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## Clean-water activists take aim at Androscoggin

### Some blame state for mills' pollution

By Beth Daley  
GLOBE STAFF

LEWISTON, Maine — The Androscoggin River that served as the putrid inspiration for the federal Clean Water Act three decades ago has long been cursed with a bitter irony: It has never met the minimum standards of that law.

Now, government officials in Maine stand accused of negotiating with two riverside paper mills to weaken pollution standards along a 14-mile stretch near Lewiston-Auburn that is so foul, oxygen must be pumped in to enable fish to survive.

The chief of the state Department of Environmental Protection resigned in December after environmental groups charged that she and her staff held improper negotiations about pollution lim-

its with International Paper and Rumford Paper Co. A state ethics commission is meeting Thursday to decide whether a state representative who works as an environmental manager for the International Paper mill exploited his position to lower river pollution standards for his employer.

The scandal is drawing sharp attention to the paper mills' storied power in the lumber-rich state and whether the industry has used its influence to slow the river's cleanup. To some in Maine, the case illustrates that the industry retains an iron grip over the state as the mills and their supporters argue that environmental fixes will be too expensive to keep plants running and workers employed. But to others, the public exposure of the state's actions and the resulting outcry are a sign that the paper mills' strength is waning as the jobs they provide decline to

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Neil Ward, Molly Saunders, and Chick Carroll of Androscoggin River Alliance, which is dedicated to a cleanup. "It's time we stood up for the river," Ward said.

# Push is on to clean up Maine's dirty river

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half the total of 20 years ago.

"This river was the mother of the Clean Water Act, and it got left behind," said Neil Ward, who grew up near the river and recently helped found the Androscoggin River Alliance, a group dedicated to cleaning the waterway. "The paper industry still has a tremendous amount of power. But it's time we stood up for the river."

No one disputes that Maine's third largest river is far cleaner than it was before passage of the Clean Water Act, when it was "too thick to paddle and too thin to plow," according to one historical account. Gone are the thick sheets of brown foam that once covered stretches of the river, caused by noxious discharges from three paper mills, sewage treatment plants, and storm drains along its 174-mile route from the northern New Hampshire border to Merry-meeting Bay on Maine's midcoast. In Lewiston-Auburn, the twin cities the Androscoggin divides, century-old brick buildings that line the river were purposely built to face away from it.

But the river is far from healthy today, especially in the 14-mile stretch known as Gulf Island Pond, less than a mile upriver from Lewiston-Auburn.

Phosphorus discharged from paper mills helps to spark massive algae blooms that consume oxygen and make it hard to see into the water more than a few inches most summer days. An oxygen injector was installed in 1992 to combat fish kills, but the problem is so persistent that the state is mulling installing another. Members of the Bates College crew have to wipe slime off their boats after practicing on the stretch of river.

"You really don't want to fall in," said Andrew Carter, the Bates crew coach.

In 1972, fed up with the filth of the river he grew up on, US Senator Edmund Muskie evoked the Androscoggin's pollution to champion legislation that became known as the Clean Water Act. Under the law, Maine sets minimum water quality standards for rivers and issues permits that limit how much pollution companies



BILL GREENE/GLOBE STAFF

The Androscoggin from a bridge between Auburn and Lewiston, where buildings face away from the filthy waterway.

can discharge.

While other Maine rivers slowly were brought into compliance, the Androscoggin was not.

State officials and legislators were part of the reason. Over the last 20 years, these officials tried to exempt portions of the river from the Clean Water Act, shelved tough environmental rules, and allowed pollution discharge permits to lapse, according to state DEP officials and research conducted by the Conservation Law Foundation, an environmental advocacy group.

A state law was passed in the early 1990s to clean up the worst pollution. Yet the Androscoggin still lagged behind the cleanup schedule of similar waterways. In 2004, the Legislature voted to allow Gulf Island Pond to have a lower oxygen content than any other Maine river except one, essentially allowing the mills to pollute more than if they were on another river. That vote was reaffirmed in 2005, with supporting legislators saying they feared that tougher environmental standards could result in lost jobs.

Also last year, officials of the state environmental protection agency negotiated with the mills to voluntarily meet a stricter oxygen standard, but allowed them to achieve it in 10 years, instead of the five years normally allowed.

Alleging that the agreement constituted second-class treatment of the Androscoggin, environmental groups including Maine Rivers and the Natural Resources Council of Maine filed requests for environmental agency documents under the Freedom of Information Act. But data involving Rumford Paper were missing because the agency allowed the mill to keep all records of some of the negotiations, thus preventing them from becoming public. The state attorney general's office later found the state in violation of the public information law.

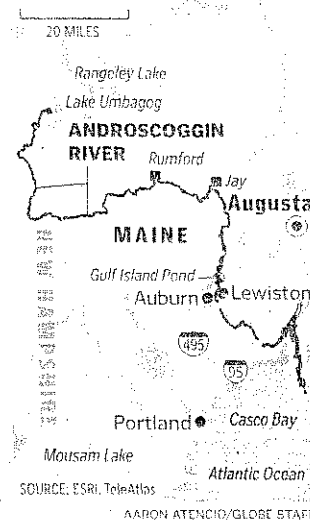
Then, local news media reported that Environmental Protection Commissioner Dawn Gallagher and state Representative Thomas Saviello, who works as International Paper's environmental manager at the Androscoggin mill, may have improperly discussed a deal related to the Androscoggin in 2004. According to the reports, Gallagher and Saviello, an Independent from Wilton, discussed having the agency drop environmental violations against the mill if International Paper would agree to support changes to Androscoggin pollution standards. Commenting on the reports, Saviello said Gallagher made the offer and he declined; Gallagher said she couldn't remember how the deal was proposed, according to press accounts.

Pandemonium erupted. Gallagher resigned on Dec. 22. She did not return a phone call.

Now, environmentalists as well as the mills are appealing the discharge permits to the citizen-based Board of Environmental Protection. Before those appeals are heard, the DEP will reexamine whether International Paper's permit should have stricter pollution limits.

Meanwhile, Saviello requested this week's state ethics commission meeting in an effort to clear his name. Saviello sits on the Natural Resources Committee, where he has repeatedly supported items that affect his employer. His legislative record shows he voted in both 2004 and 2005 for the lowered pollution limits on the Androscoggin.

Saviello declined to comment for the story. But his lawyer and supporters say the ethics law prohibits legislators from voting only on items that would directly benefit them or their immediate families. The Legislature is filled with part-time "citizen" representatives — teachers who sit on education



committees, for example — who sometimes must vote on issues that indirectly affect them. Saviello's defenders also say other paper mills benefited from the legislation, not just International Paper.

"If you get the people whose lives depend on this and they can't talk about it, well then you've silenced a point of view," said Senator John Martin, a Democrat from Aroostook County.

But Naomi Schalit, director of Maine Rivers, said to vote on an item that affects one's employer is simply "not ethical."

Some people feel the decision the state makes about the mill's permits will dictate the future of a depressed part of the state. In Jay, where International Paper employs 1,000 people and has put the plant up for sale, there is fear that tougher environmental standards would cost jobs. Mill jobs have been sliced statewide from 18,136 in 1985 to about 9,800 today, mostly through automation but also because some mills have closed.

"We live with the fear of losing the paper companies every day," said Ruth Marden, Jay's town manager. She says many residents feel International Paper is making a concerted effort in the cleanup.

Downstream, Lewiston-Auburn is looking up, in part because of the progress in cleaning up the river. New condos are planned along it. A brand new Hilton Hotel sits on its banks. Even Gritty McDuffs, a popular touristy bar that started in Portland, has opened here, with a wide deck overlooking the Androscoggin.

Ward, the environmentalist, believes more can be done while retaining mill jobs. "Other people in America can enjoy their clean rivers," he said. "Why can't we?"

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