventory

Projects, (1967-2009) Undated

Physical Description: 118.92 cubic ft.

Arrangement

Arranged alphabetically by state.

Scope and Contents

This series documents ASLF's numerous projects to seek compliance with pollution discharge regulations and remediation of the environment. Projects include the research into and court proceedings of companies, individuals or government officials, and a few ASLF sponsored workshops. The materials in this series contain: correspondence, compliance reports, discharge monitoring reports (DMR), court documents, drawings, intent to sue, laboratory analysis, notes, news clippings, National Discharge Elimination Permit System (NPDES) permits, photographs, quarterly non-compliance reports (QNCR), remediation programs, citizen standing and workshops. The projects are divided into subseries based on geographic regions.

Midwest, 1967-2009 Undated

Arrangement

Arranged alphabetically by state.

Scope and Contents

This subseries documents ASLF's projects in the Midwest states, including: Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota and Wisconsin. In the Midwest ASLF sought to clean up the Great Lakes, and the Mississippi River region. The case against Koch Refining Co. in Minnesota, removed a major source of toxins in the Mississippi River and ensured compliance for many years afterwards. In Fort Wayne, Indiana, at the request of local activists ASLF researched DMRs and discovered almost a quarter of Fort Wayne industries' had a history of CWA violations.

Title/Description	Instances
Illinois - 3M Permit, 1998	

	Box 1 (1-Projects)	Folder 1
Illinois - A.E. Staley Manufacturing Co. "Analysis of the A.E. Staley/Tate & Lyle Lockout in Decatur, Illinois, 1995	Box 1 (1-Projects)	Folder 2
Illinois - A.E. Staley Manufacturing Co. Correspondence, Court Documents, Notes, 1988-19901993-1996Undated	Box 1 (1-Projects)	Folder 3
Illinois - A.E. Staley Manufacturing Co. DMR, Non-Compliance Reports, Permit, 19841988-1991	Box 1 (1-Projects)	Folder 4
Illinois - A.E. Staley Manufacturing Co. Facility Report, Compliance Profile, Significant Violator Report, 1995	Box 1 (1-Projects)	Folder 5
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Illinois - B.F. Goodrich Co. Correspondence, DMR, EPA Form, Engineer Review, Permit, 1990Undated	Box 2 (1-Projects)	Folder 18
Illinois - Ball-Inion Glass Packaging Corp. Correspondence, DMR, Permit, 19871989-1991	Box 2 (1-Projects)	Folder 19
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Northeast, 1970-2009Undated

Arrangement

Arranged alphabetically by state.

Scope and Contents

This subseries documents ASLF's projects in the Northeast states, including: Connecticut, Delaware, Maine, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, Rhode Island and Vermont. The majority of the northeast projects are from ASLF's home state of New York. The first ever Right-to-Know Act citizen suit was settled in 1990 by ASLF in a landmark settlement involving ARO Corporation, located in Buffalo. In Syracuse, Onondaga Lake, which was considered one of the most polluted lakes in the United States during the late 1980s, was a focus of ASLF efforts. ASLF settled several cases, including one against Bristol Meyers Squib, to reduce pollutions discharged in to the lake and remediate damages.

In the case against Reynolds Metals Co. the court's decision clarified that the discharge of pollutants not specifically regulated by permit was illegal in New York. Eastman Kodak Co. was another important project for ASLF, in which pollutants were discharged without permit. However, the citizen suit was dismissed as moot after the company and the DEC entered a consent decree, which effectively contradicted the decision in the Reynolds Metals Co. case.

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Rhode Island - Rhode Island Textile, Inc. Correspondence, Court Documents, and Toxic Chemical Release Inventory Reports, 1992-1994	Box 44 (1-Projects)	Folder 12
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Vermont - List of NPDES Permit Holders, 1992	Box 44 (1-Projects)	Folder 16
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Southeast, 1977-1997Undated

Arrangement

Arranged alphabetically by state.

Scope and Contents

This subseries documents ASLF's projects in the Southeast states, including: Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Virginia and West Virginia.

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Alabama - Tyson Foods Inc., Correspondence and Notes, 1990Undated	Box 1 (1-Projects)	Folder 21
Alabama - Tyson Foods Inc., Court Documents, 1986-1987	Box 1 (1-Projects)	Folder 22
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Southwest, 1970-1998 Undated

Arrangement

Arranged alphabetically by state.

Scope and Contents

This subseries documents ASLF's projects in the Southwest states, including: Arizona, New Mexico, Oklahoma and Texas. The majority of projects are from Arizona, where ASLF's Southwest Environmental Project (SWEP) worked in conjunction with local attorneys and local community groups, such as, Don't Waste Arizona. Several of the cases involved landfills in Cochise County which were closed or scheduled to close.

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Arrangement

Arranged alphabetically by state.

Scope and Contents

This subseries documents ASLF's projects in the West states, including: Alaska, California, Colorado, Idaho, Hawaii, Montana, Nevada, Oregon, Utah, Washington and Wyoming. The majority of the projects are from Oregon and Washington where ASLF conducted business under the name Pacific Environmental Enforcement Council.

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U.S. Territories, 1973-2004Undated

Arrangement

Arranged alphabetically by territory.

Scope and Contents

This subseries documents ASLFs projects in the U.S. Territories, including: Puerto Rico, America Samoa, Guam and other Pacific islands. Most of the material covers Puerto Rico, with a strong emphasis on the Puerto Rico Aqueduct and Sewer Authority.

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Publications, (1966-2009) Undated

Physical Description: 47.82 cu. ft.

Arrangement

Arranged alphabetically.

Scope and Contents

This series contains primarily environmental, scientific and legal journals, magazines, newsletters, reports, analyses, studies, and other publications collected by the ASLF. The majority of materials address environmental issues or geographic areas specific to New York State, although the Midwest is well represented. The series is divided into four subseries - serials, New York publications, New York State Department of Environmental Conservation publications and publications about issues outside of New York.

Serials, 1971-2009

Arrangement

Arranged alphabetically.

Scope and Contents

subseries consists of the serials and external publications sent to, and collected by, members of the ASLF. Topics primarily focus on environmental issues, many of which are community-specific. Publication formats include magazines, newsletters, newspapers, pamphlets, and reports. Please note that the archivist filed all publication titles by the full name, rather than by the publishing organization's acronym; exceptions are minimal, and only occur when the acronym is part of the publication title.

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Arrangement

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The publications discuss many environmental topics, such as hazardous waste or marine and coastal life. There are publications which analyze specific geographic areas, including the Long Island Sound, Lake George-Upper Hudson and the St. Lawrence River. As the Atlantic States Legal Foundation is based in Syracuse, there are a number of general reports and comprehensive planning documents about that city. Files also may contain supplemental materials related to the respective report such as an accompanying cover letter or news release.

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Arrangement

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Arrangement

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Scope and Contents

This series consists of publications about environmental issues and geographic regions outside of New York. Reports are authored by federal, state, county and city governments and their agencies, universities, and non-profit organizations. Publications discuss broader national issues such as chemicals in local communities, transportation and American rivers. However, the majority of reports address specific geographic areas and their respective problems. This includes pollution in Alaska, Great Lakes water quality and overall health, wildlife habitat in

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Arrangement

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Arrangement

Arranged chronologically.

Scope and Contents

This series contains correspondence and court documents related to environmental legal action cases pursued by Atlantic States Legal Foundation affiliates and like-minded organizations. These include the Sierra Club, Natural Resources Defence Council, Friends of the Earth and New Jersey Public Interest Research Group. Each file contains multiple cases.

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