Atlantic States Legal Foundation; Records
apap311

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English
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Summary Information

Repository: M.E. Grenander Department of Special Collections & Archives
Creator: Atlantic States Legal Foundation, Inc.
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 framework 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.

**Arrangement of the Collection**

The collection is organized into the following series:

**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 a small number of select folders in Series 1, Subseries 1 which are marked below.

**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


Date [bulk]: 1967-2009
Date [inclusive]: 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

Date [inclusive]: 1967-2009
Date [inclusive]: 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.

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Date [inclusive]: 1985-1986

Date [inclusive]: 1996

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Indiana - United States Smelting Lead Refinery Inc. DMR, Permit

Date [inclusive]: 1985-1986

Date [inclusive]: Undated

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Indiana - United Technologies Correspondence, DMR, Permit - [RESTRICTED]

Date [inclusive]: 1986

Date [inclusive]: 1990-1991

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Indiana - United Technologies Automotive Inc. Annual Report

Date [inclusive]: 1985

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Indiana - United Technologies Automotive Inc. DMR

Date [inclusive]: 1988-1989

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Indiana - United Technologies Automotive Inc. Lead Elimination Study and Operating Procedures

Date [inclusive]: Undated

Box 16 (1-Projects) Folder 13

Indiana - Universal Tool & Stamping Co. Articles and Reports by Phillipe Ross

Date [inclusive]: 1986-1989

Date [inclusive]: 1991

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Indiana - Universal Tool & Stamping Co. Binder

Date [inclusive]: 1984-1992

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Indiana - Universal Tool & Stamping Co. " Biological Impact Discharges on Teutsch Ditch and Big Run Creek"

Date [inclusive]: 1989

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Indiana - Universal Tool & Stamping Co. Chronic Toxicity Tests

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Conditions Governing Access:
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### Northeast, 1970-2009

**Undated**

**Date [inclusive]:** 1970-2009  
**Date [inclusive]:** Undated

**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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New York - General Motors Corp. Central Foundry Division Wastewater Treatment Plan Operating Report

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New York - General Motors Corp. Fisher Guide Division Correspondence

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New York - General Motors Corp. Fisher Guide Division Court Documents

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New York - General Motors Corp. Fisher Guide Division Newslippings

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New York - General Motors Corp. Fisher Guide Division Notes

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New York - General Motors Corp. Fisher Guide Division Significant Dates, Events and Findings in the Akwesasne

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New York - General Motors Corp. Fisher Guide Division St. Regis Health Study, An Ankwasasne Project

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New York - General Motors Corp. Harrison Radiator Division Correspondence, Permit

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New York - General Motors Corp. Harrison Radiator Division DMRs

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New York - George Industries Inc. Air Pollution Data List

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New York - George Pataki, Correspondence, Court Documents

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New York - Reynolds Metals Co. Photograph Description Notes
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Date [inclusive]: 1988 July 29
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New York - Reynolds Metals Co., Proposed 001 Sedimentation Basin-Meeting Minutes
Date [inclusive]: 1993 July 01
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New York - Reynolds Metals Co. Protocol for Monitoring Biocentration of PCBs in Fathead Minnows Exposed
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New York - Reynolds Metals Co. Remediation of the 008 Outfall/West Ditch System and Remediation of the 007 Outfall
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New York - Reynolds Metals Co. Remediation of the 008 Outfall/West Ditch System Project Completion Report
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New York - Reynolds Metals Co. Remediation of the 008 Outfall/West Ditch System Work and Plan Schedule
Date [inclusive]: 1992 August
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New York - Reynolds Metals Co.-St. Lawrence River Joint Monitoring Workshop
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Date [inclusive]: Undated

Rhode Island - Toxic Release Inventory
Date [inclusive]: 1989

Vermont - Cases, Correspondence, Notes, and Permit
Date [inclusive]: 1984
Date [inclusive]: 1991-1992
Date [inclusive]: Undated

Vermont - List of NPDES Permit Holders
Date [inclusive]: 1992

Vermont - Non-Combustion VOC Emitters
Date [inclusive]: 1990

Southeast, 1977-1997
Date [inclusive]: 1977-1997
Date [inclusive]: Undated

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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## Southwest, 1970-1998

**Date [inclusive]: 1970-1998**  
**Date [inclusive]: 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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**West, 1980-1999**

**Date [inclusive]:** 1980-1999

**Date [inclusive]:** Undated

**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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**Arrangement**

Arranged alphabetically by territory.
### Scope and Contents

This subseries documents ASLF’s 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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Date [bulk]: 1966-2009

Date [inclusive]: 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

Date [inclusive]: 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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This series contains reports and other official publications about issues affecting New York State. Federal, state, county and city governments and their agencies, including the Environmental Protection Agency or the National Oceanic and Atmospheric Administration, published the majority of these reports. Universities and non-profit organizations issued a smaller number. For reports specifically written by the New York State Department of Environmental Conservation, please see Series 2, Subseries 3.

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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This series contains New York State Department of Environmental Conservation (DEC) reports and other official publications and pamphlets. General topics include water resources, hazardous waste, and air quality studies and analyzes. There are publications discussing specific geographic areas throughout the state. While the DEC is the sole author or publisher on the majority of the reports, some may be co-authored or sponsored. Files also may include supplemental materials related to the respective report such as an accompanying cover letter.

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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 Illinois, toxic pollution in Rhode Island, and fauna and sediments in the Detroit River. Files also may include supplemental materials related to the respective report such as an accompanying cover letter.
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#### Arrangement
Arranged alphabetically.

#### Scope and Contents
This series contains reference materials on a variety of topics including, EPCRA, CWA, citizen suits, freedom of information act and other informational resources. Materials include correspondence, research papers, photocopied articles, notes and pamphlets.

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Conditions Governing Access:
## Conditions Governing Access

Must consult archivist before viewing this material.

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|date [inclusive]: 1986| |
|date [inclusive]: Undated| |

| List of Pretreatment Facilities | Box 7 (Subject Files) | Folder 9 |
|date [inclusive]: 1994| |
|date [inclusive]: Undated| |

| Long Island Sole Source Aquifer Program | Box 7 (Subject Files) | Folder 10 |
|date [inclusive]: 1981| |
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| "Low-Cost Energy Planning at the Urban Level" | Box 7 (Subject Files) | Folder 11 |
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| Massachusetts Toxics use Reduction Institute | Box 7 (Subject Files) | Folder 12 |
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| Medical Waste | Box 7 (Subject Files) | Folder 13 |
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| Mercury Contamination - Articles, Correspondence, Notes and Summary | Box 7 (Subject Files) | Folder 14 |
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| Milwaukee County Emergency Planning Committee | Box 7 (Subject Files) | Folder 15 |
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| Minnesota 1990 Toxic Chemical Release Inventory | Box 7 (Subject Files) | Folder 16 |
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| Minnesota EPCRA | Box 7 (Subject Files) | Folder 17 |
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| Minnesota Toxic Release Inventory Data Quality Assurance Project | Box 7 (Subject Files) | Folder 18 |
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<p>| Mississippi River Revival | Box 7 (Subject Files) | Folder 19 |</p>
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**Affiliate Associations, (1972-1996)**

**Date [bulk]:** 1972-1996  
**Physical Description:** 1.6 cu. ft.

**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

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